

The deletion of Tudeley Garden Village (SS3)

Introduction

1. TWBC has adopted the Inspector's third option "Deletion of the (TGV) allocation from the submitted Plan" (Examination of the TWBC Local Plan: Initial Findings – November 2022).
2. SC reiterates its supports of the removal of TGV from the RSLP. However, TWBC clearly indicates that in its view, TGV still has strong merit. SC is concerned that it may be TWBC's intention to re-introduce TGV at a later date. Examples of TWBC's position on TGV include the following:
 - *"It is noted, firstly, that the Inspector has not concluded that the proposal for a new settlement at Tudeley Village is inevitably unsound; rather, the submitted Local Plan is not sound due to a number of uncertainties that mean that the exceptional circumstances test is not met."*¹
 - TGV *"remains an ambitious and well thought-out proposal"*².
 - TGV *"was conceived and included in the plan for sound reasons, and this is acknowledged by the Inspector"*³.
 - *"Given the risks associated with the retention of Tudeley Village on the timeframe and likely success of adoption of the Local Plan the preferred option of officers is Option 3 (paragraph 5.16 above) to delete the Tudeley Village allocation from the submitted Plan."*⁴
3. It is therefore necessary to recap the concerns of the Inspector by reference to the RSLP, that TGV will never be a sustainable or desirable element of the TWBC Local Plan when all the facts available are considered fairly, objectively and non-predetermined logic is applied to the decision making of TGV versus alternatives.
4. The remainder of this Appendix summarises SC's position with regard to the three main areas of concern⁵ identified by the Inspector, with more detail and supporting evidence contained in Appendix 2 to this submission:
 - Location and Accessibility;
 - Infrastructure;
 - Deliverability;

Followed by SC's Conclusions.

¹ PS_054 TWBC LP Development Strategy Topic Paper – Jan 2024 addendum (DSTP), para 3.19.

² TWBC Response to Inspectors Initial Findings Letter (TWBC Response), para 5.10.

[\[Response to the Inspectors Initial Findings Letter on The Local Plan \(tunbridgewells.gov.uk\)\]](https://www.tunbridgewells.gov.uk)

³ TWBC Response, para 5.14

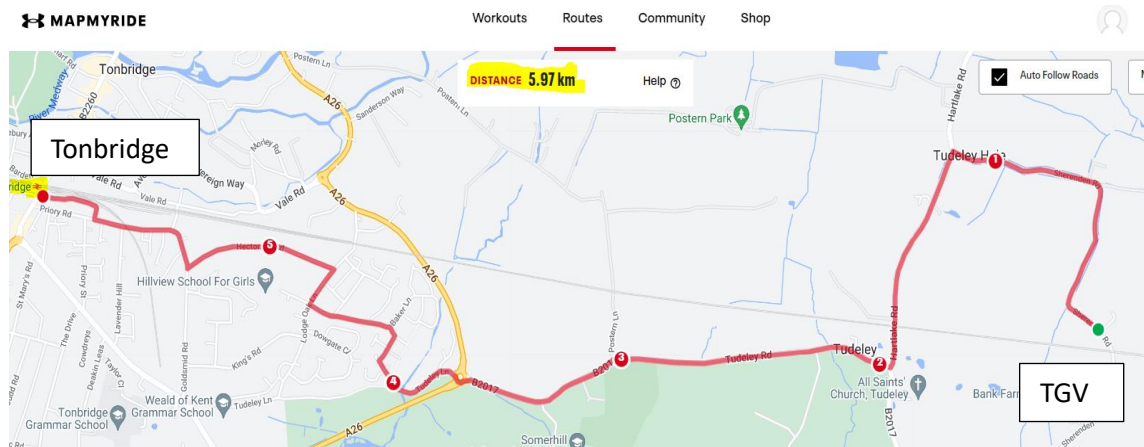
⁴ TWBC Response, para 6.8

⁵ ID_012 Initial Findings letter, from paras 12, 24 and 30 respectively.

Location and Accessibility

Modal shift – cycling

5. SC supports the view of the Inspector that *“it would be unrealistic to expect a significant number of people to cycle into Tonbridge [from TGV], especially during the darker, winter months or during periods of inclement weather.”*⁶
6. In its RAG assessment on Access and Movement⁷, Stantec refutes concerns raised by the Inspector with what SC views as factually incorrect assertions and misinformation:
 - a) Stantec asserts that *“It should first be acknowledged that Tonbridge is well within a reasonable cycling distance of the proposed site at Tudeley Village. It is approximately a 2-mile cycle to the eastern edge of Tonbridge which is well within the 5-mile cycle distance that LTN1/20 states would be an achievable distance to cycle for most people. Furthermore, the route is almost flat, therefore eminently suitable in terms of topography”*.
 - b) Based on existing rights of way and more realistic destinations such as Tonbridge High Street or Tonbridge Station rather than the imprecisely defined “eastern edge” of the town, SC has found the distance is nearly double the 2 miles claimed - 5.97km/3.7 miles⁸ from centre of TGV, as shown below:



⁶ PS_054 TWBC LP Development Strategy Topic Paper – Jan 2024 addendum (DSTP), para 3.19

⁷ PS 039 Stantec RAG Assessment, section 2.1

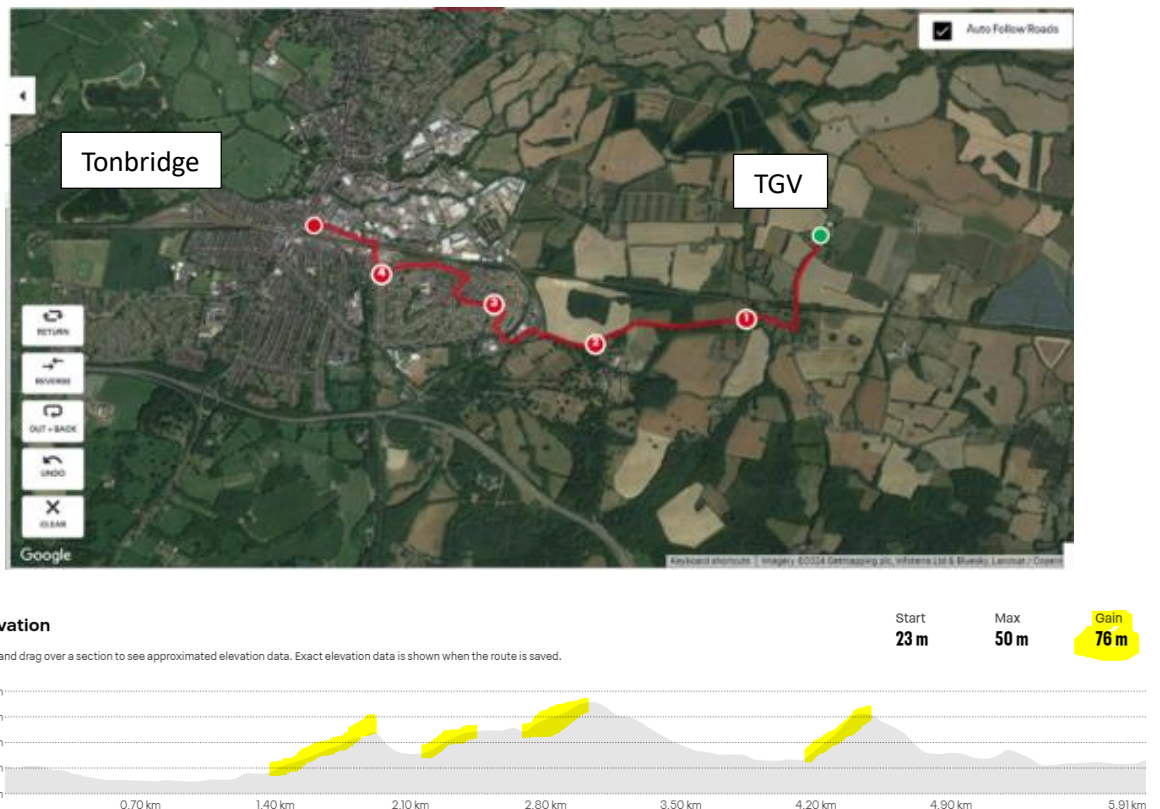
⁸ Source: www.mapmyride.com

SAVE CAPEL

Appendix 2 to Representation under Regulation 19 (non-statutory)

February 2024

- c) Stantec also claims that TWBC's proposed route is "almost flat"⁹. This is as or even more misleading than Stantec's distance calculation, as there is a 76m gain from TGV north of the railway line to Tonbridge Station. This is not trivial and would be unassailable for many people. Moreover, analysis of LTN1/20 (DfT guidance for cycle infrastructure) shows that with reference to "Table 5-8: Maximum length for gradients", the gradients on this route are wholly unacceptable. There is no physical way around this. See below¹⁰:



- d) Further, Stantec appear to have assumed a theoretical route rather than an existing right of way which includes Postern Lane. This route would run from the lower point in TGV to Tonbridge. However, it ignores many immutable facts set out in a letter from Postern Lane Resident Association (PLRA) to TWBC dated 21 January 2024, in which the PLRA advised TWBC that it will not provide consent for the use of their land, which has multiple owners. Moreover, this route would not be viable due to regular flooding as it runs for a large part immediately adjacent to the River Medway.
- e) Stantec also assert that "Inclement weather is not a real concern when it comes to the likelihood of people cycling. People all across the country cycle for work and leisure in inclement weather and invest in appropriate all-weather gear to get them to their destinations as dry and as safely as possible". They provide no evidence for this assertion specifically relevant to the circumstances of TGV, where fewer road users are travelling to office work, but instead are more typically trade vans, school traffic or shoppers, none of

⁹ PS 039 Stantec RAG Assessment, section 2.1

¹⁰ Source: www.mapmyride.com

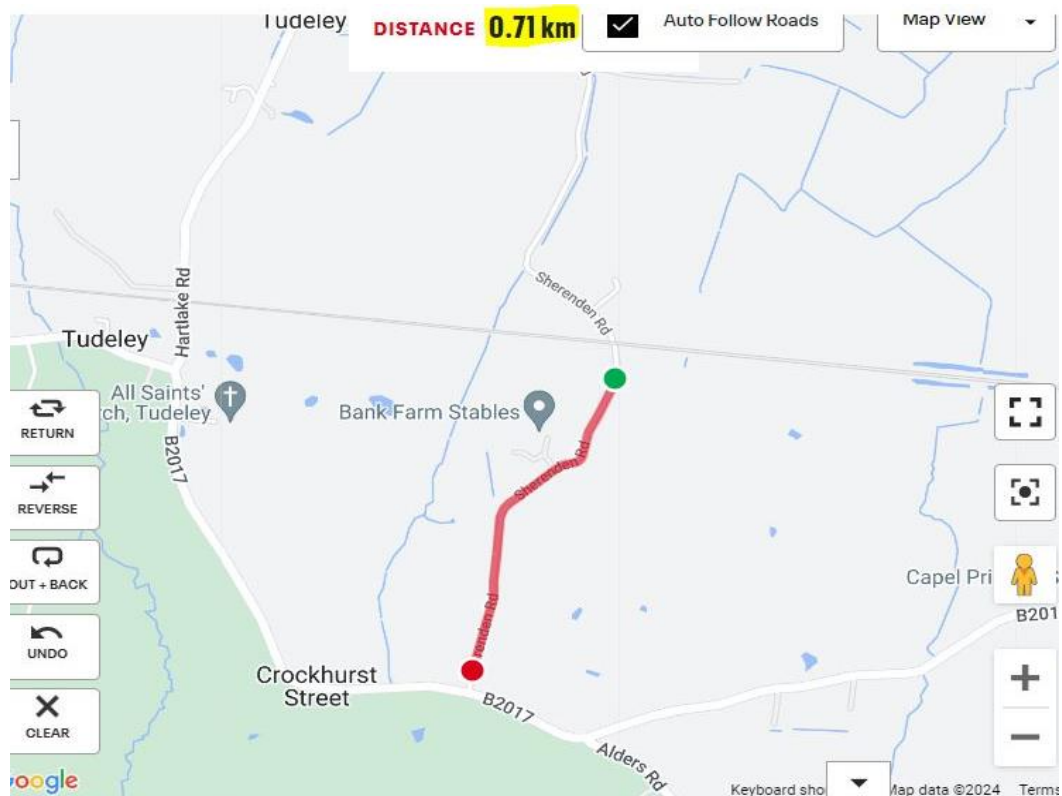
SAVE CAPEL

Appendix 2 to Representation under Regulation 19 (non-statutory)

February 2024

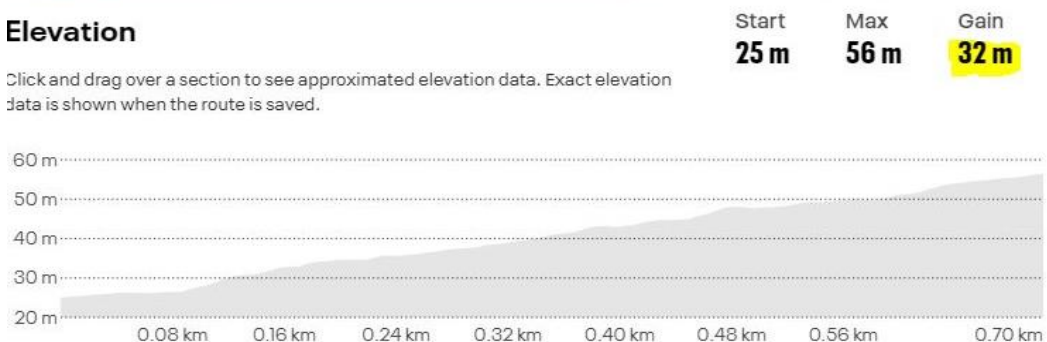
which are conducive to cycling. Many research reports exist counter to Stantec's assertion, and SC fully supports the Inspector's statement in paragraph 5 above.

- f) As a final point on cycling, what comes to light from the above is that TWBC has overlooked the facts raised at Reg 18 and Reg 19 that the TGV site has topographical issues which will affect their assumptions for accessibility within the Village. Following the existing route of Sherenden Lane running from the centre to the south perimeter of the site, involves gradient climbs 17x the DfT guidance in LTN/1/20. Again, there is no way around this underlying fact as the total straight line climb breaks the guidance so no amount of "smoothing" the route will overcome the underlying topography. See below¹¹



Elevation

Click and drag over a section to see approximated elevation data. Exact elevation data is shown when the route is saved.



¹¹ Source; www.mapmyride.com

SAVE CAPEL

Appendix 2 to Representation under Regulation 19 (non-statutory)

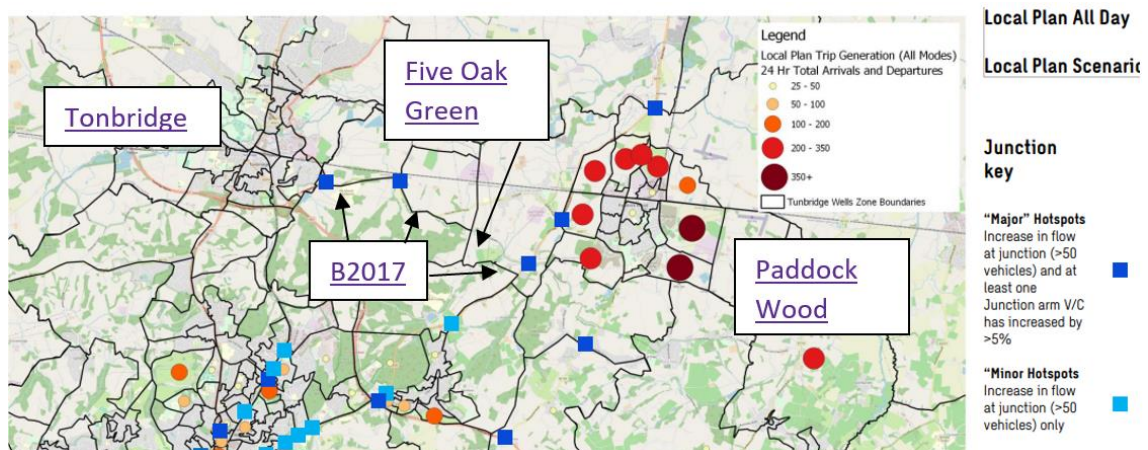
February 2024

Other TGV access deficiencies

7. Should TGV ever re-emerge as a proposal, TWBC and the Hadlow Estate would need to address the other critical Location and Accessibility shortcomings identified by the Inspector, including:
 - a) Bus routes
 - b) The lack of a new railway station
 - c) The need to create retail and commercial facilities from scratch
 - d) The existing road congestion in Tonbridge and PW that would worsen if TGV was ever to be built. SC understands that Tonbridge & Malling Borough Council (TMBC) may support this version of the Plan, although any reintroduction of TGV would cause them to go back to their original concerns about the impact on Tonbridge.

Infrastructure

8. **Road Access:** The Five Oak Green bypass is not viable and is unlikely to be, given the nature of the Inspector's four key concerns:
 - a) Proximity to Capel Primary School;
 - b) Visual Impact;
 - c) Funding, phasing and deliverability; and
 - d) Legal difficulties (CPOs) associated with multiple land ownership
9. Even if the bypass was to be made viable, the primary route in and out of TGV, irrespective of modal shifts, would remain the B2017 towards the A26.
10. SWEC's final report¹² shows that even without TGV in the plan, but with the remaining planned growth at EC and PW, eight major hotspots will remain across the borough. This is in the "High Mitigation" scenario.



¹² PS-049 TW Local Plan Stage 3 Modal Shift Impact Reporting
[TW Local Plan Stage 3 areas of interest \(tunbridgewells.gov.uk\)](https://www.tunbridgewells.gov.uk)

SAVE CAPEL

Appendix 2 to Representation under Regulation 19 (non-statutory)

February 2024

11. Two of the eight hotspots are either end of the B2017 route to the A26. Given the Inspector's observation that "*there is insufficient evidence to suggest that the scheme will achieve the levels of internalisation and changes in modal shift necessary to adequately mitigate against the likely increase in car travel*", it not realistic to imagine that each of the major hotspots would be viable and not gridlocked with the additional traffic flow which would result from TGV.
12. As referenced in para 6 f above, the existing route of Sherenden Lane involves an average gradient climb 17x the guidance in LTN/1/20. There is no feasible mitigation for the underlying topography of the site.

Deliverability

13. Should TGV ever re-emerge as a proposal, the following critical deliverability issues highlighted by the Inspector¹³ would need to be resolved, amongst other concerns, in advance:
 - a) The justification of Exceptional Circumstances
 - b) The absence of similar or comparable housing schemes in Tunbridge Wells;
 - c) The lack of 'any prior experience' of either TWBC or Hadlow Estates in "delivering a scheme of this size or complexity".

¹³ ID_012 Initial Findings letter

Conclusion

14. It is, in SC's view, wholly wrong for TWBC to attempt to use the Inspector's Initial Findings as a means of justifying bringing forward TGV as an allocation at a later date. The Initial Findings are not supportive of this approach and neither is the evidence base compiled by TWBC.
15. Therefore, it should not be lost that any attempt to reintroduce TGV must go back to the start of the planning process:
 - a) Any such proposal would result in the loss of up to 170 Ha of green belt which includes significant productive arable farmland much of which is G2.
 - b) The 170 Ha at risk are highly diverse and include
 - i. Grade 2 agricultural land class (ALC) north of the mainline rail line – only 4.4% of the overall Borough is Grade 2 ALC or higher.
 - ii. Irreplaceable habitat containing:
 - trees, flora, fauna including 'near threatened' species
 - wildlife including mammals, snakes, reptiles, insects and 70 bird species reliant on the TGV site - 53 of which are breeding (12 of principal importance and another 10 on conservation concern red list).
 - c) Parts of the site are directly adjacent to flood plains as well as AONB whose setting and views would be harmed.
 - d) There is no viable plan for rail access and no new evidence that it would be viable has been demonstrated.
 - e) TGV would be a community split by a railway line.
 - f) The site has insurmountable topographical issues (see paragraph 6 above)
 - g) The existing infrastructure which serves as the foundation for successful Garden Villages simply is nowhere near the proposed site
 - h) The timescales for the delivery of TGV relied upon by TWBC are unrealistic
 - i) A reintroduction of TGV would cause TWBC to go back to their original concerns about the impact on Tonbridge.