

Public Consultation on Tunbridge Wells Borough Council's Local Plan: New Evidence Base Documents – summary and response table for comments on Flooding and Flood Risk (PS_098)

Rep No	Consultee Name	Consultee Organisation	Agent Name	Agent Organisation	Document(s) commented on	Proposed Modifications	Comment Summary	TWBC Response	Hearing Session Participation (and reason for participation)
NEBD5-1	Cllr Don Kent				Not stated	<p>[This is also in table 5) Highways, including Modelling and Mitigation and 6) Infrastructure]</p> <p>Both Hotspots along Badsell road need addressing first before housing. 2nd the flow of water from Matfield and Pembury need to be addressed first before anymore housing. Any housing within the Badsell road which obtains 106 money must come to Paddock Wood. The need for the Colts Hill bypass must also be addressed this time before anymore housing as it's been promised before and then been removed of any scheduling of highway improvements.</p>	<p>Legally non-compliant and unsound</p> <p>Attenuation ponds do not address the real issue referred to in previous representations about Gravely Way Stream and the Tudeley Brook Stream. The waters do not start in Paddock Wood, rather from Matfield and Pembury.</p> <p>The report tries to address them in Paddock Wood which does not address the issues. Paddock Wood can cope with its own rainfall and 'should not be made to address others problems at Paddock Wood'.</p>	<p>The development strategy for the Local Plan was subject to specific queries raised by the Inspectors Initial Findings [ID_012]. The Council undertook a review of the flood risk assessment covering Paddock Wood which was consulted on in January 2024 [PS_042, PS_043, PS_044] and includes reference to the catchment areas close to Paddock Wood.</p> <p>The Development Strategy Topic Paper Addendum [PS_054] sets out the approach of the Council. The results for the updated Paddock Wood streams and river modelling shows a greater extent of Flood Zone 2 and 3 land to the western side of Paddock Wood. This has resulted in a reduction in housing with all development being focused onto Flood Zone 1.</p> <p>The revised policy STR/SS1 [PS_095] includes reference to 'provision of flood attenuation features to enable the delivery of flood betterment to the north western area of the existing settlement' for the South-Western Parcel (B).</p>	Yes, I wish to participate at the examination hearing session so I can address the issues that may be brought up, plus I have a right to be heard.
NEBD15-4	Louise Goldsmith	Capel Parish Council			PS_098		<p>Legal compliance and soundness not stated</p> <p>Capel Parish Council highlights flooding issues at Tudeley Brook under the B2017, concerns about housing placement in unconnected FZ1 'islands' within Parcel B resulting in costly drainage measures, and questions the borough-wide sequential test's conclusion of the site being selected in the context of climate change.</p>	<p>The development strategy for the Local Plan was subject to specific queries raised by the Inspectors Initial Findings [ID_012]. The Council undertook a review of the flood risk assessment covering Paddock Wood which was consulted on in January 2024 [PS_042, PS_043, PS_044] and includes reference to the catchment areas close to Paddock Wood.</p> <p>The Development Strategy Topic Paper Addendum [PS_054] sets out the approach of the Council. The results for the updated Paddock Wood streams and river modelling shows a greater extent of Flood Zone 2 and 3 land to the western side of Paddock Wood. This has resulted in a reduction in housing with all development being focused onto Flood Zone 1.</p>	Not stated.

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								<p>The revised policy STR/SS1 [PS_095] includes reference to ‘provision of flood attenuation features to enable the delivery of flood betterment to the north western area of the existing settlement’ for the South-Western Parcel (B).</p> <p>PS_098 sets out at para 3.13 that ‘The Council had concluded during the preparation of the Submission Local Plan that it could not meet its development needs entirely from sites that were in Flood Zone 1 due to both wider borough wide sustainability issues (primarily in relation to Green Belt, AONB and highways constraints) and the particular sustainable development considerations of Paddock Wood as a settlement’</p>	
NEBD16-3		Tunbridge Wells Green Party	John Hurst		PS_098	<p>Please see our comments to PS_109 Revised Policy Wording and supporting text for Policy STR 1 – The Development Strategy</p> <p><i>[TWBC: Please see the referenced comment NEBD16-4 in table 11) Comments outside the scope of the consultation]</i></p>	<p>Legally compliant but unsound</p> <p>TW Green Party welcomes the reduction of ~1000 dwellings at Paddock Wood. Eliminating the use of flood zones 2 and 3 is in-line with our Stage 2 Hearing Statement (Matter 3, Issue 1).</p> <p>Page 11: the acknowledgement of the change in strategy is good</p> <p>Very glad that more extensive modelling has been carried out, but would be good for clarity and transparency if:</p> <ul style="list-style-type: none">• It is stated what the “+37%” case means in actual climate change terms, eg what global temperature rise does it correspond to?• It is mapped where the dwellings no longer planned for in the flood zones <p>Para 4.5: the Council should be firmer than ‘discouraging’ development in areas of known flood risk</p> <p>Appendix 4 criteria – ensure consistency of application and document wording</p>	<p>The points raised are noted.</p> <p>The SLP sets out a number of other policies which identify flood risk and mitigation measures including the delivery of infrastructure. STR2, STR5, STR7, EN24, EN25, EN26.</p>	<p>No, I do not wish to participate at the examination hearing session.</p>
NEBD20-9		Save Capel			PS_098		<p>Unsound, legal compliance not stated</p> <p>Concerns about the Council’s approach to the Local Plan’s Sequential Test:</p> <ul style="list-style-type: none">• Save Capel (SC) considers that the Council did not conduct a Sequential	<p>The Councils published Sequential Test paper [PS_098] sets out how the ST was applied in directing the allocation of sites. PS_098 sets out at para 3.13 that ‘The Council had concluded during the preparation of the Submission Local</p>	<p>Yes, I wish to participate at the examination hearing session - SC intends to continue to</p>

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							<p>Test when preparing its draft Local Plan. The inclusion of significant housing development in high risk flood zones bears testament to that. Had it done so, and done so earlier, the proper consideration of alternative spatial strategies may have delivered a Plan that had a greater chance of being found to be sound in respect of this issue.</p> <ul style="list-style-type: none">• At that stage, the Strategic Flood Risk Assessment (“SFRA”) proposed strategic storage to mitigate the effects of flooding on the development area around what is now known as South-Western Parcel under Policy SS 1(B). However this strategy was not taken forward in the submitted version of the Plan (which continued to include development in the higher risk flood zones) and would have greatly reduced the flows down Tudeley Brook and mitigate the frequent flooding events.• The Council had still not conducted a Sequential Test, to direct development away from these areas, as evidenced by the inclusion of only approximately 30 allocations out of around 450 submitted sites in the SHELAA.• What has resulted is the proposed development of poorly connected “islands” of housing with consequently significant drainage measures being required, affecting the deliverability, including timescales, and creating huge risks to viability and implementation <i>[TWBC: SC explains this further at NEBD20-2 in the Representation table 2 regarding PS_095 – Revised wording for Policy STR/SS 1.]</i>• Furthermore, the Council had not conducted the required Exception Test to demonstrate why the omission sites, or indeed other strategic opportunities, should not be re-considered.• What resulted was a demonstrably unsound Plan at the point of submission, and here we are three years later with the examination still running.• SC considers that the Council’s approach to flood risk has been woeful despite the assertion “<i>The council has</i>	<p>Plan that it could not meet its development needs entirely from sites that were in Flood Zone 1 due to both wider borough wide sustainability issues (primarily in relation to Green Belt, AONB and highways constraints) and the particular sustainable development considerations of Paddock Wood as a settlement’ Nevertheless The Development Strategy Topic Paper Addendum [PS_054] sets out the approach of the Council. The results for the updated Paddock Wood streams and river modelling shows a greater extent of Flood Zone 2 and 3 land to the western side of Paddock Wood. This has resulted in a reduction in housing with all development being focused onto Flood Zone 1.</p> <p>The proposed strategic development at PWeC has been reviewed as part of the Strategic Sites Masterplanning and Infrastructure Study – Paddock Wood Growth Follow on Study [PS_046]. The alterations to the development scope have been necessary. Policy STR/SS1 will cover the approach to masterplanning to ensure a cohesive development comes forward.</p> <p>PS_098 sets out at para 3.13 that ‘The Council had concluded during the preparation of the Submission Local Plan that it could not meet its development needs entirely from sites that were in Flood Zone 1 due to both wider borough wide sustainability issues (primarily in relation to Green Belt, AONB and highways constraints) and the particular sustainable development considerations of Paddock Wood as a settlement’</p>	<p>participate fully in any remaining stages of the Local Plan’s review and will seek to make formal representations in any future hearings during which the issues raised in this representation are discussed.</p>

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							<p><i>followed the government’s policy and guidance in how it has prepared its local plan throughout, by imbedding these principles into the evidence base from an early stage”.</i></p> <ul style="list-style-type: none">• SC acknowledges that the revised plan now restricts housing development to areas of FZ1 in East Capel but highlights that these areas will reduce in size over time due to climate change. <p>Concerns related to the Revised Policy STR 1 (PS 109):</p> <ul style="list-style-type: none">• SC is also concerned that the strategic policy STR 1 does not include any reference to flood risk, which also confirms the Council’s lack of emphasis on this important area of policy. <p>Concerns related to the Revised Policy STR/SS 1 – Development Principles (PS 095):</p> <ul style="list-style-type: none">• Furthermore, there is now only very limited mitigation proposed in the revised policies for parcel (A) Wetland Park which is an area that historically acts as a flood plain anyway and provides no further mitigation to existing properties, and for parcel (B) the provision of flood attenuation features to enable the delivery of flood betterment to the northwestern area of the existing settlement which is modest at best when compared with that proposed in the SFRA	<p>Flood risk analysis was undertaken as part of response to Initial Findings show the flood risk acceptable for the lifetime of the development. PS 042 shows the ‘modelling and mapping is prepared for flow allowances of +27% and +37%, reflecting the Central and Higher central estimates of climate change applicable to the catchment for the 2080s epoch (years 2070-2125) according to the latest guidance’ EA climate change allowances (May 2022) (paragraphs 1.1)</p> <p>The SLP sets out a number of other policies which identify flood risk and mitigation measures including the delivery of infrastructure. STR2, STR5, STR7, EN24, EN25, EN26.</p> <p>Policy STR/SS 1 ‘Development Principles (h) states ‘) ensure that surface water runoff from the development will not exacerbate and so far, as possible and practicable improve flooding elsewhere’, and in ‘Masterplanning’ (d) incorporate a green and blue infrastructure (GBI).</p> <p>STR/SS 1 includes an Infrastructure table setting out short, medium, and long term requirements including a wetland park and flood attenuation measure and the policy should be read in conjunction with other policies in the plan.</p>	
NEBD28-1	Mrs Carol Richards				PS_098	Build fewer homes at Paddock Wood	<p>Legally non-compliant and unsound</p> <p>Believes the new homes will be flooded before the end of the plan period. They are vulnerable due to the hardstanding and volume of water from winter storms.</p>	<p>The Development Strategy Topic Paper Addendum [PS 054] sets out the approach of the Council. The results for the updated Paddock Wood streams and river modelling shows a greater extent of Flood Zone 2 and 3 land to the western side of Paddock Wood. This has resulted in a reduction in housing with all development being focused onto Flood Zone 1.</p>	Not stated.
NEBD39-4	Stephanie Holt-Castle	Kent County Council (KCC)			PS_098		<p>Legal compliance and soundness not stated</p> <p><u>Sustainable Urban Drainage Systems (SuDS)</u></p>	<p>Points noted. Policy EN25 includes a requirement that the sequential test and exception test established by the NPPF</p>	Not stated.

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							The County Council notes the statement at paragraph 3.31 but would expect a similar statement to have been provided with regard to surface water flood risk which does not constitute Flood Zone 2 or 3. Would request a reference of the application for the requirement of the sequential approach to development layout should any proposed sites have surface water flow paths present (as per some of the proposed residential areas within Capel) to have been made.	will be strictly adhered to across the borough.	
NEBD42-4	Carol Williams	Paddock Wood Town Council	Troy Hayes	Troy Planning + Design	PS_098		<p>Legally non-compliant and unsound</p> <p>The strategic proposals at Paddock Wood and east Capel are proposed in the Local Plan as one strategic site and it is unclear how other sites in the Borough were sieved out so the Council's only choice in flood risk terms was to select Paddock Wood – the area with the highest flood risk in the Borough.</p> <p>Appears TWBC are contradicting the PPG by placing heavy reliance on measures like flood defences and property level resilience features to justify this allocation. Without such features, even the removal of residential development from Zones 2 and 3 is not sound as the flood risk within the allocation is still present and requires full and proper mitigation.</p> <p>Para 3.43 is simply a statement there are no more deliverable sites available, yet it is not possible to query this assessment of Green Belt sites with a 'policy off' approach to what Green Belt sites may have been sequentially preferable to Paddock Wood</p> <p>The use of “at this time” in para 3.43 point to the fact that there will be more sequentially preferable deliverable sites available for allocation in the future. Any Local Plan Review whereby more sequentially preferable sites are identified (which were also available at the time of this Local Plan Examination) will reveal that a sequential test was never properly undertaken.</p>	<p>Site council set out in its Site Selection Methodology hearing statement [TWLP/021] how sites were selected. This has been clarified in PS_098.</p> <p>Allocation is entirely justified and will have development within only FZ1. A raft of policies in the local plan will control how the delivery of sites comes forward. The SLP sets out a number of other policies which identify flood risk and mitigation measures including the delivery of infrastructure. STR2, STR5, STR7, EN24, EN25, EN26.</p> <p>3.43 in full states ‘The Council notes that when formulating its response to the Inspector’s initial findings, it did give consideration to whether there were other suitable sites that could be allocated, and as has been discussed elsewhere in the Stage 3 hearing statements, consideration was given to whether there were reasonable alternative Green Belt sites suitable for development as a consequence of the findings of the additional Stage 3 Green Belt assessment of reasonable alternative sites, and subsequent consideration of these through the SHELAA process. The Council found and concluded that there are no more deliverable sites available for allocation at this time.’</p>	Yes, I wish to participate at the examination hearing session - The Town Council wishes to participate in any future Hearings on the Local Plan given the scale of growth still proposed at Paddock Wood and given the well-known constraints and complexities of the area as well as the Local Plan, masterplanning, infrastructure delivery and funding uncertainties that still remain.

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NEBD45-3	Mr Jonathan Esteal				PS_098		<p>Legal compliance and soundness not stated</p> <ul style="list-style-type: none"> • Flood Risk Management: There is no mention of how future flooding due to developments will be managed. • Specific Policy for Paddock Wood: The document lacks a specific policy for Paddock Wood and does not address the western parcel STR/SS 1. • Flood Risk Assessments: TWBC relies on the Environment Agency's (EA) acceptance for development on the western side of Paddock Wood, but flood risk assessments should be conducted by Kent County Council (KCC) or the Upper Medway Drainage Board, not the EA. • Sequential Test: TWBC has not clearly explained how they implemented the Sequential Test, which is meant to justify why certain sites were chosen over others, especially in flood-prone areas. There is no mention of rejected areas or reasons for rejection, and no flood modelling was included. 	<p>The Development Strategy Topic Paper Addendum [PS_054] sets out the approach of the Council. The results for the updated Paddock Wood streams and river modelling shows a greater extent of Flood Zone 2 and 3 land to the western side of Paddock Wood. This has resulted in a reduction in housing with all development being focused onto Flood Zone 1. The strategy for Paddock Wood and land at east Capel is covered by policy STR/SS 1 (including for the western parcels of land) will work in tandem with other policies in the SLP. Policy EN25 covers the approach to Flood Risk across the borough, and policy EN26 covers the requirement for sustainable drainage being included in as part of the development design process.</p> <p>The Council has consulted with the relevant statutory consultees as part of the preparation of the local plan and as part of the additional work undertaken in response to the Inspectors Initial Findings. This has included with KCC as the LLFA.</p> <p>PS_098 sets out at para 3.13 that 'The Council had concluded during the preparation of the Submission Local Plan that it could not meet its development needs entirely from sites that were in Flood Zone 1 due to both wider borough wide sustainability issues (primarily in relation to Green Belt, AONB and highways constraints) and the particular sustainable development considerations of Paddock Wood as a settlement'</p>	Not stated.
NEBD46-3	Sue Lovell	Stop Overdevelopment of Paddock Wood			PS_098		<p>Legal compliance and soundness not stated</p> <ul style="list-style-type: none"> • Flood Risk Management: There is no mention of how future flooding due to developments will be managed. • Specific Policy for Paddock Wood: The document lacks a specific policy for Paddock Wood and does not address the western parcel STR/SS1. 	<p>The Development Strategy Topic Paper Addendum [PS_054] sets out the approach of the Council. The results for the updated Paddock Wood streams and river modelling shows a greater extent of Flood Zone 2 and 3 land to the western side of Paddock Wood. This has resulted in a reduction in housing with all development being focused onto Flood Zone 1. The</p>	Yes, I wish to participate at the examination hearing session (No reasons stated).

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							<ul style="list-style-type: none">• Flood Risk Assessments: TWBC relies on the Environment Agency’s (EA) acceptance for development on the western side of Paddock Wood, but flood risk assessments should be conducted by Kent County Council (KCC) or the Upper Medway Drainage Board, not the EA.• Sequential Test: TWBC has not clearly explained how they implemented the Sequential Test, which is meant to justify why certain sites were chosen over others, especially in flood-prone areas. There is no mention of rejected areas or reasons for rejection, and no flood modelling was included.• Streams Not Addressed: The Gravelly Way and Tudeley Brook streams, which are in flood-prone areas, have not been addressed.• Building on Flood-Risk Areas: The Council should prohibit building in flood-risk areas, not just discourage it.	<p>strategy for Paddock Wood and land at east Capel is covered by policy STR/SS 1 (including for the western parcels of land) will work in tandem with other policies in the SLP. Policy EN25 covers the approach to Flood Risk across the borough, and policy EN26 covers the requirement for sustainable drainage being included in as part of the development design process.</p> <p>The Council has consulted with the relevant statutory consultees as part of the preparation of the local plan and as part of the additional work undertaken in response to the Inspectors Initial Findings. This has included with KCC as the LLFA.</p> <p>PS_098 sets out at para 3.13 that ‘The Council had concluded during the preparation of the Submission Local Plan that it could not meet its development needs entirely from sites that were in Flood Zone 1 due to both wider borough wide sustainability issues (primarily in relation to Green Belt, AONB and highways constraints) and the particular sustainable development considerations of Paddock Wood as a settlement’</p> <p>The Development Strategy Topic Paper Addendum [PS_054] sets out the approach of the Council. The results for the updated Paddock Wood streams and river modelling shows a greater extent of Flood Zone 2 and 3 land to the western side of Paddock Wood. This has resulted in a reduction in housing with all development being focused onto Flood Zone 1.</p>	