



**Tunbridge Ills
Borough Local Plan (2020 – 2038)**

Representation Form

Please use a separate sheet for each representation

Ref: (For official use only)

Name of the Local Plan to which this representation relates:	Proposed Changes to the Tunbridge Ills Borough Local Plan (2020 - 2038): Response to Examination Inspector's Initial Findings, Received November 2022 and Supporting Documents, including Sustainability Appraisal
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Completed forms must be received at our offices by **midnight Monday 26 February 2024**

I encourage you to respond online using the consultation portal. Please note you do not have to sign in to respond via the portal: <https://consult.tunbridgellls.gov.uk/kse/>

Alternatively, you may email or scan forms to: LocalPlan@Tunbridgellls.gov.uk or send them by post to: Tunbridge Ills Borough Council, PLANNING POLICY, Town Hall, Royal Tunbridge Ills, TN1 1RS

Please note that representations must be attributable to named individuals or organisations. They will be available for public inspection and cannot be treated as confidential. Please also note that all comments received will be available for the public to view and cannot be treated as confidential. Data will be processed and held in accordance with the Data Protection Act 2018 and the General Data Protection Regulations 2018.

	1. Personal Details	2. Agent Details (if applicable)
Title	MR	
First Name	CHRISTOPHER	
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PART B – YOUR REPRESENTATION
(Please use a separate sheet for each representation)

Name or Organisation	
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3.	To which part of the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) as set out in the Development Strategy Topic Paper Addendum?	
Chapter and (if applicable) subheading	ALL	
Policy	ALL	
Paragraph number or appendix	ALL	

4.	Do you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) would make it: (please tick as appropriate)				
4.1	Legally Compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.2	Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

5.	<p>Please give details of why you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 - 2038) (as set out in the Development Strategy Topic Paper Addendum) are not legally compliant or are unsound. Please be as precise as possible.</p> <p>If you wish to support the legal compliance or soundness of the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) (as set out in the Development Strategy Topic Paper Addendum) please also use this box to set out your comments.</p> <p>The text box will automatically expand if necessary.</p>
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The Proposed Changes do **not** exclude Ramslye Farm (RTW16) from its proposed Housing Development and therefore do not take account for the grossly incorrect Agricultural Land classification and its unique and historical characterisation of Ramslye Farm. Furthermore, the proposed changes also do not take account of the recent changes to Housing numbers which now discount Green Belt land. More importantly, the proposed changes do not acknowledge the latest guidance in the recent NPPF regarding the development of farmland. In that guidance it specifically states that *'Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for the development'*

Please set out what modification(s) you consider necessary to the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) Incorporating the Proposed Changes set out in the Development Strategy Topic Paper Addendum, legally compliant or sound, having regard to the Matter you have identified at Section 5 (above) where this relates to legal compliance or soundness.

6. You will need to say why this modification will make the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) 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 text box will automatically expand if necessary.

Site RTW 16 needs to be included as a proposed change because it was incorrectly named in the original consultation process. Site RTW16 is incorrectly named. The subject property is at Ramslye Farm TN3 9ET. It is not Spratsbrook Farm TN3 9EX. Spratsbrook Farm is in Wealden, and no part of the proposed development extends to Spratsbrook Farm.

This fundamental and very basic error has not only caused confusion for local residents as to the exact position of the proposed development, but it is extremely possible that the statutory assessment process itself has been fundamentally hindered in reaching its conclusions because Ramslye Farm and Spratsbrook Farm are two very different farms in different uses and in different locations and different authorities. An examination of the relevant ordnance survey map will clearly illustrate this error.

7. Please use this box for any other comments you wish to make.

The text box will automatically expand if necessary.

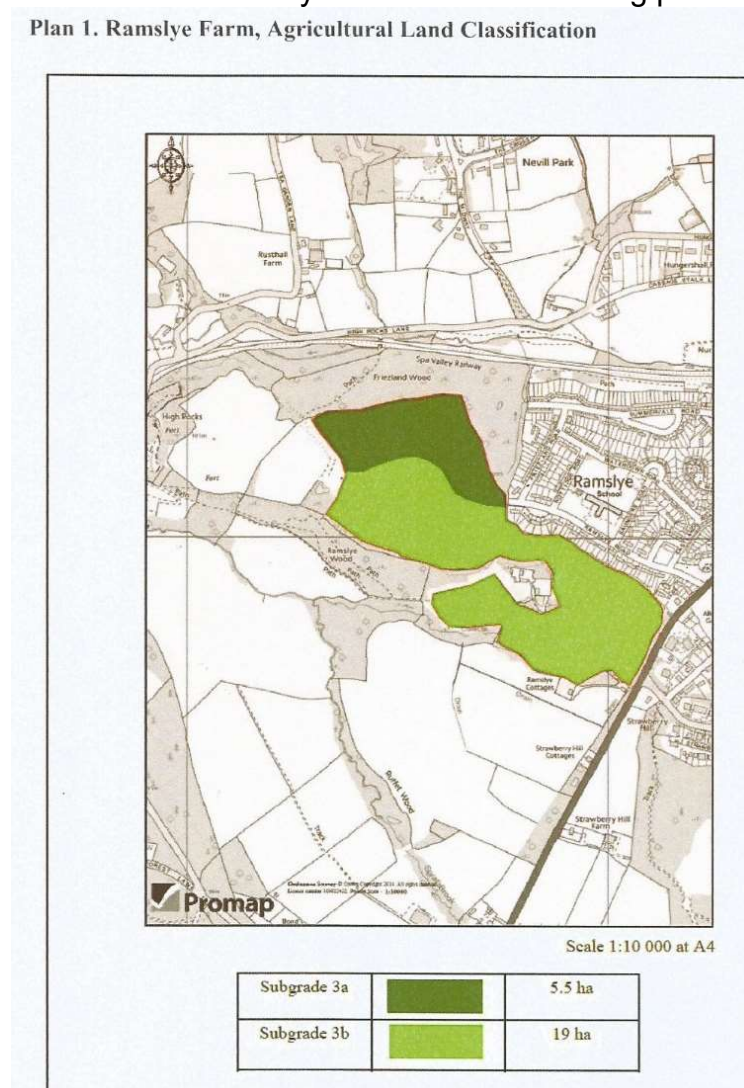
Land Classification

The proposed changes do not apply the correct Agricultural Land classification (ALC) to the subject property. In this regard, the subject property's ALC are 3a and 3b as clearly stated in the detailed land survey commissioned by Tunbridge Hills Borough Council in 2014. Under this ALC, the subject property has the following generic classifications:

- Grade 3a: Good to moderate quality agricultural land
- Grade 3b: Moderate quality agricultural land

These ALC classifications are clearly shown on the following plan:

Plan 1. Ramslye Farm, Agricultural Land Classification



This being so, these ALCs should have been used in the Strategic Housing and Economic Land Availability Assessment (SHELAA). **They Are not**, and the SHELAA used a Natural England desktop survey.

That survey erroneously classified the fields as having an ALC Grade 4 classification. This ALC defines the subject as being, "Poor quality agricultural land."

Why the statutory planning authority have not amended the ALC for the subject property is a clear error on their part to the extent that a fundamental and wrong conclusion has not been amended in the proposed changes to the subject property.

This is especially so when the following is acknowledged:

- Natural England themselves state that, *'these maps are not sufficiently accurate for use in assessment of individual fields or sites.*
- The proposed development areas within the subject property are arable fields that have never had any buildings on them.
- The proposed development areas are currently in agricultural use, and they produce a good arable crop year on year, .
- The proposed development areas are on the border of Wealden District Council (WDC) and TWBC.
- The WDC SHELAA concludes within its "Unsuitable Sites Summary" , at Page 24 Appendix 4 under site reference 729/1610, that the Land at Ramslye Farm as follows:
 1. Is not suitable for housing.
 2. Is not suitable for employment
 3. Is not suitable for new development.
- The proposed development of the ALC Grade 3b land will mean the larger and more productive ALC Grade 3a land will become landlocked due to lack of access. As a consequence , the proposed development will result in an unacceptable loss of a huge amount of productive farmland at a time when food security is so important. This is a fundamental misuse of land and strikes at the very heart of planning ideology. .

Given the above, I conclude that if the correct ALC had been used. then the subject property would have been deemed unsuitable for development at the SHELAA stage in line with the same conclusions as that of WDCI for land within the same curtilage to that of the subject property.

8. If your representation is seeking a modification, do you consider it necessary to participate at the examination hearings stage when it resumes?

No, I do not wish to participate at the examination hearings

Yes, I wish to participate at the examination hearings

9. If you wish to participate at the examination hearings stage once it resumes, please outline why you consider this to be necessary:

In order to ensure that the treatment of Ramslye Farm is correctly and professionally heard in a public forum.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the examination hearings stage once it resumes.

Sustainability Appraisal

10.	To which part of the Sustainability Appraisal does this representation relate?	
Chapter and (if applicable) subheading	All	
Policy	ALL	
Paragraph number or appendix	ALL	

11.	<p>Please use this box for any comments you wish to make about the Sustainability Appraisal.</p> <p>The text box will automatically expand if necessary</p>	
<p>Air: The proposed changes to the local plan do not respond or address the Air Quality issues that the proposed development classification of the subject property would cause.</p> <p>This is especially so, given that the A26 in Royal Tunbridge Hills, is identified as an Air Quality Management Area where air quality is stated by TWBC as being poor.</p> <p>This is a serious shortcoming on behalf of TWBC to the extent that the wellbeing of its residents is potentially, being put at risk by the failure to address this issue in the proposed changes to the local plan.</p> <p>Biodiversity: I note the draft local plan made a reference to this site being a Biodiversity Opportunity Area.</p> <p>There is no explanation as to why this is so, given that the subject property has protected species including bats, dormice, adders, and great crested newts.</p> <p>The subject property also, through the presence of trees and hedgerows, provides wildlife corridors between Hargate Forest, Friezland Wood & Broadwater Warren. Moreover, the subject property touches and concerns the Ashdown forest 7km protection zone and this has not been addressed in the Local Plan</p> <p>In addition, the proposed changes to the local plan, make no reference to how the local plan will address the November 2023 Biodiversity Net Gain (BNG) requirements now required at law.</p> <p>Given the above, it appears that the proposed changes to the local plan are seriously lacking in addressing the BNG requirements of the subject property.</p> <p>This is a serious omission on the part of TWBC such that its current conclusion is not sound.</p> <p>Heritage: The proposed changes do not adequately take account of the Ancient Scheduled Monument (Historic England) components of the site and the role played in its setting.</p>		

Nor do they adequately reflect the role in the setting of the Broadwater Down conservation area as set out in the Conservation Area Assessment, along with other heritage constraints (listed buildings and historic farmstead).

The proposed development of Ramslye Farm has not adequately addressed the heritage of the farm as a Grade II listed building including relevant consultation with English Heritage. In this regard, it makes no reference to the 1960s excavations of the High Rock's Iron Age Multivallate Hill Fort. Those excavations discovered the paved entrance to the South of the Hillfort Int from Broadwater Down, through Ramslye Farm.

However, this part of the farm has not been excavated although there is evidence of overed ramparts behind Ramslye Old Farmhouse at the pinch point of the field. Moreover, local residents have often discovered flint and pottery artefacts. This is especially so, after ploughing of the fields in conformity with its ALC Grade 3 a/b classification.

Taking all this account it quite clear that the Heritage issues of the subject property have not been fully addressed in the proposed changes to the Local Plan.

This is another serious omission on the part of TWBC such that its current conclusion is not sound.

Landscape. The proposed changes to the Local Plan do not address the undervaluation of the landscape value of the site (including that part outside of the AONB) in the same manners as that valuation approach used for other sites such numbers 30, 99 & 116.

This is another serious omission on the part of TWBC such that its current conclusion is not sound.

Services and facilities: It is not clear why this has been scored positively. I consider there will be an obvious increase in pressure on existing services and facilities that are already stretched, especially when considered with the other five sites identified for development in the Broadwater ward which will result in an additional c.500 dwellings.

On this basis, the omission of any reference or infrastructure impact assessment is another serious omission on the part of TWBC such that its current conclusion is not sound.

Travel: The subject property is on the borough/county boundary. Increased traffic is acknowledged by TWBC, as is the borough's low bus usage, and the existing cycle lanes on other sites are listed as issues not positive factors in relation to active travel. Eridge Road is already terribly busy with numerous dangerous junctions and no tangible plan has been put forward to deal with the considerable increase in traffic which the proposed development of Ramslye Farm would generate.

Given these statements the proposed changes do not address the rationale for a higher travel rating when compared with other sites such as 24 and 176 (which are close to this site) and 73, 99 and 116 (which are greenfield adjacent to the LBD).. Site 146 is on the A264 which gets 62% less traffic (9,034 vehicles per day based on 2016 data) than the A26 (23,496 vehicles per day based on 2016 data).

Water Supply : There have been water supply issues in the area, and these have not been addressed in the proposed changes. This a communal problem throughout TWBC.

Therefore, until such water supply problems are addressed as a legal commitment, it can be wrong at law to propose further development on the subject property.

Flooding. Ramslye Old Farmhouse is a Grade II listed house. It adjoins and is part of the subject property. The farm suffers considerably from surface flooding with surface water draining from the arable lands. As a consequence, this surface water drainage overwhelms the watercourse of ponds.

This being so, the proposed changes to the local plan do not address how development on the site will mitigate the onslaught of additional surface water flooding given these arable lands slope towards this listed building. **This is a serious shortcoming in the proposed changes to the proposed local plan.**

Given the above, I conclude that the proposed changes to the Local Plan are not Legally Compliant and are not Sound in their directions to the extent that they should not be adopted by the TWBC. They therefore should not be adopted or implemented by the TWBC at this time.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at later stages.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he identifies for examination.

Signature	 ELECTRONIC SIGNATURE	Date	18 th FEBRUARY 2024
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