

# **Local Plan Regulation 19 representations in document order**

## **Comments on Section 5: Place Shaping Policies: Cranbrook & Sissinghurst**

# Supporting Information File Ref No: SI\_83

## Comment

Consultee	Councillor Nancy Warne [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Cranbrook & Sissinghurst NDP Steering Group
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Cranbrook & Sissinghurst NDP Steering Group (Councillor Nancy Warne - [REDACTED])
Comment ID	PSLP_1579
Response Date	04/06/21 16:00
Consultation Point	Cranbrook and Sissinghurst ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.3
Files	<a href="#">PSLP_1571-1623(not inclusive)_CRS NDP Steering Group Representation.pdf</a>
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Cranbrook & Sissinghurst Neighbourhood Development Plan Steering Group
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	Paragraph No(s) 5.271 and 5.273

[TWBC: for further comments by Cranbrook & Sissinghurst Neighbourhood Development Plan Steering Group, please see Comment Numbers PSLP\_1574-1580, PSLP\_1582-1586, PSLP\_1588, PSLP\_1590, PSLP\_1592-1623]

#### Question 4a

If 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.**

Cranbrook & Sissinghurst Neighbourhood Development Plan

Response to Tunbridge Wells Borough Council Pre-Submission Draft Local Plan – 4th June 2021

#### Section 5: Place Shaping Policies

##### Cranbrook and Sissinghurst

##### Overview

5.271 This section has a glaring omission in that the Cranbrook Conservation Area is not mentioned. It also fails to mention Cranbrook's historic and heritage significance. Suggest the response from the Cranbrook Conservation Area Appraisal Committee is referred to for suggested strengthening of the policy supporting text here.

5.273 See below for specific objections. It is worth noting, that the three allocated sites for Cranbrook run together. This would give Cranbrook an additional 400plus houses in one large lump on the edge of town, with no masterplan for the three major developments right in the heart of the AONB, on land that has altered little since Anglo Saxon times, in the Crane Valley. What are the exceptional circumstances? Why isn't the AONB worth protecting in this area?

This runs contrary to central government's advice (above).

[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 1571-1623\(not inclusive\) CRS NDP Steering Group Representation.pdf](#)

## Comment

Consultee	Mrs Hilary Hosford [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Cranbrook Conservation Area Advisory Committee
Address	[REDACTED] [REDACTED] Headcorn [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Cranbrook Conservation Area Advisory Committee [REDACTED]
Comment ID	PSLP_769
Response Date	31/05/21 11:35
Consultation Point	Cranbrook and Sissinghurst ( <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	Cranbrook Conservation Area Advisory Committee
Question 3a	

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

Section 5: Cranbrook and Sissinghurst

### Question 4

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

Is sound	Don't know
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Complies with the Duty to Cooperate	Don't know
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### Question 4a

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

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

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

#### Question 5

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

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

##### Introduction

Whilst the main thrust of the Cranbrook Conservation Area Advisory Committee's comments relate to the conservation and heritage of Cranbrook and Sissinghurst, there are some wider issues which are also of concern. In this response we will use the Headings used in the Local Plan document with page or paragraph numbers for extra clarity.

##### Cranbrook and Sissinghurst (P 178-197 )

Para 5.271. This paragraph mentions both Wilsley and Sissinghurst Conservation Areas but fails to mention or describe Cranbrook CA which covers most of central Cranbrook. It also fails to mention Cranbrook's historic and heritage significance . This para should be strengthened along the following lines : The Cranbrook Conservation Area runs from the Vestry Hall, below the church, southwards along the High street and east along Stone Street, covering the historic core of the town, with its many fine and varied buildings . In addition, there are a wealth of listed buildings (over 300), many lying outside the Conservation Areas in the surrounding countryside, a testament to the former prosperity of the area . A number of notable architects built houses in the area in the late nineteenth century, such as Norman Shaw and his associate, William Neve when there was a thriving artistic community.

Para 5.276 We agree with the statement of the limited capacity for large scale growth in this area.

Paras 5.278-280 Although some improvement of community provision may be useful, it is important to use the resources that already exist in the town. There are many meeting halls, churches and other facilities scattered throughout the town and in the sports complex off Angley Road. There are concerns about the potential impact on heritage buildings in the town. For instance, the Vestry Hall is a key historic building at the corner of Stone Street and the High Street, used by a varied range of community groups. It would be very damaging to the town if this building, which relies on the revenue from community groups lost its income to a new facility. Similarly the Providence Chapel, a Grade 1 listed building centrally situated off Stone Street, could provide some unique community space, if/when restored. Any plan for new community provision needs to be fit for purpose, to look very carefully at what exists already and work to fill the gaps .

In this respect we support bullet 6 of STR/CRS 1 to retain land for community uses in central Cranbrook and Sissinghurst. We further suggest that bullet 9(e) be amended to say should be provided at a Cranbrook Community Hub or other community buildings in central Cranbrook.

#### Question 7

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

**Question 7a**

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing 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, but other members of the CCAAC may wish to do so.

**Future Notifications**

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

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

# **Local Plan Regulation 19 representations in document order**

**Comments on Section 5: Place  
Shaping Policies: Cranbrook &  
Sissinghurst: Policy STR/CRS 1: The  
Strategy for Cranbrook and  
Sissinghurst parish**



## Comment

Consultee	Mr Peter Allen [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] CRANBROOK [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Peter Allen [REDACTED]
Comment ID	PSLP_64
Response Date	24/04/21 11:19
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <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	Peter Allen
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/CRS 1: The Strategy for Cranbrook and Sissinghurst 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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I wish to object to Policy STR/CRS 1 of the draft Local Plan.

STR/CRS entirely fails to emphasise the almost unique character of the three distinguished Conservation Areas within Cranbrook, Wilsley and Sissinghurst, and to require their protection and enhancement. The sentence calling for 'appropriate mix of uses' in central Cranbrook is almost insulting in its failure to ignore pre-Tudor, Tudor and 19th century (Victorian including Arts & Crafts) exceptional richness.

### 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

# Supporting Information File Ref No: SI\_22

## Comment

Consultee	Peter Hay [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Hay [REDACTED]
Comment ID	PSLP_374
Response Date	24/05/21 13:02
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.5
Files	<a href="#">PSLP_359 &amp; PSLP_370-376 Hawkhurst traffic supporting photographs Redacted.pdf</a>
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Hay
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

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former Site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy STR/CS1 - The Strategy for Cranbrook and Sissinghurst Parish

Policy AL/CRS1 Land off Brick Kiln Farm, Cranbrook Road

Policy AL/CR3 - Turnden Farm, Hartley Road, Cranbrook

*[TWBC: this representation has been input against Policies STR/HA 1, AL/HA1, AL/HA2, AL/HA3, AL/HA4, STR/CS1, AL/CRS1 and AL/CR3 – see Comment Numbers PSLP\_359 and PSLP\_370-376]*

#### Question 4

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

**Is legally compliant** Yes

**Is sound** No

**Complies with the Duty to Cooperate** Yes

#### Question 4a

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

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

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

#### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information 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 very much strongly support the removal of Hawkhurst Gold Club Site and overall reduction in housing allocation within the village and also the reduction in harm to AONB. In addition, I do not consider the remaining numbers, HA/1, HA/4 along with Cranbrook CRS/1 and CRS/4 are justified as no assessment has been undertaken of the cumulative effect upon the junction at Flimwell and the village crossroads. Note: The recent planning application South of Copthall Avenue was recently refused partly because of this impact and AONB.

Also, I do not consider that HA/1, HA/3, CRS/1 and CRS/4 are consistent with National Policy as neither focus on sustainable locations for development and the use of private cars will always remain – NPPF 103 and 104 refers. This is plain to see.

I would also say that the policies will fail to preserve or enhance the AONB contrary to NPPF Para 172

#### 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. Removal of Copthall allocation HA/4 (plans are incorrect anyway)
2. To modify HA/1 to reflect reduced overall numbers of housing in Hawkhurst following removal of HA/1
3. To modify CRS/1 to reflect overall reduction in housing numbers in Cranbrook as a result of the removal of CRS/1
4. To modify HA/2 and HA/3 to include wording from Local Plan AL/HA/1 to ensure Area of Landscape Importance is retained and reinforced as part of any new proposal for planning permission.
5. Modify HA/1 and make it clearer that any development outside LBD will not be permitted (unless there is an exception specifically identified elsewhere in the plan)

#### **Question 7**

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

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

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

## Supporting Information File Ref No: SI\_25

### Comment

Agent	Mr Robert Stevenson [REDACTED]
Email Address	[REDACTED]
Company / Organisation	John Bishop & Associates
Address	[REDACTED] [REDACTED] ASHFORD [REDACTED]
Consultee	Sir/Madam [REDACTED]
Company / Organisation	Canterbury Diocesan Enterprises Ltd
Address	Diocesan House Lady Woottons Green Canterbury CT1 1NQ
Event Name	Pre-Submission Local Plan
Comment by	Canterbury Diocesan Enterprises Ltd ( Sir/Madam - [REDACTED] )
Comment ID	PSLP_432
Response Date	26/05/21 12:22
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.5
Files	<a href="#">PSLP_432_John Bishop for Canterbury Diocesan Enterprises_SI-1_Site Plans.pdf</a>
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Canterbury Diocesan Enterprises Ltd
Question 2	
Agent's Name and Organisation (if applicable)	John Bishop and Associates

### 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/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

Policies Map (Inset Map No(s)) 10

### Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate Don't know

#### Question 4a

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

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

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

### Question 5

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

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

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

The existing Local Plan allocates The Vicarage Waterloo Road Cranbrook TN17 3 JQ for residential development. All of the reasons for allocation then are applicable now and the site should be reinstated as an allocation site for three dwellings in addition to the existing dwelling. For the detailed case see planning application 20/01335/FULL.

I also attach a site plan and proposed housing layout drawing for the site. [TWBC: see attached plans]

### 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 should be reinstated as an allocation site for three dwellings in addition to the existing dwelling.  
For the detailed case see planning application 20/01335/FULL.

#### **Question 7**

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

#### **Question 7a**

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

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

To make the case for reinstatement of the allocation.

**If you would like to attach a file in support of your comments, please upload it here.** [PSLP\\_432\\_John Bishop for Canterbury Diocesan Enterprises\\_SI-1\\_Site Plans.pdf](#)

#### **Future Notifications**

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



## Comment

Consultee	Mr Keith Lagden [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] CRANBROOK [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Keith Lagden [REDACTED]
Comment ID	PSLP_438
Response Date	26/05/21 12:26
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <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	Keith Lagden
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/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

*[TWBC: this representation has been input against Policies AL/HA1, AL/HA2, AL/HA3, AL/HA4, STR/CRS1, AL/CRS1 and AL/CRS4 – see Comment Numbers PSLP\_431, PSLP\_435-440]*

**Question 4**

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

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

#### Question 4a

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

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

#### Question 5

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- . I fully support the removal of Hawkhurst Golf Club coupled with the significant reduction in housing allocation numbers within Hawkhurst resulting in less damage to the AONB.
- . I am concerned that the remaining numbers set out in HA1, the allocation in HA4 and CRS1 & CRS4, are acceptable, as no assessment has been undertaken on the cumulative impact of these allocations on either the Flimwell junction or the Hawkhurst village crossroads.
- . In my opinion HA1, HA3 plus CRS1 & CRS4 do not embody National Policy, as they do not focus development in locations which are sustainable and in no way limit the need to rely on private car trips (NPPF paras 103 & 104)
- . The policies neither help to preserve or enhance the AONB (which is contrary to NPPF para 172)

#### 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 would like to see the following modifications:-

- . Remove HA4
- . Adjust HA1 to show reduced overall housing numbers in Hawkhurst due to HA4 removal.
- . Remove CRS3
- . Adjust CRS1 to show reduced overall housing numbers in Cranbrook due to removal of CRS3
- . Adjust HA1 to clarify that no development outside of the Limits of Build Development will be permitted (unless in the specific exceptions shown elsewhere in 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)

#### **Future Notifications**

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

# Supporting Information File Ref No: SI\_32

## Comment

Agent	Mr David Bedford [REDACTED]
Email Address	[REDACTED]
Company / Organisation	DHA Planning Ltd
Address	Eclipse House Eclipse Park MAIDSTONE ME14 3EN
Consultee	Mr N Wickham [REDACTED]
Email Address	[REDACTED]
Company / Organisation	John Wickham (Cranbrook) Ltd
Address	[REDACTED] [REDACTED] CRANBROOK [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	John Wickham (Cranbrook) Ltd [REDACTED] [REDACTED]
Comment ID	PSLP_502
Response Date	26/05/21 09:24
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.6
Files	<a href="#">PSLP_500-502_DHA Planning for N Wickham.pdf</a>
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mr N Wickham
Question 2	
Agent's Name and Organisation (if applicable)	DHA

### 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/CRS 1 The Strategy for Cranbrook and Sissinghurst 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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*[TWBC: this part of the response has been separated from the full response submitted by DHA Planning. See full representation attached. See also PSLP\_500 (Vision and Objectives), PSLP\_501 (Section 4: Policy STR1 - the Development Strategy and PSLP\_502 - Section 5: Cranbrook & Sissinghurst Policy STR/CRS1: The Strategy for Cranbrook & Sissinghurst parish].*

#### 1.1 Introduction

1.1.1 These representations have been prepared by DHA Planning on behalf of Mr N Wickham in respect of the Tunbridge Wells Borough Council Regulation 19 Local Plan consultation. Mr Wickham is a local landowner with various interests, including land at Gate Farm, Hartley which is within the control of Fernham Homes.

#### Place Shaping Policies

1.3.83 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.

1.3.84 Policy STR/CR1 sets the proposed strategy for Cranbrook and Sissinghurst parish and states that Approximately 415 to 429 net new dwellings will be allocated. This represents a substantial reduction on the 718-803 new dwellings that were proposed as part of the Regulation 18 plan. Furthermore, the draft allocations for Hartley have been removed in their entirety.

*[TWBC: for extract of proposed proposal map for Cranbrook see full representation attached].*

1.3.85 Based on the above context, the place shaping aspects of the strategy are unsound and require modification, including the redistribution of housing proposed at Tudeley to genuinely deliverable sites in sustainable locations such as Hartley and Cranbrook.

## 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 grave 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. Indeed, the Sevenoaks, Tonbridge and Malling and Wealden Local Plans have all recently failed to pass through independent examination because of inadequate efforts to work collectively. Given these failures, it is difficult to conclude that Tunbridge Wells Borough Council should be absolved of similar criticisms.

1.4.4 Indeed, within the Duty to Cooperate Topic Paper the Council confirms that it relies upon the Statements of Common Ground (SOCG) agreed with Sevenoaks DC in May 2019, yet this agreement was deemed inadequate for Sevenoaks to have properly discharged its duty to cooperate. It was seen as too little too late.

1.4.5 The topic paper then states that an updated SoCG between TWBC and SDC is currently being prepared, but is delayed due to ongoing legal action by SDC following an adverse decision by the High Court (note this was Court of Appeal) in relation to its own Local Plan. That Court of Appeal judgement has now been handed down and reinforces the failure to discharge the duty.

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

1.4.7 In any event, the deletion of a vast number of suitable sites at the Regulation 19 stage would suggest that there are opportunities to meet the needs of the adjacent and potentially more constrained neighbours and that this is a matter that should be address via the plan making process, collectively with the West Kent neighbouring authorities, rather than Tunbridge Wells proceeding ahead in isolation.

## 1.5 Summary and Conclusions

1.5.1 In summary, this representation has been prepared on behalf of Mr N Wickham 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.

1.5.2 We support the aspiration to meet housing need in full and consider that a dispersed growth strategy represents the optimum means to achieve this. Nonetheless, we object to reduced growth promoted around Cranbrook and Hartley.

1.5.3 Finally, we consider that the Local Plan strategy relies heavily on the delivery of strategic sites that would require the provision of supporting infrastructure. Moreover, the Council have applied overly optimistic projections to the delivery of housing for the extension of Paddock Wood and the Tudeley Garden Village.

1.5.4 In our view, further small to medium sites are needed to remedy these matters or soundness and such additional sites should be directed to sustainable locations such as Cranbrook and Hartley.

## 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\_34

### Comment

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Company / Organisation	DHA Planning Ltd
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Consultee	Fernham Homes [REDACTED]
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Event Name	Pre-Submission Local Plan
Comment by	Fernham Homes [REDACTED]
Comment ID	PSLP_511
Response Date	26/05/21 09:24
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.10
Files	<a href="#">PSLP_509-511_DHA Planning for Fernham Homes.pdf</a>
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Fernham Homes
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/CRS 1 The Strategy for Cranbrook and Sissinghurst 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.

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.

*[TWBC: this part of the response has been separated from the full response submitted by DHA Planning. See full representation attached. See also PSLP\_509 (Vision and Objectives), PSLP\_510 (Section 4: Policy STR1 - the Development Strategy), PSLP\_511 - Section 5: Cranbrook & Sissinghurst Policy STR/CRS1: The Strategy for Cranbrook & Sissinghurst parish; PSLP\_532 - Development Management Policies and PSLP\_533 - Legal Compliance and Duty to Cooperate].*

#### 1.1 Introduction

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

1.1.2 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.

1.1.3 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.

1.1.4 This submission comments on the plan having regard to these tests of soundness as well as wider legal compliance. However, for context, we first provide an overview of the land within Fernham's

control, which was included in the Regulation 18 Draft Local Plan as an allocation (draft policy AL/CRS 6) for residential development (Known as 'Gate Farm, adjacent to Hartley Road and Glassenbury Road, Hartley (plus Bull Farm) (SHELAA reference: Sites 59, 70, 323 & 345, and Late Site 53)' but subsequently omitted from the pre-submission draft.

1.1.5 Based on the current national and local planning context, we object to the site's omission, which was not based on sound planning grounds but as a basis to help defend against a s78 planning appeal. The outcomes of that appeal, and the commentary of the Inspector, provides a clear basis to conclude that the land is a suitable location for proportionate plan led growth.

1.1.6 Fernham Homes hope to work with the Council to agree a revised proposal. In the interim, these comments explain why we are concerned about the manner in which some sites have been omitted from the plan making process.

## **1.2 Land at Gate Farm, Hartley Road, Hartley (Cranbrook)**

1.2.1 The site to which this representation relates is located on the northern side of Hartley Road/A229 and is approximately 1.48 hectares in area. It is located to the south west of Cranbrook outside built confines but adjacent to the built up area of Hartley.

*[TWBC: to view site plan see full representation attached].*

1.2.2 The land sits immediately adjacent to residential development to the north and commercial buildings are located on the west side of Glassenbury Road. The site falls entirely within the High Weald Area of Outstanding Natural Beauty AONB.

1.2.3 There are several listed buildings in the vicinity of the site, including:

(i) Hartley Gate Farmhouse (Grade II listed);(ii) Hartley Farmhouse (Grade II listed);(iii) Bull Farm House (Grade II listed); and(iv) Barn 50 Yards North of Bull Farmhouse (Grade II listed).

1.2.4 The surrounding area is characterised by the settlements of Hartley and Cranbrook, residential development with in and around those settlements, commercial developments, farmsteads and agricultural buildings as well as open agricultural land.

1.2.5 To the northeast are residential properties. Opposite the site is the well-established Hartley Dyke Commercial Centre, consisting of Juniors Day Nursery, the Hartley Dyke Coffee House and Farm Shop and several other commercial premises.

1.2.6 In terms of public transport, there are two bus stops located approximately 160m to the east of the site providing a service to Maidstone Town Centre, Loose, Staplehurst, Cranbrook and Hawkhurst. Staplehurst, approximately 10km to the north of the site, provides a regular train service to London, with up to 3no. trains per hour in peak periods (travel time under 1 hour to London Charing Cross and Cannon Street).

1.2.7 The site is not subject to any wider policy designations. The Environment Agency mapping also confirms that the site does not fall within a flood risk zone.

1.2.8 A high pressure water main and overhead power lines run through the site and represent design constraints.

1.2.9 The Hartley Road frontage of the site has been subject to previous smaller scale development proposals as follows:

- 84/00175/OUT - Outline application for 8 semi detached dwellings -Refused; and• 96/00283/FUL - 3 Detached dwellings – Refused. • 17/00795/FULL - Demolition of four derelict agricultural buildings and construction of four detached dwellings with associated parking, landscaping and access from Hartley Road (Withdrawn 08/02/18 following publication of officer's recommendation to refuse in advance of Planning Committee meeting).

1.2.10 The area immediately east of the site, between the built up area and Hartley Gate Farmhouse, has been subject to a planning appeal (APP/M2270/W/18/3203543) for the erection of 8 homes. The appeal was dismissed, but in doing so the Inspector narrowed the sole issue to the effect of the proposed vehicular access on highway safety (i.e. it was suitable in all other respects). The Inspector endorsed the principal of development and had no issue with the impacts of that scheme on the AONB, the character and appearance of the area and on settlement morphology.

1.2.11 Given the suitability of Fernham's land, an outline planning permission was progressed for 27 new homes and registered under Tunbridge Wells planning application reference 19/02170/OUT. However, this application was refused by Tunbridge Wells Borough Council for seven reasons:

*(1) The development would cause significant harm to the rural character of the area, would have more than a minimal impact on the landscape character of the locality, would have a detrimental impact on the landscape setting of Cranbrook and would fail to conserve and enhance the special character of the High Weald Area of Outstanding Natural Beauty. It is therefore contrary to Policies LBD1, EN1 and EN25 of the Tunbridge Wells Borough Local Plan 2006, Core Policies 4 and 14 of the Tunbridge Wells Borough Core Strategy 2010, the aims and objectives of the Borough Landscape Character Area Assessment 2017 and the National Planning Policy Framework 2019(2) The application fails to demonstrate that safe and suitable access to the site can be achieved for all users. It is thereby in conflict with Part 9 of the National Planning Policy Framework 2019, and saved policy TP4 of the Tunbridge Wells Local Plan 2006.(3) There is insufficient evidence to demonstrate that the proposal can result in a net gain in biodiversity. The proposal is thus contrary to Para 170 the National Planning Policy Framework 2019(4) The proposal would harm the setting of nearby listed buildings. It is not considered that there are sufficient public benefits, or any other material considerations, that outweigh this harm. The proposal is thus contrary to saved policy EN1 of the Tunbridge Wells Borough Local Plan 2006, Core Policy 4 of the Tunbridge Wells Borough Core Strategy 2010 and the National Planning Policy Framework 2019(5) The proposal would not provide developer contributions towards Secondary Education, Youth Provision and the Cranbrook Hub projects to mitigate the impact of the proposal. It would therefore conflict with the National Planning Policy Framework 2019, the Planning Practice Guidance, Core Policy CP1 of the Tunbridge Wells Core Strategy 2010 and Policies CS4 and R2 of the Tunbridge Wells Borough Local Plan 2006.(6) The proposal would not provide affordable housing within the proposed development. It would therefore conflict with the National Planning Policy Framework 2019, Core Policy 6 of the Tunbridge Wells Core Strategy 2010 and the Affordable Housing Supplementary Planning Document.(7) The proposal would not provide developer contributions towards new single premises for the three General Practices located in Cranbrook to mitigate the impact of the proposal. It would therefore conflict with the National Planning Policy Framework 2019 and Core Policy CP1 of the Tunbridge Wells Core Strategy 2010.*

1.2.12 Not only did the Council refuse this application, but in seeking to defend the appeal the site was also removed from the Local Plan pre-submission draft.

1.2.13 An appeal was subsequently lodged (Appeal Ref: APP/M2270/W/20/3247977) during the life of which reasons for refusal 5 to 7 were resolved prior to determination (through the provision of a suitably worded Section 106 Legal Agreement). Reason for refusal 3 was also overcome as a result of providing further ecology information and a further commitment within the Section 106.

1.2.14 The main issues for the appeal (and so wider site suitability) were narrowed to:

*(1) The impact of the proposed development on the character and appearance of the area including landscape character and the AONB;(2) Highways safety; and(3) Heritage harm.*

1.2.15 The appeal was dismissed in February 2021, but in doing so the Inspector provided clear findings on a number of key matters that were in dispute and formed the basis for deleting the allocation. We summarise these findings below. A full copy of the appeal is included as Appendix 1.

#### Heritage

1.2.16 Paragraphs 50 to 64 directly responded to the heritage evidence, with the Inspector ultimately endorsing the appellant's evidence that heritage harm would be restricted to Hartley Gate Farmhouse only and in the less than substantial range. The Inspector rejected harm to wider assets. At paragraph 150 he concluded:

*'Given the relatively low level of harm I have found in relation to the farmhouse and the significant housing and other positive attributes I have identified from the scheme, I find the heritage harm arising would be outweighed by the public benefits identified. Accordingly, the Framework does not provide a clear reason for refusing the development proposed in this specific regard'.*

1.2.17 In our opinion, the Inspector provided a very clear conclusion that reason for refusal 4 was not a reasonable basis to withhold consent, nor did it provide a clear basis for disengaging the presumption in favour of sustainable development. As such, we consider the over estimation of heritage impacts contributed to an otherwise suitable allocation being omitted from the pre-submission plan.

## Access and Highway Safety Matters

1.2.18 Paragraphs 65 to 88 of the appeal directly responds to the highway evidence. The Inspector's summary of highway matters stated:

*'86. The A229 is a busy classified road. It reflects the accompanying dangers and relatively harsh pedestrian environment that might be expected, and improvements can always be made. Nevertheless, the evidence presented demonstrates the local highway network has no particular design flaws, and is capable of withstanding the relatively modest increase in vehicle and pedestrian movements that would arise from the scheme without incurring further undue additional risks or inconvenience. I also note possibilities for further detailed refinements to the scheme, particularly in terms of facilities for pedestrian movement, and which were discussed at the Inquiry in relation to a possible planning condition should the appeal be allowed.*

*87. The Framework requires that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The evidence against the proposed scheme falls significantly short of such a threshold.*

*88. I therefore conclude that the proposal would provide safe and suitable access for all users and would not be contrary to Policy TP4 of the Local Plan to the extent that it seeks, amongst other things, to ensure that proposals provide a safely located access with adequate visibility and that the traffic generated by the proposal would not compromise the safe and free flow of traffic or the safe use of the road by others'.*

1.2.19 In our view, the Inspector provided a very clear conclusion that reason for refusal 2 was not supportable nor a reasonable basis to withhold consent and that the access was suitable for the quantum of development proposed. As such, we consider the dismissal of the site on highways grounds also wrongly contributed to the site being omitted from the pre-submission plan.

## Location

1.2.20 At paragraph 117 the Inspector confirmed that the scheme enjoys a moderately sustainable location. Paragraph 124 also acknowledges that the Framework requires that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. The scheme was deemed to be consistent with this aim and so modest weight was attached to these economic factors as a benefit.

## Major Development

1.2.21 At paragraph 155 the Inspector confirms that the appeal scheme was not 'major' development.

## Landscape Impact

1.2.22 Having regard to the above, reasons for refusal 2 to 7 were either overcome or dismissed by the Inspector. The only matter between parties relates to reason for refusal 1 and the associated impact upon the AONB.

1.2.23 In considering the conclusions, at paragraph 42, the Inspector is clear that the site may have potential for reintroduction of some sensitive built form, albeit a better balance has to be struck in relation to the legibility and distinctiveness of the AONB.

1.2.24 At paragraph 49 he concludes that the scheme would, by virtue of the extent of built development proposed (rather than principle) would be significantly harmful to the character and appearance of the appeal site and its surroundings.

1.2.25 In summary, all of the above commentary provides a clear basis to suggest that a revised scheme could integrate within the AONB setting. The Inspector stopped well short of concluding the site was unsuitable for development per se and as such we consider the deletion of the site, and subsequent impact it has had on evidence base and thus it is neither justified nor positively prepared.

1.2.26 We explain the wider relevance of the site being wrongly omitted in the context of the wider strategy within the subsequent sections of this representation.

## **Place Shaping Policies**

1.3.85 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.

1.3.86 Policy STR/CR1 sets the proposed strategy for Cranbrook and Sissinghurst parish and states that Approximately 415 to 429 net new dwellings will be allocated. This represents a substantial reduction on the 718-803 new dwellings that were proposed as part of the Regulation 18 plan. Furthermore, the draft allocations for Hartley have been removed in their entirety.

*[TWBC: for extract of proposed proposal map for Cranbrook see full representation attached].*

1.3.87 Based on the above context, the place shaping aspects of the strategy are unsound and require modification, including the redistribution of housing proposed at Tudeley to genuinely deliverable sites like our client's land at Hartley that is not major development and is not requiring of an 'exceptional circumstances' case for the land to be released.

1.3.88 As outlined above, Hartley is a moderately sustainable location as found by the Inspector during the course of the recent appeal. Indeed, it is situated within the heart of the hamlet of Hartley and in close proximity to the range of services available in Cranbrook.

1.3.89 The site benefits from good access to public transport links. The bus stops in closest proximity to the site are located on the A229 Hartley Road, approximately 3 minutes' walk to the south of the site access. From these bus stops, Routes 5 and 349 are accessible providing links to Maidstone and Hastings. Further bus stops are located approximately 5 minutes' walk to the north of the site access, again on the A229 Hartley Road. In addition to Routes 5 and 349, Routes 267 and 268 can also be accessed providing links to Tonbridge and Tunbridge Wells. Accordingly, there are opportunities for access to services and facilities without reliance upon private vehicle.

1.3.90 Staplehurst Railway Station is located approximately 11km to the north of the site (via the A229 Hartley Road), equating to a 14-minute drive. From this station, destinations including London Charing Cross, Tonbridge, Ramsgate and Dover Priory can be accessed, with trains departing to and from London up to six times per hour during weekday peak periods. Additionally, Etchingham Railway Station is located approximately 12km to the west of the site by road and provides access to regular train services between Hastings, Tunbridge Wells and London.

1.3.91 Within the vicinity of the site, there are a number of Public Rights of Way (PRoW) provided, as shown in Figure 2 2 of the supporting Transport Statement [CD6.10]. These routes provide safe, pleasant off-carriageway access to the surrounding countryside. National Cycle Route 18 routes along Park Lane and Water Lane, approximately 1.1km to the south of the site access. This route provides a link between Canterbury and Tunbridge Wells, via Ashford and Tenterden.

1.3.92 In addition to transport linkages, there is access to services by foot. Hartley Farm House and Coffee Shop are accessible from the site in under a five-minute walk. Additionally, a number of services and amenities can be accessed in nearby Cranbrook. These services include further public transport facilities, a supermarket, places of worship, primary and secondary schools, a doctors' surgery, dental practices, banks, a pharmacy, a post office and several public houses. Cranbrook can be accessed via a 25-minute walk, a 6-minute cycle, a 9-minute bus journey or a 4-minute drive.

1.3.93 From a wider perspective, achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These being economic, social and environmental objectives.

1.3.94 In this respect, the site is suitable, sustainable, available and deliverable for development, and would help contribute to the borough's immediate housing need in a timely manner. Household expenditure generated by future residents will help to support economic activity locally and help to sustain the jobs and services within the local area. The new dwellings will also contribute to the public purse in respect of Council Tax and the New Homes Bonus. The scheme will also be capable of contributing to local services and infrastructure.

1.3.95 The site has the opportunity to provide for a quality residential development to meet the needs of the local population. The proposed development can provide circa 25 additional homes (40% of

which would be affordable) to meet this supply and therefore can positively contribute towards the social role identified in the NPPF. This includes a policy compliant mix of market and affordable units.

1.3.96 Having regard to these matters, we challenge the LPA's deletion of the site. Paragraph 103 of the NPPF is clear that the planning system should actively manage patterns of growth and development should be focused on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes. The close proximity of the site to Cranbrook and the services offers residents far greater access to facilities than many of the smaller rural settlements that have defined LBD such as Benenden, Brenchley and other tier three settlements. Accordingly, in a boroughwide context, the appeal site is sustainable.

## 1.5 Summary and Conclusions

1.5.1 In summary, this representation has been prepared on behalf of Fernham Homes in response to the Tunbridge Wells Borough Council Pre-submission Local Plan development strategy ahead of Examination.

1.5.2 We support the aspiration to meet housing need in full and consider that a dispersed growth strategy represents the optimum means to achieve this. Nonetheless, we object to the exclusion of our client's land at the late stage of the process, the deletion of which is unsubstantiated and based on unsound conclusions. Furthermore, we object to the reduced growth promoted around Cranbrook and Hartley.

1.5.3 Finally, we consider that the Local Plan strategy relies heavily on the delivery of strategic sites that would require the provision of supporting infrastructure. Moreover, the Council have applied overly optimistic projections to the delivery of housing for the extension of Paddock Wood and the Tudeley Garden Village.

1.5.4 In our view, further small to medium sites are needed to remedy these matters or soundness and such additional sites should be directed to sustainable locations such as Cranbrook and Hartley.

## 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.**

1.3.96 Having regard to these matters, we challenge the LPA's deletion of the site. Paragraph 103 of the NPPF is clear that the planning system should actively manage patterns of growth and development should be focused on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes. The close proximity of the site to Cranbrook and the services offers residents far greater access to facilities than many of the smaller rural settlements that have defined LBD such as Benenden, Brenchley and other tier three settlements. Accordingly, in a boroughwide context, the appeal site is sustainable.

## 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	Julie Davies [REDACTED]
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Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent [REDACTED]
Comment ID	PSLP_527
Response Date	28/05/21 08:37
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	CPRE Kent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/CRS1	
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.

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

This policy provides for building 415-429 new homes in the parish during the plan period, the majority of which are to be built on three green field sites in the High Weald AONB, one of which has not previously been allocated for development and which, both together and separately, constitute major development in the AONB. The grounds for such development, which is only permissible in exceptional circumstances under paragraph 172 NPPF, are not made out in the Plan.

These developments (policies AI/CRS1, AL/CRS2 and AL/CRS3) would transform the rural landscape of the Crane Valley into a suburban sprawl, extending for almost a kilometre south west of the LBD in place prior to the allocation of Corn Hall and Brick Kiln Farm for development in 2016. The Crane Valley remains intact at the date of this consultation, no development having taken place on these three sites, apart from limited work on the road access to Turnden Phase 1.

These developments would harm the natural beauty of the AONB; destroy medieval or post-medieval farming landscape characteristic of the AONB; harm biodiversity; obliterate historic settlement patterns, in particular by practically eliminating the gap between Cranbrook and Hartley; harm the Cranbrook Conservation Area by compromising the rural character of its setting; and harm several other nearby heritage assets for similar reasons.

The Council has not demonstrated the need for these allocations and has not demonstrated that no alternative sites in the Borough, outside the AONB, could meet housing needs in the eastern part of the borough. Neither the SHELAA nor the other supporting documents on housing policy provide any justification for the number of new homes in the parish which are allocated by this Plan. The Development Strategy Topic Paper provides a qualitative description of the adjustments to the distribution of development in the borough, as compared with the Regulation 18 draft Local Plan, without justifying the remaining allocations in Cranbrook and Sissinghurst in quantitative terms.

We recognise that the housing allocation to Cranbrook and Sissinghurst is lower than in the Regulation 18 draft Local Plan, but the reduction now proposed is insufficient to prevent new development causing serious environmental harm to the parish, its residents and the AONB. All three sites for major development score very negatively on environmental grounds in the Sustainability Appraisal and their severe adverse impact on the AONB is made clear in Appendix 3 to the Development Strategy Topic Paper. Together, they will represent an increase of approximately one third in the number of homes in Cranbrook's LBD.

Section H of the Development Strategy Topic Paper seeks to justify the level of development within the AONB under this Plan (32 sites, of which 11 are regarded as 'major' allocated for 1,370 dwellings by reference to national planning policy and guidance). In relation to 'major developments', which include these three sites, the Council sets out a number of circumstances affecting the borough as a whole, which it says satisfy the applicable exceptional circumstances test under paragraph 172 NPPF.

In fact, the situation described at paragraph 6.156, of substantial local housing need and a high affordability ratio is pervasive throughout south east England and difficulty in accommodating the government's housing targets on unprotected land is experienced by many LPAs, a high proportion of whose areas are in AONBs or national parks. Tunbridge Wells is in the same planning bind as its neighbouring authorities and many others in the region. The government has repeatedly stated its commitment to the protection of AONBs and has put forward no proposals to dilute such protection. The Council's approach undermines the protection of the High Weald AONB and is inconsistent with national planning law and policy. The site assessments in Appendix 3 to the Development Strategy Topic Paper serve only to underline this.

The additional traffic generated by these developments, considered cumulatively, will undoubtedly increase air pollution in the recently designated AQMA at Hawkhurst Crossroads, risking harm to public health, contrary to national planning policies and relevant policies in this Plan. We accordingly object to points 1 and 2 of the policy.

We do not believe that point 2 can be consistent with point 3, since the impact of the planned new housing will inevitably not be "acceptable" at Hawkhurst Crossroads. Point 4, which refers to the effects of additional traffic through the Hawkhurst crossroads and to the Air Quality Management Area, sets thresholds that are much too high. It should apply to all development that could cause increased traffic or air pollution, since the crossroads are already well over capacity and the air quality in the AQMA is well above safe levels.

Any development, including windfall development on smaller sites, will be unacceptable if it will lead to a cumulative increase. We therefore question whether any development on the A229 at Cranbrook can in fact be sustainable, given that incremental journeys by car to or through Hawkhurst will be attributable to every new home built there.

No attempt has so far been made by the Council to assess the cumulative impact of current and proposed development at Cranbrook and Hawkhurst on congestion and air quality at Hawkhurst Crossroads. The Air Quality Assessment provided by Berkeley Homes in support of application 20/00815/FULL, attempted to measure simply the increment to then current levels of pollution that would be caused by the Turnden Phase 2 development. A radical change of approach by the Council will be necessary, if effect is to be given to Policy EN21, which provides:

"Development will not be permitted when it is considered that the health, amenity, or natural environment of the surrounding area would be subject to unacceptable air quality effects (that are incapable of being overcome by a condition or planning obligation), taking into account the cumulative effects of other proposed or existing sources of air pollution in the locality."

A consequence of these proposed developments, which the policy appears to ignore, is increased congestion on the A262 at Goudhurst, which is regularly problematic at peak times and often at other times, when large vehicles seek to pass in opposite directions in the village centre. Experience suggests that a high proportion of car journeys from homes in this location will be made in this direction, as it is the quickest route to reach Tunbridge Wells, the M25 and Greater London. Increased journey times and higher levels of air pollution in Goudhurst are the inevitable result of development on this scale at Cranbrook. These journeys would also increase traffic on Turnden Road, a narrow lane with blind bends at its narrowest points, on which drivers already need to exercise extreme caution.

Consistent with our comments on housing density elsewhere in this response, the capacity of the three sites allocated for major development should be reviewed, without increasing the proposed developed area on any site, to assess whether they represent appropriate and efficient use of land. Such a review could potentially either reduce the developed area on each site, or undermine the Council's conclusion that the new allocation, Turnden, is required.

In relation to the two sites allocated for development in Sissinghurst under Policies AL/CRS6 and AL/CRS7, we make the following points. First, it is not clear to us why, following the substantial growth of the village attributable to the site east of Common Road, which was not allocated under the existing Local Plan and for which planning permission was granted on appeal, the significant further growth comprised by these two allocations is necessary. Secondly, as these are both green field sites, it is essential that the housing density on the sites is appropriate and represents efficient use of land. Thirdly, site AL/CRS6 adjoins the AONB and any development on that site must not harm the AONB or its setting. We do not comment separately on these two policies.

The support provided in point 6 for proposals for non-residential uses within the LBD is too broad, as the LBD includes the Cranbrook and Sissinghurst Conservations Areas and parts of their setting, which must be protected from unsuitable development.

In paragraph 5.271 there is unaccountably no reference to the Cranbrook Conservation Area.

It must be questionable whether additional secondary school capacity will be required in the parish during the plan period, as contemplated by paragraph 5.278, since the Weald Academy is currently operating at a small fraction of its capacity.

## Question 6

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

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

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

To remove Turnden Phase 2 from the new LBD for Cranbrook.

To reduce the total number of new dwellings by at least the number to be built in Turnden Phase 2.

To delete or reduce the threshold in point 4.

To provide for consideration of the effects of increased congestion on the A262 at Goudhurst, caused by these developments.

To refer to the protection of Conservation Area in Point 6 and/or to refer to Policy EN5 in the list of relevant policies.

Include EN21 and EN22 (air quality and AQMAs) in this list of relevant policies.

## 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 argue for the amendments above and to respond to any other amendments proposed. To participate in the discussion of any additional allocation sites put forward by other parties.

## Question 8

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

It is noteworthy that two of the allocated sites AI/CRS1 and AL/CRS3 score negatively on many environmental factors, notably Air, Biodiversity, Heritage, landscape, Land Use, Noise and Water (AL/CRS2 scores neutrally on some of these criteria, but this can only be because the allocation is smaller, since the environmental impact per dwelling of this development must be practically identical to that of the other two sites). Since the principal positive score for each site is for housing, this strongly suggest that, in the sustainability appraisal the Council is giving predominant weight to housing provision and little or no weight to the protection of the AONB, contrary to the NPPF.

## Comment

Consultee	Mrs Hilary Hosford [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Cranbrook Conservation Area Advisory Committee
Address	[REDACTED] [REDACTED] Headcorn [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Cranbrook Conservation Area Advisory Committee [REDACTED]
Comment ID	PSLP_774
Response Date	31/05/21 11:35
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <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	Cranbrook Conservation Area Advisory Committee
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/CRS 1 The Strategy for Cranbrook and Sissinghurst parish
Question 4	
Do you consider that the Local Plan:	

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

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

#### Question 5

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

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

##### Introduction

Whilst the main thrust of the Cranbrook Conservation Area Advisory Committee's comments relate to the conservation and heritage of Cranbrook and Sissinghurst, there are some wider issues which are also of concern. In this response we will use the Headings used in the Local Plan document with page or paragraph numbers for extra clarity.

##### POLICY STR/CRS 1

We support the concept of setting limits for built development for Cranbrook and Sissinghurst in para 1 of this policy. Although the scale of new housing (415-429) will be hard to absorb into both Cranbrook and Sissinghurst there needs to be some assurance that that will be all, during the lifetime of this Local Plan. That means that when sites are put forward for housing development by opportunistic landowners around both settlements, often on the AONB, the are clearly and firmly rejected. In heritage terms the surrounding countryside of the AONB is a vital green context for both settlements. A considerable amount of AONB land will be lost in the Brick Kiln development and the potential sites at Corn Hall and Turnden .

The need to protect and enhance the Conservation Areas needs to be more clearly set out in a separate bullet point. The suggestion is for a new bullet between bullets 6 and 7.

#### Question 7

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

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

#### Question 7a

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

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

No, but other members of the CCAAC may wish to do so.

**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\_55

## Comment

Consultee	Olivia Glenn [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Charterhouse Strategic Land Ltd
Address	Charter House 3a Felgate Mews London W6 0LY
Event Name	Pre-Submission Local Plan
Comment by	Charterhouse Strategic Land Ltd [REDACTED] [REDACTED]
Comment ID	PSLP_955
Response Date	02/06/21 12:41
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.4
Files	<a href="#">PSLP_1014_Charterhouse Strategic Land Representation_SI.pdf</a>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Charterhouse Strategic Land
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/CRS 1 The Strategy for Cranbrook and Sissinghurst 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.

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 BOROUGH COUNCIL PRE-SUBMISSION LOCAL PLAN: REGULATION 19 CONSULTATION**

I write in response to your publication of the Tunbridge Wells Borough Council Pre-Submission Local Plan ("**Local Plan**").

Charterhouse Strategic Land ("**Charterhouse**") welcomes the opportunity to review and comment on the Local Plan and trust that our comments will be given detailed consideration.

Charterhouse has a promotion interest in land at Cranbrook – Land west of Tilsden Lane – and this representation is provided in this context.

The purpose of this representation is to respond to the issue of 'soundness'. Paragraph 35 of the National Planning Policy Framework ("**the Framework**") advises that Local Plans must be examined to assess whether they are sound. Paragraph 35 states: -

"Plans are 'sound' if they are: a) 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; b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence; c) 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 d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework"

The Regulation 18 version of the Local Plan covered the 20 year period 2016 to 2036, whereas the Regulation 19 version is now intended to cover the period 2020 to 2038. The proposed housing requirement 678 dwellings per annum has however remained. Charterhouse considers there inadequate reasoning for the amended Plan period. Charterhouse is concerned that this change is being used to artificially reduce the overall quantum of development that the Plan must provide. For example, the identified Plan period is now 2 years shorter and will result in some 1,344 fewer dwellings being provided to meet identified housing need, assuming 678 dwellings is the correct housing requirement figure for the Local Plan. This figure broadly corresponds with the figure of 1,360 dwellings when looking at the difference between the housing requirement figure in Table 1 of the Regulation 18 version and Table 3 of the Regulation 19 version of the Plan. Accordingly, Charterhouse object to policy STR1, considering it not 'sound' as it fails the test of being 'positively prepared' and being adequately 'justified'.

With reference to table 4 in the Regulation 19 version of the Plan and table 3 within the Regulation 18 version the overall quantum of housing proposed has reduced from 10,178 homes to 8,076 homes on the lower range applying the discount, a difference of 2,102 dwellings. This figure is considerably higher than the 1,344 or 1,360 dwelling figures noted above. It is not clear to Charterhouse why this

is so, and we have additional concerns that the Local Plan lacks sufficient flexibility as required by the Framework.

It is incumbent on the Plan to identify a sustainable, deliverable distribution of new housing growth to ensure the timely delivery of new homes and meet national planning objectives set out in the Framework. Charterhouse do not support the apportionment of housing development proposed. This is considered to place an over-reliance on strategic sites through the expansion of Paddock Wood and a new settlement at Tudeley for housing and conversely fails to properly support the long-term sustainability of settlements like Cranbrook.

Charterhouse consider that there is an enhanced role for smaller sites and lower hierarchy settlements (such as Cranbrook) to make a more of a contribution towards meeting housing delivery requirements and ensuring an effective five-year housing land supply in addition to the contribution that strategic housing sites might make over the longer term plan period. Smaller sites have a distinct advantage in efficient housing delivery as they tend to be less encumbered by physical constraints and require less new or improved infrastructure to be provided for them to deliver housing swiftly. Smaller sites and settlements such as Cranbrook therefore offer more opportunities for residential development and, in Charterhouse's view, should be given greater prominence and priority in the Local Plan with appropriate additional sites allocated to enable this.

Accordingly, Charterhouse disagree with the approach being taken by the Council with regards to scale of growth being proposed for Cranbrook.

The Regulation 18 version of the Plan showed housing allocations at Cranbrook of approximately 718-803 houses, whereas the Regulation 19 version reduce this quantum to approximately 415-429 homes, without adequate justification. Having regard to the above, it appears simply a case that the Council has arbitrarily cut growth to settlements to suit the housing position it wants to advance. It is not simply a case of this former level of growth at Cranbrook being 'inappropriate' as alleged – a point returned to below.

The reduction in proposed housing growth at Cranbrook equates to over 45% (300 homes on the lower of the range) and it is not clear from the supporting evidence how the Council has arrived at such a reduction, especially where the overall minimum additional allocations to meet housing need has only fallen 372 dwellings since publication of the Regulation 18 version of the Plan.

We are concerned that the reduction in numbers will leave Cranbrook unprovided for, over the Plan period. Cranbrook is classified within Policy ED 8 (Settlements Hierarchy) as a town centre and is therefore a sustainable location for growth.

The allocations at Cranbrook makes up only 4.57% of the overall housing allocations in the plan. Comparatively the urban extensions at Paddock Wood and Tudeley Village make up nearly 61% of the plan's allocations. We are concerned therefore by the reduction in the overall number of houses being now proposed for Cranbrook, with such a high percentage of housing allocations being tied up in long term garden village urban extensions, there is a real and tangible risk that without sites which are deliverable in the short to medium term the housing land supply position could be compromised should there be delays to the overall timescale of the larger sites in which considerable infrastructure and masterplanning is necessary prior to building out.

The draft Plan claims the reasoning for the reduction in numbers at Cranbrook is because it was shown as 'inappropriate', particularly in regards of the impact of individual sites and cumulatively upon the High Weald AONB. The council's reduction in numbers, is therefore a product of the fact that the Council believes Cranbrook is not suitable for major development, a point Charterhouse dispute.

For an authority like Tunbridge Wells housing need relies upon modelled projections and the use of the relevant Standard Method to identify the local housing need requirement and this approach is relevant for establishing the Borough requirement. However, for smaller areas such as an individual area like Cranbrook the local housing need approach of projection is simply not robust, (due largely to the small size of the areas total population) and additional contextual issues to consider in terms of availability of relevant individual and households earning data.

In addition, where, for reasons linked to an affordability and availability of suitable local housing stock, there is evidence of population decline and yearly fluctuations (as is evident in Cranbrook), it is not appropriate to base an assessment of local housing need on a projection of the shifting/declining population driven by a lack of available housing stock (market and affordable housing) which serves

to suppress local households from forming and staying within an area or allowing newcomers to come and choose to live in Cranbrook.

An alternative approach is therefore to consider local housing need by way of proxy data from the district as a whole, based on pro rata population share approach. The pro rata approach allows for a reasonable understanding of an areas population based likely need.

The population of Cranbrook and Sissinghurst is 5.8% of Tunbridge Wells districts total population which enables a straightforward pro rata estimate of the share of housing need to show what an unconstrained area may need to provide to house likely generated need. Accordingly, over the Plan period, the Cranbrook and Sissinghurst contribution should be circa 708 dwellings (12,204 multiplied by 0.058). This figure is a context to understanding what Cranbrook and Sissinghurst share of need would be if Cranbrook and Sissinghurst were getting their fair share of homes. The quantum currently being provided in the Local Plan by comparison (415 homes) falls short of this pro rata contribution and only equates to a 3.42% contribution.

We understand and recognise that Cranbrook does sit within the High Weald AONB for which the Framework says 'great weight' should be given to its protection and that 'major' development should be refused in all but 'exceptional circumstances'. The determination of whether a scale of growth is major development or not is a matter for the decision-maker, but given Cranbrook and Sissinghurst's pro rata population share it is submitted that growth in the order of 700 net additional homes would not constitute major development.

The March 2021 Infrastructure Development Plan ("IDP") identifies Cranbrook and Sissinghurst socio-economic infrastructure requirements for the Plan period and lists with the following: -

- 1 FE expansion to Cranbrook Church of England Primary School – Cost £3,862,576;- Potential for additional secondary places in Cranbrook towards the end of the plan period (No cost or timescale provided);- New premise for the three existing doctors practises – Cost approximately £4 million;- New community hall for the parish – No cost given;- Improvement or replacement of St George's Hall, Sissinghurst – No cost given;- Provision of a new book stock for the library – No cost given;- Extension to current open space and sport recreation across the parish – No cost given;- Re-designation of junior pitches to adult pitches at King George Field at Sissinghurst and Ball Field at Cranbrook – No cost given;- Improvements required to the King George Field and the Tomlin Ground at Cranbrook – No cost given; and- Improvement to the changing rooms and a new pavilion at Cranbrook Rugby Club – No cost given.

Of the ten projects which have been included within the IDP only two have been given an associated cost, but the Council will reasonably expect development coming forward in the Cranbrook and Sissinghurst area to contribute. The cost alone of the 1 FE extension and the new doctors surgery if to be burdened by the proposed level of housing growth will amount to a high per dwelling contribution of £18,632. It is likely however that the per dwelling contribution will be higher than this given the other scale of infrastructure identified.

Charterhouse is therefore concerned that the scale of financial burden placed on the developers of the planned level of growth at Cranbrook will lead to pressures on affordable housing delivery. We are concerned that the developers of the proposed allocated sites will run viability arguments to reduce their respective contributions towards affordable housing delivery. The scale of the financial burden on the proposed allocations is therefore unsustainable and we consider it could be alleviated by allocating more sites for housing at the settlement.

In order to make the Local Plan 'sound', Charterhouse considers that further housing must be allocated at Cranbrook to correct affordability and availability of suitable local housing stock issues locally.

Land west of Tilsden Lane, previously submitted by Charterhouse, provides a real opportunity to deliver much needed housing (both market and affordable) within an area of Cranbrook where it can be readily assimilated into the landscape without significant or demonstrable adverse impact on the prevailing AONB character and appearance. As such, Charterhouse objects to the omission of the site from the Local Plan.

A Landscape and Visual Technical Note prepared by Huskisson Brown Associates concludes that the intrinsic qualities of the site itself could be addressed through a sensitive development approach that would respect key sensitivities and not intrude on the wider rural landscape. Taking account of the supporting material that would be produced as part of a planning application, the studies to date concludes that development of this site would be possible whilst respecting the function of the adjoining

Ancient Woodland and wooded valley, without intrusion into the wider AONB landscape and respecting the character of Tilsden Lane. Any development proposal would take account of the recommendations made in the supporting material to date, and would incorporate the following: -

- The creation of a planted boundary to the south of the site, potentially created on a bund to accentuate the 'bowl' characteristics of the site's natural topography. This intention would be for this area to provide net biodiversity gain
- A 15 metre buffer from the canopy line of the Ancient Woodland, to minimise the impact of development
- Development of a woodland management plan
- Planting within the development and to the boundaries
- Protection and enhancement of the inherent character of Tilsden Lane

For the Local Plan to be found 'sound' Charterhouse considers there is a need to refine and amend the Plan so that an effective spatial strategy is created which better supports the Borough to meet its evident, pressing, housing needs. Accordingly, Charterhouse support greater levels of housing growth for Cranbrook, and invite the Council to identify the land west of Tilsden Lane for a modest amount of new housing.

### 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

## Comment

Consultee	Katy Wiseman [REDACTED]
Email Address	[REDACTED]
Company / Organisation	National Trust
Address	Scotney Castle (Hub) ROYAL TUNBRIDGE WELLS TN3 8JB
Event Name	Pre-Submission Local Plan
Comment by	National Trust [REDACTED]
Comment ID	PSLP_1099
Response Date	03/06/21 11:12
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <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	National Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst 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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The National Trust supports the removal of the four proposed site allocations at Sissinghurst consulted on at Regulation 18 stage:

- . Policy AL/CRS 12 Land on the east side of Mill Lane (5-10 dwellings);
- . Policy AL/CRS 13 Land east of Camden Lodge, adjoining to Mill Lane and Sissinghurst Road (40 dwellings);
- . Policy AL/CRS 15 Oak Tree Farm, The Common, Wilsley Pound (15-20 dwellings);
- . Policy AL/CRS 16 Land at Boycourt Orchards, Angley Road Wilsley Pound (20-25 dwellings).

This will revise the proposed site allocation figure down from approximately 100-115 new dwellings to 38 dwellings at Sissinghurst which will put less pressure on the existing wastewater treatment works (WWtW) in Sissinghurst.

The existing WWtW is located on the western boundary of the Sissinghurst Castle Estate. All the wastewater from the village is treated at this WWtW prior to being discharged into the Hammer Stream which flows through the National Trust Estate. Hammer Stream currently has a status of 'moderate' under the Water Framework Directive (WFD). The National Trust needs certainty from the LPA and Southern Water that should development be delivered on the two proposed allocations at Sissinghurst that being, land south of The Street (Policy AL/CRS 6) and land at the corner of Frittenden Road and Common Road (Policy AL/CRS 7) management processes and appropriate pollution control measures will be in place to ensure that there are no direct or indirect adverse impacts on the water quality of Hammer Stream.

The National Trust therefore supports Policy EN 24 Water Supply, Quality and Conservation which seeks to protect water quality by only permitting development where it can be demonstrated that it would not result in (1.) unacceptable risk to the quality or quantity of surface and ground water resources.

The proposed Bedgebury to Sissinghurst cycle path route referred to in Policy STR/CRS 1 criterion 5 is not shown within the Borough Cycling Strategy 2016-2020 and it is therefore not clear whether the proposed route would affect National Trust land. It would be useful for the route to be shared by Kent County Council with stakeholders and interested parties to aid partnership working on this objective.

#### **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	Margaret Arger & Robin Oakley ( [REDACTED] )
Email Address	[REDACTED]
Company / Organisation	Staplehurst Parish Council
Address	Parish Office Staplehurst TN12 0BJ
Event Name	Pre-Submission Local Plan
Comment by	Staplehurst Parish Council ( Margaret Arger & Robin Oakley - [REDACTED] )
Comment ID	PSLP_1315
Response Date	03/06/21 09:34
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <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	Staplehurst 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 STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

*[TWBC: for comments relating to STR/CRS 1, STR/HA 1, PSTR/BE 1, PSTR/FR 1, PSTR/GO 1, PSTR/SA 1 and TP 6 - please see Comment Numbers PSLP\_1315, PSLP\_1317-1318, PSLP\_1320-1322 and PSLP\_1325]*

**Question 4a**

If 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.**

##### Introduction

Tunbridge Wells Borough borders the southern edge of Staplehurst parish and includes Frittenden, Cranbrook and Sissinghurst and Goudhurst parishes. Other parishes in the borough where development might affect Staplehurst are Hawkhurst, Sandhurst, & Benenden. We have concentrated on the numbers of dwellings which it is proposed to permit within the borough and we have commented where appropriate. We have also commented on a number of highways and transportation matters in the plan. Where two figures are quoted for the number of dwellings which might be permitted in a parish these are minimum and maximum e.g. 161 – 170.

Cranbrook and Sissinghurst 453-467. Of these, 216 dwellings at Cranbrook already have outline planning permission. The Draft Plan seeks developer contributions towards the provision of improved medical facilities, primary and secondary education, sports facilities with increased library, adult learning and social care at the new Cranbrook Community Hub. It is clear that there will have to be more communal buildings to form the hub of a Rural Service Centre, e.g. a larger public library, a medical centre and sports facilities. The increased number of dwellings will probably result in more commuter traffic through the A229 to Staplehurst railway station though this is not mentioned in the Draft Plan. The plan says that there is a bus service between Cranbrook and Headcorn but this is incorrect. There is no mention of Colliers Green or the former Blantyre House Prison building but these small settlements are not thought to be viable to develop further as they are too remote.

#### 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



## Comment

Consultee	David Warman [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Campaign to Protect Hawkhurst Village
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Campaign to Protect Hawkhurst Village [REDACTED] [REDACTED]
Comment ID	PSLP_1491
Response Date	04/06/21 08:21
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <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	Campaign to Protect Hawkhurst Village
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

Policy AL/HA3 Land off Copthall Avenue and Highgate Hill

Policy STR/CR1 The strategy for Cranbrook and Sissinghurst

Policy AL/CRS3 Turnden Farm, Hartley Road, Cranbrook

[TWBC: this representation has been input against Policies STR/HA 1, AL/HA 4, STR/CR1 and AL/CR3 – see Comment Numbers PSLP\_1473, PSLP\_1490, PSLP\_1491 and PSLP\_1492]

#### Question 4

Do you consider that the Local Plan:

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

#### Question 4a

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

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

#### Question 5

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

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

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

We strongly support the overall development strategy put forward in the Pre-Submission Local Plan. In particular we very much welcome and support the changes made in response to the 2019 consultation on the Draft Local Plan and the removal of a number of large proposed housing allocations in Hawkhurst and Cranbrook. We consider that this overall approach is sound.

However, we have a number concerns regarding the remaining specific Hawkhurst and Cranbrook Policies relating to Transport and AONB issues.

These comments are common to STR/HA1, HA3, CRS1 and CRS3 and therefore are submitted for consideration in respect of all these policies. We have not submitted duplicate representations for each policy.

##### **Transport Issues**

Policy STR/HA1 sets out the overall development strategy for Hawkhurst (policy STR/CRS1 does the same for Cranbrook and Sissinghurst).

Both these draft policies contain a criterion that development proposals must have an acceptable impact on the Hawkhurst crossroads and the Flimwell crossroads.

This criterion is welcome, however there is no analysis in the evidence base of the impact of the remaining allocations in both Hawkhurst and Cranbrook on these highway junctions. The March 2021 SWECO Transport Assessment does not contain an assessment the impact of the proposed allocations on these junctions.

There is an internal consistency in the draft policies recognising the potential impact on the Hawkhurst and Flimwell junctions as a concern, without undertaking any strategic assessment of the capacity of those junctions to accommodate the proposed allocations as part of the Local Plan process.

The Council will be aware that in respect of the proposed Copthall Avenue allocation HA/4, KCC objected to the planning application on the basis of the impact of the proposals on the Hawkhurst

crossroads. The Council subsequently refused the application for that reason (as well as the harm to the AONB).

Having very recently resolved that a planning application for the site would have an unacceptable impact upon the Hawkhurst crossroads, it would be irrational for the Council to seek to retain the site as an allocation.

For this reason, we do not consider that STRA/HA1, HA4, STR/CS1 and STR/CS3 are sound because:

- 1 They are not “justified” as they are not based on a proportionate evidence base – indeed there is no evidence base regarding their impacts on highways junctions at Hawkhurst and Flimwell which the Council has acknowledged in the draft wording of the policies to be a concern; and
- 2 They are not consistent with national policy because they do not focus development in sustainable locations and will not limit the need to rely on private car trips – contrary to the requirements of paragraphs 103 and 104 of the NPPF.

#### **AONB issues**

Notwithstanding the welcome revisions at the Pre-Submission Stage, the draft Plan will still propose very significant major development in the High Weald AONB.

The Council recently refused a planning application for the HA4 allocation site due to the harm caused to the AONB. It would therefore be inconsistent for that allocation to be pursued through the Local Plan.

Criterion 1 of Policy HA1 seeks to define Limits of Built Development “as a framework for new development over the plan period”.

We do not consider that this criterion is sufficiently robust or effective. The criterion has been added to seek to minimise harm to the AONB. However, as drafted it would not operate to in any way restrict or limit development outside the Limits of Built Development. Unless the criterion makes explicit that development outside the Limits of Built Development as a general presumption will be resisted (particularly on greenfield sites) other than in the specific exemptions addressed elsewhere in the plan, it will be completely ineffective as it will not limit built development outside the defined area. The very concept of Limits of Built Development will therefore be entirely redundant.

Against this background we do not consider that STR/HA1, AL/HA4, STR/CRS1 and AL/CRS3 are sound because they are not consistent with paragraph 172 of the NPPF which seeks to preserve and enhance the AONB and limit development in such areas.

#### **Question 6**

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

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

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

We would therefore request the following modifications:

The removal of allocation AL/HA4

- 1 The consequent amendment of STR/HA1 Criterion 2 to reduce the overall housing numbers to reflect the removal of allocation AL/HA4
- 2 The amendment of STRA/HA1 Criterion 1 to make clear that proposals for development on greenfield sites outside the Limits of Built Development will be resisted unless they fall within one of the exceptions identified elsewhere in the Plan
- 3 The removal of allocation AL/CRS3

- 4 The consequent amendment of STR/CRS1 Criterion 2 to reduce the overall housing numbers to reflect the removal of allocation AL/CRS3

#### 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 the transport impacts of the proposed allocations on the Hawkhurst and Flimwell are taken into account.

#### Future Notifications

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

## Comment

Consultee	Ms Alison Burchell [REDACTED]
Email Address	[REDACTED]
Company / Organisation	NHS Kent and Medway Clinical Commissioning Group
Address	[REDACTED] Ashford [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	NHS Kent and Medway Clinical Commissioning Group [REDACTED]
Comment ID	PSLP_1552
Response Date	04/06/21 09:16
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <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	NHS Kent and Medway Clinical Commissioning Group
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

Paragraph Number: 5.280

[TWBC: this representation has been input against Policies AL/RTW 8, AL/RTW 15, STR/CRS 1, AL/HA 5, STR/SS 3, PSTR/HO 1, PSTR/BM 1, STR/SS 1, PSTR/GO 1 and AL/HO 3– see Comment Numbers PSLP\_1550, PSLP\_1551, PSLP\_1552, PSLP\_1553, PSLP\_1556, PSLP\_1568 PSLP\_1570, PSLP\_1554, PSLP\_1559 and PSLP\_1569]

#### Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	Yes
Complies with the Duty to Cooperate	Yes

#### Question 4a

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

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

#### Question 5

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

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

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

I can confirm that the CCG has been engaged in the local plan development process in order to assess implications for primary medical care provision. The impacts are set out in the IDP and will be regularly reviewed and updated in line with the CCG's GP Estates Strategy. The following comments are provided on specific policies in relation to general practice provision for completeness.

#### **Cranbrook and Sissinghurst**

**5.280 The project for delivering a new community hub at Wilkes Field is being led by Cranbrook and Sissinghurst Parish Council and includes the provision of a new library for the parish to replace the existing library. The project includes the provision of meeting spaces, new library provision, and parish council offices. A new medical centre will also be provided as part of this project.**

Comments: The CCG can confirm that support in principle (Stage 1 of CCG governance process) has been provided to enable existing general practices to engage in the proposed medical centre project on this site. A business case and plans will be developed and considered through CCG governance. To clarify it is the intention that a new medical centre will be replacing existing GP facilities within Cranbrook.

#### Question 7

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

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

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

**Future Notifications**

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

No, I do not wish to be notified of future stages of the Local Plan

# Supporting Information File Ref No: SI\_83

## Comment

<b>Consultee</b>	Councillor Nancy Warne [REDACTED]
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Cranbrook & Sissinghurst NDP Steering Group
<b>Address</b>	- - -
<b>Event Name</b>	Pre-Submission Local Plan
<b>Comment by</b>	Cranbrook & Sissinghurst NDP Steering Group (Councillor Nancy Warne - [REDACTED])
<b>Comment ID</b>	PSLP_1580
<b>Response Date</b>	04/06/21 16:00
<b>Consultation Point</b>	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.3
<b>Files</b>	<a href="#">PSLP_1571-1623(not inclusive)_CRS NDP Steering Group Representation.pdf</a>
<b>Data inputter to enter their initials here</b>	HB
<b>Question 1</b>	
<b>Respondent's Name and/or Organisation</b>	Cranbrook & Sissinghurst Neighbourhood Development Plan Steering Group
<b>Question 3</b>	
<b>To which part of the Local Plan does this representation relate?</b>	Policy
<b>Question 3a</b>	
<b>Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.</b>	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish



*[TWBC: for further comments by Cranbrook & Sissinghurst Neighbourhood Development Plan Steering Group, please see Comment Numbers PSLP\_1574-1580, PSLP\_1582-1586, PSLP\_1588, PSLP\_1590, PSLP\_1592-1623]*

#### Question 4a

**If 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.**

Cranbrook & Sissinghurst Neighbourhood Development Plan

Response to Tunbridge Wells Borough Council Pre-Submission Draft Local Plan – 4th June 2021

#### **Policy STR/CRS1**

#### **The Strategy for Cranbrook and Sissinghurst parish – OBJECT**

**- Object to the development strategy which has ignored the evidence gathered from the community over the past 5 years during the Neighbourhood Plan process.**

*[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\\_1571-1623\(not inclusive\)\\_CRS NDP Steering Group\\_Representation.pdf](#)

## Comment

Agent	Mr Gary Mickelborough [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Bloomfields
Address	[REDACTED] PADDOCK WOOD [REDACTED]
Consultee	Fernham Homes [REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Fernham Homes [REDACTED]
Comment ID	PSLP_1657
Response Date	04/06/21 14:27
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <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	Fernham Homes Ltd
Question 2	
Agent's Name and Organisation (if applicable)	Bloomfields Ltd
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

#### **Question 4**

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

<b>Is legally compliant</b>	No
<b>Is sound</b>	No
<b>Complies with the Duty to Cooperate</b>	No

#### **Question 4a**

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

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

#### **Question 5**

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

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

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

These representations are submitted on behalf of our esteemed clients and local housebuilders Fernham Homes Ltd., who seek to support the site currently drafted for providing housing and a significant community facilities at Sissinghurst (under Policy STR CRS 1), subject to important modifications which ensures the viable delivery of the site.

*[TWBC: Above comment from covering email]*

Fernham Homes Limited (FHL) is promoting land south of The Street, Sissinghurst ("the Site") for residential development and a new village hall. It is welcome that the Pre-Submission Local Plan ("the Plan") proposes to allocate this site for development and it is in this context that FHL wishes to express its general support for the Plan's strategy for Sissinghurst.

Draft Policy STR/CRS 1 sets out the Plan's ambitions in respect of Sissinghurst which is based on the provision of 38 new dwellings over the plan period. Paragraph 5.277 says Sissinghurst is identified as having some growth potential, which is regarded as commensurate with its services and constraints, also following testing of higher development levels. FHL supports the apportionment of this level of growth to the village as it will help deliver the Plan's strategic objective of improving infrastructure, local services and amenities in line with community needs and to ameliorate the loss of Green Belt and encroachment within the Area of Outstanding Natural Beauty in order to meet development needs.

As the Draft Policy recognises, development in Sissinghurst brings the need to mitigate impacts on local infrastructure including recreation provision. We consider that these requirements have been informed by a comprehensive understanding of local infrastructure needs as set out in the Infrastructure Delivery Plan (IDP). However, as is recognised within paragraph 5.282 of the Plan's supporting text, it is also proposed that St George's Hall at Sissinghurst is re-provided as part of Policy AL/CRS 6 Land south of The Street, Sissinghurst (the site area includes St George's Hall), which requires a replacement community hall as part of the delivery of the site allocation. FHL suggests that wording of this Paragraph

should be reconsidered as the intention, following lengthy discussions with the Parish Council and St Georges Institute, is not to re-provide this same facility, but to provide new facilities of an altogether different and improved offering.

In addition to providing the land for the new village hall, the Site can also provide a proportionate capital contribution. However, for the reasons set out in FHL's representations to Draft Policy AL/CRS 6, in the event that the requirement for providing 30 percent affordable housing were not to be deleted in order that an independent and site-specific viability considerations can be taken into account as part of any planning application, it is strongly considered that other sites that are being brought forward in Cranbrook and Sissinghurst should also provide financial contributions towards the hall's construction in order to mitigate the impact of these sites on community provision.

To support this contention, FHL would note that the Borough Council has already secured a financial contribution towards the provision of a new village hall at Horsmonden under planning permission reference 18/01976/FULL in relation to 49 dwellings at Gibbet Lane/Furnace Lane, Horsmonden. The relevance of this is that those contributions were sought despite another site in Horsmonden also being allocated with the criterion that a village hall would be provided. Therein lies the same principle point as at Sissinghurst, that the burden of costs associated with the provision for the community facility should be shared (or 'pooled') across development sites within the same area, unless the provision for the community facility is required in order to make the development acceptable in planning terms. In which case the viability of other obligations, including that of affordable housing provision should also be accounted.

Given the above, FHL has requested a modification to Draft Policy STR/CRS1 as set out below to recognise the need for a new village hall and requirement for sites coming forward in the village to contribute towards its provision, to be applied only in the event that the requirement for providing 30 percent affordable housing were not to be deleted from draft Policy STR/CRS1, in order that an independent and site-specific viability considerations can be taken into account as part of any planning application.

## 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.**

Criterion 9. Seek developer contributions, either in kind (normally land) and/or financial, from residential schemes to be used towards the provision of:

g. a new Sissinghurst village hall and associated parking.

## Question 7

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

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

## Question 7a

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

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

Fernham Homes Limited is promoting Land South of The Street, Sissinghurst for development and is seeking changes to Draft Policy STR/CRS 1. Fernham Homes Limited requests participation in the hearing sessions in order to contribute to discussions in relation to this Draft Policy and to articulate its case for suggested changes as well as to address any relevant points raised by the Local Planning Authority, the Inspector or by stakeholders.

#### **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
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# Supporting Information File Ref No: SI\_91a-d

## Comment

Agent	Andy Pearce [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CBRE Limited
Address	[REDACTED] [REDACTED] London [REDACTED]
Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Dandara Ltd
Address	[REDACTED] [REDACTED] Hemel Hempstead [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Dandara Ltd [REDACTED]
Comment ID	PSLP_1711
Response Date	04/06/21 16:55
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.6
Files	<a href="#">PSLP_1685-1711(not inclusive)_CBRE(Dandara)_S'borough Concept_SI.pdf</a> <a href="#">PSLP_1685-1711(not inclusive)_CBRE(Dandara)_Letter_SI_.pdf</a> <a href="#">PSLP_1685-1711(not inclusive)_CBRE(Dandara)_LandscapeConcept_SI.pdf</a> <a href="#">PSLP_1685-1711(not inclusive)_CBRE(Dandara)_Representation_SI_.pdf</a>
Data inputter to enter their initials here	AT
Question 1	

**Respondent's Name and/or Organisation** Dandara

**Question 2**

**Agent's Name and Organisation (if applicable)** CBRE Ltd

**Question 3**

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

**Question 3a**

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

Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

*[TWBC: Covering letter, Full Written Representation, Landscape Concept and Southborough Vision Document attached as Supporting Information. This representation has been input against Section 3 - Vision & Objectives, Section 4 - The Development Strategy, Policies STR/SS 1, STR/HA 1, AL/RTW 5 and STR/CRS 1 – see Comment Numbers PSLP\_1685, PSLP\_1688, PSLP\_1689, PSLP\_1697, PSLP\_1703 and PSLP\_1711]*

**Question 4**

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

**Is legally compliant** Yes

**Is sound** No

**Complies with the Duty to Cooperate** Yes

**Question 4a**

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

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

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

**Question 5**

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

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.**

*[TWBC: Covering letter/email as follows - copy also attached as Supporting Information]*

CBRE is appointed by Dandara Ltd. to submit representations relating to the Regulation 19 Pre-Submission Draft version of the Tunbridge Wells Borough Local Plan.

Dandara hold specific land interests in respect of the following sites as set out in our representations:

- . STR/PW1 / STR/SS1 – Badsell Farm, Paddock Wood ('Paddock Wood');
- . STR/HA1 / AL/HA4 – Land off Copthall Avenue and Highgate Hill, Hawkhurst ('Hawkhurst');
- . STR/RTW1 / AL/RTW5 – Land at Speldhurst Road, Southborough ('Southborough');
- . AL/RTW 16 – Land to the west edge of Eridge Road at Spratsbrook Farm ('Spratsbrook Farm');
- and
- . Omission Site – Land east of Camden Lodge, adjacent to Mill Lane and Sissinghurst Road ('Sissinghurst');

The above sites are located within the administrative area of Tunbridge Wells Borough Council ('TWBC'). The Paddock Wood, Hawkhurst, Southborough and Spratsbrook Farm sites are all allocated in the Pre-Submission Draft Local Plan.

Separate written representations have been submitted by Barton Willmore LLP in respect to Dandara's land interests at AL/RTW 16 – Land to the west edge of Eridge Road at Spratsbrook Farm ('Spratsbrook Farm'). CBRE's written representations have been fully coordinated with Barton Willmore LLP's representations for Spratsbrook Farm.

Accordingly, please find the following enclosed representations which will be sent via email and secure electronic file transfer:

- . This cover letter;
- . Completed Local Plan Response Forms; and
- . Written Representations Report dated June 2021.

Dandara will continue to engage with TWBC as well as key stakeholders, to feed into and inform later stages of the plan-making process including the Examination hearings in due course.

Dandara will also continue to monitor the progress of the emerging Local Plan and will also look to make written representations on the next stage, Examination hearings in due course.

*[TWBC: End of covering letter/email]*

Reg.18 - Policy AL/CRS13

#### **Land east of Camden Lodge, adjacent to Mill Lane and Sissinghurst Road – Omission Site**

The Site is not allocated in the Pre-Submission Local Plan. The site has been omitted from the previous Draft (Regulation 18) Local Plan (site ref. AL/CRS13 / SHELAA ref. 120) version and was formerly allocated for approximately 40 residential dwellings with the development of the site requiring a highways assessment and works, in terms of access.

5.222 The Council's previous iteration of their SHELAA (July 2019) which was prepared in support of the Draft (Regulation 18) Local Plan confirmed that the site is likely to be sustainable, due to its proximity to the Limits to Built Development (LBD) and adjoining existing built development. The assessment also noted the availability of the site and its ability to be delivered within the Plan period.

5.223 The Council's updated SHELAA (2021) includes the site (SHELAA ref. 120) (see Figure 18 below) for 40 dwellings but despite being considered available, the site was deemed unsuitable on the basis: "Site is in proximity to the Limits to Built Development and is adjoined by existing built development. The site is likely to be sustainable in this context. However, it has not been possible to demonstrate that a safe, suitable and sustainable access for both vehicles and pedestrians can be achieved. There are traffic safety issues at the junction of Mill Lane and Sissinghurst Road (A262) that are unlikely to be overcome (ref planning refusal 19/00308)".

5.224 The SA undertaken to inform the SHELAA site appraisal confirmed the "loss of greenfield land and potential boundary issues with the AONB contribute to the negative scores for Land Use and Landscape". However, Paragraph 10.15 of the Committee Report for ref. 19/00308 (dated 12 August 2020) reaches a different conclusion. On the basis the site lies outside the AONB, the Council's Landscape Officer considers the proposed development is "not considered to Council's Landscape Officer advise that it is not considered to cause significant harm to the landscape character of the area or indeed the setting of the AONB".

5.225 However, the Council's Landscape Sensitivity Assessment (July 2018) confirms that "tree cover alongside the road precludes any significant intervisibility between town and countryside".



5.226 In addition, the Council's AONB Setting Analysis Report (November 2020) confirms that the existing "hedgerow and tree belt on the southern boundary of the site lines the road, screening the site from view. The existing land use within the site is consistent with the AONB to the south, however the site is surrounded by housing on three sides and development of the site would be consistent with the emerging settlement pattern". Similarly, the Paragraph 10.17 of the Committee Report for ref. 19/00308 states: "Whilst there would clearly be some landscape harm by virtue of the introduction of the residential development, this harm would be reduced by virtue of the layout proposed and the retention of the majority of the boundary trees which would reduce views".

5.227 Overall, the Committee Report for ref. 19/00308 (Paragraph 10.38) concludes that the "wider character here is unlikely to be significantly impacted as a result of the proposed development".

5.228 Dandara note that site CRS13 was not included as part of the Council's LVIA (November 2020), a supporting evidence base document to the Pre-submission Local Plan.

5.229 Therefore, the Council's evidence base does not provide landscape sensitivity grounds to support the omission of the site as a potential housing allocation.

5.230 Dandara has undertaken architectural and feasibility work for the site. This work informed a recent planning application for site for 42 new dwellings as detailed below.

5.231 The site is suitable for residential development as concluded in the Council's previous SHELAA and has capacity to deliver 40-45 dwellings. This is deliverable whilst securing appropriate densities at the site as well as encompassing suitable "green" and "blue" infrastructure and a sensitive design response in an AONB setting.

5.232 The proposed uplift in the development of the site can contribute towards achieving a secure buffer in the Local Plan and as set out in the earlier section, we consider that an uplifted buffer (to up to 20%) should be pursued in the Local Plan accordance with Paragraph 73 of the NPPF and Footnote 39.

**Planning Application** 5.233 "Erection of 42 new dwellings, alongside car parking, cycle parking, drainage, internal road network and the creation of a principal access off Sissinghurst Road (A262), plus public open space, a play area and associated landscaping" which refused on 20 August 2020 (LPA ref. 19/00308/FUL).

5.234 Planning application ref. 19/00308/FUL was refused for three reasons summarised below:

1) Site access; it was not demonstrated that the scheme would achieve for safe, suitable and sustainable access for all, including appropriate visibility splays on Sissinghurst Road. The development would therefore lead to an unacceptable impact upon highway safety; 2) No completed legal agreement to secure provision of affordable housing; and 3) No completed legal agreement to secure contributions towards community facilities including education, libraries, social care, community learning, youth provision, waste provision, NHS, open space and biodiversity offsetting.

5.235 It is therefore noted that the impact of the landscape setting and AONB did not form one of the Council's reasons for refusal contrary to the findings of the SA summarised in the Council's SHELAA 2021. As confirmed in the Committee Report for application ref. 19/00308/FULL, dated 12 August 2020, the principal reason for refusal was due to highway access concerns, hence the site's omission in the Pre-Submission Local Plan.

5.236 Refused application ref. 19/00308/FUL is now subject to a live appeal which was lodged in December 2020 (PINS ref. APP/M2270/W/20/3265584) and is now registered, valid and awaiting assignment of an Inspector.

5.237 The Appellant's (Dandara's) appeal case confirms the principal matters at issue are whether the proposed site access junction with the A262 provides adequate visibility splays and is, therefore, considered to be safe.

5.238 The Committee Report for application ref. 19/00308/FULL, dated 12 August 2020, of 12 August 2020 states (Paragraph 10.10) that there "would be good connectivity and it would be possible to walk/cycle to the village centre..." and there "are a number of local services within the village which would be comfortably accessed". The Committee Report concludes that the proposal would achieve sustainable development (Paragraph 10.24) in accordance with the NPPF.

5.239 Dandara's appeal case demonstrates that proposed scheme includes suitable and safe access and is consistent with the NPPF (paragraphs 108 and 109 of the NPPF).

5.240 In respect to contributions towards affordable housing and community facilities (reasons for refusal no. 2 and 3), the Appellant's Statement of Case seeks to agree a Statement of Common Ground with the Council which will include any financial contributions required by the proposed development and such contributions will be secured through appropriate Section 106 legal agreement.

5.241 The Appellant's Affordable Housing Statement sets out a robust case for why the proposed delivery of 15 affordable dwellings on-site (36% of total housing proposed) will make an important contribution to the affordable housing needs of Tunbridge Wells and should be afforded substantial weight in the determination of this appeal.

5.242 Therefore, Dandara object to the removal of the site allocation which is unfounded. Whilst it is accepted the site was recently subject to a refused application ref. 19/00308/FUL, there is no indication from the KCC Highway response the access objection cannot be overcome and therefore, it is unreasonable to preclude this site for a housing allocation. The matters that are the subject of the appeal relate to the development management process and do not principally affect the allocation of the site.

5.243 Accordingly, Dandara suggest the Council reinstate site allocation AL/CRS13 and allocate the site for circa 40-45 new dwellings as part of 20% buffer the Council should be applying to its deliverable sites as part of maintaining supply and delivery in accordance with Paragraph 73 of the NPPF (including Footnote 39) and the PPG.

**Housing Delivery** 5.244 Subject to the outcome of the above planning appeal, TBC should reinstate housing allocation AL/CRS13 in the submission version of the emerging Local Plan and include the site in the Council's revised housing trajectory.

5.245 The site comprises a underutilised greenfield site, within the settlement boundary, outside the AONB and is capable of delivering 42 new homes and thus forming a valuable contribution to meeting the Council's small and medium sized sites housing requirement and constituting windfall development in accordance with Paragraph 68 of the NPPF. The Site is suitable for housing and can suitably accommodate a high quality development for circa 40-45 dwellings, the site is available; and deliverable within the first 5 years of 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.

**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.**

5.243 Accordingly, Dandara suggest the Council reinstate site allocation AL/CRS13 and allocate the site for circa 40-45 new dwellings as part of 20% buffer the Council should be applying to its deliverable sites as part of maintaining supply and delivery in accordance with Paragraph 73 of the NPPF (including Footnote 39) and the PPG.

## Question 7

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

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

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

#### **Question 7a**

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

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

Dandara wish to participate in the hearing session to discuss their representations and to provide further evidence to assist the Inspector where necessary in the interests of ensuring the emerging Local Plan, its strategic allocation policies and all other strategic and development management policies can be found to be sound and meet all the specific soundness tests set out at Paragraph 35 of the NPPF.

#### **Question 8**

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

4.9 The Council's supporting Sustainability Appraisal (SA) sets out the preferred growth strategy of securing a planned strategic extension at Paddock Wood based on garden village principles, supplemented by the creation of a new garden village at Tudeley Village and promotion of new growth at existing settlements.

4.10 The production of the SA is a key evidenced based document in understanding whether or not the approach to the spatial strategy is sound. The NPPF (2019) introduced a subtle but important change to the definition of 'justified' with the requirement now for 'an appropriate strategy' rather than 'the most appropriate strategy'.

4.11 The SA (February 2021) includes the assessment of 8 alternative options for the spatial strategy. In presenting a robust approach the SA (February 2021) correctly considers the implications for the spatial strategy in including Paddock Wood in some options and excluding it from others.

4.12 Paragraph 6.2.13 of the SA (February 2021) succinctly summarises the consequences for sustainable development if an alternative spatial strategy was pursued which sought to focus growth exclusively in the main town and main town and villages. In the assessment it is noted that the exclusion of Paddock Wood (and in turn the additional pressure that this would place on other areas to accommodate growth) would have a detrimental impact upon 8 of the SA objectives including: objectives of business growth, climate change, deprivation, employment, health, services, travel and water. The assessment work undertaken provides a sound basis to inform the proposed spatial strategy with the approach representing an appropriate strategy (as required by the NPPF).

4.13 At the more detailed policy level, the SA provides a rigorous and robust testing of the 11 Local Plan strategic objectives against the 19 SA objectives and confirms there are no sustainability objectives that are more incompatible than compatible with the Local Plan objectives.

4.14 The SA explains the Council's assessment of their growth strategy options as set out in the Issues and Options stage SA (2017).

4.15 The Council's site assessment review includes assessment of potential development sites and reasonable alternative sites. Dandara support the scoring for Land to the north of Badsell Road, Five Oak Green, Paddock Wood (Site ref. 142) as part of strategic allocation STR/SS1 and TN12 Land off Copthall Avenue and Highgate Hill, Hawkhurst (Site ref. 78); and Land at Speldhurst Road, Southborough (Site ref. 100). Dandara consider the review of these development sites to be accurate, robust and informed by proportional evidence in accordance with Paragraph 35(b) of the NPPF.

4.16 However, Dandara disagree with the findings of the reasonable alternatives site assessment, land east of Camden Lodge, adjacent to Mill Lane and Sissinghurst Road (Site ref. 120). This is discussed further on in this submission, however, this site was a largely neutral scoring site and comprises a small greenfield site within the settlement boundary and not located in the AONB and is proposed for medium scale residential redevelopment.

4.17 Dandara support the Council's SA subject to the above comments on the Council's strategic objectives, consider it to be robust and satisfies the relevant legal requirements including SEA in accordance with Paragraph 32 of the NPPF.

#### **Future Notifications**

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

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

# Supporting Information File Ref No: SI\_84a-u

## Comment

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Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes [REDACTED]
Comment ID	PSLP_1715
Response Date	03/06/21 13:25
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.5
Files	<a href="#">Sigma Planning for Rydon Homes_RYDON 4.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 9.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 17.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 6.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 3.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 18.pdf</a> <a href="#">Sigma Planning for Rydon Homes_Composite Representations.pdf</a> <a href="#">Sigma Planning for Rydon Homes - covering letter.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 5.pdf</a> <a href="#">Sigma Planning for Rydon Homes_List of Appendices TWBC LP.docx</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 10.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 7.pdf</a>

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[Sigma Planning for Rydon Homes RYDON 1.pdf](#)

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**Question 1**

Respondent's Name and/or Organisation Rydon Homes Ltd

**Question 2**

Agent's Name and Organisation (if applicable) Sigma Planning Services

**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/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

[TWBC: see also representation numbers PLSP\_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

**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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[TWBC: see supporting documents attached, including composite of all representations].

### **The Strategy for Cranbrook and Sissinghurst Parish**

- 1 The Pre-Submission Plan proposes to build approximately 415-429 Dwellings at Cranbrook and Sissinghurst. Of these, 216 already have planning permission and therefore only 199-213 are new sites to be allocated in the Plan.

Cranbrook is one of the main towns in the Borough and is located at the eastern end of the Borough. It is not close to any sizeable settlement and therefore must play a self-contained role as a Service Centre for its extensive rural hinterland. It has its own affordable housing needs, which cannot reasonably be met elsewhere, and existing rural services and facilities need to be supported. The Local Plan evidence base does not properly consider those aspects from the point of view of retaining and enhancing the vitality of the town as a rural service centre.

- 1 At the Draft Local Plan (Reg 18) stage it was proposed to deliver 718–803 new dwellings which was clearly a level of growth that the Council considered was able to be assimilated by the settlement, consistent with maintaining its character.

That is agreed.

- 1 At the same time the IDP identifies significant infrastructure requirements for Cranbrook and Sissinghurst irrespective of the quantum of new development proposed. These include:-

- a new medical centre
- a new community hub – including meeting space, new library and Parish Council Offices
- expansion of the Primary School
- replacement community hall at Sissinghurst
- improvements to provision of open space, sport and recreation grounds, sports pitches, allotments, children's and youth space, amenity greenspace and extensions to existing provision (TWBLP Para. 5.824)

These infrastructure requirements are not funded and KCC has requested financial contributions. New development of around 200 dwellings – 11 pa over the Plan period – cannot reasonably be expected to make any meaningful financial contribution towards these improvements in local infrastructure and services and the IDP is emaciated as a result.

- 1 The PSLP says that the testing of large-scale growth through the plan-making process has shown this to be inappropriate – particularly in terms of the impact of individual sites on the AONB. (PSLP Para. 5.276). However, the evidence base does not support this conclusion. The Hankinson Duckett Associates LVIA suggests the deletion of only one site at Cranbrook due to impact upon the AONB. Several of the sites that are not taken forward from the Reg 18 Plan to the Pre-Submission version are not in the AONB. An example is the proposed allocation in the Draft Plan Ref. AL/CRS 16 Land at Boycourt Orchards, Angley Road, Wilsley Pound which was allocated for approximately 20-25 dwellings and lies outside the AONB. The Hankinson Duckett Associates report assesses the site with the adjoining site AL/CRS 15, as follows:-

“The alignment of the sites is consistent with the north-western edge of the settlement. The visibility of these sites from the AONB is extremely limited and any views of the sites from the AONB would be seen in the context of the existing settlement”. (Para. 4.5.13).

Nevertheless the sites are deleted by the PSLP.

- 1 Furthermore only 62% of the area surrounding Cranbrook is in the AONB. There is therefore significant potential for locating sites for housing outside the AONB. Ironically the three new housing allocations proposed at Cranbrook in the PSLP are all in the AONB. (AL/CRS1), AL/CRS2, AL/CRS3). There does not therefore appear to have been a credible or consistent assessment of the constraints, needs and opportunities at Cranbrook to support Policy STR/CRS1 or to explain the major change of policy between the Draft and Pre-Submission versions of the Plan.
- 1 It is concluded that there is significant potential for more housing development at Cranbrook, without material impact upon the AONB and with the ability to support the local rural economy and assist in financing improvements to local infrastructure and facilities. Some of this potential was confirmed by the proposals in the Draft Local Plan (Reg18) and there is nothing substantive that has changed, or arisen from, consultation or recent reports that justifies the severe reduction in housing allocations since then. The changes made by the PSLP appear to be arbitrary and not justified by the evidence base. They certainly do not optimise the potential of Cranbrook to deliver more housing.
- 1 The Plan is therefore unsound because by failing to recognise the full potential for Housing growth at Cranbrook and Sissinghurst it is not positively-prepared and the current strategy is not justified by the evidence base, in particular the over- cautious and unwarranted concern about adverse impact upon the AONB. The Plan is not fully effective because small sites at Cranbrook and Sissinghurst would increase the range and location of housing allocations and help to redress the imbalance that currently exists in terms of emphasis on locations in the west of the Borough and upon transformative scale development at Tudeley, Capel/ Paddock Wood. For these reasons it is also inconsistent with National policy.

## Question 7

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

## Future Notifications

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



# Supporting Information File Ref No: SI\_84a-u

## Comment

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Company / Organisation	Rydon Homes
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Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes [REDACTED]
Comment ID	PSLP_1744
Response Date	03/06/21 13:25
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.6
Files	<a href="#">Sigma Planning for Rydon Homes_RYDON 1.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 11.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 17.pdf</a> <a href="#">Sigma Planning for Rydon Homes_List of Appendices TWBC LP.docx</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 4.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 5.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 9.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 14.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 8.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 18.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 3.pdf</a> <a href="#">Sigma Planning for Rydon Homes - covering letter.pdf</a> <a href="#">Sigma Planning for Rydon Homes_RYDON 10.pdf</a>

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[Sigma Planning for Rydon Homes\\_RYDON 13.pdf](#)

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**Question 1**

Respondent's Name and/or Organisation Rydon Homes Ltd

**Question 2**

Agent's Name and Organisation (if applicable) Sigma Planning Services

**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/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

[TWBC: see also representation numbers PLSP\_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

**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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[TWBC: see supporting documents attached, including composite of all representations].

#### **SUSTAINABILITY APPRAISAL**

- 1 The plan-making authority are required to assess the sustainability of their plan proposals and this includes the consideration of reasonable alternatives. The Issues and Options version of the Plan (2017) was accompanied by an Interim SA, the Reg 18 Draft Plan (2019) was accompanied by a full SA and likewise the current Reg 19 Pre-Submission version is accompanied by a full SA. However, in each case, the alternatives that are tested essentially involve different strategies for the spatial distribution of a fixed housing requirement figure. There is no full SA testing of lower or higher numbers of housing provision and there is therefore no robust basis upon which to judge the ability of the District to accommodate the uncapped housing needs of the District or to assist in meeting the unmet housing needs of other Districts. This is most unsatisfactory, does not properly fulfil their legal obligations and undermines confidence in the Council's claim not to be able to meet housing need in full (beyond capped targets) or to assist in addressing unmet housing need in other Districts.

**Site 29 – Land at Boycourt Orchards. A229 Angley Road, Wisley Pound, Cranbrook. TN17 2HR**

- 1 The same flaw arises in connection with this site. The part of the site which was proposed housing allocation AL/CRS 16 in the Draft Reg 18 Local Plan is assessed in the Reg 18 SA but is not assessed in the Reg 19 SA. This is a reasonable alternative, as demonstrated by the Reg 18 Draft Local Plan proposed allocation and it should have been assessed. The SA is unsound as a result. Furthermore, the scores for the whole site in the Reg 19 SA are based upon loss of greenfield land in the AONB whereas the site does not lie in the AONB. This is a fundamental flaw in this site assessment and the SA is unsound as a result.
- 1 Copy extracts from the Reg 18 and Reg 19 SAs are attached for the purposes of comparison. (Rydon 18 and 19).

#### **CONCLUSION**

- 1 The failure of the SA to consider all reasonable alternative spatial strategies or Reasonable alternative sites and to test higher and lower housing numbers, together with the identified errors in assessing impacts on sustainability objectives in the two quoted cases (there are likely to be other similar errors) lead to the conclusion that the SA is unsound and therefore the Plan is not legally compliant.

#### **Question 7**

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

#### **Future Notifications**

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

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

# Supporting Information File Ref No: SI\_100a-c

## Comment

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Event Name	Pre-Submission Local Plan
Comment by	Barry Street [REDACTED]
Comment ID	PSLP_1774
Response Date	03/06/21 14:50
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.4
Files	<a href="#">PSLP_1773-1774_Downes_Planning_for_Mr_&amp;_Mrs_Street_SI-2_Appendix_1_&amp;_2</a> <a href="#">PSLP_1773-1774_Downes_Planning_for_Mr_&amp;_Mrs_Street_SI-1_Representation_&amp;_Appendix_3_Redacted</a> <a href="#">PSLP_1773-1774_Downes_Planning_for_Mr_&amp;_Mrs_Street_SI-3_Site_Plan</a>
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Question 1	
Respondent's Name and/or Organisation	Mr & Mrs Street
Question 2	
Agent's Name and Organisation (if applicable)	Downes 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/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

### Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

#### Question 4a

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

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

### Question 5

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

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

Due to the council's failure to meet the 5 year Land Supply for a number of years, they should be following Government advice as outlined in the NPPF, and providing a 20% buffer in their housing targets. This means that further sites, such as my clients, should be allocated as housing sites in the Plan. See my attached representations.

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

#### 1 Site Description and Location

The site lies 1.2 km (0.75 miles) to the north east of Cranbrook between Wilsley Pond and Wilsley Green. It lies to the west of the junction of the A229 and the A262. The site originally included the curtilage of The Barracks, a Grade II listed house, together with various outbuildings which have now been converted to dwellings. These have all been sold, and what remains is 5.35 ha (13.2 acres) of pasture land contained within 3 paddocks.

The site lies within the High Weald Area of Outstanding Natural Beauty (AONB) and adjoins the Wilsley Green Conservation Area (The Barracks is within).

Figure 1 is the Land Registry title plan at 1:2500 and figure 2 is a site location plan showing the distance to Cranbrook.

## 1 Housing Land Supply

The site is 5.35 ha, and if 50 dwellings per ha could be achieved then approximately 268 dwellings could be provided. This is a significant number of dwellings on a medium size site.

The Council recently updated its 5 year housing land supply position for 2018/19 which identified that the Council, inclusive of a 5% buffer as determined by the Housing Delivery Test, does not have a 5 year housing land supply, but rather a 4.69 year supply.

The Council's current position on the Housing Delivery Test indicates that for 2018, the housing delivery requirement was 1,656, whereas the delivery in the borough was at 1,457, meaning that the Council was achieving 88% of its requirement. The consequence of this as per the national planning guidance is that the Council has to provide a 5% buffer on its 5 year housing land supply as well as produce an Action Plan outlining ways in which delivery will be improved in the forthcoming years.

I believe the shortfall will be even greater for the following reasons:

- 1 The Council rely on 'windfall' sites with as many as 1232 coming forward over the plan period. The problem with windfall sites is that they diminish over time. They become harder to find and therefore the figure must be reduced.
- 2 Obtaining planning permission has become a very expensive business and very time consuming. The introduction of validation requirements has caused time delays and costs, all of which have reduced the flow of housing sites. A typical large housing scheme, even on an allocated site may have to overcome a number of obstacles. For example:
  - . A planning application may need to have an ecology survey, a tree survey, a Section 106 Agreement to provide costs for highway improvements, a contribution towards education, a transport statement, a heritage assessment, a landscape assessment, affordable housing etc. etc.

**against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than 5 years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:**

- . **5% to ensure choice and competition in the market for land; or**
- . **10% where the Local Planning Authority wishes to demonstrate a 5 year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or**
- . **20% where there has been sufficient under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply."**

The position changes significantly if a 20% buffer is included (see Appendix 3).

Only 76% of dwellings will be realistically delivered and more sites must be allocated. This site could produce 268 dwellings giving 1725 dwellings (90% of requirement). This together with a few other sites would achieve the correct supply.

## 1 Appendices

1. Highway report of Mr. Rollings.
2. Historic hedgerow boundaries.
3. 20% buffer.

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

For office use only

**New Site Submission? Enter site address**

The Barracks, Wilsley Green, Cranbrook, Kent, TN17 2LG

## 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 Apply the 20% buffer and identify further sites accordingly.
- 2 Do not assume Windfall sites will come forward in the same numbers as historically.
- 3 Be mindful of additional costs L.A. seek in Section 106 Agreements which may reduce sites coming forward.

#### **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 the message is fully understood

**If you would like to attach a file in support of your comments, please upload it here.** [PSLP 1773-1774 Downes Planning for Mr & Mrs Street SI-1 Representation & Appendix 3 Redacted](#)

**If you would like to attach a file in support of your comments, please upload it here.** [PSLP 1773-1774 Downes Planning for Mr & Mrs Street SI-2 Appendix 1 & 2](#)

**If you would like to attach a file in support of your comments, please upload it here.** [PSLP 1773-1774 Downes Planning for Mr & Mrs Street SI-3 Site 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



# Supporting Information File Ref No: SI\_102

## Comment

Agent	Mr Andrew Wilford [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Esquire Developments
Address	[REDACTED] [REDACTED] Longfield [REDACTED]
Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Esquire Developments
Address	[REDACTED] [REDACTED] Longfield [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Esquire Developments [REDACTED]
Comment ID	PSLP_1792
Response Date	04/06/21 15:53
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.10
Files	<a href="#">PSLP_1792_Esquire Developments_SI_Representation_with Appendices.pdf</a>
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Esquire Developments
Question 2	

Agent's Name and Organisation (if applicable) Esquire Developments

### 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/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

### Question 4

Do you consider that the Local Plan:

Is sound No

### Question 4a

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

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

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

### Question 5

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

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

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

See attached representations

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

### APPENDICES

APPENDIX 1 - Site Location Plan and Proposed Site Layout

APPENDIX 2 - Regulation 18 Local Plan Policy AL/CR1 Land adjacent to Wilsley Farm, Cranbrook

APPENDIX 3 - Design and Access Statement to application Ref 20/03816/FULL

APPENDIX 4 - Delegated Report to application Ref 20/03816/FULL

APPENDIX 5 - Decision Notice to application Ref 20/03816/FULL

APPENDIX 6 - 2019 SHEELA Extract

APPENDIX 7 - 2021 SHEELA Extract AONB Unit response to Site potential

APPENDIX 8 - Sustainability Appraisal Extract – Alternatives

## **APPENDIX 9 - Kent SME Developer Network Representations**

## **APPENDIX 10 - Current and Future Sustainability Trends in relation to Carbon Emissions, Behavioural Trends and Technological Advances .**

## **APPENDIX 11 - Pre-Application Responses**

## **APPENDIX 12 - Response from Conservation and Design Officer to application Ref 20/03816/FULL**

### **1.0 INTRODUCTION**

1.1 These representations are submitted by Esquire Developments Ltd in response to Tunbridge Wells Borough Council's (TWBC) Regulation 19 Pre-Submission Local Plan Consultation December.

1.2 Esquire Developments has a number of land interests across the Borough, and specifically land at Wilsley Farm, Wilsley Green, Cranbrook. The site is being promoted for up to 20 dwellings on 0.96ha of land (**Appendix 1**).

1.3 The Regulation 18 Local Plan identified the site as a suitable allocation for up to 20 residential dwellings under Policy AL/CR1 (**Appendix 2**). The Pre-Submission Local Plan has removed the site as a potential allocation.

1.4 Notwithstanding the emerging nature of the Local Plan, Esquire Developments undertook positive preapplication engagement with TWBC throughout 2020. That pre-application advice recognised the sites emerging allocation, but based on the present lack of a 5-year supply of land for housing, supported the principle of development on the site and an early planning application submission.

1.5 In December 2020, a full application (ref 20/03816/FULL) was submitted to the Council for 20 dwellings (**Appendix 3 for DAS**). In January 2021, the Pre-Submission Local Plan was released - identifying the site's removal as an emerging allocation. In April 2021, the application was subsequently refused by delegated authority (**Appendix 4**) for 7No. reasons for refusal (**Appendix 5**). The site is acknowledged and not being major development in the AONB.

1.6 The site was assessed in the 2019 TWBC SHELAA (Site Ref 125) and was confirmed as being suitable for development (**Appendix 6**). However, the 2021 SHELAA now contradicts that position suggesting the site is now unsuitable (**Appendix 7**). The site was also subject to assessment in the Sustainability Appraisals as 'Reasonable Alternative Site Ref 125 ' (**Appendix 8**).

1.7 These representations assess the spatial strategy with emphasis on the support (or lack of) for SMEs and meeting the requirements of Paragraph 68 of the NPPF. They also assess the suitability of the site selection process for Cranbrook.

1.8 We have significant concerns with the Pre-Submission consultation document. It does not support the growth of SMEs, has not identified sufficient land to meet paragraph 68 of the NPPF and there is over reliance on the delivery of dwellings from the two strategic locations. The Council is also flawed in its site selection process in respect of AONB development.

1.9 These representations draw upon the representations prepared by the Kent SME Developers Network and contained within **Appendix 9**. We wholly support the content of those representations.

### **i) About Esquire Developments**

1.10 Esquire Developments is a multi award winning SME Housebuilder based in Longfield, Kent. Founded in 2011, we have quickly established ourselves through the delivery of high quality bespoke residential developments in Kent. We were most recently awarded Gold for Best Small House Builder in the Country 2020 by WhatHouse.

1.11 Esquire Developments has adopted a tailored approach to its developments adapting designs and layouts to reflect local characteristics and respect local community needs. This is done through our expert local knowledge and understanding of a place, but also positively engaging with the local community allowing for a focussed approach to planning, design and greater understanding of the needs of the local community.

1.12 Each development is bespoke and there are no fixed house types. This allows us to be totally flexible when it comes to choosing the right mix and design of each home. This is reflected in the high-quality architecture and use of materials, but also quality of open spaces and the environment in which each development sits within.

1.13 Esquire Developments also delivers commercial buildings such as office space and children's nurseries to complement developments where local demand identifies such a need. This means our developments can meet a local community's needs in a number of ways, whether that is for people to live, work and play.

1.14 As an SME Housebuilder, Esquire Developments can expediently deliver a high-quality product that brings variation and choice to the market and complement volume housebuilders.

1.15 Esquire Developments Managing Director presently chairs the local Kent SME Developer Network. The SME Network is a collection of active SMEs in Kent to bring together collective thought and best practice as well as sharing knowledge to increase and improve the delivery of development in the local area by SME Developers.

## ii) Content of Representations

1.16 These representations are structured as follows:

Section 2.0: The Spatial Strategy and Lack of Support for SME Housebuilders .

Section 4.0: The Suitability of the Site to accommodate Development.

Section 4.0: Conclusions.

1.17 Notwithstanding specific land interests, these representations have been prepared in objective terms and assessed against the prevailing planning policy and guidance framework set out within the National Planning Policy Framework (NPPF) (February 2019) and National Planning Policy Guidance (PPG) (March 2014 as amended).

1.18 In summary the headline points are as follows:

5.1 It is considered that the Pre-Submission Regulation 19 Local Plan is **unsound**. Alongside wholly supporting the Kent SME Representations, our comments are summarised as:

- . We are wholly disappointed that the Council is failing to recognise the role of SMEs in its Pre-Submission Plan. This is evident on the basis that the Local Plan is wholly silent with reference to SMEs.
- . The plan fails to allocate 10% of its housing numbers on sites of 1ha or less as required by NPPF Paragraph 68.
- . The plan fails to provide a sufficient evidence base, namely demonstrating a quantitative and qualitative approach to supporting SME sites.
- . The plan is over-reliant on the anticipated delivery of its strategic large-scale sites in which the largest comprises an oligopoly of National Volume Housebuilders and the other has no developer yet on board;
- . The Plan fails to provide for a robust housing trajectory and requires the identification of smaller sites to provide for a more effective plan.
- . We consider the Plan should include a small sites policy for up to 60 dwellings. This is considered to be a proactive and effective way to support SME growth in policy and assist in delivering high quality bespoke developments.
- . The Council has undertaken a flawed approach to site selection in the AONB and misapplied paragraphs 171 and 172 of the Framework.
- . The Council has not appropriately assessed the exceptional circumstances required for major AONB release and failed to recognise the role played by non-major AONB sites.
- . The Council has retrofitted its evidence base to suit its current position in respect of the 2019 and 2021 SHELAA conclusions of the site.
- . The site is considered to wholly meet the requirements of the plan, being an SME led, non-major site of under 1ha of land in a sustainable location.
- . Accordingly, the plan is considered **unsound** as it is:
  - o Not Positively Prepared as it does not fulfil paragraph 68 (a) of the NPPF regarding 10% provision of small sites and has sought to reduce its plan period to reduce housing numbers;
  - o Not justified as the appropriate evidence base is lacking, particularly relating to
    - housing delivery and NPPF Paragraph 72 (d).
    - identifying sites with the least environmental or amenity value as per paragraph 171 of the framework;
    - has not appropriately assessed the exceptional circumstances to justify major AONB development.

- o Not effective as the reliance on larger sites reduces the opportunity to diversify the housing market (especially in Cranbrook) and will not deliver the required housing within the plan period.
- o Is not consistent with National Policy as it does not conform to Paragraph 68, Paragraph 171 and paragraph 172.

## **2.0 RESPONSE TO THE SPATIAL STRATEGY AND LACK OF SME SUPPORT**

2.1 The Kent SME Developers Network has prepared comprehensive representations in respect of the proposed spatial strategy and lack of SME support and opportunities. The representations are attached in **Appendix 9** of this document and therefore the arguments made in that document are not repeated in detail here.

2.2 We wholly support the content of the SME representations and share the view that the spatial strategy is not sound. We echo the disappointment and lack of support to SMEs by TWBC within the plan and that SMEs have been disregarded in totality. TWBC's attitude to SMEs is not reflective of Central Government's attitude - which has recognised SMEs as being of 'National Importance'.

2.3 We have serious concerns with the Policy Vacuum within the Local Plan in delivering high-quality small-scale sites. The Plan is reliant on at least 1,670 dwellings coming forward under windfall. Alongside the concerns that the Strategic Sites will not deliver the scale of growth envisaged in the plan period (5,590 dwellings), and that a more realistic figure of 2,450 dwellings is likely to be delivered. Consequently, a further 2,140 dwellings should be allocated elsewhere in the plan.

2.4 Indeed, there has been a significant 'shift' in the Council's Spatial Strategy from the Regulation 18 Local Plan with a significant reduction in the numbers of dwellings envisaged in certain locations and the subsequent removal of a number of sites. Table 2.1 compares the proposed housing distribution between the Regulation 18 Consultation document and Regulation 19 Pre-Submission Plan.

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

2.5 Table 2.1 demonstrates that overall, there has been a reduction in allocated sites from between 890 dwellings to 1,455 dwellings. The most significant locations which saw a reduction include Hawkhurst, Cranbrook and Paddock Wood. Hawkhurst and Cranbrook are recognised as being both main settlements within the Borough and crucially perform critical roles within the rural areas of the Borough.

2.6 It is not immediately clear within the Local Plan as to where the 'missing allocations' are redistributed to, and we seek clarification on this point. However, a review of the Local Plan period from the Regulation 18 Consultation document and the Regulation 19 Consultation document identify the Regulation 18 Local Plan was based on a 20-yr plan period of 2016 – 2036 and confirmed the housing need as being 13,560 dwellings. The Regulation 19 Local Plan has 'moved the goalposts' and has a plan period of now only 18 years of 2020 – 2038 and a housing requirement of 12,200.

2.7 This change subsequently results in the Regulation 19 Local Plan requiring to identify 1,360 dwellings fewer dwellings. This is not considered to be a proactive approach and there has been no justification by the Council why the change in plan period from the Regulation 18 to regulation 19 was sought – other than to reduce the number of dwellings to allocate.

2.8 Indeed, as a result of the bringing forward of the base date of the plan from 2016 to 2020, the subsequent back log of unmet housing need from 2016 - 2020 is simply 'written off' – again further reinforcing the lack of a positive approach to meeting needs within the Borough.

2.9 The impact of the Council's approach is that a number of smaller sites have fallen victim to the change in strategy. This is a point highlighted by the SME Network representations, where it is evident that the 10% target required by paragraph 64 of the NPPF is not being met on a Borough wide basis and detailed further in section 3 of this statement.

2.10 The site adjacent to Wilsley Farm is a specific example of this. The site lies under 1ha and is under the control of an SME. It was identified as an emerging allocation in the Regulation 18 Local Plan. It meets the exact criteria paragraph 68 of the NPPF is seeking to achieve, and yet the site has been removed from the Councils Local Plan. There are a number of sites in similar situations.

2.11 Whilst we recognise the Council has sought to justify its position on the reduction in dwellings in Cranbrook and Hawkhurst (and other locations) due to cumulative impacts on the AONB (amongst other things), its subsequent site selection and SA is flawed as it does not factor into account those sites that are being promoted by SMEs or of a scale that is required to be delivered in the Local Plan

under Paragraph 68 of the NPPF. Furthermore, the Council has now sought to artificially change its Evidence Base to suit its position – as shown in the change in assessment of the Site between the 2019 SHELAA and 2021 SHEELA.

2.12 The Spatial Strategy further ignores the benefits an SME can bring in both design quality and carbon efficiencies.

2.13 The SME Representations (**Appendix 9**) reference SME site typology which is recognised as marginalising SMEs to rural fringe locations. Whilst an SME can deliver a bespoke development that is both appropriate in scale and design to reflect the local area, these sites often have to work harder to justify their sustainability credentials or other such matters (i.e. landscape impact) often on the basis that a bus service is infrequent or the local primary school is in the next village. As a result, SME schemes of this nature are often declared to be too heavily reliant on the use of car, and thus automatically assumed to be unsustainable and either applications are refused, or sites not progressed to allocation.

2.14 However, this is a too simplistic approach to take, as sustainability also includes the effect of carbon footprint from the buildings themselves and consequently the overall emissions released from a scheme (including both dwellings and vehicles). Together these components will tackle Climate Change and whilst it is recognised that rural fringe locations may result in increased vehicle trips, through efficient build techniques that SMEs can deliver and other behavioural trends (such as electric vehicles, online shopping and home working), the emissions deriving from an SME built rural fringe site does not necessarily result in an increased emissions output from a traditional built scheme in the urban area by a volume housebuilder meeting only standard building regulations. This point is further emphasised when volume housebuilders are present in more rural locations – such as is the case in Cranbrook.

2.15 **Appendix 10** of these representations contain a report titled '*Current and Future Sustainability Trends in relation to Carbon Emissions, Behavioural Trends and Technological Advances*' commissioned by Esquire Developments and prepared by i-transport and Daedalus Environmental. The report seeks to link the nuanced behavioural changes relating to electric vehicles, online shopping and working from home in rural fringe locations. The report assesses the likely car trips from these locations and undertakes a case study to demonstrate that by building carbon efficient homes, the emissions released from the increased number of (short) car trips can be off-set and that when the combined picture is assessed, there is no material increase in emissions output from a rural fringe location to an urban location using current building regulations.

2.16 Figure 6 from the report (below) demonstrates that over the life cycle of a development, whilst transport related CO2 emissions are greater for a rural fringe location, the CO2 emissions from the dwellings built by Esquire Developments are less, and when combined, the overall CO2 emissions are actually more favourable than a standard housebuilder in an urban location.

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

2.17 It is anticipated that over time, as Building Regulations improve, the gap between SME and standard build emissions closes. Conversely, as electric vehicles become more common (and indeed fossil fuel cars will no longer be sold as new from 2030), the gap in car emissions will also reduce. Given the Local Plan runs 8 years beyond the 2030 target date, it is considered appropriate that this plan recognises the changing nature of sustainability and plans for this effect now.

2.18 This more nuanced approach demonstrates that sites which have been marked as unsustainable because they are not located within the identified travel distances to certain facilities is incorrect. The SHLAA should be revisited with this in mind as well an assessment of which sites are being actively promoted by SME developers, and not simply landowner, promoters of volume house builders.

2.19 In addition to the above carbon efficiencies, it is considered that SMEs can bring forward better quality schemes than volume housebuilders. This can have 2 positive effects on designations such as the AONB. The first being the bespoke nature of the house types and quality of materials and architecture can better respond to the AONB design code, and secondly the sites themselves are smaller in nature and thus the impact of any 1 development is less (and thus cumulatively less) often not being considered 'major' development in the AONB. This issue has been overlooked by the Council in its spatial strategy and site selection process (set out in section 3).

2.20 By way of example, in Cranbrook and Sissinghurst, a number of larger sites have been permitted to Volume Housebuilders.

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

2.21 In total, in just 3 number sites, a total of 405 dwellings are being built by volume Housebuilders. This compares to a number of smaller SME type applications that have recently all been refused by the Council – all of which were Regulation 18 allocated sites that have now subsequently been removed in the Regulation 19 Local Plan, namely:

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

2.22 Tables 2.2. and 2.3 demonstrate that just 3No. volume housebuilders have permission in excess of 400 dwellings in Cranbrook and Sissinghurst. However, 5No. Regulation 18 Local Plan sites totalling just 155 dwellings have all been refused by the LPA in the last 18 months alone and at a time when there was/is a lack of a 5-year supply of land for housing.

2.23 Whilst it is recognised that each application must be determined on its own merits, the above is a clear demonstration that the smaller SME site typologies are being regularly refused by the Council. It is arguable that the Council is exacerbating the decline of SMEs and is 'part of the problem', preferring a few number of volume housebuilders on large sites and encouraging the lack of diversity in the housing market.

2.24 Had the sites in Table 2.3 been approved or indeed continued to be identified as emerging allocations in the Regulation 19 Local Plan, it would represent the opportunity to :

- 1 support smaller SME type sites;
- 2 support SMEs themselves;
- 3 Result in a significant choice in house design, product, carbon efficiencies; and
- 4 Not undermine the wider spatial strategy or have such significant adverse impact on the AONB when taken cumulatively (especially in the light that these 5 sites alone still falls under the two largest volume housebuilder schemes).

2.25 The Council's site selection and strategy for Cranbrook and Sissinghurst is exacerbating the decline in SMEs. The Council is failing to support SMEs both in the wider Local Plan and this is evidenced in Cranbrook and Sissinghurst through the Council's initial identification of suitable sites for allocation, and then their removal in favour of Volume Housebuilder schemes.

2.26 This is most clearly demonstrated in the sites selected for allocation in the Regulation 19 Local Plan. It shows that 3 of the 5No. sites in Cranbrook and Sissinghurst are controlled by Volume Housebuilders and account for 92% of the total housing numbers in Cranbrook and Sissinghurst (and 100% in Cranbrook). Of the 2No. remaining sites, one is controlled by a self build company, and the last is controlled by a recognised SME, albeit an application for less than half of the allocated number was withdrawn in 2017 – suggesting there are potentially deliverability issues with that specific site.

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

2.27 The Councils Strategy has had insufficient regard to SME developers both in respect of the quantum of sites identified under paragraph 68 of the Framework, but also it has actively chosen to refuse or deallocate sites that are either being promoted for SME developers or are smaller scale in nature.

2.28 The Council's position is therefore unsound, as it is not consistent with National Policy nor is it an effective plan.

### **3.0 SUITABILITY OF LAND ADJACENT TO WILSLEY FARM TO ACCOMMODATE GROWTH**

3.1 Land adjacent to Wilsley Farm is considered a wholly appropriate site for allocation in the emerging Local Plan.

3.2 Cranbrook is recognised by the Council as being a sustainable location for growth. Whilst it is constrained with AONB that washes over the settlement, that designation in itself is not an overriding barrier that precludes an appropriate amount of growth in order to meet the wider housing needs. Indeed, all the proposed allocations in the Regulation 19 Local plan for Cranbrook and Sissinghurst are within the AONB and most are near to Conservation Areas. In this regard, many of the sites display similar characteristics.

3.3 The site was identified in the Draft Local Plan (Regulation 18) consultation which was undertaken in September- November 2019. The Consultation identified, under Policy STR/CRS 1 'The Strategy for Cranbrook and Sissinghurst Parish' that the area should accommodate approximately 718 -803 new dwellings across 9No. sites.

3.4 The consultation document identified the Site as being allocated for residential development of between 15-20 dwellings under Policy AL/CRS 1 Land adjoining Wilsley Farm, adjacent to Angley Road and Whitewell Lane (**Appendix 2**).

3.5 Policy AL/CRS1 at that time set out a number of criteria in which any scheme should accord with. These were detailed criteria relating specifically to the development of the site and reflected the Council's recognition at that time that the site was suitable as a potential allocation for residential development.

3.6 In this respect, the Evidence Base prepared at that time had assessed the site (both within the 2019 SHELAA and Sustainability Appraisal) and accordingly concluded the site was appropriate as a proposed allocation and selected as one of 9No. sites identified for development. The acceptance and recognition of the suitability of the Site by Council Officers was not a passing whim, or indeed just a SHELAA suitable site. It was a site that was recognised as being sustainable and accordingly subject to a detailed policy to guide future development.

3.7 Following the identification of the Site in the Regulation 18 Local Plan and after the consultation ended, Esquire Developments agreed an Option with the landowner to bring forward the site. Esquire Developments subsequently undertook 2No. pre-application meetings with the Council throughout 2020 to discuss the suitability of the site and the appropriateness of coming forward with a planning application.

3.8 On both occasions, the pre-application response (**Appendix 11**), acknowledged the emerging allocation of the site, but gave that position little weight due to the status of the plan at that time. However, due to the Council's then (and present) Housing Land Supply position, concluded that the principle of development of the site was acceptable and that the submission of an application would be appropriate.

3.9 The application was duly submitted in December 2020 on the basis of this positive pre-application advice.

3.10 However, in January 2021, without any prior warning or notification (indeed the Council's Case Officer was unaware), the site was removed from the Pre-Submission version of the Local Plan.

3.11 At that time, there was no specific supporting material to confirm justification as to why the site was removed from the Local Plan, other than the fact that the spatial strategy had changed and the allocated numbers for Cranbrook and Sissinghurst was reduced – by around 50%.

3.12 At that time, Esquire sought reasoning from the Council as to why the site has been moved. Esquire were informally advised that the Policy team had concluded that it was due to the impact of the access on the hedgerow and Conservation Area. However, this position did not reflect the pre-application advice received nor was that position reflected in the detailed application response from the Council's Conversation and Design Officer (**Appendix 12**). Notwithstanding, the 2021 SHELAA (**Appendix 7**) has been retro-fitted to suit the Council's position of not supporting the site – even though there has been no material change to the site or its surrounding from 2019 to 2021.

3.13 It is evident that the Policy team and the Development Management team are acting independently of each other, are not communicating what each is doing and coming to different conclusions on the potential impact of the development. This is a wholly unacceptable position and again only demonstrates how the Council's actions are working against SME developers and elevating planning risk.

3.14 Notwithstanding that the Council cannot presently demonstrate a 5-yr supply of land for housing (the primary basis in which the principle of development on the application was agreed), the Council refused the Planning Application in April 2021. This was even in light of a 'less than substantial harm (at the lower end of the scale) to the Conservation Area', positive comments in respect of the proposed design and quality of the architecture and that there was a 'moderate to low impact' on the wider AONB landscape.

3.15 In order to understand further the Council's change in attitude, it is clear that the overall reduction in housing numbers in Cranbrook has had an impact on the number of allocations required in Cranbrook and Sissinghurst. The Development Strategy Topic Paper sets out the Council's approach to Cranbrook and the sites selected.

3.16 Para 6.13 of the topic paper states that *'The focus here is on the further regard (since preparation of the Draft Local Plan) to likely opportunities for meeting development needs in a way that reduces the pressure on Green Belt land and for major development in the High Weald AONB in particular.'*



*This looks firstly at need arising within the borough and, secondly, at any unmet need, essentially for housing, from neighbouring areas'*

3.17 The above statement specifically only refers to how development needs can be met in a way that 'reduces...major development in the AONB in particular'. Indeed, the Topic Paper continues to only assess major development in the AONB as it repeats National Guidance of paragraph 172 which is specifically concerned with 'major' development.

3.18 The Topic Paper usefully assess the principle of developing in the AONB and confirms that as no neighbouring authorities are prepared to accommodate TWBC's housing need, development in the AONB is necessary (para 6.21) in order to meet the needs.

3.19 Under Section 6 Part D of the Topic Paper, the Council assess various scenarios as to what scale of growth is deemed appropriate, including 'major' development in the AONB. Again, by way of example, para 6.25 refers:

*6.25 Therefore and having regard to the comments on the Draft Local Plan, further consideration has been given to levels of growth that are less than that required to meet identified development needs. These are:*

- 1) Growth reduced below the housing need level to one that does not involve any loss of Green Belt*
- 2) Growth reduced below the housing need to one that does not involve any major development in the High Weald AONB*

3.20 Again, only references are made to 'major' AONB development. A theme that is flawed but forms the fundamental basis for the Council's strategy and site selection process.

3.21 Section H of the Topic Paper assesses Development in the High Weald AONB and seeks to justify the Council's position. However, the Council's approach, as set out in Part H and subsequent Appendices of the Topic Paper are fundamentally flawed, misleading and has resulted in an incorrect site selection process in regard to sites located within the AONB.

3.22 It is evident the Council has undertaken time and effort to understand the impact of growth on the AONB. This is evident in the Topic Paper and Section H. The Council rightly acknowledges National Policy and Guidance, including the Countryside and Rights of Way Act 2000, The NPPF Paragraph 171 and 172 and Footnote 55, the PPG and the High Weald AONMB Management Plan.

3.23 However, the Council has not pursued the appropriate sequential approach to assessing sites in the AONB.

3.24 Instead (and as paragraph 6.111 and 6.112 of the Topic Paper confirm), the Council has first established that there is a need to develop in the AONB (the correct starting point). However, the Council then 'leap' immediately to the issue of 'major' development in the AONB as required by paragraph 172 of the NPPF without first fully testing paragraph 171 of the Framework.

3.25 Paragraph 171, (whilst referenced in para 6.121 of the Topic Paper), is wholly 'put in the corner' by the Council and the remainder of the Topic Paper and site selection process. The Council has become blinded and fixated on the notion of major AONB release, without first exploring and maximising 'non major' AONB release.

3.26 Paragraph 171 is clear that '*LPAS should favour allocating land with the least environmental or amenity value, where they are consistent with other policies in the framework*'. Paragraph 172 goes onto to describe 'major' development in the AONB should be refused, other than in exceptional circumstances. Footnote 55 confirms the definition of major development in the AONB.

3.27 The NPPF therefore applies a sequential approach to development in the AONB (and other protected areas). Firstly, you should locate development away from these areas, and then, if development requires to go in these areas (as the Council acknowledge is the case), that they must be achieved with those sites with the 'least environmental or amenity value'. The Council is still operating within the parameters of paragraph 171 of the NPPF, but has chosen to skip this step and move onto paragraph 172 and seek major AONB release.

3.28 This whole position is contrary to the AONB Management Plan Objective S2, which the Topic Paper itself acknowledges in para 6.162 is crucial to achieve. If the Council pursued the correct methodology as required by Paragraph 171 and the AONB Management Plan, then this would naturally lead to the conclusion of allocating all of the appropriate non major AONB sites in the first instance.

3.29 This has not occurred and is a fundamental flaw in the Council's approach.

3.30 Major development allocation in the AONB is therefore a matter of 'last resort' and subject to 'exceptional circumstances'. Crucially part b of exception criteria contained in paragraph 172 seeks that *'the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way'* needs to be assessed. **The Council has failed to recognise the role of non-major sites in being able to 'meet the need for it in some other way'** and accordingly misdirected itself when undertaking the exceptional circumstances test.

3.31 The appropriate site selection criteria in Cranbrook is to firstly identify and allocate all the 'non major' developments and then understand what the remaining balance of housing is required to be allocated as major development.

3.32 However, we do not see this in the site selection criteria. In fact, there is no evidence base that sets out why previously allocated sites were removed, instead only a high-level SA and a retrofitted 2021 SHELAA that seeks to provide commentary on the alternative Sites in Cranbrook.

3.33 The Topic Paper reaffirms that only the sites that have been selected as preferred allocations in the Regulation 19 Plan have been assessed as being major development or not. Indeed Appendix 4 of the Topic Paper undertakes analysis of the net beneficial effect on the AONB as a whole due to the reduction in overall quantum of development in Cranbrook, but does not go onto undertake any further assessment on the impact on the AONB by first assessing non major sites, and then major or a combination thereof.

**3.34 This is a fundamental flaw in the Evidence Base and needs to be rectified to make the plan sound as it is not currently consistent with National Policy.**

3.35 Furthermore, the Topic Paper further suggests that the Council has allocated the greater part (69%) as smaller schemes (para6.162). it is unclear what the Council define as smaller scheme but clarity is sought as to how this % figure reflects in actual numbers of dwellings. By way of example, it is misleading to suggest only 10% of allocations are major developments in the AONB. This has no relevance to the wider plan or the impact upon the AONB itself.

3.36 By way of example, in Cranbrook, Appendices 2 and 4 confirm that all 3 sites allocated are deemed major development by the Council. This means that in Cranbrook, 100% of the allocated sites and 100% of the total number of houses being delivered are on 'major' AONB sites. This is against the grain of the suggested Evidence Base and the misleading picture the Council is seeking to present within the Topic Paper.

3.37 We suggest that the site allocation criteria in Cranbrook is reassessed. The site at Wilsley Farm is a wholly appropriate allocation and supported by the Regulation 18 Local Plan and its Evidence Base. The 2021 Evidence Base has been retrofitted and the Council has misdirected itself in how to approach allocation within the AONB.

3.38 The allocation of the site would represent as non-major AONB site in control of an SME developer that is under 1ha in size. The site has been tested within the appropriate evidence base and would go some way to rectify the Councils present deficiencies in its Local Plan.

3.39 We consider the site is wholly in keeping with the Councils evidence base in as far that it has a low environmental and visual impact. Furthermore, the allocation of this site will go some way to support SMEs and be included as a site that is under 1ha in size in which the Council is also failing to comply with (para 68).

3.40 The Council has not pursued its own evidence base in respect of sequentially assessing non major AONB sites before allocating major AONB development sites. The Evidence Base is therefore not robust, and the plan is not effective as a result.

#### **4.0 SUMMARY**

4.1 These representations have been prepared by Esquire Developments, a multi -award winning SME Housebuilder based in Longfield, Kent. Esquire has land interests throughout the Borough including specifically Land adjacent to Wilsley Farm, Wilsley Green Cranbrook.

5.2 Land adjacent to Wilsley Farm is being promoted for a residential scheme for up to 20No. Residential dwellings. The site was subject to a recent planning application that was refused by TWBC in April 2021.

5.3 It is considered that the Pre-Submission Regulation 19 Local Plan is **unsound**. Alongside wholly supporting the Kent SME Representations, our comments are summarised as:

- . We are wholly disappointed that the Council is failing to recognise the role of SMEs in its Pre-Submission Plan. This is evident on the basis that the Local Plan is wholly silent with reference to SMEs.
- . The plan fails to allocate 10% of its housing numbers on sites of 1ha or less as required by NPPF Paragraph 68.
- . The plan fails to provide a sufficient evidence base, namely demonstrating a quantitative and qualitative approach to supporting SME sites.
- . The plan is over-reliant on the anticipated delivery of its strategic large-scale sites in which the largest comprises an oligopoly of National Volume Housebuilders and the other has no developer yet on board;
- . The Plan fails to provide for a robust housing trajectory and requires the identification of smaller sites to provide for a more effective plan.
- . We consider the Plan should include a small sites policy for up to 60 dwellings. This is considered to be a proactive and effective way to support SME growth in policy and assist in delivering high quality bespoke developments.
- . The Council has undertaken a flawed approach to site selection in the AONB and misapplied paragraphs 171 and 172 of the Framework.
- . The Council has not appropriately assessed the exceptional circumstances required for major AONB release and failed to recognise the role played by non-major AONB sites.
- . The Council has retrofitted its evidence base to suit its current position in respect of the 2019 and 2021 SHELAA conclusions of the site.
- . The site is considered to wholly meet the requirements of the plan, being an SME led, non-major site of under 1ha of land in a sustainable location.
- . Accordingly, the plan is considered **unsound** as it is:
  - o Not Positively Prepared as it does not fulfil paragraph 68 (a) of the NPPF regarding 10% provision of small sites and has sought to reduce its plan period to reduce housing numbers;
  - o Not justified as the appropriate evidence base is lacking, particularly relating to
    - housing delivery and NPPF Paragraph 72 (d).
    - identifying sites with the least environmental or amenity value as per paragraph 171 of the framework;
    - has not appropriately assessed the exceptional circumstances to justify major AONB development.
  - o Not effective as the reliance on larger sites reduces the opportunity to diversify the housing market (especially in Cranbrook) and will not deliver the required housing within the plan period.
  - o Is not consistent with National Policy as it does not conform to Paragraph 68, Paragraph 171 and paragraph 172.

## 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 attached representations

[TWBC: the paragraphs below are two relevant extracts from the full representation, which is attached as a supporting document]

3.37 We suggest that the site allocation criteria in Cranbrook is reassessed. The site at Wilsley Farm is a wholly appropriate allocation and supported by the Regulation 18 Local Plan and its Evidence Base. The 2021 Evidence Base has been retrofitted and the Council has misdirected itself in how to approach allocation within the AONB.

3.38 The allocation of the site would represent as non-major AONB site in control of an SME developer that is under 1ha in size. The site has been tested within the appropriate evidence base and would go some way to rectify the Councils present deficiencies in its Local Plan.

3.39 We consider the site is wholly in keeping with the Councils evidence base in as far that it has a low environmental and visual impact. Furthermore, the allocation of this site will go some way to support SMEs and be included as a site that is under 1ha in size in which the Council is also failing to comply with (para 68).

3.40 The Council has not pursued its own evidence base in respect of sequentially assessing non major AONB sites before allocating major AONB development sites. The Evidence Base is therefore not robust, and the plan is not effective as a result.

- . We consider the Plan should include a small sites policy for up to 60 dwellings. This is considered to be a proactive and effective way to support SME growth in policy and assist in delivering high quality bespoke developments.

#### 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:**

Due to the content and extent of the representations require verbal exploration with the Inspector.

**If you would like to attach a file in support of your comments, please upload it here.** [PSLP 1792 Esquire Developments SI Representation with Appendices.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\_106a-h

## Comment

Agent	Mrs Louise Caney [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kember Loudon Williams
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Consultee	Cranbrook School [REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Cranbrook School [REDACTED]
Comment ID	PSLP_1814
Response Date	04/06/21 13:02
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.7
Files	<a href="#">PSLP_1814-1817_KLW_for_Cranbrook_School_SI-6_Jaegers_Landscape_Report_Redacted.pdf</a> <a href="#">PSLP_1814-1817_KLW_for_Cranbrook_School_SI-3_Draft_Community_Use_Agreement.pdf</a> <a href="#">PSLP_1814-1817_KLW_for_Cranbrook_School_SI-1_Cover_Letter_Redacted.pdf</a> <a href="#">PSLP_1814-1817_KLW_for_Cranbrook_School_SI-7_Rammell_Field_Summary_Sheet.pdf</a> <a href="#">PSLP_1814-1817_KLW_for_Cranbrook_School_SI-8_Rammell_Landscape_Report_Redacted.pdf</a> <a href="#">PSLP_1814-1817_KLW_for_Cranbrook_School_SI-2_Coloured_Masterplan.pdf</a> <a href="#">PSLP_1814-1817_KLW_for_Cranbrook_School_SI-5_Jaegers_Field_Summary_Sheet.pdf</a> <a href="#">PSLP_1814-1817_KLW_for_Cranbrook_School_SI-4_Cranbrook_School_Masterplan.pdf</a>

Data inputter to enter their initials here HB

Question 1

Respondent's Name and/or Organisation Cranbrook School

Question 2

Agent's Name and Organisation (if applicable) Kember Loudon Williams

Question 3

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

Question 3a

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

Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

Policies Map (Inset Map No(s)) 10

[TWBC: for further comments by Cranbrook School, please see Comment Numbers PSLP\_1814-1817]

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 effective
- . It is not consistent with national policy

Question 5

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

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

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

Objection to draft policy STR/CRS1 for Cranbrook and Sissinghurst.

The Plan is not legally compliant because insufficient consideration has been given towards the meeting of housing needs in adjoining authority areas and delivering sufficient small and medium sites to ensure the housing trajectory can be delivered. As such it has resulted in a Plan which is unsound and does not properly comply with the duty to cooperate.

The overarching deficiencies have filtered down to the local level, as reflected in STR/CRS1, whereby a significantly reduced overall housing provision is proposed compared with the Reg.18 LP document. This places significant emphasis on several large scale sites that extend westwards including along the Crane Valley, well away from the established form of the settlement and into the wider AONB, whilst not overlooking opportunities that exist on suitable and available sites within the established settlement of Cranbrook – such as Jaegers Field.

As a result of the lack of housing allocations the Plan cannot be said to be effective or consistent with National Policy.

*[TWBC: for further information supporting this representation, please see supporting documents]*

*[TWBC: the below text is from the Cover Letter attached to this representation]*

### **Pre-Submission Local Plan - Regulation 19 Consultation**

We write on behalf of the Trustees and Governors of Cranbrook School in response to the request for feedback on the Reg.19 Pre-Submission Local Plan and in relation to previous representations made on the Reg 18 version. We have the following comments on those areas of the Plan that are of interest to Cranbrook School and to those sections of the report that impact land owned by the School. We would be grateful if you could take these into consideration as part of the consultation process.

### **Borough Wide Strategy**

This letter should be read in conjunction with the enclosed Regulation 19 response forms which discuss the strategic position with regard to soundness, issues arising from duty to co-operate and particularly with regard to housing delivery.

The Council is relying heavily on a small number of larger strategic sites totalling some 6,390 dwellings which is a high proportion in relation to the borough wide housing figures. Our concern is that over reliance upon strategic sites will inevitably take a long time to deliver the required housing and when they do start delivery, the housing market will only be able to sustain a certain volume of new homes per annum. We would therefore question the removal of housing allocations from the regulation 18 Plan that were perfectly acceptable before.

We propose that the Council looks again at the overall suggested housing figures to take account of the broader planning situation, to reduce over reliance on large sites. To help with delivery in the early part of the plan period, in our view, the Council should look to re-balance the proportion of smaller and medium sized sites being put forward – including sites where further information has come forward which provides clarity on deliverability, and/or sites which have been removed from the regulation 18 version of the Plan without strong reasoning.

### **Strategic Growth & Cranbrook**

Turning to the local situation, our concerns expressed above on the overall strategy can be successfully transposed to the settlement of Cranbrook.

We support the acknowledgement in 4.46 that Cranbrook, as a service centre, “warrants its consideration as a focus for growth”. Table 4 lists the Parish of Cranbrook and Sissinghurst as being suitable for further housing development of up to 467 units, 429 of which are in Cranbrook. This was dramatically reduced from the Reg 18 figures (previously stated as 803 units for Cranbrook alone) and we question whether this level of reduction is warranted when the current growth relies on only three allocations (two of which are over 150 units) – all in the same area to the west of Cranbrook. These are substantial incursions into the surrounding landscape of the Crane Valley well away from the established built form of the town and within the AONB.

With regards progress on the two main proposed allocations in Cranbrook: the reserved matters application at Land at Brick Kiln Lane (TW/20/00814/RM) has been withdrawn, and Land at Turnden Farm (TW/20/03816) is the subject of an inquiry after being called in by the Secretary of State, due to the size of the development in the AONB. Furthermore, the conclusions of Part 6.6 of Tunbridge Wells - Landscape and Visual Impact Assessment of Proposed Allocated Sites within the High Weald AONB (CRS4 – relating to land at Turnden Farm), recommends a phased approach to development, with the

proposed woodland planted/established to the south west of the site needing to be planted/established before the development of the north/east part of the site. This phasing will add a delay to the delivery of development at this site. The relevant section of the LVIA forming part of the Council's evidence base states *"The development could be assimilated into the landscape through the mitigation outlined within Figure C14, which would establish additional woodland cover and grassland enhancing the route of the footpath within the site footpath and creating new recreational opportunities."* This highlights that the development of the extent of the site, as proposed (accounting for 1/3rd of the total site area), is contingent upon the delivery of woodland as a key component of mitigation against unacceptable impacts upon the AONB. Furthermore, the need for such extensive areas of mitigation in order to make the proposals acceptable highlights the relatively inefficient use of land in comparison with more modestly sized sites that are already interwoven with the fabric of the town.

As such, we question the focus on these sites as a more strategic allocation, creating a significant edge of settlement extension to Cranbrook rather than balancing and moderating the supply, reducing the extent of rural incursion, and by including several small to medium sized sites that would be better related to the wider town.

Given the uncertainty on timely delivery and the inherently more complex issues associated with larger sites, adding further medium sized sites and/or reducing the quantum of larger housing sites, would assist with supporting timely delivery of housing and providing a more balanced housing trajectory (the smaller and medium sized sites helping to 'kick-start' build out rates earlier in the plan period, with the larger scale sites coming on in the middle to end of the Plan period).

Given that Cranbrook School has extensive land holdings scattered throughout the town – it is considered that some of the land parcels towards the periphery of the School's estate offer excellent opportunities to provide such sites which are readily deliverable, are in genuinely sustainable locations and can be achieved with limited wider landscape effects.

The specific sites will be discussed in more detail below and within the attached documentation – however in overall terms we would suggest an increase in housing provision of at least 113 housing units within Cranbrook, which would go some way to counteracting the reduction by upwards of 300 units within the latest draft Plan compared with the regulation 18 version.

### **Cranbrook School**

We welcome and support the specific reference to Cranbrook School within Section 5 of the document and the recognition of the position and role of the school within the local community. In support of this:

- . Cranbrook School was founded in 1518 and is one of the oldest schools in Kent. It has occupied a site in the centre of Cranbrook throughout this time.
- . The School is a co-educational state secondary school taking students between year 7 and year 13. The School has a current role of just under 900 day and boarding students. The approximately 650 day students live within a defined Catchment Area, currently up to 8.2 miles from the school. One of very few state boarding schools there are in addition some 250 boarding students primarily from elsewhere in the UK and with a limited number from overseas.
- . Cranbrook School provides a high standard of teaching, as demonstrated through OFSTED Outstanding assessments, GCSE, and A Level results.
- . It provides excellent sporting facilities which are available not only to the School students and staff but also to the local community (such as Cranbrook Rugby Club, Cranbrook Badminton Club, Cranbrook Squash Club, Cranbrook Juniors Football Club and Karate Club).
- . The School is the largest employer within the Town with some 80+ members of staff and their families living locally.
- . The School is actively involved with the local community, through theatre events, concerts, and a range of other activities facilitated through access to school facilities.
- . The School encourages new families to the local community which in turn increases local spend and local support.
- . The School supports the vitality and viability of the town centre through local spending by staff, School children and their families.
- . The School assists in the creation of more investment and public funding to Cranbrook.
- . The School contributes towards the maintenance of the historic setting of Cranbrook and maintenance of its listed buildings and other heritage assets; and
- . It helps to maintain the overall profile of the town as an attractive place to live, work and visit.



Notwithstanding these benefits, the School has increasing funding pressures in addition to maintaining and protecting important heritage assets for future generations to enjoy and continue the School's historic legacy. Added to this are significant running and maintenance costs associated with a School campus that includes many individual buildings and land parcels that have been added at different times.

Many sites within the School's estate are dispersed and disconnected from the main school site which means they are poorly placed from the point of view of pupil safeguarding and efficiency of use. Three key land parcels are especially disconnected – Jaegers Field, Big Side, and Rammell Field, as shown below, with Jaegers Field being the most remote from the main campus. If the School is to flourish in the future, it will need to invest in and significantly improve its facilities to meet future demand and curricular needs. At the same time, it will need to coalesce its facilities onto its more core site(s).

*[TWBC: for map, please see the Cover Letter attached as a supporting document]*

Many of the facilities have been built using the school's own resources and extensive fund-raising from existing parents and former students. It is therefore essential to the future well being of the School that it is allowed to dispose of some underutilised and distant land holdings, representing a small proportion of its overall estate, to raise the funds required to continue to enhance the core facilities. The School has in the order of triple the amount of outdoor space and pitches it would need under relevant educational standards.

It is therefore of significant importance to the School and in turn the educational and economic wellbeing of the Parish, that any policies adopted through the Local Plan processes allow sufficient flexibility for the School to be able to realise its future objectives, and do not place unduly restrictive burdens upon the School which would likely restrict the financial and functional ability of the school to maintain and grow.

### **Section 5 – Cranbrook and Sissinghurst – Cranbrook School**

Whilst we welcome the general comments regarding Cranbrook and Sissinghurst we are disappointed that sites in the ownership of Cranbrook School specifically Jaegers Field, which was referenced in the previous plan, is no longer identified in terms of growth potential by way of a specific site allocation. We do, however, recognise that proposed policy AL/CRS 4 does allow for consideration of alternative land uses in principle. We explore the inclusion of Jaegers and Rammell later in more detail.

Turning to the specific paragraphs relating to Cranbrook School, starting at Paragraph 5.314, we greatly appreciate the support referenced in Para 5.316 and recognition of our ambition to improve facilities and the statement that “specific policy support is warranted”. As stated in the accompanying forms, we recommend a small but very important modification to draft policy AL/CRS 4 to the wording of the second paragraph, to read as follows:

“Proposals for more substantive proposals, including new buildings *and/or* different uses of land, both within the main site and on ancillary landholdings...” (italics indicate changes)

This change is necessary in order to enable the schools medium to longer term vision as it has set out in the masterplan attached to these representations.

The School has developed a high-level Masterplan document setting out plans for the development of the School estate and this will be updated to ensure that it meets the criteria set out in 5.322, upon adoption of the Local Plan. We agree that developments of significance should not be piecemeal but form part of a wider development plan to ensure that facilities continue to meet the growing demands and changes in educational requirements. This document is attached for information, and other detailed work being undertaken and referred to below, will fully address sports, open space and other provision. The commitments contained within the Plan to ensure normal planning considerations are reflected, recognizing the heritage assets within the school are fully supported.

The Local Plan does however need to better recognize three important factors fundamental to the ability of the school to continue to thrive for the benefit of the local community. Firstly, the facilities must continue to adapt to meet the changing needs and demands of the curriculum. Secondly that in the continued absence of government funding for capital projects the School will need to look to its own assets to fund future developments. Thirdly that the dispersed nature of the current school site is no longer acceptable from a student safeguarding perspective and the School must therefore coalesce into its core site. This will inevitably require investment in the core site and the disposal of the more remote areas to fund this.

Whilst we fully recognize the value of the school's assets to the local community, who enjoy substantial access and use of them, this cannot be a complete barrier to realization of some assets, in particular land, to finance future development of the school facilities, which will of course also enhance wider community experience.

We enclose a copy of our Masterplan for information and consideration, as required by draft policy AL/CRS4. Within the document, the focus of residential led development is centered primarily on Jaegers Field in the short term, in conjunction with a review of sports facilities at Big Side to offset the loss of playing facilities at Jaegers. This review includes a technical assessment of Big Side to ensure it is of at least equivalent standard to Jaeger's Field (with recommendations regarding any works needed to achieve this), and with the formalisation of the community use of facilities at Big Side within a Community Use Agreement. The technical assessment is underway, but the written report is, at the time of writing, awaited, however we have a draft Community Use Agreement that reflects discussions to date with Sport England, which is attached to this letter.

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

### **Jaegers Field**

The School still fully supports the promotion of Jaegers Field as a suitable and achievable housing site and requests re-instatement as a proposed housing allocation. It abuts the limits to built development for Cranbrook, close to local services and facilities, and the site is set between existing residential development and opposite the Weald Academy. It is considered that a sensitive development can be achieved within the parameters of the site which respects the recognized matters of importance, particularly landscape, highways and ecology. Notwithstanding the field is surplus to requirements for School use, the loss of the playing field will be accounted for at nearby Big Side, along with formality of community use of the facilities. There are no material changes which would alter the SHELAA conclusions or Reg 18 draft part allocation of the site – and indeed, significant further technical work has now been progressed by the School which provides greater certainty on the deliverability of the site and the limited impacts upon the surrounding landscape. Alongside further landscape assessment work, other professionals have been engaged to review the highways and ecological aspects. Alongside this, specialist consultants have worked with the school and its retained planning consultants in order to engage in discussions with Sport England regarding the proposals and the linked community use agreement at Big Side, and a positive 'in principle' pre-application outcome has been achieved with them.

As a result, as part of the updated strategy as reflected in the enclosed draft Masterplan, we consider the whole site can be released for housing (with associated woodland and ecological buffer areas and open space). In line with our comments above, this would provide a valuable contribution to bolster housing supply from medium sized sites in the early years of the plan period, especially given the uncertainty of timing and delivery of the remaining Cranbrook sites. For these reasons we would urge Tunbridge Wells to consider reallocating this site in its entirety for residential use. We have attached a technical sheet with further details of the site for consideration. In addition, we have included an indicative layout for residential development on the site, as well as an initial Landscape Report.

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

### **Rammell Field**

We recognise the opportunity to offer a positive and long-term solution for Rammell field, which has been underused and is surplus to the Schools future requirements. Notwithstanding the perceived community and visual value of the site, the field is privately owned and gated and our vision is to provide a more efficient use of the land to the benefit of the whole community. The future remodeling of the site would be based on the following aspects being incorporated into any proposed layout:

- . Provision of a new, publicly accessible open space, focused on the front portion of the site
- . The open space would be sensitively landscaped to include a memorial garden to those fallen in the world wars and other conflicts; and
- . Provision of an element of sensitively designed affordable and low-cost market housing to the rear of the site, including for those in local housing need.

We attach a technical summary sheet which provides further details of the site along with an initial Landscape Report undertaken by a Chartered Landscape Architect, which we hope will be useful to your considerations. Of particular note is the concept plan within the landscape report, which has informed the suggested policy approach to be taken.

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

### **Green Space**

We reference the policy on Green Space set out in Section 6 and the designated sites referenced in Appendix 2, two of which listed under Cranbrook, Rammell Field and Big Side Playing Field are owned by the School.

Both these sites are playing fields with no public right of access other than for agreed use by certain local sports clubs. We do not accept that either location meets the criteria for Local Green Space (LGS) set out in Para 6.183 and subsequent paragraphs. In the absence of public access, we do not see how they greatly benefit mental health and wellbeing of the community. Furthermore, we do not agree that these two spaces meet the criteria detailed in 6.184.

Notwithstanding these comments, whilst neither space is in our view justified to be included as Local Green Space, we do recognise that as part of the current strategy, Big Side is to be subject to a Community Use Agreement complementing the School's use of the field. Therefore, whilst we would prefer the LGS designation to be removed, we feel more strongly with regard to Rammell Field given that it is surplus to the school's future requirements, and therefore that a bespoke policy relating to Rammell would be a more appropriate approach – this is discussed below.

Earlier in this document we have referenced the dispersed nature of the current School site as being no longer acceptable for the safety of students or staff. Rammell Field falls into this category with both its remoteness from the main school's site being of increasing concern. In responding to the Neighbourhood Plan we have put forward a proposal for this site which focuses on enabling public benefits through allowing a variety of potential uses, including provision of a significant public space within the Conservation Area, and affordable housing focusing primarily on smaller dwellings to meet local needs – please see attached documents for more details.

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

Without doubt the designation of both sites as Green Spaces has the potential to seriously impact the future development and success of the school and restricts its ability to provide a safe environment for students and staff. As such we would recommend the removal of both Rammell Field and Big Side from draft policy EN15.

Furthermore, we would recommend a new policy for Rammell to be included within the Plan, focused on harnessing a unique opportunity to deliver a significant package of community benefits. This new policy would acknowledge the importance of Rammell Field but taking a more positive approach to change with overall wider benefits in mind – as opposed to a more restrictive type of policy which might stifle innovation. Our suggested draft policy is below and could cross reference to a site plan similar to that attached within Figure 12 of the hla Landscape Report (attached).

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

#### ***Rammell Field - Community Benefit***

*The future use(s) of the site shall be focused upon achievable community benefits arising from these uses, with a view to a balanced provision being sought - which would potentially include:*

- New public open space - focused in particular on the preserving and enhancing the setting of the Conservation Area*
- Proposed high quality landscaping to enhance the site boundaries and transitional areas between different spaces and uses*
- A memorial garden or other feature designed with community input*
- Biodiversity enhancements*
- An element of high quality housing reflecting the best of the local vernacular focused principally on responding to genuinely local needs including for those unable to compete in the local open housing market, and including key workers for example in education and healthcare. Any built development should respect and enhance the distinct historic landscape character, and design should be compliant with the High Weald AONB Design Guide and Parish Council's Eco Design guide for new buildings.*
- It is expected that a detailed Landscape Masterplan would be incorporated within any proposals submitted for future mixed use of the site*

## **Conclusions**

Cranbrook School is undoubtedly a valuable asset to the town and local community, educationally, economically, and culturally, and will continue to strive to retain and further enhance its excellent reputation by continuing to improve its existing educational, sporting, and boarding facilities.

If the school is to flourish in the future, it will need to invest in and significantly improve its facilities to meet future demand and curricular needs. At the same time, it will need to coalesce its facilities onto its more central site(s). Therefore, any policies adopted either through this Plan should be flexible enough to enable the school to update facilities and maintain its standards into the future without being burdened by significant additional restrictions that would jeopardise these needs.

Furthermore, productive use of a modest portion of surplus land for a range of purposes, including housing, would help redress some of the shortcomings identified within the Regulation 19 Plan and would re-balance the overarching strategy from what is in our view, overreliance on a small number of large strategic sites.

We hope that the above comments are valuable in feeding into the planning process. We would very much welcome the opportunity to discuss these representations further with officers of the Council.

## **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.**

Modify STR/CRS1 and inset map 10, to include the site previously identified as AL/CRS3 of the Regulation 18 Plan as a housing allocation but extend the housing allocation to cover the entire site for approximately 63 dwellings – with inclusion of appropriate woodland and hedgerow buffers around the perimeter, together with open space. In addition, modify the policy to include a new allocation for Rammell Field to allow a mixed open/community use and land for affordable/local needs, and low cost housing for up to 50 dwellings. Proposed change to lift the housing requirement for Cranbrook by a further 113 new dwellings (approximate).

See associated letter and accompanying documents for more 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:**

Should housing numbers increase, Cranbrook School reserves the right to promote alternative sites for inclusion within Cranbrook's housing numbers.

#### **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\_99

## Comment

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Event Name	Pre-Submission Local Plan
Comment by	Taylor Wimpey UK Ltd [REDACTED]
Comment ID	PSLP_1821
Response Date	04/06/21 09:57
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.7
Files	<a href="#">PSLP_1772-1828 (not inclusive)_Turley for Taylor Wimpey_SI.pdf</a>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Taylor Wimpey
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/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

*[TWBC: this representation has been input against the Pre-Submission Local Plan as a whole, Policies STR 1, STR 7, STR/SS 1, STR/SS 3, STR/CRS 1, AL/CRS 3, PSTR/HO 1, EN 2, EN 9, EN 14 and EN 26– see Comment Numbers PSLP\_1772, PSLP\_1813, PSLP\_1818, PSLP\_1819, PSLP\_1820, PSLP\_1821, PSLP\_1823, PSLP\_1824, PSLP\_1825, PSLP\_1826, PSLP\_1827, and PSLP\_1828. The full representation has been attached as Supporting Information]*

#### Question 4

Do you consider that the Local Plan:

Is legally compliant

No

Is sound

No

#### Question 4a

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

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

#### 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 (REGULATION 19) CONSULTATION LAND WEST OF FRYTHE WAY, CRANBROOK (SHELAA REF: 25)**

Thank you for the invitation to comment on the above consultation. We write on behalf of our client, Taylor Wimpey UK Ltd, who control land west of Frythe Way, which abuts the south eastern edge of Cranbrook (SHELAA Site Ref: 25).

We have examined the Pre-submission Local Plan (PSLP) and conclude that as drafted it is neither legally compliant, nor sound. The Council's Sustainability Appraisal (TWBC, 2021) concludes Option 13 (The Pre-Submission Local Plan) to be an 'appropriate strategy'. We are unable to reach the same conclusion, as the SA has not first taken into account 'reasonable' alternative strategies, contrary to paragraph 35 of the NPPF and the corresponding SEA Regulations.

We also conclude that Tunbridge Wells Borough Council's (TWBC) statutory Duty to Cooperate under Section 33A of the 2004 Act has not been discharged. The Council has not in our view demonstrated that there has been active, constructive or on-going engagement with adjoining authorities, including Sevenoaks District Council (SDC), in respect of known unmet housing needs. Nor has an effective

strategy been put in place between the authorities to address such needs. The justification drawn from the SA process that TWBC are unable to assist SDC is contested. Distributing such unmet needs solely in line with SA Option 9 (Dispersed Countryside) is not a reasonable alternative in our client's opinion. It serves only to support a pre-determined outcome to select Option 13 (Pre-Submission Local Plan) as the 'appropriate strategy'.

In addition, the site selection process that flows from the SA (TWBC, 2021) and SHELAA (TWBC, 2021) contains notable errors and inconsistencies, which appear to have contributed significantly to the omission of more suitable and sustainable sites in favour of those proposed in the PSLP.

The quantum of growth proposed in the PSLP, and the over reliance placed on two large strategic sites to deliver between 67-69% of newly allocated supply is also questioned. In relation to the first, we contend adjustments are required to the overall housing requirement to both reduce the evident shortfall in affordable homes, and to assist adjoining authorities with known and growing unmet housing needs. We contend this is particularly important given three of the adjoining LPAs have been reported on as failing to discharge their statutory duty to cooperate, with their Local Plan's either withdrawn or delayed as a consequence. In addition, the Secretary of State for Housing, Communities and Local Government has confirmed there are significant unmet and mounting housing needs requiring collaborative action with London within the next five years. All of which highlights how important it is for the emerging TWBC PSLP to be positively prepared.

Turning to the second issues, we outline concerns over the justification for, lead in times and annual yields purported for the two strategic sites. It is our contention that these are unrealistic, and are contrary to leading evidence bases published for sites of this scale. As a consequence, we suggest the quantum of growth envisaged will not come forward as fast or at the rates envisaged, nor will it be delivered within the plan period. We accordingly recommend additional allocations are made to compensate for this shortfall, in sustainable locations that are capable of being delivered in the first five years of the plan period. We outline concerns in relation to TWBC's land supply assumptions in this period to evidence such a need.

We also outline concerns over the quantum of growth directed to certain locations and settlements. We contend these proposals are unlikely to support the climate change objectives set out in Policy ST7 of the PSLP. Our client supports the justification for and benefits of strategic growth at Cranbrook, ranked 2nd in the Settlement Role and Function Study (TWBC, 2021). In this respect, our client's site (Site 25) represents a modest proposal for 70 homes that is well contained by woodland, is partly within the settlement, has good accessibility to the high street and other facilities by foot (far better than some of those chosen for allocation), and no other overriding constraints to development. We set out in detail the factual errors, inconsistencies and missing evidence in our comments on the SA and SHELAA process below, which has thus far led to the omission of this site for allocation.

Our client continues to respectfully purport the justification for and benefits of this site's allocation. This includes the sharing of an emerging vision for the future of this site (See Document A); and confirmation from Kent County Highways there are no overriding highway constraints to the delivery of the site (see Document B). The land required to deliver the proposed development, its accompanying infrastructure and community benefits is in the control of Taylor Wimpey. It is available for development now, can be delivered well within five years and is considered a suitable and logical location to direct some of the future growth needed at Cranbrook. The emerging vision document appended confirms there to be no known overriding constraints to the delivery of these proposals.

Given the nature and detail of our representations, specifically in relation to the plans legal compliance and soundness, we would respectfully request attendance to participate in the examination of the PSLP. In the interim, the following representations are made to assist the Council and Inspector in their examination of the PSLP.

## **Soundness**

### **STR/CRS1 – The Strategy for Cranbrook and Sissinghurst Parish**

The population of Cranbrook is rapidly ageing. Since 2011, the number of residents aged 50 plus has increased by 14% while other cohorts have reduced by 10% [ONS (2019) Population estimates for small areas, Cranbrook - Cranbrook BUASD]. In parallel, average house prices in Cranbrook having risen at a faster rate (39%) than the wider borough (32%) over the five years (2013-2018). The average price paid for housing in Cranbrook in 2018 for example was the highest in at least a decade [Turley analysis of Land Registry price paid data, based on postcodes in built-up area of Cranbrook].



A failure to retain and replenish the younger population could therefore threaten the long-term vitality of the settlement if such trends continue. Cranbrook has an important role and function in the eastern parts of the borough, which is reflected in its ranking (2nd) in Table 5 of the Settlement Role and Function Study (TWBC, 2021). The importance and role this settlement plays for those who live and work in the eastern parts of the borough will arguably grow, given 67-69% of new allocations in the PSLP are proposed to the west of the borough around Paddock Wood/Tudeley.

As we highlight in our comments to Policy STR1, there is an acute shortage of affordable housing and affordability issues across the borough that will not be addressed in the PSLP as drafted. The level of growth directed to Cranbrook has been reduced from that consulted on at Regulation 18 stage, to this Regulation 19 stage. Largely through the omission of proposed allocations that were conceded to be more peripheral and contrary to the sustainability objectives of the plan. However, there are sites, such as our clients (Site 25), that could have made a modest contribution to compensate for this loss. This site is well screened, and in a far more suitable and sustainable location. One that is partly within the existing urban area, and within a short walk of the High Street.

Whilst our client therefore continues to support the need for and benefits of additional growth at Cranbrook (see our comments on Legal Compliance and Policy ST1), they contend the Sustainability Appraisal (2021) and SHELAA (2021) that informed Policy STR/CRS1 contains fundamental site assessment errors and inconsistencies, which appear to have contributed significantly to the omission of SHELAA Site Ref: 25 in favour of less sustainable and peripheral sites around this settlement. The policy has not therefore been informed by reasonable alternatives, but a pre-determined outcome to exclude an otherwise suitable and highly sustainable site. For avoidance of repetition, we refer to our detailed objections on this matter in relation to the PSLP Sustainability Appraisal (2021) above.

This site should be allocated to make a modest contribution to addressing the deficits we suggest are likely at borough level within the plan period, and particularly in the first five years of this period (see our comments in relation to Policy STR 1).

Our clients site (Site 25) comprises a logical, suitable, sustainable and integrated extension to Cranbrook. This comprises a relatively modest development (around 70 homes) that respects the character and context of its location (see Document A); and importantly is readily deliverable within the first five years of the plan period. Our client therefore respectfully requests that TWBC re-assesses the benefits of allocating this modest site in liaison with the examining Inspector.

We trust these comments are useful and duly noted. We would welcome the opportunity to elaborate on such matters at the forthcoming Examination into the subsequently submitted version of this 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)

## 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\_129

### Comment

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Event Name	Pre-Submission Local Plan
Comment by	Pickhill Developments Ltd [REDACTED]
Comment ID	PSLP_1956
Response Date	04/06/21 11:28
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.6
Files	<a href="#">DHA Planning for Pickhill Developments Ltd full representation.pdf</a>
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Pickhill Developments Ltd
Question 2	
Agent's Name and Organisation (if applicable)	DHA Planning
Question 3	
To which part of the Local Plan does this representation relate?	Policy

### Question 3a

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

Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst 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.

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

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

#### 1.1 Introduction

1.1.1 These representations have been prepared by DHA Planning on behalf of Pickhill Developments Ltd in respect of the Tunbridge Wells Borough Council Regulation 19 Local Plan consultation.

1.1.2 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.

1.1.3 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.

1.1.4 This submission comments on the plan having regard to these tests of soundness as well as wider legal compliance. However, for context, we first provide an overview of the land within Pickhill Developments Ltd control, which was included in the Regulation 18 Draft Local Plan as an allocation (draft policy AL/CRS 6) for residential development (Known as 'Gate Farm, adjacent to Hartley Road and Glassenbury Road, Hartley (plus Bull Farm) (SHELAA reference: Sites 59, 70, 323 & 345, and Late Site 53)' but subsequently omitted from the pre-submission draft. The Pickhill land is site 70.

1.1.5 Based on the current national and local planning context, we object to the site's omission, which was not based on sound planning grounds but as a basis to help defend against a s78 planning appeal. The outcomes of that appeal, and the commentary of the Inspector, provides a clear basis to conclude that the land is a suitable location for proportionate plan led growth.

#### 1.2 Land at Gate Farm, Hartley Road, Hartley (Cranbrook)

1.2.1 The site to which this representation relates is located on the northern side of Hartley Road/A229 and is approximately 0.23 hectares in area. It is located to the south west of Cranbrook outside built confines but adjacent to the built up area of Hartley. The site is deliverable, would provide affordable dwellings and the application is supported by the Parish Council.

*[TWBC: for site plan please see full representation attached].*

1.2.2 The land sits immediately adjacent to residential development to the north. The site falls entirely within the High Weald Area of Outstanding Natural Beauty AONB.

1.2.3 There are several listed buildings in the vicinity of the site, including:

(i) Hartley Gate Farmhouse (Grade II listed);(ii) Hartley Farmhouse (Grade II listed);(iii) Bull Farm House (Grade II listed); and(iv) Barn 50 Yards North of Bull Farmhouse (Grade II listed).

1.2.4 The surrounding area is characterised by the settlements of Hartley and Cranbrook, residential development with in and around those settlements, commercial land.

1.2.5 To the northeast are residential properties. Opposite the site is the well-established Hartley Dyke Commercial Centre, consisting of Juniors Day Nursery, the Hartley Dyke Coffee House and Farm Shop and several other commercial premises.

1.2.6 In terms of public transport, there are two bus stops located approximately 160m to the east of the site providing a service to Maidstone Town Centre, Loose, Staplehurst, Cranbrook and Hawkhurst. Staplehurst, approximately 10km to the north of the site, provides a regular train service to London, with up to 3no. trains per hour in peak periods (travel time under 1 hour to London Charing Cross and Cannon Street).

1.2.7 The site is not subject to any wider policy designations. The Environment Agency mapping also confirms that the site does not fall within a flood risk zone.

1.2.8 The site has been subject to previous smaller scale development proposals as follows:

- 84/00175/OUT - Outline application for 8 semi detached dwellings -Refused; and
- 96/00283/FUL - 3 Detached dwellings – Refused.
- 17/03481/FULL - Proposed erection of 8no. dwellings with access, parking, landscaping and replacement of TPO tree T2.

1.2.9 Planning Application ref: 17/03481/FULL subsequently went to appeal (APP/M2270/W/18/3203543). The appeal was dismissed, but in doing so the Inspector narrowed the sole issue to the effect of the proposed vehicular access on highway safety (i.e. it was suitable in all other respects). The Inspector endorsed the principal of development and had no issue with the impacts of that scheme on the AONB, the character and appearance of the area and on settlement morphology.

1.2.10 As part of the appeal process, a Statement of Common Ground (SoCG) was agreed by the appellant and Tunbridge Wells Borough Council.

1.2.11 The Statement of Common Ground confirmed that the appellant and the LPA agreed that:

i. the site and the proposal represented sustainable development;ii. that the Landscape Officer had no objections to the appeal scheme and any impact on the locality would be localised and would need to be viewed in the wider context of housing need;iii. there are no significant long-range views of the site and only glimpsed medium views of the site;

iv. KCC Highways raised no objections in terms of parking or capacity grounds;v. there were no objections to the proposed development based on impacts on protected species;vi. there was no objection to the appeal proposal in relation to trees or arboricultural impact, subject to the retention of the TPO Tree T1;vii. there were no objections raised on the loss of agricultural land at the site;viii. there were no objections raised to the loss of agricultural land at the site;ix. there were no objections to the appeal based on flood risk or drainage grounds;x. there were no objections to the appeal based on heritage grounds; andxi. the proposal did not constitute major development within the AONB.

1.2.12 In addition to the above, Cranbrook and Sissinghurst Parish Council had supported the application. We reiterate that the proposed development would provide truly affordable 2 bed terraced housing and 3 bed semi detached housing which are of high demand in the vicinity.

### **1.3 Wider Assessment of Soundness**

1.3.1 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.

1.3.2 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.

1.3.3 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.

1.3.4 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.

## 1.5 Summary and Conclusions

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

1.5.2 We support the aspiration to meet housing need in full and consider that a dispersed growth strategy represents the optimum means to achieve this. Nonetheless, we object to the exclusion of our client's land at the late stage of the process, the deletion of which is unsubstantiated and based on unsound conclusions. Furthermore, we object to the reduced growth promoted around Cranbrook and Hartley.

1.5.3 Finally, we consider that the Local Plan strategy relies heavily on the delivery of strategic sites that would require the provision of supporting infrastructure. Moreover, the Council have applied overly optimistic projections to the delivery of housing for the extension of Paddock Wood and the Tudeley Garden Village. 1.5.4 In our view, further small to medium sites are needed to remedy these matters or soundness and such additional sites should be directed to sustainable locations such as Cranbrook and Hartley.

*[TWBC: for further representations on Section 3: Vision and Strategic Objectives and Policy STR1, please see PSLP\_1957 and PSLP\_1958 respectively].*

## 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\_138

## Comment

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Event Name	Pre-Submission Local Plan
Comment by	Heyworth Properties Ltd ([REDACTED])
Comment ID	PSLP_2032
Response Date	04/06/21 11:30
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.8
Files	<a href="#">DHA Planning for Heyworth Properties-full representation.pdf</a>
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Heyworth Properties 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/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

*[TWBC: the full representation attached has been divided into Policy STR/CRS1 (PSLP\_2032), Vision and Strategic Objectives (PSLP\_2034) and Policy STR1 (PSLP\_2036)]*

**Question 4a**

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

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

**Question 5**

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

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

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

**1.1 Introduction**

1.1.1 These representations have been prepared by DHA Planning on behalf of Heyworth Properties Ltd in respect of the Tunbridge Wells Borough Council Regulation 19 pre-submission Local Plan consultation.

1.1.2 Heyworth Properties Ltd have an option and "promotion agreement" on the land at Quaker Lane, which was allocated within the Reg 18 Draft Local Plan, but not carried forward within the Reg 19 Local Plan. This is a matter in which we return to. The land is owned by KCC and the County Authority are looking to replace the existing nursery building/facility and to generate a capital receipt for re-investment in other facilities locally.

1.1.3 In addition to this, Heyworth Properties are looking to deliver a high quality scheme that accords with the draft Policy in the Regulation 18 Plan, including the delivery of much needed affordable housing.

*[TWBC: for Figure 1: Site Location (Courtesy of Kent Design Partnership) see full representation attached]*

1.1.4 The 2.3hectare site is located some 630 metres to the north of the centre of Cranbrook, with residential development to the north and west, a school to the south and school sports fields to the east. The site appears as part of the somewhat "sub-urban" character of this part of Cranbrook and is a very natural extension to the settlement that can be achieved without material harm to the character and appearance of the AONB.

1.1.5 The surrounding area to the north contains the Cranbrook Rugby Club and beyond that open agricultural land. To the south lies the main built-up area of Cranbrook.

1.1.6 According to Tunbridge Wells Borough Council Policy Map, the site falls entirely within the High Weald Area of Outstanding Natural Beauty (AONB) and currently lies outside the Limits to Built Development.

1.1.7 Based on the current national and local planning context, we consider the site to be suitable for formal allocation and we consider there to be a sound basis to allow development within the High Weald Area of Outstanding Natural Beauty ('AONB'). Moreover we consider that deletion at Regulation 19 stage was without reason, and that the site was removed from the Local Plan, and other "replacement" sites, included without evidential base and justification. Such action has meant that sites have not been selected on a consistent basis and that the replacement sites have been added at Regulation 19 stage without due consideration.

1.1.8 We also take this opportunity to comment on wider aspects of the Local Plan, a plan which we consider fails the tests of "soundness".

## **1.2 Background**

1.2.1 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.

1.2.2 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.

1.2.3 This submission will comment on each of the above, highlighting where we believe modification is needed for soundness purposes. On the face of it we consider it unlikely that the plan should be able to be considered "sound".

1.2.4 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.

## **1.7 Case for the Site**

1.7.1 The site was allocated within the Tunbridge Wells draft Local Plan (August 2019) for residential development (Policy AL/CRS 5), 'providing 35-45 dwellings, replacement children's nursery, and safeguarding of land for future primary school expansion'.

1.7.2 While we note that the site was recently removed at Regulation 19 stage, we understand that this was solely due to concerns in respect of an assessment that access arrangements could give rise to a harmful visual impact and erode the sylvan quality of Angley Road.

1.7.3 Planning application ref: 21/00519/FULL was submitted 25th February 2021 and notwithstanding the recent refusal we consider that the proposal as presented can be delivered without material harm to the AONB.

## **1.8 Summary and Conclusions**

1.8.1 This representation has been prepared on behalf of Heyworth Properties Ltd in response to the Tunbridge Wells Borough Council Pre-Submission Local Plan Consultation. The purpose being to provide comment on the Council's proposed development strategy and the associated policies.



1.8.2 In this respect, we support the aspiration to meet housing need in full and consider that a dispersed growth strategy represents the optimum means to achieve this.

1.8.3 We trust the contents of this representation are clear and hope that the comments are useful in guiding the forthcoming stage of the plan making process.

#### **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)?**

# **Local Plan Regulation 19 representations in document order**

**Comments on Section 5: Place  
Shaping Policies: Cranbrook &  
Sissinghurst: Policy AL/CRS 1: Land  
at Brick Kiln Farm, Cranbrook Road**

## Comment

Consultee	Julie Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent [REDACTED]
Comment ID	PSLP_528
Response Date	28/05/21 08:43
Consultation Point	Policy AL/CRS 1 Land at Brick Kiln Farm, Cranbrook Road ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	CPRE Kent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/CRS1	
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 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.**

One of the stipulations in Site Allocations Local Plan 2016 Policy AL/CR 4 was that there should be a Masterplan for the development of the whole site, of which the two parts, Brick Kiln Farm and Corn Hall, were (and remain, so far as we are aware) in separate ownership. This requirement was important for a number of reasons, notably that without co-ordinated development of the two parts, it will be impossible to deliver direct pedestrian and cycle access through the site to Cranbrook Town Centre, near the supermarket, an essential element of the sustainability of these developments (and of Turnden, as proposed). The recent change of ownership of Brick Kiln Farm and consequent withdrawal of the previous developer's reserved matters application, coupled with the absence of any planning application for Corn Hall, provides an opportunity to include a requirement for a masterplan in Policies AL/CRS 1 and 2, to ensure that, at the least, this non-vehicular access route is provided.

The requirement for affordable housing should be increased from 35% to 40%, in accordance with the policies in this draft Plan.

The capacity of the area of the site proposed for development, and the size of that area, should be reviewed, as stated above in relation to Policy CRS/STR1.

We have commented on policy EN12 that it does not provide for as great a buffer for ancient woodland as the Woodland Trust recommends. The buffer provided in this allocation should at least meet the requirements of policy EN12 and preferably the Woodland Trust's preferred 50-metre buffer.

To comply with policies EN21 and 22, a comprehensive traffic survey, taking this and all other current and proposed developments along the A229 into account, should be carried out and necessary remedial measures with regard to Hawkhurst crossroads and, potentially, on the A262 at Goudhurst, should be a pre-condition of development on this site.

In view of the location of the site and its proximity to the Cranbrook Conservation Area, the development should comply with the High Weald AONB Design Guide.

The listed residential properties to the north west of the site, mentioned in paragraph 5.290, include one Grade II\* Listed Building, Goddards Green.

#### 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 amount of affordable housing to be increased to 40%.

An additional requirement that a masterplan for the development of Brick Kiln Farm and Corn Hall, agreed by the developers and acceptable to the Council, providing (at least) for a pedestrian and cycle route through both sites to the town centre, should be a pre-condition for the development of either site.

A requirement to comply with the High Weald AONB Design Guide.

Bullet 6(d) to provide for a woodland buffer of 50 metres.

A requirement to conduct a comprehensive traffic survey and implement remedial measures, as described above.

Include EN21 and EN22 (air quality and AQMAs) in this list of relevant policies

### **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 argue for the changes proposed above and to respond to any other proposed changes.

### **Question 8**

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

It is noteworthy that two of the allocated sites AL/CRS1 and AL/CRS3 score negatively on many environmental factors, notably Air, Biodiversity, Heritage, landscape, Land Use, Noise and Water (AL/CRS2 scores neutrally on some of these criteria, but this can only be because the allocation is smaller, since the environmental impact per dwelling of this development must be practically identical to that of the other two sites). Since the principal positive score for each site is for housing, this strongly suggest that, in the sustainability appraisal the Council is giving predominant weight to housing provision and little or no weight to the protection of the AONB, contrary to the NPPF.

## Comment

Consultee	Mrs Hilary Hosford [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Cranbrook Conservation Area Advisory Committee
Address	[REDACTED] [REDACTED] Headcorn [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Cranbrook Conservation Area Advisory Committee [REDACTED]
Comment ID	PSLP_788
Response Date	31/05/21 11:35
Consultation Point	Policy AL/CRS 1 Land at Brick Kiln Farm, Cranbrook Road ( <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	Cranbrook Conservation Area Advisory Committee
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/CRS 1 Land at Brick Kiln Farm, Cranbrook Road	
Question 4	
Do you consider that the Local Plan:	

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

- . It is not 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.**

##### Introduction

Whilst the main thrust of the Cranbrook Conservation Area Advisory Committee's comments relate to the conservation and heritage of Cranbrook and Sissinghurst, there are some wider issues which are also of concern. In this response we will use the Headings used in the Local Plan document with page or paragraph numbers for extra clarity.

##### POLICY AL/CRS 1

Land at Brick Kiln Farm - 180 dwellings approved. No further comment except to ensure that all requirements as set out in AL/CRS 1 are adhered to.

#### Question 7

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

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

#### Question 7a

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

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

No, but other members of the CCAAC may wish to do so.

#### 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	Vivien Halley [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Vivien Halley [REDACTED]
Comment ID	PSLP_1832
Response Date	03/06/21 15:12
Consultation Point	Policy AL/CRS 1 Land at Brick Kiln Farm, Cranbrook Road ( <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	Vivien Halley
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

Policy AL/HA2 Brook House Cranbrook Road

Policy AL/HA3 Former Site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 Land to the north of Copthall Avenue and Highgate Hill, Hawkhurst

Policy AL/CRS1 Land at Brick Kiln Farm, Cranbrook Road

Policy AL/CRS3 Turnden Farm, Hartley Road, Cranbrook

[TWBC: this representation has been input against Policies AL/HA1, AL/HA2, AL/HA3, AL/HA4, AL/CRS1 and AL/CRS3 – see Comment Numbers PSLP\_1822, PSLP\_1829, PSLP\_1830, PSLP\_1831, PSLP\_1832 and PSLP\_1833]

#### 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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- . I strongly support the removal of the Hawkhurst Golf Course site and the overall reduction in the allocation of housing numbers within the village and therefore the reduction to the harmful impact to an Area of Outstanding Natural Beauty.
- . The Local Plan has not taken into account the 28 houses in Heartenoak Road that are currently under construction and which will have a significant impact on the inadequate infrastructure and constant traffic congestion within Hawkhurst and especially at the village crossroads and along Queens Road, Heartenoak Road and Ockley Road.
- . I do not consider that the remaining housing development numbers set out in policies AL/HA1 (White House), AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm) are justified because no assessment has been undertaken of the cumulative impact of allocations on the Flimwell junction, village crossroads and the increase in traffic using minor roads and lanes to avoid the congested crossroads. The recent planning application at Copthall was refused due to the impact on the crossroads and the AONB.
- . I do not consider that the remaining numbers set out in policies AL/HA2 (Brook House) and AL/HA3 (Springfield Nurseries) are justified because no assessment has been undertaken of the cumulative impact of the significant recent developments in Hawkhurst in the areas of Heartenoak Road, thus creating more traffic congestion and pollution at the crossroads in the village or more traffic using the local narrow roads and lanes in order to avoid queuing at the crossroads. It has been well documented that the crossroads in the village are already functioning over their capacity so an increase in traffic cannot be justified. When residents from Cranbrook return home for example from shopping in the village, instead of waiting at the crossroads they will resort to finding alternative routes and turn local narrow roads such as Queens Road, Heartenoak Road, Ockley Road, Winchester Road, Woodbury Road and Vale Road into speeding rat runs, causing

constant disruption, traffic noise and pollution to local residents and also damage to parked vehicles.

- . I do not consider that policies AL/HA1 (White House), AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm) are consistent with national policy because they do not focus development in sustainable locations and will not limit the need to rely on private car trips (NPPF paragraphs 103 and 104).
- . I consider the policies will fail to preserve or enhance the AONB (contrary to the NPPF paragraph 172).

## 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.**

- . Removal of policies AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm).
- . Modify the Local Plan to reflect the reduction in the overall housing numbers in Hawkhurst and Cranbrook as a result of the removal of the above policies and give consideration to the 28 houses currently under construction in Heartenoak Road.
- . Should any further housing development be undertaken in Hawkhurst and especially in the Cranbrook Road area, it would be essential to reduce the possibility for people to drive through local roads (i.e. rat runs) in order to avoid the queues at the crossroads. Car drivers travelling towards the A229 towards Maidstone from the A268 (from the direction of Sandhurst) should be prevented from driving down Queens Road, into Heartenoak Road, into Ockley Road and then into Winchester Road, in order to join the A229 and thus avoiding the crossroads. This could be achieved by blocking off this "rat run" at the junction between Ockley Road and Winchester Road. Adapting existing roads so they have pedestrian access only, has already been successfully implemented in other areas of Hawkhurst to prevent through traffic along the following roads:
  - . Northgrove Road
  - . Western Road
  - . Copthall Avenue/All Saints Road
- . The introduction of traffic calming measures in Queens Road and Heartenoak Road to prevent speeding traffic, improve safety and improve the quality of life of residents living along these extremely busy roads.

## 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\_22

## Comment

Consultee	Peter Hay [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Hay [REDACTED]
Comment ID	PSLP_375
Response Date	24/05/21 13:02
Consultation Point	Policy AL/CRS 1 Land at Brick Kiln Farm, Cranbrook Road ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.5
Files	<a href="#">PSLP_359 &amp; PSLP_370-376 Hawkhurst traffic supporting photographs Redacted.pdf</a>
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Hay
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

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former Site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy STR/CS1 - The Strategy for Cranbrook and Sissinghurst Parish

Policy AL/CRS1 Land off Brick Kiln Farm, Cranbrook Road

Policy AL/CR3 - Turnden Farm, Hartley Road, Cranbrook

*[TWBC: this representation has been input against Policies STR/HA 1, AL/HA1, AL/HA2, AL/HA3, AL/HA4, STR/CS1, AL/CRS1 and AL/CR3 – see Comment Numbers PSLP\_359 and PSLP\_370-376]*

#### Question 4

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

**Is legally compliant** Yes

**Is sound** No

**Complies with the Duty to Cooperate** Yes

#### Question 4a

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

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

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

#### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information 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 very much strongly support the removal of Hawkhurst Gold Club Site and overall reduction in housing allocation within the village and also the reduction in harm to AONB. In addition, I do not consider the remaining numbers, HA/1, HA/4 along with Cranbrook CRS/1 and CRS/4 are justified as no assessment has been undertaken of the cumulative effect upon the junction at Flimwell and the village crossroads. Note: The recent planning application South of Copthall Avenue was recently refused partly because of this impact and AONB.

Also, I do not consider that HA/1, HA/3, CRS/1 and CRS/4 are consistent with National Policy as neither focus on sustainable locations for development and the use of private cars will always remain – NPPF 103 and 104 refers. This is plain to see.

I would also say that the policies will fail to preserve or enhance the AONB contrary to NPPF Para 172

#### 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. Removal of Copthall allocation HA/4 (plans are incorrect anyway)
2. To modify HA/1 to reflect reduced overall numbers of housing in Hawkhurst following removal of HA/1
3. To modify CRS/1 to reflect overall reduction in housing numbers in Cranbrook as a result of the removal of CRS/1
4. To modify HA/2 and HA/3 to include wording from Local Plan AL/HA/1 to ensure Area of Landscape Importance is retained and reinforced as part of any new proposal for planning permission.
5. Modify HA/1 and make it clearer that any development outside LBD will not be permitted (unless there is an exception specifically identified elsewhere in the plan)

#### **Question 7**

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

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

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

## Comment

Agent	Mr Greg Pitt [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Barton Willmore
Address	[REDACTED] London [REDACTED]
Consultee	Mr Terry Gamble [REDACTED]
Company / Organisation	Hill Residential Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Hill Residential Ltd [REDACTED]
Comment ID	PSLP_1845
Response Date	03/06/21 16:29
Consultation Point	Policy AL/CRS 1 Land at Brick Kiln Farm, Cranbrook Road ( <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	Hill Residential Ltd
Question 2	
Agent's Name and Organisation (if applicable)	Barton Willmore
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	



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

Policy AL/CRS 1 Land at Brick Kiln Farm, Cranbrook Road

Paragraph Numbers: 5.288 - 5.294

#### Question 4

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

Is legally compliant Don't know

Is sound Don't know

Complies with the Duty to Cooperate Don't know

#### Question 4a

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

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

#### Question 5

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

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

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

This representation is submitted on behalf of Hill primarily in response to proposed Policy AL/CRS 1 which concerns Brick Kiln Farm, Cranbrook.

Hill is a family-owned company, representing one of the top 20 UK housebuilders. It has achieved the WhatHouse Housebuilder of the Year 3 years in a row and prides itself on providing high quality homes for local communities.

The Site was part of a wider area allocated for residential development within the Site Allocations Local Plan under Policy AL/CR4. The proposed Policy AL/CRS 1 intends to separate out the Brick Kiln Farm site as a standalone policy. Hill is supportive of this approach.

Policy AL/CRS 1 sets out 9No. requirements and we comment on these as follows:

**1. The main vehicular access shall be taken from the A229 Hartley Road (as a priority junction), with provision of secondary/emergency access required**

Hill supports this requirement.

**2. Provision of pedestrian and cycle links to provide permeability through this site and adjacent sites (Policies AL/CRS 2 and AL/CRS 3), and to create an accessible, safe, non-vehicular route to the services provided at the centre of Cranbrook, Hartley, and surrounding residential areas and link into, and enhance, established Public Rights of Way**

Hill supports this requirement and is actively engaged in pre-application discussions with officers to ensure that a landscape led scheme that maximises permeability come forward as part of the forthcoming Reserved Matters Application. In addition to this, the existing Public Rights of Way through the site will be enhanced to further facilitate permeability.

**3. Development shall be located on the areas identified for residential use on the site layout plan**

Hill generally supports this requirement, however, would suggest that the wording is changed slightly so that there is flexibility in the shape of the residential areas to ensure the best possible outcome for achieving a high quality development and landscape led scheme. The proposed modification to the wording of this point is set out further within the following section.

**4. The design, layout, and final number of dwellings to be informed by a comprehensive landscape and visual impact assessment, ecological studies, and a heritage assessment (to include archaeology and landscape heritage), and consideration of cumulative effects of any other planned development in the vicinity**

Hill supports this requirement.

**5. Regard shall be given to existing hedgerows and mature trees on site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and landscape and visual impact assessment;**

Hill supports this requirement and is actively engaged in pre-application discussions with officers to ensure that a landscape led scheme comes forward as part of the forthcoming Reserved Matters Application.

**6. Extensive green infrastructure shall be provided, both on the areas shown indicatively in green on the site layout plan and through the non-green areas where relevant, in the form of:**

**a) a suitably designed green infrastructure link along the Crane Valley to link into the routes provided further south along the valley, providing an extended and improved green route into the centre of Cranbrook and Hartley, and creating links to the allocated sites to the south and east (Policies AL/CRS 2 and AL/CRS 3);**

**b) retained and improved meadows, woodlands, hedgerows, and water features;**

**c) landscape buffers to existing woodlands;**

**d) the reinstatement of historical field boundaries with hedgerows, shaws, and woodlands;e) retained and enhanced water bodies and watercourses**

**e) retained and enhanced water bodies and watercourses**

Hill supports this requirement and is working in accordance with the green infrastructure plan approved as part of the outline planning application.

**7. An archaeological assessment of the site, including field evaluations;**

Hill supports this requirement and condition 39 attached to the outline planning permission controls this requirement.

**8. Provision of on-site amenity/natural green space and children's play space;**

Hill supports this requirement and these features will be included with the forthcoming Reserved Matters Application.

**9. Contributions are to be provided to mitigate the impact of the development, in accordance with Policy STR/CRS 1.**

Hill supports this requirement, noting that contributions have already been secured through the S106 accompanying the Outline Planning Permission.

As demonstrated above, Hill therefore considers this policy would be justified and sound in line with the NPPF, subject to the proposed modification below.

**Question 6**

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

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

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

Policy AL/CRS 1 currently states as part of the wording:

**3. Development shall be located on the areas identified for residential use on the site layout plan**

Hill generally supports this requirement, however, would suggest that the wording is changed slightly so that there is flexibility in the shape of the residential areas to ensure the best possible outcome for achieving a high quality development and landscape led scheme.

We recommend that the wording of requirement 3 of this Policy is amended as follows:

**3. Development shall be located in broad accordance with the areas indicatively identified for residential use on the site layout plan.**

We consider this will ensure flexibility for detailed design of the residential parcels for appropriate orientation of dwellings, gardens or to provide more soft landscaping and habitat around these parcels and for this to be accommodated in agreement with Tunbridge Wells Borough Council through the development management process.

Subject to this modification we would consider the policy to be justified and sound in line with the NPPF.

#### Question 7

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

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

#### Question 7a

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

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

Hill considers this necessary as Brick Kiln Farm is an active site and the outcome of the hearing sessions will be important in the progress of a future Reserved Matters application.

#### Future Notifications

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

# Supporting Information File Ref No: SI\_156

## Comment

Consultee	Strategic Planning ( [REDACTED] )
Email Address	[REDACTED]
Company / Organisation	Kent County Council (Planning and Environment)
Address	Invicta House County Hall MAIDSTONE ME14 1XX
Event Name	Pre-Submission Local Plan
Comment by	Kent County Council (Planning and Environment) ( Strategic Planning - [REDACTED] )
Comment ID	PSLP_2202
Response Date	04/06/21 16:56
Consultation Point	Policy AL/CRS 1 Land at Brick Kiln Farm, Cranbrook Road ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.4
Files	<a href="#">Kent County Council-full representation.pdf</a>
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Kent County Council (Growth, Environment & Transport)
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	Policy AL/CRS 1 Land at Brick Kiln Farm, Cranbrook Road

[TWBC: see attached full representation, which has been input against the following: Section 1 (PSLP\_2164), Section 2 (PSLP\_2168), Section 3 (PSLP\_2169), Policies STR1 (PSLP\_2170), STR2 (PSLP\_2171), STR4 (PSLP\_2172), STR5 (PSLP\_2174), STR7 (PSLP\_2175), STR8 (PSLP\_2176), Section 5 (PSLP\_2177), Section 5: Royal Tunbridge Wells (PSLP\_2178), Policies AL/RTW1 (PSLP\_2180), AL/RTW5 (PSLP\_2181), AL/RTW7 (PSLP\_2183), AL/RTW14 (PSLP\_2184), AL/RTW17 (PSLP\_2185), AL/RTW21 (PSLP\_2187), STR/SO1 (PSLP\_2188), AL/SO1 (PSLP\_2190), Strategic Sites (PSLP\_2192), STR/SS1 (PSLP\_2193), STR/SS2 (PSLP\_2195), STR/SS3 (PSLP\_2196), STR/PW1 (PSLP\_2199), AL/PW1 (PSLP\_2200), STR/CA1 (PSLP\_2201), AL/CRS1 (PSLP\_2202), AL/CRS2 (PSLP\_2203), AL/CRS3 (PSLP\_2204), AL/CRS4 (PSLP\_2205), AL/CRS6 (PSLP\_2206), AL/CRS7 (PSLP\_2207), STR/HA1 (PSLP\_2208), PSTR/BE1 (PSLP\_2209), PSTR/BI 1 (PSLP\_2210), PSTR/BM1 (PSLP\_2211), PSTR/FR1 (PSLP\_2212), PSTR/GO1 (PSLP\_2213), PSTR/HO1 (PSLP\_2214), AL/HO1 (PSLP\_2215), PSTR/LA1 (PSLP\_2216), AL/LA1 (PSLP\_2217), PSTR/PE1 (PSLP\_2218), AL/PE4 (PSLP\_2219), PSTR/RU1 (PSLP\_2220), PSTR/SA1 (PSLP\_2221), AL/SA1 (PSLP\_2222), PSTR/SP1 (PSLP\_2223), EN1 (PSLP\_2224), EN3 (PSLP\_2225), EN4 (PSLP\_2226), EN5 (PSLP\_2227), EN8 (PSLP\_2228), EN9 (PSLP\_2229), EN10 (PSLP\_2230), EN12 (PSLP\_2231), EN13 (PSLP\_2232), EN14 (PSLP\_2233), EN18 (PSLP\_2234), EN19 (PSLP\_2235), EN20 (PSLP\_2236), EN25 (PSLP\_2237), EN26 (PSLP\_2238), H1 (PSLP\_2239), H3 (PSLP\_2240), H7 (PSLP\_2241), ED1 (PSLP\_2242), ED2 (PSLP\_2243), ED3 (PSLP\_2244), ED4 (PSLP\_2245), ED5 (PSLP\_2246), ED6 (PSLP\_2247), Town, Rural Service, Neighbourhood, and Village Centres (PSLP\_2248), Policies TP1 (PSLP\_2249), TP2 (PSLP\_2250), TP3 (PSLP\_2251), TP4 (PSLP\_2252), TP5 (PSLP\_2253), TP6 (PSLP\_2254), OSSR1 (PSLP\_2255), Appendix 4 (PSLP\_2256) and Evidence Base (whole Plan) (PSLP\_2257)

#### Question 4a

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

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

#### Question 5

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

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

#### Public Rights of Way

The County Council requests direct reference to Public Footpaths WC94 and WC96 which cross the site, to ensure they provide suitable links to Cranbrook Centre.

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

#### **Question 7**

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

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

#### **Question 7a**

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

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

The County Council may wish to attend hearing sessions in respect of its statutory and non statutory functions.

#### **Future Notifications**

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

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

## Comment

Consultee	Mr Keith Lagden [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] CRANBROOK [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Keith Lagden [REDACTED]
Comment ID	PSLP_439
Response Date	26/05/21 12:26
Consultation Point	Policy AL/CRS 1 Land at Brick Kiln Farm, Cranbrook Road ( <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	Keith Lagden
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/CRS 1 Land at Brick Kiln Farm, Cranbrook Road

*[TWBC: this representation has been input against Policies AL/HA1, AL/HA2, AL/HA3, AL/HA4, STR/CRS1, AL/CRS1 and AL/CRS4 – see Comment Numbers PSLP\_431, PSLP\_435-440]*

**Question 4**

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

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

#### Question 4a

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

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

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

#### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information 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 fully support the removal of Hawkhurst Golf Club coupled with the significant reduction in housing allocation numbers within Hawkhurst resulting in less damage to the AONB.
- . I am concerned that the remaining numbers set out in HA1, the allocation in HA4 and CRS1 & CRS4, are acceptable, as no assessment has been undertaken on the cumulative impact of these allocations on either the Flimwell junction or the Hawkhurst village crossroads.
- . In my opinion HA1, HA3 plus CRS1 & CRS4 do not embody National Policy, as they do not focus development in locations which are sustainable and in no way limit the need to rely on private car trips (NPPF paras 103 & 104)
- . The policies neither help to preserve or enhance the AONB (which is contrary to NPPF para 172)

#### 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 would like to see the following modifications:-

- . Remove HA4
- . Adjust HA1 to show reduced overall housing numbers in Hawkhurst due to HA4 removal.
- . Remove CRS3
- . Adjust CRS1 to show reduced overall housing numbers in Cranbrook due to removal of CRS3
- . Adjust HA1 to clarify that no development outside of the Limits of Build Development will be permitted (unless in the specific exceptions shown elsewhere in the plan)

#### Question 7



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

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

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

#### **Future Notifications**

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

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

# Supporting Information File Ref No: SI\_76

## Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Natural England
Address	International House Dover Place ASHFORD TN23 1HU
Event Name	Pre-Submission Local Plan
Comment by	Natural England [REDACTED]
Comment ID	PSLP_1460
Response Date	04/06/21 13:41
Consultation Point	Policy AL/CRS 1 Land at Brick Kiln Farm, Cranbrook Road ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.6
Files	<a href="#">PSLP_1444_Natural England_SI.pdf</a>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Natural England
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/CRS 1 Land at Brick Kiln Farm, Cranbrook Road

*[TWBC - Full representation attached as Supplementary Information]*

*[TWBC: This representation has been input against Policies PSTR1, AL/RTW17, AL/CRS 1, AL/CRS 2, AL/CRS 3, AL/HA 4, AL/BM 1, AL/PE 1, AL/PE 2, AL/PE 3, AL/RTW 16, STR/SS1, STR/SS3, EN11,*

Section 3, STR 8, Section 5, EN1, EN9, EN10, EN12, EN13, EN14 AND EN19 – see Comment Numbers PSLP\_1444, PSLP\_1459, PSLP\_1460, PSLP\_1462, PSLP\_1489, PSLP\_1463, PSLP\_1464, PSLP\_1465, PSLP\_1466, PSLP\_1467, PSLP\_1468, PSLP\_1469, PSLP\_1470, PSLP\_1472, PSLP\_1478, PSLP\_1480, PSLP\_1481, PSLP\_1482, PSLP\_1483, PSLP\_1484, PSLP\_1485, PSLP\_1486, PSLP\_1487, PSLP\_1488]

#### Question 4

Do you consider that the Local Plan:

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

#### Question 4a

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

Do you consider that the Local Plan is not sound because:	<input type="checkbox"/> It is not justified
	<input type="checkbox"/> It is not consistent with national policy

#### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information 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.**

##### **Appendix 2: Major development allocations within the High Weald AONB**

Our core reason for considering the local plan as unsound is due to the proposed allocations within the AONB that have been defined by TWBC as major development. These include some sites that have been granted planning permission without the support of an allocation in the adopted local plan and we continue to object to the draft allocations for major development.

Natural England objects to the inclusion of these major development allocations sites within the AONB because we consider that these policies fail the test of soundness (see our Soundness comments above). We therefore recommend that alternative approaches are taken that avoid impacts on the designated landscape. Our specific comments regarding these allocations are outlined as follows:

##### **AL/CRS 1 - Land at Brick Kiln Farm, Cranbrook**

Natural England recognises that this site allocation for 180 dwellings has extant consent from the Tunbridge Wells Site Allocations Local Plan 2016 and represents major development within the AONB. Natural England continues to object it as an allocation for major development as it is being put forward in the context of a new local plan and needs to be tested through the new local plan process.

#### Question 6

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

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

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

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

#### **Question 7**

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

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

#### **Question 7a**

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

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

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

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

#### **Question 8**

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

Appendix 3: Sustainability Appraisal

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

'Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements (The reference to relevant legal requirements refers to Strategic Environmental Assessment. Neighbourhood plans may require Strategic Environmental Assessment, but only where there are potentially significant environmental effects.'). This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). However, the SA appears to prioritise social and economic considerations over environmental ones as Section 6.2.19 states:

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

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

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

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

Given the provisions of paragraph 11 (and consequently paragraph 172), we consider that the weight afforded to protecting nationally designated landscapes has not been sufficiently considered as part of exploring alternative options and the environmental value of the AONB has been underestimated. It is our view that significant impacts have not been avoided as far as possible and, as outlined in other sections, we advise that major development within the AONB has not been appropriately justified. Given the above, we are concerned that the underpinning assessment and recommendations of the SA are not giving an appropriate level of consideration for the environmental benefits associated with alternative growth strategies, especially given the great weight that should be afforded to designated landscapes.

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

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

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

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

Finally, point 3.2.8 does not reflect the findings of the HRA and mitigation proposed for Ashdown Forest SPA (see the HRA section below). We advise this section of the SA is amended to reflect the findings of the HRA.

## Future Notifications

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

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

## Comment

Consultee	Peter Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Williams [REDACTED]
Comment ID	PSLP_943
Response Date	28/05/21 09:00
Consultation Point	Policy AL/CRS 1 Land at Brick Kiln Farm, Cranbrook Road ( <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	Mr Peter Williams
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy CRS1 - Land at Brick Kiln Farm, Cranbrook Road

Policy CRS3 - Turnden Farm, Hartley Road, Cranbrook

Sustainability Appraisal

[TWBC: this representation has been input against Policies STR/HA1, AL/HA1, AL/HA2, AL/HA 3, AL/HA4, AL/CRS1, AL/ CRS3 and Sustainability Appraisal – see Comment Numbers PSLP\_922, PSLP\_939, PSLP\_940, PSLP\_943, PSLP\_] ]

#### Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

#### Question 4a

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

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

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

#### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information 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.**

- . Failure to preserve or enhance AONB
- . Needs to be reduction in Hawkhurst Allocation - "enough is enough"
- . Removal of HH Golf Course site was sound and sensible decision
- . The impact of additional traffic @ Flimwell/ A21 junction will be considerable - there are already significant traffic build ups.

#### Question 6

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Revisit HA1 to reflect reduced overall housing numbers in Hawkhurst



Removal of HA4 (Cophall)

Revisit HA2 + HA3 to ensure area of landscape importance is retained

Modify HA1 to ensure no development at side limits of build

#### Question 7

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

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

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

#### Question 8

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

The constant "one step forward and one back" re housing development is a constant frustration - once a decision is made then stick with it. The demise of Hawkhurst Golf Club was due to the constant "developing not developing" which over many years meant attracting new members was impossible.

# **Local Plan Regulation 19 representations in document order**

**Comments on Section 5: Place  
Shaping Policies: Cranbrook &  
Sissinghurst: Policy AL/CRS 2: Land  
south of Corn Hall, Crane Valley,  
Cranbrook**

## Supporting Information File Ref No: SI\_150

### Comment

Agent	Mr David Bedford ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	DHA Planning Ltd
Address	Eclipse House Eclipse Park MAIDSTONE ME14 3EN
Consultee	([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Countryside Properties
Address	Countryside House The Drive BRENTWOOD CM13 3AT
Event Name	Pre-Submission Local Plan
Comment by	Countryside Properties ([REDACTED])
Comment ID	PSLP_2127
Response Date	26/05/21 16:30
Consultation Point	Policy AL/CRS 2 Land south of Corn Hall, Crane Valley, Cranbrook ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.6
Files	<a href="#">DHA Planning for Countryside Properties-full representation AL-CRS2.pdf</a>
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Countryside Properties
Question 2	
Agent's Name and Organisation (if applicable)	DHA Planning

### Question 3

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

### Question 3a

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

Policy AL/CRS 2 Land south of Corn Hall, Crane Valley, Cranbrook

[TWBC: the full representation attached has been divided between Vision and Strategic Objectives (PSLP\_2118), Policies STR1 (PSLP\_2121), AL/CRS2 (PSLP\_2127) and Development Management Policies (PSLP\_2128)

### Question 4a

If 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.**

#### 1.1 Introduction

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

1.1.2 These representations relate to land within Countryside Properties' control adjacent to the Crane Valley, Cranbrook which forms part of proposed allocation reference AL/CRS 2.

1.1.3 The site, combined with land proposed for allocation under AL/CRS 1, currently cover land that represents a single larger Local Plan allocation contained within the adopted Site Allocations Local Plan 2016 Policy AL/CR 4. These sites have traditionally always featured as a single allocation owing to the fact that access to the CR2 land is required through site CR1.

1.1.4 In respect of progress of the site to date; Persimmon Homes secured outline planning permission prior on the CR1 land prior to surrendering its option to another developer. Nonetheless, it is understood that a reserved matters application is in preparation for the CR1 land.

1.1.5 In the meantime, Countryside remains committed to bringing the CR2 site forward at the earliest available opportunity once a suitable access can be achieved via the CR1 land.

#### 1.2 Background

1.2.1 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.

1.2.2 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.

1.2.3 This submission comments on the plan having regard to these tests of soundness.

### **1.3 Legal Compliance**

1.3.1 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.

1.3.2 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.

1.3.3 From a wider perspective, we are concerned about the degree to which the Council has complied with the duty to cooperate, albeit we will reserve our position on this matter until all final consultation documentation and statements of common ground have been published.

### **1.4 Assessment of Soundness**

1.4.1 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

1.4.2 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.

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

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

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

1.4.63 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.

1.4.64 Policy AL/CRS 1 has regard to land at Brick Kiln Farm and states:

*[TWBC: PSLP Policy AL/CRS 1 has been duplicated here - see full representation attached].*

1.4.65 Policy AL/CRS 2 (land within our client's control) has regard to land south of Corn Hall, Crane Valley, Cranbrook and states:

*[TWBC: PSLP Policy AL/CRS 2 has been duplicated here - see full representation attached].*

1.4.66 Our client considered the proposed allocation to be deliverable and so we are supportive of the principle. However, we consider that the affordable housing requirement should mirror that of the CR1 land (i.e. 35% affordable) and in line with the established development plan allocation.

## **1.5 Summary and Conclusions**

1.5.1 In summary, this representation has been prepared on behalf of Countryside Properties 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.

1.5.2 We support the aspiration to meet housing need in full and consider that a dispersed growth strategy represents the optimum means to achieve this. Furthermore, we support the continued allocation of our client's land in Cranbrook, albeit with some modification to the affordable housing requirement in line with the adopted allocation.

1.5.3 Finally, we consider that the Local Plan strategy as a whole relies heavily on the delivery of strategic sites that would require the provision of supporting infrastructure. Moreover, the Council have applied overly optimistic projections to the delivery of housing for the extension of Paddock Wood and the Tudeley Garden Village.

## **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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1.4.66 Our client considered the proposed allocation to be deliverable and so we are supportive of the principle. However, we consider that the affordable housing requirement should mirror that of the CR1 land (i.e. 35% affordable) and in line with the established development plan allocation.

## **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	Julie Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent [REDACTED]
Comment ID	PSLP_529
Response Date	28/05/21 08:49
Consultation Point	Policy AL/CRS 2 Land south of Corn Hall, Crane Valley, Cranbrook ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	CPRE Kent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/CRS2	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

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

#### Question 5

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The site area is 6.78 hectares but the area on which residential units are to be built is not stated. It is therefore unclear whether 35-45 homes would be in accordance with the draft Plan's policies for housing density and efficient use of land, which (as we have commented elsewhere) should be strengthened. Efficient use of land is especially important in this case, which is a greenfield site in the AONB. Cranbrook's historic town centre is characterised by a very high housing density. A development so close to the historic town can and should reflect this settlement pattern. By doing so, the developed area of the site could be reduced, which could somewhat lessen its adverse impact on the AONB and the Cranbrook Conservation Area.

One of the stipulations in Site Allocations Local Plan 2016 Policy AL/CR 4 was that there should be a Masterplan for the development of the whole site, of which the two parts, Brick Kiln Farm and Corn Hall, were (and remain, so far as we are aware) in separate ownership. This requirement was important for a number of reasons, notably that without co-ordinated development of the two parts, it will be impossible to deliver direct pedestrian and cycle access through the site to Cranbrook Town Centre, near the supermarket, an essential element of the sustainability of these developments (and of Turnden, as proposed). The recent change of ownership of Brick Kiln Farm and consequent withdrawal of the previous developer's Reserved Matters Application, coupled with the absence of any planning application for Corn Hall, provides an opportunity to include a requirement for a masterplan in policies AL/CRS 1 and 2, to ensure that, at the least, this non-vehicular access route is provided.

In view of the location of the site and its proximity to the Cranbrook Conservation Area, the development should comply with the High Weald AONB Design Guide.

To comply with policies EN21 and 22, a comprehensive traffic survey, taking this and all other current and proposed developments along the A229 into account, should be carried out and necessary remedial measures with regard to Hawkhurst crossroads and, potentially, the A262 at Goudhurst, should be a pre-condition of development on this site.

The listed residential properties to the north west of the site, mentioned in paragraph 5.297, include one Grade II\* Listed Building, Goddards Green.

The Reserved Matters Application for Brick Kiln Farm mentioned in paragraph 5.302 has been withdrawn.

#### Question 6

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The area of the site that needs to be developed in order to accommodate 35-40 homes should be reappraised, having regard to housing densities in Cranbrook town and the need to minimise the impact of the development on the Cranbrook Conservation Area.

An additional requirement that a masterplan for the development of Brick Kiln Farm and Corn Oast, agreed by the developers and acceptable to the Council, providing (at least) for a pedestrian and cycle route through both sites to the town centre, should be a pre-condition for the development of either site.

A requirement to comply with the High Weald AONB Design Guide.

A requirement to conduct a comprehensive traffic survey and implement remedial measures, as described above.

Include EN21 and EN22 (air quality and AQMAs) in this list of relevant policies.

#### **Question 7**

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

#### **Question 7a**

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

To argue for the changes proposed above and to respond to any other proposed changes.

## Comment

Consultee	Mrs Hilary Hosford [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Cranbrook Conservation Area Advisory Committee
Address	[REDACTED] [REDACTED] Headcorn [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Cranbrook Conservation Area Advisory Committee [REDACTED]
Comment ID	PSLP_790
Response Date	31/05/21 11:35
Consultation Point	Policy AL/CRS 2 Land south of Corn Hall, Crane Valley, Cranbrook ( <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	Cranbrook Conservation Area Advisory Committee
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/CRS 2 Land south of Corn Hall, Crane Valley, Cranbrook
Question 4	
Do you consider that the Local Plan:	

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

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

#### Question 5

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##### Introduction

Whilst the main thrust of the Cranbrook Conservation Area Advisory Committee's comments relate to the conservation and heritage of Cranbrook and Sissinghurst, there are some wider issues which are also of concern. In this response we will use the Headings used in the Local Plan document with page or paragraph numbers for extra clarity.

##### POLICY AL/CRS 2

Land south of Corn Hall, Crane Valley -allocated for 35-45 dwellings. This site adjoins Brick Kiln and in terms of accessing Cranbrook facilities makes sense. It could be preferable to focus the housing on part of the site and provide green space adjacent to the Conservation Area. All the safeguards set out in this policy will need to be adhered to and the community, Neighbourhood Plan etc involved in place shaping and design.

#### Question 7

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

#### Question 7a

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

No, but other members of the CCAAC may wish to do so.

## Future Notifications

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

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

# Supporting Information File Ref No: SI\_156

## Comment

Consultee	Strategic Planning ( [REDACTED] )
Email Address	[REDACTED]
Company / Organisation	Kent County Council (Planning and Environment)
Address	Invicta House County Hall MAIDSTONE ME14 1XX
Event Name	Pre-Submission Local Plan
Comment by	Kent County Council (Planning and Environment) ( Strategic Planning - [REDACTED] )
Comment ID	PSLP_2203
Response Date	04/06/21 16:56
Consultation Point	Policy AL/CRS 2 Land south of Corn Hall, Crane Valley, Cranbrook ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.4
Files	<a href="#">Kent County Council-full representation.pdf</a>
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Kent County Council (Growth, Environment & Transport)
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/CRS 2 Land south of Corn Hall, Crane Valley, Cranbrook

[TWBC: see attached full representation, which has been input against the following: Section 1 (PSLP\_2164), Section 2 (PSLP\_2168), Section 3 (PSLP\_2169), Policies STR1 (PSLP\_2170), STR2 (PSLP\_2171), STR4 (PSLP\_2172), STR5 (PSLP\_2174), STR7 (PSLP\_2175), STR8 (PSLP\_2176), Section 5 (PSLP\_2177), Section 5: Royal Tunbridge Wells (PSLP\_2178), Policies AL/RTW1 (PSLP\_2180), AL/RTW5 (PSLP\_2181), AL/RTW7 (PSLP\_2183), AL/RTW14 (PSLP\_2184), AL/RTW17 (PSLP\_2185), AL/RTW21 (PSLP\_2187), STR/SO1 (PSLP\_2188), AL/SO1 (PSLP\_2190), Strategic Sites (PSLP\_2192), STR/SS1 (PSLP\_2193), STR/SS2 (PSLP\_2195), STR/SS3 (PSLP\_2196), STR/PW1 (PSLP\_2199), AL/PW1 (PSLP\_2200), STR/CA1 (PSLP\_2201), AL/CRS1 (PSLP\_2202), AL/CRS2 (PSLP\_2203), AL/CRS3 (PSLP\_2204), AL/CRS4 (PSLP\_2205), AL/CRS6 (PSLP\_2206), AL/CRS7 (PSLP\_2207), STR/HA1 (PSLP\_2208), PSTR/BE1 (PSLP\_2209), PSTR/BI 1 (PSLP\_2210), PSTR/BM1 (PSLP\_2211), PSTR/FR1 (PSLP\_2212), PSTR/GO1 (PSLP\_2213), PSTR/HO1 (PSLP\_2214), AL/HO1 (PSLP\_2215), PSTR/LA1 (PSLP\_2216), AL/LA1 (PSLP\_2217), PSTR/PE1 (PSLP\_2218), AL/PE4 (PSLP\_2219), PSTR/RU1 (PSLP\_2220), PSTR/SA1 (PSLP\_2221), AL/SA1 (PSLP\_2222), PSTR/SP1 (PSLP\_2223), EN1 (PSLP\_2224), EN3 (PSLP\_2225), EN4 (PSLP\_2226), EN5 (PSLP\_2227), EN8 (PSLP\_2228), EN9 (PSLP\_2229), EN10 (PSLP\_2230), EN12 (PSLP\_2231), EN13 (PSLP\_2232), EN14 (PSLP\_2233), EN18 (PSLP\_2234), EN19 (PSLP\_2235), EN20 (PSLP\_2236), EN25 (PSLP\_2237), EN26 (PSLP\_2238), H1 (PSLP\_2239), H3 (PSLP\_2240), H7 (PSLP\_2241), ED1 (PSLP\_2242), ED2 (PSLP\_2243), ED3 (PSLP\_2244), ED4 (PSLP\_2245), ED5 (PSLP\_2246), ED6 (PSLP\_2247), Town, Rural Service, Neighbourhood, and Village Centres (PSLP\_2248), Policies TP1 (PSLP\_2249), TP2 (PSLP\_2250), TP3 (PSLP\_2251), TP4 (PSLP\_2252), TP5 (PSLP\_2253), TP6 (PSLP\_2254), OSSR1 (PSLP\_2255), Appendix 4 (PSLP\_2256) and Evidence Base (whole Plan) (PSLP\_2257)

#### Question 4a

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

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

#### Question 5

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

#### Public Rights of Way

The County Council requests direct reference to Public Footpaths WC96 and WC94 and surrounding WC95 and Restricted Byway WC118A to ensure wider connectivity of the site and potential for updates to cycle and equestrian use.

#### Question 6

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#### **Question 7**

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

#### **Question 7a**

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

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

The County Council may wish to attend hearing sessions in respect of its statutory and non statutory functions.

#### **Future Notifications**

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

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

## Supporting Information File Ref No: SI\_76

### Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Natural England
Address	International House Dover Place ASHFORD TN23 1HU
Event Name	Pre-Submission Local Plan
Comment by	Natural England [REDACTED]
Comment ID	PSLP_1462
Response Date	04/06/21 13:41
Consultation Point	Policy AL/CRS 2 Land south of Corn Hall, Crane Valley, Cranbrook ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.5
Files	<a href="#">PSLP_1444_Natural England_SI.pdf</a>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Natural England
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/CRS 2 Land south of Corn Hall, Crane Valley, Cranbrook

*[TWBC - Full representation attached as Supplementary Information]*

*[TWBC: This representation has been input against Policies PSTR1, AL/RTW17, AL/CRS 1, AL/CRS 2, AL/CRS 3, AL/HA 4, AL/BM 1, AL/PE 1, AL/PE 2, AL/PE 3, AL/RTW 16, STR/SS1, STR/SS3, EN11,*



Section 3, STR 8, Section 5, EN1, EN9, EN10, EN12, EN13, EN14 AND EN19 – see Comment Numbers PSLP\_1444, PSLP\_1459, PSLP\_1460, PSLP\_1462, PSLP\_1489, PSLP\_1463, PSLP\_1464, PSLP\_1465, PSLP\_1466, PSLP\_1467, PSLP\_1468, PSLP\_1469, PSLP\_1470, PSLP\_1472, PSLP\_1478, PSLP\_1480, PSLP\_1481, PSLP\_1482, PSLP\_1483, PSLP\_1484, PSLP\_1485, PSLP\_1486, PSLP\_1487, PSLP\_1488]

#### Question 4

Do you consider that the Local Plan:

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

#### Question 4a

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

Do you consider that the Local Plan is not sound because:	<ul style="list-style-type: none"><li>It is not justified</li><li>It is not consistent with national policy</li></ul>
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#### Question 5

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

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

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

#### Appendix 2: Major development allocations within the High Weald AONB

Our core reason for considering the local plan as unsound is due to the proposed allocations within the AONB that have been defined by TWBC as major development. These include some sites that have been granted planning permission without the support of an allocation in the adopted local plan and we continue to object to the draft allocations for major development.

Natural England objects to the inclusion of these major development allocations sites within the AONB because we consider that these policies fail the test of soundness (see our Soundness comments above). We therefore recommend that alternative approaches are taken that avoid impacts on the designated landscape. Our specific comments regarding these allocations are outlined as follows:

#### AL/CRS 2 - Land south of Corn Hall, Crane Valley, Cranbrook

Whilst this site, individually, is not identified as major development by TWBC, it is considered to represent major development cumulatively with AL/CRS 1 (as part of CRS 9) and given its close proximity to AL/CRS 3. Natural England therefore objects its inclusion as an allocation but we consider that it may be more acceptable if AL/CRS 1 and AL/CRS 3 are withdrawn or significantly reduced such that they no longer represent major development, and where AL/CRS 2 is sensitively designed

#### 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.**

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

#### Question 7

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

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

#### Question 7a

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

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

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

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

#### Question 8

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

Appendix 3: Sustainability Appraisal

There are several alternative growth strategy options within the Sustainability Appraisal (SA) and the Council has chosen a growth strategy with significant negative landscape impacts. Natural England's

view is that the preferred approach should afford sufficient weight to environmental factors. This is supported by NPPF Paragraph 8 which states that economic, environmental and social objectives need to be pursued in mutually supportive ways to support net gains across each of these objectives. Paragraph 32 also states that (emphasis added):

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

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

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

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

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

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

Given the provisions of paragraph 11 (and consequently paragraph 172), we consider that the weight afforded to protecting nationally designated landscapes has not been sufficiently considered as part of exploring alternative options and the environmental value of the AONB has been underestimated.

It is our view that significant impacts have not been avoided as far as possible and, as outlined in other sections, we advise that major development within the AONB has not been appropriately justified.

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

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

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

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

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

Finally, point 3.2.8 does not reflect the findings of the HRA and mitigation proposed for Ashdown Forest

SPA (see the HRA section below). We advise this section of the SA is amended to reflect the findings of the HRA.

### **Future Notifications**

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

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

## Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1422
Response Date	04/06/21 16:31
Consultation Point	Policy AL/CRS 2 Land south of Corn Hall, Crane Valley, Cranbrook ( <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	Woodland Trust
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 2 Land south of Corn Hall, Crane Valley, Cranbrook	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

#### Question 5

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

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We previously expressed concerns at this site allocation (then coded as AL/CRS 9) as it included two areas of ancient woodland

- Unnamed ASNW at TQ77293551 • Unnamed ASNW at TQ77113537

We are pleased to see that the second area of ancient woodland (Unnamed ASNW at TQ77113537) no longer appears to be affected. However we still have concerns about the area of ancient woodland at TQ77293551

#### Question 6

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We recommend redrawing the site boundaries to exclude the unnamed area of ancient woodland at TQ77293551 from land allocated for development.

Whether the ancient woodland is within or outside the development site, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. Buffer zones can form part of the accessible natural green space required for future residents.

This will improve compliance with national policy by protecting the ancient woodland from loss or fragmentation and from harmful effects of pollution or encroachment on root areas. It will also make a positive contribution to requirements for net gain and nature recovery.

### Question 7

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

### Question 7a

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

The Woodland Trust is the UK's leading woodland conservation charity with specific expertise on the management and protection of ancient woodland.

# **Local Plan Regulation 19 representations in document order**

**Comments on Section 5: Place  
Shaping Policies: Cranbrook &  
Sissinghurst: Policy AL/CRS 3:  
Turnden Farm, Hartley Road,  
Cranbrook**



# Supporting Information File Ref No: SI\_22

## Comment

Consultee	Peter Hay [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Hay [REDACTED]
Comment ID	PSLP_376
Response Date	24/05/21 13:02
Consultation Point	Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.5
Files	<a href="#">PSLP_359 &amp; PSLP_370-376 Hawkhurst traffic supporting photographs Redacted.pdf</a>
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Hay
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

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former Site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy STR/CS1 - The Strategy for Cranbrook and Sissinghurst Parish

Policy AL/CRS1 Land off Brick Kiln Farm, Cranbrook Road

Policy AL/CR3 - Turnden Farm, Hartley Road, Cranbrook

*[TWBC: this representation has been input against Policies STR/HA 1, AL/HA1, AL/HA2, AL/HA3, AL/HA4, STR/CS1, AL/CRS1 and AL/CR3 – see Comment Numbers PSLP\_359 and PSLP\_370-376]*

#### Question 4

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

**Is legally compliant** Yes

**Is sound** No

**Complies with the Duty to Cooperate** Yes

#### Question 4a

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

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

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

#### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information 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 very much strongly support the removal of Hawkhurst Gold Club Site and overall reduction in housing allocation within the village and also the reduction in harm to AONB. In addition, I do not consider the remaining numbers, HA/1, HA/4 along with Cranbrook CRS/1 and CRS/4 are justified as no assessment has been undertaken of the cumulative effect upon the junction at Flimwell and the village crossroads. Note: The recent planning application South of Copthall Avenue was recently refused partly because of this impact and AONB.

Also, I do not consider that HA/1, HA/3, CRS/1 and CRS/4 are consistent with National Policy as neither focus on sustainable locations for development and the use of private cars will always remain – NPPF 103 and 104 refers. This is plain to see.

I would also say that the policies will fail to preserve or enhance the AONB contrary to NPPF Para 172

#### 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.**

1. Removal of Copthall allocation HA/4 (plans are incorrect anyway)
2. To modify HA/1 to reflect reduced overall numbers of housing in Hawkhurst following removal of HA/1
3. To modify CRS/1 to reflect overall reduction in housing numbers in Cranbrook as a result of the removal of CRS/1
4. To modify HA/2 and HA/3 to include wording from Local Plan AL/HA/1 to ensure Area of Landscape Importance is retained and reinforced as part of any new proposal for planning permission.
5. Modify HA/1 and make it clearer that any development outside LBD will not be permitted (unless there is an exception specifically identified elsewhere in the plan)

#### **Question 7**

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<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)
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## Comment

Consultee	Julie Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent [REDACTED]
Comment ID	PSLP_530
Response Date	28/05/21 08:56
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	CPRE Kent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/CRS3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

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

#### Question 5

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This green field site represents major development in the AONB, in a medieval and/or post-medieval farming landscape, on which remnants of the field pattern of that time remain visible. It is in the setting of the Cranbrook Conservation Area and several other listed and unlisted heritage assets, including the remains of Turnden Farmhouse. It has not previously been allocated for development.

The grounds for such development, which is only permissible in exceptional circumstances under the NPPF, are not made out in the Plan.

This development would harm the natural beauty of the AONB; harm biodiversity; destroy medieval or post-medieval farming landscape characteristic of the AONB; obliterate historic settlement patterns, in particular by practically eliminating the gap between Cranbrook and Hartley; harm the Cranbrook Conservation Area by compromising the rural character of its setting; and harm several other nearby heritage assets for similar reasons. Some recognition of the extent of harm to the AONB which would be caused by this development is made in the description of the site in Appendix 3 to the Development Strategy Topic Paper, but its adverse impact on landscape and settlement patterns should be stated more strongly. By both practically closing the gap between Cranbrook and Hartley and subsuming the 'farmstead' development of Turnden Phase 1 in a larger housing estate, it arguably has an even greater impact on the AONB landscape than Brick Kiln Farm, whose impact is acknowledged to be 'high'.

The Council have not demonstrated the need for this allocation, in addition to the growth in housing provided by policies AL/CRS1 and AL/CRS2, and have not demonstrated that no alternative sites in the borough, outside the AONB, could meet housing needs in the eastern part of the borough. The SHELAA and other Supporting Papers on Housing and the Development Strategy Topic Paper provide no adequate justification for the number of new homes in the parish which are allocated by this Plan.

The additional traffic generated by this development will increase air pollution in the recently designated AQMA at Hawkhurst Crossroads (as was demonstrated in documents submitted with called-in planning application 20/00815/FULL for Turnden Phase 2) risking harm to public health, contrary to national planning policies and relevant policies in this Plan.

To counterbalance the serious harm which the allocation and development of this site would cause, the only material benefit would be in terms of housing, including affordable housing. No employment or community facilities would be required on the site. The natural conclusion to draw from this policy is that the Council has totally failed to give great weight to the protection of the AONB and to the conservation area and listed buildings, as required by the NPPF.

We therefore object to this policy, save to the extent that it includes Turnden Phase 1 (36 new homes) for which planning permission has already been given.

Should the policy be retained, however, we have the following observations on its terms.

The whole Turnden Farm site should be treated as one, with a single access from the A229, permeability through the site and a single development plan for the whole site. This is what we understand the wording of this Policy to require (map 38 shows two site entrances, but one may be the emergency access mentioned in the text). This will, of course, require the developer not to proceed with the existing planning permission for Turnden Phase 1, 18/02571/FULL, which cannot be implemented as originally granted following the destruction of Grade II-listed Turnden. Appropriate design features can and should be included in the development to recognise the character of the original Turnden Farmstead and the listed building destroyed by fire, while enhancing permeability and encouraging active travel through the site.

Consistent with our comments elsewhere, the capacity and developed area of the site should be reappraised.

This development, on its own, will increase traffic levels at Hawkhurst Crossroads, sufficient to harm several households, as the traffic survey submitted with called-in application 20/00815/FULL showed, causing Highways England to express objections to that development. This survey took no account of the cumulative effect of this and other current and proposed developments along the A229, contrary to policies EN21 and 22 of this draft Plan. A comprehensive traffic survey, taking all such developments into account, should be carried out and necessary remedial measures should be a pre-condition of development on this site. The effects of the development on congestion on the A262 at Goudhurst and increased traffic on Turnden Road should be considered in any such survey.

In view of the location of the site and its proximity to the Cranbrook Conservation Area and other heritage assets, the development should comply with the High Weald AONB Design Guide.

Called-in application 20/00815/FULL included plans for dealing with the spoil generated by the proposed development by spreading it over several hectares of undeveloped land in the southern part of the site, which would harm the landscape, biodiversity and the amenity of this part of the site for the public. A less harmful solution for the disposal of the spoil than this must be found.

Paragraph 5.303 incorrectly states that Hartley Road is characterised by ribbon development on both sides to the east of the site. To the east of the proposed site entrance, there are: on the south side of the road, the open fields of Brick Kiln Farm; and on the north side of the road, the fields, orchard and historic farmstead buildings of Goddards Green.

Paragraph 5.07 incorrectly states that the site area is 6.82 hectares. We believe that the area of Turnden Farm is approximately 28.6 hectares.

Planning application 20/00815 has been called in for decision by the Secretary of State and is therefore no longer pending consideration by the Council, as suggested by paragraph 5.313.

## 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.**

Delete this policy in its entirety and, if necessary, replace it with an allocation limited to the terms of the current Turnden Phase 1 planning permission 18/02571/FULL

Should this change not be made:

Include an express requirement not to proceed with the Turnden Phase 1 permission 18/02571/FULL in order for the requirements of this policy to apply to the Turnden Farm site as a whole.

A requirement to adopt a design which respects the original farmstead character of Turnden and the heritage asset of the ruins of formerly Grade II Listed Turnden.

A requirement that spoil from the development not be spread on the undeveloped part of the site.

A requirement to comply with the High Weald AONB Design Guide.

A requirement to conduct a comprehensive traffic survey and implement remedial measures, as described above.

Include EN21 and EN22 (air quality and AQMAs) in this list of relevant policies.

#### Question 7

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

#### Question 7a

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

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

To argue for the changes proposed above and to respond to any other proposed changes.

#### Question 8

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

It is noteworthy that two of the allocated sites AL/CRS1 and AL/CRS3 score negatively on many environmental factors, notably Air, Biodiversity, Heritage, landscape, Land Use, Noise and Water (AL/CRS2 scores neutrally on some of these criteria, but this can only be because the allocation is smaller, since the environmental impact per dwelling of this development must be practically identical to that of the other two sites). Since the principal positive score for each site is for housing, this strongly suggest that, in the sustainability appraisal the Council is giving predominant weight to housing provision and little or no weight to the protection of the AONB, contrary to the NPPF.

## Comment

Consultee	Mrs Hilary Hosford [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Cranbrook Conservation Area Advisory Committee
Address	[REDACTED] [REDACTED] Headcorn [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Cranbrook Conservation Area Advisory Committee [REDACTED]
Comment ID	PSLP_794
Response Date	31/05/21 11:35
Consultation Point	Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook ( <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	Cranbrook Conservation Area Advisory Committee
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/CRS 3 Turnden Farm, Hartley Road, Cranbrook

Question 4

Do you consider that the Local Plan:



Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

- . It is not 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.**

##### Introduction

Whilst the main thrust of the Cranbrook Conservation Area Advisory Committee's comments relate to the conservation and heritage of Cranbrook and Sissinghurst, there are some wider issues which are also of concern. In this response we will use the Headings used in the Local Plan document with page or paragraph numbers for extra clarity.

##### POLICY AL/CRS 3

Land at Turnden Farm, Hartley Road - allocated for 200-204 dwellings. This site presents the greatest problems being some way to the south of Cranbrook. This means that people are unlikely to walk or cycle into Cranbrook and therefore this will add to congestion and pollution through additional car use. It also elongates the settlement of Cranbrook far to the south, to the extent that it almost coalesces with the hamlet of Hartley, which is a further negative factor. Like the other sites at Cranbrook of Brick Kiln and Corn Hall it is also sited on AONB land which represents an important loss of green space.

#### Question 7

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

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

#### 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, but other members of the CCAAC may wish to do so.

### **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 Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Williams [REDACTED]
Comment ID	PSLP_944
Response Date	28/05/21 09:00
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	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Williams
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy CRS1 - Land at Brick Kiln Farm, Cranbrook Road

Policy CRS3 - Turnden Farm, Hartley Road, Cranbrook

Sustainability Appraisal

[TWBC: this representation has been input against Policies STR/HA1, AL/HA1, AL/HA2, AL/HA 3, AL/HA4, AL/CRS1, AL/ CRS3 and Sustainability Appraisal – see Comment Numbers PSLP\_922, PSLP\_939, PSLP\_940, PSLP\_941, PSLP\_942, PSLP\_943 and PSLP\_944]

#### Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

#### Question 4a

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

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

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

#### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information 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.**

- . Failure to preserve or enhance AONB
- . Needs to be reduction in Hawkhurst Allocation - "enough is enough"
- . Removal of HH Golf Course site was sound and sensible decision
- . The impact of additional traffic @ Flimwell/ A21 junction will be considerable - there are already significant traffic build ups.

#### 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.**

Revisit HA1 to reflect reduced overall housing numbers in Hawkhurst

Removal of HA4 (Cophall)

Revisit HA2 + HA3 to ensure area of landscape importance is retained

Modify HA1 to ensure no development at side limits of build

#### Question 7

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

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

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

#### Question 8

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

The constant "one step forward and one back" re housing development is a constant frustration - once a decision is made then stick with it. The demise of Hawkhurst Golf Club was due to the constant "developing not developing" which over many years meant attracting new members was impossible.

## Comment

Agent	Isabella Tidswell [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Lichfields
Address	
Consultee	Berkeley Homes [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Lichfields
Address	- - - -
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

**Please note:** In your representation you should provide succinctly all the evidence and supporting information 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 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

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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:**

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

Consultee	Mr Philip Govan [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Hartley Save Our Fields
Address	[REDACTED] [REDACTED] Cranbrook [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Hartley Save Our Fields [REDACTED]
Comment ID	PSLP_1112
Response Date	03/06/21 11:54
Consultation Point	Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.8
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Hartley Save Our Fields
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/CRS 3 Turnden Farm, Hartley Road, Cranbrook

**Question 4a**

**If 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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#### **HSOF comments re Turnden (AL/CRS3) for Pre-submission Local Plan (PSLP)**

Hartley: Save Our Fields ("HSOF") is a group of local residents working to ensure that people are informed of major planning applications and what decisions are being made that will impact Hartley and Cranbrook

There is strong local opposition to any development on this sensitive and historic proposed allocation AL/CRS3 and many reasons why this site should never be developed. The main issues remain:

**AONB**AL/CRS3 would constitute a major development in the AONB, despite there being weighty national and local protections for AONBs permitting major development only in exceptional circumstances. These exceptional circumstances are not evidenced in the Pre-submission Local Plan (PSLP). It is stated in the PSLP, however, as per NPPF Paragraph 172, that the scale and extent of development in AONBs should be '*limited*'.

- Turnden Phase 2 (165 dwellings) and phase 1 (36 dwellings) along with the adjacent Brick Kiln/Corn Hall site (AL/CRS 1/2) will generate over 400 dwellings in total. This will have a considerable impact on the setting of Cranbrook, its conservation area, the High Weald AONB, the Crane Valley and the historic, rural landscape. By no stretch of the imagination can this be said to be 'limited'. Why are TWBC allowing allocation of AL/CRS3 to go ahead knowing that it will irrevocably damage the AONB landscape and its setting?

The PSLP describes the High Weald AONB as a '*small-scale landscape, having an absence of large-scale urban extension*' with '*large tracts of land in particular making important contributions to the landscape and scenic beauty of the AONB*'.

- If allocated, development on AL/CRS3 will demolish acres of these 'large tracts' of AONB land destroying historic settlement patterns in its wake and causing untold damage to biodiversity. This allocation will categorically not 'conserve and enhance' the landscape and scenic beauty in the High Weald AONB. According to numerous government statements, AONB should have the highest status of protection and be preserved for future generations? Why is this not happening?

Much smaller applications (e.g. 31 homes in Sissinghurst **19/03359/OUT** and the recent Gate Farm appeal) have been refused by TWBC because development would '*fail to respect the existing settlement pattern, result in a harmful level of encroachment into the countryside and cause harm to the setting of the HW AONB*'.

- This allocation is more than 6 times bigger so why do the same arguments not apply?

**Sustainability**AL/CRS3 fails on all 3 strands of sustainable development:

Economy

- Urbanisation of the landscape, 165 dwellings and 342 parking spaces would result in the destruction of more than 60 acres of grade 3 agricultural land, thus negatively impacting on agriculture which is the actual local economy of this Parish.
- The loss of the rural character of this ancient landscape and its relationship to the conservation area of Cranbrook town with the added aggravation of a congested road network leading to the parish will adversely impact the second main revenue for the town: tourism.
-

TWBC Sustainability Appraisal states that '*The relationship between the balance of the economic, social and environmental priorities is a fundamental theme running through the Sustainability Appraisal.*'

o It would appear, however, that in the case of AL/CRS3, there is no balance. There is very little economic benefit in the allocation of the site apart from temporary employment generated during the build.

#### Social

• TWBC Sustainability Appraisal states '6.540 *Significant new development will be focused on those locations in the borough which are sustainable and/or will be of such a scale that they provide access to employment, shopping, leisure, education and other activities, and a choice of transport modes. An integrated and comprehensive approach to transport provision has been developed through discussion with highways authorities and other transport providers, which offers choice and prioritises active travel and then public transport, as an alternative means of transport to the private car, particularly for single occupancy and short journeys.*'

o The proposed allocation of AL/CRS3 is a car centric development as employment opportunities lie predominantly outside the town, requiring access to Staplehurst or other railway stations by car or by car journeys to the areas of the Borough where employment is targeted such as North Farm, or to major towns out of the Borough such as Maidstone or Tunbridge Wells. o The distance and location of local facilities necessitates the use of private cars to access them. o What is the social benefit of building an edge of town major development?

#### Environmental

• AL/CRS3 scores negatively on many aspects of TWBC's own Sustainability Appraisal: e.g. heritage, landscape, air quality, biodiversity etc. • AL/CRS3 and AL/CRS1 and 2 will have a devastating impact and generate severe environmental damage to the Parish. • Historic flooding at St David's Bridge and the cumulative effects of the impact of congestion and air quality do not appear to have been assessed or taken into account. • Detrimental damage to ancient woodland is foreseen due to insufficient buffer as advised by Kent Woodland Trust. • There is absolutely no environmental benefit for allocation of this site.

#### Transport

• Should the allocation of AL/CRS3 proceed, there will be 6 points of access within 200m on to the A229, serving over 400 houses and the High Street. The A229 is already a very busy and dangerous road with vehicles frequently travelling in excess of the current speed limit of 40mph. Development of AL/CRS3 will considerably increase the risk of accidents. • AL/CRS3 will generate significant additional traffic along the A229 and around Cranbrook town. The Hawkhurst crossroads which link with the A229 at Cranbrook has already been designated an Air Quality Management Area with unsafe air quality levels. Any development in Cranbrook will potentially lead to increased levels of air pollution and a risk to public health. Additionally there will be increased congestion on the A262 and associated raised air quality levels at Goudhurst. • In addition to the A229 being dangerous itself, any development will also require considerable signage which will be distracting and will detract from the rural approach to the town. • Requests by the Community Advisory group AND the Parish council to masterplan non-car routes to the town hub and essential services with the developers of the adjacent sites have been ignored. The alternative is for pedestrians and cyclists to emerge onto the A229 and experience the same 'significant and demonstrable harm to road safety' as cited by the planning officer in the recent Hartley Gate Farm Appeal.

. The site is unsustainable. Milestone measured the walking time from AL/CRS3 to the Primary School as 18 minutes. This was verified at 6pm one January evening, and walking at considerable speed, meeting no one on the pavement nor waiting to cross the road it was just possible to achieve this from Orchard Way. With a small child going to Primary school from AL/CRS3 and possibly a buggy, this is impossible.

**Design** AL/CRS3 is a car dependent, major development and together with Brick Kiln Farm, it will form a substantial urban extension to Cranbrook.

The recent proposal from Berkeley Homes does not conserve or enhance the distinctiveness and the architectural quality of the High Weald AONB. Its layout and design are not compatible with nor reinforce the landscape character of the High Weald AONB. It does not set the high design standards that reflect traditional features and there is no innovation in sustainable construction and so it fails to address the real challenges of climate change.

Their proposals reflect exactly what we see all around us in Paddock Wood, Tunbridge Wells, Marden, all delivered by volume housebuilders. The local community knows and appreciates the special qualities of the present Turnden site and for such a sensitive location their proposal is underwhelming and mediocre.

Cranbrook provides the historic setting with its wealth of listed and non-designated buildings, the conservation areas and heritage assets. The Design and Access statement shows a lack of analysis of local grain, texture and pattern and it does not respect the character and historical development of Cranbrook. The repetitious use of housing typologies does not relate to the principles set out in the High Weald AONB Design Guide. There is a conflict in the design principles between the urban style and the rural location that remains unresolved.

The character areas of The Green, The Yards, and The Rural Village Edge seem to have been plucked from the air and placed at Turnden. They have a random reference to the countryside but bear no relation to the landscape and architecture. The proposed apartment blocks with their squeezed interior spaces, might well increase housing density but their scale and design are incongruous within the AONB landscape. This suburbanisation is out of character and despite the green frontage, the coalescence of Cranbrook with Hartley will be promoted which the AONB states is to be avoided.

The proposal does not use any locally sourced materials, and it provides the bare minimum to support climate change initiatives with photovoltaic panels only on market houses and not on affordable housing.

The High Weald AONB is a nationally treasured landscape affording the highest status of protection, exemplifying the very best of distinctive and beautiful places in England. For that reason, it is worthy of the very best of distinctive and beautiful architecture and it is therefore astonishing that TWBC would consider the application by Berkeley Homes to be in any way acceptable.

**Additional Points**• AL/CRS3 has never been interrogated as an allocation by a planning inspector

- TWBC could have found alternatives to AL/CRS3 not situated within the AONB.
- TWBC was aware of evidence from the local community showing a preference for small-scale developments and infill (with alternative sites proposed) rather than large-scale developments on greenfield sites such as AL/CRS3
- Allocation of AL/CRS3 does not conform to the policies in the High Weald Management Plan, nor to some of TWBC's own policies in the PSLP.
- Despite numerous objections from the community, Parish Council as well as notable statutory consultees AL/CRS3 remains allocated by TWBC. Why is this?

## Question 7

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

For office use only

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

## Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1215
Response Date	03/06/21 15:31
Consultation Point	Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook ( <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	Southern Water
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	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

#### Question 4a

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

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

#### Question 5

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Southern Water is the statutory wastewater undertaker for Cranbrook. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 204 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

This site incorporates Southern Water's Turnden Cranbrook Pumping Station (WPS). In order to mitigate any noise and/or vibration generated by its essential operation, a 15 metre gap between the pumping station and any residential dwelling would be required.

#### Question 6

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

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

In consideration of the above, we recommend the following criterion to Policy AL/CRS 3

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

A 15 metre gap between the pumping station and any sensitive development (such as housing) should be taken into consideration in the site layout.

### **Question 7**

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

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

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

### **Future Notifications**

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

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

# Supporting Information File Ref No: SI\_75a-b

## Comment

Consultee	Ms Claire Tester ( [REDACTED] )
Email Address	[REDACTED]
Company / Organisation	High Weald AONB Unit
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	High Weald AONB Unit (Ms Claire Tester [REDACTED] )
Comment ID	PSLP_1438
Response Date	04/06/21 13:10
Consultation Point	Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.8
Files	<a href="#">PSLP_1438_High Weald AONB_SI.pdf</a>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	High Weald AONB Unit
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/CRS 3 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 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.**

**HWAONB Unit Representation on AL/CRS3 for 164-168 additional dwellings at Turnden Farm, Hartley Road, Cranbrook**

##### 1.0 Introduction

1.1 The principle of major development in the AONB is discussed in the AONB Unit's submission on STR1 – The Development Strategy – and is not repeated here. This submission focuses on the Landscape and Visual Impact Assessment carried out on potential major development sites in the AONB and the specific impacts of the proposed allocation at Turnden.

##### 2.0 Landscape and Visual Impact Assessment

2.1 Following the Regulation 18 consultation the Borough Council commissioned Hankinson Duckett Associates to undertake a Landscape and Visual Impact Assessment of 21 potential allocation sites in the AONB, including the site at Turnden. The AONB Unit was consulted on the brief to these consultants but not on the outcome of the work.

2.2 Appendix B to the AONB Unit's submission on STR1 identifies the detailed concerns with this work. The concerns about the overall approach apply to all of the major development sites proposed in the AONB in the Regulation 19 Plan. These can be broadly summarised as follows:

- The Assessment consistently downgrades impact on the AONB;
- The imprecise method encourages operator bias and its opaque nature discourages scrutiny;
- The site assessments are inconsistent, partial, unsubstantiated and peppered with loaded phrases;
- There is a visual bias across the assessments with the impact on landscape as a resource being significantly underplayed;
- The cumulative effects of development under each site assessment section do not deal in specifics and when they do they focus almost entirely on visual effects – separation, viewpoints and planting – rather than landscape effects such as the loss of soils; field systems and their potential for biodiversity or food production; rurality, dark skies, tranquillity or other perceptual qualities.

2.3 In relation to the Turnden site, the assessment emphasises perceived negative traits but fails to acknowledge the following positive features:

- The variety and quality of birdsong and the perception of rural tranquillity experienced by users of the footpath through the site;
- The extensive long views from the footpath out to the Greensand ridge over 10 miles away;
- The valuable relatively undisturbed nature of the soils and species diversity of the grassland.

2.4 Unsubstantiated claims are made about the Turnden site such as:

- 'the proposals are in keeping with Cranbrook's existing settlement pattern';
- 'the proposals would result in a significant increase in woodland cover';
- 'the proposed development has the potential to

open up access to new areas of the AONB' (even though a footpath already exists providing public access across the site, part of a well- used circular walk from the village).

2.5 Benefits are claimed without a balancing view of what will be lost. For example, new woodland screening would be 'beneficial' for people using the rights of way when, in reality, the planting will obscure sweeping views across the site and out to the Greensand ridge over 10 miles distant. Similarly, new woodland and wildflower meadow would 'replace disused pony paddocks' when the pony paddocks already have a range of species supporting a wealth of invertebrates, birds, bats, amphibians and mammals.

2.6 The negative adjectives appear again in the conclusions along with claims of unsubstantiated benefits. Unsurprisingly, the conclusion is that development would not result in significant effects.

2.7 The cumulative effects of CRS 4 (Turnden) in conjunction with the adjacent Brick Kiln Farm allocation are not analysed but, nevertheless, a conclusion is reached. The effects are described as 'detrimental or beneficial' and not likely to be significant adverse if the designs are linked (para 6.6.7.4). It is hard to see how a neutral evaluation could come to this conclusion about the impact of 400+ houses and associated access/ parking on a small-scale medieval landscape. This is an example of a narrative constructed with an ideological bias in favour of development.

### **3.0 The Landscape Character of the Turnden Site**

3.1 The High Weald AONB is a nationally important landscape because of the high survival of ancient countryside and its associated rich natural environment across a large area. The pattern of this small-scale landscape has changed very little over the last 700 years; it is one of the best surviving medieval landscape in North West Europe. It should be recognised that the traditional separation in planning between landscape and heritage issues is not appropriate in the context of the High Weald where the historic character and cultural heritage is an intrinsic element of its landscape quality.

3.2 The setting of Cranbrook in which Turnden lies is typical of the AONB with individual family farms surrounded by small fields, hedges and woodlands. Some of the oldest human-made features are the routeways, including the droveway, now Hartley Road, which were in use from the early medieval period and are likely to pre-date the pastures, or Jutish 'dens', from which Turnden took its name. The ancient nature of Hartley Road is indicated by map evidence and on the ground through the remains of banks supporting ancient woodland indicator species such as Wood anemone. Turnden was first mentioned in the written records in 1232, and early in the next century Cranbrook was granted a market charter. For at least the last 700 years, people have been walking this route (now the Hartley Road) for trade, to go to market or church, and for leisure. During those centuries, opening up to the south of Hartley Road was the rural fieldscape of Turnden bounded by the Crane brook. Together these form part of a green wedge extending into, and still abutting - 700 hundred years later - the historic centre of Cranbrook.

3.3 The proposed development will change this historic landscape forever. Instead of a rural fieldscape, there will be a suburban vista extending from Cranbrook to the early medieval hamlet of Hartley, eroding the separation which characterises villages and their surrounding farmsteads in the High Weald AONB.

3.4 Any genuine analysis of the landscape history and character of this area would not conclude this as the small scale, intimate pattern of features and the landscape history is incompatible with the development of hundreds of houses. This is a fundamental issue with the proposal which cannot be overcome by following the more detailed advice on layout and buildings in the Design Guide.

### **4.0 Conclusion**

4.1 The allocation of the site at Turnden for 164-168 additional dwellings will not conserve and enhance the High Weald AONB but rather will have a significant detrimental impact on the purposes for which it was designated. The proposed allocation is major development which is not justified by exceptional circumstances or in the national interest as explained in the Unit's representation on STR1. It is therefore unjustified development contrary to NPPF 172 and the allocation should be deleted from the Local Plan.

*[TWBC: see supporting document attached]*

## **Question 6**

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

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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Deletion of the allocation.

#### Question 7

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

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?** . 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 advise the Inspector on matters relating to the High Weald AONB. The Partnership is the body with responsibility for advising those with a duty to have regard to conserving and enhancing the AONB under Section 85 of the Countryside and Rights of Way Act.

#### Future Notifications

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

# Supporting Information File Ref No: SI\_76

## Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Natural England
Address	International House Dover Place ASHFORD TN23 1HU
Event Name	Pre-Submission Local Plan
Comment by	Natural England [REDACTED]
Comment ID	PSLP_1489
Response Date	04/06/21 13:41
Consultation Point	Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.3
Files	<a href="#">PSLP_1444_Natural England_SI.pdf</a>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Natural England
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook

*[TWBC - Full representation attached as Supplementary Information]*

*[TWBC: This representation has been input against Policies PSTR1, AL/RTW17, AL/CRS 1, AL/CRS 2, AL/CRS 3, AL/HA 4, AL/BM 1, AL/PE 1, AL/PE 2, AL/PE 3, AL/RTW 16, STR/SS1, STR/SS3, EN11,*

Section 3, STR 8, Section 5, EN1, EN9, EN10, EN12, EN13, EN14 AND EN19 – see Comment Numbers PSLP\_1444, PSLP\_1459, PSLP\_1460, PSLP\_1462, PSLP\_1489, PSLP\_1463, PSLP\_1464, PSLP\_1465, PSLP\_1466, PSLP\_1467, PSLP\_1468, PSLP\_1469, PSLP\_1470, PSLP\_1472, PSLP\_1478, PSLP\_1480, PSLP\_1481, PSLP\_1482, PSLP\_1483, PSLP\_1484, PSLP\_1485, PSLP\_1486, PSLP\_1487, PSLP\_1488]

#### Question 4

Do you consider that the Local Plan:

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

#### Question 4a

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

Do you consider that the Local Plan is not sound because:	<input type="checkbox"/> It is not justified
	<input type="checkbox"/> It is not consistent with national policy

#### Question 5

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#### Appendix 2: Major development allocations within the High Weald AONB

Our core reason for considering the local plan as unsound is due to the proposed allocations within the AONB that have been defined by TWBC as major development. These include some sites that have been granted planning permission without the support of an allocation in the adopted local plan and we continue to object to the draft allocations for major development.

Natural England objects to the inclusion of these major development allocations sites within the AONB because we consider that these policies fail the test of soundness (see our Soundness comments above). We therefore recommend that alternative approaches are taken that avoid impacts on the designated landscape. Our specific comments regarding these allocations are outlined as follows:

#### AL/CRS 3 - Turnden Farm, Hartley Road, Cranbrook

Natural England objected to the draft allocation of this site in our Regulation 18 response to the local plan. We also objected to a planning proposal for this site (20/00815/FULL) in 2020 and requested that the decision by TWBC to approve the development was called in by the Secretary of State. The proposal is now subject to a Public Inquiry which Natural England is engaged in as a Rule 6 party.

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

## Question 7

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

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

## Question 7a

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

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

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

## Question 8

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

### Appendix 3: Sustainability Appraisal

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Future Notifications**

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

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



## Comment

Consultee	David Warman [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Campaign to Protect Hawkhurst Village
Address	[REDACTED] [REDACTED] Hawkhurst TN18 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Campaign to Protect Hawkhurst Village [REDACTED] [REDACTED]
Comment ID	PSLP_1492
Response Date	04/06/21 08:21
Consultation Point	Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook ( <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	Campaign to Protect Hawkhurst Village
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

Policy AL/HA3 Land off Copthall Avenue and Highgate Hill

Policy STR/CR1 The strategy for Cranbrook and Sissinghurst

Policy AL/CRS3 Turnden Farm, Hartley Road, Cranbrook

[TWBC: this representation has been input against Policies STR/HA 1, AL/HA 4, STR/CR1 and AL/CR3 – see Comment Numbers PSLP\_1473, PSLP\_1490, PSLP\_1491 and PSLP\_1492]

#### Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

#### Question 4a

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

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

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

#### Question 5

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We strongly support the overall development strategy put forward in the Pre-Submission Local Plan. In particular we very much welcome and support the changes made in response to the 2019 consultation on the Draft Local Plan and the removal of a number of large proposed housing allocations in Hawkhurst and Cranbrook. We consider that this overall approach is sound.

However, we have a number concerns regarding the remaining specific Hawkhurst and Cranbrook Policies relating to Transport and AONB issues.

These comments are common to STR/HA1, HA3, CRS1 and CRS3 and therefore are submitted for consideration in respect of all these policies. We have not submitted duplicate representations for each policy.

##### **Transport Issues**

Policy STR/HA1 sets out the overall development strategy for Hawkhurst (policy STR/CRS1 does the same for Cranbrook and Sissinghurst).

Both these draft policies contain a criterion that development proposals must have an acceptable impact on the Hawkhurst crossroads and the Flimwell crossroads.

This criterion is welcome, however there is no analysis in the evidence base of the impact of the remaining allocations in both Hawkhurst and Cranbrook on these highway junctions. The March 2021 SWECO Transport Assessment does not contain an assessment the impact of the proposed allocations on these junctions.

There is an internal consistency in the draft policies recognising the potential impact on the Hawkhurst and Flimwell junctions as a concern, without undertaking any strategic assessment of the capacity of those junctions to accommodate the proposed allocations as part of the Local Plan process.

The Council will be aware that in respect of the proposed Copthall Avenue allocation HA/4, KCC objected to the planning application on the basis of the impact of the proposals on the Hawkhurst

crossroads. The Council subsequently refused the application for that reason (as well as the harm to the AONB).

Having very recently resolved that a planning application for the site would have an unacceptable impact upon the Hawkhurst crossroads, it would be irrational for the Council to seek to retain the site as an allocation.

For this reason, we do not consider that STRA/HA1, HA4, STR/CS1 and STR/CS3 are sound because:

- 1 They are not “justified” as they are not based on a proportionate evidence base – indeed there is no evidence base regarding their impacts on highways junctions at Hawkhurst and Flimwell which the Council has acknowledged in the draft wording of the policies to be a concern; and
- 2 They are not consistent with national policy because they do not focus development in sustainable locations and will not limit the need to rely on private car trips – contrary to the requirements of paragraphs 103 and 104 of the NPPF.

#### **AONB issues**

Notwithstanding the welcome revisions at the Pre-Submission Stage, the draft Plan will still propose very significant major development in the High Weald AONB.

The Council recently refused a planning application for the HA4 allocation site due to the harm caused to the AONB. It would therefore be inconsistent for that allocation to be pursued through the Local Plan.

Criterion 1 of Policy HA1 seeks to define Limits of Built Development “as a framework for new development over the plan period”.

We do not consider that this criterion is sufficiently robust or effective. The criterion has been added to seek to minimise harm to the AONB. However, as drafted it would not operate to in any way restrict or limit development outside the Limits of Built Development. Unless the criterion makes explicit that development outside the Limits of Built Development as a general presumption will be resisted (particularly on greenfield sites) other than in the specific exemptions addressed elsewhere in the plan, it will be completely ineffective as it will not limit built development outside the defined area. The very concept of Limits of Built Development will therefore be entirely redundant.

Against this background we do not consider that STR/HA1, AL/HA4, STR/CRS1 and AL/CRS3 are sound because they are not consistent with paragraph 172 of the NPPF which seeks to preserve and enhance the AONB and limit development in such areas.

#### **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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We would therefore request the following modifications:

The removal of allocation AL/HA4

- 1 The consequent amendment of STR/HA1 Criterion 2 to reduce the overall housing numbers to reflect the removal of allocation AL/HA4
- 2 The amendment of STRA/HA1 Criterion 1 to make clear that proposals for development on greenfield sites outside the Limits of Built Development will be resisted unless they fall within one of the exceptions identified elsewhere in the Plan
- 3 The removal of allocation AL/CRS3

- 4 The consequent amendment of STR/CRS1 Criterion 2 to reduce the overall housing numbers to reflect the removal of allocation AL/CRS3

#### 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 the transport impacts of the proposed allocations on the Hawkhurst and Flimwell are taken into account.

#### 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\_83

## Comment

Consultee	Councillor Nancy Warne [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Cranbrook & Sissinghurst NDP Steering Group
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Cranbrook & Sissinghurst NDP Steering Group (Councillor Nancy Warne - [REDACTED])
Comment ID	PSLP_1582
Response Date	04/06/21 16:00
Consultation Point	Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.4
Files	<a href="#">PSLP_1571-1623(not inclusive)_CRS NDP Steering Group_Representation.pdf</a>
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Cranbrook & Sissinghurst Neighbourhood Development Plan Steering Group
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook

[TWBC: for further comments by Cranbrook & Sissinghurst Neighbourhood Development Plan Steering Group, please see Comment Numbers PSLP\_1574-1580, PSLP\_1582-1586, PSLP\_1588, PSLP\_1590, PSLP\_1592-1623]

#### Question 4a

If 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.**

Cranbrook & Sissinghurst Neighbourhood Development Plan

Response to Tunbridge Wells Borough Council Pre-Submission Draft Local Plan – 4th June 2021

#### **- Object to the Site Allocation AL/CRS3 Turnden.**

##### **With qualifications:**

**Support** “5. Maintain and enhance linkages to Public Rights of Way or the local strategic cycle network, to include contributions towards the Bedgebury to Sissinghurst cycle path route”.

**Support** “6. Seek to retain land and buildings currently used for non-residential uses within the centres of Cranbrook and Sissinghurst for employment-generating and community uses...”

**But qualify**, “...and support proposal for such uses in suitable locations within the Limits to Built Development” with “and previously developed land outside the LBD”.

**Support** “7. Retain an appropriate mix of uses within the town centre...and support proposals which would contribute to the vitality and viability of the centre”.

**Qualify** 9. “Seek developer contributions....”. Other necessary Social Infrastructure as identified in the Cranbrook and Sissinghurst Neighbourhood Development Plan.

(to replace “other necessary mitigation measures which are directly related to the development and fairly and reasonably related in scale and kind, including those potentially identified in the Cranbrook & Sissinghurst Neighbourhood Plan”).

#### **Policy AL/CR3 Turnden Farm – OBJECT**

Neighbourhood planning came into being under the Localism Act 2011 as a means to enable those with an intimate knowledge and understanding of their people and place to have a greater say in the determination of how best to deliver new development in a way that the majority of the local community are happy with.

Since 2016, the Cranbrook and Sissinghurst Neighbourhood Plan (C&S NDP) Steering group have been engaged in this positive planning. A committed group of parish councillors and community volunteers have sought out the views of the local community and, from these shaping a set of planning policies for the parish.

Throughout the years of public engagement events and in the Regulation 14 Public Consultation (October-December 2020) the community have been consistently clear about what was most important to them – our natural environment, our historic landscape and our built heritage. They have also been

clear in the main constraints to development – the traffic in our narrow streets, along our main roads and around our schools, and the potential for flooding of the Crane Brook in the centre of town.

Most clear of all, the community requested that we ensure that our housing target be met by small scale developments which minimised harm to those things they care about.

The C&S NDP Steering Group have been supported by funds from the parish precept, together with grant funding and technical support from the government.

AECOM undertook a Site Assessment (July 2017), a Housing Needs Assessment (July 2018) and a Strategic Environmental Assessment (July 2019 draft) on the sites selected by the C&S NDP Steering Group to propose for possible development. AECOM also provided facilitation between the C&S NDP Steering Group and Tunbridge Wells Borough Council (TWBC) Planning Department early in 2019.

The AECOM Site Assessment report (undertaken in December 2016 and published in July 2017) identified that development at the Turnden site would have:

- High Level of Environmental Impact
- High Probability of Loss of Ecological Value
- High Sensitivity to Landscape and Visual Impact
- High Heritage Impact
- The site has visual amenity as countryside as seen from the footpath crossing it.
- Only a limited part of the site should be considered to avoid a development of the scale and nature which would be large enough to significantly change the size and character of the settlement of Cranbrook.
- Due to the risk of perceived or actual coalescence between Cranbrook and Hartley, only a small proportion of the site should be developed based around the existing footprint of the farm buildings in the centre of the site, which would further need to be sensitive in terms of respecting the setting of the Grade II listed Turnden Farmhouse, with an indicative range of 30-50 dwellings.
- The site is very poorly located in terms of walking distance to facilities and services and will as a result be mainly car-based.
- The site would be more sustainable and suitable for residential-led mixed use development, including community facilities and employment space, rather than residential alone (AECOM 2017)

In addition, it should be pointed out that Turnden Farm lies outside the Limits of Built Development for Cranbrook, which has only just been redefined in 2021 (TWBC Topic Paper “Limits to Built Development” February 2021) to accommodate the 220 new homes allocated at Brick Kiln Farm and Corn Hall.

Early in 2017, members of the newly-formed local community land trust, Crane Valley Land Trust (CVLT), met with planning and housing officers and members of TWBC at Turnden Farm. At this time, the farm had been on the market for over a year and no serious interest had been reported by the agents.

The CVLT developed a vision and masterplan for Turnden Farm which was informed by the wishes of the community through the evidence gathered during C&S NDP engagement events: to deliver small scale developments which were appropriate for the sensitivity within the AONB and which protected the wider Crane Valley setting. This masterplan was in compliance with AECOM site assessment. This masterplan would have provided considerable community benefit through the retention of the farmland for community use, the provision of 50% truly affordable high-quality homes for local people and which allowed for a mix of uses through the creation of employment and community space. This masterplan

also respected the historic farmstead settlement pattern by confining development to the footprint of the existing farm buildings and thereby avoided coalescence of Cranbrook and Hartley, and urban sprawl to the south of Cranbrook which would fundamentally alter the character of the settlements of both Cranbrook and Hartley. It is worth noting that at this point the TWBC Landscape and Biodiversity Officer also expressed concern about possible coalescence and loss of historic settlement character should this site be developed on a large scale.

Central to the community vision was the protection and enhancement of the meadowland through the creation of a substantial riparian buffer. Not only could this have made a valuable contribution to

address the 97% loss of wildflower meadow in the UK since 1930s, but also had the potential to establish habitat suitable for the reintroduction of the iconic Crane bird, for which the town owes its name.

The CVLT were encouraged by the TWBC Planning Policy Officer to submit the whole of Turnden Farm in the TWBC Local Plan “Call for Sites”, in order for TWBC to formally assess the site under the Local Plan process.

During 2017 the CVLT found local investment partners to help deliver the vision, and by the Autumn they were set to purchase Turnden Farm.

However, this community masterplan was unable to be delivered because at the last minute Turnden was sold instead to Berkeley Homes at the end of that year.

In November 2018 Berkeley Homes were granted planning permission for the refurbishment of Turnden Farmhouse and a further 36 homes based on the footprint of the farmstead.

The C&S NDP Steering Group were made aware of further plans for a much larger “Phase 2” of a further approximately 160 dwellings development in July 2018, when a meeting between two of their members, TWBC Planning Officers and representatives of Berkeley Homes was held at the Town Hall. The C&S NDP Steering Group members explained that further large-scale development would be unsuitable, for the reasons identified in the evidence gathered through C&S NDP community engagements and the AECOM Site Assessment. These proposals were in addition to the 240 dwellings in the sites already allocated at Brick Kiln Farm and Corn Hall between Cranbrook and Turnden Farm. Taking into account these sites, Phases 1 and 2 at Turnden this would mean a total of over 400 homes in the AONB in the Crane Valley. This is the exact opposite of what the community has told the C&S NDP Steering Group it wishes to see for development in the parish.

The C&S NDP Steering Group had expressed a wish to undertake the site allocations as part of the Neighbourhood Plan, in order to deliver the required development in a manner desired by the local community. Throughout 2018 the C&S NDP Steering Group tried to collaborate with the TWBC Planning Policy Department in order to agree on possible site allocations for the parish.

By the end of the year, however, TWBC Planning Policy, despite repeated requests, failed to provide the C&S NDP Steering Group with a Memorandum of Understanding or Statement of Common Ground in order to establish the relationship between allocations in the Local Plan and the Neighbourhood Development Plan. At this stage TWBC provided no support to assist the C&S NDP Steering Group to undertake the assessment and allocation of sites for housing.

In December 2018, the C&S Parish Council agreed for the C&S NDP Steering Group to undertake the site allocations for the parish. Despite this agreement TWBC offered no training to undertake this and requests from the C&S NDP Steering Group for information and sharing of evidence from TWBC in order to assist in this process were also denied.

The C&S NDP Steering Group approached AECOM for help and were awarded a package of Technical Facilitation for negotiation between the group and TWBC Planning Department.

The C&S NDP Steering Group undertook site assessment on 54 sites during January and February 2019. Following the site assessment methodology used the AECOM original Site Assessment framework, which was adapted to local circumstances in response to the evidence gathered during the many public engagement sessions held through the preceding two years. These were mediated by workshop sessions with more members of the C&S Parish Council and other members of the community.

The outcome of this process was that the C&S NDP Steering Group found enough site options for housing allocations to meet the requirements of the Housing Needs Assessment as identified in a further AECOM report. The Turnden site was assessed as one of the least suitable sites – coming 52nd out of the 54 sites.

AECOM undertook a Strategic Environmental Assessment (draft July 2019) which demonstrates that more sustainable alternative sites were available. These included smaller sites, some of which are much better related to the settlement centres of Cranbrook & Sissinghurst, sites on previously developed land and sites in the parish which fall outside the AONB.



Despite a number of subsequent sessions between TWBC Planning Department Officers and members of the C&S NDP Steering Group, in which agreement was sought on the sites to be proposed for allocation, one site remained unresolved – Turnden.

Throughout 2018 and 2019 the TWBC Acting Head of Planning made it clear to the C&S NDP Steering Group that the community would have to come up with strong justification as to why Turnden Phase 1 & 2 should not be allocated in the Local Plan. This demonstrates a predetermination of the site's allocation, and an unwillingness to support the community's vision to protect the Crane Valley from further large-scale development and to meet housing requirements through smaller scale developments as identified by the community.

The C&S NDP Steering Group were told that if they pursued their allocations, Turnden would be allocated on top, vastly increasing the housing allocations for the parish. The Group realised that the neighbourhood plan would be unable to deliver what the community had asked for, and so the Parish Council were forced to resolve to not include site allocations within the Cranbrook and Sissinghurst Neighbourhood Development Plan.

This has been absolutely devastating for all involved who have committed years of time and effort into what we thought was genuinely promised under the Localism Act.

The Chairman of the C&S NDP Steering Group wrote to the local MP, Helen Grant on 4.10.19, who called for a meeting on the evidence presented to her. Following the meeting Helen agreed to make contact with the Secretary of State for the MHCLG in order to express her concern.

From the evidence the C&S NDP Steering Group gathered throughout the many public engagement events, it was clear that the preferred option was to protect the AONB landscape from major developments, to deliver smaller-scale sites and to protect the Crane Valley. This led to the drafting of Policy LN7.7 "Local Protection & Enhancement of the Crane Valley" in the Regulation 14 Pre-Submission Consultation of the draft Cranbrook & Sissinghurst Neighbourhood Development Plan which ran in the Autumn of 2020. This policy was supported by 94% of community respondents, which included some very strong supportive comments such as "Excellent", "Definitely agree" and "Congratulations on recognising the importance of this area".

When the planning application (20/00815/FULL) for Turnden Phase 2 came before the TWBC Planning Committee the decision to grant permission was made without committee members visiting the site. Further, a crucial piece of evidence for the site's allocation in the Pre-Submission Local Plan was unavailable to committee members to scrutinise: the Landscape and Visual Impact Assessment (LVIA) prepared by Hankison Duckett Associates.

In this document it states that the Tunbridge Wells Borough Council's Character Assessment of "Valued features and qualities" include "the wedge of landscape provided by the Crane Brook which permeates into the town centre with the surrounding landscape is of particular value for the contribution to recreation and views", but then goes on to contradict this assessment by stating the "the site is separated from the wider AONB landscape by a combination of landform, woodland and existing settlement". The result was to completely downplay the visual impact of this major development proposal.

Had committee members visited the site they would be able to experience the views from the footpath which traverses Turnden Farm, and from which they would have seen not only St.Dunstan's Church, but also far distant views to the Greensand Ridge many miles away to the North. This is not "separated from the wider landscape" as Hankison Duckett Associates claim, but an integral part of the valued features and qualities so beloved of both the local community and tourists who visit the area. It is also contrary to the evidence of TWBC's own Character Assessment, as previously described.

The footpath to the East of the site at Mount Ephraim is also a well-used pedestrian and cycleway connecting Cranbrook to Swattenden Lane; it is set high on a ridge and affords views both further East across the AONB landscape and West towards the Crane Valley in which Turnden Farm sits. Major development as proposed at Turnden will have a significant negative impact on the landscape. It is this landscape and these views which are so vital not only for their environmental value but also their economic value to Cranbrook as a tourist destination and their social value for the enjoyment and well-being of the community.

A site visit would also have allowed the committee members a greater appreciation of how far away this site is from the facilities and services of the town centre, and how unlikely it is for future inhabitants to travel anywhere other than by car, as to do so would be to negotiate the busy A229. This is an unpleasant and off-putting experience. Proposed off-road pedestrian and cycle routes into Cranbrook

cannot be delivered as claimed by this scheme, as the most direct route is not yet built, but runs across land at Corn Hall Farm for which no planning permission to enable such a connection has yet been secured.

Failure to properly scrutinise the significant harm of the proposals at Turnden led to planning permission being granted by TWBC Planning Committee on 27.1.21. The application has now been called in to the Secretary of State, Robert Jenrick, at the request of Natural England. A public inquiry will take place in September.

The source of the Crane Brook is only a few hundred yards to the South of the site, and as such, this site is part of the uplands of the wider River Medway system. In this time of the climate emergency, it is imperative that our uplands and river systems are protected and allowed to perform their essential functions. The Crane Brook is a tributary of Hammer Stream, the River Beult and River Medway which converge in Yalding and flow on to Tonbridge. Both Yalding and Tonbridge have suffered from significant flooding of the River Medway in recent years.

Geological maps reveal that our ancestors knew the wisdom of avoiding building in the Crane Valley. The underlying bedrock here is of Wadhurst Clay Formation – Mudstone. The surrounding built up areas of Cranbrook lie over Tunbridge Wells Sandstone Formation – Sandstone and Siltstone. The clues to suitability for building are in the names: mud is not suitable, stone is suitable. A further clue is found in where historic development has taken place and where it has not. Should this upland valley be covered in major development, there will be disruption to the essential function of both the upland and river system through excess run-off, loaded with polluting particulates, which threaten to damage settlements downstream, from Cranbrook through to Tonbridge and beyond to the Kent Coast.

The Hankison Duckett Associates LVIA report which significantly underplayed the landscape impact of this allocation led to the removal from the TWBC Pre-Submission Local Plan (PSLP) of all major developments on the AONB, except Turnden (and the previous allocation of Brick Kiln Farm and Corn Hall). This assessment was widely different from that undertaken by AECOM in 2017, as previously mentioned, who assessed the visual impact as “high sensitivity”.

TWBC Planning Department had the opportunity to remove the allocation of Turnden in the PSLP and to ask the C&S NDP Steering Group to replace this allocation with the reasonable alternatives identified by the NDP which fulfilled the housing requirements for the parish, complied with the wishes of the community to protect the AONB landscape, to ensure environmental, social and economic sustainability in the parish, and as clearly stated in the NPPF Paragraph 172 would meet the need in some other way:

*“The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest”.... “a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*

- 1 b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- 2 c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”*

The TWBC Local Planning Authority have denied all the evidence from those who have worked with the community for more than five years and who know their people and place best.

We respectfully request that the Examiner give the community's evidence much greater consideration and weight than either the TWBC LPA or members have afforded us.

*[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 1571-1623\(not inclusive\) CRS NDP Steering Group Representation.pdf](#)

## Comment

Consultee	Mr Peter Brudenall [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [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	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
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

**Please note:** In your representation you should provide succinctly all the evidence and supporting information 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.**

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

**Please note:** In your representation you should provide succinctly all the evidence and supporting information 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 Removal of HA4 (Cophall allocation).
- 2 Modification of HA1 to reflect reduced overall housing numbers in Hawkhurst as a result of removal of HA4 (Cophall 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

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

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?** . No, I do not wish to participate in examination hearing session(s)

#### Future Notifications

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

# Supporting Information File Ref No: SI\_99

## Comment

Agent	Ryan Johnson [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Turley
Address	[REDACTED] Southampton [REDACTED]
Consultee	[REDACTED]
Company / Organisation	Taylor Wimpey UK Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Taylor Wimpey UK Ltd [REDACTED]
Comment ID	PSLP_1823
Response Date	04/06/21 09:57
Consultation Point	Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.7
Files	<a href="#">PSLP_1772-1828 (not inclusive)_Turley for Taylor Wimpey SI.pdf</a>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Taylor Wimpey
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/CRS 3 Turnden Farm, Hartley Road, Cranbrook

*[TWBC: this representation has been input against the Pre-Submission Local Plan as a whole, Policies STR 1, STR 7, STR/SS 1, STR/SS 3, STR/CRS 1, AL/CRS 3, PSTR/HO 1, EN 2, EN 9, EN 14 and EN 26– see Comment Numbers PSLP\_1772, PSLP\_1813, PSLP\_1818, PSLP\_1819, PSLP\_1820, PSLP\_1821, PSLP\_1823, PSLP\_1824, PSLP\_1825, PSLP\_1826, PSLP\_1827, and PSLP\_1828. The full representation has been attached as Supporting Information]*

#### Question 4

Do you consider that the Local Plan:

Is legally compliant

No

Is sound

No

#### Question 4a

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

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

#### Question 5

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#### **TUNBRIDGEWELLS PRE-SUBMISSION LOCAL PLAN (REGULATION 19) CONSULTATION LAND WEST OF FRYTHE WAY, CRANBROOK (SHELAA REF: 25)**

Thank you for the invitation to comment on the above consultation. We write on behalf of our client, Taylor Wimpey UK Ltd, who control land west of Frythe Way, which abuts the south eastern edge of Cranbrook (SHELAA Site Ref: 25).

We have examined the Pre-submission Local Plan (PSLP) and conclude that as drafted it is neither legally compliant, nor sound. The Council's Sustainability Appraisal (TWBC, 2021) concludes Option 13 (The Pre-Submission Local Plan) to be an 'appropriate strategy'. We are unable to reach the same conclusion, as the SA has not first taken into account 'reasonable' alternative strategies, contrary to paragraph 35 of the NPPF and the corresponding SEA Regulations.

We also conclude that Tunbridge Wells Borough Council's (TWBC) statutory Duty to Cooperate under Section 33A of the 2004 Act has not been discharged. The Council has not in our view demonstrated that there has been active, constructive or on-going engagement with adjoining authorities, including Sevenoaks District Council (SDC), in respect of known unmet housing needs. Nor has an effective



strategy been put in place between the authorities to address such needs. The justification drawn from the SA process that TWBC are unable to assist SDC is contested. Distributing such unmet needs solely in line with SA Option 9 (Dispersed Countryside) is not a reasonable alternative in our client's opinion. It serves only to support a pre-determined outcome to select Option 13 (Pre-Submission Local Plan) as the 'appropriate strategy'.

In addition, the site selection process that flows from the SA (TWBC, 2021) and SHELAA (TWBC, 2021) contains notable errors and inconsistencies, which appear to have contributed significantly to the omission of more suitable and sustainable sites in favour of those proposed in the PSLP.

The quantum of growth proposed in the PSLP, and the over reliance placed on two large strategic sites to deliver between 67-69% of newly allocated supply is also questioned. In relation to the first, we contend adjustments are required to the overall housing requirement to both reduce the evident shortfall in affordable homes, and to assist adjoining authorities with known and growing unmet housing needs. We contend this is particularly important given three of the adjoining LPAs have been reported on as failing to discharge their statutory duty to cooperate, with their Local Plan's either withdrawn or delayed as a consequence. In addition, the Secretary of State for Housing, Communities and Local Government has confirmed there are significant unmet and mounting housing needs requiring collaborative action with London within the next five years. All of which highlights how important it is for the emerging TWBC PSLP to be positively prepared.

Turning to the second issues, we outline concerns over the justification for, lead in times and annual yields purported for the two strategic sites. It is our contention that these are unrealistic, and are contrary to leading evidence bases published for sites of this scale. As a consequence, we suggest the quantum of growth envisaged will not come forward as fast or at the rates envisaged, nor will it be delivered within the plan period. We accordingly recommend additional allocations are made to compensate for this shortfall, in sustainable locations that are capable of being delivered in the first five years of the plan period. We outline concerns in relation to TWBC's land supply assumptions in this period to evidence such a need.

We also outline concerns over the quantum of growth directed to certain locations and settlements. We contend these proposals are unlikely to support the climate change objectives set out in Policy ST7 of the PSLP. Our client supports the justification for and benefits of strategic growth at Cranbrook, ranked 2nd in the Settlement Role and Function Study (TWBC, 2021). In this respect, our client's site (Site 25) represents a modest proposal for 70 homes that is well contained by woodland, is partly within the settlement, has good accessibility to the high street and other facilities by foot (far better than some of those chosen for allocation), and no other overriding constraints to development. We set out in detail the factual errors, inconsistencies and missing evidence in our comments on the SA and SHELAA process below, which has thus far led to the omission of this site for allocation.

Our client continues to respectfully purport the justification for and benefits of this site's allocation. This includes the sharing of an emerging vision for the future of this site (See Document A); and confirmation from Kent County Highways there are no overriding highway constraints to the delivery of the site (see Document B). The land required to deliver the proposed development, its accompanying infrastructure and community benefits is in the control of Taylor Wimpey. It is available for development now, can be delivered well within five years and is considered a suitable and logical location to direct some of the future growth needed at Cranbrook. The emerging vision document appended confirms there to be no known overriding constraints to the delivery of these proposals.

Given the nature and detail of our representations, specifically in relation to the plans legal compliance and soundness, we would respectfully request attendance to participate in the examination of the PSLP. In the interim, the following representations are made to assist the Council and Inspector in their examination of the PSLP.

### **Soundness**

#### **AL/CRS3 – Turnden Farm, Hartley Road (SHELAA Reference: Site 430)**

The development of Site CRS3 would continue built form substantially south west of Cranbrook and the existing adopted allocation to the immediate north east of the site. The cumulative impact of both these sites would be the substantial sprawl of Cranbrook south westwards away from its core, eroding the sense of separation and separate identities of Cranbrook and Hartley. Development in the eastern part of the site would also be highly visible from the public footpath to the south, which currently experiences open rural views across this area.

We respectfully recommend the benefits of allocating Site 25 be reassessed, as a suitable, logical and sustainable site for around 70 homes, either in addition to CRS3 or in place of part of this (noting some is already now consented for 36 units). We contend that Site CRS3 is not justified for allocation at the expense of Site 25, which scores more favourably in the SA process as a reasonable alternative site. For avoidance of repetition, see our comments in relation to Legal Compliance matters above.

We trust these comments are useful and duly noted. We would welcome the opportunity to elaborate on such matters at the forthcoming Examination into the subsequently submitted version of this 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)

#### **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	Vivien Halley [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Vivien Halley [REDACTED]
Comment ID	PSLP_1833
Response Date	03/06/21 15:12
Consultation Point	Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook ( <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	Vivien Halley
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

Policy AL/HA2 Brook House Cranbrook Road

Policy AL/HA3 Former Site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 Land to the north of Copthall Avenue and Highgate Hill, Hawkhurst

Policy AL/CRS1 Land at Brick Kiln Farm, Cranbrook Road

Policy AL/CRS3 Turnden Farm, Hartley Road, Cranbrook

[TWBC: this representation has been input against Policies AL/HA1, AL/HA2, AL/HA3, AL/HA4, AL/CRS1 and AL/CRS3 – see Comment Numbers PSLP\_1822, PSLP\_1829, PSLP\_1830, PSLP\_1831, PSLP\_1832 and PSLP\_1833]

#### 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.**

<b>Do you consider that the Local Plan is not sound because:</b>	<input type="checkbox"/> It is not justified
	<input type="checkbox"/> It is not consistent with national policy

#### Question 5

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

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

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

- ☐ I strongly support the removal of the Hawkhurst Golf Course site and the overall reduction in the allocation of housing numbers within the village and therefore the reduction to the harmful impact to an Area of Outstanding Natural Beauty.
- ☐ The Local Plan has not taken into account the 28 houses in Heartenoak Road that are currently under construction and which will have a significant impact on the inadequate infrastructure and constant traffic congestion within Hawkhurst and especially at the village crossroads and along Queens Road, Heartenoak Road and Ockley Road.
- ☐ I do not consider that the remaining housing development numbers set out in policies AL/HA1 (White House), AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm) are justified because no assessment has been undertaken of the cumulative impact of allocations on the Flimwell junction, village crossroads and the increase in traffic using minor roads and lanes to avoid the congested crossroads. The recent planning application at Copthall was refused due to the impact on the crossroads and the AONB.
- ☐ I do not consider that the remaining numbers set out in policies AL/HA2 (Brook House) and AL/HA3 (Springfield Nurseries) are justified because no assessment has been undertaken of the cumulative impact of the significant recent developments in Hawkhurst in the areas of Heartenoak Road, thus creating more traffic congestion and pollution at the crossroads in the village or more traffic using the local narrow roads and lanes in order to avoid queuing at the crossroads. It has been well documented that the crossroads in the village are already functioning over their capacity so an increase in traffic cannot be justified. When residents from Cranbrook return home for example from shopping in the village, instead of waiting at the crossroads they will resort to finding alternative routes and turn local narrow roads such as Queens Road, Heartenoak Road, Ockley Road, Winchester Road, Woodbury Road and Vale Road into speeding rat runs, causing

constant disruption, traffic noise and pollution to local residents and also damage to parked vehicles.

- . I do not consider that policies AL/HA1 (White House), AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm) are consistent with national policy because they do not focus development in sustainable locations and will not limit the need to rely on private car trips (NPPF paragraphs 103 and 104).
- . I consider the policies will fail to preserve or enhance the AONB (contrary to the NPPF paragraph 172).

## 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 policies AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm).
- . Modify the Local Plan to reflect the reduction in the overall housing numbers in Hawkhurst and Cranbrook as a result of the removal of the above policies and give consideration to the 28 houses currently under construction in Heartenoak Road.
- . Should any further housing development be undertaken in Hawkhurst and especially in the Cranbrook Road area, it would be essential to reduce the possibility for people to drive through local roads (i.e. rat runs) in order to avoid the queues at the crossroads. Car drivers travelling towards the A229 towards Maidstone from the A268 (from the direction of Sandhurst) should be prevented from driving down Queens Road, into Heartenoak Road, into Ockley Road and then into Winchester Road, in order to join the A229 and thus avoiding the crossroads. This could be achieved by blocking off this "rat run" at the junction between Ockley Road and Winchester Road. Adapting existing roads so they have pedestrian access only, has already been successfully implemented in other areas of Hawkhurst to prevent through traffic along the following roads:
  - . Northgrove Road
  - . Western Road
  - . Copthall Avenue/All Saints Road
- . The introduction of traffic calming measures in Queens Road and Heartenoak Road to prevent speeding traffic, improve safety and improve the quality of life of residents living along these extremely busy roads.

## Question 7

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

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

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

## Future Notifications

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

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

# Supporting Information File Ref No: SI\_156

## Comment

Consultee	Strategic Planning ( [REDACTED] )
Email Address	[REDACTED]
Company / Organisation	Kent County Council (Planning and Environment)
Address	Invicta House County Hall MAIDSTONE ME14 1XX
Event Name	Pre-Submission Local Plan
Comment by	Kent County Council (Planning and Environment) ( Strategic Planning - [REDACTED] )
Comment ID	PSLP_2204
Response Date	04/06/21 16:56
Consultation Point	Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.4
Files	<a href="#">Kent County Council-full representation.pdf</a>
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Kent County Council (Growth, Environment & Transport)
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook

[TWBC: see attached full representation, which has been input against the following: Section 1 (PSLP\_2164), Section 2 (PSLP\_2168), Section 3 (PSLP\_2169), Policies STR1 (PSLP\_2170), STR2 (PSLP\_2171), STR4 (PSLP\_2172), STR5 (PSLP\_2174), STR7 (PSLP\_2175), STR8 (PSLP\_2176), Section 5 (PSLP\_2177), Section 5: Royal Tunbridge Wells (PSLP\_2178), Policies AL/RTW1 (PSLP\_2180), AL/RTW5 (PSLP\_2181), AL/RTW7 (PSLP\_2183), AL/RTW14 (PSLP\_2184), AL/RTW17 (PSLP\_2185), AL/RTW21 (PSLP\_2187), STR/SO1 (PSLP\_2188), AL/SO1 (PSLP\_2190), Strategic Sites (PSLP\_2192), STR/SS1 (PSLP\_2193), STR/SS2 (PSLP\_2195), STR/SS3 (PSLP\_2196), STR/PW1 (PSLP\_2199), AL/PW1 (PSLP\_2200), STR/CA1 (PSLP\_2201), AL/CRS1 (PSLP\_2202), AL/CRS2 (PSLP\_2203), AL/CRS3 (PSLP\_2204), AL/CRS4 (PSLP\_2205), AL/CRS6 (PSLP\_2206), AL/CRS7 (PSLP\_2207), STR/HA1 (PSLP\_2208), PSTR/BE1 (PSLP\_2209), PSTR/BI 1 (PSLP\_2210), PSTR/BM1 (PSLP\_2211), PSTR/FR1 (PSLP\_2212), PSTR/GO1 (PSLP\_2213), PSTR/HO1 (PSLP\_2214), AL/HO1 (PSLP\_2215), PSTR/LA1 (PSLP\_2216), AL/LA1 (PSLP\_2217), PSTR/PE1 (PSLP\_2218), AL/PE4 (PSLP\_2219), PSTR/RU1 (PSLP\_2220), PSTR/SA1 (PSLP\_2221), AL/SA1 (PSLP\_2222), PSTR/SP1 (PSLP\_2223), EN1 (PSLP\_2224), EN3 (PSLP\_2225), EN4 (PSLP\_2226), EN5 (PSLP\_2227), EN8 (PSLP\_2228), EN9 (PSLP\_2229), EN10 (PSLP\_2230), EN12 (PSLP\_2231), EN13 (PSLP\_2232), EN14 (PSLP\_2233), EN18 (PSLP\_2234), EN19 (PSLP\_2235), EN20 (PSLP\_2236), EN25 (PSLP\_2237), EN26 (PSLP\_2238), H1 (PSLP\_2239), H3 (PSLP\_2240), H7 (PSLP\_2241), ED1 (PSLP\_2242), ED2 (PSLP\_2243), ED3 (PSLP\_2244), ED4 (PSLP\_2245), ED5 (PSLP\_2246), ED6 (PSLP\_2247), Town, Rural Service, Neighbourhood, and Village Centres (PSLP\_2248), Policies TP1 (PSLP\_2249), TP2 (PSLP\_2250), TP3 (PSLP\_2251), TP4 (PSLP\_2252), TP5 (PSLP\_2253), TP6 (PSLP\_2254), OSSR1 (PSLP\_2255), Appendix 4 (PSLP\_2256) and Evidence Base (whole Plan) (PSLP\_2257)

#### Question 4a

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

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

#### Question 5

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

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

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

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

#### Public Rights of Way

The County Council requests direct reference to Public Footpath WC115 that connects Hartley Road to Swattenden and Swattenden Lane.

#### Question 6

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

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



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

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

#### **Question 7**

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

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

#### **Question 7a**

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

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

The County Council may wish to attend hearing sessions in respect of its statutory and non statutory functions.

#### **Future Notifications**

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

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

# **Local Plan Regulation 19 representations in document order**

**Comments on Section 5: Place  
Shaping Policies: Cranbrook &  
Sissinghurst: Policy AL/CRS 4:  
Cranbrook School**

## Comment

Consultee	Julie Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent [REDACTED]
Comment ID	PSLP_531
Response Date	28/05/21 09:05
Consultation Point	Policy AL/CRS 4 Cranbrook School ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	CPRE Kent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/CRS4	
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.

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.

CPRE Kent does not object to the general principles of this policy, which includes no specific site allocations.

#### 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 case any amendments to the policy are proposed

# Supporting Information File Ref No: SI\_106a-h

## Comment

Agent	Mrs Louise Caney [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kember Loudon Williams
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Consultee	Cranbrook School [REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Cranbrook School [REDACTED]
Comment ID	PSLP_1815
Response Date	04/06/21 13:02
Consultation Point	Policy AL/CRS 4 Cranbrook School ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.6
Files	<a href="#">PSLP 1814-1817 K LW for Cranbrook School SI-6 Jaegers Landscape Report Redacted.pdf</a> <a href="#">PSLP 1814-1817 K LW for Cranbrook School SI-1 Cover Letter Redacted.pdf</a> <a href="#">PSLP 1814-1817 K LW for Cranbrook School SI-8 Rammell Landscape Report Redacted.pdf</a> <a href="#">PSLP 1814-1817 K LW for Cranbrook School SI-5 Jaegers Field Summary Sheet.pdf</a> <a href="#">PSLP 1814-1817 K LW for Cranbrook School SI-3 Draft Community Use Agreement.pdf</a> <a href="#">PSLP 1814-1817 K LW for Cranbrook School SI-2 Coloured Masterplan.pdf</a> <a href="#">PSLP 1814-1817 K LW for Cranbrook School SI-7 Rammell Field Summary Sheet.pdf</a> <a href="#">PSLP 1814-1817 K LW for Cranbrook School SI-4 Cranbrook School Masterplan.pdf</a>

Data inputter to enter their initials here HB

Question 1

Respondent's Name and/or Organisation Cranbrook School

Question 2

Agent's Name and Organisation (if applicable) Kember Loudon Williams

Question 3

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

Question 3a

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

Policy AL/CRS 4 Cranbrook School

[TWBC: for further comments by Cranbrook School, please see Comment Numbers PSLP\_1814-1817]

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 effective
- . It is not consistent with national policy

Question 5

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

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

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

The Plan is not legally compliant because insufficient consideration has been given towards the meeting of housing needs in adjoining authority areas and delivering sufficient small and medium sites to ensure the housing trajectory can be delivered. As such it has resulted in a Plan which is unsound and does not properly comply with the duty to cooperate.

The overarching deficiencies have filtered down to the local level, as reflected in STR/CRS1, whereby a significantly reduced overall housing provision is proposed compared with the Reg. 18 LP document. This places significant emphasis on several large scale sites that extend westwards including along the Crane Valley, well away from the established form of the settlement and into the wider AONB, whilst not overlooking opportunities that exist on suitable and available sites within the established settlement of Cranbrook – such as Jaegers Field.

As a result of the lack of housing allocations the Plan cannot be said to be effective or consistent with National Policy.

Whilst we support the objectives within policy AL/CRS4 we have concerns with the policy wording being inflexible and propose a minor change as set out below. Whilst this is a small change, it is important and necessary in order to enable the schools medium to longer term vision, as set out in the masterplan attached to these representations. This will involve a number of land use changes along with new buildings in various locations which will result in wide ranging benefits not only in terms of the School's future and investment in its facilities, but also in terms of wider community benefits.

*[TWBC: for further information supporting this representation, please see supporting documents]*

*[TWBC: the below text is from the Cover Letter attached to this representation]*

### **Pre-Submission Local Plan - Regulation 19 Consultation**

We write on behalf of the Trustees and Governors of Cranbrook School in response to the request for feedback on the Reg.19 Pre-Submission Local Plan and in relation to previous representations made on the Reg 18 version. We have the following comments on those areas of the Plan that are of interest to Cranbrook School and to those sections of the report that impact land owned by the School. We would be grateful if you could take these into consideration as part of the consultation process.

### **Borough Wide Strategy**

This letter should be read in conjunction with the enclosed Regulation 19 response forms which discuss the strategic position with regard to soundness, issues arising from duty to co-operate and particularly with regard to housing delivery.

The Council is relying heavily on a small number of larger strategic sites totalling some 6,390 dwellings which is a high proportion in relation to the borough wide housing figures. Our concern is that over reliance upon strategic sites will inevitably take a long time to deliver the required housing and when they do start delivery, the housing market will only be able to sustain a certain volume of new homes per annum. We would therefore question the removal of housing allocations from the regulation 18 Plan that were perfectly acceptable before.

We propose that the Council looks again at the overall suggested housing figures to take account of the broader planning situation, to reduce over reliance on large sites. To help with delivery in the early part of the plan period, in our view, the Council should look to re-balance the proportion of smaller and medium sized sites being put forward – including sites where further information has come forward which provides clarity on deliverability, and/or sites which have been removed from the regulation 18 version of the Plan without strong reasoning.

### **Strategic Growth & Cranbrook**

Turning to the local situation, our concerns expressed above on the overall strategy can be successfully transposed to the settlement of Cranbrook.

We support the acknowledgement in 4.46 that Cranbrook, as a service centre, “warrants its consideration as a focus for growth”. Table 4 lists the Parish of Cranbrook and Sissinghurst as being suitable for further housing development of up to 467 units, 429 of which are in Cranbrook. This was dramatically reduced from the Reg 18 figures (previously stated as 803 units for Cranbrook alone) and we question whether this level of reduction is warranted when the current growth relies on only three allocations (two of which are over 150 units) – all in the same area to the west of Cranbrook. These are substantial incursions into the surrounding landscape of the Crane Valley well away from the established built form of the town and within the AONB.

With regards progress on the two main proposed allocations in Cranbrook: the reserved matters application at Land at Brick Kiln Lane (TW/20/00814/RM) has been withdrawn, and Land at Turnden Farm (TW/20/03816) is the subject of an inquiry after being called in by the Secretary of State, due to the size of the development in the AONB. Furthermore, the conclusions of Part 6.6 of Tunbridge Wells

- Landscape and Visual Impact Assessment of Proposed Allocated Sites within the High Weald AONB (CRS4 – relating to land at Turnden Farm), recommends a phased approach to development, with the proposed woodland planted/established to the south west of the site needing to be planted/established before the development of the north/east part of the site. This phasing will add a delay to the delivery of development at this site. The relevant section of the LVIA forming part of the Council's evidence base states *"The development could be assimilated into the landscape through the mitigation outlined within Figure C14, which would establish additional woodland cover and grassland enhancing the route of the footpath within the site footprint and creating new recreational opportunities."* This highlights that the development of the extent of the site, as proposed (accounting for 1/3rd of the total site area), is contingent upon the delivery of woodland as a key component of mitigation against unacceptable impacts upon the AONB. Furthermore, the need for such extensive areas of mitigation in order to make the proposals acceptable highlights the relatively inefficient use of land in comparison with more modestly sized sites that are already interwoven with the fabric of the town.

As such, we question the focus on these sites as a more strategic allocation, creating a significant edge of settlement extension to Cranbrook rather than balancing and moderating the supply, reducing the extent of rural incursion, and by including several small to medium sized sites that would be better related to the wider town.

Given the uncertainty on timely delivery and the inherently more complex issues associated with larger sites, adding further medium sized sites and/or reducing the quantum of larger housing sites, would assist with supporting timely delivery of housing and providing a more balanced housing trajectory (the smaller and medium sized sites helping to 'kick-start' build out rates earlier in the plan period, with the larger scale sites coming on in the middle to end of the Plan period).

Given that Cranbrook School has extensive land holdings scattered throughout the town – it is considered that some of the land parcels towards the periphery of the School's estate offer excellent opportunities to provide such sites which are readily deliverable, are in genuinely sustainable locations and can be achieved with limited wider landscape effects.

The specific sites will be discussed in more detail below and within the attached documentation – however in overall terms we would suggest an increase in housing provision of at least 113 housing units within Cranbrook, which would go some way to counteracting the reduction by upwards of 300 units within the latest draft Plan compared with the regulation 18 version.

### **Cranbrook School**

We welcome and support the specific reference to Cranbrook School within Section 5 of the document and the recognition of the position and role of the school within the local community. In support of this:

- . Cranbrook School was founded in 1518 and is one of the oldest schools in Kent. It has occupied a site in the centre of Cranbrook throughout this time.
- . The School is a co-educational state secondary school taking students between year 7 and year 13. The School has a current role of just under 900 day and boarding students. The approximately 650 day students live within a defined Catchment Area, currently up to 8.2 miles from the school. One of very few state boarding schools there are in addition some 250 boarding students primarily from elsewhere in the UK and with a limited number from overseas.
- . Cranbrook School provides a high standard of teaching, as demonstrated through OFSTED Outstanding assessments, GCSE, and A Level results.
- . It provides excellent sporting facilities which are available not only to the School students and staff but also to the local community (such as Cranbrook Rugby Club, Cranbrook Badminton Club, Cranbrook Squash Club, Cranbrook Juniors Football Club and Karate Club).
- . The School is the largest employer within the Town with some 80+ members of staff and their families living locally.
- . The School is actively involved with the local community, through theatre events, concerts, and a range of other activities facilitated through access to school facilities.
- . The School encourages new families to the local community which in turn increases local spend and local support.
- . The School supports the vitality and viability of the town centre through local spending by staff, School children and their families.
- . The School assists in the creation of more investment and public funding to Cranbrook.
- . The School contributes towards the maintenance of the historic setting of Cranbrook and maintenance of its listed buildings and other heritage assets; and



. It helps to maintain the overall profile of the town as an attractive place to live, work and visit. Notwithstanding these benefits, the School has increasing funding pressures in addition to maintaining and protecting important heritage assets for future generations to enjoy and continue the School's historic legacy. Added to this are significant running and maintenance costs associated with a School campus that includes many individual buildings and land parcels that have been added at different times.

Many sites within the School's estate are dispersed and disconnected from the main school site which means they are poorly placed from the point of view of pupil safeguarding and efficiency of use. Three key land parcels are especially disconnected – Jaegers Field, Big Side, and Rammell Field, as shown below, with Jaegers Field being the most remote from the main campus. If the School is to flourish in the future, it will need to invest in and significantly improve its facilities to meet future demand and curricular needs. At the same time, it will need to coalesce its facilities onto its more core site(s).

*[TWBC: for map, please see the Cover Letter attached as a supporting document]*

Many of the facilities have been built using the school's own resources and extensive fund-raising from existing parents and former students. It is therefore essential to the future well being of the School that it is allowed to dispose of some underutilised and distant land holdings, representing a small proportion of its overall estate, to raise the funds required to continue to enhance the core facilities. The School has in the order of triple the amount of outdoor space and pitches it would need under relevant educational standards.

It is therefore of significant importance to the School and in turn the educational and economic wellbeing of the Parish, that any policies adopted through the Local Plan processes allow sufficient flexibility for the School to be able to realise its future objectives, and do not place unduly restrictive burdens upon the School which would likely restrict the financial and functional ability of the school to maintain and grow.

## **Section 5 – Cranbrook and Sissinghurst – Cranbrook School**

Whilst we welcome the general comments regarding Cranbrook and Sissinghurst we are disappointed that sites in the ownership of Cranbrook School specifically Jaegers Field, which was referenced in the previous plan, is no longer identified in terms of growth potential by way of a specific site allocation. We do, however, recognise that proposed policy AL/CRS 4 does allow for consideration of alternative land uses in principle. We explore the inclusion of Jaegers and Rammell later in more detail.

Turning to the specific paragraphs relating to Cranbrook School, starting at Paragraph 5.314, we greatly appreciate the support referenced in Para 5.316 and recognition of our ambition to improve facilities and the statement that “specific policy support is warranted”. As stated in the accompanying forms, we recommend a small but very important modification to draft policy AL/CRS 4 to the wording of the second paragraph, to read as follows:

“Proposals for more substantive proposals, including new buildings *and/or* different uses of land, both within the main site and on ancillary landholdings...” (italics indicate changes)

This change is necessary in order to enable the schools medium to longer term vision as it has set out in the masterplan attached to these representations.

The School has developed a high-level Masterplan document setting out plans for the development of the School estate and this will be updated to ensure that it meets the criteria set out in 5.322, upon adoption of the Local Plan. We agree that developments of significance should not be piecemeal but form part of a wider development plan to ensure that facilities continue to meet the growing demands and changes in educational requirements. This document is attached for information, and other detailed work being undertaken and referred to below, will fully address sports, open space and other provision. The commitments contained within the Plan to ensure normal planning considerations are reflected, recognizing the heritage assets within the school are fully supported.

The Local Plan does however need to better recognize three important factors fundamental to the ability of the school to continue to thrive for the benefit of the local community. Firstly, the facilities must continue to adapt to meet the changing needs and demands of the curriculum. Secondly that in the continued absence of government funding for capital projects the School will need to look to its own assets to fund future developments. Thirdly that the dispersed nature of the current school site is no longer acceptable from a student safeguarding perspective and the School must therefore coalesce

into its core site. This will inevitably require investment in the core site and the disposal of the more remote areas to fund this.

Whilst we fully recognize the value of the school's assets to the local community, who enjoy substantial access and use of them, this cannot be a complete barrier to realization of some assets, in particular land, to finance future development of the school facilities, which will of course also enhance wider community experience.

We enclose a copy of our Masterplan for information and consideration, as required by draft policy AL/CRS4. Within the document, the focus of residential led development is centered primarily on Jaegers Field in the short term, in conjunction with a review of sports facilities at Big Side to offset the loss of playing facilities at Jaegers. This review includes a technical assessment of Big Side to ensure it is of at least equivalent standard to Jaeger's Field (with recommendations regarding any works needed to achieve this), and with the formalisation of the community use of facilities at Big Side within a Community Use Agreement. The technical assessment is underway, but the written report is, at the time of writing, awaited, however we have a draft Community Use Agreement that reflects discussions to date with Sport England, which is attached to this letter.

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

### **Jaegers Field**

The School still fully supports the promotion of Jaegers Field as a suitable and achievable housing site and requests re-instatement as a proposed housing allocation. It abuts the limits to built development for Cranbrook, close to local services and facilities, and the site is set between existing residential development and opposite the Weald Academy. It is considered that a sensitive development can be achieved within the parameters of the site which respects the recognized matters of importance, particularly landscape, highways and ecology. Notwithstanding the field is surplus to requirements for School use, the loss of the playing field will be accounted for at nearby Big Side, along with formality of community use of the facilities. There are no material changes which would alter the SHELAA conclusions or Reg 18 draft part allocation of the site – and indeed, significant further technical work has now been progressed by the School which provides greater certainty on the deliverability of the site and the limited impacts upon the surrounding landscape. Alongside further landscape assessment work, other professionals have been engaged to review the highways and ecological aspects. Alongside this, specialist consultants have worked with the school and its retained planning consultants in order to engage in discussions with Sport England regarding the proposals and the linked community use agreement at Big Side, and a positive 'in principle' pre-application outcome has been achieved with them.

As a result, as part of the updated strategy as reflected in the enclosed draft Masterplan, we consider the whole site can be released for housing (with associated woodland and ecological buffer areas and open space). In line with our comments above, this would provide a valuable contribution to bolster housing supply from medium sized sites in the early years of the plan period, especially given the uncertainty of timing and delivery of the remaining Cranbrook sites. For these reasons we would urge Tunbridge Wells to consider reallocating this site in its entirety for residential use. We have attached a technical sheet with further details of the site for consideration. In addition, we have included an indicative layout for residential development on the site, as well as an initial Landscape Report.

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

### **Rammell Field**

We recognise the opportunity to offer a positive and long-term solution for Rammell field, which has been underused and is surplus to the Schools future requirements. Notwithstanding the perceived community and visual value of the site, the field is privately owned and gated and our vision is to provide a more efficient use of the land to the benefit of the whole community. The future remodeling of the site would be based on the following aspects being incorporated into any proposed layout:

- . Provision of a new, publicly accessible open space, focused on the front portion of the site
- . The open space would be sensitively landscaped to include a memorial garden to those fallen in the world wars and other conflicts; and
- . Provision of an element of sensitively designed affordable and low-cost market housing to the rear of the site, including for those in local housing need.

We attach a technical summary sheet which provides further details of the site along with an initial Landscape Report undertaken by a Chartered Landscape Architect, which we hope will be useful to

your considerations. Of particular note is the concept plan within the landscape report, which has informed the suggested policy approach to be taken.

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

### **Green Space**

We reference the policy on Green Space set out in Section 6 and the designated sites referenced in Appendix 2, two of which listed under Cranbrook, Rammell Field and Big Side Playing Field are owned by the School.

Both these sites are playing fields with no public right of access other than for agreed use by certain local sports clubs. We do not accept that either location meets the criteria for Local Green Space (LGS) set out in Para 6.183 and subsequent paragraphs. In the absence of public access, we do not see how they greatly benefit mental health and wellbeing of the community. Furthermore, we do not agree that these two spaces meet the criteria detailed in 6.184.

Notwithstanding these comments, whilst neither space is in our view justified to be included as Local Green Space, we do recognise that as part of the current strategy, Big Side is to be subject to a Community Use Agreement complementing the School's use of the field. Therefore, whilst we would prefer the LGS designation to be removed, we feel more strongly with regard to Rammell Field given that it is surplus to the school's future requirements, and therefore that a bespoke policy relating to Rammell would be a more appropriate approach – this is discussed below.

Earlier in this document we have referenced the dispersed nature of the current School site as being no longer acceptable for the safety of students or staff. Rammell Field falls into this category with both its remoteness from the main school's site being of increasing concern. In responding to the Neighbourhood Plan we have put forward a proposal for this site which focuses on enabling public benefits through allowing a variety of potential uses, including provision of a significant public space within the Conservation Area, and affordable housing focusing primarily on smaller dwellings to meet local needs – please see attached documents for more details.

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

Without doubt the designation of both sites as Green Spaces has the potential to seriously impact the future development and success of the school and restricts its ability to provide a safe environment for students and staff. As such we would recommend the removal of both Rammell Field and Big Side from draft policy EN15.

Furthermore, we would recommend a new policy for Rammell to be included within the Plan, focused on harnessing a unique opportunity to deliver a significant package of community benefits. This new policy would acknowledge the importance of Rammell Field but taking a more positive approach to change with overall wider benefits in mind – as opposed to a more restrictive type of policy which might stifle innovation. Our suggested draft policy is below and could cross reference to a site plan similar to that attached within Figure 12 of the hla Landscape Report (attached).

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

#### ***Rammell Field - Community Benefit***

*The future use(s) of the site shall be focused upon achievable community benefits arising from these uses, with a view to a balanced provision being sought - which would potentially include:*

- New public open space - focused in particular on the preserving and enhancing the setting of the Conservation Area*
- Proposed high quality landscaping to enhance the site boundaries and transitional areas between different spaces and uses*
- A memorial garden or other feature designed with community input*
- Biodiversity enhancements*
- An element of high quality housing reflecting the best of the local vernacular focused principally on responding to genuinely local needs including for those unable to compete in the local open housing market, and including key workers for example in education and healthcare. Any built development should respect and enhance the distinct historic landscape character, and design should be compliant with the High Weald AONB Design Guide and Parish Council's Eco Design guide for new buildings.*

- It is expected that a detailed Landscape Masterplan would be incorporated within any proposals submitted for future mixed use of the site

### **Conclusions**

Cranbrook School is undoubtedly a valuable asset to the town and local community, educationally, economically, and culturally, and will continue to strive to retain and further enhance its excellent reputation by continuing to improve its existing educational, sporting, and boarding facilities.

If the school is to flourish in the future, it will need to invest in and significantly improve its facilities to meet future demand and curricular needs. At the same time, it will need to coalesce its facilities onto its more central site(s). Therefore, any policies adopted either through this Plan should be flexible enough to enable the school to update facilities and maintain its standards into the future without being burdened by significant additional restrictions that would jeopardise these needs.

Furthermore, productive use of a modest portion of surplus land for a range of purposes, including housing, would help redress some of the shortcomings identified within the Regulation 19 Plan and would re-balance the overarching strategy from what is in our view, overreliance on a small number of large strategic sites.

We hope that the above comments are valuable in feeding into the planning process. We would very much welcome the opportunity to discuss these representations further with officers of the Council.

### **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.**

Modify second paragraph of policy wording to AL/CRS 4 as follows:

“...Proposals for more substantive proposals, including new buildings *and/or* different uses of land, both within the main site and on ancillary landholdings...” (italics indicates changes)

### **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 be present to clarify any area of the representations that may be necessary.

### **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	Jo Edwards ( [REDACTED] )
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Jo Edwards ( [REDACTED] )
Comment ID	PSLP_1347
Response Date	04/06/21 16:00
Consultation Point	Policy AL/CRS 4 Cranbrook School ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.3

### Question 1

**Respondent's Name and/or Organisation** Jo Edwards, Sport England

### Question 3

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

### Question 3a

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

Policy AL/CRS 4

### 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 consistent with national policy

### Question 5

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

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

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

It is not clear in the policy as drafted that any playing field land proposed to be lost should be subject to an assessment having been undertaken which has clearly shown the area of playing field which would be lost as a result of the development is surplus to requirements; or the loss of playing fields resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location as required by paragraph 97 of the NPPF and Sport England's Playing Field Policy.

### Question 6

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

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**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.**

An additional criterion requiring the above should be added to the policy. Sport England will object to any development proposals for the school's land that it considers does not comply with paragraph 97 of the NPPF or its Playing Field 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)

## Supporting Information File Ref No: SI\_156

### Comment

<b>Consultee</b>	Strategic Planning ( [REDACTED] )
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Kent County Council (Planning and Environment)
<b>Address</b>	Invicta House County Hall MAIDSTONE ME14 1XX
<b>Event Name</b>	Pre-Submission Local Plan
<b>Comment by</b>	Kent County Council (Planning and Environment) ( Strategic Planning - [REDACTED] )
<b>Comment ID</b>	PSLP_2205
<b>Response Date</b>	04/06/21 16:56
<b>Consultation Point</b>	Policy AL/CRS 4 Cranbrook School ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Files</b>	<a href="#">Kent County Council-full representation.pdf</a>
<b>Data inputter to enter their initials here</b>	KJ
<b>Question 1</b>	
<b>Respondent's Name and/or Organisation</b>	Kent County Council (Growth, Environment & Transport)
<b>Question 3</b>	
<b>To which part of the Local Plan does this representation relate?</b>	Policy
<b>Question 3a</b>	

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

Policy AL/CRS 4 Cranbrook School

*[TWBC: see attached full representation, which has been input against the following: Section 1 (PSLP\_2164), Section 2 (PSLP\_2168), Section 3 (PSLP\_2169), Policies STR1 (PSLP\_2170), STR2*



(PSLP\_2171), STR4 (PSLP\_2172), STR5 (PSLP\_2174), STR7 (PSLP\_2175), STR8 (PSLP\_2176), Section 5 (PSLP\_2177), Section 5: Royal Tunbridge Wells (PSLP\_2178), Policies AL/RTW1 (PSLP\_2180), AL/RTW5 (PSLP\_2181), AL/RTW7 (PSLP\_2183), AL/RTW14 (PSLP\_2184), AL/RTW17 (PSLP\_2185), AL/RTW21 (PSLP\_2187), STR/SO1 (PSLP\_2188), AL/SO1 (PSLP\_2190), Strategic Sites (PSLP\_2192), STR/SS1 (PSLP\_2193), STR/SS2 (PSLP\_2195), STR/SS3 (PSLP\_2196), STR/PW1 (PSLP\_2199), AL/PW1 (PSLP\_2200), STR/CA1 (PSLP\_2201), AL/CRS1 (PSLP\_2202), AL/CRS2 (PSLP\_2203), AL/CRS3 (PSLP\_2204), AL/CRS4 (PSLP\_2205), AL/CRS6 (PSLP\_2206), AL/CRS7 (PSLP\_2207), STR/HA1 (PSLP\_2208), PSTR/BE1 (PSLP\_2209), PSTR/BI 1 (PSLP\_2210), PSTR/BM1 (PSLP\_2211), PSTR/FR1 (PSLP\_2212), PSTR/GO1 (PSLP\_2213), PSTR/HO1 (PSLP\_2214), AL/HO1 (PSLP\_2215), PSTR/LA1 (PSLP\_2216), AL/LA1 (PSLP\_2217), PSTR/PE1 (PSLP\_2218), AL/PE4 (PSLP\_2219), PSTR/RU1 (PSLP\_2220), PSTR/SA1 (PSLP\_2221), AL/SA1 (PSLP\_2222), PSTR/SP1 (PSLP\_2223), EN1 (PSLP\_2224), EN3 (PSLP\_2225), EN4 (PSLP\_2226), EN5 (PSLP\_2227), EN8 (PSLP\_2228), EN9 (PSLP\_2229), EN10 (PSLP\_2230), EN12 (PSLP\_2231), EN13 (PSLP\_2232), EN14 (PSLP\_2233), EN18 (PSLP\_2234), EN19 (PSLP\_2235), EN20 (PSLP\_2236), EN25 (PSLP\_2237), EN26 (PSLP\_2238), H1 (PSLP\_2239), H3 (PSLP\_2240), H7 (PSLP\_2241), ED1 (PSLP\_2242), ED2 (PSLP\_2243), ED3 (PSLP\_2244), ED4 (PSLP\_2245), ED5 (PSLP\_2246), ED6 (PSLP\_2247), Town, Rural Service, Neighbourhood, and Village Centres (PSLP\_2248), Policies TP1 (PSLP\_2249), TP2 (PSLP\_2250), TP3 (PSLP\_2251), TP4 (PSLP\_2252), TP5 (PSLP\_2253), TP6 (PSLP\_2254), OSSR1 (PSLP\_2255), Appendix 4 (PSLP\_2256) and Evidence Base (whole Plan) (PSLP\_2257)

#### Question 4a

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

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

#### Question 5

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

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

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

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

#### Public Rights of Way

The County Council requests direct reference to Public Footpaths WC100, WC102, WC98, WC97, WC148 and connecting routes. The County Council considers that this site provides an opportunity to improve pedestrian connectivity across town. The County Council is seeking positive incorporation of all routes for active travel.

#### Question 6

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

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

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

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

#### **Question 7**

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

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

#### **Question 7a**

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

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

The County Council may wish to attend hearing sessions in respect of its statutory and non statutory functions.

#### **Future Notifications**

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

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

## Comment

Consultee	Mr Keith Lagden [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] CRANBROOK [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Keith Lagden [REDACTED]
Comment ID	PSLP_440
Response Date	26/05/21 12:26
Consultation Point	Policy AL/CRS 4 Cranbrook School ( <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 Keith Lagden

### 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/CRS 4 Cranbrook School

*[TWBC: this representation has been input against Policies AL/HA1, AL/HA2, AL/HA3, AL/HA4, STR/CRS1, AL/CRS1 and AL/CRS4 – see Comment Numbers PSLP\_431, PSLP\_435-440]*

### Question 4

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

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

#### Question 4a

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

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

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

#### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information 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 fully support the removal of Hawkhurst Golf Club coupled with the significant reduction in housing allocation numbers within Hawkhurst resulting in less damage to the AONB.
- . I am concerned that the remaining numbers set out in HA1, the allocation in HA4 and CRS1 & CRS4, are acceptable, as no assessment has been undertaken on the cumulative impact of these allocations on either the Flimwell junction or the Hawkhurst village crossroads.
- . In my opinion HA1, HA3 plus CRS1 & CRS4 do not embody National Policy, as they do not focus development in locations which are sustainable and in no way limit the need to rely on private car trips (NPPF paras 103 & 104)
- . The policies neither help to preserve or enhance the AONB (which is contrary to NPPF para 172)

#### 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 would like to see the following modifications:-

- . Remove HA4
- . Adjust HA1 to show reduced overall housing numbers in Hawkhurst due to HA4 removal.
- . Remove CRS3
- . Adjust CRS1 to show reduced overall housing numbers in Cranbrook due to removal of CRS3
- . Adjust HA1 to clarify that no development outside of the Limits of Build Development will be permitted (unless in the specific exceptions shown elsewhere in the plan)

#### Question 7

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

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

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

#### **Future Notifications**

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

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

# **Local Plan Regulation 19 representations in document order**

**Comments on Section 5: Place  
Shaping Policies: Cranbrook &  
Sissinghurst: Policy AL/CRS 5:  
Sissinghurst Castle Garden**

## Comment

Consultee	Julie Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent [REDACTED]
Comment ID	PSLP_536
Response Date	28/05/21 10:19
Consultation Point	Policy AL/CRS 5 Sissinghurst Castle Garden ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	CPRE Kent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/CRS5	
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.

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.

CPRE Kent supports 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)? . 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 case any amendments to the policy are proposed



## Comment

Consultee	Katy Wiseman [REDACTED]
Email Address	[REDACTED]
Company / Organisation	National Trust
Address	Scotney Castle (Hub) ROYAL TUNBRIDGE WELLS TN3 8JB
Event Name	Pre-Submission Local Plan
Comment by	National Trust [REDACTED]
Comment ID	PSLP_1100
Response Date	03/06/21 11:12
Consultation Point	Policy AL/CRS 5 Sissinghurst Castle Garden ( <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	National Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/CRS 5 Sissinghurst Castle Garden

**Question 4a**

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

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

### Question 5

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

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

The National Trust supports the inclusion of a specific policy for Sissinghurst Castle Garden within the Local Plan as this will help preserve the setting and views into and from this important tourist destination. We also support criterion 4 which requires an assessment of archaeological potential for any proposal that fall within the setting or approach to Sissinghurst Castle Garden.

### 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)?**

# **Local Plan Regulation 19 representations in document order**

**Comments on Section 5: Place  
Shaping Policies: Cranbrook &  
Sissinghurst: Policy AL/CRS 6: Land  
south of The Street, Sissinghurst**

## Comment

Consultee	Julie Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent [REDACTED]
Comment ID	PSLP_538
Response Date	28/05/21 10:24
Consultation Point	Policy AL/CRS 6 Land south of The Street, Sissinghurst ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	CPRE Kent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/CRS6	
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.**

See comments made under STR/CRS1

In relation to the two sites allocated for development in Sissinghurst under Policies AL/CRS6 and AL/CRS7, we make the following points. First, it is not clear to us why, following the substantial growth of the village attributable to the site east of Common Road, which was not allocated under the existing Local Plan and for which planning permission was granted on appeal, the significant further growth comprised by these two allocations is necessary. Secondly, as these are both greenfield sites, it is essential that the housing density on the sites is appropriate and represents efficient use of land. Thirdly, site AL/CRS6 adjoins the AONB and any development on that site must not harm the AONB or its setting.

#### 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	Mrs Hilary Hosford [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Cranbrook Conservation Area Advisory Committee
Address	[REDACTED] [REDACTED] Headcorn [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Cranbrook Conservation Area Advisory Committee [REDACTED]
Comment ID	PSLP_797
Response Date	31/05/21 11:35
Consultation Point	Policy AL/CRS 6 Land south of The Street, Sissinghurst ( <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	Cranbrook Conservation Area Advisory Committee
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/CRS 6 Land south of The Street, Sissinghurst
Question 4	
Do you consider that the Local Plan:	

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

- . It is not 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.**

##### Introduction

Whilst the main thrust of the Cranbrook Conservation Area Advisory Committee's comments relate to the conservation and heritage of Cranbrook and Sissinghurst, there are some wider issues which are also of concern. In this response we will use the Headings used in the Local Plan document with page or paragraph numbers for extra clarity.

##### POLICY AL/CRS 6

Land to the south of the Street, Sissinghurst - allocated for a mixed use scheme including 20 dwellings. This is potentially controversial. The site adjoins the Conservation Area and is close to the village centre. The number of dwellings may need to be reduced to accommodate parking, not only for the housing but also St Georges Institute (village hall) and the tennis club. Local support is for low rise, non intrusive housing, possibly for the elderly given its central village location. This would impact less on nearby listed buildings and the Conservation 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)?**

#### 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, but other members of the CCAAC may wish to do so.

### **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 Gary Mickelborough [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Bloomfields
Address	[REDACTED] PADDOCK WOOD [REDACTED]
Consultee	Fernham Homes [REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Fernham Homes (1231813)
Comment ID	PSLP_1654
Response Date	04/06/21 14:27
Consultation Point	Policy AL/CRS 6 Land south of The Street, Sissinghurst ( <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	Fernham Homes Ltd
Question 2	
Agent's Name and Organisation (if applicable)	Bloomfields Ltd
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/CRS 6 Land south of The Street, Sissinghurst

#### **Question 4**

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

<b>Is legally compliant</b>	Yes
<b>Is sound</b>	No
<b>Complies with the Duty to Cooperate</b>	Yes

#### **Question 4a**

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

<b>Do you consider that the Local Plan is not sound because:</b>	. 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.**

These representations are submitted on behalf of our esteemed clients and local housebuilders Fernham Homes Ltd., who seek to support the site currently drafted for providing housing and a significant community facilities at Sissinghurst (under Policy STR CRS 1), subject to important modifications which ensures the viable delivery of the site.

*[TWBC: Above comment from covering email]*

Fernham Homes Limited (FHL) is promoting land south of The Street, Sissinghurst ("the Site") for residential development and for a new village hall. It is welcome that the Pre-Submission Local Plan ("the Plan") proposes to allocate this site for development and it is in this context that FHL wishes to express its general support for Draft Policy AL/HO2, as elaborated in our further representations to the policy. However, there are several detailed requirements set out by Draft Policy AL/HO2 which are unsound for want of justification, effectiveness, and consistency with national policy thus requiring modification. The reasons for this are set out below:

The Policy seeks to allocate the Site for providing 'approximately 20 dwellings, of which 30 percent shall be affordable housing', together with the provision of a replacement village hall and associated parking.

FHL remains fully committed to providing land on the Site for a new village hall as well as a proportionate capital contribution towards its construction, as part of a housing development. However, the size and nature of the new village hall and therefore its land take is still the subject of discussion with the local community and it is not justified at this stage for the Plan to pre-empt the costs of the land and build required for it.

FHL has commissioned a comprehensive Framework Plan which has been informed by a full understanding of the Site's opportunities and constraints. The Framework Plan demonstrates how 20 dwellings and a new village hall can be provided on the Site in a manner that fully respects the local character and context as well as the detailed requirements of Draft Policy AL/CRS 6.

As a general strategic point, it is essential to the overall soundness of the Plan that it demonstrates it has exhausted the possibility of directing proportionate growth towards sustainable sites outside of the Green Belt and Area of Outstanding Natural Beauty (AONB). Optimising the potential of sites that have been allocated in this area is vital to ensuring that encroachment into the Green Belt and AONB is minimised.

Criterion 1 - Vehicular access into the site to be informed by a highways assessment, to include provision of adequate visibility splays within the site and/or on highway land

FHL is working with the Parish Council at St George's Institute and would like to provide assurance that all land required for the delivery of the Site and adequate visibility splays is now entirely within the control of the developer.

As a moot point, Paragraph 5.331 of the Pre-Submission Local Plan says 'there is currently a lack of vehicular access into the site'. Whilst it is agreed that a new access will be required to facilitate development, it is not true to say that there is a lack of vehicular access, as the existing double garages and St George's Hall are both served by existing accesses.

Criterion 3 - Development to have regard to the setting of the Sissinghurst Conservation Area and nearby listed buildings

The vast majority of the Site is not visible from the nearby Sissinghurst Conservation Area or nearby Listed Buildings. However, it is agreed that the Site is visible from public vantage points within the Sissinghurst Conservation Area, and therefore it is sensible that regard is had to the setting of the CA. It is worth noting that Paragraph 5.333 of the Pre-Submission Local Plan says 'there are listed buildings adjacent to the site'. Whereas the boundaries of the site are known to abut the boundary of the curtilage of only one listed building (singular).

Criterion 6 – Provision of replacement village hall and associated parking

FHL remains committed to working with the local community to play its part in the delivery of a new village hall. Village Hall proposals are at an advanced stage, with public consultation to commence in due course. It is clear from work carried out to date that the requirement is not for a replacement of the existing St George's Institute with a similar facility, but a requirement to deliver a completed new, larger and improved village hall facility. Associated parking provision will also significantly increase above that which is currently provided.

The inclusion of this Criterion is supported in principle and the provision of these facilities should be paramount as part of any development brought forward. However, there are strong viability which indicate that the Site would not be able to deliver both the new facilities required plus a 30 percent affordable housing provision. It is strongly considered that the viability merits of the Site must be considered in detail at the planning application stage.

By virtue of the requirement for providing 30 percent affordable housing, in addition to the site-specific requirement for providing a new village hall, it is considered that Policy AL/CRS6 fails to achieve this, and for that and the above reasons the requirement for providing 30 percent affordable housing should be deleted in order that an independent and site-specific viability considerations can be taken into account as part of any planning application.

Criterion 8 - A suitable legal mechanism shall be put in place to ensure that the provision of the replacement village hall is tied to the delivery of the housing, at a suitable stage of the development, to be agreed at the planning application stage

Whilst the Site can provide the necessary land and an appropriate capital contribution for a replacement village hall to be secured through legal agreement at suitable trigger points, it is clear that the costs associated with the provision of the new village hall facilities and associated parking could not be accounted for at this early stage of the Plan-making process. It is important that any planning obligations, as well as being necessary to make the development acceptable in planning terms, must also directly relate to the development proposed and be fairly and reasonably related in scale and in kind to it (National Planning Policy Framework, paragraph 56).

However, it is strongly considered that it is not appropriate that the Site is required to both make a provision for the new village facilities and also provide a substantial provision for affordable housing. There are strong site-specific viability grounds which demonstrate that the provision of both affordable housing and a new village hall will make the site unviable.

Whilst FHL is completely behind this and committed to providing this improved facility, in this instance, the new village hall will not only benefit future residents of the Site, but also the village at large and other sites that have been allocated around Cranbrook and Sissinghurst.

Therefore, in the event that the requirement for providing 30 percent affordable housing were not to be deleted in order that an independent and site-specific viability considerations can be taken into account as part of any planning application, it is strongly considered that other sites that are being brought forward in Cranbrook and Sissinghurst should also provide financial contributions towards the hall's construction in order to mitigate the impact of these sites on community provision.

As set out in FHL's representations to Draft Policy STR/CRS 1 (The Strategy for Cranbrook and Sissinghurst parish), this should be expressly recognised within the Plan as well as in Draft Policy AL/CRS 6. We propose that this clause is altered in accordance with the schedule of proposed modifications below in order to make Draft Policy AL/CRS 6 consistent with national policy.

## Question 6

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

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

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

This site, as defined on the Cranbrook and Sissinghurst Policies Map, is allocated for a mixed use scheme, including residential development providing approximately 20 dwellings, ~~of which 30 percent shall be affordable housing~~, (or) unless otherwise demonstrated to be viable, and a replacement community hall

Criterion 6 - Provision of ~~replacement~~ new village hall and associated parking

Criterion 9 - Contributions are to be provided to mitigate the impact of the development, in accordance with Policy STR/CRS 1, and taking into account the viability of the delivery of the development, together with the provision of the new village hall facility and associated parking.

## Question 7

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

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

## Question 7a

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

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

Fernham Homes Limited is promoting Land South of The Street, Sissinghurst for development and is seeking changes to Draft Policy AL/CRS 6. Fernham Homes Limited requests participation in the hearing sessions in order to contribute to discussions in relation to the Site and to articulate its case for why for modifications are necessary for the soundness of Draft Policy AL/CRS 6, as well as to address any relevant points raised by the Local Planning Authority, the Inspector or by stakeholders.

#### **Future Notifications**

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

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

# Supporting Information File Ref No: SI\_156

## Comment

Consultee	Strategic Planning ( [REDACTED] )
Email Address	[REDACTED]
Company / Organisation	Kent County Council (Planning and Environment)
Address	Invicta House County Hall MAIDSTONE ME14 1XX
Event Name	Pre-Submission Local Plan
Comment by	Kent County Council (Planning and Environment) ( Strategic Planning - [REDACTED] )
Comment ID	PSLP_2206
Response Date	04/06/21 16:56
Consultation Point	Policy AL/CRS 6 Land south of The Street, Sissinghurst ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.4
Files	<a href="#">Kent County Council-full representation.pdf</a>
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Kent County Council (Growth, Environment & Transport)
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	Policy AL/CRS 6 Land south of The Street, Sissinghurst

[TWBC: see attached full representation, which has been input against the following: Section 1 (PSLP\_2164), Section 2 (PSLP\_2168), Section 3 (PSLP\_2169), Policies STR1 (PSLP\_2170), STR2 (PSLP\_2171), STR4 (PSLP\_2172), STR5 (PSLP\_2174), STR7 (PSLP\_2175), STR8 (PSLP\_2176), Section 5 (PSLP\_2177), Section 5: Royal Tunbridge Wells (PSLP\_2178), Policies AL/RTW1 (PSLP\_2180), AL/RTW5 (PSLP\_2181), AL/RTW7 (PSLP\_2183), AL/RTW14 (PSLP\_2184), AL/RTW17 (PSLP\_2185), AL/RTW21 (PSLP\_2187), STR/SO1 (PSLP\_2188), AL/SO1 (PSLP\_2190), Strategic Sites (PSLP\_2192), STR/SS1 (PSLP\_2193), STR/SS2 (PSLP\_2195), STR/SS3 (PSLP\_2196), STR/PW1 (PSLP\_2199), AL/PW1 (PSLP\_2200), STR/CA1 (PSLP\_2201), AL/CRS1 (PSLP\_2202), AL/CRS2 (PSLP\_2203), AL/CRS3 (PSLP\_2204), AL/CRS4 (PSLP\_2205), AL/CRS6 (PSLP\_2206), AL/CRS7 (PSLP\_2207), STR/HA1 (PSLP\_2208), PSTR/BE1 (PSLP\_2209), PSTR/BI 1 (PSLP\_2210), PSTR/BM1 (PSLP\_2211), PSTR/FR1 (PSLP\_2212), PSTR/GO1 (PSLP\_2213), PSTR/HO1 (PSLP\_2214), AL/HO1 (PSLP\_2215), PSTR/LA1 (PSLP\_2216), AL/LA1 (PSLP\_2217), PSTR/PE1 (PSLP\_2218), AL/PE4 (PSLP\_2219), PSTR/RU1 (PSLP\_2220), PSTR/SA1 (PSLP\_2221), AL/SA1 (PSLP\_2222), PSTR/SP1 (PSLP\_2223), EN1 (PSLP\_2224), EN3 (PSLP\_2225), EN4 (PSLP\_2226), EN5 (PSLP\_2227), EN8 (PSLP\_2228), EN9 (PSLP\_2229), EN10 (PSLP\_2230), EN12 (PSLP\_2231), EN13 (PSLP\_2232), EN14 (PSLP\_2233), EN18 (PSLP\_2234), EN19 (PSLP\_2235), EN20 (PSLP\_2236), EN25 (PSLP\_2237), EN26 (PSLP\_2238), H1 (PSLP\_2239), H3 (PSLP\_2240), H7 (PSLP\_2241), ED1 (PSLP\_2242), ED2 (PSLP\_2243), ED3 (PSLP\_2244), ED4 (PSLP\_2245), ED5 (PSLP\_2246), ED6 (PSLP\_2247), Town, Rural Service, Neighbourhood, and Village Centres (PSLP\_2248), Policies TP1 (PSLP\_2249), TP2 (PSLP\_2250), TP3 (PSLP\_2251), TP4 (PSLP\_2252), TP5 (PSLP\_2253), TP6 (PSLP\_2254), OSSR1 (PSLP\_2255), Appendix 4 (PSLP\_2256) and Evidence Base (whole Plan) (PSLP\_2257)

#### Question 4a

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

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

#### Question 5

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

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

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

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

#### Public Rights of Way

The County Council requests direct reference to Public Footpath WC104.

#### Question 6

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

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

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

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

#### **Question 7**

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

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

#### **Question 7a**

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

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

The County Council may wish to attend hearing sessions in respect of its statutory and non statutory functions.

#### **Future Notifications**

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

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



## Comment

Consultee	Mrs Jan Mulrenan [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Mrs Jan Mulrenan [REDACTED]
Comment ID	PSLP_16
Response Date	31/03/21 21:40
Consultation Point	Policy AL/CRS 6 Land south of The Street, Sissinghurst ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Jan Mulrenan
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/CRS 6	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	Don't know
Complies with the Duty to Cooperate	Don't know
Question 4a	

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

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

#### Question 5

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

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

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

I think the highways assessment is of crucial importance in this case. When this site was first considered vehicular access depended on demolishing two garages belonging to properties on The Street on the south side. The planning department should take note of the position and rights of the tennis club, the owners of the garages and the owner of the disused paddock. Three sheep have been grazed there within the past four years so the identity of the paddock's owner /user must surely be established before any work is undertaken.

#### 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.**

Please see my comments 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)

#### Future Notifications

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

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

## Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1214
Response Date	03/06/21 15:31
Consultation Point	Policy AL/CRS 6 Land south of The Street, Sissinghurst ( <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	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/CRS 6 Land south of The Street, Sissinghurst	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

#### Question 4a

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

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

#### Question 5

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

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

Southern Water is the statutory wastewater undertaker for Sissinghurst. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 204 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

#### Question 6

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In consideration of the above, we recommend the following criterion to be added to Policy AL/CRS 6

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

#### Question 7

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

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

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

#### Future Notifications

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

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

# **Local Plan Regulation 19 representations in document order**

**Comments on Section 5: Place  
Shaping Policies: Cranbrook &  
Sissinghurst: Policy AL/CRS 7: Land  
at the corner of Frittenden Road and  
Common Road, Sissinghurst**

## Comment

Consultee	Mrs Hilary Hosford [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Cranbrook Conservation Area Advisory Committee
Address	[REDACTED] [REDACTED] Headcorn [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Cranbrook Conservation Area Advisory Committee [REDACTED]
Comment ID	PSLP_799
Response Date	31/05/21 11:35
Consultation Point	Policy AL/CRS 7 Land at the corner of Frittenden Road and Common Road, Sissinghurst ( <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	Cranbrook Conservation Area Advisory Committee
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/CRS 7 Land at the corner of Frittenden Road and Common Road, Sissinghurst

**Question 4**

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

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

#### Question 4a

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

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

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

#### Question 5

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

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

##### Introduction

Whilst the main thrust of the Cranbrook Conservation Area Advisory Committee's comments relate to the conservation and heritage of Cranbrook and Sissinghurst, there are some wider issues which are also of concern. In this response we will use the Headings used in the Local Plan document with page or paragraph numbers for extra clarity.

##### POLICY AL/CRS 7

Land at the corner of Frittenden Road and Common Road , Sissinghurst - allocated for 18 dwellings. Provided that this site is not needed for school expansion and allowing for improved pedestrian access along Common Road (which can be very busy/dangerous with car traffic) this is acceptable, though it is always regrettable to lose grazing land though not AONB. An imaginative and informed approach to design of any housing will be needed, in consultation with the local community, Neighbourhood Plan and with reference to documents such as the High Weald Design guide.

#### Question 7

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

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

#### Question 7a

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

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



No, but other members of the CCAAC may wish to do so.

### **Future Notifications**

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

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

# Supporting Information File Ref No: SI\_156

## Comment

Consultee	Strategic Planning ( [REDACTED] )
Email Address	[REDACTED]
Company / Organisation	Kent County Council (Planning and Environment)
Address	Invicta House County Hall MAIDSTONE ME14 1XX
Event Name	Pre-Submission Local Plan
Comment by	Kent County Council (Planning and Environment) ( Strategic Planning - [REDACTED] )
Comment ID	PSLP_2207
Response Date	04/06/21 16:56
Consultation Point	Policy AL/CRS 7 Land at the corner of Frittenden Road and Common Road, Sissinghurst ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.4
Files	<a href="#">Kent County Council-full representation.pdf</a>
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Kent County Council (Growth, Environment & Transport)
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	Policy AL/CRS 7 Land at the corner of Frittenden Road and Common Road, Sissinghurst

[TWBC: see attached full representation, which has been input against the following: Section 1 (PSLP\_2164), Section 2 (PSLP\_2168), Section 3 (PSLP\_2169), Policies STR1 (PSLP\_2170), STR2 (PSLP\_2171), STR4 (PSLP\_2172), STR5 (PSLP\_2174), STR7 (PSLP\_2175), STR8 (PSLP\_2176), Section 5 (PSLP\_2177), Section 5: Royal Tunbridge Wells (PSLP\_2178), Policies AL/RTW1 (PSLP\_2180), AL/RTW5 (PSLP\_2181), AL/RTW7 (PSLP\_2183), AL/RTW14 (PSLP\_2184), AL/RTW17 (PSLP\_2185), AL/RTW21 (PSLP\_2187), STR/SO1 (PSLP\_2188), AL/SO1 (PSLP\_2190), Strategic Sites (PSLP\_2192), STR/SS1 (PSLP\_2193), STR/SS2 (PSLP\_2195), STR/SS3 (PSLP\_2196), STR/PW1 (PSLP\_2199), AL/PW1 (PSLP\_2200), STR/CA1 (PSLP\_2201), AL/CRS1 (PSLP\_2202), AL/CRS2 (PSLP\_2203), AL/CRS3 (PSLP\_2204), AL/CRS4 (PSLP\_2205), AL/CRS6 (PSLP\_2206), AL/CRS7 (PSLP\_2207), STR/HA1 (PSLP\_2208), PSTR/BE1 (PSLP\_2209), PSTR/BI 1 (PSLP\_2210), PSTR/BM1 (PSLP\_2211), PSTR/FR1 (PSLP\_2212), PSTR/GO1 (PSLP\_2213), PSTR/HO1 (PSLP\_2214), AL/HO1 (PSLP\_2215), PSTR/LA1 (PSLP\_2216), AL/LA1 (PSLP\_2217), PSTR/PE1 (PSLP\_2218), AL/PE4 (PSLP\_2219), PSTR/RU1 (PSLP\_2220), PSTR/SA1 (PSLP\_2221), AL/SA1 (PSLP\_2222), PSTR/SP1 (PSLP\_2223), EN1 (PSLP\_2224), EN3 (PSLP\_2225), EN4 (PSLP\_2226), EN5 (PSLP\_2227), EN8 (PSLP\_2228), EN9 (PSLP\_2229), EN10 (PSLP\_2230), EN12 (PSLP\_2231), EN13 (PSLP\_2232), EN14 (PSLP\_2233), EN18 (PSLP\_2234), EN19 (PSLP\_2235), EN20 (PSLP\_2236), EN25 (PSLP\_2237), EN26 (PSLP\_2238), H1 (PSLP\_2239), H3 (PSLP\_2240), H7 (PSLP\_2241), ED1 (PSLP\_2242), ED2 (PSLP\_2243), ED3 (PSLP\_2244), ED4 (PSLP\_2245), ED5 (PSLP\_2246), ED6 (PSLP\_2247), Town, Rural Service, Neighbourhood, and Village Centres (PSLP\_2248), Policies TP1 (PSLP\_2249), TP2 (PSLP\_2250), TP3 (PSLP\_2251), TP4 (PSLP\_2252), TP5 (PSLP\_2253), TP6 (PSLP\_2254), OSSR1 (PSLP\_2255), Appendix 4 (PSLP\_2256) and Evidence Base (whole Plan) (PSLP\_2257)

#### Question 4a

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

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

#### Question 5

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

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

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

#### Public Rights of Way

The County Council requests direct reference to Public Footpath WC75. Active travel links to the school from Sissinghurst junction must be provided with improvements to the length of the route to Common 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.

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

#### **Question 7**

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

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

#### **Question 7a**

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

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

The County Council may wish to attend hearing sessions in respect of its statutory and non statutory functions.

#### **Future Notifications**

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

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

## Comment

Consultee	Mrs Jan Mulrenan [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Mrs Jan Mulrenan [REDACTED]
Comment ID	PSLP_17
Response Date	31/03/21 21:56
Consultation Point	Policy AL/CRS 7 Land at the corner of Frittenden Road and Common Road, Sissinghurst ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Jan Mulrenan
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/CRS 7: Land at the corner of Frittenden Road and Common Road, Sissinghurst	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	Don't know
Complies with the Duty to Cooperate	Don't know
Question 4a	

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

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

#### Question 5

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

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My concern here is with the single point of vehicular access onto Common Road.

Common Road gives access on its western side to the village primary school, and so is very busy at school run times with vehicles parking against the hedge where there is no footpath, as well as in the school's parking area. It also gives access to Bramling Gardens on the eastern side. Just a short distance further north of these access points Common Road is crossed by Frittenden Road at a staggered junction. There is not enough space for another access road with adequate sight lines, I think, given the bend in Common Road. A path for pedestrians will also be necessary.

#### Question 6

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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)

#### Future Notifications

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