

## Comment

|                    |  |
|--------------------|--|
| Consultee          | Zerina Bagwell [REDACTED]  |
| Email Address      | [REDACTED]   |
| Address            |  |
| Event Name         | Pre-Submission Local Plan  |
| Comment by         | Zerina Bagwell [REDACTED]  |
| Comment ID         | PSLP_1108  |
| Response Date      | 03/06/21 15:01   |
| Consultation Point | Policy STR/SS 3 The Strategy for Tudeley Village<br>( <a href="#">View</a> ) |
| Status             | Processed  |
| Submission Type    | Web  |
| Version            | 0.3  |

### Question 1

|                                       |                |
|---------------------------------------|----------------|
| Respondent's Name and/or Organisation | Zerina Bagwell |
|---------------------------------------|----------------|

### Question 3

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

### Question 3a

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

Policy STR/SS 3 - Tudeley Village

### Question 4

Do you consider that the Local Plan:

|                      |            |
|----------------------|------------|
| Is legally compliant | Don't know |
|----------------------|------------|

|          |    |
|----------|----|
| Is sound | No |
|----------|----|

|                                     |            |
|-------------------------------------|------------|
| Complies with the Duty to Cooperate | Don't know |
|-------------------------------------|------------|

### Question 4a

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

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

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

#### **Question 5**

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

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

Dear Inspector

**I am writing to object to “The Strategy for Tudeley Village” (Policy STR/SS 3).**

We moved to Tudeley in 2016 because we simply fell in love with the Parish. We previously lived in Sevenoaks but wanted to move a bit further out to the countryside within easy reach of a train station to London for work. Tudeley offered us both options as well as a good selection of secondary schools. We were right on the border of Tonbridge which meant that we were close to the amenities that a town offered. We consider Tonbridge as our local town because it can take up to 40 minutes by car to travel to the centre of Tunbridge Wells. In addition, Tudeley offered a piece of the beautiful English countryside. Wherever you looked, the agricultural land was being used to its full potential. It wasn't just left as something to look at, but it provided food as well as jobs. Surely, we had found a piece of heaven?! When people came to visit, they all exclaimed that they wished they lived in Tudeley! When we heard the news of the Local Plan and the proposed garden town at Tudeley, we were quite honestly heartbroken. However, what was more serious and important was the lack of consideration for the agricultural, environmental and infrastructure impact that the Local Plan would have on the Parish. There is a lack of clear evidence in the Local Plan that suggests other more appropriate sites (such as brown fields along the A21) had been thoroughly considered.

First of all, TWBC has 20 wards. TWBC want to put more than 50% of all their new housing in just 1 ward: Capel which already borders the very congested and busy town of Tonbridge. Two thousand four hundred and fifty-two (2,452) people currently live in Capel and with the local plan this will increase to 13,700 people within the same area. This is such a disproportionate rise of 500+% - a totally irrational and unrealistic increase in such a small area.

Creating a garden settlement at Tudeley of 2,800 dwellings will cause immense harm to both the residents of the Parish of Capel and to residents of Tonbridge as well as to the landscape. Tudeley is located right on the edge of the large bustling town of Tonbridge. In addition, there is quite simply not enough physical space/land in Tudeley to put the aforementioned 2,800 houses. The Local Plan for this policy is unsustainable, unrealistic and short sighted. First of all, Tudeley is a very small village with one country road running through it. Hartlake Road is used as a short cut from North Tonbridge to the A21 and it is very popular. The proposal to close the Hartlake Road to through traffic is farcical and naïve.

The garden settlement at Tudeley would make traffic movements in Tonbridge unsustainable. There will be a significant increase in traffic into Tonbridge from the B2017, which will increase the extreme traffic congestion that already exists on this road every morning. We have to leave our house by 08:00 for the school run in order to get my son to school for 08:30 in Hildenborough. There is already unacceptable levels of traffic during peak hours from Tudeley Lane to Woodgate Way, Vale Road and Pembury Road. In addition, the Local Plan proposes 15 years plus of large construction sites and vehicles in Capel on the already congested existing infrastructure. The Kent Mineral Plan at Stonecastle and Moat Farm is already progressing which the entire area will already be subjected to 80+ trucks a day for a very long period of time! In conclusion, even if the current infrastructure is improved by the

Local Plan, it will only add to the traffic problems due and will not relieve the congestion. It is simply not feasible.

People living in Tudeley will use Tonbridge Station for commuting and Tonbridge town services that will need more parking. The increase in traffic will be more than Tonbridge can cope with. Its roads are already full at peak times and can't be made wider in most places. The increased numbers of passengers on already packed commuter trains from Tonbridge Station will be unsustainable. Parking in and around Tonbridge Station will be even more difficult. Network Rail have confirmed that a station at Tudeley is not viable at present and so will not be built in this plan period. Most people living in the new garden settlements will drive privately owned cars, despite initiatives to encourage bus and bicycle use. I believe it is unrealistic and naive for the Local Plan to rely on bicycles as being the primary and most suitable mode of transport for the residents in Tudeley. The costs of infrastructure on the Tonbridge & Malling side of the boundary will have to be carried by Tonbridge & Malling residents whilst Tunbridge Wells will receive council tax from the residents in the new dwellings. There will be an increase in pressure on Tonbridge health services, amenities and car parking as residents from the new garden settlement at Tudeley will use Tonbridge as their local town, not Tunbridge Wells, because Tonbridge is much closer.

Large parts of the developments will occur on the Medway floodplain with flood risk assessments based on old data that does not fully consider the impact of climate change. Flood mitigation measures may help, but it is without a doubt that flood risks will increase. Covering agricultural fields with houses and roads will make the Medway flood more often and cause increased flood risk not only in Tudeley but in Golden Green, East Peckham, Tonbridge and Yalding. At the moment, the Medway River already rises when there is substantial rainfall. I know this for a fact because I frequently walk my dogs along the Medway River and there have been numerous times when the river has flooded onto the road at the bridge on Hartlake Road towards Golden Green. We have even had to subscribe to the flood alert service because the flooding Tudeley has become more frequent over the last couple of years.

The heritage of the All Saints Church at Tudeley must be preserved. What a wonderful piece of history that is set in the middle of a breath-taking landscape. According to the Local Plan, it will end up being surrounded by houses, bus lanes and sit next to a busy road in sight of a big roundabout. That will cause great harm to its value as a heritage asset of world renown (due to the complete set of Marc Chagall windows). You will be surprised, as I was, that the church is actually well known in the art community around the world!

The garden settlement at Tudeley can never be one settlement as it is divided by a railway line that has very narrow, weak crossings. Putting in larger crossings at frequent points across the railway may be possible but it won't tie the two halves of the settlement together enough to make it one settlement, so it will never satisfy garden settlement principles. Sherenden Road is a single-track road that runs in front of my house from the south to the north of Tudeley. There is no mention in the Local Plan how this road will be used – am I to expect at least 2,800 cars to pass by my front door on a single track every day? Again, any proposed infrastructure for Tudeley will be unsustainable given the size of the current roads and existing surrounding houses.

Creating so much housing in Capel Parish will require the destruction of woodland, hedgerows, meadows, and farmland that is Green Belt land and should be protected. It will spoil the landscape and kill wildlife that is very special to the area, including rare species. This area should remain rural with agricultural land that can be used to provide food. The loss of agricultural land that is currently being used by Scripps Farm is heart breaking. Did you know that you can buy apples in Tesco's that have been grown in the fields along Sherenden Road? The Scripps Farm is the biggest producer of fruit in Kent, which is something we should be proud of and not want to destroy!

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

The plan preparation process didn't include Tudeley (sites CA1 and CA2) until after the Issues and Options Process in 2017. This means that the largest housing area in the plan didn't go through most of the plan preparation process. There is no detailed Green Belt Study for these sites, no Landscape Assessment, no Biodiversity Assessment. I think that this revised version of the Local Plan does not even to begin to address the issues raised by the residents during the Regulation 18 Consultation.

97% of the residents opposed the Plan and highlighted the problems in great detail. The Issues and Options process led to most people (60%) wanting a growth corridor led approach. Less than half wanted a garden settlement and that was when they didn't know the garden settlement would involve destruction of Green Belt. Protecting Green Belt was a key priority for people who participated in the Issues and Options consultation. I understand that in response to the Site Allocation Plan in 2016, the Inspector said "I do not accept a need to allocate any land currently in the Green Belt... I have not recommended that any land within the Green Belt should be allocated".

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

I urge you to seriously consider the above points and the adverse effect that the Local Plan will have on the current infrastructure in Tudeley and the surrounding areas of Tonbridge. The Local Plan for Tudeley is clearly (and beyond any doubt) unsustainable. The development of this scale will have an unacceptable high impact on the centre of Tonbridge, and it is highly impossible for the above issues to be mitigated properly. Having read the published documents, I feel that the Local Plan has targeted Tudeley because it is simply the easiest option. However, it just does not make any logical or rational sense on so many levels which extend beyond what I have written above. Just because it is an easy option (one landowner/developer) does not make it the right one.

Yours sincerely,

Zerina Bagwell

## 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.**

It is clear from the Local Plan that alternative sites which are far more feasible and realistic in terms of implementation, have not been given enough consideration. These sites have not been looked at in details and evidence clearly shows that alternative have not truly been considered as alternatives.

These sites are: Castle Hill and Blantyre along the A21 corridor - perfect locations. In addition, there are a large number of vacant offices in Tunbridges Wells on large empty sites that can be considered for development. For example, the AXA building.

## 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

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|--|--|
| Consultee  | Elisabeth Baker [REDACTED]   |
| Email Address  | [REDACTED]   |
| Address  |  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Elisabeth Baker [REDACTED]   |
| Comment ID   | PSLP_1068  |
| Response Date  | 03/06/21 12:44   |
| Consultation Point   | Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.3  |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Mrs Elisabeth Baker  |
| Question 3   |  |
| To which part of the Local Plan does this representation relate?   | Policy   |
| Question 3a  |  |
| Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to. |  |
| Policy STR/SS1   |  |
| Question 4   |  |
| Do you consider that the Local Plan:   |  |
| Is legally compliant   | Don't know   |
| Is sound   | No   |
| Complies with the Duty to Cooperate  | Don't know   |
| Question 4a  |  |

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

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

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

#### Question 5

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I have lived in the same house in Paddock Wood for 45 years. It used to be a beautiful and useful town. The fields and countryside were lovely and it felt very rural; now the entire town is a mass of developments. We do not need to double the size of the town with expensive houses, which locals cannot afford and would not buy anyway as they are, or will be, built on a flood plain, which is against National Policy.

As the town expands the current flooding will only get worse as trees, hedges and drainage ditches are removed or replaced by housing estates. Traffic is terrible, particularly during rush hours and school drop-off/collection times. East Capel is a small village; it doesn't have the schools, shops, doctors or road infrastructure to be able to take on anything like this size of over-development. It will ruin the current village. It is not necessary to build on Green Belt Land and productive farmland. With Brexit it will be more important for us to be able to grow our own food, not just locally but on a national level.

#### Question 7

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- . 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

## Comment

|                    |  |
|--------------------|--|
| Consultee          | Elisabeth Baker [REDACTED]   |
| Email Address      | [REDACTED]   |
| Address            |  |
| Event Name         | Pre-Submission Local Plan  |
| Comment by         | Elisabeth Baker [REDACTED]   |
| Comment ID         | PSLP_1072  |
| Response Date      | 03/06/21 12:50   |
| Consultation Point | Policy STR/SS 2 The Strategy for Paddock Wood Town Centre ( <a href="#">View</a> ) |
| Status             | Processed  |
| Submission Type    | Web  |
| Version            | 0.3  |

### Question 1

|                                       |                     |
|---------------------------------------|---------------------|
| Respondent's Name and/or Organisation | Mrs Elisabeth Baker |
|---------------------------------------|---------------------|

### Question 3

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

### Question 3a

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

Policy STR6 2b) Low Traffic Town, possible closure of Paddock Wood Railway Bridge to vehicles as part of the Local Cycling & Walking Infrastructure 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
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#### Question 5

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With particular reference to the sections of the LCWIP page 48 Section 4.12:

Low Traffic Town: The Maidstone Road railway bridge provides the only vehicle access over the railway line in Paddock Wood. Consequently, it is the focus of a high proportion of vehicle trips in the town. The concept of a 'Low Traffic Town' would expand upon the Low Traffic Neighbourhood principle recommended in this report by removing vehicle access over the railway bridge except for bus services. This is likely to reduce the number of vehicle trips in the town which in turn would improve conditions for walking and cycling and create further opportunities for improving the town's streetscapes.

Commercial Road: this is the main high street in Paddock Wood and should be the key public space in the town. Instead, its layout is primarily focussed on accommodating through traffic, providing access to car parks, and enabling access for larger vehicles (>7.5t). Consequently, the resulting streetscape does not fulfil its potential as the key street in the town. To achieve more significant change, the current vehicle access and parking facilities would need to be reviewed and considered for removal to create a healthier, greener, and more attractive High Street. This approach would build upon KCC's previous EATF design arrangement which also removed through access for vehicles.

**This is a reprehensible plan for anybody with any mobility issues. I am 79, disabled and cannot walk very far or stand for very long. My granddaughter is 2 and is also disabled. She can neither walk nor cycle, nor is she likely to in future. We live on the same road with the railway bridge between us. In the event of a fall my lanyard would telephone my daughter to come to my assistance but the bridge closure would mean a long detour for her to get to me. This detour would quadruple the mileage she, and many others living on the Hop Farm side of the bridge, would have to drive daily. The closure of a section of Commercial Road requiring disabled people to walk further to access shops would also seriously affect our family and would cause a lack of trade to the local businesses as people would avoid more inaccessible Paddock Wood to shop elsewhere more convenient and accessible.**

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#### Future Notifications

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

## Comment

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|--|--|
| Consultee  | Elisabeth Baker [REDACTED]   |
| Email Address  | [REDACTED]   |
| Address  |  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Elisabeth Baker [REDACTED]   |
| Comment ID   | PSLP_1098  |
| Response Date  | 03/06/21 14:36   |
| Consultation Point   | Policy STR/SS 2 The Strategy for Paddock Wood Town Centre ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.3  |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Mrs Elisabeth Baker  |
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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 STR/SS2   |  |
| Question 4   |  |
| Do you consider that the Local Plan:   |  |
| Is legally compliant   | Don't know   |
| Is sound   | No   |
| Complies with the Duty to Cooperate  | Don't know   |
| Question 4a  |  |

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I have lived in the same house in Paddock Wood for 45 years. It used to be a pretty town. The fields and countryside were everywhere and it felt very rural; now the entire town is a mass of over development. We do not need to double the size of the town with expensive houses, which locals cannot afford and would not buy anyway as they are, or will be, built on a flood plain, which is against National Policy. The current town population of Paddock Wood is over 8,000 people and with approximately 3,500 houses planned in Paddock Wood and another 2,800 in Tudeley 2 miles away, the local population is likely to be flooded with another 12,000 plus people. It cannot continue. We do not need another 150% of our population added to our town. As the town expands the flooding will only get worse as trees, hedges and drainage ditches are removed or concreted over. Traffic is terrible, particularly during rush hours and school drop-off/collection times. East Capel and Tudeley are small villages; they don't have the infrastructure to be able to take on anything like this size of over-development. It will ruin the current villages and Paddock Wood. It is not necessary to build on Green Belt Land and productive farmland. With Brexit it will be more important for us to be able to grow our own food, not just locally but on a national level. We should use Brownfield sites rather than dumping 6,000 new houses in an area of outstanding natural beauty that has historically been productive farming land, and which protects Paddock Wood from flooding.

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| Email Address  | [REDACTED]   |
| Address  |  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Elisabeth Baker [REDACTED]   |
| Comment ID   | PSLP_1071  |
| Response Date  | 03/06/21 12:46   |
| Consultation Point   | Policy STR/SS 3 The Strategy for Tudeley Village<br>( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.3  |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Mrs Elisabeth Baker  |
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| Policy STR/SS3   |  |
| Question 4   |  |
| Do you consider that the Local Plan:   |  |
| Is legally compliant   | Don't know   |
| Is sound   | No   |
| Complies with the Duty to Cooperate  | Don't know   |
| Question 4a  |  |

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## Comment

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

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

Paragraph No. 5.485

Policy AL/BM 2: Land at Maidstone Road

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

**Question 4**

Do you consider that the Local Plan:

Is legally compliant

Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

#### Question 5

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

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

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

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

PSTR/BM 1

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

#### Question 6

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

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

#### Question 7

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



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

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

#### **Question 7a**

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

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

#### **Future Notifications**

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

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

## Comment

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

Data inputter to enter their initials here KJ

### Question 1

Respondent's Name and/or Organisation Mrs Ruth Baker

### Question 3

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

### Question 3a

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

Paragraph No. 5.485

Policy AL/BM 2: Land at Maidstone Road

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

### Question 4

Do you consider that the Local Plan:

Is legally compliant

Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

#### Question 5

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

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PSTR/BM 1

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

#### Question 6

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

#### **Future Notifications**

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

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

## Comment

|  |  |
|--|--|
| Consultee                                  | Lynn Ball [REDACTED]   |
| Email Address                              | [REDACTED]   |
| Address                                    | -<br>-<br>-  |
| Event Name                                 | Pre-Submission Local Plan  |
| Comment by                                 | Lynn Ball [REDACTED]   |
| Comment ID                                 | PSLP_634   |
| Response Date                              | 28/05/21 10:42   |
| Consultation Point                         | Policy STR/SS 2 The Strategy for Paddock Wood Town Centre ( <a href="#">View</a> ) |
| Status                                     | Processed  |
| Submission Type                            | Email  |
| Version                                    | 0.5  |
| Data inputter to enter their initials here | KH   |
| Question 1                                 |  |
| Respondent's Name and/or Organisation      | Lynn Ball  |
| Question 3a                                |  |

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

Policy STR/SS 2 The Strategy for Paddock Wood Town 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

**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 wish to object to the proposed closure of Paddock Wood railway bridge and Commercial Road to traffic.

As your report points out Maidstone Road is the main vehicle route into the village, closing this route will only lead to congestion elsewhere.

I live in Laddingford, Paddock Wood is my nearest shopping destination which is only easily accessible by car.

What would be the preferred route to Waitrose from any direction?

Darman Lane and Queen Street is not suitable for increased traffic flow and what would be the suggested route for traffic entering Paddock Wood from Five Oak Green or Tunbridge Wells?

Warrington Road and Old Kent Road are both residential areas, both would be used by the increased traffic.

Closing Commercial Road to traffic will also have a detrimental effect on the retail businesses there, surely a greater enforcement on roadside parking would be a better option.

Trying to make Paddock Wood a 'low traffic town' is rather ironic in view of the huge volume of residential property being built.

Encouraging residents to cycle and walk is to be commended but this must be achieved without detriment to those having to use the car when visiting Paddock Wood.

#### **Question 7**

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

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  | Ben Ballard [REDACTED]   |
| Email Address  | [REDACTED]   |
| Address  |  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Ben Ballard [REDACTED]   |
| Comment ID   | PSLP_1026  |
| Response Date  | 03/06/21 09:55   |
| Consultation Point   | Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.3  |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Ben Ballard  |
| 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 STR/SS 1 Paddock Wood   |  |
| Question 4   |  |
| Do you consider that the Local Plan:   |  |
| Is legally compliant   | Don't know   |
| Is sound   | No   |

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

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

#### Question 5

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

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I have been a resident of Five Oak Green for a little over 6 months and in this short time my observations are that the local community and facilities are already fully stretched. Traffic levels are very high and steadily increasing. There is already a daily problem with illegal parking on the high street, on double yellow lines, on the pavement and within the confines of pedestrian crossings. The BADSELL ROAD and WHETSTEAD ROAD have a constant stream of vehicular traffic and much antisocial driving including speeding and excessive noise.

It is nigh on impossible to get an appointment with the local Doctor's surgery and other local facilities are already at capacity.

The proposal would constitute inappropriate development within the Metropolitan Green Belt, which by definition is harmful to its openness.

It would not conserve and enhance the rural landscape, nor would it protect the countryside for its own sake, nor preserve the interrelationship between the natural and built features of the landscape. The overall impact is harmful to the rural character of the area.

The proposed development is likely to result in a risk to human life from flooding and is contrary to policies EN18 of the Tunbridge Wells Borough Local Plan 2006 and Core Policy 5 of the Tunbridge Wells Borough Core Strategy 2010, guidance in the National Planning Policy Framework 2018 and the Planning Practice Guidance

#### 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  | Linda Barretto [REDACTED]  |
| Email Address  | [REDACTED]   |
| Address  |  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Linda Barretto [REDACTED]  |
| Comment ID   | PSLP_36  |
| Response Date  | 14/04/21 19:26   |
| Consultation Point   | Policy STR/SS 3 The Strategy for Tudeley Village<br>( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.3  |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Nigel Barretto   |
| Question 3   |  |
| To which part of the Local Plan does this representation relate? | Policy   |
| Question 3a  |  |

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

Policy STR/SS 3 Strategy for Tudeley Village

### 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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Plan is not prepares in the interest of local people ,it does not take the local Enviornment into consideration. no consideration to the increase of traffic ,the condition of the local roads and Hamlets which will be used as Rat-runs.

The amount of proposed builds is not justified , as it will not be affordable to people that live local ,it is designed as an overflow for people from London .Currently there are New houses within Caple that are not sold and remain empty.

The amount of properties do not meet the current govemnt calculations for housing that may be built.

#### 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 site of the planned is not suitable as stated in Q5.

The ideal site would be at the Castle hill site which has all the advantages of location,traffic access and close to amenities like the Retail park and a direct access to the A21 could be made people that work either towards or in the M25 boundry also people that work towards the Coast.

to enable people that do move into any new settlement to live an exprience of country live as stated in documentations proposed,there should be a maximin of 100 dwellings in each settlement.

#### 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:**

To put my views across to support the rejections of building on the proposed Tudley site and for the reduction of dwellings built.

#### **Question 8**

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

The plans to build on the proposed Tudley site should be rejected.

#### **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          | Linda Barretto [REDACTED]  |
| Email Address      | [REDACTED]   |
| Address            |  |
| Event Name         | Pre-Submission Local Plan  |
| Comment by         | Linda Barretto [REDACTED]  |
| Comment ID         | PSLP_35  |
| Response Date      | 14/04/21 20:12   |
| Consultation Point | Policy STR/SS 3 The Strategy for Tudeley Village<br>( <a href="#">View</a> ) |
| Status             | Processed  |
| Submission Type    | Web  |
| Version            | 0.4  |

### Question 1

|                                       |                |
|---------------------------------------|----------------|
| Respondent's Name and/or Organisation | Linda Barretto |
|---------------------------------------|----------------|

### Question 3

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

### Question 3a

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

Policy STR/SS 3 Strategy for Tudeley Village

### 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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The amount of proposed builds is not justified , as it will not be affordable to people that live local ,it is designed as an overflow for people from London .Currently there are New houses within Caple that are not sold and remain empty.

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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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#### **Question 8**

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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:**

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

## 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 ( <a href="#">View</a> ) |
| 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

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It will have negative environmental impact

#### Question 6

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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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**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\_136

### Comment

|  |   |
|--|---|
| Agent  | Mr Jonathan Buckwell ( )  |
| Email Address  |   |
| Company / Organisation   | DHA Planning Ltd  |
| Address  | Eclipse House<br>Eclipse Park<br>MAIDSTONE<br>ME14 3EN              |
| Consultee  | ( )   |
| Company / Organisation   | Barth-Haas UK Ltd   |
| Address  | <br>Paddock Wood<br>TN12  |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Barth-Haas UK Ltd ( )   |
| Comment ID   | PSLP_2022   |
| Response Date  | 03/06/21 12:06  |
| Consultation Point   | Section 3: Vision and Objectives ( <a href="#">View</a> )           |
| Status   | Processed   |
| Submission Type  | Email   |
| Version  | 0.4   |
| Files  | <a href="#">DHA Planning for Barth-Haas-full representation.pdf</a> |
| Data inputter to enter their initials here                       | KJ  |
| Question 1   |   |
| Respondent's Name and/or Organisation                            | Barth-Haas Uk 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? | Paragraph(s)  |

### Question 3a

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

Section 3: Vision and Objectives

*[TWBC: the full representation attached has been divided into Policies STR/SS1 (PSLP\_2019), STR/SS2 (PSLP\_2020), Policy ED2 (PSLP\_2021), Vision and Strategic Objectives (PSLP\_2022), Policies STR1 (PSLP\_2023), STR3 (PSLP\_2024) and STR4 (PSLP\_2025)]*

### 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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#### 1.1 Introduction and Context

1.1.1 These representations have been prepared by DHA Planning on behalf of Barth-Haas UK Ltd (herein 'BarthHaas') in respect of the Tunbridge Wells Borough Council Pre-Submission (Regulation 19) Local Plan (PSLP) consultation.

1.1.2 These representations relate to BarthHaas' existing site at Hop Pocket Lane, Paddock Wood.

#### 1.2 The site

1.2.1 The site comprises the Barth Haas UK headquarters and production facility, which is located east of Hop Pocket Lane in Paddock Wood.

1.2.2 Barth Haas UK forms part of the Barth Haas Group – who are the world's largest supplier of hop products and services. It operates across all continents and provides support to its customers and partners throughout the production and sale cycle. This includes research and development, breeding /growing and marketing. As is recognised in PSLP paragraph 5.236, Paddock Wood evolved around the production of hops, and so as a company who continue to trade in hop products, BarthHaas provides an important link with the history of the town, as well as being an important local employer in its own right.

1.2.3 Our client is currently considering options to expand their facilities. This is likely to require relocation, with an alternative location in or close to Paddock Wood preferred, which will then free up the site. The existing premises are dated and no longer suit the needs of modern businesses – especially being an imposing five storey building – it is likely that the site would need to be redeveloped in order to be attractive to future occupiers.

1.2.4 The extent of the site is shown in Figure 1 overleaf.

*[TWBC: for Figure 1: Site Location Plan see full representation attached]*

1.2.5 The site was promoted for development through a response to the Regulation 18 consultation draft Local Plan.

1.2.6 The site is very close to both the town centre and the railway station, the latter being accessible via a pedestrian access point immediately south of the site.

1.2.7 The site was assessed by the Council as part of the Strategic Housing and Economic Land Availability Assessment (SHELAA). This concluded that the site could be suitable to be redeveloped to accommodate between 40 and 140 dwellings. The SHELAA concludes that the site is suitable, available and deliverable for such a use, and is in a sustainable location. It is therefore suitable to be allocated for this form of development.

1.2.8 Strategic Sites Masterplanning and Infrastructure Main Report paragraph 4.152 also recognises that some other town centre uses (e.g. retail and leisure) may also be appropriate in this location.

### **1.3 Local Plan 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 comments on the plan having regard to these tests of soundness as well as wider legal compliance.

### **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, and having regard to the duty to cooperate, there is concern in respect of the degree of cross boundary working and the extent to which Tunbridge Wells Borough has genuinely sought to assist with unmet housing need arising from neighbouring authorities. In this context, and owing to such concerns, it is essential that consented uses are maximised to their full potential.

### **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.

### **Vision and Strategic Objectives**

1.5.4 The Pre-Submission Local Plan (PSLP) is underpinned by vision and strategic objectives.

1.5.5 The vision is set out below:

*[TWBC: PSLP wording of Vision has been duplicated here - see full representation attached]*

1.5.6 In order to deliver the vision the plan sets a number of strategic objectives:

*[TWBC: PSLP wording of Strategic Objectives have been duplicated here - see full representation attached]*

### **Response**

1.5.7 BarthHaas 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, including new high quality employment floorspace which would be suitable for local companies such as BarthHaas to relocate to.

### **1.6 Summary and Conclusions**

1.6.1 In summary, this representation has been prepared on behalf of BarthHaas 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 fully support the proposed expansion of Paddock Wood to create a balanced mix of housing and employment development, and especially the identification of the existing BarthHaas site as being suitable for residential-led development.

1.6.3 However, we object to the wording of Policy ED2 for the reasons set out above.

### **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)?**

## Supporting Information File Ref No: SI\_136

### Comment

|  |   |
|--|---|
| Agent  | Mr Jonathan Buckwell ( [REDACTED] )                                 |
| Email Address  | [REDACTED]  |
| Company / Organisation   | DHA Planning Ltd  |
| Address  | Eclipse House<br>Eclipse Park<br>MAIDSTONE<br>ME14 3EN              |
| Consultee  | ( [REDACTED] )  |
| Company / Organisation   | Barth-Haas UK Ltd   |
| Address  | [REDACTED]<br>Paddock Wood<br>TN12 [REDACTED]                       |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Barth-Haas UK Ltd ( [REDACTED] )                                    |
| Comment ID   | PSLP_2023   |
| Response Date  | 03/06/21 12:06  |
| Consultation Point   | Policy STR 1 The Development Strategy ( <a href="#">View</a> )      |
| Status   | Processed   |
| Submission Type  | Email   |
| Version  | 0.5   |
| Files  | <a href="#">DHA Planning for Barth-Haas-full representation.pdf</a> |
| Data inputter to enter their initials here                       | KJ  |
| Question 1   |   |
| Respondent's Name and/or Organisation                            | Barth-Haas Uk 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 1 The Development Strategy

*[TWBC: the full representation attached has been divided into Policies STR/SS1 (PSLP\_2019), STR/SS2 (PSLP\_2020), Policy ED2 (PSLP\_2021), Vision and Strategic Objectives (PSLP\_2022), Policies STR1 (PSLP\_2023), STR3 (PSLP\_2024) and STR4 (PSLP\_2025)]*

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**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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1.1.2 These representations relate to BarthHaas' existing site at Hop Pocket Lane, Paddock Wood.

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1.2.4 The extent of the site is shown in Figure 1 overleaf.

*[TWBC: for Figure 1: Site Location Plan see full representation attached]*

1.2.5 The site was promoted for development through a response to the Regulation 18 consultation draft Local Plan.

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1.3.3 This submission comments on the plan having regard to these tests of soundness as well as wider legal compliance.

### **1.4 Legal Compliance**

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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.

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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**

1.5.8 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 1: The Development Strategy

1.5.9 We **SUPPORT** the aims and objectives of Policy STR 1, especially in relation to the proposed major, transformational expansion of Paddock Wood.

### **1.6 Summary and Conclusions**

1.6.1 In summary, this representation has been prepared on behalf of BarthHaas 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.

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## Supporting Information File Ref No: SI\_136

### Comment

|  |   |
|--|---|
| Agent  | Mr Jonathan Buckwell ( [REDACTED] )                                 |
| Email Address  | [REDACTED]  |
| Company / Organisation   | DHA Planning Ltd  |
| Address  | Eclipse House<br>Eclipse Park<br>MAIDSTONE<br>ME14 3EN              |
| Consultee  | ( [REDACTED] )  |
| Company / Organisation   | Barth-Haas UK Ltd   |
| Address  | [REDACTED]<br>Paddock Wood<br>TN12 [REDACTED]                       |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Barth-Haas UK Ltd ( [REDACTED] )                                    |
| Comment ID   | PSLP_2024   |
| Response Date  | 03/06/21 12:06  |
| Consultation Point   | Policy STR 3 Brownfield Land ( <a href="#">View</a> )               |
| Status   | Processed   |
| Submission Type  | Email   |
| Version  | 0.4   |
| Files  | <a href="#">DHA Planning for Barth-Haas-full representation.pdf</a> |
| Data inputter to enter their initials here                       | KJ  |
| Question 1   |   |
| Respondent's Name and/or Organisation                            | Barth-Haas Uk Ltd   |
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| Agent's Name and Organisation (if applicable)                    | DHA Planning  |
| Question 3   |   |
| To which part of the Local Plan does this representation relate? | Policy  |

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

Policy STR 3 Brownfield Land

*[TWBC: the full representation attached has been divided into Policies STR/SS1 (PSLP\_2019), STR/SS2 (PSLP\_2020), Policy ED2 (PSLP\_2021), Vision and Strategic Objectives (PSLP\_2022), Policies STR1 (PSLP\_2023), STR3 (PSLP\_2024) and STR4 (PSLP\_2025)]*

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- Vision and Strategic Objectives;
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### **Development Strategy and Strategic Policies**

1.5.8 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 3: Brownfield Land

1.5.10 We **SUPPORT** this policy which provides in principle support for the effective use of redundant, disused or under-utilised brownfield land and buildings in sustainable locations. The existing BarthHaas site clearly falls into this category.

### **1.6 Summary and Conclusions**

1.6.1 In summary, this representation has been prepared on behalf of BarthHaas 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.

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## Supporting Information File Ref No: SI\_136

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|   |   |
|---|---|
| Agent   | Mr Jonathan Buckwell ( [REDACTED] )   |
| Email Address                                 | [REDACTED]  |
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| Address                                       | [REDACTED]<br>Paddock Wood<br>TN12 [REDACTED]                               |
| Event Name                                    | Pre-Submission Local Plan   |
| Comment by                                    | Barth-Haas UK Ltd ( [REDACTED] )  |
| Comment ID                                    | PSLP_2025   |
| Response Date                                 | 03/06/21 12:06  |
| Consultation Point                            | Policy STR 4 Ensuring Comprehensive Development<br>( <a href="#">View</a> ) |
| Status  | Processed   |
| Submission Type                               | Email   |
| Version                                       | 0.3   |
| Files   | <a href="#">DHA Planning for Barth-Haas-full representation.pdf</a>         |
| Data inputter to enter their initials here    | KJ  |
| Question 1                                    |   |
| Respondent's Name and/or Organisation         | Barth-Haas Uk Ltd   |
| Question 2                                    |   |
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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 STR 4 Ensuring Comprehensive Development

*[TWBC: the full representation attached has been divided into Policies STR/SS1 (PSLP\_2019), STR/SS2 (PSLP\_2020), Policy ED2 (PSLP\_2021), Vision and Strategic Objectives (PSLP\_2022), Policies STR1 (PSLP\_2023), STR3 (PSLP\_2024) and STR4 (PSLP\_2025)]*

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*[TWBC: for Figure 1: Site Location Plan see full representation attached]*

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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**

1.5.8 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 4: Ensuring Comprehensive Development

1.5.11 We have **NO OBJECTION** to the aims and objectives of Policy STR 4, which seeks a holistic and fully integrated approach to the urban expansion of Paddock Wood.

1.5.12 We would however **COMMENT** that whilst the principle of masterplanning the expansion of the town is agreed, it is noted that whilst initial masterplanning work has already been undertaken by David Lock Associates, it is proposed to undertake further work which will result in the publication of Supplementary Planning Documents (SPDs) in due course.

1.5.13 The existing BarthHaas site is, in the context of the wider plans for Paddock Wood, a relatively small site, which is identified in the Strategic Sites Masterplanning and Infrastructure Main Report as being suitable for residential, retail and leisure uses.

Given that BarthHaas would not vacate the site until replacement premises have been secured and built, and that the redevelopment of the site may be necessary to help fund any such relocation, it is important that there are no unnecessary planning barriers to securing permission for redevelopment in the short term.

1.5.14 So long as the proposed development remains broadly in line with that set out in the initial Strategic Sites Masterplanning and Infrastructure Main Report, if necessary this site should be able to come forward in advance of the publication of a future SPD, so long as:

- the proposals are generally in accordance with the aims and objectives of existing masterplanning work and the emerging Local Plan, unless there are good planning reasons to depart from these;• the proposals do not conflict with the aim set out at PSLP paragraph 4.77 of the PSLP, which states that “the key requirement should be to ensure that a coordinated approach to new developments which have a clear inter-relationship is taken to achieve the efficient use of land, providing for different land uses in most appropriate places, and overall good planning.”

#### **1.6 Summary and Conclusions**

1.6.1 In summary, this representation has been prepared on behalf of BarthHaas 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 fully support the proposed expansion of Paddock Wood to create a balanced mix of housing and employment development, and especially the identification of the existing BarthHaas site as being suitable for residential-led development.

1.6.3 However, we object to the wording of Policy ED2 for the reasons set out above.

#### **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)?**

## Supporting Information File Ref No: SI\_136

### Comment

|   |  |
|---|--|
| Agent   | Mr Jonathan Buckwell ( [REDACTED] )  |
| Email Address                                 | [REDACTED]   |
| Company / Organisation                        | DHA Planning Ltd   |
| Address                                       | Eclipse House<br>Eclipse Park<br>MAIDSTONE<br>ME14 3EN   |
| Consultee                                     | ( [REDACTED] )   |
| Company / Organisation                        | Barth-Haas UK Ltd  |
| Address                                       | [REDACTED]<br>Paddock Wood<br>TN12 [REDACTED]  |
| Event Name                                    | Pre-Submission Local Plan  |
| Comment by                                    | Barth-Haas UK Ltd ( [REDACTED] )   |
| Comment ID                                    | PSLP_2019  |
| Response Date                                 | 03/06/21 12:06   |
| Consultation Point                            | Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel ( <a href="#">View</a> ) |
| Status  | Processed  |
| Submission Type                               | Email  |
| Version                                       | 0.7  |
| Files   | <a href="#">DHA Planning for Barth-Haas-full representation.pdf</a>                                  |
| Data inputter to enter their initials here    | KJ   |
| Question 1                                    |  |
| Respondent's Name and/or Organisation         | Barth-Haas Uk 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/SS 1 The Strategy for Paddock Wood, including land at east Capel

*[TWBC: the full representation attached has been divided into Policies STR/SS1 (PSLP\_2019), STR/SS2 (PSLP\_2020), Policy ED2 (PSLP\_2021), Vision and Strategic Objectives (PSLP\_2022), Policies STR1 (PSLP\_2023), STR3 (PSLP\_2024) and STR4 (PSLP\_2025)]*

**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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### **Place Shaping Policies**

1.5.15 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 STR/SS1

1.5.16 Policy STR/SS1 sets the detailed strategy and states, amongst other things:

*[TWBC: PSLP wording of Policy STR/SS1 and Extract of proposed proposal map for Paddock Wood have been duplicated here - see full representation attached]*

#### Comments in relation to Hop Pocket Lane

1.5.17 BarthHaas **SUPPORTS** the inclusion of the site within Paddock Wood strategic growth area, and its identification within the Strategic Sites Masterplanning and Infrastructure Main Report, where it is shown on the concept plans at Figures 6 and 10 as forming part of the town centre. Its identification as a development area on Map 28 in the PSLP is also supported.

1.5.18 My client confirms that in relation to this site, it is deliverable for residential-led development, potentially including some retail and/or leisure uses too, over the plan period. My client welcomes the strategic employment proposals for the town, which will help to deliver additional high quality employment in the manner envisaged, including a mix of employment types and sizes in order to support the balanced economic and employment growth of Paddock Wood.

1.5.19 In particular, my client **SUPPORTS** the inclusion of the Hop Pocket Lane site within the proposed Policy STR/SS1 allocation and similarly its exclusion from the protected employment area.

### **1.6 Summary and Conclusions**

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| Agent   | Mr Jonathan Buckwell ( [REDACTED] )   |
| Email Address                                 | [REDACTED]  |
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| Address                                       | [REDACTED]<br>Paddock Wood<br>TN12 [REDACTED]   |
| Event Name                                    | Pre-Submission Local Plan   |
| Comment by                                    | Barth-Haas UK Ltd ( [REDACTED] )  |
| Comment ID                                    | PSLP_2020   |
| Response Date                                 | 03/06/21 12:06  |
| Consultation Point                            | Policy STR/SS 2 The Strategy for Paddock Wood<br>Town Centre ( <a href="#">View</a> ) |
| Status  | Processed   |
| Submission Type                               | Email   |
| Version                                       | 0.4   |
| Files   | <a href="#">DHA Planning for Barth-Haas-full representation.pdf</a>                   |
| Data inputter to enter their initials here    | KJ  |
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Policy STR/SS 2 The Strategy for Paddock Wood Town Centre

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### Place Shaping Policies

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#### Policy STR/SS2

1.5.20 This policy sets out a strategy for the town centre as defined on Inset Map 5. Whilst the Strategic Sites Masterplanning and Infrastructure Main Report identifies the existing BarthHaas site as potentially falling within an expanded town centre, the site is excluded from the town centre as defined on Inset Map 5 and Map 30.

1.5.21 Whilst it is recognised that the town centre is currently located wholly to the south of the railway, if BarthHaas were to relocate from their existing premises this would create a potential development site immediately north of the station, as recognised in the PSLP. Whilst the primary use of this site is expected to be residential, which does not require a town centre location, there may also be scope for an element of town centre uses on this site, especially on the ground floor. This is especially so given its location opposite the station, and on the side of the station most likely to be used by residents of the Paddock Wood strategic extensions accessing the station on foot or by bike.

1.5.22 We therefore **COMMENT** that it may be appropriate to extend the town centre boundary to cover the BarthHaas site, as suggested in the Strategic Sites Masterplanning and Infrastructure Main Report, in the interests of flexibility and good planning.

### 1.6 Summary and Conclusions

1.6.1 In summary, this representation has been prepared on behalf of BarthHaas 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.

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### 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.**

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| Consultee                                     | ( [REDACTED] )  |
| Company / Organisation                        | Barth-Haas UK Ltd   |
| Address                                       | [REDACTED]<br>Paddock Wood<br>TN12 [REDACTED]   |
| Event Name                                    | Pre-Submission Local Plan   |
| Comment by                                    | Barth-Haas UK Ltd ( [REDACTED] )  |
| Comment ID                                    | PSLP_2021   |
| Response Date                                 | 03/06/21 12:06  |
| Consultation Point                            | Policy ED 2 Retention of Existing Employment Sites and Buildings ( <a href="#">View</a> ) |
| Status  | Processed   |
| Submission Type                               | Email   |
| Version                                       | 0.5   |
| Files   | <a href="#">DHA Planning for Barth-Haas-full representation.pdf</a>                       |
| Data inputter to enter their initials here    | KJ  |
| Question 1                                    |   |
| Respondent's Name and/or Organisation         | Barth-Haas Uk 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 ED 2 Retention of Existing Employment Sites and Buildings

*[TWBC: the full representation attached has been divided into Policies STR/SS1 (PSLP\_2019), STR/SS2 (PSLP\_2020), Policy ED2 (PSLP\_2021), Vision and Strategic Objectives (PSLP\_2022), Policies STR1 (PSLP\_2023), STR3 (PSLP\_2024) and STR4 (PSLP\_2025)]*

**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 and Context**

1.1.1 These representations have been prepared by DHA Planning on behalf of Barth-Haas UK Ltd (herein 'BarthHaas') in respect of the Tunbridge Wells Borough Council Pre-Submission (Regulation 19) Local Plan (PSLP) consultation.

1.1.2 These representations relate to BarthHaas' existing site at Hop Pocket Lane, Paddock Wood.

**1.2 The site**

1.2.1 The site comprises the Barth Haas UK headquarters and production facility, which is located east of Hop Pocket Lane in Paddock Wood.

1.2.2 Barth Haas UK forms part of the Barth Haas Group – who are the world's largest supplier of hop products and services. It operates across all continents and provides support to its customers and partners throughout the production and sale cycle. This includes research and development, breeding /growing and marketing. As is recognised in PSLP paragraph 5.236, Paddock Wood evolved around the production of hops, and so as a company who continue to trade in hop products, BarthHaas provides an important link with the history of the town, as well as being an important local employer in its own right.

1.2.3 Our client is currently considering options to expand their facilities. This is likely to require relocation, with an alternative location in or close to Paddock Wood preferred, which will then free up the site. The existing premises are dated and no longer suit the needs of modern businesses – especially being an imposing five storey building – it is likely that the site would need to be redeveloped in order to be attractive to future occupiers.

1.2.4 The extent of the site is shown in Figure 1 overleaf.

*[TWBC: for Figure 1: Site Location Plan see full representation attached]*

1.2.5 The site was promoted for development through a response to the Regulation 18 consultation draft Local Plan.

1.2.6 The site is very close to both the town centre and the railway station, the latter being accessible via a pedestrian access point immediately south of the site.

1.2.7 The site was assessed by the Council as part of the Strategic Housing and Economic Land Availability Assessment (SHELAA). This concluded that the site could be suitable to be redeveloped to accommodate between 40 and 140 dwellings. The SHELAA concludes that the site is suitable, available and deliverable for such a use, and is in a sustainable location. It is therefore suitable to be allocated for this form of development.

1.2.8 Strategic Sites Masterplanning and Infrastructure Main Report paragraph 4.152 also recognises that some other town centre uses (e.g. retail and leisure) may also be appropriate in this location.

### **1.3 Local Plan 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 comments on the plan having regard to these tests of soundness as well as wider legal compliance.

### **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, and having regard to the duty to cooperate, there is concern in respect of the degree of cross boundary working and the extent to which Tunbridge Wells Borough has genuinely sought to assist with unmet housing need arising from neighbouring authorities. In this context, and owing to such concerns, it is essential that consented uses are maximised to their full potential.

### **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.

#### Policy ED2

1.5.23 We also have concerns about the wording of Policy ED2, which seeks the retention of existing employment sites and buildings across the borough as a whole, not just within Key Employment Areas. 1.5.24 Whilst we do not object to the general principles behind the policy, as currently worded the policy sets a strong series of tests which would appear to apply to the redevelopment or conversion of every employment building in the borough, irrespective of the proposed new use, and irrespective of the quality of the existing building.

1.5.25 Whilst the first part of the policy does allow for some analysis of the quality/usefulness of the building or site, as worded the second part then applies to every building or site regardless of its quality or the proposed use. At present, if this policy is strictly applied as worded, a redevelopment of the BarthHaas site, even for a new employment use, could require my client to provide marketing evidence and an independent assessment of viability for various uses.

1.5.26 Furthermore, the policy would appear to still apply to sites which have been clearly identified in the plan as being suitable for alternative uses, such as the existing BarthHaas site.

1.5.27 We therefore **OBJECT** to the current wording. There is no good planning reason for this policy to be applied where the Council agrees that, due to the circumstances of the site, a non-employment generating use would be acceptable. Furthermore, there is no need to restrict the redevelopment of such sites where an alternative employment-generating use is proposed.

1.5.28 This objection could be overcome by:

(a) Additional wording should be provided at the start of the policy to state: "Except where sites have been identified as being suitable for alternative uses in an adopted development plan document..." (b) Before "Applicants seeking to redevelop...", the following wording should be inserted: "Where existing sites are assessed using the above criteria to be retained in an employment-generating use..." (c) The next part of the same sentence should be amended to read: "...applicants seeking to redevelop/convert existing employment sites for non-employment generating uses must demonstrate..." (d) If there is evidence to satisfactorily meet criteria (b) or (d) then there is no additional benefit derived from delaying development proposals by 18 months in order to await the marketing of premises which have already been established to be unsuitable/unviable. The policy should be reworded accordingly.

#### **1.6 Summary and Conclusions**

1.6.1 In summary, this representation has been prepared on behalf of BarthHaas 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 fully support the proposed expansion of Paddock Wood to create a balanced mix of housing and employment development, and especially the identification of the existing BarthHaas site as being suitable for residential-led development.

1.6.3 However, we object to the wording of Policy ED2 for the reasons 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.**

1.5.27 We therefore **OBJECT** to the current wording. There is no good planning reason for this policy to be applied where the Council agrees that, due to the circumstances of the site, a non-employment generating use would be acceptable. Furthermore, there is no need to restrict the redevelopment of such sites where an alternative employment-generating use is proposed.

1.5.28 This objection could be overcome by:

(a) Additional wording should be provided at the start of the policy to state: "Except where sites have been identified as being suitable for alternative uses in an adopted development plan document..."(b) Before "Applicants seeking to redevelop...", the following wording should be inserted: "Where existing sites are assessed using the above criteria to be retained in an employment-generating use..."(c) The next part of the same sentence should be amended to read: "...applicants seeking to redevelop/convert existing employment sites for non-employment generating uses must demonstrate..."(d) If there is evidence to satisfactorily meet criteria (b) or (d) then there is no additional benefit derived from delaying development proposals by 18 months in order to await the marketing of premises which have already been established to be unsuitable/unviable. The policy should be reworded accordingly.

## **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  | Mr A Batchelder [REDACTED]  |
| Email Address  | [REDACTED]  |
| Address  | -<br>-<br>-   |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Mr A Batchelder [REDACTED]  |
| Comment ID   | PSLP_338  |
| Response Date  | 24/05/21 15:34  |
| Consultation Point   | Policy STR/PW 1 The Strategy for Paddock Wood<br>( <a href="#">View</a> ) |
| Status   | Processed   |
| Submission Type  | Web   |
| Version  | 0.4   |
| Question 1   |   |
| Respondent's Name and/or Organisation  | A J Batchelder  |
| 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. |   |
| Traffic measures   |   |
| 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 wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

I wish to comment on the proposals from TWBC for future traffic adjustments in Paddock Wood.

The proposal to close, to all traffic other than buses and cycles, the railway bridge in Maidstone Road, Paddock Wood seems to be short-sighted and self-defeating. Access from the town northwards to sites such as the Garden Centre and those travelling south, to Waitrose and the centre, will necessitate residents driving an additional 4 miles - either around the bypass or using Church Road and Lucks Lane. The condition of Lucks Lane for cyclists and motorists is currently dire and further traffic will cause significantly more damage. Quite apart from the use of resources to make the extended journey the additional pollution caused by traffic making the extra journey will reduce the quality of life for those living in Lucks Lane and the surrounding area and, as I commented earlier, defeat, in part, the purpose of the proposals.

Current levels of cycling and walking, other than for pleasure, are unlikely to increase as a result of the imposition of these measures. Cycles are not built for carrying significant loads and the measures would disadvantage those travelling to shop from the north of the town into the centre.

The proposed suggestions for the centre of Paddock Wood do seem to have merit and would improve the experience of visiting the town. To enjoy that experience however residents and visitors must first get to the town. The closure of the railway bridge will potentially reduce the number of visitors and damage trade.

A J Batchelder

#### **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          | Clair Bell [REDACTED]  |
| Email Address      | [REDACTED]   |
| Address            | [REDACTED]<br>[REDACTED]<br>Biddenden<br>[REDACTED]                        |
| Event Name         | Pre-Submission Local Plan  |
| Comment by         | Clair Bell [REDACTED]  |
| Comment ID         | PSLP_1730  |
| Response Date      | 04/06/21 16:18   |
| Consultation Point | Policy PSTR/BE 1 The Strategy for Benenden parish ( <a href="#">View</a> ) |
| Status             | Processed  |
| Submission Type    | Email  |
| Version            | 0.3  |

Data inputter to enter their initials here KH

Question 1

Respondent's Name and/or Organisation Mrs Clair Bell

Question 3

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

Question 3a

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

Policy PSTR/BE 1 The Strategy for Benenden parish

Question 4a

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

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

## Question 5

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

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**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 below my submission regarding the Tunbridge Wells Local Plan proposals.

My comments primarily concern the Benenden/East End proposals which are located at the boundary between Tunbridge Wells and Ashford boroughs.

### **Correction**

Paragraph 5.411 contains a factually incorrect statement

*"The closest station to East End is Staplehurst (eight miles to the north west), with the station at Etchingham being located 11.8 miles away. There is a limited bus service serving the settlements"*

In fact, Headcorn is, by a considerable degree, the nearest station to East End and commuter traffic will have to negotiate the notorious Castleton's Oak crossroads accident blackspot and travel through Biddenden to get to Headcorn station.

### **Sustainability**

Paragraph 5.413 highlights the lack of facilities at the East End location. East End residents will have to travel by car to use facilities such as primary schools, most shopping and work. I suggest the detrimental impact this travel will have on the environment outweighs the benefits of preserving the Benenden AONB. I would suggest that it would be better to develop a site or sites at the edge of Benenden village rather than at East End.

### **Traffic**

Castleton's Oak crossroads has been an accident blackspot for many years despite many attempts by the local authority to improve it. Any further households built in the East End will generate more traffic movements through this junction which will increase the likelihood of accidents and fatalities at this junction. Again, I would suggest that developing sites at the edge of the village of Benenden would be safer and less impactful.

## 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\_97

## Comment

|   |  |
|---|--|
| Agent   | David Murray-Cox [REDACTED]  |
| Email Address                                 | [REDACTED]   |
| Company / Organisation                        | Turley   |
| Address                                       | [REDACTED]<br>[REDACTED]<br>Reading<br>[REDACTED]  |
| Consultee                                     | [REDACTED]   |
| Company / Organisation                        | Bellway Homes Strategic  |
| Address                                       | -<br>-<br>-  |
| Event Name                                    | Pre-Submission Local Plan  |
| Comment by                                    | Bellway Homes Strategic [REDACTED]   |
| Comment ID                                    | PSLP_1747  |
| Response Date                                 | 04/06/21 12:23   |
| Consultation Point                            | Policy STR 1 The Development Strategy ( <a href="#">View</a> )                                       |
| Status  | Processed  |
| Submission Type                               | Email  |
| Version                                       | 0.7  |
| Files   | <a href="#">PSLP_1747-1748, 1750-1756, 1758_Turley for Bellway Homes_Representation_Redacted.pdf</a> |
| 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 1 The Development Strategy

*[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.

**REPRESENTATIONS**

The following section of this letter sets out Bellway's representations on the draft Local Plan.

**Housing Requirement and Supply**

Paragraph 4.10 of the draft Local Plan indicates that a total of 12,200 dwellings are required in the Borough between 2020 -2038 calculated on the basis of 678 dwellings per annum to reflect the 'standard method' (over 18 years we calculate this to be 12,204 dwellings). Although we agree that the standard method should be the starting point for calculating the Local Housing Need figure, we also note that this should be a 'minimum requirement', not a minimum 'target' as suggested by paragraph 4.10

Table 3.3 shows how the requirement is to be achieved via the following sources:

- . Extant planning permissions at 1 April 2020: 3,313 dwellings
- . A windfall allowance on small sites of 1,310 dwellings
- . A windfall allowance on large urban sites of 360 dwellings
- . Outstanding SALP/Local Plan site allocations of 276 dwellings
- . Minimum additional allocations to meet need of 6,945 dwellings

As paragraph 4.17 explains, at least 7,221 dwellings need to be identified (a combination of the outstanding and additional allocations). However that figure assumes that 1,670 dwellings will be delivered during the Plan-period from windfall sources. As we note elsewhere, the draft Local Plan has become increasingly reliant upon those sources.

We welcome the Council's recognition (paragraph 4.18) that:

*"In practice, aside from the need also to consider the potential for unmet needs elsewhere to be accommodated, it should also be borne in mind that the total capacity of allocated sites would need to be somewhat greater than the above figures, to make allowance for the potential delay and/or non-delivery of a proportion of the sites. In essence, this is to ensure the robustness of the Plan's housing provisions in order to meet the housing need."*

### **Affordability**

The Housing Needs Assessment Topic Paper (February 2021) itself therefore acknowledges that the level of growth planned in the emerging Local Plan is not at a level which would address the inherent issues of affordability due to the following commentary:

*"With its relatively high house prices, application of the affordability uplift to the borough produces a figure of 741 dwellings/year. However, due to the substantial increase above household growth projections, the above-mentioned 40% increase cap is applied. (i.e. 484 dwellings/year multiplied by 1.4)*

*Hence, applying the Standard Method, the local housing need for Tunbridge Wells borough is 678 dwellings/year, or 12,204 net additional dwellings over a plan period 2020 - 2038.*

*It can be seen that this target under the Standard Method is a little, 8.5%, less than the uncapped figure (678/741=91.5%). Further consideration of whether the Council should plan for the uncapped figure, or another level of need than set by the Standard Method, is given in the following section."*

Notably the Topic Paper explains that:

*"With its relatively high house prices, application of the affordability uplift to the borough produces a figure of 741 dwellings/year. However, due to the substantial increase above household growth projections, the above-mentioned 40% increase cap is applied. (i.e. 484 dwellings/year multiplied by 1.4)."*

However the Topic Paper also explains that:

*"It also finds that the higher, uncapped need may also be achievable, notwithstanding this would involve a further significant increase over recent building rates. However, it concludes that it would not be unreasonable for the Council to adopt the capped standard method need, having regard to the concentration of growth potential in the west of the borough, the fact that it will be a 'minimum' requirement, and the benefits to housing delivery of getting an up-to-date plan in place as soon as possible."*

Bellway consider that the housing requirement should be increased in order to help tackle the identified issues of housing affordability in the Borough. In the event that the housing requirement is not increased in this manner then this only heightens the imperative of ensuring that the Local Plan establishes a planning policy context, by virtue of the sources of supply, allocations and distribution strategy which ensures that the planned level of growth can be achieved. Despite the Topic Paper explaining that the uncapped figure could be achieved, the LPA has not made any steps to address these issues.

### **Reliance on Windfall Sites**

1,670 dwellings from windfall sources represents 13.14% of the total minimum requirement. It also represents 18.78% of the supply still to be met once extant permissions at 1 April 2020 are discounted. In our submission that is a very substantial component of the overall housing requirement, particularly given the recognition at paragraph 4.18 of the draft Plan and the reliance upon large sites.

The reliance on windfalls is also of concern since this has increased, rather than decreased compared to the Council's expectations at the Regulation 18 stage. In our submission, this places greater uncertainty that the minimum housing requirements will be achieved and address local issues such as affordability.

Notwithstanding the comments set out above, Bellway have significant concerns regarding the approach which the Council is pursuing to meet the housing needs in the Borough.

### **Extent of the 'Buffer'**

Paragraph 4.53 and 454 of the draft Local Plan state that:

*"It can be seen that the total capacity of all allocated sites, excluding those that already have planning permission at the base date, is 8,076-8,461 dwellings. This compares to the anticipated residual requirement, after sites with planning permission and windfall sites allowances are made, of 7,221 dwellings. In overall terms, the allocated sites, together with these other sources of supply yield 13,059-13,444 dwellings, relative to the Plan's overall target of 12,204 net additional dwellings."*

*"Taking the mid-point of dwelling ranges, there is a 'buffer' of approximately 1,000 dwellings, equivalent to some 14.6% of the need from allocated sites and 8.6% of overall need. While there is a high level of confidence regarding the achievability and availability of identified sites, and very high for those that have already the benefit of planning permission, and the windfall allowances are robust, it is accepted that it is prudent to provide this degree of flexibility in the actual housing supply, particularly having regard to the high contributions from the strategic sites."*

The position set out in the draft Local Plan is therefore that the LPA expects there to be a 'buffer' of around 1,000 dwellings to the minimum housing requirement.

For the reasons set out in these representations, Bellway consider that this is insufficient.

### **Housing Trajectory**

The 'Housing Supply and Trajectory' Topic Paper (February 2021) explains that the Local Plan makes provision for 13,257 dwellings during the Plan period (including existing commitments) (a buffer of 1,053 (or 8.63%) compared to the standard method requirement of 12,204). We assume that this figure is calculated on the assumption that all extant permissions, existing site allocations, windfall sites and new allocations deliver as expected in the trajectory.

As an initial comment, we note that despite the recognition at paragraph 4.18 of the draft Local Plan and the increased reliance upon windfall sources, we note that at the Regulation 18 stage, a buffer of 1,216 dwellings was proposed. The Council has therefore increased its reliance on uncertain sites, but decreased the degree of flexibility.

The 'Housing Supply and Trajectory Topic Paper for Pre-Submission Local Plan' (February 2021) indicates that the 3,540 dwellings at Paddock Wood/Capel are expected to be delivered from 2025/2026 and at a consistent rate of between 240 – 300 dwellings per annum until 2036. We consider that the Council has been overly optimistic over the lead in time before this scheme is delivered and then the subsequent rate of housing completions for the reasons set out below:

- Lead in: the 'Housing Supply and Trajectory Topic Paper' envisages that development would commence on this site in 2025/2026. We understand that the Council's Local Development Scheme envisages that the new Local Plan will be adopted in June 2022. That means that there would be less than 4 years between the adoption of the Local Plan and the delivery of housing at this site. However Policy STR/PW 1 establishes that there is a significant amount of work to be undertaken in relation to this allocation. That work includes comprehensive masterplanning and the creation and adoption of one or more Supplementary Planning Documents. The Policy indicates that compulsory purchase powers may be utilised to ensure comprehensive development. The Lichfield report 'From Start to Finish' identifies average 'lead in times' of close to 7 years for sites larger than 2,000 dwellings. The LPA's assumptions are that the site delivers less 4 years from when they expect the Local Plan to be adopted. This lead in time is extremely optimistic and fails to reflect



the complexities of delivering large scale strategic residential sites including land assembly, the preparation of SPDs, the preparation and determination of (complex) applications, reserved matters, conditions and infrastructure delivery. In opinion, the lead in time should therefore be extended. If the delivery of housing from the Paddock Wood/Capel allocation were delayed until 7 full years after the adoption of the Plan, that would suggest the first dwellings would be completed in 2029/30. The effect of this would be to remove 1,200 dwellings from the supply. Removing 1,200 dwellings from the housing trajectory would remove any degree of buffer to the minimum overall housing requirement given the comments at paragraph 4.54 of the draft Local Plan.

- . Completions rate: The Topic Paper explains that the assumed delivery rates are greater than demonstrated through the 'Letwin Review'. Furthermore, there is no analysis as to how matters such as the requirement for phasing/infrastructure delivery would affect the completions rate. In any event, we consider that the expected completions rate is likely to be excessive

The fact that there is such uncertainty regarding the deliverability and timescales for the strategic scale development envisaged at Paddock Wood/Capel is of significance since 3,540 dwellings represents more than a quarter (29%) of the total minimum requirement to 2036 and even on the Council's own calculations they claim an oversupply of 1,000 dwellings (compared to the minimum requirement. Simply delaying the site until 2029/30 removes 1,200 units from the overall supply and therefore more than the claimed buffer. Reducing the annual delivery rate would further reduce the contribution from this site during the Plan period.

The 'Housing Supply and Trajectory' Topic Paper indicates that 2,100 dwellings at Tudeley Village are expected to be delivered from 2025/2026 and at a rate of between 150 – 200 dwellings per annum until 2036. We consider that the Council has been overly optimistic over the lead in time before this scheme is delivered and then the subsequent rate of housing completions for the reasons set out below:

- . Lead in: the 'Housing Supply and Trajectory' envisages that development would commence on this site in 2025/2026. We understand that the Council's Local Development Scheme envisages that the new Local Plan will be adopted in June 2022. That means that there would be less than 4 years between the adoption of the Local Plan and the delivery of housing at this site. However Policy STR/CA 1 establishes that there is a significant amount of work to be undertaken in relation to this allocation. That work includes comprehensive masterplanning and the creation and adoption of one or more Supplementary Planning Documents. The Policy indicates that compulsory purchase powers may be utilised to ensure comprehensive development.

The Lichfield report 'From Start to Finish' identifies average 'lead in times' of close to 7 years for sites larger than 2,000 dwellings. The LPA's assumptions are that the site delivers less than 5 years from when they expect the Local Plan to be adopted. This lead in time is extremely optimistic and fails to reflect the complexities of delivering large scale strategic residential sites including land assembly, the preparation of SPDs, the preparation and determination of (complex) applications, reserved matters, conditions and infrastructure delivery.. In opinion, the lead in time should therefore be extended. If the delivery of housing from the Tudeley Village allocation were delayed until 7 full years after the adoption of the Plan, that would suggest the first dwellings would be completed in 2029/30, two years later than expected by the Council. The effect of this would be to remove 300 dwellings from the supply.

- . Completions rate: Whilst the Council appears to have applied more reasonable completion rates to this site, we consider that evidence will still need to be provided in order to support the claimed figures. Given the overall contribution that this site makes towards housing supply to 2036, it is imperative that the Local Plan is based upon a justified housing trajectory.

In isolation the alterations referred to above to Tudeley Village scheme may result in housing delivery falling below the overall requirements, assuming that it does indeed come forward and at the rate envisaged by the Council. More significant alterations to those referred to above (for example to the delivery rates or other sites) could have dramatic consequences on the achievement of the overall housing requirement (irrespective of any other alterations made to supply).

Simply by delaying these two sites until 2029/30, 1,300 dwellings are removed from the housing supply, and therefore the overall supply is less than the minimum requirement.

These comments demonstrate that, without evidence to support the claimed lead in times or completion rates, the Council is overly reliant upon two sites to achieve the planned housing requirement to 2036. Additional flexibility and sources of supply are therefore required. Revising the current housing trajectory to reflect fairly modest amendments alone results in a significant undersupply of housing against the capped figure derived from the standard method. Other alterations, such as reductions in the windfall

allowance or reductions in the supply from other allocations/commitments would increase the extent of that shortfall.

As currently prepared, the Local Plan does not represent a vehicle by which the planned housing requirements will be achieved. In contrast, the Plan will result in an undersupply of housing. This is likely to have severe consequences for the Council's ability to demonstrate a rolling five year supply of deliverable housing sites. This is compounded by the reliance on two large sites (2,100 at Tudeley Village and 3,540 at Paddock Wood delivering 5,640 in combination) represents 78.12% of the remaining level of housing required during the Plan period (7,221 dwellings).

Accordingly, we consider that it is essential that the Council allocate a greater range and diversity of sites for residential development to ensure that the housing requirement of the Plan can be achieved.

Bellway reserve the opportunity to comment on the Council's housing trajectory, including the other sites proposed for residential allocation, in more detail as the Local Plan progresses.

### **Meeting Affordable Housing Needs**

The Housing Needs Assessment Topic Paper (paragraph 3.8) explains that (based on the conclusions of the SHMA, 2015):

*"the borough would need 341 affordable homes per annum to meet their housing needs and be eligible for affordable housing (see SHMA, 2015 Table 39, page 90). This includes need arising from concealed and homeless households, as well as from overcrowded households, and those who seek an alternative tenure of accommodation, but would release a home for other households should a new affordable home be provided. This estimate is sensitive to assumptions on spending on housing costs relative to income. It assumes 30%, but the figure falls by about a quarter if 35% is assumed, or about 50% if 40% rent to income ratio is assumed (see SHMA, 2015 Figures from Table 40, page 91).*

The Housing Needs Assessment Topic Paper (paragraph 3.9) explains that:

*"A separate Housing Needs Study in 2018 (see Housing Needs Study), assessed affordable requirements by taking into account the need from existing and newly forming households within sub-areas of the borough of Tunbridge Wells, and comparing this with the supply of affordable housing. Against a gross need for affordable housing of 662 dwellings each year, when the likely annual affordable supply is taken into account, the overall net imbalance is 443 affordable dwellings each year. This is considerably higher than the SHMA estimate of 341 dwellings, but includes significant numbers due to overcrowding, based on the bedroom standard. However, this may not represent actual demand in practice. Furthermore, this, and similar needs due to unsuitable housing, are assumed to be met within five years. The calculation includes meeting all the backlog within five years, but then applies the resulting annualised need for the first five years over the longer period of 15 years that the Local Plan covers. If the backlog is spread over the full 15-year period, based on the HNS estimate, the need is actually 391 dwellings per year."*

391 dwellings over 15 years results in 5,865 affordable dwellings being required.

Policy H4 of the draft Local Plan expects all greenfield sites over more than 9 dwellings to deliver a minimum of 40% affordable housing (with PDL sites expected to provide 40%). Even if 40% of all 8,461 dwellings which could be delivered (see paragraph 4.54) were delivered as affordable housing, that would provide 3,384 affordable dwellings (significantly fewer than need acknowledged by the Council). However that approach misrepresents the supply of affordable housing bearing in mind the different requirements applied by Policy H5. In addition, this approach also misrepresents the level of affordable housing which will be delivered, as it is based upon an assumption that all allocations deliver the total maximum (i.e. upper end) level of housing referred to in paragraph 4.54.

On the basis of these comments alone, we consider that the Local Plan fails to represent a positive approach to addressing the need for affordable housing in the Borough. It should also be noted that the provision of affordable housing to 2036 would also be reduced in the event that the strategic allocations at Paddock Wood/Capel or Tudeley are delayed, do not achieve the delivery rates envisaged by the Council or if the further work in support of the Local Plan/CIL indicates that the sites themselves should provide fewer affordable dwellings than might otherwise be expected.

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

Policy STR1 is accompanied by Table 1 of the draft Local Plan which sets out the scale and distribution of development. That table identifies Tunbridge Wells as the Main Urban Area where allocations are

expected to deliver 1,416-1,536 dwellings. Notably Tunbridge Wells is expected to accommodate significantly fewer dwellings than Tudeley Village during the Plan period despite the clear and obvious disparity between the two settlements/areas. Fundamentally, Tunbridge Wells is a sustainable location for growth now, Tudeley Village is not and will never be in a position where it exhibits the same overall sustainability credentials as Tunbridge Wells.

Overall we note that the quantum of development directed to Tunbridge Wells is disproportionately low compared to the levels of development expected to be provided at other, less sustainable, settlements within the Borough. This is despite the availability of sites at Tunbridge Wells which have been assessed as being suitable, sustainable and logical.

## 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

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

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

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

**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\_97

### Comment

|   |  |
|---|--|
| Agent   | David Murray-Cox [REDACTED]  |
| Email Address                                 | [REDACTED]   |
| Company / Organisation                        | Turley   |
| Address                                       | [REDACTED]<br>[REDACTED]<br>Reading<br>[REDACTED]  |
| Consultee                                     | [REDACTED]   |
| Company / Organisation                        | Bellway Homes Strategic  |
| Address                                       | -<br>-<br>-  |
| Event Name                                    | Pre-Submission Local Plan  |
| Comment by                                    | Bellway Homes Strategic [REDACTED]   |
| Comment ID                                    | PSLP_1748  |
| Response Date                                 | 04/06/21 12:23   |
| Consultation Point                            | Policy STR 6 Transport and Parking ( <a href="#">View</a> )  |
| Status  | Processed  |
| Submission Type                               | Email  |
| Version                                       | 0.4  |
| Files   | <a href="#">PSLP_1747-1748, 1750-1756, 1758_Turley for Bellway Homes_Representation_Redacted.pdf</a> |
| 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 6 Transport and Parking

*[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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*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.**

**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 STR6: Transport and Parking**

We note that this Policy explains how the *“transport and parking strategy is to: ... Deliver future development in accessible locations, normally within, or in close proximity to, existing towns and villages*

*across the borough, where it is a scale which supports the necessary infrastructure and services to allow the community to function self sufficiently on a day to day basis.”*

We set out concerns elsewhere in these representations as to the extent to which the draft Local Plan fulfils that strategy.

## **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.

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

## **Question 7**

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| Address                                       | -<br>-<br>-  |
| Event Name                                    | Pre-Submission Local Plan  |
| Comment by                                    | Bellway Homes Strategic [REDACTED]   |
| Comment ID                                    | PSLP_1758  |
| Response Date                                 | 04/06/21 12:23   |
| Consultation Point                            | Policy STR 9 Green Belt ( <a href="#">View</a> )   |
| Status  | Processed  |
| Submission Type                               | Email  |
| Version                                       | 0.5  |
| Files   | <a href="#">PSLP_1747-1748, 1750-1756, 1758_Turley for Bellway Homes_Representation_Redacted.pdf</a> |
| 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 9 Green Belt

*[TWBC: for further comments by Bellway Homes Strategic, please see Comment Numbers PSLP\_1747-1748, PSLP\_1750-1756, PSLP\_1758]*

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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.

**Comments on Other Documents**

**Green Belt Assessment**

In the LUC Green Belt Strategic Study of November 2016, the southern part of the site promoted by Bellway is located in Parcel TW6 and the remainder in Broad Are BA7, as shown below:

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

Parcel TW6 is identified as an area for further assessment, with Table 6.2 of the 2016 document identifying 'Potential Stage Two parcels and broad areas'. In relation to TW6, Table 6.2 identifies the 'Key Stage 2 Considerations' as being the "Relationship between settlement and countryside, with reference to role of High Wood in forming barrier to encroachment/sprawl."

The Key Stage 2 Considerations for Parcel BA6 are referred to as being "Contribution to preventing countryside encroachment and role in historic setting of Tunbridge Wells".

As an initial comment, Bellway note that the assessment of BA6 cannot be relied upon as an indication that all the land within the Broad Area fulfils Green Belt purposes to the same extent. For example, while the 2016 document may have concluded that BA6 makes a contribution to preventing countryside encroachment and plays a role in the historic setting of Tunbridge Wells, that is not to say that the land promoted by Bellway to the north of High Woods Lane performs these functions.

The LUC Tunbridge Wells Green Belt Study Stage Two report was published in July 2017. In relation to the Broad Areas, this report found that "All 10 broad areas were considered to rate very high for harm to Green Belt resulting from release of land for strategic development. It should however that there might be opportunities for small-scale

– i.e. non-strategic – development that would result in less harm to Green Belt purposes." This overall conclusion accords with Bellway's own interpretation as articulated in the previous paragraph of these representations.

Table 1.1 of the July 2017 LUC report identifies all of the specific parcels with moderate or lower harm rating. Only seven specific parcels are found to have a low or very low level of harm on the Green Belt. Parcel TW6 was split in two for the purposes of this assessment: TW6a (including the southern part of the land promoted by Bellway) and TW6b. TW6a is identified as having a 'moderate' level of harm on the Green Belt. However we note that Table 6.1 of the July 2017 report found that Parcel TW6a would have: makes a moderate contribution to GB purpose 1; makes a weak or no contribution to purpose 2; makes a moderate contribution to GB purpose 3; and makes a moderate contribution to GB purpose 4.

Appendix A of the 2017 report considered the Broad Areas. However it does not appear as though there was any analysis over the contribution that smaller parts of the Broad Areas makes to the Green Belt purposes and therefore no analysis as to the extent to which these could accommodate development. This approach appears at odds with the conclusions elsewhere in the 2017 report that "there might be opportunities for small-scale

– i.e. non-strategic – development that would result in less harm to Green Belt purposes." The Turley Outline Landscape, Visual and Green Belt Advice Note considers the contribution that the northern part of the site promoted by Bellway (which falls within BA6) makes to the Green Belt purposes as follows:

- . Whereas LUC conclude that BA6 makes a strong contribution to GB purpose 1, the Turley Outline Landscape, Visual and Green Belt Advice Note demonstrates that the land northern part of the land promoted by Bellway (within BA6) should only be considered to make a moderate contribution.
- . In relation to GB purpose 2, LUC conclude that BA6 makes a strong contribution. The Turley Outline Landscape, Visual and Green Belt Advice Note demonstrates the edge of Pembury is over 2km away from the Appraisal Site and on account of intervening topography and woodland has no perceivable relationship with this settlement area. Development of the northern parcel of the Site would result in little or no perception of the narrowing of the gap between towns and it is therefore considered to make 'Weak/No' contribution to Purpose 2.
- . LUC conclude that BA6 makes a strong contribution GB purpose 3. The Turley Outline Landscape, Visual and Green Belt Advice Note demonstrates that due to the relationship of the northern part of the area promoted by Bellway to the wider countryside it is considered to make a 'Moderate' contribution to Purpose 3.
- . LUC conclude that BA6 makes a strong contribution to purpose 4. The Turley Outline Landscape, Visual and Green Belt Advice Note explains that the contribution to this purpose is made most strongly by Dunorlan Park which is a key feature on the edge of the historic town. However, the parcel does form part of the setting to the edge of both the Tunbridge Wells Conservation Area and Dunorlan Park and is glimpsed in some key views from the latter. For this reason it is considered to make a 'Moderate' contribution to Purpose 4.

On the basis of the Turley Outline Landscape, Visual and Green Belt Advice Note, it is considered that the July 2017 LUC report overstates the contribution that the part of Broad Area BA6 promoted by Bellway has been overstated. When this part of BA6 is considered independently, it makes a moderate contribution to Green Belt purposes.

Appendix A of the 2017 report also provided an analysis of the specific parcels against the Green Belt purposes. Bellway consider that the assessment in relation to Parcel TW6a is flawed. The table below sets out the assessment of this parcel in the LUC 2017 report and provides our response and reason why the conclusions are flawed:

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

The Turley Outline Landscape, Visual and Green Belt Advice Note demonstrates that the contribution of Parcel TW6a has been overstated, particularly when the land promoted by Bellway is considered independent.

On the basis of the summary set out above, and supported by the Turley Outline Landscape, Visual and Green Belt Advice Note, it is clear that the LUC reports which have informed the Local Plan in relation to the land currently designated as Green Belt have overstated the role and function of the land promoted by Bellway.

Bellway therefore consider that it is essential that the Council undertakes an updated and more robust analysis of the extent to which particular areas (including the land promoted by Bellway) contribute to the Green Belt purposes. Without this updated evidence, Bellway contend that the Council cannot have certainty that the distribution strategy which it has chosen (including the Tudeley Village concept) is justified and that alternative options should not have been pursued.

### **Strategic Housing and Economic Land Availability Assessment (SHELAA)**

In the January 2021 SHELAA the land promoted by Bellway is considered under site reference 53.

However we note that in the July 2019 document, the assessment found that the "Site is suitable in part as a potential Local Plan allocation subject to further consideration". The reason for this conclusion was stated as being *"The southern parcel of this site lies adjacent to the LBD and is likely to be sustainable in this context. This would form a logical extension to LBD. The remaining area, the first parcel whilst in proximity to the LBD would not form a logical extension to the LBD and is considered to adversely affect the landscape setting of the town and is part of a Green Belt parcel the release of which is considered to result in very high harm, and setting of an Historic Park and Garden."*

The 2019 SHELAA conclusion was that the southern part of the site promoted by Bellway (i.e. the land south of High Woods Lane) would be a **logical extension to the LBD**.

In our previous representations, we noted that the SHELAA is an assessment of sites for housing and economic land purposes and so the conclusions of that document must be read in that regard. The analysis of site 53 and the conclusions in relation to the suitability, sustainability and logic of the site must therefore refer to housing or economic land uses. There is no suggestion in the SHELAA that the conclusions in relation to site 53 relate to any other form of land use or that they would not apply in relation to housing or economic uses.

*However TWBC's January 2021 SHELAA now suggests that the assessment in relation to the southern parcel of land relates to a potential allocation for sport and recreation uses. We do not consider that conclusion is justified and reiterate that the SHELAA is intended to address housing and economic land matters. The conclusion in the 2021 SHELAA appears to be a consequence of the decision to allocate the site for sports and recreation uses.*

### **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](#)

## Supporting Information File Ref No: SI\_97

### Comment

|   |   |
|---|---|
| Agent   | David Murray-Cox [REDACTED]   |
| Email Address                                 | [REDACTED]  |
| Company / Organisation                        | Turley  |
| Address                                       | [REDACTED]<br>[REDACTED]<br>Reading<br>[REDACTED]   |
| Consultee                                     | [REDACTED]  |
| Company / Organisation                        | Bellway Homes Strategic   |
| Address                                       | -<br>-<br>-   |
| 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 ( <a href="#">View</a> )            |
| 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   |
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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 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.

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

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| Company / Organisation                        | Turley   |
| Address                                       | [REDACTED]<br>[REDACTED]<br>Reading<br>[REDACTED]  |
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| Company / Organisation                        | Bellway Homes Strategic  |
| Address                                       | -<br>-<br>-  |
| 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 ( <a href="#">View</a> )          |
| Status  | Processed  |
| Submission Type                               | Email  |
| Version                                       | 0.5  |
| Files   | <a href="#">PSLP_1747-1748, 1750-1756, 1758_Turley for Bellway Homes_Representation_Redacted.pdf</a> |
| 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                                    |  |

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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]*

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**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.

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| Address                                       | -<br>-<br>-   |
| 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 ( <a href="#">View</a> )         |
| Status  | Processed   |
| Submission Type                               | Email   |
| Version                                       | 0.5   |
| Files   | <u>PSLP_1747-1748, 1750-1756, 1758_Turley for Bellway Homes Representation Redacted.pdf</u> |
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*[TWBC: for further comments by Bellway Homes Strategic, please see Comment Numbers PSLP\_1747-1748, PSLP\_1750-1756, PSLP\_1758]*

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**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

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

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

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**If 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\_97

### Comment

|   |   |
|---|---|
| Agent   | David Murray-Cox [REDACTED]   |
| Email Address                                 | [REDACTED]  |
| Company / Organisation                        | Turley  |
| Address                                       | [REDACTED]<br>[REDACTED]<br>Reading<br>[REDACTED]   |
| Consultee                                     | [REDACTED]  |
| Company / Organisation                        | Bellway Homes Strategic   |
| Address                                       | -<br>-<br>-   |
| 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 ( <a href="#">View</a> )     |
| 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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#### **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)?**

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## Supporting Information File Ref No: SI\_97

### Comment

|   |   |
|---|---|
| Agent   | David Murray-Cox [REDACTED]   |
| Email Address                                 | [REDACTED]  |
| Company / Organisation                        | Turley  |
| Address                                       | [REDACTED]<br>[REDACTED]<br>Reading<br>[REDACTED]   |
| Consultee                                     | [REDACTED]  |
| Company / Organisation                        | Bellway Homes Strategic   |
| Address                                       | -<br>-<br>-   |
| 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<br>( <a href="#">View</a> )                               |
| Status  | Processed   |
| Submission Type                               | Email   |
| Version                                       | 0.5   |
| Files   | <u><a href="#">PSLP_1747-1748, 1750-1756, 1758_Turley for Bellway Homes Representation Redacted.pdf</a></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**

**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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**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.

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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.

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

## Question 7

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# Supporting Information File Ref No: SI\_97

## Comment

|   |  |
|---|--|
| Agent   | David Murray-Cox [REDACTED]  |
| Email Address                                 | [REDACTED]   |
| Company / Organisation                        | Turley   |
| Address                                       | [REDACTED]<br>[REDACTED]<br>Reading<br>[REDACTED]  |
| Consultee                                     | [REDACTED]   |
| Company / Organisation                        | Bellway Homes Strategic  |
| Address                                       | -<br>-<br>-  |
| Event Name                                    | Pre-Submission Local Plan  |
| Comment by                                    | Bellway Homes Strategic [REDACTED]   |
| Comment ID                                    | PSLP_1755  |
| Response Date                                 | 04/06/21 12:23   |
| Consultation Point                            | Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel ( <a href="#">View</a> ) |
| 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/SS 1 The Strategy for Paddock Wood, including land at east Capel

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

**Question 5**

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**Policy STR/SS 1: The Strategy for Paddock Wood, including land at east Capel**

The draft Local Plan proposes 3,490 – 3,590 dwellings at Paddock Wood (in Paddock Wood and Capel parishes). We have set out comments on the deliverability of this site elsewhere in these representations

and reserve the opportunity to comment in greater detail if this site is retained in subsequent versions of the Local Plan.

We note that this site is acknowledged to be subject to a number of specific constraints, including land being within Flood Zone 3. This Local Plan consultation does not appear to be supported by any material which explores or demonstrates how the quantum of development (residential and other uses) and associated infrastructure can be accommodated within the site.

It is clear that the policy sets a complex and complicated level of requirements which will take time to address before any permission can be granted and in combination with the need for infrastructure delivery, demonstrates the need for caution to be exercised in relation to the site's overall delivery.

## 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.

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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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## Supporting Information File Ref No: SI\_97

### Comment

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| Email Address                                 | [REDACTED]   |
| Company / Organisation                        | Turley   |
| Address                                       | [REDACTED]<br>[REDACTED]<br>Reading<br>[REDACTED]  |
| Consultee                                     | [REDACTED]   |
| Company / Organisation                        | Bellway Homes Strategic  |
| Address                                       | -<br>-<br>-  |
| Event Name                                    | Pre-Submission Local Plan  |
| Comment by                                    | Bellway Homes Strategic [REDACTED]   |
| Comment ID                                    | PSLP_1756  |
| Response Date                                 | 04/06/21 12:23   |
| Consultation Point                            | Policy STR/SS 2 The Strategy for Paddock Wood Town Centre ( <a href="#">View</a> )                   |
| Status  | Processed  |
| Submission Type                               | Email  |
| Version                                       | 0.5  |
| Files   | <a href="#">PSLP_1747-1748, 1750-1756, 1758_Turley for Bellway Homes_Representation_Redacted.pdf</a> |
| 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/SS 2 The Strategy for Paddock Wood Town Centre

*[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**

**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.**

**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/SS 2: Tudeley Village**

The draft Local Plan proposes a standalone garden settlement (referred to as Tudeley Village) where 2,100 dwellings are expected by the Council to be delivered in the Plan period). We have set out



comments on the deliverability of this site elsewhere in these representations and reserve the opportunity to comment in greater detail if this site is retained in subsequent versions of the Local Plan.

This development is to be focused on the very small settlement of Tudeley. It is clear that the existing settlement comprises a small number of dwellings with very limited facilities. This view is reinforced by the text in the draft Local Plan. Although the railway line runs between the site of the proposed garden settlement, Tudeley is not served by a railway station and the nearest stations are at Tonbridge (approximately 4km to the west or Paddock Wood (approximately 7.4km to the east).

The Policy does not include any requirements for the garden settlement to provide a new railway station, despite the text at 5.218 of the draft Local Plan which refers to the 'opportunity' for the provision of a station.

On the basis of this policy context and the description of Tudeley in the draft Local Plan, our interpretation is that the area would, in normal circumstances, be considered to be a wholly unsustainable location for the scale of growth envisaged in the emerging Local Plan. There are very little facilities or employment opportunities in the area and the existing public transport opportunities are limited. The Council's approach appears to be that the garden settlement itself may deliver employment uses and facilities and that links to other settlements will be provided.

Bellway contend that the steps required to make Tudeley Village a sustainable location for the scale of growth envisaged are significant. The Council cannot have certainty that employment uses will be forthcoming in a manner which reflects housing delivery or that those uses will be sustained in this inaccessible area over the longer term. Whilst the Council seeks to ensure that the allocation supports the use of public transport opportunities to other settlements, it is highly likely that the garden settlement itself will continue to generate a significant level of trips by car to other locations.

It is clear that there are other, alternative options (such as the land at Mouseden Farm) which are capable of providing new homes in areas which are closer to a range of existing services and facilities which can be enhanced and can facilitate access via public transport, walking and cycling.

**Bellway consider that Tudeley Village will support the delivery of a strategic scale development which is fundamentally in the wrong place.**

In addition to the specific points set out above, Bellway consider that there is no clear explanation within the Council's evidence base to explain why the Tudeley Village option has been selected and other options discounted. The area in which Tudeley Village is located in the Green Belt, as is the site promoted by Bellway at Mouseden Farm, however in the case of Tudeley Village, this does not support sustainable patterns of development and does not build upon existing facilities whereas the delivery of additional recreation at High Woods Lane would. Indeed the Council have acknowledged this as a solution by securing planning permission but cannot deliver it, so why a residential allocation to facilitate such needed recreational facilities is not being supported by the Council is a mystery.

We note that the SHELAA assessment of Tudeley Village (site 448) appears to be based upon assumptions about what services and facilities the development could provide. For example the SHELAA states "The Services and Facilities objective scores positively reflecting the likely well thought-out provision in the new settlement as a result of the master planning process. The settlement also benefits from the proximity of enhanced provision at the nearby North Farm retail park, Tonbridge and Royal Tunbridge Wells.". The SHELAA also refers to "A positive score for travel is applied following a similar logic to air quality whilst also considering new bus routes and relatively easy access to train stations.

However, as we establish above, Tudeley is not served by a railway station and the nearest stations are at Tonbridge (approximately 4km to the west or Paddock Wood (approximately 7.4km to the east).

Whilst the SHELAA analysis of site 448 found the site "is considered suitable as a potential Local Plan allocation subject to further consideration", it also found that "The site is in the Green Belt: the TWB Green Belt study (2017) identified that the harm caused by the release of land in this broad parcel is 'high'."

Bellway consider that the Council's proposed allocation of a garden settlement at Tudeley Village is fundamentally unsound. The location of this site is remote and it does not benefit from a railway station. Although there are stations in the area, these are some distance away and the garden settlement appears to be predicated on the basis that a movement strategy will be implemented to access these. That primarily relies on new road links

It is clear that the policy sets a complex and complicated level of requirements which will take time to address before any permission can be granted and in combination with the need for infrastructure delivery, demonstrates the need for caution to be exercised in relation to the site's overall delivery.

## 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

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

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

For office use only

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

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

## Comment

|  |   |
|--|---|
| Agent  | Mr Guy Dixon [REDACTED]   |
| Email Address  | [REDACTED]  |
| Company / Organisation   | Savills   |
| Address  | [REDACTED]<br>SEVENOAKS<br>[REDACTED]   |
| Consultee  | [REDACTED]  |
| Company / Organisation   | Benenden Hospital Trust   |
| Address  | -<br>-<br>Benenden  |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Benenden Hospital Trust [REDACTED]  |
| Comment ID   | PSLP_1383   |
| Response Date  | 04/06/21 12:59  |
| Consultation Point   | Policy PSTR/BE 1 The Strategy for Benenden parish<br>( <a href="#">View</a> ) |
| Status   | Processed   |
| Submission Type  | Email   |
| Version  | 0.3   |
| Data inputter to enter their initials here                       | AT  |
| Question 1   |   |
| Respondent's Name and/or Organisation                            | Benenden Healthcare Society   |
| Question 2   |   |
| Agent's Name and Organisation (if applicable)                    | Savills (Guy Dixon)   |
| Question 3   |   |
| To which part of the Local Plan does this representation relate? | Policy  |
| Question 3a  |   |

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

Policy PSTR/BE 1 The Strategy for Benenden parish

*[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 4 – see Comment Numbers PSLP\_1383, PSLP\_1384 and PSLP\_1388]*

#### **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.**

There are a number of modifications required to the wording of policies STR/BE 1, AL/BE 3, and AL/BE 4 in order for the Plan to be found sound. Please see accompanying representations for full details.

##### **1. Introduction**

1.1. This representation is made on behalf of the Benenden Healthcare Society (hereinafter referred to as the Society) in response to the Tunbridge Wells Borough Council (TWBC) Local Plan Regulation 19 Pre-Submission Plan Consultation, which closes on 4 June 2021. Please note that this representation reflects the view of the landowner at the current time (the Society) and therefore may be subject to change as contractual agreements with end developers progress.

1.2. TWBC's housing requirement for the identified plan period of 2020-2038 is 678 dwellings per year (circa 12,200 in total). Given existing commitments, allocations and making an allowance for windfall sites, a minimum of 7,221 dwellings need to be allocated in the Local Plan (as shown in Table 3 of the Consultation document). Given that over 75% of the Borough is designated as being within the High Weald Area of Outstanding Natural Beauty (AONB) or within the Green Belt, allocation of such sites in sustainable locations is challenging to achieve. In order to achieve such growth TWBC have allocated approximately 6,100 dwellings between Paddock Wood (4,000) and Tudeley Garden Village (2,100). Therefore alternative sites that can spread development more evenly across the Borough, and deliver housing without relying upon large strategic sites, are a crucial part of any Local Plan.

1.3. The Benenden Healthcare Society owns a significant amount of land which falls within the TWBC boundary, including that surrounding the Benenden Hospital at East End. The landholding of the Society is shown in blue on the plan at **Appendix 1**.

1.4. Benenden Hospital is the largest local employer and occupies a significant complex of buildings within the parish of Benenden. Therefore any development at the site is significant for the parish. The Benenden Neighbourhood Plan is currently being prepared and is at the Examination stage, and representations have been submitted to the Benenden Neighbourhood Plan throughout the consultation process. Two sites at Benenden Hospital are subject to draft site allocations in the Neighbourhood Plan.

1.5. Any development at Benenden Hospital would also be significant to the Borough as the hospital site is not only an important employer but it is also capable of delivering a significant quantum of new houses on brownfield land which will help to meet the borough's pressing housing need. Consequently, the Society has a keen interest in the progress of the Tunbridge Wells Local Plan (TWLP).

1.6. The Society welcomes the opportunity to provide comments on the Pre-Submission Plan and looks forward to continuing to work with both TWBC and the Benenden Neighbourhood Plan Steering Group to ensure that the proposed site allocations at the hospital are both appropriate, achievable and acceptable for all parties. Sites such as Benenden Hospital are crucial in order to ensure a suitable and sustainable supply of sites over the Plan period, and given that the sites proposed include previously developed land, should not be over-burdened with disproportionate policy requirements.

## **2. The Site**

2.1. The Society initially put forward two sites for residential development through the TWLP Strategic Housing and Economic Land Availability Assessment (SHELAA) Consultation. These consisted of the North East Quadrant, a 3.7 hectare site to the north of Goddard's Green Road (SHELAA reference Site 40) and the South East Quadrant, a 4.2 hectare site to the south of Goddard Green Road (SHELAA reference Site 424). A variation of the South East Quadrant, which included an additional 0.7 ha of land to the east was also submitted (SHELAA reference Site 41).

2.2. As part of draft Policy AL/BE 4 of the Regulation 18 Consultation Draft Local Plan (Land at Benenden Hospital), both the North East Quadrant and the South East Quadrant were allocated for development as part of an allocation which included the entirety of the Hospital site. Whilst these sites were submitted to the SHELAA individually as Site 424 and Site 41, draft Policy AL/BE 4 allocated them together as one site.

2.3. In the Regulation 19 Pre-Submission Local Plan, the allocation area at Benenden Hospital has been reduced and refined. The North East Quadrant and the South East Quadrant of the wider Benenden Hospital Site have been identified as two independent sites and are subject to draft site allocations, reflecting the approach taken in the Benenden Neighbourhood Plan. The wider Benenden Hospital site is no longer subject to an allocation, but is still important in terms of context.

### **The Sites:**

2.4. Both sites are located within the wider landholding of Benenden Healthcare Society, and are located outside of the AONB, entirely within Flood Zone 1.

2.5. In terms of context for the allocated sites, the wider hospital site contains a significant amount of land that is previously developed, including: hospital buildings, residential dwellings, garages, two tennis courts, and hardstanding car parking areas. The hospital site also contains one Listed Building, Benenden Chest Hospital Lister Wing Building, which is situated to the west, across Green Lane, and is Grade II Listed (UID: 1203809).

#### **Draft Allocation AL/BE 3: Land at Benenden Hospital (South of Goddards Green Road), East End**

2.6. The South East Quadrant occupies the South East of the site, bordered to the north by Goddards Green Lane / Benenden Road, to the West by Green Lane, and to the South and East by agricultural land and the High Weald AONB boundary. The site contains a significant amount of hospital buildings which are no longer fit for purpose, and as such is a redundant brownfield site.

2.7. Land to the south and west of the site is designated as a Local Wildlife Site, as is a small part of the site itself.

#### **Draft Allocation AL/BE 4: Land at Benenden Hospital (North of Goddards Green Road), East End**

2.8. The North East Quadrant (NEQ) occupies the North East of the site, bordered to the North and East by Mockbeggar Lane, to the south by Goddards Green Lane / Benenden Road and the West by existing hospital buildings. There are 18 dwellings which already exist within the boundaries of NEQ.

2.9. The northern part of the site is currently undeveloped and identified as a Local Wildlife Site. The draft allocation seeks to also classify the site as Open Space & Landscape Buffer, Local Green Space, and also be identified as an area of Protection of Designated sites and Habitats.

### **3. Representations to the TWBC Pre-Submission Local Plan**

3.1. The Pre-submission consultation version of the Local Plan identifies a strategy for development within Benenden Parish through the Benenden Section of the TWLP. This section provides five draft policies specific to Benenden including draft Policies:

- . STR/BE 1 – The Strategy for Benenden Parish
- . AL/BE3 – Land at Benenden Hospital (south of Goddards Green Road), East End
- . AL/BE 4 - Land at Benenden Hospital (north of Goddards Green Road), East End

#### **Policy PSTR/BE 1**

##### Policy Requirements

3.50. Policy PSTR/BE 1 sets out the wider development strategy for Benenden Parish.

3.51. The principles behind the development strategy are supported, however the Society wish to see amendments made to the strategy:

#### ***1. Set Limits to Built Development for Benenden village, as defined on the Policies Map (Inset Map 17) as a framework for new development over the plan period;***

3.52. This approach is supported:

#### ***2. Build approximately 87-95 new dwellings, including affordable housing, as allocated under the subsequent site allocation policies; (note: Policy AL/BE 3 land at Benenden Hospital (south) already has planning approval for 23 (net) dwellings; these are not included in the total allocations);***

3.53. The wording of this policy needs to be amended to reflect the fact that Policy AL/BE 3 has outline permission for 24 residential units (approved under 12/03130/EIAMJ (and reaffirmed under 14/505641/FULL and 17/00951/FULL. It is mistakenly listed as being 23 dwellings.

3.54. The Society therefore requests that there is an amendment to the text in under point 2 of Policy PSTR/BE 1, in order to ensure that the Local Plan and the BNP match.

*“Build approximately 87-95 new dwellings, including affordable housing, as allocated under the subsequent site allocation policies; (note: Policy AL/BE 3 land at Benenden Hospital (south) already has planning approval for 23 **24** (net) dwellings; these are not included in the total allocations”*

#### **3. Seek developer contributions, either in kind (normally land) and/or financial, from residential schemes to be used towards the provision of:**

**a. medical facilities that cover Benenden parish (to be used towards improvements/reconfiguration of existing medical facilities or towards new premises providing medical facilities);**

**b. primary education facilities, namely the expansion of the existing primary school at Hawkhurst to serve Hawkhurst and the surrounding villages;**

**c. library provision, adult learning, and social care, to include those services to be provided at the new Cranbrook Community Hub (in neighbouring Cranbrook & Sissinghurst parish);**

**d. youth and children’s play space;**

**e. other necessary mitigation measures which are directly related to the development and fairly and reasonably related in scale and kind, including potentially those identified or referenced in the Benenden Neighbourhood Plan**

3.55. This approach is supported, and the Society have no objections to providing contributions commensurate with to the quantum of development being brought forward on their sites.

3.56. The Society do question whether the obligation for youth and childrens play space is in addition to that set out in draft policy AL/BE 3 and AL/BE 4 (requirement 12), which sets out that the allocations should provide green space and children’s play space. The provision of such open space is already addressed in draft Policy OSSR 2, and therefore greater clarification is sought. The Society’s comments in relation to requirement 12 are set out previously in this representation.

3.57. Given that the site allocations will already be providing children's play space, the requirement for further contributions towards this seems unnecessary. The Society therefore request that this is made explicit in draft policy AL/BE 3 and AL/BE 4 so that obligations required with these development proposals are not duplicated.

3.58. As addressed in the site specific comments, as the Society do not own the land between Benenden and East End, the provision of an active link between East End and Benenden Village should be included under policy PSTR/BE 1 as part of the wider development strategy, and contributions for such a connection should be sought. Accordingly the following addition to the general development strategy over which financial contributions should be sought should be made:

#### **f. The provision of an active travel link between the site and Benenden village**

3.59. The Society is aware that, in addition to the community infrastructure requirements set out through AL/BE 3, AL/BE 4 and STR/BE 1, any development within the Benenden Parish will be subject to obligations through the BNP draft policies T1 – T6 in relation to travel, mitigation, highways etc. These obligations will result in additional costs to the Society when developing the site. These costs are in addition to the cost associated with the development of previously developed land, which is likely to be considerably higher than those associated with a greenfield site, due to the presence of a considerable amount of built form which will require demolition and the potential requirement for some ground remediation.

3.60. Accordingly, the Society considers that it is necessary to build a degree of flexibility into the financial contributions required in both the Site Specific policies and PSTR/BE 1 to allow for reduced contributions when justified by robust viability evidence.

3.61. Whilst the Society will strive to provide all of the obligations sought through the emerging BNP and the emerging TWLP, it is incumbent upon the Plan makers to ensure that allocated sites are viable and policies are realistic and deliverable. This is set out in the Planning Policy Guidance (PPG) (Viability and Plan Making) (Paragraph: 002 Reference ID: 10-002-20190509):

*“Viability assessments should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan. It is the responsibility of plan makers in collaboration with the local community, developers and other stakeholders, to create realistic, deliverable policies”.*

3.62. The additional flexibility that a clause in Policies PSTR/BE 1 and the site specific policies of AL/BE 3 & AL/BE 4 linking the proposed obligations to viability testing will ensure that the development of the two sites remains viable, deliverable and achievable. This will therefore result in the sites being brought forward for development to deliver the numbers of units allocated through the TWLP and BNP that are desperately required in the parish and indeed the borough as a whole.

3.63. The Society therefore request that the wording of the policy is amended in order to include a mechanism in draft Policies AL/BE 3, AL/BE 4 and STR/BE 1 to allow for a reduced contribution, when fully justified by robust viability evidence

## **4. Conclusion**

4.1. The Society are supportive of the allocation of site AL/BE 3 (Land at Benenden Hospital (south of Goddards Green Road), East End) for the development of 22-25 residential units (in addition to the 24 new dwellings that have already been approved)

4.2. The Society are also supportive of the allocation of site AL/BE 4 (Land at Benenden Hospital (north of Goddards Green Road), East End) for the development of 22-25 residential units.

4.3. Furthermore as set out in these representations, the Society are broadly supportive of the policy requirements set out, but wish to see amendments to requirements 2, 4, 5, 6 and 12 of Policy AL/BE 3, and requirements 2, 5, 6, 7 and 12 of Policy AL/BE 4.

4.4. Amendments are also requested to requirement 3 of Policy PSTR/BE 1, in order to provide consistency between the draft Neighbourhood Plan and the proposed Local Plan with regard to which elements development contributions will be sought for.

4.5. Overall, the TWLP policies need to be in conformity with the National Planning Policy Framework (NPPF). They also need to be in adherence with the Community Infrastructure Levy (CIL) regulations. A number of the policy requirements listed in these draft policies, notably the requirement for an active travel link (requirement 2 – AL/BE 3 and AL/BE 4) and the requirement for the bus link (AL/BE 3



requirement 6; AL/BE 4 Requirement 7) will need to be formally added to the CIL Regulation 123 list, so that TWBC are able to legitimately seek specific financial contributions towards them when subsequent planning applications are under consideration.

4.6. The Society are grateful for the opportunity to comment on the draft policies and look forward to continuing the positive working relationship with TWBC which has been established

## 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.**

There are a number of modifications required to the wording of policies STR/BE 1, AL/BE 3, and AL/BE 4 in order for the Plan to be found sound. Please see accompanying representations for full details

## 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:**

My client has sites that are subject to draft allocations in the Plan and therefore has a vested interest in the progress 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

## Comment

|  |  |
|--|--|
| Agent  | Mr Guy Dixon [REDACTED]  |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Savills  |
| Address  | 74 High Street<br>SEVENOAKS<br>TN13 1JR  |
| Consultee  | ( [REDACTED] )   |
| Company / Organisation   | Benenden Hospital Trust  |
| Address  | -<br>-<br>Benenden   |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Benenden Hospital Trust [REDACTED]   |
| Comment ID   | PSLP_1384  |
| Response Date  | 04/06/21 12:59   |
| Consultation Point   | Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.3  |
| Data inputter to enter their initials here                       | AT   |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Benenden Healthcare Society  |
| Question 2   |  |
| Agent's Name and Organisation (if applicable)                    | Savills (Guy Dixon)  |
| 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/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End

*[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 4 – see Comment Numbers PSLP\_1383, PSLP\_1384 and PSLP\_1388]*

#### **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

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There are a number of modifications required to the wording of policies STR/BE 1, AL/BE 3, and AL/BE 4 in order for the Plan to be found sound. Please see accompanying representations for full details.

##### **1. Introduction**

1.1. This representation is made on behalf of the Benenden Healthcare Society (hereinafter referred to as the Society) in response to the Tunbridge Wells Borough Council (TWBC) Local Plan Regulation 19 Pre-Submission Plan Consultation, which closes on 4 June 2021. Please note that this representation reflects the view of the landowner at the current time (the Society) and therefore may be subject to change as contractual agreements with end developers progress.

1.2. TWBC's housing requirement for the identified plan period of 2020-2038 is 678 dwellings per year (circa 12,200 in total). Given existing commitments, allocations and making an allowance for windfall sites, a minimum of 7,221 dwellings need to be allocated in the Local Plan (as shown in Table 3 of the Consultation document). Given that over 75% of the Borough is designated as being within the High Weald Area of Outstanding Natural Beauty (AONB) or within the Green Belt, allocation of such sites in sustainable locations is challenging to achieve. In order to achieve such growth TWBC have allocated approximately 6,100 dwellings between Paddock Wood (4,000) and Tudeley Garden Village (2,100). Therefore alternative sites that can spread development more evenly across the Borough, and deliver housing without relying upon large strategic sites, are a crucial part of any Local Plan.

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2.1. The Society initially put forward two sites for residential development through the TWLP Strategic Housing and Economic Land Availability Assessment (SHELAA) Consultation. These consisted of the North East Quadrant, a 3.7 hectare site to the north of Goddard's Green Road (SHELAA reference Site 40) and the South East Quadrant, a 4.2 hectare site to the south of Goddard Green Road (SHELAA reference Site 424). A variation of the South East Quadrant, which included an additional 0.7 ha of land to the east was also submitted (SHELAA reference Site 41).

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2.5. In terms of context for the allocated sites, the wider hospital site contains a significant amount of land that is previously developed, including: hospital buildings, residential dwellings, garages, two tennis courts, and hardstanding car parking areas. The hospital site also contains one Listed Building, Benenden Chest Hospital Lister Wing Building, which is situated to the west, across Green Lane, and is Grade II Listed (UID: 1203809).

#### **Draft Allocation AL/BE 3: Land at Benenden Hospital (South of Goddards Green Road), East End**

2.6. The South East Quadrant occupies the South East of the site, bordered to the north by Goddards Green Lane / Benenden Road, to the West by Green Lane, and to the South and East by agricultural land and the High Weald AONB boundary. The site contains a significant amount of hospital buildings which are no longer fit for purpose, and as such is a redundant brownfield site.

2.7. Land to the south and west of the site is designated as a Local Wildlife Site, as is a small part of the site itself.

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3.1. The Pre-submission consultation version of the Local Plan identifies a strategy for development within Benenden Parish through the Benenden Section of the TWLP. This section provides five draft policies specific to Benenden including draft Policies:

- . STR/BE 1 – The Strategy for Benenden Parish
- . AL/BE3 – Land at Benenden Hospital (south of Goddards Green Road), East End
- . AL/BE 4 - Land at Benenden Hospital (north of Goddards Green Road), East End

#### **AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End**

##### Policy Introduction

3.2. Land at Benenden Hospital (south of Goddards Green) allocated in the Tunbridge Wells Local Plan (TWLP) under draft policy AL/BE 3 is allocated for the development of 22-25 residential units, in addition to the 24 new dwellings that have already been granted outline approval on the site under application 12/03130/EIAMJ (and reaffirmed under 14/505641/FULL and again under 17/00951/FULL).

3.3. The Society's representation to the Benenden Neighbourhood Plan (BNP) during the consultation process focuses upon the draft allocations in the North East and South East Quadrants. The BNP supports the development of 22 – 25 additional homes on both the North East and South East Quadrants (identified as Hospital North and Hospital South in the BNP) in addition to the 24 with extant permission, on the Hospital South/ AL/BE3 site.

3.4. The Society therefore requests that there is an amendment to the text in the opening paragraph of Policy AL/BE3 as written in the pre-submission Local Plan, in order to ensure that the Local Plan and the BNP match.

*"This site, as defined on the Benenden Policies Map, is allocated for residential development providing 22-25 residential units (in addition to the 23 ~~24~~ new dwellings that have already been granted approval at this site), of which 30 percent shall be affordable housing".*

3.5. The Society welcomes a consistent approach to unit numbers, and the allocation of both parcels of land in a consistent manner through the draft BNP and the TWLP.

3.6. The Society has been in conversation with both the Neighbourhood Plan Steering Group and TWBC regarding the development of land at the hospital, and have entered into a pre-application discussion with TWBC regarding the development of the South East Quadrant of the hospital site.

3.7. The progress to date in relation to the South East Quadrant provides support for the allocations, demonstrating that the site is available and can be brought forward for the proposed quantum of development. As the North East Quadrant does not benefit from an extant permission, it is currently the intention of the Society not to start progressing proposals on this parcel of land until either the Neighbourhood Plan or the TWLP have reached adoption stage.

##### **Policy Requirements**

3.8. Draft Policy AL/BE 3 contains 13 site specific requirements which development of the site will be required to confirm with. The Society has provided comments in relation to these 13 specific requirements below:

**1. Comprehensive proposals for this site, together with the site area included within Policy AL/BE 4 (land located to the north of Goddards Green Road), to be delivered in accordance with a phased timetable, which indicates land to the south of Goddards Green Road to be developed first prior to any other phases. If an application is submitted for only part of the area included within Policies AL/BE 3 and AL/BE 4, then this application must:**

**a. show indicatively how the other areas included within Policies AL/BE 3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses, and is previously developed land;**

***b. include a mechanism to ensure that the minibus and retail store provision, active travel link, and public access to the café (as referred to below) can be provided through the development at part of the site alone;***

3.9. The Society notes the aspirations of the Local Plan to ensure that the area is subject to comprehensive proposals and that the Site AL/BE 3 comes forward first from the two allocated sites at the Hospital. This approach of a phased delivery and the requirement for the south eastern quadrant to come forward first is reflected in the BNP, and given the consistency of approach it is supported by the Society.

***2. The provision of an active travel link between the site and Benenden village;***

3.10. The Society notes the aspirations of the Local Plan (and the BNP) for an active travel link (walking or cycling) to connect Benenden village with East End. It also acknowledges the preferred route set out in the supporting document TA1/TA2 of the BNP through draft Policy T1 (for the provision of a cycleway/footpath running south from East End along Green Lane). The Society supports the principle of such a provision, however questions how this can be achieved by the allocation as it does not own all of the land between East End and Benenden, and therefore cannot implement such a provision as part of any allocation.

3.11. The Society would also like to highlight that any footpath / cycleway would need to be sensitive to the AONB location and would need to show due consideration to the farmer who uses the Society's farm land. Ultimately, the Society is broadly supportive of this requirement in principle, subject to the development of further details.

3.12. It should also be noted that in the draft neighbourhood plan site allocations, the provision of new footpath and cycle paths are to be created in line with draft Policy LE4 (Public Rights of Way). The policy states that funding will be secured by CIL/S106 contributions, and Site Specific Policy SSP3 identifies that contributions will be required towards the provision of an active travel link.

3.13. Given the above, the provision of an active travel link should be identified in policy PSTR/BE 1 as part of the development strategy for Benenden Parish. The wording contained within Policy AL/BE 3 should be amended to read "***Appropriate financial contributions towards the provision of an active travel link between the site and Benenden village***"

***3. The proposals for Policies AL/BE 3 and AL/BE 4 must incorporate tennis courts, a similar level of car parking for use by the hospital, and access to the sports pavilion as currently provided, unless it can be satisfactorily demonstrated that these facilities are no longer required by the hospital in the short and long term;***

3.14. The Society can advise that the tennis courts and sports pavilion currently existing on site are rarely used and are not required by the Hospital. As a result, the Society does not propose to retain or reinstate the tennis courts or sports pavilion in any future development of the site. Therefore the Society welcomes the approach that allows for the tennis courts and sports pavilion access to not be provided if there can be evidence provided by the Society that these facilities are no longer required. The requirements for Open Space will be addressed in accordance with draft Policy OSSR 2.

3.15. In relation to car parking, the Society can confirm that the car parking on site is used by the Hospital and it would be the Society's intention to re-provide a similar level of car parking within the Hospital site as part of any development. The Society therefore does not object to the requirement to re-provide a similar level of hospital parking on site, as it will be seeking to comply with the requirements as set out in draft Policy TP3 in any event.

***4. Means to secure the public use of the café at the hospital (for a minimum of 10 years from occupation of 50 percent of the (gross) residential units);***

***5. The provision of a small, publicly accessible retail outlet within the existing hospital buildings (for a minimum of 10 years from occupation of 50 percent of the (gross) residential units);***

3.16. The Society appreciates the requirement for residents to be able to utilise local facilities and is happy to seek to facilitate this. However the hospital has to have the welfare of its staff and patients as its main priority. With the current backdrop of a global pandemic, it must be recognised that at the potential future need for infection control requirements is unknown and may render the sharing of facilities within the hospital as unachievable. Therefore, it cannot be guaranteed that the hospital facilities will be able to be open for all in the future.

3.17. As a result, the Society would like to see the supporting text of Policy AL/BE 3 amended to provide greater flexibility on how these local facilities and services might be provided to serve the new development. Specifically in the event that infection control requirements continue to dictate that its facilities should not to be available for wider public use, the Society would like to see the supporting text of Policy AL/BE3 to also support the provision of standalone local facilities.

3.18. Given that the NEQ and SEQ sites are likely to come forward as separate planning applications, and that the most logical and accessible location for these facilities is on the west side of the NEQ site adjoining the hospital car park north of Goddards Green Road it would be most appropriate for these facilities (shop and cafe) to be listed as a specific policy requirement as part of the AL/BE4, so enabling them to be masterplanned in as part of that scheme. *Accordingly it is requested that these requirements are deleted as part of the AL/BE3 policy criteria.*

**6. The provision of a daily trip to/from the hospital site to Benenden and Tenterden by minibus to coincide with the primary school start and finish of the day from Monday to Friday, and an additional service in the morning and late afternoon on a Saturday (for a minimum of 10 years from occupation of 50 percent of the (gross) residential units);**

3.19. The Society object to this requirement as written. The Society do not object to providing a financial contribution towards the provision of a minibus service to and from the Hospital site to Benenden and Tenterden, commensurate to the quantum of development being brought forward at the site. However, the Society is not a transport provider and therefore is not capable of establishing or providing such a service directly.

3.20. Consequently, the Society request that the Policy is reworded to require the Society to provide a proportionate financial contribution (in the form of a single lump-sum payment) towards the provision of a bus service to and from the Hospital to Benenden and Tenterden rather than to provide the bus service itself. The logical solution is that this financial contribution is provided (via the S106 legal agreement or CIL) so that it could be operated and managed by a designated local body to enable uptake and long term viability to be assessed over an initial period of time.

**7. Regard to 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;**

3.21. The Society raises no objection to the requirement to protect trees and hedges of high amenity value and confirms that when development proposals are drawn up for the site great care will be taken to ensure that trees and hedge of greatest amenity value are retained.

**8. An archaeological assessment of the site to be carried out;**

3.22. The Society raises no objection to this requirement

**9. Proposals to include an assessment of the feasibility for retaining the Garland Wing as part of the redevelopment of the site, which could include refurbishment and conversion of this building to provide separate residential units;**

3.23. In the past the Society has had professionals review this existing structure to assess its capability of conversion and the conclusions were not at all favourable. As such this is not a viable option for the site, and furthermore outline planning permission already exists which would allow its demolition. Accordingly the reasonableness and relevance of this requirement has to be questioned.

**10. Contributions to the provision of the long-term management of the Local Wildlife Site located to the south and west of the site;**

3.24. The Society support the requirement for long-term management of the core areas of the LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peek Lodge which is too constraining on the layout for the development proposals on the South East Quadrant site. Accordingly, a compromise will need to be reached with this area following discussions with Kent Wildlife Trust, but certainly the long-term management of the wider LWS can be firmly supported, as it has already been with the instigation of the LEMP which was a condition of the main hospital redevelopment scheme.

**11. The occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider;**

3.25. The Society raises no objection to this requirement

**12. Provide on-site amenity/natural green space and children's play space;**

3.26. The Society question why this provision is required given that such provision is already required through Policy OSSR 2, however, they do not object to this requirement and can confirm that they will aim to provide commensurate open space and play facilities within the site.

**13. Contributions are to be provided to mitigate the impact of the development, in accordance with Policy PSTR/BE 1.**

3.27. The provision of financial contributions that mitigate the development proposal in accordance with Policy PSTR/BE1 is acknowledged as a requirement via a Section 106 legal agreement in the usual way.

**4. Conclusion**

4.1. The Society are supportive of the allocation of site AL/BE 3 (Land at Benenden Hospital (south of Goddards Green Road), East End) for the development of 22-25 residential units (in addition to the 24 new dwellings that have already been approved)

4.2. The Society are also supportive of the allocation of site AL/BE 4 (Land at Benenden Hospital (north of Goddards Green Road), East End) for the development of 22-25 residential units.

4.3. Furthermore as set out in these representations, the Society are broadly supportive of the policy requirements set out, but wish to see amendments to requirements 2, 4, 5, 6 and 12 of Policy AL/BE 3, and requirements 2, 5, 6, 7 and 12 of Policy AL/BE 4.

4.4. Amendments are also requested to requirement 3 of Policy PSTR/BE 1, in order to provide consistency between the draft Neighbourhood Plan and the proposed Local Plan with regard to which elements development contributions will be sought for.

4.5. Overall, the TWLP policies need to be in conformity with the National Planning Policy Framework (NPPF). They also need to be in adherence with the Community Infrastructure Levy (CIL) regulations. A number of the policy requirements listed in these draft policies, notably the requirement for an active travel link (requirement 2 – AL/BE 3 and AL/BE 4) and the requirement for the bus link (AL/BE 3 requirement 6; AL/BE 4 Requirement 7) will need to be formally added to the CIL Regulation 123 list, so that TWBC are able to legitimately seek specific financial contributions towards them when subsequent planning applications are under consideration.

4.6. The Society are grateful for the opportunity to comment on the draft policies and look forward to continuing the positive working relationship with TWBC which has been established

**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.**

There are a number of modifications required to the wording of policies STR/BE 1, AL/BE 3, and AL/BE 4 in order for the Plan to be found sound. Please see accompanying representations for full details

**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:

My client has sites that are subject to draft allocations in the Plan and therefore has a vested interest in the progress 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

## Comment

|  |  |
|--|--|
| Agent  | Mr Guy Dixon [REDACTED]  |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Savills  |
| Address  | 74 High Street<br>SEVENOAKS<br>TN13 1JR  |
| Consultee  | [REDACTED]   |
| Company / Organisation   | Benenden Hospital Trust  |
| Address  | -<br>-<br>Benenden   |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Benenden Hospital Trust [REDACTED]   |
| Comment ID   | PSLP_1388  |
| Response Date  | 04/06/21 12:59   |
| Consultation Point   | Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.3  |
| Data inputter to enter their initials here                       | AT   |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Benenden Healthcare Society  |
| Question 2   |  |
| Agent's Name and Organisation (if applicable)                    | Savills (Guy Dixon)  |
| 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/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End

*[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 4 – see Comment Numbers PSLP\_1383, PSLP\_1384 and PSLP\_1388]*

#### **Question 4**

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

**Is legally compliant** Yes

**Is sound** No

**Complies with the Duty to Cooperate** Yes

#### **Question 4a**

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#### **Draft Allocation AL/BE 3: Land at Benenden Hospital (South of Goddards Green Road), East End**

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3.28. Land at Benenden Hospital (north of Goddards Green) allocated in the TWLP under draft policy AL/BE 4 is allocated for the development of 22-25 residential units, of which 30% shall be affordable housing.

3.29. The Society's representation to the Benenden Neighbourhood Plan (BNP) during the consultation process focuses upon the draft allocations in the North East and South East Quadrants. The BNP supports the refurbishment or redevelopment of 22 – 25 additional homes on both the North East and South East Quadrants (identified as Hospital North and Hospital South in the BNP). The refinement of the Local Plan to reflect these two allocations is supported.

3.30. The Society welcomes a consistent approach to unit numbers, and the allocation of both parcels of land in a consistent manner through the draft BNP and the pre-submission version of the TWLP.

##### Policy Requirements

3.31. Draft Policy AL/BE 4 contains 13 site specific requirements which development of the site will be required to confirm with. The Society has provided comments in relation to these 13 specific requirements below:

***1. Comprehensive proposals for this site, together with the site area included within Policy AL/BE 3 (land located to the south of Goddards Green Road), to be delivered in accordance with a phased timetable, which indicates that this site (land to the south of Goddards Green Road) to be developed first prior to any other phases. If an application is submitted for only part of the area included within Policies AL/BE 3 and AL/BE 4, then this application must:***

***a. show indicatively how the other areas included within Policies AL/BE 3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses, and is previously developed land;***

***b. include a mechanism to ensure that the minibus and retail store provision, active travel link, and public access to the café (as referred to below) can be provided through the development at part of the site alone;***

3.32. The Society notes the aspirations of the Local Plan to ensure that the area is subject to comprehensive proposals and that the Site AL/BE 3 is likely to come forward first from the two allocated sites at the Hospital. This approach of a phased delivery and the requirement that the south eastern quadrant coming forward first is reflected in the BNP, and given the consistency of approach it is supported by the Society.

#### ***2. The provision of an active travel link between the site and Benenden village;***

3.33. The Society notes the aspirations of the Local Plan (and the BNP) for an active travel link (walking or cycling) to connect Benenden village with East End. It also acknowledges the preferred route set out in the supporting document TA1/TA2 of the BNP through draft Policy T1 (for the provision of a cycleway/footpath running south from East End along Green Lane). The Society supports the principle of such a provision, however questions how this can be achieved by the allocation as it does not own the land between East End and Benenden, and therefore cannot implement such a provision as part of any allocation.

3.34. It should also be noted that in the draft Neighbourhood Plan site allocations, the provision of new footpath and cycle paths are to be created in line with draft Policy LE4 (Public Rights of Way). The policy states that funding will be secured by CIL/S106 contributions, and Site Specific Policy SSP4 identifies that contributions will be required towards the provision of an active travel link.

3.35. Given the above, the provision of an active travel link should be identified in policy PSTR/BE 1 as part of the development strategy for Benenden Parish. The wording contained within Policy AL/BE 4 should be amended to read “**Appropriate financial contributions towards** the provision of an active travel link between the site and Benenden village “.

3.36. The active link between the village and the hospital is desirable for a range of reasons independent of the sustainability credentials of the two proposed developments (e.g. to facilitate staff travel, patient travel, and potential use of shared facilities) and therefore it must be considered to be an appropriate target for CIL payment spread across all four Benenden allocations. The Society would be accepting of this approach, and would seek to strongly resist any Grampian condition arising from an overly prescriptive policy approach.

***3. The garage block within the north west corner of the site shall be demolished;***

3.37. It is the intention of the Society to demolish the existing garage block to the north of the site as part of the re-development of the North East Quadrant. This aspect of policy is therefore supported.

***4. No built form shall take place within the open space and landscape buffer, as shown indicatively on the site layout plan;***

3.38. The Society welcome the minor amendment that has been made regarding the site allocation that now includes the hardstanding area as part of the previously developed land on the site that is appropriate for development. It is also acknowledged that the landscape buffer is now consistent as it follows the line of the LWS designation.

3.39. Notwithstanding this, the Society wish to see clarification in either Policy wording or supporting text that the Open Space fixed allocation as included in the policy can contribute towards Policy OSSR 2. This is interpreted as being the case, but clarification would be welcomed to avoid future confusion.

***5. Means to secure the public use of the café at the hospital (for a minimum of 10 years from occupation of 50 percent of the (gross) residential units);***

***6. The provision of a small, publicly accessible retail outlet within the existing hospital buildings (for a minimum of 10 years from occupation of 50 percent of the (gross) residential units);***

3.40. The Society appreciates the requirement for residents to be able to utilise local facilities and is happy to facilitate this. However the hospital must have the safety of its staff and patients as its priority, and with the current backdrop of a global pandemic, and the potential ongoing need for infection control requirements the sharing of facilities with members of the public may be unachievable. It cannot be guaranteed that the hospital facilities will be able to be open for all in the future.

3.41. As a result, the Society would like to see the supporting text of Policy AL/BE 3 amended, so that the supporting text of Policy AL/BE3 support the provision of standalone local facilities as an alternative form of provision.

***Means to secure the public use of the café at the hospital, or the standalone provision of a purpose built facility within the development site (for a minimum of 10 years from occupation of 50 percent of the (gross) residential units);***

***The provision of a small, publicly accessible retail outlet within the existing hospital buildings or the standalone provision of a purpose built facility within the development site (for a minimum of 10 years from occupation of 50 percent of the (gross) residential units);***

***7. The provision of a daily trip to/from the hospital site to Benenden and Tenterden by minibus to coincide with the primary school start and finish of the day from Monday to Friday, and an additional service in the morning and late afternoon on a Saturday (for a minimum of 10 years from occupation of 50 percent of the (gross) residential units);***

3.42. The Society object to this requirement as written. The Society do not object to providing a financial contribution towards the provision of a minibus service to and from the Hospital site to Benenden and Tenterden, commensurate to the quantum of development being brought forward at the site. However,

the Society is not a transport provider and therefore is not capable of establishing or providing such a service directly.

3.43. Consequently, the Society request that the Policy is reworded to require the Society to provide a proportionate financial contribution (in the form of a single lump-sum payment) towards the provision of a bus service to and from the Hospital to Benenden and Tenterden rather than to provide the bus service itself. The most logical solution is that a financial contribution towards the instigation and running of this bus route would be provided (via the S106 legal agreement) so that it could be operated and managed by an appropriate local body to enable uptake and long term viability to be assessed over an initial period of time.

***8. Regard to 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;***

3.44. The Society raises no objection to the requirement to protect trees and hedges of high amenity value and confirms that when development proposals are drawn up for the site great care will be taken to ensure that trees and hedge of greatest amenity value are retained.

***9. An archaeological assessment of the site to be carried out;***

3.45. The Society raises no objection to this requirement.

***10. The occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider;***

3.46. The Society raises no objection to this requirement, but do feel that listing this criteria in the policy is unnecessary, as the requirements of draft Policy EN24 ensure that this is the case.

***11. Contributions to the provision of the long-term management of the Local Wildlife Site located to the north and west of the site;***

3.47. The Society support the requirement for long-term management of the core areas of the LWS associated with the hospital land. This area will contribute towards achieving the biodiversity requirement set out in draft Policy EN 9, and is already protected from development under draft Policy EN10. The Society therefore wish to see that a bounded development area within the allocation is included, so that there can be justification that an assessment of the extent of the development has been carried out and addressed at the policy stage.

***12. Provide on-site amenity/natural green space and children's play space;***

3.48. The Society do not object to this requirement and can confirm that they will aim to provide commensurate open space and play facilities within the site allocation boundary.

***13. Contributions are to be provided to mitigate the impact of the development, in accordance with Policy PSTR/BE 1.***

3.49. The provision of financial contributions that mitigate the development proposal in accordance with Policy PSTR/BE1 are supported.

**4. Conclusion**

4.1. The Society are supportive of the allocation of site AL/BE 3 (Land at Benenden Hospital (south of Goddards Green Road), East End) for the development of 22-25 residential units (in addition to the 24 new dwellings that have already been approved)

4.2. The Society are also supportive of the allocation of site AL/BE 4 (Land at Benenden Hospital (north of Goddards Green Road), East End) for the development of 22-25 residential units.

4.3. Furthermore as set out in these representations, the Society are broadly supportive of the policy requirements set out, but wish to see amendments to requirements 2, 4, 5, 6 and 12 of Policy AL/BE 3, and requirements 2, 5, 6, 7 and 12 of Policy AL/BE 4.

4.4. Amendments are also requested to requirement 3 of Policy PSTR/BE 1, in order to provide consistency between the draft Neighbourhood Plan and the proposed Local Plan with regard to which elements development contributions will be sought for.

4.5. Overall, the TWLP policies need to be in conformity with the National Planning Policy Framework (NPPF). They also need to be in adherence with the Community Infrastructure Levy (CIL) regulations.

A number of the policy requirements listed in these draft policies, notably the requirement for an active travel link (requirement 2 – AL/BE 3 and AL/BE 4) and the requirement for the bus link (AL/BE 3 requirement 6; AL/BE 4 Requirement 7) will need to be formally added to the CIL Regulation 123 list, so that TWBC are able to legitimately seek specific financial contributions towards them when subsequent planning applications are under consideration.

4.6. The Society are grateful for the opportunity to comment on the draft policies and look forward to continuing the positive working relationship with TWBC which has been established

## 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.**

There are a number of modifications required to the wording of policies STR/BE 1, AL/BE 3, and AL/BE 4 in order for the Plan to be found sound. Please see accompanying representations for full details

## 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:**

My client has sites that are subject to draft allocations in the Plan and therefore has a vested interest in the progress 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



## Comment

|                        |  |
|------------------------|--|
| Consultee              | Nicola Thomas [REDACTED]                           |
| Email Address          | [REDACTED]   |
| Company / Organisation | Benenden Parish Council                            |
| Address                | [REDACTED]<br>[REDACTED]<br>Benenden<br>[REDACTED] |
| Event Name             | Pre-Submission Local Plan                          |
| Comment by             | Benenden Parish Council [REDACTED]<br>[REDACTED]   |
| Comment ID             | PSLP_1140  |
| Response Date          | 03/06/21 18:08                                     |
| Consultation Point     | Benenden ( <a href="#">View</a> )                  |
| Status                 | Processed  |
| Submission Type        | Web  |
| Version                | 0.5  |
| Question 1             |  |

|                                       |                         |
|---------------------------------------|-------------------------|
| Respondent's Name and/or Organisation | Benenden Parish Council |
|---------------------------------------|-------------------------|

### Question 3

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

### Question 3a

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

Paragraph 5.413

Policies PSTR/BE 1, AL/BE 1 to AL/BE 4

[TWBC: this representation has been duplicated against the above policies - see also PSLP\_1787-1791]

### 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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**5.413** - There are no nursery/pre-school facilities at Iden Green or at East End.

**5.413** - Iden Green has a public house (so delete 'located nearby'). There is no small shop at Benenden Hospital, East End.

**Policy PSTR/BE 1** - The Strategy for Benenden Parish - Additional criteria beneath the Site Policy box includes a list of relevant policies in the draft Local Plan. The following policies should be added to this paragraph - EN 8 Outdoor Lighting and Dark Skies; EN 13 Ancient Woodland and Veteran Trees.

**Policy AL/BE 1** - Land adjacent to New Pond Road (known as Uphill) - Additional criteria beneath the Site Policy box includes a list of relevant policies in the draft Local Plan. The following policies should be added to this paragraph - EN 8 Outdoor Lighting and Dark Skies; EN 13 Ancient Woodland and Veteran Trees.

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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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## Comment

|  |   |
|--|---|
| Consultee  | Nicola Thomas [REDACTED]  |
| Email Address  | [REDACTED]  |
| Company / Organisation   | Benenden Parish Council   |
| Address  | [REDACTED]<br>[REDACTED]<br>Benenden<br>[REDACTED]                            |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Benenden Parish Council [REDACTED]<br>[REDACTED]                              |
| Comment ID   | PSLP_1787   |
| Response Date  | 03/06/21 18:08  |
| Consultation Point   | Policy PSTR/BE 1 The Strategy for Benenden parish<br>( <a href="#">View</a> ) |
| Status   | Processed   |
| Submission Type  | Web   |
| Version  | 0.4   |
| Question 1   |   |
| Respondent's Name and/or Organisation                            | Benenden Parish Council   |
| Question 3   |   |
| To which part of the Local Plan does this representation relate? | Policy  |
| Question 3a  |   |

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Paragraph 5.413

Policies PSTR/BE 1, AL/BE 1 to AL/BE 4

*[TWBC: this representation has been duplicated against the above policies - see also PSLP\_1787-1791]*

**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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#### **Question 7**

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## Comment

|  |  |
|--|--|
| Consultee  | Nicola Thomas [REDACTED]   |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Benenden Parish Council  |
| Address  | [REDACTED]<br>[REDACTED]<br>Benenden<br>[REDACTED]   |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Benenden Parish Council [REDACTED]<br>[REDACTED]   |
| Comment ID   | PSLP_1788  |
| Response Date  | 03/06/21 18:08   |
| Consultation Point   | Policy AL/BE 1 Land adjacent to New Pond Road (known as Uphill), Benenden ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.4  |
| Question 1   |  |
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| Complies with the Duty to Cooperate | Yes |

#### Question 4a

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## Comment

|  |   |
|--|---|
| Consultee  | Nicola Thomas [REDACTED]  |
| Email Address  | [REDACTED]  |
| Company / Organisation   | Benenden Parish Council   |
| Address  | [REDACTED]<br>Benenden<br>[REDACTED]  |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Benenden Parish Council [REDACTED]<br>[REDACTED]  |
| Comment ID   | PSLP_1789   |
| Response Date  | 03/06/21 18:08  |
| Consultation Point   | Policy AL/BE 2 Feoffee Cottages and land, Walkhurst Road, Benenden ( <a href="#">View</a> ) |
| Status   | Processed   |
| Submission Type  | Web   |
| Version  | 0.4   |
| Question 1   |   |
| Respondent's Name and/or Organisation                            | Benenden Parish Council   |
| Question 3   |   |
| To which part of the Local Plan does this representation relate? | Policy  |
| Question 3a  |   |

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

Paragraph 5.413

Policies PSTR/BE 1, AL/BE 1 to AL/BE 4

[TWBC: this representation has been duplicated against the above policies - see also PSLP\_1787-1791]

**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.**

**5.413** - There are no nursery/pre-school facilities at Iden Green or at East End.

**5.413** - Iden Green has a public house (so delete 'located nearby'). There is no small shop at Benenden Hospital, East End.

**Policy PSTR/BE 1** - The Strategy for Benenden Parish - Additional criteria beneath the Site Policy box includes a list of relevant policies in the draft Local Plan. The following policies should be added to this paragraph - EN 8 Outdoor Lighting and Dark Skies; EN 13 Ancient Woodland and Veteran Trees.

**Policy AL/BE 1** - Land adjacent to New Pond Road (known as Uphill) - Additional criteria beneath the Site Policy box includes a list of relevant policies in the draft Local Plan. The following policies should be added to this paragraph - EN 8 Outdoor Lighting and Dark Skies; EN 13 Ancient Woodland and Veteran Trees.

**Policy AL/BE 2** - Feoffee Cottages and land, Walkhurst Road - Additional criteria beneath the Site Policy box includes a list of relevant policies in the draft Local Plan. The following policies should be added to this paragraph - EN 8 Outdoor Lighting and Dark Skies; EN 13 Ancient Woodland and Veteran Trees.

**Policy AL/BE 3** - Land at Benenden Hospital (south of Goddards Green Road) '1. Comprehensive proposals for this site.....' should be accord with that set out in SSP3 of the draft Benenden NDP being **'Comprehensive development proposals, in the form of a Masterplan, must be submitted in respect of the land currently held in Benenden Healthcare Society estate ownership at this location, to be delivered in accordance with a phased timetable, which indicates land to the south of Goddards Green Road (SEQ) to be developed prior to any other phases.'**

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**Policy AL/BE 4** - Land at Benenden Hospital (north of Goddards Green Road - 1. Comprehensive proposals for this site.....' should be accord with that set out in SSP3 of the draft Benenden NDP being **'Comprehensive development proposals, in the form of a Masterplan, must be submitted in**

**respect of the land currently held in Benenden Healthcare Society estate ownership at this location, to be delivered in accordance with a phased timetable, which indicates land to the south of Goddards Green Road (SEQ) to be developed prior to any other phases.'**

**Policy AL/BE 4** - Additional criteria beneath the Site Policy box includes a list of relevant policies in the draft Local Plan. The following policies should be added to this paragraph - EN 8 Outdoor Lighting and Dark Skies; EN 13 Ancient Woodland and Veteran Trees; EN 18 Rural Landscape; EN 19 High Weald AONB

#### Question 7

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

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

#### Question 7a

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

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

As Chair of Benenden Parish Council I would like to participate in the hearing session(s) to give support to TWBC against the representations made by the Friends of East End and other parties regarding the policies set out under 'Benenden' including, but not limited to, those under Policy AL/BE 3 and Policy AL/BE 4.

#### 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  | Nicola Thomas [REDACTED]   |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Benenden Parish Council  |
| Address  | [REDACTED]<br>[REDACTED]<br>Benenden<br>[REDACTED]   |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Benenden Parish Council [REDACTED]<br>[REDACTED]   |
| Comment ID   | PSLP_1790  |
| Response Date  | 03/06/21 18:08   |
| Consultation Point   | Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.4  |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Benenden Parish Council  |
| Question 3   |  |
| To which part of the Local Plan does this representation relate? | Policy   |
| Question 3a  |  |

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

Paragraph 5.413

Policies PSTR/BE 1, AL/BE 1 to AL/BE 4

*[TWBC: this representation has been duplicated against the above policies - see also PSLP\_1787-1791]*

**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.**

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**Policy AL/BE 1** - Land adjacent to New Pond Road (known as Uphill) - Additional criteria beneath the Site Policy box includes a list of relevant policies in the draft Local Plan. The following policies should be added to this paragraph - EN 8 Outdoor Lighting and Dark Skies; EN 13 Ancient Woodland and Veteran Trees.

**Policy AL/BE 2** - Feoffee Cottages and land, Walkhurst Road - Additional criteria beneath the Site Policy box includes a list of relevant policies in the draft Local Plan. The following policies should be added to this paragraph - EN 8 Outdoor Lighting and Dark Skies; EN 13 Ancient Woodland and Veteran Trees.

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**Policy AL/BE 4** - Land at Benenden Hospital (north of Goddards Green Road - 1. Comprehensive proposals for this site.....' should be accord with that set out in SSP3 of the draft Benenden NDP being **'Comprehensive development proposals, in the form of a Masterplan, must be submitted in**

**respect of the land currently held in Benenden Healthcare Society estate ownership at this location, to be delivered in accordance with a phased timetable, which indicates land to the south of Goddards Green Road (SEQ) to be developed prior to any other phases.'**

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#### 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.*

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

## Comment

|  |  |
|--|--|
| Consultee  | Nicola Thomas [REDACTED]   |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Benenden Parish Council  |
| Address  | [REDACTED]<br>[REDACTED]<br>Benenden<br>[REDACTED]   |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Benenden Parish Council [REDACTED]<br>[REDACTED]   |
| Comment ID   | PSLP_1791  |
| Response Date  | 03/06/21 18:08   |
| Consultation Point   | Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.4  |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Benenden Parish Council  |
| Question 3   |  |
| To which part of the Local Plan does this representation relate? | Policy   |
| Question 3a  |  |

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

Paragraph 5.413

Policies PSTR/BE 1, AL/BE 1 to AL/BE 4

[TWBC: this representation has been duplicated against the above policies - see also PSLP\_1787-1791]

**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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**respect of the land currently held in Benenden Healthcare Society estate ownership at this location, to be delivered in accordance with a phased timetable, which indicates land to the south of Goddards Green Road (SEQ) to be developed prior to any other phases.'**

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#### 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.*

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

## Comment

**Consultee** Jonathon & Zamira Benthall [REDACTED]  
**Email Address** [REDACTED]  
**Address** [REDACTED] [REDACTED]  
Pembury  
TUNBRIDGE WELLS  
[REDACTED]  
**Event Name** Pre-Submission Local Plan  
**Comment by** Jonathon & Zamira Benthall [REDACTED]  
**Comment ID** PSLP\_697  
**Response Date** 31/05/21 09:12  
**Consultation Point** Policy AL/PE 4 Land at Downingbury Farm,  
Maidstone Road ([View](#))  
**Status** Processed  
**Submission Type** Web  
**Version** 0.3  
**Question 1**

**Respondent's Name and/or Organisation** Jonathan Benthall  
**Question 2**

**Agent's Name and Organisation (if applicable)** n/a  
**Question 3**

**To which part of the Local Plan does this representation relate?** Policies Map  
**Question 3a**

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

Policy AL/PE4, Map 67 (Downingbury Farm)

**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 consistent with national policy

#### Question 5

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I fully support the proposal to safeguard the Eastern section of the Downingbury Farm land (coloured pink on Map 67, page 285, Policy AL/PE4) for the potential expansion of the Hospice in the Weald. I have discussed the Hospice's preliminary plans with members of their management team, and conclude on the basis of that discussion that these plans are realistic and that financing should not prove a difficulty.

There are two reasons why I think the Hospice in the Weald's plans should be given the highest priority.

First, it is a highly regarded charity with wide support both within the Borough and beyond, and as far as I know it has attained a high standard of excellence in the services it provides to the very sick and their friends and families.

Second, it has an outstanding record of sensitivity with regard to architecture and landscaping. Indeed, its name "Hospice in the Weald" gives its Trustees the strongest incentive to maintain the rural character of its surroundings to the north.

Having said this, I question the soundness of allowing the western section of the farmland (coloured yellow) – hitherto both Green Belt and AONB – to be allocated for residential buildings. This would substantially, and irreversibly, reduce the acreage of the Downingbury Farm as a viable agricultural entity.

The National Planning Policy Framework, February 2019, Para. 170-B states that

*"Planning policies and decisions should contribute to and enhance the natural and local environment by: .....*

*(B) recognising the intrinsic character and beauty of the countryside, **and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land**, and of trees and woodland."* [Emphasis added.]

At present Downingbury Farm is managed as a fruit farm (apples and soft fruit), partly supported by a farm shop. Looking ahead to the future, there is no reason why the present form of exploitation should continue for ever, as there are other possible alternatives. However, reduction of the land available for fields and orchards would significantly reduce the viability of any farm as an economic unit.

Once concreted over, the land could never revert to agricultural use.

In addition to the reference to the NPPF above, I would draw attention to the importance currently attached by policy makers to the need for local food production, and to minimizing transportation costs – especially post-Brexit and in the light of concerns over climate change. The Prince of Wales has recently spoken out in favour of small family farms.

I suggest that the western (coloured yellow) section of the farmland should be maintained as Green Belt/AONB in order to protect the viability of Downingbury Farm as a medium to long term asset for the community.

I should add that neither I nor my family have any financial interest in the future of the farmland.

## 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.**

For the reasons set out above:

I suggest that the western (coloured yellow) section of the farmland should be maintained as Green Belt/AONB in order to protect the viability of Downingbury Farm as a medium to long term asset for the community.

## 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  | Isabella Tidswell [REDACTED]                                   |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Lichfields   |
| Address  |  |
| Consultee  | Berkeley Homes [REDACTED]                                      |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Lichfields   |
| Address  | -<br>-<br>-<br>-   |
| Event Name   | Pre-Submission Local Plan                                      |
| Comment by   | Lichfields ( Berkeley Homes [REDACTED])                        |
| Comment ID   | PSLP_1027  |
| Response Date  | 03/06/21 09:42   |
| Consultation Point   | Policy STR 1 The Development Strategy ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.1  |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Berkeley Homes   |
| 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 STR1- 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 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.

While the principle of meeting housing need in full is supported, the strategy for doing so is overly reliant on the strategic sites of Tudeley Garden Village and the Strategic Expansion of Paddock Wood. This policy is therefore neither effective nor justified in this regard. These two strategic allocations have been allocated a total in excess of 5,500 dwellings representing over 60% of all dwellings that are expected to come forward on allocated sites. Furthermore, the Council have applied an optimistic development trajectory for the delivery of these sites. Any delay in the delivery of these strategic sites could have a large impact on the ability of TWBC to meet their housing targets. As such, we recommend that more small and medium sites are allocated within the Local Plan, towards the most sustainable settlements within the Borough such as Cranbrook and Tunbridge Wells. This will provide greater flexibility and confidence that the housing target will be met over the plan period.

#### Question 6

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

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

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The Council should allocate more small and medium sites for housing to reduce reliance on the two large strategic sites. These should be located towards sustainable settlements such as Cranbrook and 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:**

It is important that TWBC are able to meet their housing targets over the plan period. There may be important matters to discuss to ensure that this plan is sound in this regard.

#### 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  | Isabella Tidswell [REDACTED]   |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Lichfields   |
| Address  |  |
| Consultee  | Berkeley Homes [REDACTED]  |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Lichfields   |
| Address  | -<br>-<br>-<br>-   |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Lichfields [REDACTED]  |
| Comment ID   | PSLP_1029  |
| Response Date  | 03/06/21 09:45   |
| Consultation Point   | Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.1  |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Berkeley Homes   |
| 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 AL/CRS3: Site Allocation for Turnden Farm, Hartley Road, Cranbrook

#### **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.**

Berkeley Homes support the site allocation and policy for this site in principle. The site is considered to be suitable and deliverable, as demonstrated by planning application 20/00815/FULL, for which a number of detailed technical assessments were undertaken in support of the application. The results of these conclude that development on this site is entirely supportable and therefore the allocation is sound in this respect. TWBC Officers recommended approval for the application on this basis and Committee Members resolved to grant permission. As TWBC are aware, this application has been called in by the Secretary of State for determination.

Furthermore, the assessments undertaken highlight numerous benefits of this allocation and the submitted application. Economic benefits include the creation of 165 new households which would generate demand for local shops and services, including in Cranbrook town centre. There are many social benefits, including 40% affordable homes, high-quality design, accessibility of the site by a range of transport modes, significant new high-quality amenity space including children's play areas, significant areas of open space, permissible paths through the site, cycle and pedestrian connections, and improvements to the Turnden Lane/Hartley Road junction. Environmental benefits include water efficiency measures, electric vehicle charging points, the promotion of active travel due to the site's sustainable location, restored historic landscape features, green infrastructure linkages, extensive areas of planting achieving a significant net biodiversity gain and the protection and management of the Wider Land Holding for ecological benefit and recreational use.

However, the policy requires modifications in order to make it fully sound. The policy should be modified in order to be 'effective' and allow sufficient flexibility for development to come forward. Point 6 should be modified to be effective as there is reference to the fact that 'development shall be located on the areas identified for residential use on the site layout plan'. In principle, this is accepted, but the boundaries are very detailed and the scale of the plan very high and, therefore being so definitive places overly restrictive constraints to development. 'Broad' should be added before areas. Furthermore, the affordable housing requirement should reflect the main affordable housing policy.

Point 7d is not effective and should be modified because it requires the reinstatement of historic field boundaries, but this may not be appropriate in some parts of the site, where such would overly restrict development or such a field pattern bears little relevance to today's landscape.

## Question 6

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It is suggested that in order to make the plan 'sound' the affordable housing requirement should be amended to reflect the main affordable housing policy.

It is also suggested that in order to make the plan 'sound' the policy should be amended to:

- . Add 'broad' before '... areas ...' in point 6.
- . Add 'where it would be appropriate to do so' at the end of point 7d.

These amendments will ensure the most effective use of the site is achieved, while recognising the site's sensitive location in the AONB.

## 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:**

This is an important allocation in the Local Plan to assist in meeting the housing need. Since application 20/00815/FULL has not yet been granted permission, it is important that the policy allows flexibility. There may be important matters to discuss to ensure that this policy criterion is 'effective'.

## 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  | Isabella Tidswell [REDACTED]                           |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Lichfields   |
| Address  |  |
| Consultee  | Berkeley Homes [REDACTED]                              |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Lichfields   |
| Address  | -<br>-<br>-<br>-                                       |
| Event Name   | Pre-Submission Local Plan                              |
| Comment by   | Lichfields [REDACTED]                                  |
| Comment ID   | PSLP_1030  |
| Response Date  | 03/06/21 09:48   |
| Consultation Point   | Policy H 3 Affordable Housing ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.1  |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Berkeley Homes   |
| 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 H3: Affordable Housing

#### **Question 4**

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

Is sound

No

#### **Question 4a**

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

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

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

#### **Question 5**

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Whilst we support the general thrust of the objectives and the securing or affordable provision this policy as worded is not 'justified' as the timing requirement for a minimum of 50% of affordable housing to be delivered, completed and transferred to a Registered Provider prior to occupation of a maximum of 50% of the open market units provided is too specific and may vary between sites in different circumstances. This maybe associated to financial viability, construction access, site logistics and development phasing.

Furthermore, it is noted that the policy allows affordable homes to be 'clustered' to assist with management, but such clusters must be spread evenly across the development. In the case of small-scale developments, with only a modest provision of affordable housing – such approach may not be practical.

The policy continues to require all affordable housing to meet, as a minimum, the Building Regulation Standard Part M4(2). This requires a level threshold and is not always practical for small scale apartment building, where a lift core would not be viable, and an undulating site, where stepped access maybe required. Conversely the requirement for affordable M4(3) standard housing, is unclear in how it is applied to major residential developments.

A local connection is also sought on all tenures of affordable homes. This is accepted for rented homes, but for Intermediate housing, Shared Ownership homes appear on the open market through the Home Buy agent, and in terms of how these are marketed they would not ordinarily be offered locally first.

The policy suggests an order of preference for alternative delivery where on-site affordable housing cannot be delivered. This approach is not effective; as a reduced level of affordable provision on-site (4b) should be seen as a less preferable option than a variation in tenure of affordable housing (4c) and the applicant making land available elsewhere for affordable housing (4d). This approach would ensure the maximum amount of affordable housing is secured.

#### **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 order to make the plan 'sound', the following amendments are proposed:

*'a minimum of 50 percent of the affordable housing to be delivered on-site will be expected to be completed and transferred to a Registered Provider prior to occupation of a maximum of 50 percent of the open market units to be provided on-site' – this (3) wording should be deleted.*

4b should be moved to after 4d.

Local Connection – this should relate to housing for affordable rent only.

Homes may be clustered to assist with management, but such clusters must be spread evenly across the development, **unless the scale of development or layout do not make it practical to do so.**

All affordable housing should meet, as a minimum, the Building Regulation Standard Part M4(2), **unless the scale of development, site constraints, and viability do not make it practical to do so.**

The final sentence of the policy, relating to M4(3) standards, requires clarification on where such a requirement is necessary – i.e. does the Council seek a set % requirement, subject to housing needs?

## 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\_90

### Comment

|                        |   |
|------------------------|---|
| Consultee              | [REDACTED]  |
| Email Address          | [REDACTED]  |
| Company / Organisation | Berkeley Strategic Land Ltd   |
| Address                | Berkeley House<br>19 Portsmouth Road<br>COBHAM<br>KT11 1JG                              |
| Event Name             | Pre-Submission Local Plan   |
| Comment by             | Berkeley Strategic Land Ltd ([REDACTED])  |
| Comment ID             | PSLP_1678   |
| Response Date          | 04/06/21 11:48  |
| Consultation Point     | Policy STR 1 The Development Strategy ( <a href="#">View</a> )                          |
| Status                 | Processed   |
| Submission Type        | Email   |
| Version                | 0.13  |
| Files                  | <a href="#">PSLP_1678-1682 Berkeley Strategic Land Ltd. Representation Redacted.pdf</a> |

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 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
- . It is not consistent with national policy

**Question 5**

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Please refer to paragraphs 3.1 – 3.12 of the attached representations.

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

**3.0 The Development Strategy and Strategic Policies**

*Distribution of Growth*

3.1 Berkeley raises a number of objections to the Plan's development strategy and strategic policies, specifically Policy STR 1 which proposes a large proportion of housing growth at Tudeley Village and Paddock Wood and Capel.

3.2 Berkeley believes that the planned distribution of growth within the Borough should be reflective of Table 13 at Policy ED 8 of the Plan. Development should be prioritised at those settlements at the top of the settlement hierarchy, particularly Royal Tunbridge Wells (RTW) and other settlements such as Cranbrook, where RTW has been classified as the only Primary Regional Town Centre in the Borough.

3.3 Even though the Council acknowledges RTW as the largest settlement within the Borough, the settlement should be recognised as a principle settlement for future growth, as it is the most accessible town, containing the greatest range of facilities and services.

3.4 Furthermore, paragraphs 5.7 to 5.14 of the Plan demonstrate that RTW is a sustainable location for development, located close to major public highways, and well served by public transport networks, including main line train stations within the town centre.

3.5 However, Table 4 at Policy STR 1 of the Plan allocates a relatively small proportion of housing at RTW, with a total of up to 1,536 dwellings allocated within the Plan period. However, there is an over-reliance on the strategic allocation at Tudeley Garden Village and the settlements of Paddock Wood and Capel in which the Plan allocates up to 4,200 dwellings in Capel Parish (includes Tudeley Village and East Capel allocations) and up to 4,032 dwellings at Paddock Wood.

3.6 These major strategic allocations for Capel Parish consist of rural locations classified as lower order settlements within the settlement hierarchy at Policy ED 8, whereby Tudeley Village, Paddock Wood, including land at east Capel have been classified as Neighbourhood Centres at Table 13 of the Plan. As such, we believe that there is a disproportionate level of growth towards Tudeley Garden Village and Paddock Wood and therefore object to the development strategy at Policy STR 1 on this basis.



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

**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 3.1 – 3.12 of the attached representations.

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

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.

## 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 3.1 – 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<br>19 Portsmouth Road<br>COBHAM<br>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 ( <a href="#">View</a> )        |
| Status   | Processed   |
| Submission Type  | Email   |
| Version  | 0.8   |
| Files  | <a href="#">PSLP_1678-1682 Berkeley Strategic Land Ltd. Representation Redacted.pdf</a> |
| 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
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**Question 5**

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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<br>19 Portsmouth Road<br>COBHAM<br>KT11 1JG                              |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Berkeley Strategic Land Ltd ([REDACTED])  |
| Comment ID   | PSLP_1682   |
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| Consultation Point   | Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells ( <a href="#">View</a> )        |
| Status   | Processed   |
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| Files  | <a href="#">PSLP_1678-1682_Berkeley Strategic Land Ltd. Representation Redacted.pdf</a> |
| 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**

**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 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

**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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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)?**

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

## Supporting Information File Ref No: SI\_90

### Comment

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|--|--|
| Consultee  | [REDACTED]   |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Berkeley Strategic Land Ltd  |
| Address  | Berkeley House<br>19 Portsmouth Road<br>COBHAM<br>KT11 1JG   |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Berkeley Strategic Land Ltd ([REDACTED])   |
| Comment ID   | PSLP_1680  |
| Response Date  | 04/06/21 11:48   |
| Consultation Point   | Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.8  |
| Files  | <a href="#">PSLP_1678-1682 Berkeley Strategic Land Ltd. Representation Redacted.pdf</a>              |
| 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/SS 1 The Strategy for Paddock Wood, including land at east Capel                          |
| 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**

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Please refer to paragraphs 4.1 – 4.12 of the attached representations.

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

**4.0 Place Shaping Policies**

4.1 As referred to above, Berkeley objects to the distribution of growth within the Borough, in which development should be focused on the most sustainable settlements within the Borough such as Tunbridge Wells and Cranbrook.

4.2 The Housing Supply and Trajectory Topic Paper (February 2021) which forms evidence as part of the consultation states that both Tudeley Village and Paddock Wood are anticipated to deliver first completions as early as 2025/26 with a total of 3,540 dwellings at Paddock Wood and East Capel and 2,100 dwellings at Tudeley Village being delivered within the Plan period up to 2038.

4.3 However, Berkeley anticipates that the Council's assumptions for delivery on both of these strategic sites at Policy STR/SS 1 and STR1/SS 3 are particularly ambitious given the likely lead in times for sites at this scale. The Lichfields report 'Start to finish' (February, 2020) highlights the major lead in times associated with large strategic sites, in which the average time from validation of the first planning application to the first dwellings being completed on schemes of 2,000+ dwellings takes 8.4 years. The report also states that the annual average build-out rate for schemes of 2,000+ dwellings is 160 dwellings per annum.

4.4 Based on Lichfields analysis that schemes for 2,000+ dwellings can take up to 8.4 years to deliver from the submission of a planning application, Berkeley has formulated a revised timetable for delivery at these strategic sites.

*[TWBC: for table, please see supporting documents]*

4.5 This will mean that the allocations at Tudeley Village and Paddock Wood will only be able to deliver up to 6 years' worth of housing supply within the Plan period. Based on the Council's projected completions for these allocations, this amounts to circa. 900 dwellings at Tudeley Village and 1,800 dwellings at Paddock Wood, totalling the delivery of just 2,700 dwellings within the Plan period and a shortfall of 2,940 dwellings.

4.6 In addition, if we apply Lichfield's assessment of average delivery rates, Paddock Wood and East Capel will only be able to deliver up 160 dwellings per annum, this means that this allocation will only be capable of delivering circa. 960 dwellings up to 2038.

4.7 In addition, if we assume that Tudeley Village will deliver at the delivery rate set out within the Council's housing trajectory from 2032/33 to 2034/35 at 150 dwellings per annum and apply Lichfield's assessment of average delivery rates from 2035/36 to 2038, this means that the allocation will deliver only 930 dwellings within the plan period.

4.8 Therefore, the total delivery of these strategic sites combined would amount to 1,890 dwellings within the Plan period and a shortfall of 3,750 dwellings.

4.9 Therefore, the Council's housing trajectory for delivery at these strategic sites seems significantly unrealistic given an anticipated annual delivery rate of 300 dwellings per annum at Paddock Wood and East Capel and 200 dwellings per annum at Tudeley Village.

4.10 As such, if projected first completions at Tudeley Village and Paddock Wood, including land at East Capel start from 2032/33, this will mean that the Council can anticipate a shortfall of between 2,490 dwellings – 3,750 dwellings within the Plan period.

4.11 As referenced at Policy STR/SS 1, there are a number of factors that will impact upon the delivery of both Paddock Wood and Tudeley Village. The policy notes that the possible CPO of land at Paddock Wood may be required, in addition to the creation of an SPD, the fact that both allocations will require significant input from multiple landownerships and rate of delivery will depend on market absorption rates.

4.12 Therefore, Berkeley objects to the level of growth planned for at Policy STR/SS 3 Tudeley Village and Policy STR/SS 1 at Paddock Wood, including land at east Capel which in Berkeley's view, justifies that the Plan is not sound as it is not justified nor is it effective as set out by paragraph 35 of the NPPF.

## Question 6

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Please refer to paragraphs 4.1 – 4.12 of the attached representations.

[TWBC: for full representation with appendices, 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:**

Please refer to paragraphs 4.1 – 4.12 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.

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| 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.**

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- . 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.**

Please refer to paragraphs 4.1 – 4.12 of the attached representations.

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

**4.0 Place Shaping Policies**

4.1 As referred to above, Berkeley objects to the distribution of growth within the Borough, in which development should be focused on the most sustainable settlements within the Borough such as Tunbridge Wells and Cranbrook.

4.2 The Housing Supply and Trajectory Topic Paper (February 2021) which forms evidence as part of the consultation states that both Tudeley Village and Paddock Wood are anticipated to deliver first completions as early as 2025/26 with a total of 3,540 dwellings at Paddock Wood and East Capel and 2,100 dwellings at Tudeley Village being delivered within the Plan period up to 2038.

4.3 However, Berkeley anticipates that the Council's assumptions for delivery on both of these strategic sites at Policy STR/SS 1 and STR1/SS 3 are particularly ambitious given the likely lead in times for sites at this scale. The Lichfields report 'Start to finish' (February, 2020) highlights the major lead in times associated with large strategic sites, in which the average time from validation of the first planning application to the first dwellings being completed on schemes of 2,000+ dwellings takes 8.4 years. The report also states that the annual average build-out rate for schemes of 2,000+ dwellings is 160 dwellings per annum.

4.4 Based on Lichfields analysis that schemes for 2,000+ dwellings can take up to 8.4 years to deliver from the submission of a planning application, Berkeley has formulated a revised timetable for delivery at these strategic sites.

*[TWBC: for table, please see supporting documents]*

4.5 This will mean that the allocations at Tudeley Village and Paddock Wood will only be able to deliver up to 6 years' worth of housing supply within the Plan period. Based on the Council's projected completions for these allocations, this amounts to circa. 900 dwellings at Tudeley Village and 1,800 dwellings at Paddock Wood, totalling the delivery of just 2,700 dwellings within the Plan period and a shortfall of 2,940 dwellings.

4.6 In addition, if we apply Lichfield's assessment of average delivery rates, Paddock Wood and East Capel will only be able to deliver up 160 dwellings per annum, this means that this allocation will only be capable of delivering circa. 960 dwellings up to 2038.

4.7 In addition, if we assume that Tudeley Village will deliver at the delivery rate set out within the Council's housing trajectory from 2032/33 to 2034/35 at 150 dwellings per annum and apply Lichfield's assessment of average delivery rates from 2035/36 to 2038, this means that the allocation will deliver only 930 dwellings within the plan period.

4.8 Therefore, the total delivery of these strategic sites combined would amount to 1,890 dwellings within the Plan period and a shortfall of 3,750 dwellings.

4.9 Therefore, the Council's housing trajectory for delivery at these strategic sites seems significantly unrealistic given an anticipated annual delivery rate of 300 dwellings per annum at Paddock Wood and East Capel and 200 dwellings per annum at Tudeley Village.

4.10 As such, if projected first completions at Tudeley Village and Paddock Wood, including land at East Capel start from 2032/33, this will mean that the Council can anticipate a shortfall of between 2,490 dwellings – 3,750 dwellings within the Plan period.

4.11 As referenced at Policy STR/SS 1, there are a number of factors that will impact upon the delivery of both Paddock Wood and Tudeley Village. The policy notes that the possible CPO of land at Paddock Wood may be required, in addition to the creation of an SPD, the fact that both allocations will require significant input from multiple landownerships and rate of delivery will depend on market absorption rates.

4.12 Therefore, Berkeley objects to the level of growth planned for at Policy STR/SS 3 Tudeley Village and Policy STR/SS 1 at Paddock Wood, including land at east Capel which in Berkeley's view, justifies that the Plan is not sound as it is not justified nor is it effective as set out by paragraph 35 of the NPPF.

## Question 6

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

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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.**

Please refer to paragraphs 4.1 – 4.12 of the attached representations.

[TWBC: for full representation with appendices, 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:**

Please refer to paragraphs 4.1 – 4.12 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\_95a-c

### Comment

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



### Question 3

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

### Question 3a

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

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

### Question 4a

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

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

### Question 5

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

Site to be considered as development opportunity for new local plan

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

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

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

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

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

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

For office use only

**New Site Submission? Enter site address**

Gedges Hill, Matfield, Tonbridge, TN12 7EA

**Question 7**

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

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

For office use only

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

Not Stated

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

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

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

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

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

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

## 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 ( <a href="#">View</a> ) |
| 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**

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in breach of Policies EN 19 and EN18 with regard to protection of AONB and Rural Landscape

#### **Question 6**

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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**

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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 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 ( <a href="#">View</a> ) |
| 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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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

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

#### Future Notifications

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

## Comment

|  |  |
|--|--|
| Consultee  | Linda Beverley [REDACTED]  |
| Email Address  | [REDACTED]   |
| Address  | [REDACTED]<br>Hawkhurst<br>Cranbrook<br>[REDACTED]                               |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Linda Beverley [REDACTED]  |
| Comment ID   | PSLP_978   |
| Response Date  | 02/06/21 17:45   |
| Consultation Point   | Policy AL/HA 5 Land to the north of Birchfield Grove<br>( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.1  |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Mr Donald and Mrs Linda Beverley   |
| 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/HA5   |  |
| 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 consistent with national policy

#### Question 5

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My comment is consistent with the letter submitted by the Grove Management Company Ltd, expressing the representations of residents of Birchfield Grove in relation to the development on the land North of Birchfield Grove.

#### Question 6

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The building of a large Medical Centre and parking would be inappropriate on this site.

The field is part of the AONB and should not be developed.

Previous developments have been refused.

The access from Rye Road would be through a small housing development, Birchfield Grove. The access road would have to disturb an ecological corridor around the small housing development, endangering the wildlife present.

inevitably there would be a massive increase in traffic through the small development. The entrance to Birchfield Grove is at the end of the village and cars passing tend to increase their speed although the limit is 30 mph. A child was knocked down at this point a few days ago. there is poor visibility exiting from Birchfield Grove for vehicles and pedestrians.

the road is not wide enough for any parked vehicles, it would limit access for residents and utility vehicles.

children currently play relatively safely on the bikes etc in Birchfield this would not be the case if there were to be access to a major medical centre at the back.

the landowner us offering th3 land at no cost to the doctors at Northridge and Wish Valley practises, however my opinion is that once access is given the developers will then submit housing plans similar to ones that have been refused before on this site.

the building would be a carbuncle view from the surrounding lanes, and for residents of Birchfield Grove.

#### 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\_74

### Comment

|  |   |
|--|---|
| Consultee  | Mrs Alison Swannick [REDACTED]  |
| Email Address  | [REDACTED]  |
| Company / Organisation   | Biddenden Parish Council  |
| Address  | [REDACTED]<br>TONBRIDGE<br>[REDACTED]   |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Biddenden Parish Council [REDACTED]<br>[REDACTED]                             |
| Comment ID   | PSLP_1385   |
| Response Date  | 04/06/21 13:18  |
| Consultation Point   | Policy PSTR/BE 1 The Strategy for Benenden parish<br>( <a href="#">View</a> ) |
| Status   | Processed   |
| Submission Type  | Email   |
| Version  | 0.6   |
| Files  | <a href="#">PSLP_1385-1387_Biddenden Parish Council_Redacted.pdf</a>          |
| Data inputter to enter their initials here                       | HB  |
| Question 1   |   |
| Respondent's Name and/or Organisation                            | Biddenden Parish Council  |
| Question 3   |   |
| To which part of the Local Plan does this representation relate? | Policy  |
| Question 3a  |   |

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

Policy PSTR/BE 1 The Strategy for Benenden parish

*[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 4 - please see Comment Numbers PSLP\_1385, PSLP\_1386 and PSLP\_1387]*

#### 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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#### **Regulation 19 public consultation on the Pre-Submission Local Plan. Consultation**

I am writing on behalf of Biddenden Parish Council regarding its concerns relating to the proposed development at East End, Benenden and in support of Friends of East End.

Biddenden Parish Council has engaged with Tunbridge Wells Borough Council's consultations relating to the Benenden NDP and the Borough Local Plan since the NDP and Local Plan processes started. Biddenden Parish Council has tried to engage with its neighbour, Benenden Parish Council as Biddenden will be affected by the proposed development if not more than Benenden village. Unfortunately, it took them nearly two years to reply.

Whilst Biddenden Parish Council wishes to support Friends of East End, the issues to be addressed will be limited those directly affecting the Parish of Biddenden.

##### **1 The Proposed Site**

The proposed site, situated on the border with Biddenden Parish, is not suitable and does not accord with the Local Plan. The site is not sustainable.

The proposed development is in a completely rural setting, with the exception of Benenden Hospital. There are no shops, there are no buses, there is no reasonable pedestrian route to a school, the village, local amenities, primary or pre-school facilities. It is unlikely that any commercial bus service would service this route and it is unlikely that Benenden Parish Council or Tunbridge Wells Borough Council will provide a bus service to enable residents to access village amenities rather than drive their cars multiple times during the day to get to schooling, shops, a station etc.

There were other more suitable sites available that would have ensured that this proposed development, currently a satellite village with no facilities or amenities, could be part of the village of Benenden. The lack of any facilities/amenities/infrastructure cannot be manipulated into making this site sustainable. It is, and remains, unsustainable. In 2012 this site was considered to be "isolated" and "remote", so what has changed? There has been no new infrastructure introduced, nothing that would change that view. It remains remote and isolated and not sustainable.

In order to get to a train station, cars will need to travel through Biddenden to either Headcorn Station or Staplehurst Station for commuting purposes. The roads will be used for travel to Tenterden, Biddenden, Maidstone, Cranbrook, Tunbridge Wells as well as surrounding villages.

##### **1 AONB**

The proposed new housing is set in a completely rural area bordering an AONB, Any development here will be detrimental to an AONB and consideration must be given to preserving the AONB by ensuring that areas bordering it cannot cause it harm. This ties in with the sustainability issues which are not being met and will be to the long term detriment of the area.

##### **1 Castletons Oak Crossroads**

This crossroads is at the junction of Benenden Road, Cranbrook Road and Tenterden Road. It is extremely dangerous and there have been approximately 6 accidents in the last two months alone. Kent Highways are currently looking to try and improve this as the last changes made have made no difference to the dangers posed to motorists but also to those living in properties situated at the crossroads. Any increase in traffic will add to the danger at this junction. Benenden Road is the main route to Biddenden and Headcorn. This road is mainly residential but with farms so there are large, slow vehicles on it with concealed driveways and plenty of bends. The speed limit is currently 60 mph and vehicles are already travelling too fast on it making it dangerous for those people actually living on this road, especially towards the junction at Woolpack Corner onto the Tenterden Road A28.

Biddenden Parish Council has been working hard to address these issues for several years and is working with KCC. There has been little consideration given to the effect the increase in traffic will have on Biddenden and its residents. Most homes will require two cars as a minimum given its location. As it currently stands, this is a dangerous junction and is not suited for an increase in vehicle numbers.

## 1 Sewage

There are sewage issues at Castletons Oak. There have been many occasions where sewage is dispersed onto the road. The council's understanding is that Benenden Hospital sometimes empties into the Biddenden sewerage system, a system that cannot cope with the existing pressures put upon it.

The Parish Council is already in touch with Southern Water regarding the fact that the Biddenden sewerage system cannot cope with the number of houses using it already. With each new development the problem will worsen. There have been properties with severe sewage floods, overflowing with faeces and paper into their gardens, sewage manholes overflowing onto playing fields, into roads. Biddenden cannot cope with the waste from such a large development as its system is both compromised and overwhelmed.

Whilst Biddenden Parish Council accepts that housing is required, the development of East End, Benenden is not appropriate on several levels. There are more suitable sites for such developments. The reasons for objecting to this development are very clear, as set out above. Biddenden Parish Council is acting in the best interests of its residents and believes that Friends of East End are doing the same for theirs. A copy of their representation is attached. Tunbridge Wells Borough Council is asked to seriously consider the issues raised and detailed within these documents in its discussions and consideration of its Local Plan.

*[TWBC: for full representation, including the Friends of the East End representation, 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)?**

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\\_1385-1387\\_Biddenden Parish Council\\_Redacted.pdf](#)

## Supporting Information File Ref No: SI\_45

### Comment

|  |   |
|--|---|
| Consultee  | Alison Swannick [REDACTED]  |
| Email Address  | [REDACTED]  |
| Company / Organisation   | Biddenden Parish Council  |
| Address  | -<br>-<br>-   |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Biddenden Parish Council ( Alison Swannick -<br>[REDACTED])   |
| Comment ID   | PSLP_701  |
| Response Date  | 04/06/21 13:12  |
| Consultation Point   | Policy PSTR/BE 1 The Strategy for Benenden parish<br>( <a href="#">View</a> )   |
| Status   | Processed   |
| Submission Type  | Web   |
| Version  | 0.5   |
| Files  | Biddenden PC letter sig_Redacted.pdf<br>03 04 21 Letter re Regulation 19 public consultation<br>on the Pre-Submission Local Plan. Consultation .pdf |
| Question 1   |   |
| Respondent's Name and/or Organisation                            | Biddenden Parish Council  |
| Question 3   |   |
| To which part of the Local Plan does this representation relate? | Policy  |

#### Question 3a

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

Biddenden Parish Council is concerned with the housing policy for East End, Benenden. Biddenden Parish Council has been active in submitting its concerns to TWBC.

#### Question 4

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

**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** . It is not consistent with national policy 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.**

Where planning policy affects the neighbouring parish at least as much, if not more, than the parish in which development is taking place. No contact has been made in reply to concerns.

[TWBC: attached letter from Biddenden Parish Council copied here for ease of reference]:

I am writing on behalf of Biddenden Parish Council regarding its concerns relating to the proposed development at East End, Benenden and in support of Friends of East End.

Biddenden Parish Council has engaged with Tunbridge Wells Borough Council's consultations relating to the Benenden NDP and the Borough Local Plan since the NDP and Local Plan processes started. Biddenden Parish Council has tried to engage with its neighbour, Benenden Parish Council as Biddenden will be affected by the proposed development if not more than Benenden village. Unfortunately, it took them nearly two years to reply.

Whilst Biddenden Parish Council wishes to support Friends of East End, the issues to be addressed will be limited those directly affecting the Parish of Biddenden.

**1 The Proposed Site**

The proposed site, situated on the border with Biddenden Parish, is not suitable and does not accord with the Local Plan. The site is not sustainable.

The proposed development is in a completely rural setting, with the exception of Benenden Hospital. There are no shops, there are no buses, there is no reasonable pedestrian route to a school, the village, local amenities, primary or pre-school facilities. It is unlikely that any commercial bus service would service this route and it is unlikely that Benenden Parish Council or Tunbridge Wells Borough Council will provide a bus service to enable residents to access village amenities rather than drive their cars multiple times during the day to get to schooling, shops, a station etc.

There were other more suitable sites available that would have ensured that this proposed development, currently a satellite village with no facilities or amenities, could be part of the village of Benenden. The lack of any facilities/amenities/infrastructure cannot be manipulated into making this site sustainable. It is, and remains, unsustainable. In 2012 this site was considered to be "isolated" and "remote", so what has changed? There has been no new infrastructure introduced, nothing that would change that view. It remains remote and isolated and not sustainable.

In order to get to a train station, cars will need to travel through Biddenden to either Headcorn Station or Staplehurst Station for commuting purposes. The roads will be used for travel to Tenterden, Biddenden, Maidstone, Cranbrook, Tunbridge Wells as well as surrounding villages.

**1 AONB**

The proposed new housing is set in a completely rural area bordering an AONB, Any development here will be detrimental to an AONB and consideration must be given to preserving the AONB by ensuring that areas bordering it cannot cause it harm. This ties in with the sustainability issues which are not being met and will be to the long term detriment of the area.

#### **1 Castletons Oak Crossroads**

This crossroads is at the junction of Benenden Road, Cranbrook Road and Tenterden Road. It is extremely dangerous and there have been approximately 6 accidents in the last two months alone. Kent Highways are currently looking to try and improve this as the last changes made have made no difference to the dangers posed to motorists but also to those living in properties situated at the crossroads. Any increase in traffic will add to the danger at this junction. Benenden Road is the main route to Biddenden and Headcorn. This road is mainly residential but with farms so there are large, slow vehicles on it with concealed driveways and plenty of bends. The speed limit is currently 60 mph and vehicles are already travelling too fast on it making it dangerous for those people actually living on this road, especially towards the junction at Woolpack Corner onto the Tenterden Road A28.

Biddenden Parish Council has been working hard to address these issues for several years and is working with KCC. There has been little consideration given to the effect the increase in traffic will have on Biddenden and its residents. Most homes will require two cars as a minimum given its location. As it currently stands, this is a dangerous junction and is not suited for an increase in vehicle numbers.

#### **1 Sewage**

There are sewage issues at Castletons Oak. There have been many occasions where sewage is dispersed onto the road. The council's understanding is that Benenden Hospital sometimes empties into the Biddenden sewerage system, a system that cannot cope with the existing pressures put upon it.

The Parish Council is already in touch with Southern Water regarding the fact that the Biddenden sewerage system cannot cope with the number of houses using it already. With each new development the problem will worsen. There have been properties with severe sewage floods, overflowing with faeces and paper into their gardens, sewage manholes overflowing onto playing fields, into roads. Biddenden cannot cope with the waste from such a large development as its system is both compromised and overwhelmed.

Whilst Biddenden Parish Council accepts that housing is required, the development of East End, Benenden is not appropriate on several levels. There are more suitable sites for such developments. The reasons for objecting to this development are very clear, as set out above. Biddenden Parish Council is acting in the best interests of its residents and believes that Friends of East End are doing the same for theirs. A copy of their representation is attached. Tunbridge Wells Borough Council is asked to seriously consider the issues raised and detailed within these documents in its discussions and consideration of its 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 8**

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

Biddenden Parish Council does not believe the development plans for East End, Benenden are sustainable so probably fail to meet any sustainability aims.



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

03 04 21 Letter re Regulation 19 public consultation on the Pre-Submission Local Plan. Consultation .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\_74

## Comment

|  |  |
|--|--|
| Consultee  | Mrs Alison Swannick [REDACTED]   |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Biddenden Parish Council   |
| Address  | [REDACTED]<br>TONBRIDGE<br>[REDACTED]  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Biddenden Parish Council [REDACTED]<br>[REDACTED]  |
| Comment ID   | PSLP_1386  |
| Response Date  | 04/06/21 13:18   |
| Consultation Point   | Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.4  |
| Files  | <a href="#">PSLP_1385-1387_Biddenden Parish Council_Redacted.pdf</a>                                       |
| Data inputter to enter their initials here                       | HB   |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Biddenden Parish Council   |
| Question 3   |  |
| To which part of the Local Plan does this representation relate? | Policy   |
| Question 3a  |  |

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

Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End

*[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 4 - please see Comment Numbers PSLP\_1385, PSLP\_1386 and PSLP\_1387]*

#### 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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#### **Regulation 19 public consultation on the Pre-Submission Local Plan. Consultation**

I am writing on behalf of Biddenden Parish Council regarding its concerns relating to the proposed development at East End, Benenden and in support of Friends of East End.

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##### **1 The Proposed Site**

The proposed site, situated on the border with Biddenden Parish, is not suitable and does not accord with the Local Plan. The site is not sustainable.

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The proposed new housing is set in a completely rural area bordering an AONB, Any development here will be detrimental to an AONB and consideration must be given to preserving the AONB by ensuring that areas bordering it cannot cause it harm. This ties in with the sustainability issues which are not being met and will be to the long term detriment of the area.

##### **1 Castletons Oak Crossroads**

This crossroads is at the junction of Benenden Road, Cranbrook Road and Tenterden Road. It is extremely dangerous and there have been approximately 6 accidents in the last two months alone. Kent Highways are currently looking to try and improve this as the last changes made have made no difference to the dangers posed to motorists but also to those living in properties situated at the crossroads. Any increase in traffic will add to the danger at this junction. Benenden Road is the main route to Biddenden and Headcorn. This road is mainly residential but with farms so there are large, slow vehicles on it with concealed driveways and plenty of bends. The speed limit is currently 60 mph and vehicles are already travelling too fast on it making it dangerous for those people actually living on this road, especially towards the junction at Woolpack Corner onto the Tenterden Road A28.

Biddenden Parish Council has been working hard to address these issues for several years and is working with KCC. There has been little consideration given to the effect the increase in traffic will have on Biddenden and its residents. Most homes will require two cars as a minimum given its location. As it currently stands, this is a dangerous junction and is not suited for an increase in vehicle numbers.

## 1 Sewage

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The Parish Council is already in touch with Southern Water regarding the fact that the Biddenden sewerage system cannot cope with the number of houses using it already. With each new development the problem will worsen. There have been properties with severe sewage floods, overflowing with faeces and paper into their gardens, sewage manholes overflowing onto playing fields, into roads. Biddenden cannot cope with the waste from such a large development as its system is both compromised and overwhelmed.

Whilst Biddenden Parish Council accepts that housing is required, the development of East End, Benenden is not appropriate on several levels. There are more suitable sites for such developments. The reasons for objecting to this development are very clear, as set out above. Biddenden Parish Council is acting in the best interests of its residents and believes that Friends of East End are doing the same for theirs. A copy of their representation is attached. Tunbridge Wells Borough Council is asked to seriously consider the issues raised and detailed within these documents in its discussions and consideration of its Local Plan.

*[TWBC: for full representation, including the Friends of the East End 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\\_1385-1387\\_Biddenden Parish Council\\_Redacted.pdf](#)

## Supporting Information File Ref No: SI\_74

### Comment

|  |  |
|--|--|
| Consultee  | Mrs Alison Swannick [REDACTED]   |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Biddenden Parish Council   |
| Address  | [REDACTED]<br>TONBRIDGE<br>[REDACTED]  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Biddenden Parish Council [REDACTED]<br>[REDACTED]  |
| Comment ID   | PSLP_1387  |
| Response Date  | 04/06/21 13:18   |
| Consultation Point   | Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.4  |
| Files  | <a href="#">PSLP_1385-1387 Biddenden Parish Council Redacted.pdf</a>                                       |
| Data inputter to enter their initials here                       | HB   |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Biddenden Parish Council   |
| Question 3   |  |
| To which part of the Local Plan does this representation relate? | Policy   |
| Question 3a  |  |

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

Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End

*[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 4 - please see Comment Numbers PSLP\_1385, PSLP\_1386 and PSLP\_1387]*

#### 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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*[TWBC: for full representation, including the Friends of the East End 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\\_1385-1387\\_Biddenden Parish Council\\_Redacted.pdf](#)

## Comment

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

### Question 1

|                                       |               |
|---------------------------------------|---------------|
| Respondent's Name and/or Organisation | Philip Bilney |
|---------------------------------------|---------------|

### Question 3

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

### Question 3a

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

Policy AL/BM2 - Land at Maidstone Road

### Question 4

Do you consider that the Local Plan:

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

### Question 4a

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



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

#### **Question 5**

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

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

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

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

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

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

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

#### **Question 6**

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

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

**Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

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

#### **Question 7**

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

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

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

#### **Future Notifications**

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

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

## Comment

|  |  |
|--|--|
| Consultee  | Adrienne Bishop [REDACTED]   |
| Email Address  | [REDACTED]   |
| Address  | [REDACTED]<br>[REDACTED]<br>Five Oak Green<br>[REDACTED]   |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Adrienne Bishop [REDACTED]   |
| Comment ID   | PSLP_38  |
| Response Date  | 15/04/21 14:57   |
| Consultation Point   | Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.3  |
| Data inputter to enter their initials here   | KJ   |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Mrs Adrienne Bishop  |
| Question 3   |  |
| To which part of the Local Plan does this representation relate?   | Policy   |
| Question 3a  |  |
| Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to. |  |
| Policy STR/SS 1: The Strategy for Paddock Wood, including land at east Capel   |  |
| Question 4   |  |
| Do you consider that the Local Plan:   |  |
| Is legally compliant   | Don't know   |

Is sound

No

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

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

#### Question 5

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

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

We have lived in this area of 38 years, both in Five Oak Green (where we are now) and also in Paddock Wood. Our children attended Paddock Wood primary school before moving on to secondary education in Tonbridge and Tunbridge Wells. We are saddened by the sheer volume of empty shops in Tunbridge Wells and also the vacant cinema site in the town.

Paddock Wood currently has three very large housing developments under construction giving a potential increase in occupants of 4000+ individuals

The infrastructure is already under strain in Paddock Wood due to lack of capacity for sewage as an illustration of this.

It is believed that as it is already difficult to get an appointment with the local Health Centre, all increases in the population will make this harder.

To say that there will be schools and health centres built is surely dependent on whether central government and national agencies can afford to pay for staff and equipment

To assume that the land of East Capel is "part of Paddock Wood" is disingenuous. It is part of Capel Parish, part of the Green Belt and serves as a buffer between the two settlements, which is what the green belt is designed to do.

The land at East Capel is on a floodplain and has a tendency to flood. No drainage systems developed to serve new houses will cope with floodwater and will merely exacerbate the problem not only within East Capel but also to the wider area. It will never be possible to prevent the River Medway and surrounding streams from breaking banks during heavy rain

On a normal day, traffic heading into Tonbridge can be backed up along the B2017 almost to Five Oak Green. Clearly this will get worse if yet more building is allowed.

Network Rail has already stated that it is at capacity now. Where will commuters go? Presumably they will use their cars.

All future developments must surely have to take into account the effect of the pandemic, whether more people will work from home, whether the high streets will cease in their current forms. Paddock Wood's Commercial Road is already a mix of private housing and retail outlets. If more shops shut, the vacant properties can easily be turned into private housing which will not be out of keeping with the road as it is 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.

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It is understood that a consortium has suggested land at Castle Hill as an alternative to the proposed developments within the parish of Capel. This land, whilst being part of the AONB, is situated by the A21 "corridor" thus giving quick access to both London and the coast without impinging on the local community.

### Question 7

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

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

### Future Notifications

|  |  |
|--|--|
| <b>Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:</b> | <input type="checkbox"/> Yes, I wish to be notified of future stages of the Local Plan |
|--|--|

## Comment

|                    |  |
|--------------------|--|
| Consultee          | Adrienne Bishop [REDACTED]   |
| Email Address      | [REDACTED]   |
| Address            | [REDACTED]<br>[REDACTED]<br>Five Oak Green<br>[REDACTED]                     |
| Event Name         | Pre-Submission Local Plan  |
| Comment by         | Adrienne Bishop [REDACTED]   |
| Comment ID         | PSLP_39  |
| Response Date      | 15/04/21 14:57   |
| Consultation Point | Policy STR/SS 3 The Strategy for Tudeley Village<br>( <a href="#">View</a> ) |
| Status             | Processed  |
| Submission Type    | Email  |
| Version            | 0.3  |

Data inputter to enter their initials here KJ

Question 1

Respondent's Name and/or Organisation Mrs Adrienne Bishop

Question 3

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

Question 3a

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

Policy STR/SS 3: The Strategy for Tudeley Village

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

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

#### Question 5

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

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

The village of Five Oak Green is the largest of the settlements within the parish of Capel with 950 houses.

If the development at Tudeley goes ahead, the percentage increase will be astronomical.

The land on which this development is proposed is good grade agricultural land and we must, as a country, be more self sufficient by growing more produce locally.

The land on which this development is proposed is flood plain and the last few winters have seen this land under 18 inches of water. This has been caused not only by sheer volume of rain falling on the land but also the River Medway and local streams breaking their banks. No amount of drainage from houses will offset the damage floodwater will do.

The land in question is green belt.

If this development goes ahead the pressure on Tonbridge will be immense. Council tax payments will be going to Tunbridge Wells Borough Council but the impact of this development will be felt within Tonbridge and Malling Borough Council.

Residents of this new development will be using the B2017 which is already congested.

Unless central government and national agencies can commit to funding for schools and health centres etc there will be no point in stating that schools and health centres will be part of the scheme.

For office use only

**New Site Submission? Enter site address**

It is understood that Tonbridge and Malling Borough Council along with other parish councils in the area, all of which will be impacted by this proposal, have not had their input considered. It is understood that a consortium has suggested land at Castle Hill as an alternative to the proposed developments within the parish of Capel. This land, whilst being part of the AONB, is situated by the A21 "corridor" thus giving quick access to both London and the coast without impinging on the local community.

#### 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  | Rev Roger Bishop [REDACTED]  |
| Email Address  | [REDACTED]   |
| Address  | [REDACTED]<br>[REDACTED]<br>Five Oak Green<br>[REDACTED]   |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Rev Roger Bishop [REDACTED]  |
| Comment ID   | PSLP_42  |
| Response Date  | 17/04/21 13:12   |
| Consultation Point   | Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.3  |
| Data inputter to enter their initials here   | KJ   |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Rev Roger Bishop   |
| Question 3   |  |
| To which part of the Local Plan does this representation relate?   | Policy   |
| Question 3a  |  |
| Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to. |  |
| Policy STR/SS 1: The Strategy for Paddock Wood, including land at east Capel   |  |
| Question 4   |  |
| Do you consider that the Local Plan:   |  |
| Is legally compliant   | Don't know   |

Is sound

No

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

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

#### Question 5

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I have lived in Capel for 31 of the last 38 years: for 3 years in the centre of Five Oak Green, and for the past 28 years on the eastern extremity of the village.

i have witnessed a huge increase in traffic volumes in the area over that period, with no offsetting changes to the road system. The impact of traffic congestion is bad, and potentially life-threatening already as the A228, which runs north to south through Capel, links our 2 major hospitals and the local ambulance depot is in Paddock Wood, meaning that ambulances often have to travel along Capel's congested roads. All of this is before the current huge developments in Paddock Wood come "on stream".

For much of the day trying to cross roads locally is dangerous and entails a lengthy wait.

The government is seeking to encourage cycling, but only the hardy and brave continue to cycle on our local roads as they are too busy and life-threatening. It is not unrealistic to expect the numbers of cyclists to plummet if the massive increase in house numbers planned, on top of the huge developments going ahead in and around Paddock Wood goes ahead.

While there is a good network of rural footpaths which we and many others walk regularly – some of which will be destroyed by the planned development - few roads in the parish have pavements beside them. This means that people have to take their lives in their hands to walk between, for example, East Capel and their local town, Paddock Wood. It will become a significantly greater hazard with the Paddock Wood developments under way now, and even more so if this plan goes ahead.

Rail services from our nearest station, Paddock Wood, are already very crowded. Something I witnessed as a regular commuter even 15 years ago. Network Rail have admitted that the line into London is already at capacity.

There has been no significant change to local services for many years. For example, the local medical practice is already under pressure, with difficulty getting appointments. There is no indication that vague promises of additional services have been agreed with those who have to fund and staff them.

In all of my time in Capel, flooding has been a threat in several parts of the parish. Of special relevance to this plan is that in recent winters the B2015 in East Capel has had to be closed because of flooding and local fields have been under water.

The proposed development in East Capel will seriously exacerbate all of these issues.

In addition:• it will destroy green belt• it will destroy productive farm land• it will destroy the habitat of a range of wild life. For example, the wonderful buzzards we see regularly in and above East Capel's

fields will disappear, as will deer, badgers and foxes, to name only a few. • it will merge Capel with Paddock Wood, ruining what has, until now, been a small and pleasant village community with a well-documented history • it will not guarantee much-needed affordable housing. Experience shows that developers' promises often mean little. • the impact will spread widely beyond Capel, ruining a number of established rural communities.

There appears to have been little or no effort by Tunbridge Wells Borough Council to: • engage seriously with the significant public response against the plan under Regulation 18 • consider whether the housing needs figure they have used is soundly based, and uses the most up to date statistics • identify and assess the many brownfield sites within the borough, including in Tunbridge Wells itself • identify and assess the feasibility of building additional floors above existing buildings, especially in town centres, for domestic use • look carefully at more suitable sites in other parishes within the borough • judge whether it is wise, or equitable, to place such a very high proportion of this current set of developments that they believe are necessary in just one of the 14 parishes and 2 towns in the borough • comment on whether local residents housing and other needs might better be served by seeking to regenerate the centre of Tunbridge Wells, which is in a poor state with regard to empty commercial premises and other vacant sites – such as the former cinema site opposite the Town Hall, which has been an eyesore for many years

## 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 cannot identify any modifications that would overcome the negative impact of this proposal.

But the proposed alternative development at Castle Hill overcomes a number of the objections listed above. For example, flooding, transport links (where it is adjacent to the recently upgraded A21), and destroying farm land and an established community (the land is already blighted by the A21 and the North Farm development)

A proper assessment of brownfield sites and building upwards could solve a good proportion of the perceived housing needs. Who knows what percentage if it is not seriously and impartially looked into?

## 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  | Rev Roger Bishop [REDACTED]  |
| Email Address  | [REDACTED]   |
| Address  | [REDACTED]<br>[REDACTED]<br>Five Oak Green<br>[REDACTED]                     |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Rev Roger Bishop [REDACTED]  |
| Comment ID   | PSLP_43  |
| Response Date  | 17/04/21 13:12   |
| Consultation Point   | Policy STR/SS 3 The Strategy for Tudeley Village<br>( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.2  |
| Data inputter to enter their initials here   | KJ   |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Rev Roger Bishop   |
| 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/SS 3: The Strategy for Tudeley Village   |  |
| Question 4   |  |
| Do you consider that the Local Plan:   |  |
| Is legally compliant   | Don't know   |

Is sound

No

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

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

#### Question 5

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I have lived in Capel for 31 of the last 38 years: for 3 years in the centre of Five Oak Green, and for the past 28 years on the eastern extremity of the village.

I have witnessed a huge increase in traffic volumes throughout Capel over that period, with no offsetting changes to the road system. The impact of traffic congestion is bad, and potentially life-threatening, and that is before the new developments in Paddock Wood come "on stream".

For much of the day trying to cross roads locally is dangerous and entails a lengthy wait.

The government is seeking to encourage cycling, but only the hardy and brave continue to cycle on our local roads as they are too busy and life-threatening. It is not unrealistic to expect the numbers of cyclists to plummet if the massive increase in house numbers planned, on top of the huge developments going ahead in and around Paddock Wood, goes ahead.

While there is a good network of rural footpaths which we and many others walk regularly – some of which will be destroyed by the planned development - few roads in the parish, especially those around the proposed new development at Tudeley, have pavements beside them. This means that people have to take their lives in their hands to walk along them, for example to get to the bus stop or to visit the significant heritage site of Tudeley Church, which is also a "working" parish church. It will become a significantly greater hazard to walk along the roads in Capel with the Paddock Wood developments under way now, and even more so if this plan goes ahead.

Rail services from our nearest station, Paddock Wood, are already very crowded. Something I witnessed as a regular commuter even 15 years ago. Network Rail have admitted that the line into London is already at capacity.

There has been no significant change to local services for many years. For example, the local medical practice is already under pressure, with difficulty getting appointments. There is no indication that vague promises of additional services have been agreed with those who have to fund and staff them.

In all of my time in Capel flooding has been a threat in several parts of the parish. The area around the proposed development at Tudeley floods regularly. A video of someone in the winter of 2019/20 swimming along the road to the NW of Tudeley Church (adjacent to the proposed development), and passing a stranded car, is instructive.

The proposed development at Tudeley will seriously exacerbate all of these issues.

In addition: • it will destroy green belt. • it will destroy productive farm land. • it will destroy the habitat of a range of wild life – deer, foxes, badgers, a wide range of birds and waterfowl to name a few. • it will

seriously compromise an important national heritage asset. Tudeley church is the only parish church in the world that has all of its windows by Marc Chagall. The new development will dominate its setting, with its clear views across the Medway Valley. Speaking as an Anglican priest, I am saddened by the real threat to its stillness and calm and the possibility of quiet contemplation, let alone the regular services held there. • it will not guarantee much-needed affordable housing. Experience shows that developers' promises often mean little. • the impact will spread widely beyond Capel, ruining a number of established rural communities.

There appears to have been little or no effort by Tunbridge Wells Borough Council to: • engage seriously with the significant public response against the plan under regulation 18 • consider whether the housing needs figure they have used is soundly based, and uses the most up to date statistics • identify and assess the many brownfield sites within the borough, including in Tunbridge Wells itself • identify and assess the feasibility of building additional floors above existing buildings in the borough, especially in town centres, for domestic use • look carefully at more suitable sites in other parishes within the borough • judge whether it is wise, or equitable, to place such a very high proportion of this current set of developments that they believe are necessary in just one of the 14 parishes and 2 towns in the borough • comment on whether local residents housing and other needs might better be served by seeking to regenerate the centre of Tunbridge Wells, which is in a poor state with regard to empty commercial premises and other vacant sites – such as the former cinema site opposite the Town Hall, which has been an eyesore for many years • consider whether it is equitable that, while council tax receipts from the proposed development would go to Tunbridge Wells, it is the resources of Tonbridge (just a couple of miles along the road) which will come under pressure from any new residents

## Question 6

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

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I cannot identify any modifications that would overcome the negative impact of this proposal.

But the proposed alternative development at Castle Hill overcomes a number of the objections listed above. For example, flooding, transport links (where it is adjacent to the recently upgraded A21), and destroying farm land and an established community (the land is already blighted by the A21 and the North Farm development)

Also, a proper assessment of brownfield sites and building upwards could solve a good proportion of the perceived housing needs. Who knows what percentage if it is not seriously and impartially looked into?

## 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

## Comment

|  |   |
|--|---|
| Consultee  | Stephen Cooper [REDACTED]   |
| Email Address  | [REDACTED]  |
| Company / Organisation   | Blue Diamond UK Ltd   |
| Address  | [REDACTED]<br>[REDACTED]<br>Guernsey<br>[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 ( <a href="#">View</a> ) |
| 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**

**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  | Rosaleen Boardman [REDACTED]   |
| Email Address  | [REDACTED]   |
| Address  | [REDACTED]<br>[REDACTED]<br>Paddock Wood<br>[REDACTED]                             |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Rosaleen Boardman [REDACTED]   |
| Comment ID   | PSLP_948   |
| Response Date  | 02/06/21 12:28   |
| Consultation Point   | Policy STR/SS 2 The Strategy for Paddock Wood Town Centre ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.4  |
| Data inputter to enter their initials here                       | KH   |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Rosaleen Boardman  |
| Question 3   |  |
| To which part of the Local Plan does this representation relate? | Policy   |
| Question 3a  |  |

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

Policy STR/SS 2 The Strategy for Paddock Wood Town 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

**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 accept this as my response to the consultation by Tunbridge Wells Borough Council on the Pre-submission Local Plan.

I understand the need to provide more housing but the impact on the local infrastructure needs to be taken into account.

In particular, I am very concerned about the proposed closure to cars of part of Maidstone Road in Paddock Wood. I live on the north eastern outskirts of Paddock Wood and always use this route into Paddock Wood. However, if this road closure goes ahead, I will have to make a detour of a quite a few miles along the already busy A228 Whetsed Road and then the similarly busy Badsell Road past the new housing estate to join the queuing vehicles at the controlled traffic lights joining Maidstone Road near Mascalls School. There will be a substantial increase in traffic flow with cars and commercial vehicles using this detour - you just have to stand on the street near to the proposed closure by the bridge to see how many cars and tradesmen use the direct Maidstone Road route through town. People are going to get fed up with the hold ups and will probably drive onto Tonbridge to do their shopping there which will have a significant impact on the retail trade for the independent shops in the High Street in the northern part of Paddock Wood.

There is also the increased level of air pollution which will occur in a large residential area as cars are waiting on Badsell Road to get onto Maidstone Road

Please use some common sense and review this road closure 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)?**

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  | Ms Margaret Borland [REDACTED]  |
| Email Address  | [REDACTED]  |
| Address  | [REDACTED]<br>[REDACTED]<br>Southborough<br>[REDACTED]                              |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Ms Margaret Borland [REDACTED]  |
| Comment ID   | PSLP_1181   |
| Response Date  | 04/06/21 15:19  |
| Consultation Point   | Section 4: The Development Strategy and Strategic Policies ( <a href="#">View</a> ) |
| 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. |   |
| STR 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.**

It seems incredible that, when 75% of the borough is AONB and/or Green Belt, the Council doesn't consider that it cannot meet its housing requirement in full but instead chooses to allocate greenfield sites for development within these protected areas.

The MHCLG highlighted again on 25 May 2021 that the Local Housing Need numbers are "...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. ( See <https://mhclgmedia.blog.gov.uk/> )

This development strategy also appears to conflict with the requirements of the NPPF, particularly paragraph 11(b) which states that strategic policies should provide for assessed needs unless:

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

This is explained in footnote 6 as policies relating to land designated as green belt, local green space, AONB, irreplaceable habitats, designated heritage assets and areas at risk of flooding.

Or "(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

How do these Local Plan allocations meet the requirements of Policy STR 7 and the Council's target of achieving net zero emissions across the borough by 2030? The preamble to policy STR7 quotes the Town and Country Planning Association and Royal Town Planning Institute 2018 report *Rising to the Climate Crisis – A Guide for Local Authorities on Planning for Climate Change* states that "*climate adaptation must be understood as the main priority for long-term planning to secure climate resilience, and must be accepted as equally as important as meeting housing need.*" Yet the Plan seems to take the opposite view.

I'm also very concerned that, while the Council's stated aim is optimise density to minimise the loss of green fields, this doesn't seem to stand up to examination in the housing allocations made. The Brownfield and Urban Land Topic Paper (Jan 2021) indicates that the density used in the SHELLA for potential yield is 30dph and potential yield of a small number of urban brownfield sites have been re-calculated at 45dph. While such low densities may be prudent for the Council to use in its overall assessment of its ability to meet housing need, in the real world they will not result in developments that make the effective use of land required by the NPPF.

Agricultural land on the edge of or outside village settlements is being put forward for development. This has a vital role to play in feeding the nation, absorbing carbon and preserving biodiversity, including the biodiversity in soils. But once it is built on, it is lost forever. This could be avoided by increasing

density on urban and brownfield sites. 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 more compact forms of development - terraces, maisonettes and other three to four storey developments forming an attractive part of the development.

Such housing may also better meet local housing need in an area where ONS data (25 Mar 2021) shows that house prices in Tunbridge Wells are now more than 12 times median earnings.

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. Instead, the Council appears to be happy to promote sprawling outer-suburb-level density developments, at 30dph or less, where there are currently green fields. The draft NMDC also proposes that urban neighbourhoods should have net densities of 60-120dph and a mix of uses. Again, it looks like there is a serious disconnect between this and the expectations set in the Plan for developments at the urban areas of the borough.

## 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 above

## 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  | Ms Margaret Borland [REDACTED]                             |
| Email Address  | [REDACTED]   |
| Address  | [REDACTED]<br>[REDACTED]<br>Southborough<br>[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 ( <a href="#">View</a> ) |
| 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.

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 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

**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.**

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  | Ms Margaret Borland [REDACTED]   |
| Email Address  | [REDACTED]   |
| Address  | [REDACTED]<br>[REDACTED]<br>Southborough<br>[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 ( <a href="#">View</a> ) |
| 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

**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.**

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

**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.**

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

#### Question 7

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

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

## Comment

|  |   |
|--|---|
| Consultee  | Ms Margaret Borland [REDACTED]  |
| Email Address  | [REDACTED]  |
| Address  | [REDACTED]<br>[REDACTED]<br>Southborough<br>[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 ( <a href="#">View</a> ) |
| 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.

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 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**

**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  | Ms Margaret Borland [REDACTED]  |
| Email Address  | [REDACTED]  |
| Address  | [REDACTED]<br>[REDACTED]<br>Southborough<br>[REDACTED]                    |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Ms Margaret Borland [REDACTED]  |
| Comment ID   | PSLP_1182   |
| Response Date  | 04/06/21 12:28  |
| Consultation Point   | Policy STR/SO 1 The Strategy for Southborough<br>( <a href="#">View</a> ) |
| 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/SO 1 The Strategy for Southborough.  |   |
| 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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**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 Southborough resident I am pleased to see that the development strategy in the Local Plan has reduced allocations, especially major developments, in the High Weald AONB. With 64% of the parish of Southborough in the AONB and 66% in the Green Belt I believe that it is very important that these areas are not lost to built development. In particular I support the removal of site 445 from the Southborough allocations, following the LVIA (Nov 2020) assessment.

However, I strongly object to policy STR/SO 1, the Strategy for Southborough. It provides a confused and incomplete place shaping policy for Southborough and is ineffective in defining a development strategy for the parish.

#### Gaps in the Policy Provisions

I am concerned that the policy does not :

- 1 propose delivery of a luxury hotel and leisure development with spa and conference facilities set within a restored historic park and garden and wider attractive landscape (AL/SO 2). This allocation is set out within the Southborough section of the Place Shaping Policies but does not appear to form part of the development strategy for Southborough. As this allocation is the only one within the whole of the Local Plan that meets the need identified in the Hotel Capacity Study (April 2017) it must surely form an important part of the future economic development of the parish and the borough;
- 2 support delivery of additional housing inside the defined LBD over the lifetime of the Plan. The settlement of Southborough (as defined by the LBD on Inset Map 1) forms part of the Main Urban Area of the borough where such development over the lifetime of the Plan is to be expected;
- 3 require best use to be made of previously developed land – again a vital part of the policy for both the urban and rural areas of the parish;
- 4 promote retention, expansion, and intensification at Southborough/High Brooms Industrial Area as marked on Inset Map 3. This is defined as a Key Employment Area in policy ED 1 and is important in providing local employment;
- 5 resist the loss of local shops and community facilities. Policy ED 8 defines a town centre (Southborough) and two neighbourhood centres (High Brooms and North Southborough), all of which are marked on the Inset Map 3. Southborough town centre is marked on Inset Map 3 as having shop fronts of historic interest (Policy EN 6), but North Southborough – referred to as Southborough North Parade in the preamble to policy EN 6 - is not. Due to the scale of Inset Map 3 it is impossible to comment on whether all green spaces are shown;
- 6 support active travel as set out in the LCWIP. A number of improvements to cycling and walking infrastructure, including the provision of Low Traffic Networks are proposed for Southborough (LCWIP Phase 2 Report and Appendices, March 2020);
- 7 support improvements to local bus network and infrastructure. While London Road is well served by day-time bus routes, the services fall away rapidly after evening rush hour times resulting in continued car dependency for homeward travel for an evening out in the centre of RTW;

- 8 provision of public electric vehicle charging points. These must form an essential part of the strategy to address climate change. Much of the settlement of Southborough is densely populated with on-street car parking. Lack of public charging points is likely to severely impact the take-up of electric vehicles in this area;
  - 9 deliver measures to reduce congestion on A26 through Southborough. The IDP refers to a smart traffic management system on the A26 to address the continuing congestion issues through Southborough. Poor air quality at the A26 roadside from such congestion affects both pedestrians and cyclist both within and outwith the A26 AQMA in Southborough;
  - 10 seek developer contributions to be used towards schemes to support transport measures (see points (6) and (9) above); and
  - 11 seek developer contributions from commercial schemes as well as residential. I am very uncomfortable that developer contributions may not be required from the major development proposed at AL/SO 2 nor for leisure or mixed use developments within the LBD in the future.
- I also question whether amendments are required to the following points in the policy as currently drafted.

STR/SO 1.2 Could this include percentage of affordable housing (as is done for other parishes)?

STR/SO 1.3 Should provisions re sport and recreation areas also include Pennington Grounds?

STR/SO 1.5 Should this apply to the neighbourhood centres as well as the town centre?

STR/SO 1.6(e) Why does this not specify recreation and sports provision at Southborough Hub and Pennington Grounds rather than Hawkenbury and Rusthall, attendance at which would require a journey through the centre of RTW?

### **Active Travel**

I support active travel. However I do have a number of concerns re the proposals for Southborough in the LCWIP. I believe that there will be formal consultation on all such measures before they are introduced and therefore have only made some high level observations in this response.

The proposals for an A26 inter-settlement cycleway between RTW and Tonbridge do not pay due regard to the narrow road widths and high volume of HGVs and delivery vans using this route in addition to private cars. I am unsure how adding an on-road cycle track on the A26 in Southborough will provide a safe and attractive route for cyclists. Will the speed limits for the whole of this route be reduced from the current 30mph and 40mph limits? How will a Low Traffic Network at North Southborough/Bidborough reduce rather than increase the traffic congestion at the Bidborough Ridge/London Road junction?

"Quiet routes" options suggested for Southborough also utilise roads outside the LBD. Traffic speeds are likely to be an even greater safety issue than at the A26 as forward visibility is limited by bends in the road. Vauxhall Lane, one of the proposed quiet routes, was well used by walkers and cyclists at the start of the pandemic when there was hardly any traffic. Now it has returned to being a rat-run from Vauxhall Interchange to Southborough, avoiding traffic in Tonbridge, and is once again very unsafe even in a car. Additionally this is a Rural Lane outside the LBD and within the AONB and the Green Belt. Lighting this route for the safety of cyclists and walkers will adversely impact an area of Dark Skies and potentially urbanise the roadway.

### **Scope of the Policy**

A number of the issues raised result from it being very unclear as to what area the Policy is covering. Para 5.132 refers to "Southborough", "the town of Southborough", "the parished area" and "the LBD of Southborough" with no attempt to explain how these terms relate to each other, or to which one the policy relates. Confusion also seems to have been generated by references to the Main Urban Area which is formed by RTW and Southborough.

The *Settlement Role and Function Study Update* (Feb 2021) notes that it is "...important to make the distinction between 'settlements', which are the focus of this study, and 'parishes'. The term 'settlement' in this context is defined as a village or settlement that has a Limits to Built Development (LBD) boundary. In contrast, parishes have their administrative area definition and may contain any number of villages in addition to large areas of countryside containing dispersed dwellings."

According to the Southborough Town Council website it administers both the town of Southborough and the civil parish; High Brooms falls under the civil parish i.e it forms a separate settlement within the parish (see <https://southborough-tc.gov.uk/>) The parish boundary is obscured by other designations

on Inset Map 3 but the LBD is clear and the Town Council website maps help to clarify the parish boundary. My understanding is that the parish of Southborough is bounded by the parishes of Speldhurst and Bidborough to the west, by the borough of Tonbridge and Malling to the north, by the parish of Capel and RTW, which is unparished, to the east and by RTW also to the south.

From the Policy maps (and indeed the Town Council maps) there is no clear boundary between the settlements of Southborough and High Brooms; together with RTW, both are within the LBD of the Main Urban Area. The preamble to the Policy however appears to view the town of Southborough as distinct from "the parished area". The policy gaps set out above suggest that this place shaping policy is for the (undefined area of the) town of Southborough and neither High Brooms nor the areas of the parish outside the LBD are covered by the policy. It further appears that the town of Southborough is considered to be an unparished area and "inherits" policy provisions from STR/RTW 1.

Please also see comments on paa 5.1 to 5.4 for further evidence that this policy is for an unparished area.

As a resident I place a great store on the special character and amenities of the parish of Southborough. In the Local Plan this is currently very poorly served; those who live here will struggle to recognise, new residents will learn nothing of its character, assets and community life. Southborough residents now and in the future must be able to easily find information about how the Local Plan policies affect their community and this is well-nigh impossible with the current approach.

I suggest that Policy STR/SO 1 needs to be the strategy for the parish of Southborough as a whole as the simplest and most obvious ways to deal with the gaps and misconceptions identified and to ensure that the contribution of Southborough to the social, economic and environment purposes of this Local Plan are clearly defined and can be monitored.

## 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.**

**Inset Map 3 :** Improve visibility of designations on map. Scale is so small that many are not visible - to ensure that the "phrase" as shown on the policy map is not rendered meaningless by overlays of designations and scale of map hiding important designations.

**Policy:** Please see response to Question 5

### Preamble to Policy

Based upon a policy for the parish of Southborough rather than the town of Southborough the following changes are required :-

References to the A26 should note that the section from the parish boundary in the south to Birchwood Avenue is part of the AQMA.

The Key Employment Area in High Brooms should be mentioned, as should other main employment in Southborough that is outside the town and neighbourhood centres e.g. farming and forestry plus rural diversification into commercial leisure (live events, drive-in cinemas) and tourist accommodation, Salomon's Estate.

A better description of the Green Belt, AONB and Landscape character areas in Southborough, and their relationship to the LBD (c.f. para 5.8 for STR/RTW 1) would assist in understanding the area characteristics and local issues.

I would also like to see more reference to the natural and built heritage assets of Southborough, including

- . the Conservation Area (which includes not only Southborough Common but also North Parade neighbourhood centre and surrounding houses);
- . mention of the significant areas of Ancient Woodland, and areas of archaeological potential;
- . Historic Parks and Gardens (Bentham Hill House (David Salomon's estate) and parts of Mabledon (house and grounds)); and
- . ecological/wildlife designations (Southborough Common, Southborough Cemetery, Brokes Wood, Barnett's Wood, Vauxhall Lane Woods, parts of Bidborough Woods and Pasture; two SSSIs at Southborough Pit) across the parish.

The Southborough Hub is poorly described (particularly as it reads as if it is the doctors surgery is offering enhanced community and cultural facilities). As a minimum, a list of facilities provided is needed to set out the platform for future changes/enhancements.

Para 5.14 for STR/ RTW 1 also makes important points regarding new development in the Main Urban Area which should be repeated in the preamble to the policy. References to the IDP that supports the Local Plan (c.f para 5.19) should also be included .

### 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:**

To discuss these issues further.

## Comment

|  |  |
|--|--|
| Consultee  | Ms Margaret Borland ( [REDACTED] )                             |
| Email Address  | [REDACTED]   |
| Address  | [REDACTED]<br>[REDACTED]<br>Southborough<br>TN4 [REDACTED]     |
| Event Name   | Pre-Submission Local Plan                                      |
| Comment by   | Ms Margaret Borland ( [REDACTED] )                             |
| Comment ID   | PSLP_1302  |
| Response Date  | 04/06/21 15:14   |
| Consultation Point   | Policy AL/SO 2 Land at Mabledon House ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.4  |
| 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/SO 2  |  |
| Question 4   |  |
| Do you consider that the Local Plan:   |  |
| Is legally compliant   | Don't know   |
| Is sound   | No   |
| Complies with the Duty to Cooperate  | 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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While the principle of this policy is fine and restoration of a heritage asset that is in a poor state of repair and continuing to deteriorate, the development of a luxury hotel up to a maximum of 200 rooms and leisure development with spa and conference facilities is simply too big. It will damage the historic nature of the site, which is also within the AONB and the Green Belt.

Mabledon House is a Grade II Listed Building and of important historical interest to the Tunbridge Wells area, as it is the childhood home of Decimus Burton who designed many buildings in and around Tunbridge Wells (most famously the Calverley Estate) in addition to buildings at Regents Park & Kew Gardens. Mabledon was built in 1804 by his father John Burton. Having been his childhood home Decimus Burton went on to make substantial alterations to Mabledon House and drastically changed the appearance of the building. Decimus Burton is locally acclaimed as the man who effectively transformed Tunbridge Wells architecturally into the town that it is today. With this in mind great care must be taken in developing the site.

For example, with 200 bedrooms, a restaurant and kitchen plus spa and conference facilities, there is likely to be the need for a extra wing to be added to the building or a whole new block built. There doesn't really seem to be a restriction on building close to Mabledon House itself, the policy only requiring that it is "... concentrated within those areas that already contain built form and not in the areas shown to be retained as parkland landscape on the site layout plan" and "be subservient to the main house and respectful of its setting..." (Policy point 3a and 3b)

#### Duty to Co-operate

It's not clear how much buy-in to the proposal has been received from Tunbridge and Malling. As this formed part of the Draft Local Plan that was consulted on 2019, it's surprising that nothing more definite can now be said. There is no evidence in the Duty to Co-operate Statement whether this development has even been discussed with TMBC.

#### Transport

The impact on the A26 appears to have been grossly underestimated in the Transport Evidence Base. An operation such as this will need a very large number of staff - to clean rooms, to prepare and serve meals from early morning to late at night (restaurant and room service), for reception and concierge duties, to manage the conference facilities (with services such as cleaning again being early morning/late evening. ), for spa treatments and for upkeep of the park and gardens. This isn't located in the centre of a town where these staff can walk to work or hop on a bus at any time of day or night. The potential for this to create a significant increase in car journeys on the A26 needs further investigation, as does how safe access to/from the A26 will be provided for this.

There doesn't seem to be any provision for parking (cars and bicycles) or for charging electric vehicles

## 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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## 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 ( <a href="#">View</a> ) |
| 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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**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.**

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 exception 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 a 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 ( <a href="#">View</a> ) |
| 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.

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

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

I do not 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.*

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

**Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

I believe that 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



## Comment

|  |  |
|--|--|
| Consultee  | Valerie Bourne [REDACTED]  |
| Email Address  | [REDACTED]   |
| Address  | [REDACTED]<br>Paddock Wood<br>[REDACTED]   |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Valerie Bourne [REDACTED]  |
| Comment ID   | PSLP_1716  |
| Response Date  | 04/06/21 08:37   |
| Consultation Point   | Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.3  |
| Data inputter to enter their initials here                       | HB   |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Valerie Bourne   |
| Question 3   |  |
| To which part of the Local Plan does this representation relate? | Policy   |
| Question 3a  |  |

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

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

**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 to object in the strongest possible terms to the Local Plan for development of the Paddock Wood and Five Oak Green area. The number of houses, the use of land which regularly floods, the removal of trees and hedges (which exacerbates flooding and removes habitat for wildlife), the air and noise pollution caused by many years of construction and the lack of planned improvements to services in the area are just some of the reasons that make this plan unacceptable. There seems to be little or no provision of new medical, educational, sporting or policing services. The police station has been sold for redevelopment so, if anything, police presence will even more reduced.

I chose to live in Paddock Wood because it is a small town with easy access to open countryside and woodland walks. The well-being of residents will be severely affected when this is no longer the case. The idea of closing the railway bridge to traffic is utterly ridiculous, dividing the town in half. People do walk into the town when they can but there will always be times when they need to use their cars. Many have mobility problems and no-one can carry a week's shopping. It can't possibly help the environment if people have to drive several miles around the outside of the town to shop, get medical attention or get to work, sitting in queues of traffic which would be the inevitable result of this.

## 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  | 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 ( <a href="#">View</a> ) |
| 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

**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 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

**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.**

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  | Peter Bowden ( )   |
| Address  | <div></div> <div>Tonbridge</div> <div>TN10 </div>  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Peter Bowden ( )   |
| Comment ID   | PSLP_2142  |
| Response Date  | 04/06/21 09:05   |
| Consultation Point   | Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.12   |
| Data inputter to enter their initials here   | HB   |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Peter Bowden   |
| Question 3   |  |
| To which part of the Local Plan does this representation relate?   | Policy   |
| Question 3a  |  |
| Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to. |  |
| Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel  |  |
| 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 have lived in Higham Lane, Tonbridge for 27 years and am now retired. My wife and I have, over the years, enjoyed many walks in the beautiful countryside around Paddock Wood.

I strongly object to the proposed development plan for Paddock Wood on the following grounds:

##### 1. Desecration of Green Belt land with loss of amenity

Under section 136 of the NPPF 2012 it is made clear that any proposed development on Green Belt land should only be justified where *exceptional circumstances* can be demonstrated. There are no exceptional circumstances in this case. Indeed, there are far better sites for development closer to Tunbridge Wells in the Longfield Road/North Farm/Knight's Park areas, which abound the double carriageway A21 road and whose development would entail far less loss of amenity as the land in question is already blighted by the heavy traffic on the A21.

##### 2. Adverse effects on Tonbridge

TWBC has clearly decided to move a very large part of its future development onto the boundary with Tonbridge, with consequential negative effects on Tonbridge. Unless schools, shops, doctors' surgeries, dentists' surgeries and supermarkets are built in Tunbridge Wells as part of the development, residents of the new site will clearly travel into Tonbridge to use Tonbridge's facilities rather than try to get into Tunbridge Wells. This would also include the use of Tonbridge main line railway station for commuters unless a new station were to be part of the development. No one living in the development would dream of using the inferior Tunbridge Wells to London line.

All of Tonbridge's GPs and dentists are completely oversubscribed and its roads are already snarled up in the several daily rush hour periods. Any extra load coming from this development would push Tonbridge roads and services to breaking point.

##### 3. Flood Risk

Building so many houses on this site, which is a very flat flood plain with clay substrate adjacent to the River Medway cannot be justified. There have been many well documented cases of flooding in this area over many years, and this development will only exacerbate the risk of future disastrous flooding. It is unbelievable, after so many national disastrous flooding events brought on in part by climate change, the TWBC could contemplate building in such an 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  | Peter Bowden ( [REDACTED] )  |
| Address  | [REDACTED]<br>Tonbridge<br>TN10 [REDACTED]                                   |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Peter Bowden ( [REDACTED] )  |
| Comment ID   | PSLP_2143  |
| Response Date  | 04/06/21 09:05   |
| Consultation Point   | Policy STR/SS 3 The Strategy for Tudeley Village<br>( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.6  |
| Data inputter to enter their initials here   | HB   |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Peter Bowden   |
| Question 3   |  |
| To which part of the Local Plan does this representation relate?   | Policy   |
| Question 3a  |  |
| Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to. |  |
|  | Policy STR/SS 3 The Strategy for Tudeley Village                             |
| 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 have lived in Higham Lane, Tonbridge for 27 years and am now retired. My wife and I have, over the years, enjoyed many walks in the beautiful countryside around Tudeley, which comprises a typical unspoilt Wealden landscape.

I strongly object to the proposed development plan for Tudeley on the following grounds:

1 Desecration of beautiful Green Belt land with loss of amenity

Under section 136 of the NPPF 2012 it is made clear that any proposed development on Green Belt land should only be justified where *exceptional circumstances* can be demonstrated. There are no exceptional circumstances in this case. Indeed, there are far better sites for development closer to Tunbridge Wells in the Longfield Road/North Farm/Knight's Park areas, which abound the double carriageway A21 road and whose development would entail far less loss of amenity as the land in question is already blighted by the heavy traffic on the A21.

1 Adverse effects on Tonbridge

TWBC has clearly decided to move a very large part of its future development onto the boundary with Tonbridge, with consequential negative effects on Tonbridge. Unless schools, shops, doctors' surgeries, dentists' surgeries and supermarkets are built in Tunbridge Wells as part of the development, residents of the new site will clearly travel into Tonbridge to use Tonbridge's facilities rather than try to get into Tunbridge Wells. This would also include the use of Tonbridge main line railway station for commuters unless a new station were to be part of the development. No one living in the development would dream of using the inferior Tunbridge Wells to London line.

All of Tonbridge's GPs and dentists are completely oversubscribed and its roads are already snarled up in the several daily rush hour periods. Any extra load coming from this development would push Tonbridge roads and services to breaking point.

3. Flood Risk

Building so many houses on this site, which is a very flat flood plain with clay substrate adjacent to the River Medway cannot be justified. There have been many well documented cases of flooding in this area over many years, and this development will only exacerbate the risk of future disastrous flooding. It is unbelievable, after so many national disastrous flooding events brought on in part by climate change, the TWBC could contemplate building in such an 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  | Samuel Bowman [REDACTED]   |
| Email Address  | [REDACTED]   |
| Address  |  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Samuel Bowman [REDACTED]   |
| Comment ID   | PSLP_665   |
| Response Date  | 29/05/21 01:13   |
| Consultation Point   | Policy AL/PE 4 Land at Downingbury Farm, Maidstone Road ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.1  |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Samuel Bowman  |
| 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/PE4   |  |
| 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                       |
|   | It is not consistent with national policy |

### Question 5

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

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

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

This site lies inside the High Weald AONB and is also located in the Green Belt. As a result, it is necessary that any benefits of proposed development on the site clearly outweigh the significant drawbacks of building on a greenfield area in a rural setting. However, it is clear that, in this case, the proposed development of AONB land is not justified.

The proposal for 25 dwellings on this site represents an unnecessary expansion of housing in this area of Pembury for multiple reasons. Firstly, the construction of 25 houses on a site of this size represents substantial urban sprawl, which is damaging to the rural character of the northern area of Pembury. The situation of the site on Green Belt land - intended to stop urban sprawl and preserve the countryside - requires that the proposed development does not unduly affect the wider countryside surrounding Pembury. In this sense, development on this site is clearly contradictory to paragraph 134 (c) of the National Planning Policy Framework (NPPF), which states that the Green Belt exists 'to assist in safeguarding the countryside from encroachment.' Therefore, for the development to be justified, it would have to demonstrate that construction on this greenfield site is absolutely necessary, as stated in paragraph 144 of the NPPF. It is evident that this is not the case, as there are other sites in the Pembury Parish where higher density dwellings could be constructed with far less damage to both Green Belt and AONB land.

The site in question is also visited by large numbers of migratory fieldfares and redwings in the winter. Both of these birds are featured in Birds of Conservation Concern 4 (BoCC 4), a list compiled by various conservation organisations including the RSPB and the BTO. Furthermore, both birds are placed on the BoCC4 Red list, indicating a severe contraction of at least 50% in the population over the last 25 years. Therefore, it would be completely inappropriate to develop this site, as this would deprive these endangered migratory birds of their vital food sources. Furthermore, it is not possible to accommodate fieldfares and redwings in any possible development, as they require large areas to gather in flocks. As a result, any development on this site would have the effect of eradicating two rare and declining migratory bird species from the surrounding area. This is unjustifiable and this important habitat could not be offset by any replanting schemes. This means that the development proposal clearly falls short of the criteria for developing Green Belt land, as the consequences of losing the important habitat for fieldfares and redwings clearly outweigh any benefits that might be provided by such a sprawling development.

The development would also have a negative impact on the level of traffic in Church Road and the surrounding area. The proposed entrance to the site off of Church Road would be completely inadequate and would consign Church Road to chaos at certain times of day. The road already struggles with large amounts of parked cars and traffic and this proposal would introduce dozens of new vehicles to a road that is not suitable for a large level of traffic. The increase in traffic would also negatively impact the large numbers of walkers and horse riders that use Church Road to access the countryside north of Pembury. Furthermore, the volume of traffic on Lower Green Road and the area surrounding Pembury Primary School, which is already significant around the start and end of the school day, would further increase. This would increase the risks of congestion and have a negative effect on the air pollution levels in the area surrounding the school.

In conclusion, this development proposal falls far short of the necessary requirements for the construction on Green Belt land. Any development on this site would be highly detrimental to the surrounding Church Road area and the High Weald AONB.

#### 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.**

Removal of Policy AL/PE 4 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.

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

#### Future Notifications

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

## Comment

|  |   |
|--|---|
| Consultee  | Herbert Boxall [REDACTED]   |
| Email Address  | [REDACTED]  |
| Address  | [REDACTED]<br>[REDACTED]<br>Maidstone<br>[REDACTED]                           |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Herbert Boxall [REDACTED]   |
| Comment ID   | PSLP_1047   |
| Response Date  | 03/06/21 09:27  |
| Consultation Point   | Policy PSTR/BE 1 The Strategy for Benenden parish<br>( <a href="#">View</a> ) |
| Status   | Processed   |
| Submission Type  | Email   |
| Version  | 0.7   |
| Data inputter to enter their initials here                       | KH  |
| Question 1   |   |
| Respondent's Name and/or Organisation                            | Herbert Boxall  |
| Question 3   |   |
| To which part of the Local Plan does this representation relate? | Policy  |
| Question 3a  |   |

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

Paragraph No 1.23, 5.416, 5.420, 5.421, 5.422

Policy PSTR/BE 1 The Strategy for Benenden parish

Inset Maps 17 and 18

**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.**

##### Ilden Green

- 1 These representations are concerned with the policies in the draft Tunbridge Wells Local Plan (TWBC PSLP) affecting the parish of Benenden, where, contrary to PST1 (providing for the growth of existing settlements), contrary to PST5 (concern for infrastructure), PST6 (concern for the development of accessible locations), and PST7 (climate change and reducing the need to travel), almost all development is focused on the unsustainable, rural East End and any new housing in the hamlet of Ilden Green is excluded. This also contravenes the NPPF (see PSLP para 1.23) which states that the NPPF operates with a presumption in favour of sustainable development.
- 1 The *Limits to Built Development (LBD) Topic Paper Boundary Review for Reg 18 Consultation under Previous Stages*, para 2.1, states that the object is "to ensure that Limits to Built Development are logical and reflect what is on the ground". The same document proposes that, for Ilden Green, the LBD boundary "be removed as it is considered to be an unsustainable settlement for further development with a small number of facilities and services and limited bus services." (see also LBD Topic Paper to PSLP page 49).
- 1 It is illogical to remove the LBD boundary from the only hamlet in the parish, a hamlet with a far better connectivity to the village of Benenden than the land at the East End, where the plan proposes to site most houses. If Ilden Green is unsustainable and therefore cannot support more houses, how can the East End, which is void of all amenities, be considered suitable? Ilden Green is the only hamlet within the parish, see Benenden Parish Council website which states that the Parish Council serves the people of Benenden and Ilden Green. It does not mention the East End. The East End is a rural area with no settlement. It was chosen, for this reason, as the site for an isolation hospital which forms a small enclave within the East End area.
- 1 The PSLP states that the focus is to be on new development within LBDs and to limit development in the countryside. (Vision Objective 1 "Important local services, infrastructure and amenities will be retained and where necessary, improved in line with community needs. Development should help achieve the Council's goal of carbon neutrality for the borough by 2030.") But this strategy is not supported by Policies AL/BE3&4 (both sites are outside the LBD and 3 miles distant from any settlement) nor by the proposal to remove the LBD around Ilden Green, an existing and functioning sustainable hamlet (see Draft LP Reg 18, Draft Policies and Maps, Inset Map 18 for



Iden Green, Inset Map 16 for Benenden and Inset Map 17 for the East End - N.B. The numbers of the maps change during the course of the development of the supporting documents).

- 1 The Inset Maps are unreliable and sometimes incorrect - see Draft LP Reg 18, Draft Policies and Maps, Inset Map 17 for the East End of Benenden which shows an area for development which does not reflect the area proposed for development elsewhere in the PSLP i.e AL/BE 3&4. Plans are also sometimes incorrect, see those for AL/BE 3 and AL/BE 4. Neither of these match the BNP plans for those sites, although the BNP plans will override the PSLP in the event of the BNP being successful in a referendum (see para 5.420 and 5.421).
- 1 As currently drafted, the identified policies and maps are unsound and cannot be adopted. They are unjustified, ineffective and inconsistent with national policy.

#### **Policy PTSR/BE1 – Limits to Built Development (LBD)**

- 1 Policy PTSR/BE1 of the Local Plan seeks to define the strategy for Benenden parish. Paragraph 1 of Policy PTSR/BE1 states that:

*The development strategy for Benenden parish is to:*

- 1 *Set Limits to Built Development for Benenden village, as defined on the Policies Map (Inset Map 17) as a framework for new development over the plan period;*
- 1 The proposed LBD for Benenden are shown on Inset Map 17. Notably, the majority of development proposed for Benenden is actually outside of the LBD for Benenden and is in fact directed towards Benenden Hospital (Inset Map 18, Policies AL/BE3 and AL/BE4 of the Local Plan).
- 2 The Pre-Submission Local Plan (PSLP) proposes to remove the LBD established in the 2006 TWBC LP (see the Benenden Neighbourhood Plan (BNP) Reg 15/16, pp12-15. See Figure 2 for Iden Green). Under Figure 2, site LS8 is immediately next to Iden Green's Recreation Ground and both are immediately next to the LBD which skirts the eastern boundary of LS8. Both are within the Conservation Area (PSLP Iden Green Map 18).
- 1 No development is proposed for Iden Green though two sites, including LS8, are mentioned in the PSLP, but both are dismissed as being unsustainable. Iden Green is more sustainable than the East End, a site for almost all the housing proposed for the parish and outside the LBD. By removing Iden Green's LBD, the proposal is to freeze the only hamlet in the parish in a state of non-development. This is unsound.
- 1 The purpose of LBDs is to act as settlement boundaries, the effect of which is that development is focussed within LBDs. Policy STR1(2), (9) of the Local Plan states that:  
*"The broad development strategy for Tunbridge Wells borough over the period 2020-2038, as shown indicatively on the Key Diagram (Figure 5), is to ensure that a minimum of 12,204 dwellings and 14 hectares of employment (Use Classes B and E) land are developed, together with supporting infrastructure and services.*

*To achieve this, the Local Plan:*

- . *Looks to focus new development within the Limits to Built Development of settlements, as defined on the Policies Map, where proposals accord with other relevant policies of this Plan;*
- [...]

- . *Normally limits development in the countryside (being defined as that outside the Limits to Built Development) to that which accords with specific policies of this Plan and/or that for which a rural location is fully demonstrated to be necessary*

- 1 This accords with the stated strategy for Benenden in the Local Plan. Paragraph 5.416 of the Local Plan states that:

*"The LBD around Benenden village sets the extent of existing and planned development, and provides for any potential future windfall development. Any windfall sites that do come forward for residential development over the plan period should provide affordable housing in accordance with the relevant Local Plan policy in Section 6, having regard to information on local housing needs"*

- 1 Accordingly, LBDs play a fundamental role in the Local Plan. They define areas to which development is directed (STR1; paragraph 5.416) and define areas beyond the LBD as countryside. As a result of this, development proposals outside of the LBDs will be significantly harder to obtain permission for and Iden Green is destined to be frozen in time, with no credible explanation for granting it exclusion from Policy STR1.
- 1 In our view the LBD currently proposed for Benenden and the removal of the LBD from Iden Green as proposed in the BNDP (which if passed in a referendum before the PSLP will prevail) fails to accord with the Local Plan. Around Benenden, the proposed LBD unjustifiably excludes built development to the west of the New Pond Road crossroads towards Benenden School,

bordering the B2086. It also excludes Iden Green in its entirety. The purported basis for the exclusion of Iden Green is that this settlement has “*limited key facilities and bus service making them unsustainable in this context.*” This is plainly untrue.

- 1 Furthermore, the LBD is tightly drawn around Benenden itself. This avoids any prospect of in-filling in these areas and has in turn informed the site-selection process for Policies AL/BE1 & AL/BE2.
- 1 It is our case that upon analysis the LBD as currently drawn for Benenden and its removal from Iden Green has resulted in sustainable, appropriate sites for development being excluded from Benenden and Iden Green. It has pushed development to unsustainable, isolated areas (AL/BE3 and AL/BE4). This is addressed in the submissions below on the sustainability of AL/BE3 and AL/BE4 but, in our view, the only conclusion that can be drawn is that the LBD for Benenden is unsound, undermines the Local Plan and should not be adopted.

#### **The Sustainability Appraisal (SA)**

- 1 The **Sustainability Appraisal** is the heart of the planning process, but the TWBC's SA provides evidence that is often incorrect, sometimes inadequate, but always untimely because site allocation for the parish of Benenden (the only parish in the borough for which the Neighbourhood Plan Steering Committee allocated its own sites) was first published in February 2019 in the BNP's Informal Draft Plan. This was prior to the BNP Steering Committee inviting AECOM to submit its Strategic Environmental Assessment (SEA). In other words, the process was done the wrong way round. The cart came before the horse.
- 1 Since that time (February 2019), there have been many meetings between the BNP Steering Committee and TWBC planners with the result that the PSLP allocations are identical (save for a few additional houses in the East End) to those made in the BNP's February 2019 Informal Draft Plan. Just as the SEA appears to have been interpreted selectively in order to provide the justifications required to fit site allocations made beforehand, so the SA appears to have been manipulated to make it fit the PSLP's site allocations.
- 1 **SA Table 58 pp 161-163 Sites AL/BE 3&4 and Appendix L pp 331-332 which includes Site LS 8, show faults in the SA's evidence base.**
- 1 **Climate Change:** AL/BE3&4 are not scored for climate change, nor are sites 158 & 222, yet, inexplicably, climate change is scored for AL/BE1&2 (Uphill and Feoffee) and for LS8. Where is the explanation for the failure to assess all sites, especially when sites 158, 222, AL/BE1&2 are all close to each other? The issue is particularly concerning in that sites AL/BE3&4 are both 3 miles distant from the village and without any amenities. Residents at these sites will be heavily car dependent and this was of concern even when only 24 houses were proposed for the site. “You will see from KCC's comments on the hybrid application (12/03130) that in consideration of this earlier application for 24 dwellings, the highways authority raised concern that all residents will be very heavily car dependent, which is contrary to a number of policy objectives, including the NPPF.” (see KCC Pre-App Response, 13 Nov 2019, revealed in response to the BNP's Independent Examiner's queries and still not in the public arena). LS8, by contrast, is within walking distance of the village centre, of the church and of the village primary school.
- 1 Policies AL/BE 3&4 are contrary to the PSLP's plans for a post-Covid world (see para 2.41 and 2.42, page 28). The PSLP states that there will be pressure on “rural shops and services in village and other local centres, which provide an important supporting role at the heart of communities” and plans to counter such pressures. In Iden Green this process of decline was already underway in the pre-Covid world. Until recently, there were two pubs, a village shop and a post office in the hamlet. Now there is only one village pub and restaurant. Benenden village shop has only survived thanks to its transformation into a co-operative run by the village itself. By excluding Iden Green from development and forcing development out to the East End, the PSLP contributes to, rather than alleviates, the difficulties outlined in 2.42. It contributes to, rather than alleviates, climate change.
- 1 **Business Growth:** AL/BE3&4 are scored as if they were more favourable to business growth than AL/BE1&2 and sites 158 and 222, but all four of these last-mentioned sites are in the heart of the village where residents will have ready access to local businesses as well as to daily bus services and other services and facilities. Residents at the East End, will only be able to access commercial operations, whether in the village or anywhere else, by car, but residents of Iden Green are not car dependent. The hamlet is connected to the village by a paved footpath running along the Street, past a designated Roadside Nature Reserve and the up through Hilly Fields to the top of the village green (close to the church and the primary school). Iden Green residents play a significant role not just in the commercial life of the village but in maintaining its social life (the Women's Institute for the Parish is, for example, actually known as the Iden Green and

Benenden Village Institute. It was started in Iden Green). In spite of these links, LS8 is scored in the SA as being less favourable to business growth than AL/BE 3&4.

- 1 **Education:** All sites in this SA are scored equally for education, except for site 158 which scores less well. This SA report compares poorly with TWBC's 2006 SA on site 158 which concluded that the site was **one of the two best sites in the village for the new village primary school** (see page 18 of the *Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options* report). At that time, that SA stated that "The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site." On page 38, we read, "This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels". The site was chosen by the village in a referendum as the preferred site, but, nevertheless, the school was built at the other site. Since then, TWBC had been in consultation with 158's owners to build houses there. Where is the evidence site 158 is now less favourable to education than it was in 2006 and that it is today, less favourable than all the other sites mentioned?
  - 1 LS8 meanwhile, is within walking distance of the new village school and the path thither leads through a Roadside Nature Reserve and grassy fields. It is a pleasant, healthy, rural walk. There is however, no such existing paved pedestrian link between the hospital sites and the school. In spite of this, the SA scores LS 8 and the hospital sites identically.
  - 1 Table 58 states that "the education objective does not deteriorate when considering the cumulative effects as the schools in Tenterden will be a viable option for residents in East End." Children from the East End will have priority over the between 70 and 75% of the existing pupils at Benenden primary school who come from outside the parish. On what basis is the assumption made that East End parents will prefer to drive their children 6 miles into Tenterden than drive to the primary school in their own village? This argument is based on conjecture and is unsound.
  - 1 **Heritage:** AL/BE 3 scores slightly less well in terms of its heritage value than AL/BE4 without supporting evidence. How were heritage issues assessed when there is no apparent knowledge of the historic importance of the site, for example: the PSLP makes no mention of the Roman road a few yards south of AL/BE3; the medieval driveway (GGR), which runs through the site and along the ridge; and the Bronze Age palstaff found at the hospital site (National Monument Register - SMR Number/Hob UID). How can a site be scored or evaluated without at least some knowledge of the sites historic significance? This is available at <https://www.benendenvillage.org.uk/History/benweb2006.pdf> and advertised on the Benenden village website. The omission suggests a 'confirmatory bias' - evidence is selected or ignored with a view to achieving a pre-conceived result.
  - 1 **Services and Facilities:** How can sites which are in the heart of the village such as 158 and 222, score the same as sites which are 3 miles distant and isolated in the country? The village has a daily bus service, continuous pavements on both sides of the street, several shops, including a post office, a general store, a butcher and a florist, as well as a pub/restaurant, village green, recreation ground, children's playground, church, memorial hall, village hall and a primary school. In spite of this, sites 158 and 222, both as close to the centre as AL/BE1&2, are described as lacking services and facilities including public transport (Appendix L pp 331-332). The conclusion beggars belief. At the same time, those sites chosen for most houses are 3 miles out of the village where there are no amenities whatsoever. The same bias is shown in the SA's description of LS8 as a "remote location ... (far) ..from services and facilities and public transport" yet it is one mile from the village and connected to it by a paved footpath. Further, it lies on a bus route, has a nursery school, church, playground, recreation ground, tennis courts, a community hall and a pub/restaurant. How can Services and Facilities in LS8 score the same as AL/BE3&4? How can AL/BE 1&2 score the same as AL/BE 3&4? Such assessments raise questions rather than answering them.
  - 1 AL/BE 3&4 were also found to be "remote" and "isolated" and therefore the unsustainable in the 2012 application for 24 houses on AL/BE3. No infrastructure has been introduced since then. The only change is the extant permission for the development of 24 homes which further stresses the sustainability and connectivity of the Site. On this basis, there is no policy support for the allocation of development to this location. Iden Green however, has the infrastructure required under STR3 (green, grey and blue), yet it is excluded not only from development under the PSLP but, by the removal of the LBD, from all future development.
29. For these reasons, the omission of site LS8 and the inclusion of Policies AL/BE3 and AL/BE4 are unjustified, ineffective and inconsistent with the Local Plan and the NPPF. It therefore follows that these policies are unsound and cannot be adopted.

## 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 modifications needed are included in the submissions set out above. In summary, development on sites AL/BE 3& 4 should be limited to the existing, so far unused, planning permission for 24 houses. Housing should be allocated to sites (such as LS8, 158 and 222 in the village centre and Iden Green), which lie on bus routes or are within walking distance of the village centre and school. Paragraphs 5.421 and 5.422 should be omitted.

## 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 8

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

The Sustainability Appraisal (SA)

10. The Sustainability Appraisal is the heart of the planning process, but the TWBC's SA provides evidence that is often incorrect, sometimes inadequate, but always untimely because site allocation for the parish of Benenden (the only parish in the borough for which the Neighbourhood Plan Steering Committee allocated its own sites) was first published in February 2019 in the BNP's Informal Draft Plan. This was prior to the BNP Steering Committee inviting AECOM to submit its Strategic Environmental Assessment (SEA). In other words, the process was done the wrong way round. The cart came before the horse.

11. Since that time (February 2019), there have been many meetings between the BNP Steering Committee and TWBC planners with the result that the PSLP allocations are identical (save for a few additional houses in the East End) to those made in the BNP's February 2019 Informal Draft Plan. Just as the SEA appears to have been interpreted selectively in order to provide the justifications required to fit site allocations made beforehand, so the SA appears to have been manipulated to make it fit the PSLP's site allocations.

12. SA Table 58 pp 161-163 Sites AL/BE 3&4 and Appendix L pp 331-332 which includes Site LS 8, show faults in the SA's evidence base.

13. Climate Change: AL/BE3&4 are not scored for climate change, nor are sites 158 & 222, yet, inexplicably, climate change is scored for AL/BE1&2 (Uphill and Feoffee) and for LS8. Where is the explanation for the failure to assess all sites, especially when sites 158, 222, AL/BE1&2 are all close to each other? The issue is particularly concerning in that sites AL/BE3&4 are both 3 miles distant from the village and without any amenities. Residents at these sites will be heavily car dependent and this was of concern even when only 24 houses were proposed for the site. "You will see from KCC's comments on the hybrid application (12/03130) that in consideration of this earlier application for 24

dwellings, the highways authority raised concern that all residents will be very heavily car dependent, which is contrary to a number of policy objectives, including the NPPF.” (see KCC Pre-App Response, 13 Nov 2019, revealed in response to the BNP’s Independent Examiner’s queries and still not in the public arena). LS8, by contrast, is within walking distance of the village centre, of the church and of the village primary school.

14. Policies AL/BE 3&4 are contrary to the PSLP’s plans for a post-Covid world (see para 2.41 and 2.42, page 28). The PSLP states that there will be pressure on “rural shops and services in village and other local centres, which provide an important supporting role at the heart of communities” and plans to counter such pressures. In Iden Green this process of decline was already underway in the pre-Covid world. Until recently, there were two pubs, a village shop and a post office in the hamlet. Now there is only one village pub and restaurant. Benenden village shop has only survived thanks to its transformation into a co-operative run by the village itself. By excluding Iden Green from development and forcing development out to the East End, the PSLP contributes to, rather than alleviates, the difficulties outlined in 2.42. It contributes to, rather than alleviates, climate change.

15. Business Growth: AL/BE3&4 are scored as if they were more favourable to business growth than AL/BE1&2 and sites 158 and 222, but all four of these last-mentioned sites are in the heart of the village where residents will have ready access to local businesses as well as to daily bus services and other services and facilities. Residents at the East End, will only be able to access commercial operations, whether in the village or anywhere else, by car, but residents of Iden Green are not car dependent. The hamlet is connected to the village by a paved footpath running along the Street, past a designated Roadside Nature Reserve and the up through Hilly Fields to the top of the village green (close to the church and the primary school). Iden Green residents play a significant role not just in the commercial life of the village but in maintaining its social life (the Women’s Institute for the Parish is, for example, actually known as the Iden Green and Benenden Village Institute. It was started in Iden Green). In spite of these links, LS8 is scored in the SA as being less favourable to business growth than AL/BE 3&4.

16. Education: All sites in this SA are scored equally for education, except for site 158 which scores less well. This SA report compares poorly with TWBC’s 2006 SA on site 158 which concluded that the site was one of the two best sites in the village for the new village primary school (see page 18 of the Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options report). At that time, that SA stated that “The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site.” On page 38, we read, “This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels”. The site was chosen by the village in a referendum as the preferred site, but, nevertheless, the school was built at the other site. Since then, TWBC had been in consultation with 158’s owners to build houses there. Where is the evidence site 158 is now less favourable to education than it was in 2006 and that it is today, less favourable than all the other sites mentioned?

17. LS8 meanwhile, is within walking distance of the new village school and the path thither leads through a Roadside Nature Reserve and grassy fields. It is a pleasant, healthy, rural walk. There is however, no such existing paved pedestrian link between the hospital sites and the school. In spite of this, the SA scores LS 8 and the hospital sites identically.

18. Table 58 states that “the education objective does not deteriorate when considering the cumulative effects as the schools in Tenterden will be a viable option for residents in East End.” Children from the East End will have priority over the between 70 and 75% of the existing pupils at Benenden primary school who come from outside the parish. On what basis is the assumption made that East End parents will prefer to drive their children 6 miles into Tenterden than drive to the primary school in their own village? This argument is based on conjecture and is unsound.

19. Heritage: AL/BE 3 scores slightly less well in terms of its heritage value than AL/BE4 without supporting evidence. How were heritage issues assessed when there is no apparent knowledge of the historic importance of the site, for example: the PSLP makes no mention of the Roman road a few yards south of AL/BE3; the medieval droveway (GGR), which runs through the site and along the ridge; and the Bronze Age palstaff found at the hospital site (National Monument Register - SMR Number/Hob UID). How can a site be scored or evaluated without at least some knowledge of the sites historic significance? This is available at <https://www.benendenvillage.org.uk/History/benweb2006.pdf> and advertised on the Benenden village website. The omission suggests a ‘confirmatory bias’ - evidence is selected or ignored with a view to achieving a pre-conceived result.

20. Services and Facilities: How can sites which are in the heart of the village such as 158 and 222, score the same as sites which are 3 miles distant and isolated in the country? The village has a daily

bus service, continuous pavements on both sides of the street, several shops, including a post office, a general store, a butcher and a florist, as well as a pub/restaurant, village green, recreation ground, children's playground, church, memorial hall, village hall and a primary school. In spite of this, sites 158 and 222, both as close to the centre as AL/BE1&2, are described as lacking services and facilities including public transport (Appendix L pp 331-332). The conclusion beggars belief. At the same time, those sites chosen for most houses are 3 miles out of the village where there are no amenities whatsoever. The same bias is shown in the SA's description of LS8 as a "remote location ... (far) ..from services and facilities and public transport" yet it is one mile from the village and connected to it by a paved footpath. Further, it lies on a bus route, has a nursery school, church, playground, recreation ground, tennis courts, a community hall and a pub/restaurant. How can Services and Facilities in LS8 score the same as AL/BE3&4? How can AL/BE 1&2 score the same as AL/BE 3&4? Such assessments raise questions rather than answering them.

21. AL/BE 3&4 were also found to be "remote" and "isolated" and therefore the unsustainable in the 2012 application for 24 houses on AL/BE3. No infrastructure has been introduced since then. The only change is the extant permission for the development of 24 homes which further stresses the sustainability and connectivity of the Site. On this basis, there is no policy support for the allocation of development to this location. Iden Green however, has the infrastructure required under STR3 (green, grey and blue), yet it is excluded not only from development under the PSLP but, by the removal of the LBD, from all future development.

22. For these reasons, the omission of site LS8 and the inclusion of Policies AL/BE3 and AL/BE4 are unjustified, ineffective and inconsistent with the Local Plan and the NPPF. It therefore follows that these policies are unsound and cannot be adopted.

## **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          | Joshua Boyle [REDACTED]  |
| Email Address      | [REDACTED]   |
| Address            |  |
| Event Name         | Pre-Submission Local Plan  |
| Comment by         | Joshua Boyle [REDACTED]  |
| Comment ID         | PSLP_1001  |
| Response Date      | 02/06/21 22:42   |
| Consultation Point | Figure 4 Median earnings to house prices ratio (Source: ONS data, 2019) ( <a href="#">View</a> ) |
| Status             | Processed  |
| Submission Type    | Web  |
| Version            | 0.3  |

### Question 1

Respondent's Name and/or Organisation Joshua Boyle

### Question 3

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

### Question 3a

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

Policy STR/SS 1 Strategy for Paddock Wood, including land at east Capel

### 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

#### 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 a young person, who is a soon-to-be university graduate. I have lived in Paddock Wood for 13 years, and in that time, I have not seen any chance for me to rent in Paddock Wood. I am a university student, and even with a graduate job, I could not afford the so-called affordable housing; how will someone who is not a graduate afford a house? Average rentals for a 1 bedroom apartment in Paddock Wood are £825 per month, 4 bedroom is £1,850 per month. This median average does take into consideration the grossly inflated wages of commuters travelling to London; what it does not do is consider the average wages of those who live and work in Paddock Wood, and what is affordable for the current residents within Paddock 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.

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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 2020 Planning White Paper states that 10% of all housing should be affordable. I would suggest upping this, and also placing caps on the maximum price for these units, as well as assessing the income of those interesting in buying or renting from TWBC.  
<https://commonslibrary.parliament.uk/research-briefings/cbp-7747/>

#### 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 necessary as I would provide a younger voice that wants to move back to Paddock Wood once graduating, and being able to afford my own home.

#### **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          | Joshua Boyle [REDACTED]   |
| Email Address      | [REDACTED]  |
| Address            |   |
| Event Name         | Pre-Submission Local Plan   |
| Comment by         | Joshua Boyle [REDACTED]   |
| Comment ID         | PSLP_1009   |
| Response Date      | 02/06/21 23:51  |
| Consultation Point | Table 2 Types of infrastructure to be delivered<br>( <a href="#">View</a> ) |
| Status             | Processed   |
| Submission Type    | Web   |
| Version            | 0.2   |

### Question 1

|                                       |              |
|---------------------------------------|--------------|
| Respondent's Name and/or Organisation | Joshua Boyle |
|---------------------------------------|--------------|

### Question 3

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

### Question 3a

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

Policy STR/SS 1 Strategy for Paddock Wood, including land at east Capel

### 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

#### 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.**

Short of the few jobs that will be generated by the few corner shops, there is 0 considering for employment options. TWBC has always neglected the needs of 16-25 year olds in Paddock Wood. Additionally, there are plans for several new primary schools; why are there no plans for secondary schools?

#### Question 6

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Create more diverse employment opportunities with more retail units, as well as investigate creating an annex for Mascalls, or an entirely new Secondary school.

#### 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  | Joshua Boyle [REDACTED]  |
| Email Address  | [REDACTED]   |
| Address  |  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Joshua Boyle [REDACTED]  |
| Comment ID   | PSLP_1170  |
| Response Date  | 03/06/21 22:21   |
| Consultation Point   | Policy STR/SS 2 The Strategy for Paddock Wood Town Centre ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.3  |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Joshua Boyle   |
| Question 3   |  |
| To which part of the Local Plan does this representation relate?   | Policy   |
| Question 3a  |  |
| Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to. |  |
| Policy STR/SS 1 Strategy for Paddock Wood, including land at east Capel  |  |
| 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

#### 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 closing of the Railway Bridge and the Pedestrianisation of Commercial Road, whilst also not creating more dedicated retail space would be disastrous for local business and people. It would also carve what would become the "old town" in two.

#### 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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Don't do it

#### 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          | Joshua Boyle [REDACTED]  |
| Email Address      | [REDACTED]   |
| Address            |  |
| Event Name         | Pre-Submission Local Plan                                      |
| Comment by         | Joshua Boyle [REDACTED]  |
| Comment ID         | PSLP_1010  |
| Response Date      | 02/06/21 23:38   |
| Consultation Point | Map 82 Greenfields Farm, Paddock Wood ( <a href="#">View</a> ) |
| Status             | Processed  |
| Submission Type    | Web  |
| Version            | 0.2  |

### Question 1

|                                       |              |
|---------------------------------------|--------------|
| Respondent's Name and/or Organisation | Joshua Boyle |
|---------------------------------------|--------------|

### Question 3

|  |              |
|--|--------------|
| To which part of the Local Plan does this representation relate? | Policies Map |
|--|--------------|

### Question 3a

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

Policy STR/SS 1 Strategy for Paddock Wood, including land at east Capel

Map 82,  
Greenfields Farm, Paddock Wood

### Question 4

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

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

#### Question 4a

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

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

#### Question 5

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

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

Potentially one of the only sensible suggestions in the Draft Local Plan is the creation of more local approved sites for the Gypsy, Roma and Traveller Communities.

#### 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 have spent a lot of my time studying the GRT Community and wish to make TW a better and more welcoming area for a wider range of people.

#### 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  | Mrs Gwendaline Bradford [REDACTED]                         |
| Address  | [REDACTED]<br>[REDACTED]<br>Paddock Wood<br>[REDACTED]     |
| Event Name   | Pre-Submission Local Plan                                  |
| Comment by   | Mrs Gwendaline Bradford [REDACTED]                         |
| Comment ID   | PSLP_1520  |
| Response Date  | 03/06/21 12:14   |
| Consultation Point   | Policy H 9 Gypsies and Travellers ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Other  |
| Version  | 0.3  |
| Data inputter to enter their initials here   | KJ   |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Mrs Gwendaline Bradford                                    |
| 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 H 9 Gypsies and Travellers  |  |
| 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

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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.

Greenfields Farm Paddock Wood

I live next to the site and object to the development fully

#### 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:

I will ask someone to represent me.

#### 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\_68

## Comment

|  |  |
|--|--|
| Consultee  | Lynne Butler [REDACTED]  |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Brenchley & Matfield Parish Council                            |
| Address  | -<br>-<br>-  |
| Event Name   | Pre-Submission Local Plan                                      |
| Comment by   | Brenchley & Matfield Parish Council [REDACTED]<br>[REDACTED]   |
| Comment ID   | PSLP_1139  |
| Response Date  | 03/06/21 17:19   |
| Consultation Point   | Policy STR 1 The Development Strategy ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.6  |
| Files  | <a href="#">B&amp;M comments Local Plan.docx</a>               |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Brenchley & Matfield Parish Council                            |
| Question 3   |  |
| To which part of the Local Plan does this representation relate? | Policy   |
| Question 3a  |  |

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

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

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

**Question 4**

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

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

#### Question 4a

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

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

#### Question 5

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

#### Question 6

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

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

#### TWBC Pre-Submission Local Plan

#### STR1: The Development Strategy

It is noted that at every stage of the TWBC Local Plan the base and end date has changed and been pushed on. Draft Local Plan Reg 18 covered 2018 – 2026 and now the Reg 19 is 2020 – 2038. The Parish Council (PC) questions how the data of completed house builds in the borough from 2016 are incorporated into TWBC's housing calculations. It remains disappointing to note that the twenty units constructed by Rydon Homes in 2019 had been excluded from any projected numbers for the parish. The number of houses from solely the Rydon and Fernham developed sites already sits at 65 new

dwellings for Matfield. It is noted in “Table 4 – Distribution of housing allocations” that 56-60 dwellings distributed within the parish is a high number and yet the parish has already exceeded that number.

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

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

### **Housing Need and Supply**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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-

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

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

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

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

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

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

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

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

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

Some of the planning conditions yet to be implemented lack sufficient detail. The relocation of the 30 mph speed limit northwards on Maidstone Road is a priority and its new location should coincide the new LBD designated in the PCLP. The speed sign referred to in AL/BM1 should be a speed indicator

sign, preferably with number recognition. The policy seeks an improvement in pedestrian permeability through the site to link with the surrounding footway network. This could be achieved by a pedestrian link onto Coppers Line, by retaining the gap in the hedge that will be created during the installation of utilities to the site.

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

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

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

### **EN1: Sustainable Design**

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

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

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

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

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

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

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

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

To have the designation of HWAONB should give the highest status of protection in relation to the landscape and scenic beauty but to be given the designation of EN19 from TWBC certainly appears to dilute the protection and is a far cry from the "highest planning protection" that AONB's are meant

to enjoy. The actual policy requires robust language giving this highest planning protection rather than the wording in EN19 majoring on development details.

### **OSSR1**

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

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

### **OSSR2**

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

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

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

### **Question 7**

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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.**

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# Supporting Information File Ref No: SI\_101

## Comment

|  |   |
|--|---|
| Consultee  | Lynne Butler [REDACTED]   |
| Email Address  | [REDACTED]  |
| Company / Organisation   | Brenchley & Matfield Parish Council                                   |
| Address  | -<br>-<br>-   |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Brenchley & Matfield Parish Council [REDACTED]<br>[REDACTED]          |
| Comment ID   | PSLP_1775   |
| Response Date  | 03/06/21 17:19  |
| Consultation Point   | Policy STR 5 Infrastructure and Connectivity ( <a href="#">View</a> ) |
| Status   | Processed   |
| Submission Type  | Web   |
| Version  | 0.5   |
| Files  | <a href="#">B&amp;M comments Local Plan.docx</a>                      |
| Question 1   |   |
| Respondent's Name and/or Organisation                            | Brenchley & Matfield Parish Council                                   |
| Question 3   |   |
| To which part of the Local Plan does this representation relate? | Policy  |
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*[TWBC: relevant parts of this representation have been duplicated against the above policies: see PSLP\_1775-1786 inclusive]*

**Question 4**

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



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

#### Question 4a

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

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

#### Question 5

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

#### TWBC Pre-Submission Local Plan

#### STR5: Infrastructure and Connectivity

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

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

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

#### Question 7

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

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#### Question 8

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

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# Supporting Information File Ref No: SI\_101

## Comment

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|--|--|
| Consultee  | Lynne Butler [REDACTED]                                      |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Brenchley & Matfield Parish Council                          |
| Address  | -<br>-<br>-  |
| Event Name   | Pre-Submission Local Plan                                    |
| Comment by   | Brenchley & Matfield Parish Council [REDACTED]<br>[REDACTED] |
| Comment ID   | PSLP_1776  |
| Response Date  | 03/06/21 17:19   |
| Consultation Point   | Policy STR 6 Transport and Parking ( <a href="#">View</a> )  |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.4  |
| Files  | <a href="#">B&amp;M comments Local Plan.docx</a>             |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Brenchley & Matfield Parish Council                          |
| Question 3   |  |
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**Question 4**

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

#### Question 4a

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

#### TWBC Pre-Submission Local Plan

#### STR6: Transport and Parking

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

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

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

#### Question 7

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| Consultee  | Lynne Butler [REDACTED]                                      |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Brenchley & Matfield Parish Council                          |
| Address  | -<br>-<br>-  |
| Event Name   | Pre-Submission Local Plan                                    |
| Comment by   | Brenchley & Matfield Parish Council [REDACTED]<br>[REDACTED] |
| Comment ID   | PSLP_1777  |
| Response Date  | 03/06/21 17:19   |
| Consultation Point   | Policy STR 7 Climate Change ( <a href="#">View</a> )         |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.4  |
| Files  | <a href="#">B&amp;M comments Local Plan.docx</a>             |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Brenchley & Matfield Parish Council                          |
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| Is legally compliant                | Yes        |
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#### TWBC Pre-Submission Local Plan

#### STR7: Climate Change

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

### Question 7

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# Supporting Information File Ref No: SI\_101

## Comment

|  |   |
|--|---|
| Consultee  | Lynne Butler [REDACTED]   |
| Email Address  | [REDACTED]  |
| Company / Organisation   | Brenchley & Matfield Parish Council   |
| Address  | -<br>-<br>-   |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Brenchley & Matfield Parish Council [REDACTED]<br>[REDACTED]  |
| Comment ID   | PSLP_1778   |
| Response Date  | 03/06/21 17:19  |
| Consultation Point   | Policy STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment ( <a href="#">View</a> ) |
| Status   | Processed   |
| Submission Type  | Web   |
| Version  | 0.4   |
| Files  | <a href="#">B&amp;M comments Local Plan.docx</a>  |
| Question 1   |   |
| Respondent's Name and/or Organisation                            | Brenchley & Matfield Parish Council   |
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**Question 4**

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

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

**TWBC Pre-Submission Local Plan**

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

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

### Question 7

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| Email Address   | [REDACTED]   |
| Company / Organisation  | Brenchley & Matfield Parish Council                          |
| Address   | -<br>-<br>-  |
| Event Name  | Pre-Submission Local Plan                                    |
| Comment by  | Brenchley & Matfield Parish Council [REDACTED]<br>[REDACTED] |
| Comment ID  | PSLP_1779  |
| Response Date   | 03/06/21 17:19   |
| Consultation Point  | Policy STR 10 Neighbourhood Plans ( <a href="#">View</a> )   |
| Status  | Processed  |
| Submission Type   | Web  |
| Version   | 0.4  |
| Files   | <a href="#">B&amp;M comments Local Plan.docx</a>             |
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| Complies with the Duty to Cooperate | Don't know |

#### Question 4a

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# Supporting Information File Ref No: SI\_101

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|  |  |
|--|--|
| Consultee  | Lynne Butler [REDACTED]  |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Brenchley & Matfield Parish Council  |
| Address  | -<br>-<br>-  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Brenchley & Matfield Parish Council [REDACTED]<br>[REDACTED]                             |
| Comment ID   | PSLP_1780  |
| Response Date  | 03/06/21 17:19   |
| Consultation Point   | Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.6  |
| Files  | <a href="#">B&amp;M comments Local Plan.docx</a>   |
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#### **Pre-submission Comments from Brenchley and Matfield Parish C council**

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **EN1: Sustainable Design**

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

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

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

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

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

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

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

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

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

### **OSSR1**

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

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

### **OSSR2**

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

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

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

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| Address  | -<br>-<br>-  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Brenchley & Matfield Parish Council [REDACTED]<br>[REDACTED]   |
| Comment ID   | PSLP_1781  |
| Response Date  | 03/06/21 17:19   |
| Consultation Point   | Policy AL/BM 1 Land between Brenchley Road, Coppers Lane and Maidstone Road ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
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| Files  | <a href="#">B&amp;M comments Local Plan.docx</a>   |
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| Comment by   | Brenchley & Matfield Parish Council [REDACTED]<br>[REDACTED]   |
| Comment ID   | PSLP_1782  |
| Response Date  | 03/06/21 17:19   |
| Consultation Point   | Policy AL/BM 2 Land at Maidstone Road ( <a href="#">View</a> ) |
| Status   | Processed  |
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#### Pre-submission Comments from Brenchley and Matfield Parish C council

#### TWBC Pre-Submission Local Plan

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

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

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

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

-

#### Question 7

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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.**

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

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

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

# Supporting Information File Ref No: SI\_101

## Comment

|  |   |
|--|---|
| Consultee  | Lynne Butler [REDACTED]   |
| Email Address  | [REDACTED]  |
| Company / Organisation   | Brenchley & Matfield Parish Council                             |
| Address  | -<br>-<br>-   |
| Event Name   | Pre-Submission Local Plan                                       |
| Comment by   | Brenchley & Matfield Parish Council ( Lynne Butler [REDACTED] ) |
| Comment ID   | PSLP_1786   |
| Response Date  | 03/06/21 17:19  |
| Consultation Point   | Policy EN 1 Sustainable Design ( <a href="#">View</a> )         |
| Status   | Processed   |
| Submission Type  | Web   |
| Version  | 0.6   |
| Files  | <a href="#">B&amp;M comments Local Plan.docx</a>                |
| Question 1   |   |
| Respondent's Name and/or Organisation                            | Brenchley & Matfield Parish Council                             |
| Question 3   |   |
| To which part of the Local Plan does this representation relate? | Policy  |

### Question 3a

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

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

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

### Question 4

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

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

#### Question 4a

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

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

#### Question 5

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

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

#### TWBC Pre-Submission Local Plan

#### EN1: Sustainable Design

**Highway safety and access:** "Traffic from new developments should not result in severe residual cumulative impacts on the road network". Traffic queueing at the Hawkhurst junction of the A21 with the A268 will impact on Matfield and Brenchley parish and the draft Local Plan states that the increased

amount of traffic will hopefully “establish an acceptable impact”. The impact is already unacceptable and this language is not sufficiently robust.

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

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

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

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

#### 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

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# Supporting Information File Ref No: SI\_101

## Comment

|  |   |
|--|---|
| Consultee  | Lynne Butler [REDACTED]   |
| Email Address  | [REDACTED]  |
| Company / Organisation   | Brenchley & Matfield Parish Council   |
| Address  | -<br>-<br>-   |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Brenchley & Matfield Parish Council ( Lynne Butler - [REDACTED] )                       |
| Comment ID   | PSLP_1785   |
| Response Date  | 03/06/21 17:19  |
| Consultation Point   | Policy EN 19 The High Weald Area of Outstanding Natural Beauty ( <a href="#">View</a> ) |
| Status   | Processed   |
| Submission Type  | Web   |
| Version  | 0.6   |
| Files  | <a href="#">B&amp;M comments Local Plan.docx</a>  |
| Question 1   |   |
| Respondent's Name and/or Organisation                            | Brenchley & Matfield Parish Council   |
| Question 3   |   |
| To which part of the Local Plan does this representation relate? | Policy  |
| Question 3a  |   |

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

**Question 4**

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

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

#### Question 4a

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

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

#### Question 5

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

#### TWBC Pre-Submission Local Plan

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

Open land below Brenchley Memorial playing fields was designated EN23 in 2006, an important Landscape Approach which was taken out of the DLP in 2016. The land is currently designated EN19 Area of Outstanding Natural Beauty. The High Weald AONB must be at the forefront of all planning

decisions and TWBC should resist the temptation to encroach upon the protections provided by the NPPF.

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

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

### Question 7

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# Supporting Information File Ref No: SI\_101

## Comment

|  |  |
|--|--|
| Consultee  | Lynne Butler [REDACTED]  |
| Email Address  | [REDACTED]   |
| Company / Organisation   | Brenchley & Matfield Parish Council                            |
| Address  | -<br>-<br>-  |
| Event Name   | Pre-Submission Local Plan                                      |
| Comment by   | Brenchley & Matfield Parish Council [REDACTED]<br>[REDACTED]   |
| Comment ID   | PSLP_1783  |
| Response Date  | 03/06/21 17:19   |
| Consultation Point   | Policy OSSR 1 Retention of Open Space ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.4  |
| Files  | <a href="#">B&amp;M comments Local Plan.docx</a>               |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Brenchley & Matfield Parish Council                            |
| Question 3   |  |
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| Question 3a  |  |

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**Question 4**

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

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

#### TWBC Pre-Submission Local Plan

#### OSSR1

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

- 1 A large area north of the parish, formerly occupied by Moatlands Golf Club, which was sold in 2008 and is now owned by several private landowners.

- 2 The former allotments on Tibbs Court Lane, north west of Southfield Cottages.

#### Question 7

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# Supporting Information File Ref No: SI\_101

## Comment

|  |   |
|--|---|
| Consultee  | Lynne Butler [REDACTED]   |
| Email Address  | [REDACTED]  |
| Company / Organisation   | Brenchley & Matfield Parish Council   |
| Address  | -<br>-<br>-   |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Brenchley & Matfield Parish Council [REDACTED]<br>[REDACTED]  |
| Comment ID   | PSLP_1784   |
| Response Date  | 03/06/21 17:19  |
| Consultation Point   | Policy OSSR 2 The Provision of Publicly Accessible Open Space and Recreation ( <a href="#">View</a> ) |
| Status   | Processed   |
| Submission Type  | Web   |
| Version  | 0.5   |
| Files  | <a href="#">B&amp;M comments Local Plan.docx</a>  |
| Question 1   |   |
| Respondent's Name and/or Organisation                            | Brenchley & Matfield Parish Council   |
| Question 3   |   |
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**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

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

#### TWBC Pre-Submission Local Plan

#### OSSR2

The proposed provision of publicly accessible open space and recreation on new housing or mixed use development sites falls below the standard recommended by Fields in Trust in its 'Guidance for Outdoor Sport and Play', which is adopted by many local authorities. The thresholds for facilities required in new developments in the PSLP are relatively high. OSSR2 Table 16 indicates that sites

with less than 20 homes are not required to provide any facilities, with sites between 20 and 49 dwellings only required to provide an amenity or natural green space.

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

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

#### Question 7

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## Comment

|  |  |
|--|--|
| Consultee  | Elizabeth Brett [REDACTED]   |
| Email Address  | [REDACTED]   |
| Address  | -<br>Tonbridge<br>-  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Elizabeth Brett [REDACTED]   |
| Comment ID   | PSLP_1731  |
| Response Date  | 04/06/21 09:00   |
| Consultation Point   | Policy STR/SS 3 The Strategy for Tudeley Village<br>( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Letter   |
| Version  | 0.3  |
| Data inputter to enter their initials here   | KH   |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Mrs Elizabeth Brett  |
| Question 3   |  |
| To which part of the Local Plan does this representation relate?   | Policy   |
| Question 3a  |  |
| Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to. |  |
| Policy STR/SS 3 The Strategy for Tudeley Village   |  |
| Question 4   |  |
| Do you consider that the Local Plan:   |  |
| Is legally compliant   | Don't know   |
| Is sound   | No   |

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

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

#### Question 5

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We have lived in this property and worked in the area for the last 35 years and have experienced a huge increase in traffic on the Hadlow Road. The major problem with these proposals is the devastating impact they will have on Tonbridge and its infrastructure.

Roads: Tuedeley Lane is in places little more than a country lane and already serves the schools at Somerhill at the Tonbridge end. A further school at Five Oak can only exacerbate the traffic situation.

Rail: the main roads near Tonbridge Station are already a major pinch point at peak times in the south of the town. All commuters to London from the new estates are likely to drive to Tonbridge rather than Paddock Wood and parking at Tonbridge is already fully stretched despite fairly recent improvements,

Medical Facilities: no new facilities are mentioned in the plan and Tonbridge is at full capacity.

Flooding: the proposed development area is prone to flooding. What proposals there?

To whom do the benefits of this development accrue? Entirely to TWBC. A major part of their housing target will be met and all income will flow to them. Tonbridge will suffer all the disturbance, disruption, congestion and cost of this proposal which is sited far closer to Tonbridge town centre than to 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:

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



## Comment

|  |  |
|--|--|
| Consultee                                  | Lady Elizabeth Akenhead [REDACTED]                       |
| Email Address                              | [REDACTED]   |
| Company / Organisation                     | British Horse Society                                    |
| Address                                    | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>TN12 [REDACTED] |
| Event Name                                 | Pre-Submission Local Plan                                |
| Comment by                                 | British Horse Society [REDACTED]<br>[REDACTED]           |
| Comment ID                                 | PSLP_1507  |
| Response Date                              | 04/06/21 11:58   |
| Consultation Point                         | Pre-Submission Local Plan ( <a href="#">View</a> )       |
| Status                                     | Processed  |
| Submission Type                            | Email  |
| Version                                    | 0.4  |
| Data inputter to enter their initials here | AT   |
| Question 1                                 |  |
| Respondent's Name and/or Organisation      | British Horse Society                                    |
| Question 3a                                |  |

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

Pre-Submission Local Plan

*[TWBC: Comment on whole 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 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 and General Comment

The British Horse Society (BHS) is a registered charity with over 100,000 members. The BHS represents and promotes the interests of all horses and those who care about them, including 2.7 million people in Britain who ride or who drive horse-drawn carriages. We offer world-class qualifications, an approvals system awarding quality instruction and care, and support and guidance on access, safety and welfare issues.

Equestrianism is a popular and healthy activity for people of all ages. The BHS commissioned research into the physical health, psychological and wellbeing benefits of recreational horse riding in the United Kingdom which was published in 2011. It assessed riding as a moderate intensity exercise and examined the frequency with which individuals take part. Reliable evidence indicates that physical exercise produces wellbeing benefits linked to social interaction and changes in mood, anxiety, self-esteem and other personal emotions.

The report is available on [www.bhs.org.uk/enjoy-riding/health-benefits](http://www.bhs.org.uk/enjoy-riding/health-benefits) .

Horse activities engage a high proportion of people with disabilities, women participants and participants over the age of 45. Nearly 40% of those taking part do not participate in other forms of physical activity. All these factors are very important in recognising that equestrianism is vital to the health of a significant section of the population which is known to be at risk.

Equine and equestrian businesses include riding schools and coaches, livery yards, competition yards, trekking centres, breeders, trainers, welfare charities, veterinary services, farriers, feed merchants, tack, equipment and clothing manufacturers and retailers, shows and event services.

The British Equestrian Trade Association (BETA) represents more than 800 member companies. The most recent BETA National Equestrian Survey (2015)<sup>1</sup> indicated:

- . Estimated £3,600 spent on each horse
  - . £4.3 billion economic value of the equestrian sector
  - . £560 million spending on items such as hats and body protectors, clothing, books and magazines
  - . 944,000 horses in Britain
  - . 3 million regular riders of 2.7 million total
  - . 74% female (962,000 female regular riders, 348,000 males)
- 44% of those riding once a week or less say they would ride more frequently if they had access to safe off road riding or bridleways. This is the most cited reason that would make people ride more frequently. [www.beta-uk.org/pages/industry-information/market-information.php](http://www.beta-uk.org/pages/industry-information/market-information.php) .

Whether purely for recreation or when riding or driving professionally, equestrians may use public rights of way (including roads) and open spaces, and may rely on them as the only place they may

ride or drive. Routes free from motorised traffic are preferable, for safety and for freedom from noise and pollution, providing a healthy respite for body and mind.

England has 117,250 miles of recorded public rights of way, of which only 22% are bridleway or byway (available to riders). Many of these paths are unusable on horseback because they have been isolated by busy roads or truncated by development or a failure to record a through route. Some areas may have a network of bridleways or byways, other areas have none at all, including the whole of adjacent parishes, meaning that riders may have no off-road access for a ten mile radius or more, and carriage-drivers may have nothing within tens of miles. **This is the case in much of the Borough of Tunbridge Wells, where the proportion of public rights of way that are of bridleway or byway status is considerably lower than the national average (only 16% of rights of way in Kent are bridleways or byways); most of these are very short routes that would take no more than a few minutes to ride, linked by increasingly busy roads.**

The BHS considers horse-related traffic incidents to be significantly under reported, to it, the police or any other body. This view is supported by the Hospital Episode Statistics (NHS Digital) in 2015-16 which reported 4,094 episodes requiring treatment in hospital for 'animal-rider or occupant animal-drawn vehicle injured in transport accident'. Between 29.02.20 and 28.02.21

- . 1,010 road incidents involving horses have been reported to The British Horse Society
- . Of these, 46 horses have **died** and 118 have been **injured**
- . 130 people have been **injured** because of road incidents
- . 45% of riders were victims to **road rage** or **abuse**
- . 80% of incidents occurred because a vehicle **passed by too closely** to the horse
- . 43% of incidents occurred because a vehicle **passed by too quickly**

(\* Note that this figure is undoubtedly a fraction of those that occurred.)

The cost of a fatal road traffic collision is around £1.8million per casualty; with even slight incidents around £18,000 per casualty (www.gov.uk/government/publications/reported-road-casualties-great-britain-annual-report-2016) based on medical, police, insurance, lost output and 'human' (distress, suffering, pain) costs. It does not take account of secondary costs to other people affected by a road traffic incident, for whom the consequence of delays could be considerable.

A figure for an equine casualty is not available, but transport and disposal of a dead horse alone is likely to be £1,000. Replacement for the majority of horses is likely to cost several thousand pounds. For some horses there may be lost output in terms of stud fees or prize money. In UK law unfortunately a horse is considered to be property, not a sentient being, but most horse owners will attribute the equivalent of human cost (distress, suffering, pain) as well as veterinary and insurance costs and lost benefits of ownership.

**The thousands of new homes proposed in this Draft Plan will contain a large number of additional households containing one or more people who will want to ride, yet this Plan, so far, appears to contain no proposals whatsoever for improving and extending public riding facilities, the only mention of equestrians being Policy ED6 placing conditions on recreational (including equestrian) uses in the countryside. Indeed, the Plan proposes to build housing developments on the sites of two equestrian centres, without providing any replacements for them. This compounds the loss of several other riding stables to housing developments in recent years. Moreover, the additional motor traffic which will be caused on the rural roads which are currently used by equestrians around Paddock Wood, Brenchley and Matfield and Pembury will mean there are even fewer places where people can safely ride.**

**In creating the new strategic settlements and in providing access improvements to the Green Belt designed to compensate for the loss of areas of Green Belt, the opportunity should have been taken to create a network of new public bridleways and horse riding routes. As at Trent Park in London, these should be linked to the provision of riding centres, or else access to the riding routes should be within safe and easy reach of an existing riding centre.**

**Wherever possible, new cycle routes should be dedicated as public bridleways, so that horse riders are able to use them as well as cyclists and walkers.** The proposed cycle route linking Sissinghurst, Cranbrook and Hartley to Bedgebury Forest would be a particularly useful route for horseriders as Bedgebury Forest is the only place in the Borough where there is anything approaching a network of bridleways. The new developments at Hawkenbury, particularly the new sports hub, should provide horse riding routes that link to the existing public bridleways nearby. In some London

Boroughs, horse riding routes have been created around the perimeter of playing fields and the same could have been done here, but it appears there is no intention to do so. **The proposed green infrastructure route along the old Hop Pickers' Railway Line should also be a route for horse riders**, like the Cuckoo Line and the Forest Way in East Sussex, both of which are old railway lines that are now non-motorised user routes, instead of just proposing it as a walking and cycling route.

## 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 for new riding stables with linked riding circuits as part of the new strategic developments.  
Prioritise the provision of new bridleways.

## 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 ensure that suitable new riding facilities will be provided as part of the new strategic developments under the Plan and to provide guidance as to how this might best be done.

## 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  | Lady Elizabeth Akenhead [REDACTED]                       |
| Email Address  | [REDACTED]   |
| Company / Organisation   | British Horse Society                                    |
| Address  | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>TN12 [REDACTED] |
| Event Name   | Pre-Submission Local Plan                                |
| Comment by   | British Horse Society ([REDACTED])<br>[REDACTED]         |
| Comment ID   | PSLP_1511  |
| Response Date  | 04/06/21 11:58   |
| Consultation Point   | Section 2: Setting the Scene ( <a href="#">View</a> )    |
| 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?   | Paragraph(s)   |
| Question 3a  |  |
| Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to. |  |
| Section 2: Setting the Scene   |  |
| Paragraph number: 2.39   |  |
| Question 4   |  |
| Do you consider that the Local Plan:   |  |

|                                     |            |
|-------------------------------------|------------|
| Is legally compliant                | Yes        |
| Is sound                            | Yes        |
| 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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Active travel should include horse riding, since the alternative to riding a horse to a venue is to transport it in a horsebox.

#### 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 this paragraph after walking, delete "and cycling" and insert "cycling and horse riding".

#### 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   | Lady Elizabeth Akenhead [REDACTED]                                    |
| Email Address   | [REDACTED]  |
| Company / Organisation  | British Horse Society   |
| Address   | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>TN12 [REDACTED]              |
| Event Name  | Pre-Submission Local Plan   |
| Comment by  | British Horse Society [REDACTED]<br>[REDACTED]                        |
| Comment ID  | PSLP_1514   |
| Response Date   | 04/06/21 11:58  |
| Consultation Point  | Policy STR 5 Infrastructure and Connectivity ( <a href="#">View</a> ) |
| 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   |   |
| <b>Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.</b> |   |
| Policy STR 5 Infrastructure and Connectivity  |   |
| Paragraph Number: 6.585   |   |
| 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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The Open Space, Sport and Recreation Study referred to completely fails to consider the facilities available to or the needs of equestrians

The Sport and Recreation section of the policy does not in fact meet the needs of all communities across the borough since it fails to consider the needs of, or make any provision for, equestrians, either within expanding existing communities or within the new communities to be created.

As the majority of horse riders are women and girls, this arguably fails to comply with the Equality duty.

Please see also our general comments.

#### 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 policies OSSR1 and OSSR2 referred to in this policy should be amended to include equestrian facilities, i.e. riding schools, livery stables, public bridleways, restricted byways and open spaces with equestrian 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)?** . Yes, I wish to participate in hearing session(s)

#### **Question 7a**

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

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

To discuss the Plan's failure to provide for equestrian sport and recreation

#### **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  | Lady Elizabeth Akenhead [REDACTED]                          |
| Email Address  | [REDACTED]  |
| Company / Organisation   | British Horse Society                                       |
| Address  | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>TN12 [REDACTED]    |
| Event Name   | Pre-Submission Local Plan                                   |
| Comment by   | British Horse Society [REDACTED]<br>[REDACTED]              |
| Comment ID   | PSLP_1516   |
| Response Date  | 04/06/21 11:58  |
| Consultation Point   | Policy STR 6 Transport and Parking ( <a href="#">View</a> ) |
| 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 STR 6 Transport and Parking   |   |
| Paragraph Number 4.99  |   |
| 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.**

The emphasis on active travel is supported.

However,

Para 4.99 and Policy a) Active travel, opening sentence: Horse riding should also be listed as active travel, since the alternative to riding a horse to a venue is to transport it in a horsebox.

Active travel 3: This paragraph as currently drafted discriminates against horse riders, the majority of whom are women and girls (and thus it may fail to comply with Equality legislation), since it implies that bridleways and byways will be enhanced for other types of user, without any enhancement being planned for horse riders. Indeed it is likely to lead to bridleways being tarmacked for the benefit of cyclists, without any compensatory improvement for horse riders. Specific mention of different types of non-motorised user and the different types of public rights of way is in any case unnecessary, since both are terms that include all types.

There should also be a commitment that where possible public rights of way will be upgraded to bridleway or restricted byway, in order to accommodate the maximum number of non-motorised users.

Please see also our general comments on the 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.**

Para 4.99 and Policy a) Active travel, opening sentence: Horse riding should also be listed as active travel, since the alternative to riding a horse to a venue is to transport it in a horsebox.

Active travel 3, revise to read:

“The provision of inter-settlement routes into the centres or into key destinations within settlements, including through enhancing routes such as public rights of way, for users of non-motorised transport. This will include links to destinations outside the borough, including Tonbridge. Where a non-motorised route is to be provided or upgraded, it will wherever possible be of bridleway or restricted byway status, or will include a margin for ridden horses, in order to accommodate the maximum number of non-motorised users.”

### 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 ensure that horse riders will not be discriminated against.

### 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  | Lady Elizabeth Akenhead [REDACTED]  |
| Email Address  | [REDACTED]  |
| Company / Organisation   | British Horse Society   |
| Address  | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>[REDACTED]   |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | British Horse Society [REDACTED]<br>[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 ( <a href="#">View</a> ) |
| 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

**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.**

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

**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 "potential" from requirement 5 in the policy.

Para 5.116, delete "explored" and insert "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:**

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  | Lady Elizabeth Akenhead [REDACTED]   |
| Email Address  | [REDACTED]   |
| Company / Organisation   | British Horse Society  |
| Address  | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>[REDACTED]  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | British Horse Society [REDACTED]<br>[REDACTED]   |
| Comment ID   | PSLP_1528  |
| Response Date  | 04/06/21 12:13   |
| Consultation Point   | Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel ( <a href="#">View</a> ) |
| 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 STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

Paragraph Numbers: 5.179 - 5.193

**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.

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 our general comment on the Plan.

Policy STR/SS1 fails to make any provision for new public bridleways or off-road horse riding routes, to compensate for the additional vehicular traffic from the new developments which will make the roads around Paddock Wood, on which horses are currently ridden in between the few and scattered bridleways, unsafe for horse riders. Without such provision, horse riding will effectively be killed off around Paddock Wood and people who want to ride will have to travel miles with motor vehicles to access riding routes.

In the policy

2d and 2j should provide for new horse riding routes;

9 should include horse riding linkages

15g should include new horse riding facilities.

Para 5.181 should include horse riding links

Para 5.182 should include new horse riding facilities (preferably a new riding centre linked to riding routes in the new Wetlands Park).

It is worth noting that wildlife is much less disturbed by horse riders than by pedestrians or cyclists, because the presence of the horse (a herbivore) masks that of the rider. Opening the Wetlands Park to horse riders would not only improve recreational facilities for the many people, predominantly women and children, who want to ride, but would enable an excellent means of birdwatching.

#### 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.**

Para 5.181 3rd sentence, after “walking” insert “horse riding”

Para 5.182 2nd sentence, after “centre” insert “and a new riding centre”. 3rd sentence, after “habitats” add “and providing new walking and horse riding routes”.

## **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  | Lady Elizabeth Akenhead [REDACTED]   |
| Email Address  | [REDACTED]   |
| Company / Organisation   | British Horse Society  |
| Address  | [REDACTED]<br>TONBRIDGE<br>[REDACTED]  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | British Horse Society [REDACTED]<br>[REDACTED]                               |
| Comment ID   | PSLP_1532  |
| Response Date  | 04/06/21 16:32   |
| Consultation Point   | Policy STR/SS 3 The Strategy for Tudeley Village<br>( <a href="#">View</a> ) |
| 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 STR/SS 3 The Strategy for Tudeley Village

Paragraph Numbers: 5.215 - 5.229

Map 32 on p160 of 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 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 main village centre proposed in this policy will remove a livery stables at Bank Farm without providing any replacement for it within Tunbridge Wells borough. This will leave those residents of the new development who wish to ride, together with existing livery clients, with nowhere to keep horses or ride.

Para 5.215 This will not be a sustainable, self-contained new settlement if it has no provision for riding stables and routes

Para 5.217 should include horse riding as well as walking and cycling

Para 5.223 (6) should include horse riding

Para 5.223 (7) may sound good but Tudeley will fail to provide the choices and chances for all to live a healthy life if facilities for horse riding, the means of exercise favoured by 4% of the population (mainly women and girls) are removed and not reprovided. It can be estimated that by the end of the Plan period the new settlement will include over 200 people who will want to ride. If no facilities are provided within walking or cycling distance, they will have to drive miles over rural lanes to do so (four car journeys per day for anyone keeping a horse at DIY livery).

Under Policy STR/SS1, 7a, horse riders are again treated as an underclass: whereas walking and cycling linkages are to be provided, there is no commitment to providing any bridleway linkages, as "how the development can enhance and connect to the existing bridleways network" is merely to be "considered". (It should be noted that in fact there is no existing bridleways network in the vicinity, just a permissive toll ride which is unlikely to survive in its present form; the nearest bridleways are a very short dead end bridleway on the far side of Five Oak Green and an equally short bridleway off Alders Road at Capel. Other, longer bridleways are a considerable distance away at Pembury.)

Under Policy STR/SS1, 12b, again, only cycle routes are considered. They should be routes for all non-motorised users.

Map 32 should show which routes are proposed as bridleways or restricted byways (for all non-motorised users). It should also designate an area for a new riding centre or livery stables to replace Bank Farm, linked into the proposed bridleway network.

## 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.**

Para 5.217 should include horse riding as well as walking and cycling

Para 5.223 (6) after “public transport”, delete “walking and cycling” and insert “and all non-motorised forms of transport”

Policy STR/SS1, 7a replace last sentence with “The development should provide a bridleway or restricted byway circular route or network connecting where possible to existing bridleways in Capel and neighbouring parishes”.

Policy STR/SS1, 12b delete “cycle routes and cycle corridors” and insert “routes for all non-motorised users”.

Map 32 should show which routes are proposed as bridleways or restricted byways (for all non-motorised users). It should also designate an area for a new riding centre or livery stables to replace Bank Farm, linked into the proposed bridleway network.

## Question 7

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

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

## Question 7a

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

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

As my attempts after the Reg 18 consultation to discuss this with the Borough Council and with the Hadlow Estate and its consultants have so far met with no response, I wish to discuss it at the EIP.

## Question 8

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

As far as horse riders are concerned, the scores for equality, health, services & facilities and travel should all be lower. The effect of horse riders having to travel by motorised means to DIY yards some miles away could also mean that the air quality score should be negative.

#### **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  | Lady Elizabeth Akenhead [REDACTED]  |
| Email Address  | [REDACTED]  |
| Company / Organisation   | British Horse Society   |
| Address  | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>[REDACTED]                                       |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | British Horse Society [REDACTED]<br>[REDACTED]  |
| Comment ID   | PSLP_1535   |
| Response Date  | 04/06/21 16:32  |
| Consultation Point   | Policy AL/PE 1 Land rear of High Street and west of Chalket Lane ( <a href="#">View</a> ) |
| Status   | Processed   |
| Submission Type  | Email   |
| Version  | 0.3   |
| Data inputter to enter their initials here                       | AT  |
| Question 1   |   |
| Respondent's Name and/or Organisation                            | 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/PE 1 Land rear of High Street and west of Chalket Lane

**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.

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.**

Requirements 4 and 5 of the policy should not merely be to "consider opportunities for" but to provide for these improved active travel facilities.

(An application has been made for a Definitive Map Modification Order which would have the effect of confirming the historic bridleway status of Chalket Lane WT240 (currently on the definitive map as a footpath which becomes a bridleway at the parish border) but it should not be necessary to await the outcome of this. If an agreement could be reached with the landowners to dedicate it, this would avoid a great deal of trouble. Alternatively, if the landowners are unwilling to dedicate and historic rights are not proved, the Council should be prepared to use its powers under S26 of the Highways Act 1980 to create a bridleway or restricted byway on grounds of need, since this is an important link between Pembury and the new recreation hub at Hawkenbury).

The east-west cycle route proposed in requirement 3 should also be made available for horse riders, by being dedicated as a bridleway or restricted byway. Here too the Council should be prepared to use its powers of bridleway or restricted byway creation.

#### Question 6

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

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

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Requirements 4 and 5 of the policy should not merely be to “consider opportunities for” but to provide for these improved active travel facilities, and the policy should make it clear that the Council will if necessary use its power to create a bridleway or restricted byway.

The east-west cycle route proposed in requirement 3 should be a bridleway or restricted byway and the Council should make clear its intention to use its powers of creation if necessary.

### Question 7

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

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

### Question 7a

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

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

To discuss means of achieving the active travel which needs to underpin this 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  | Lady Elizabeth Akenhead [REDACTED]  |
| Email Address  | [REDACTED]  |
| Company / Organisation   | British Horse Society   |
| Address  | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>[REDACTED]                                     |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | British Horse Society [REDACTED]<br>[REDACTED]  |
| Comment ID   | PSLP_1536   |
| Response Date  | 04/06/21 16:32  |
| Consultation Point   | Policy AL/PE 2 Land at Hubbles Farm and south of Hastings Road ( <a href="#">View</a> ) |
| 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/PE 2 Land at Hubbles Farm and south of Hastings 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.

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 east-west cycle route proposed in requirement 6 should also be made available for horse riders, by being dedicated or created as a bridleway or restricted byway.

Requirements 7 and 8 of the policy should not merely be to "consider opportunities for" but to provide for these improved active travel facilities.

(An application has been made for a Definitive Map Modification Order which would have the effect of confirming the historic bridleway status of Chalket Lane WT240 (currently on the definitive map as a footpath which becomes a bridleway at the parish border) but it should not be necessary to await the outcome of this. If an agreement could be reached with the landowners to dedicate it, this would avoid a great deal of trouble. Alternatively, if the landowners are unwilling to dedicate and historic rights are not proved, the Council should be prepared to use its powers under S26 of the Highways Act 1980 to create a bridleway or restricted byway on grounds of need, since this is an important link between Pembury and the new recreation hub at Hawkenbury).

#### 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.**

Requirements 7 and 8 of the policy should not merely be to “consider opportunities for” but to provide for these improved active travel facilities, and the policy should make it clear that the Council will if necessary use its power to create a bridleway or restricted byway.

The east-west cycle route proposed in requirement 6 should be a bridleway or restricted byway and the Council should make clear its intention to use its powers of creation if necessary.

#### Question 7

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

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

#### Question 7a

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

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

To discuss means of achieving the active travel which needs to underpin this 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  | Lady Elizabeth Akenhead [REDACTED]   |
| Email Address  | [REDACTED]   |
| Company / Organisation   | British Horse Society  |
| Address  | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>[REDACTED]  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | British Horse Society [REDACTED]<br>[REDACTED]   |
| Comment ID   | PSLP_1538  |
| Response Date  | 04/06/21 16:32   |
| Consultation Point   | Policy AL/PE 3 Land north of the A21, south and west of Hastings Road ( <a href="#">View</a> ) |
| 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/PE 3 Land north of the A21, south and west of Hastings Road

**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.**

Same issues re requirements 7, 8 and 9 as in our representations concerning AL/PE1 and AL/PE2

#### 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.**

Same modifications to requirements 7, 8 and 9 as in our representations on AL/PE1 and AL/PE2

#### Question 7

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

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

#### Question 7a

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

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

As with AL/PE1 and 2

#### **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  | Lady Elizabeth Akenhead [REDACTED]  |
| Email Address  | [REDACTED]  |
| Company / Organisation   | British Horse Society   |
| Address  | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>[REDACTED]                                 |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | British Horse Society [REDACTED]<br>[REDACTED]                                      |
| Comment ID   | PSLP_1543   |
| Response Date  | 04/06/21 16:32  |
| Consultation Point   | Policy AL/PE 4 Land at Downingbury Farm,<br>Maidstone Road ( <a href="#">View</a> ) |
| 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/PE 4 Land at Downingbury Farm, Maidstone Road  |   |
| 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.**

Church Road (which is closed to vehicular traffic further down) is the route horse riders use to access the bridleway bridge across the A228 which links Pembury Village and the bridleways and quiet lanes around Pembury Woods. It is also the route used to access the permissive ride in Marshleyharbour Woods for members of the BHS-affiliated Matfield and District Riders Association. The additional vehicular traffic which would be associated with the access to this development site along Church Road would make the road less safe for horse riders (who may be children) and hence would have a damaging effect on the opportunities there are now to hack out around Pembury. The British Horse Society therefore **objects** to this allocation, unless its access can be redirected to come directly off the Maidstone road.

#### Question 6

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

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 or redirect its access to come directly from the Maidstone Road instead of via Church Road.

#### 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 ensure that horseriders' interests are not compromised by this development

#### Question 8

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

The scores for health, equality and travel should be reduced because of the proposal's impact on the safety of horseriders' exercise and travel. If they no longer feel safe to access the bridleways and Marshleyharbour Woods on horseback they will have to travel by car or horsebox to much more distant facilities.

#### 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  | Lady Elizabeth Akenhead [REDACTED]                         |
| Email Address  | [REDACTED]   |
| Company / Organisation   | British Horse Society                                      |
| Address  | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>TN12 [REDACTED]   |
| Event Name   | Pre-Submission Local Plan                                  |
| Comment by   | British Horse Society [REDACTED]<br>[REDACTED]             |
| Comment ID   | PSLP_1518  |
| Response Date  | 04/06/21 11:58   |
| Consultation Point   | Policy ED 4 Rural Diversification ( <a href="#">View</a> ) |
| 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 ED 4 Rural Diversification

Question 4

Do you consider that the Local Plan:

|                                     |            |
|-------------------------------------|------------|
| Is legally compliant                | Don't know |
| Is sound                            | Yes        |
| 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.**

The small fields of the High Weald with their hedgerows that provide shelter are well suited to grazing by horses. Horses also provide a market for the hay and haylage from hay meadows, and do not require nitrogen-improved pasture. This makes equestrian uses a useful form of farm diversification which, if properly managed as proposed in this policy, can enhance the landscape and biodiversity as well as providing an additional source of farm income.

#### 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)?**

#### Future Notifications

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

## Comment

|  |  |
|--|--|
| Consultee  | Lady Elizabeth Akenhead [REDACTED]   |
| Email Address  | [REDACTED]   |
| Company / Organisation   | British Horse Society  |
| Address  | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>TN12 [REDACTED]   |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | British Horse Society [REDACTED]<br>[REDACTED]   |
| Comment ID   | PSLP_1519  |
| Response Date  | 04/06/21 11:58   |
| Consultation Point   | Policy ED 5 Conversion of Rural Buildings outside the Limits to Built Development ( <a href="#">View</a> ) |
| 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 ED 5 Conversion of Rural Buildings outside the Limits to Built Development

**Question 4**

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

|                                     |            |
|-------------------------------------|------------|
| Is legally compliant                | Don't know |
| Is sound                            | Yes        |
| 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.**

There are only four licensed riding establishments left in the borough (none of them close to Paddock Wood or Tudeley) and many livery yards or private stables have also been converted to housing in recent years. This is leading to a lack of equestrian facilities which will be exacerbated when the new housing is built, since 4% of the new population is likely to want to ride and moreover the livery stables at Bank Farm, Tudeley are to be redeveloped as part of the strategic site. This makes it all the more important to retain existing riding establishments, livery yards and stables wherever possible, and to ensure that where agricultural buildings become redundant they can be considered for equestrian uses rather than converted to housing.

The British Horse Society therefore supports this policy, but recommends that under criterion 1 of the policy, after "farming", "equestrian uses" should be added.

#### 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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Under criterion 1 of the policy, after "farming", "equestrian uses" should be added.

#### 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)?**

#### **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  | Lady Elizabeth Akenhead [REDACTED]  |
| Email Address  | [REDACTED]  |
| Company / Organisation   | British Horse Society   |
| Address  | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>TN12 [REDACTED]  |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | British Horse Society [REDACTED]<br>[REDACTED]  |
| Comment ID   | PSLP_1522   |
| Response Date  | 04/06/21 11:58  |
| Consultation Point   | Policy ED 6 Commercial and Private Recreational (including equestrian) Uses in the Countryside ( <a href="#">View</a> ) |
| 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 ED 6 Commercial and Private Recreational (including equestrian) Uses in the Countryside  
Paragraph Numbers: 6.489 - 6.497

**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.

*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.**

While we generally support this policy, we question paragraph 6.492 and the final paragraph of the policy insofar as they concern equestrian premises. As many women and children have to fit their horse riding (often the only form of exercise they take, see our general comment) around their work or school commitments, in Winter outdoor lighting can be essential for sand schools. However, it should be possible to provide for carefully designed and time-limited lighting schemes.

If this wording remains unaltered it will produce a situation where fast food restaurants are allowed to have outdoor lighting in the AONB, and on Kent Police's advice new residential streets in otherwise unlit villages are required to have street lights, but facilities allowing women, children and horses to take their necessary exercise will be prevented from operating in the AONB on Winter evenings. This is hardly likely to improve residents' or animal health.

#### **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 para 6.492 amend 2nd sentence to "External lighting will be very strictly controlled in dark sky areas..."

Amend last sentence of policy likewise.

#### 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 explain the lighting needs for equestrian premises

#### 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  | Lady Elizabeth Akenhead [REDACTED]   |
| Email Address  | [REDACTED]   |
| Company / Organisation   | British Horse Society  |
| Address  | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>TN12 [REDACTED]                   |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | British Horse Society [REDACTED]<br>[REDACTED]                             |
| Comment ID   | PSLP_1523  |
| Response Date  | 04/06/21 12:13   |
| Consultation Point   | Policy TP 2 Transport Design and Accessibility<br>( <a href="#">View</a> ) |
| 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 TP 2 Transport Design and Accessibility                             |
| Question 4   |  |
| Do you consider that the Local Plan:   |  |

|                                     |            |
|-------------------------------------|------------|
| Is legally compliant                | Don't know |
| Is sound                            | Yes        |
| 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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We support paragraph 4 of this policy and trust that every effort will be made to improve the connectivity of public bridleways in the borough, which is currently extremely poor.

#### 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) |
|--|---|

#### 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   | Lady Elizabeth Akenhead [REDACTED]                             |
| Email Address   | [REDACTED]   |
| Company / Organisation  | British Horse Society  |
| Address   | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>TN12 [REDACTED]       |
| Event Name  | Pre-Submission Local Plan                                      |
| Comment by  | British Horse Society [REDACTED]<br>[REDACTED]                 |
| Comment ID  | PSLP_1524  |
| Response Date   | 04/06/21 12:13   |
| Consultation Point  | Policy TP 5 Safeguarding Railway Land ( <a href="#">View</a> ) |
| 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   |  |
| <b>Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.</b> |  |
| Policy TP 5 Safeguarding Railway Land<br>Paragraph Numbers: 6.573 and 6.574   |  |
| 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.**

The British Horse Society supports the safeguarding of the former Paddock Wood to Hawkhurst Hop Pickers Line. However, instead of being developed only as a walking and cycling route, the Hop Pickers Line should be developed as a public bridleway or as a linear country park with access permitted for horse riders, like the Cuckoo Trail and the Forest Way in East Sussex. By providing a safe and largely off-road route from Paddock Wood to Horsmonden, Goudhurst and Bedgebury forest (which is the only part of the borough where there is anything resembling a network of bridleways) it would enormously enhance the routes available for horse riders.

While negotiation with landowners should be the first option, if landowners refuse to co-operate the Council should be prepared to use its compulsory powers to create public bridleways, instead of accepting that a whole route plan may at present seem unlikely. The Council's apparent acceptance that landowners have an effective veto is in stark contrast with the Council's willingness to use its compulsory powers to create new roads, and suggests that its commitment to active travel is not genuine.

#### 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.**

6.573 5th sentence, after "walking" insert "horse riding"

6.574 1st sentence, revise to read:

“Where sections of the former route are no longer available to provide a trail for walking, cycling and horse riding, suitable alternatives may need to be found, and these will be provided through negotiation with landowners or by use of the Council’s compulsory powers as necessary”

#### 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 to ensure that horse riders will not be excluded from the route, and to discuss the compulsory powers that could be used.

#### Question 8

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

If the Council were to accept the amendments suggested above, the scores for air, equality, health and heritage would all improve.

#### 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   | Lady Elizabeth Akenhead [REDACTED]                             |
| Email Address   | [REDACTED]   |
| Company / Organisation  | British Horse Society  |
| Address   | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>TN12 [REDACTED]       |
| Event Name  | Pre-Submission Local Plan                                      |
| Comment by  | British Horse Society [REDACTED]<br>[REDACTED]                 |
| Comment ID  | PSLP_1525  |
| Response Date   | 04/06/21 12:13   |
| Consultation Point  | Policy OSSR 1 Retention of Open Space ( <a href="#">View</a> ) |
| 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   |  |
| <b>Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.</b> |  |
| Policy OSSR 1 Retention of Open Space   |  |
| Paragraph Numbers: 6.584 - 6.588  |  |
| 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.**

The Open Space, Sport and Recreation Study on which this policy and its supporting text are based completely fails to consider equestrian sport and recreation. 4% of the population rides, and the participants are mainly women and schoolchildren (please see our general comment on the Plan). Arguably, this approach to recreation fails to comply with the Equality duty.

The policy could be supported if the policies maps were amended to include licensed riding establishments and livery stables.

Given that only 4 licensed riding establishments now remain in the borough, their preservation is extremely important so that those who wish to can learn to ride and to care for equines. It is also important if this sport and recreation is not to be restricted to those wealthy enough to own and keep a horse or pony.

#### 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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Amend the policies maps to include licensed riding establishments and livery stables, in order to ensure that equestrian sport and recreation facilities are properly identified and covered by this policy.

Please see reasoning at Q3

### 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:**

This will only be necessary if TWBC is unwilling to accept the modification

### 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  | Lady Elizabeth Akenhead [REDACTED]  |
| Email Address  | [REDACTED]  |
| Company / Organisation   | British Horse Society   |
| Address  | [REDACTED]<br>[REDACTED]<br>TONBRIDGE<br>[REDACTED]   |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | British Horse Society [REDACTED]<br>[REDACTED]  |
| Comment ID   | PSLP_1527   |
| Response Date  | 04/06/21 12:13  |
| Consultation Point   | Policy OSSR 2 The Provision of Publicly Accessible Open Space and Recreation ( <a href="#">View</a> ) |
| 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 OSSR 2 The Provision of Publicly Accessible Open Space and Recreation

Paragraph Numbers: 6.589 - 6.595

**Question 4**

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

**Is legally compliant**

Don't know

**Is sound**

Yes

**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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The British Horse Society supports the policy and its supporting text, but asks the Council to note that the proposed Open Space and Recreation SPD should include requirements for publicly accessible open space that is available to equestrians, especially in relation to the areas of major new housing 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)?** . 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 obtain a commitment from the Council to ensure that major new public open spaces will include equestrian access.

#### **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 Steven Davies [REDACTED]   |
| Email Address                                 | [REDACTED]  |
| Company / Organisation                        | Hobbs Parker Property Consultants Ltd   |
| Address                                       | Romney House<br>Monument Way<br>ASHFORD<br>TN24 0HB   |
| Consultee                                     | Telereal Trillium [REDACTED]  |
| Company / Organisation                        | British Telecom Plc & Telereal Trillium   |
| Address                                       | -<br>-<br>-   |
| Event Name                                    | Pre-Submission Local Plan   |
| Comment by                                    | British Telecom Plc & Telereal Trillium [REDACTED]<br>[REDACTED]  |
| Comment ID                                    | PSLP_1037   |
| Response Date                                 | 02/06/21 14:47  |
| Consultation Point                            | Policy AL/RTW 12 Land at Tunbridge Wells<br>Telephone Engineering Centre, Broadwater Down<br>( <a href="#">View</a> ) |
| Status  | Processed   |
| Submission Type                               | Email   |
| Version                                       | 0.2   |
| Data inputter to enter their initials here    | HB  |
| Question 1                                    |   |
| Respondent's Name and/or Organisation         | 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

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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  | Neil Brooks-Johnson [REDACTED]   |
| Email Address  | [REDACTED]   |
| Address  | [REDACTED]<br>Hadlow<br>[REDACTED]   |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Neil Brooks-Johnson [REDACTED]   |
| Comment ID   | PSLP_85  |
| Response Date  | 05/05/21 16:57   |
| Consultation Point   | Policy STR/SS 3 The Strategy for Tudeley Village<br>( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Web  |
| Version  | 0.2  |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Neil Brooks-Johnson  |
| Question 3   |  |
| To which part of the Local Plan does this representation relate?   | Policy   |
| Question 3a  |  |
| Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to. |  |
| Policy STR/SS 3 The Strategy for Tudeley Village   |  |
| 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 justified

#### Question 5

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The proposal contains many what if/maybe type statements regarding transport infrastructure which is key to any substantial build. This is certainly unsound and when tested verbally the designers indicated it was not their problem as was outside their remit.

Any co-operation by TWBC can only be described as cursory in that consultation was sought but any representation from both local people and adjacent councils was disregarded as it was not what the council or landowner sought. We have asked but failed to listen is not cooperation.

TWBC does have to build more houses, however it is clear that their best option is to build houses where they have the least impact on Tunbridge Wells. The proposed developments at Paddock Wood and Tudeley will have a minor impact on TW yet surrounding towns and villages controlled by Maidstone BC ( who are also seeking to build at Beltring) and TMBC will have to improve their infrastructure to cope with the increase in the surrounding population without the benefit of the additional rates.

We are all aware that no one likes new building, especially nearby, so a proposal to build the majority of new houses in a borough where there is little representation will be passed because the councillors in the rest of the more populous areas will obviously be able to tell their constituents that they stopped new build in their area. Clearly not development for the correct reason.

Looking at transport links more closely, a new railway station is unlikely. The majority of commuters to London will seek to go to Tonbridge which has more trains and is cheaper than Paddock Wood, indeed the doubling of the size of Paddock Wood will also increase commuting from Tonbridge as many from PW already use Tonbridge. Parking is already limited and trains in normal times are often overcrowded.

The population increase will increase road traffic along Tudeley Lane which often already sees queues backing up as far as the Tumeric Gold, about a mile, junction and roundabout improvements may make a small difference initially, but really with the potential a dual carriageway is the only option.

A cycle path to Tonbridge has been offered to mitigate traffic. Please can we be serious. In the winter how many commuters will take the option of cycling in the dark, cold & wet the two miles to the station? Not a large percentage. Apparently, driverless electric transport may also be offered as technology improves . We need facts not supposition.

The other access to the proposed development is Hartlake Road which is already a rat-run avoiding Tonbridge High Street. The designers verbally admitted that they had disregarded any impact this will have, but the reality is that with the number of new build properties in Tudeley, Five Oak Green and Paddock Wood the impact on traffic will flow all the way to Hadlow and its already congested square where Court Lane joins the A26 at the start of the rat-run.

The roads in the area will become death traps for cyclists in the same way the small lanes around Bromley and Biggin Hill are swamped with urban traffic when only designed for country life.

The proposal is on the opposite side of the road to an AONB, which is there to protect landscape, environment and wildlife. Even if built to the same high standards as Poundsbury the Garden Village will create a scar on the side of the valley visible from a considerable distance, whilst views are nice to have and we can accept that they change and have to put up with some development this clearly has an impact over a much greater area.

The wildlife will be hemmed in at the top of the valley sides and even with corridors through the new development(s) it will have to run the gauntlet of a much busier road. A major new development on the edge of an existing AONB is hardly protecting it.

Flooding has always been an issue in this part of the Medway Valley whether at Tonbridge, East Peckham or further down at Yalding. These new developments whilst unlikely to flood in themselves will create substantial runoff, speeding water flows and making flooding more likely. The proposal suggest that satisfactory mitigation will be put in place, but can it be sufficient to protect the other locations already susceptible to flooding?

One of the reasons put forward by the landowner is the average quality of the land. The reality is that the land is more than good enough to grow top fruit and soft fruit. Products which are in heavy demand by the supermarkets ( they cannot get enough UK apples) yet the landowner seems reluctant to invest in agriculture preferring to turn vast swathes of his land to gravel extraction or solar power and now a big chunk over to housing. We should be investing in agriculture not destroying it as the UK population increases.

We do need development, but it should be in the right location. Approval of this proposal risks creating a mega-conurbation running from Paddock Wood, Beltring, East Peckham, Five Oak Green, Tudeley and finally to Tonbridge destroying this part of the Medway valley for ever. The addition disruption to the local economy, wildlife and infrastructure does not merit destruction on this scale in this location. Other sites with better infrastructure already exist ( e.g. Castle Hill) and should be explored properly rather than allowing this site which is a landowners vision aided by a council who are happy to take an easier option if someone else foots the bill.

As said earlier impact on services of a development of this size will affect the neighbouring town of Tonbridge especially health, transport, parking, leisure facilities and impact upon Tunbridge Wells will be negligible although benefitting from the increased rates. Tudeley whilst being in TWBC is aligned almost entirely to the nearby local town ,Tonbridge. Mention is made of facilities that will be included in the development, but one expects that this will largely be after the event and not before pushing the existing facilities in Tonbridge to breaking point or worse.

The costs of building new bridges over the railway may also prove prohibitive leading to only half of the village ever being constructed, ensuring that the promised facilities are never provided because the developers cannot than afford to do so.

## 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 continues to espouse the ability to build a new railway station, yet the rail authorities have said on numerous occasions that it would simply not be a viable option as its location is only 2 miles from Tonbridge and trains would not be able to start and stop efficiently in that distance.

Clearly TWBC would be keen to proceed as it involves just one landowner, keeping it simple, and who has spent much of his own money developing the proposals this saving the council from spending themselves.

The entire vision for Tudeley Garden Village is based on unsound principles, destroying so much more than a few fields because of its location and no mitigation will restore the damage done for future generations to enjoy.

Please start again and look where there already are good communication and transport links and at that stage put plans forward to build a similar development, after all Poundbury is an urban extension to Dorchester, utilising and enhancing existing links rather than creating new and destroying the environment in the process.

#### 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:**

No thank you

#### 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 Peter Brudenall [REDACTED]  |
| Email Address   | [REDACTED]   |
| Address   | [REDACTED]<br>[REDACTED]<br>Hawkhurst<br>[REDACTED]                            |
| Event Name  | Pre-Submission Local Plan  |
| Comment by  | Mr Peter Brudenal [REDACTED]   |
| Comment ID  | PSLP_1799  |
| Response Date   | 03/06/21 14:15   |
| Consultation Point  | Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook ( <a href="#">View</a> ) |
| Status  | Processed  |
| Submission Type   | Email  |
| Version   | 0.3  |
| Data inputter to enter their initials here  | KJ   |
| Question 1  |  |
| Respondent's Name and/or Organisation   | Peter Brudenall  |
| Question 3  |  |
| To which part of the Local Plan does this representation relate?  | Policy   |
| Question 3a   |  |
| <b>Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.</b> |  |
| Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook   |  |
| 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
- . It is not consistent with national policy

#### Question 5

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Improvements have been made to the Local Plan, for example, the removal of any development to the Hawkhurst Golf Course is to be very much welcomed given the catastrophic effect that development would have on the village and the AONB.

However, Hawkhurst and the surrounding area is still subject to significant development and in my view this should be reduced even further. Hawkhurst (and surrounding areas) lack basic infrastructure to allow it to cope with a significant number of additional houses, and the associated traffic. Lack of schools, doctors, dentists, parking etc must be taken into account when considering development of more than 5-10 houses. Priority must also be given to the AONB and the fact that Hawkhurst is a village, not a town. A cumulative assessment should be undertaken to assess the impact of all developments on existing road networks and local infrastructure.

There is no suitable proposal as yet to solve the issue of the Hawkhurst crossroads, and levels of pollution along the High Street are already at alarming levels. There is also a major issue relating to the need to deal with major sewage problems due to the infrastructure needing significant repair or replacement.

Development in Hawkhurst should therefore be severely limited to smaller numbers of housing, and current allocation numbers should be further reduced until such time as the infrastructure has "caught up" to cope adequately with the existing population.

Accordingly, the housing numbers for HA1, the allocation for HA4 and those in Cranbrook (CRS1 and CRS4) cannot be justified given that no assessment has yet been made of the cumulative impact of allocations on existing infrastructure, and the Flimwell Junction and the Hawkhurst crossroads.

In my view, HA1, HA3 and CRS1 and CRS4 are not consistent with national policy as they don't focus development in sustainable locations and will not limit the need to rely on private car trips (as per NPPF para 103 and 104).

#### Question 6

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- 1 Removal of HA4 (Copthall allocation).
- 2 Modification of HA1 to reflect reduced overall housing numbers in Hawkhurst as a result of removal of HA4 (Copthall allocation).
- 3 Removal of CRS3 (Cranbrook Turnden Site).
- 4 Modification of CRS1 to reflect a reduction in overall housing numbers in Cranbrook.
- 5 Modification of HA2 and HA3 to incorporate wording from existing Local Plan Policy AL/HA1 to ensure the Area of Landscape Importance is retained and reinforced as part of any new proposal for planning permission.
- 6 Modification of HA1 to make it clearer that development outside the Limits of Built Development will not be permitted (unless in exceptions identified elsewhere in the Plan).

#### Question 7

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## Comment

|  |   |
|--|---|
| Consultee  | Mr Peter Brudenall [REDACTED]   |
| Email Address  | [REDACTED]  |
| Address  | [REDACTED]<br>[REDACTED]<br>Hawkhurst<br>[REDACTED]                           |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Mr Peter Brudenall [REDACTED]   |
| Comment ID   | PSLP_1798   |
| Response Date  | 03/06/21 14:15  |
| Consultation Point   | Policy STR/HA 1 The Strategy for Hawkhurst parish<br>( <a href="#">View</a> ) |
| Status   | Processed   |
| Submission Type  | Email   |
| Version  | 0.6   |
| Data inputter to enter their initials here   | KJ  |
| Question 1   |   |
| Respondent's Name and/or Organisation  | Peter Brudenall   |
| 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/HA 1 The Strategy for Hawkhurst parish  |   |
| Question 4   |   |
| Do you consider that the Local Plan:   |   |
| Is legally compliant   | Don't know  |



Is sound

No

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

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

#### Question 5

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## Comment

|  |  |
|--|--|
| Consultee  | Mr Peter Brudenall [REDACTED]  |
| Email Address  | [REDACTED]   |
| Address  | [REDACTED]<br>[REDACTED]<br>Hawkhurst<br>[REDACTED]                            |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Mr Peter Brudenall [REDACTED]  |
| Comment ID   | PSLP_1794  |
| Response Date  | 03/06/21 14:15   |
| Consultation Point   | Policy AL/HA 1 Land at the White House, Highgate Hill ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.3  |
| Data inputter to enter their initials here   | KJ   |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Peter Brudenall  |
| 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/HA 1 Land at the White House, Highgate Hill  |  |
| 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
- . It is not consistent with national policy

#### Question 5

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However, Hawkhurst and the surrounding area is still subject to significant development and in my view this should be reduced even further. Hawkhurst (and surrounding areas) lack basic infrastructure to allow it to cope with a significant number of additional houses, and the associated traffic. Lack of schools, doctors, dentists, parking etc must be taken into account when considering development of more than 5-10 houses. Priority must also be given to the AONB and the fact that Hawkhurst is a village, not a town. A cumulative assessment should be undertaken to assess the impact of all developments on existing road networks and local infrastructure.

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In my view, HA1, HA3 and CRS1 and CRS4 are not consistent with national policy as they don't focus development in sustainable locations and will not limit the need to rely on private car trips (as per NPPF para 103 and 104).

#### Question 6

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- 1 Removal of HA4 (Copthall allocation).
- 2 Modification of HA1 to reflect reduced overall housing numbers in Hawkhurst as a result of removal of HA4 (Copthall allocation).
- 3 Removal of CRS3 (Cranbrook Turnden Site).
- 4 Modification of CRS1 to reflect a reduction in overall housing numbers in Cranbrook.
- 5 Modification of HA2 and HA3 to incorporate wording from existing Local Plan Policy AL/HA1 to ensure the Area of Landscape Importance is retained and reinforced as part of any new proposal for planning permission.
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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  | Mr Peter Brudenall [REDACTED]                                       |
| Email Address  | [REDACTED]  |
| Address  | [REDACTED]<br>[REDACTED]<br>Hawkhurst<br>[REDACTED]                 |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Mr Peter Brudenall [REDACTED]                                       |
| Comment ID   | PSLP_1795   |
| Response Date  | 03/06/21 14:15  |
| Consultation Point   | Policy AL/HA 2 Brook House, Cranbrook Road ( <a href="#">View</a> ) |
| Status   | Processed   |
| Submission Type  | Email   |
| Version  | 0.3   |
| Data inputter to enter their initials here   | KJ  |
| Question 1   |   |
| Respondent's Name and/or Organisation  | Peter Brudenall   |
| 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/HA 2 Brook House, Cranbrook 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
- . It is not consistent with national policy

#### Question 5

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## Comment

|  |   |
|--|---|
| Consultee  | Mr Peter Brudenall [REDACTED]   |
| Email Address  | [REDACTED]  |
| Address  | [REDACTED]<br>[REDACTED]<br>Hawkhurst<br>[REDACTED]   |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Mr Peter Brudenall [REDACTED]   |
| Comment ID   | PSLP_1796   |
| Response Date  | 03/06/21 14:15  |
| Consultation Point   | Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst ( <a href="#">View</a> ) |
| Status   | Processed   |
| Submission Type  | Email   |
| Version  | 0.3   |
| Data inputter to enter their initials here   | KJ  |
| Question 1   |   |
| Respondent's Name and/or Organisation  | Peter Brudenall   |
| 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/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst   |   |
| 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
- . It is not consistent with national policy

#### Question 5

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## Comment

|   |  |
|---|--|
| Consultee   | Mr Peter Brudenall [REDACTED]  |
| Email Address   | [REDACTED]   |
| Address   | [REDACTED]<br>[REDACTED]<br>Hawkhurst<br>[REDACTED]                                |
| Event Name  | Pre-Submission Local Plan  |
| Comment by  | Mr Peter Brudenall [REDACTED]  |
| Comment ID  | PSLP_1797  |
| Response Date   | 03/06/21 14:15   |
| Consultation Point  | Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill ( <a href="#">View</a> ) |
| Status  | Processed  |
| Submission Type   | Email  |
| Version   | 0.3  |
| Data inputter to enter their initials here  | KJ   |
| Question 1  |  |
| Respondent's Name and/or Organisation   | Peter Brudenall  |
| Question 3  |  |
| To which part of the Local Plan does this representation relate?  | Policy   |
| Question 3a   |  |
| <b>Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.</b> |  |
| Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill   |  |
| Question 4  |  |
| Do you consider that the Local Plan:  |  |
| Is legally compliant  | Don't know   |

Is sound

No

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

- . It is not justified
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#### Question 5

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## Comment

|  |  |
|--|--|
| Consultee  | Miss Tegan Bryant ( [REDACTED] )   |
| Email Address  | [REDACTED]   |
| Address  | [REDACTED]<br>[REDACTED]<br>Paddock Wood<br>TN12 [REDACTED]  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Miss Tegan Bryant ( [REDACTED] )   |
| Comment ID   | PSLP_2058  |
| Response Date  | 04/06/21 16:05   |
| Consultation Point   | Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.3  |
| Data inputter to enter their initials here   | KJ   |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Tegan Bryant   |
| Question 3   |  |
| To which part of the Local Plan does this representation relate?   | Policy   |
| Question 3a  |  |
| Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to. |  |
| Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel  |  |
| 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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The Local Plan is unsound due to the fact that it is not consistent with national policy. Paragraph no. 5.183 talks about the release of Green Belt land in Paddock Wood. This is not consistent with the 2018 '25 Year Environment Plan' which states 'About 12% of land in the United Kingdom is designated as Green Belt land, and we remain committed to protecting it. The Green Belt plays an important role in preventing urban sprawl through the planning process'.

If the Local Plan goes ahead my house and my neighbours' Grade II listed houses will be surrounded by the new developments, essentially ruining the outlook over historic farmland.

#### Question 6

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Do not release the Green Belt land.

Do not build as many houses, especially ones that will not be affordable to first time buyers.

#### Question 7

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## Comment

|  |   |
|--|---|
| Consultee  | Miss Tegan Bryant ( [REDACTED] )  |
| Email Address  | [REDACTED]  |
| Address  | [REDACTED]<br>[REDACTED]<br>Paddock Wood<br>TN12 [REDACTED]               |
| Event Name   | Pre-Submission Local Plan   |
| Comment by   | Miss Tegan Bryant ( [REDACTED] )  |
| Comment ID   | PSLP_2059   |
| Response Date  | 04/06/21 16:05  |
| Consultation Point   | Policy STR/PW 1 The Strategy for Paddock Wood<br>( <a href="#">View</a> ) |
| Status   | Processed   |
| Submission Type  | Email   |
| Version  | 0.3   |
| Data inputter to enter their initials here   | KJ  |
| Question 1   |   |
| Respondent's Name and/or Organisation  | Tegan Bryant  |
| Question 3   |   |
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| Policy STR/PW 1 The Strategy for Paddock Wood  |   |
| 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 |

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## Comment

|  |  |
|--|--|
| Consultee  | Peter & Veronica Bryant [REDACTED]   |
| Email Address  | [REDACTED]   |
| Address  | [REDACTED]<br>Tonbridge<br>[REDACTED]  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Peter & Veronica Bryant [REDACTED]   |
| Comment ID   | PSLP_1431  |
| Response Date  | 03/06/21 21:17   |
| Consultation Point   | Policy STR/SS 2 The Strategy for Paddock Wood Town Centre ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.3  |
| Data inputter to enter their initials here                       | KH   |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Peter & Ronnie Bryant  |
| Question 3   |  |
| To which part of the Local Plan does this representation relate? | Policy   |
| Question 3a  |  |

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

Policy STR/SS 2 The Strategy for Paddock Wood Town 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

**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.**

Please accept this letter as my response to the consultation by TWBC on the Pre-Submission Local Plan.

Following my previous letter of October 2019 in response to the Local Plan I wish to make further concerns as follows:

The impact of the road network between Paddock Wood and Tonbridge would be considerable as traffic is already heavy especially at high peak times. The closure of Hartlake Road would also contribute to additional build up and congestion in the Tonbridge area.

Tonbridge Station already accommodates huge numbers of commuters and is used for large number of school children. Additional housing would inevitably increase usage of this station. Car parking in Tonbridge is limited to the numbers of cars wishing to use local facilities, an increase of cars wishing to park for commuter purposes would only cause further parking problems.

Flooding continues to be of great concern for the low-lying villages as green fields are used for housing.

To use these green fields for housing and destroying the lovely countryside is in my view an act of vandalism by TWBC.

I wish you to reconsider this 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)?**

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 Colin Buchanan [REDACTED]   |
| Email Address  | [REDACTED]   |
| Address  | -<br>-<br>-  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Dr Colin Buchanan [REDACTED]   |
| Comment ID   | PSLP_1392  |
| Response Date  | 04/06/21 07:18   |
| Consultation Point   | Policy STR/SS 2 The Strategy for Paddock Wood Town Centre ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.3  |
| Data inputter to enter their initials here                       | KH   |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Dr Colin Buchanan  |
| Question 3   |  |
| To which part of the Local Plan does this representation relate? | Policy   |
| Question 3a  |  |

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

Policy STR/SS 2 The Strategy for Paddock Wood Town 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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I write to express my dismay and disgust that you should even consider closing this road to through traffic. For more than 25 years this has been my regular route from East Peckham through to Tonbridge in the morning (variably 7.30 to 9.30 AM), en route to the station. I have not noticed any obvious increase in traffic over that period. It is a delightful uncongested route through the beautiful local countryside, avoiding the congested alternative via the busy East Peckham bypass and through Whetsted and Five Oak Green, through the school traffic and roadside parked cars. The alternative would be to enter Tonbridge from the Hadlow Road and join a trail of cars backing up from the traffic lights. These experiences relate to the occasional temporary closure of Hartlake Road because of surface floodwater in the winter.

The only people who will benefit from the Road closure will be the very few who live at either end of the road, and even then they may have to make unnecessary detour for their planned journey depending on which direction they would be travelling.

I wish also to express my anger that this proposal has not been made widely known to the public who may use the road, having only learnt yesterday of this proposal from a friend. The loss of such a longstanding public thoroughfare should be prevented in the public interest.

### 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  | Warren Buck [REDACTED]                                     |
| Email Address  | [REDACTED]   |
| Address  | -<br>-<br>-  |
| Event Name   | Pre-Submission Local Plan                                  |
| Comment by   | Warren Buck [REDACTED]                                     |
| Comment ID   | PSLP_959   |
| Response Date  | 02/06/21 10:08   |
| Consultation Point   | Policy H 9 Gypsies and Travellers ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.4  |
| Data inputter to enter their initials here   | KH   |
| Question 1   |  |
| Respondent's Name and/or Organisation  | Warren Buck  |
| 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 H 9 Gypsies and Travellers  |  |
| 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

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

I have concern about the proposed plan to create the permanent dwellings in Greenfields farm.

The prospect of the additional dwellings for Gypsy and Traveller community is not one that a local resident would want for a number of reasons. The lanes and roads around our area are already too busy and noisy with the volume of trucks and lorries that use them on a daily basis, and the additional volume of traffic that these new dwellings will bring is not acceptable or appropriate to the roads that will serve it.

Additionally, unfortunately the reputation is of record that the Gypsy/traveller community is not one that you would want to become a permanent fixture in your neighbourhood. Everyone is entitled to live as they wish and if a nomadic lifestyle is your choice, then no problem. There will likely be additional noise, traffic pollution and a fear of a rise in anti-social behaviour .

#### 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.**

Do not allow it to take place ... the local residents are not happy about this and the associated impact it will bring

#### 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)

## 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 ( <a href="#">View</a> ) |
| 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

**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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**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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#### 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  | 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 ( <a href="#">View</a> ) |
| 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
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Therefore:

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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:*

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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.<sup>2</sup> *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.<sup>7</sup> *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          | Nick Burbidge [REDACTED]   |
| Email Address      | [REDACTED]   |
| Address            |  |
| Event Name         | Pre-Submission Local Plan  |
| Comment by         | Nick Burbidge [REDACTED]   |
| Comment ID         | PSLP_1255  |
| Response Date      | 04/06/21 12:11   |
| Consultation Point | Table 4 Distribution of housing allocations ( <a href="#">View</a> ) |
| Status             | Processed  |
| Submission Type    | Web  |
| Version            | 0.2  |

### Question 1

|                                       |               |
|---------------------------------------|---------------|
| Respondent's Name and/or Organisation | Nick Burbidge |
|---------------------------------------|---------------|

### 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.

4.52, 4.95

### 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.**

Referring specifically to the proposed development of Tudeley, inspite of overwhelming rejection of the plan at Consultation stage the proposed number of houses has increased dramatically (from 440 to 2,800). Most of this development is on a flood plain and entirely against green belt principles - in fact creating urban sprawl by linking Paddock Wood to Tonbridge, as well as increasing traffic pollution. There has been a total lack of transparency and scrutiny and it doesn't seem as if due process has been followed. There hasn't been proven pursuit of Brownfield alternatives.

I believe the proposal is fundamentally unsound as the suggested infrastructure is woefully inadequate and doesn't address the fundamental issue with the plan - that this is building a town on the outskirts of Tonbridge and therefore to suggest changes to Tunbridge Wells infrastructure, wholly misses the point. All infrastructure challenges (schools, traffic, increased train travel, doctor's surgeries) will be a Tonbridge issue - though Tunbridge Wells will receive the council tax - this is wrong.

### 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.**

Look at alternative options - Castle Hill, Blantyre etc and in particular pursue Brownfield options closer to current Tunbridge Wells town infrastcuture.

### 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

## 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 ( <a href="#">View</a> ) |
| 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

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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 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.

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Access: The suggested 'North' secondary and emergency access point will:

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  - . There is a high probability for this access to become a local shortcut
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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

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*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.

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.

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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)?** . 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  | Alastair & Christine Byron [REDACTED]  |
| Email Address  | [REDACTED]   |
| Address  | -<br>-<br>-  |
| Event Name   | Pre-Submission Local Plan  |
| Comment by   | Alastair & Christine Byron [REDACTED]  |
| Comment ID   | PSLP_876   |
| Response Date  | 24/05/21 09:44   |
| Consultation Point   | Policy STR/SS 2 The Strategy for Paddock Wood Town Centre ( <a href="#">View</a> ) |
| Status   | Processed  |
| Submission Type  | Email  |
| Version  | 0.4  |
| Data inputter to enter their initials here                       | KH   |
| Question 1   |  |
| Respondent's Name and/or Organisation                            | Alastair & Christine Byron   |
| Question 3   |  |
| To which part of the Local Plan does this representation relate? | Policy   |
| Question 3a  |  |

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

Policy STR/SS 2 The Strategy for Paddock Wood Town 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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We are greatly puzzled and dismayed to learn of the proposal to restrict the entry from Watlingtonbury to bus traffic only. Many like us in Watlingtonbury regularly use this route as the most direct. We value the selection of shops in Paddock Wood.

How would it benefit the environment to make our journey longer and therefore use more fuel? The bus is not possible for us since with heavy shopping we could not carry it the half mile up hill to our home.

Please think again and reject this proposal.

### Question 7

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

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