

Matthew Birkinshaw MRTPI
The Planning Inspectorate
The Square
Temple Quay House
Bristol
BS1 6PN

4th May 2023

Dear Mr Birkinshaw,

**RE: Examination of the Tunbridge Wells Borough Local Plan: Policy
AL/CRS 3 Turnden farm, Hartley Road, Cranbrook**

The decision from the Secretary of State (SoS) for Levelling Up, Housing, and Communities on a 'called-in' detailed planning application for development on the above site has been received and is attached for your reference.

By letter dated 6 April 2023 the SoS refused the planning application for the development of the site for the construction of 165 new dwellings with associated access, car parking, refuse/recycling storage, landscaping, earthworks and other associated works, in accordance with application Ref. 20/00815/FULL, at Turnden Farm (henceforth referred to as the Turnden decision) contrary to the recommendation of the appointed Inspector who found reasons to recommend that the development be approved.

Having regard to the implications of the Turnden decision on Policy AL/CRS 3 and its retention in the emerging Local Plan (eLP) as an allocation, the Council has given the matter consideration and concludes that the decision turned principally on the issue of whether or not exceptional circumstances were made out.

Central to the issue of the package of benefits (and the issue of exceptionality) was the proposed design of the scheme which attracted criticism from the SoS who disagreed with the Inspector's views on this issue. The SoS at para 16 of his decision found, amongst other things, that the design and layout were too generic having regard to the expectations of the HWAONB Design Guide. Thus, the SoS considered the design of the proposals to be a neutral and not a positive aspect of the scheme. This was clearly, in our view, material to the SoS's assessment of exceptional circumstances and the planning balance.

However, and whilst the overall housing shortfall was considered by the SoS to be slight, the SoS took into account the evidence which was put before the inquiry on the availability and suitability of alternative sites, the extent to which development in other locations could address the need in Cranbrook, and the extent to which alternative sites could come forward with less harm to the

HWAONB than the application site (IR806-809). He considered that the need for development of this type and in Cranbrook has been established and took this into account in his overall assessment.

The SoS agreed with the Inspector regarding the main material planning considerations of the application as identified in the Inspector's report at IR703. as being the consistency with the NPPF in terms of the impact on the High Weald Area of Outstanding Natural beauty (HWAONB), Biodiversity, and Air Quality; the delivery of a sufficient supply of homes; impact on the Historic Environment; and the promotion of Sustainable Transport. The consistency with the development plan and the weight attributed to policies in the eLP, and whether any harm and/or development plan conflict arising would be outweighed by other considerations.

The SoS also found the scheme to conflict with the spatial strategy which he felt had only moderate weight in the balancing exercise. He afforded very limited weight to harm to air quality, and to prematurity to the plan making process.

In terms of the adopted development plan policies, the SoS considered that the proposals would comply with Core Strategy policies. In particular, Core Policy 4 which seeks, amongst other things, to conserve and enhance the HWAONB as a general principle, and Core Policy 12 which seeks to support and strengthen Cranbrook and its role as a small rural town by setting criteria for development in the town. Furthermore the SoS considered that the proposals complied with general design policy EN1, and would have limited harm on the landscape character of the locality in accordance with criterion 1 of Policy EN25 of the adopted local plan.

The SoS did feel that the proposal would have some detrimental impact on the landscape setting of the settlement and with Core Policy 14 (criterion 6), including the protection of the countryside for its own sake.

However, having regard to the SoS's reasoning, it is not considered that the main reason upon which the SoS refused planning application, namely the impact of this proposal on the HWAONB, precludes the likelihood that alternative proposals for the development of the site for housing, capable of addressing the identified impacts, could come forward and be considered favourably against the constraint policies at national and local level demonstrating exceptional circumstances in accordance with NPPF paras. 176-177.

It is the Council's view that the implications of the SoS's decision are not such as to preclude the proposed allocation of the site for housing in the eLP.

Should further discussion or consideration be necessary I am happy to respond to any specific queries that you might have.

Yours sincerely

A handwritten signature in black ink, appearing to read 'CHONE', with a long horizontal flourish extending to the right.

Carlos Hone MRTPI
Head of Planning Services
Tunbridge Wells Borough Council