



Friday 23rd February 2024
651/A3/JJA

Planning Policy
Tunbridge Wells Borough Council
Town Hall
Civic Way
Royal Tunbridge Wells
Kent
TN1 1RS

By Email Only

Dear Sirs

**Re: Tunbridge Wells Borough Local Plan - Proposed response by TWBC to the Inspector's Initial Findings
Representations on behalf of Redrow Homes Limited and Persimmon Homes South East
Land North East and South East of Paddock Wood**

I write with reference to the above. As you will be aware, I act for both Redrow Homes Limited and Persimmon Homes South East who have various interests in Tunbridge Wells, including those north east and south east of Paddock Wood as referenced in strategic policy STR/SS 1, as amended by proposed Modifications SLP Mod 4, 6, 7, 8, and 9.

Having reviewed the Summary of Proposed Modifications to the Development Strategy (document number PS_063), the Paddock Wood Strategic Sites Master Planning Addendum (PS_046) and associated appendices, the Development Strategy Topic Paper Addendum (PS_054), and associated Sustainability Appraisal Addendum (PS_037), as well as the Addendum to Local Plan Viability Assessment (PS_061a) and its associated appendices, the Paddock Wood and east Capel Access and Movement Report (PS_060) and other associated Transport/Active Travel, Highways modelling, Access and Movement reports, and the Updated Local Plan Housing Trajectory (PS_062); we support the Plan in principle, especially the proposed allocation of the land at Paddock Wood. However, Redrow and Persimmon have specific reservations about certain aspects of policies STR/SS1 as amended in response to the Inspector's Initial Findings, and the evidence base underpinning the response to the Inspector's Initial Findings. Whilst supporting the drafted policies, these representations thus seek to see the rationalisation of the drafted policies for the concerned sites in the interests of clarity for the public on expected outcomes, and, to ensure that the outcomes of the policies are both deliverable and evidently viable.

We acknowledge that the Strategic Sites Master Planning Addendum and Development Strategy Topic Paper Addendum both provide a detailed critique of the rationale behind the proposed changes to the allocation of the land at Paddock Wood and Capel (PWeC), with appendix D of the later explaining how the proposed changes to policy STR1/SS1 look to address the Inspector's Initial Findings; and the amended plan and its associated updated evidence base as a whole looks to demonstrate why the proposed allocation is justified, is deliverable and will be effective in meeting the requirements of the plan and national government guidance.

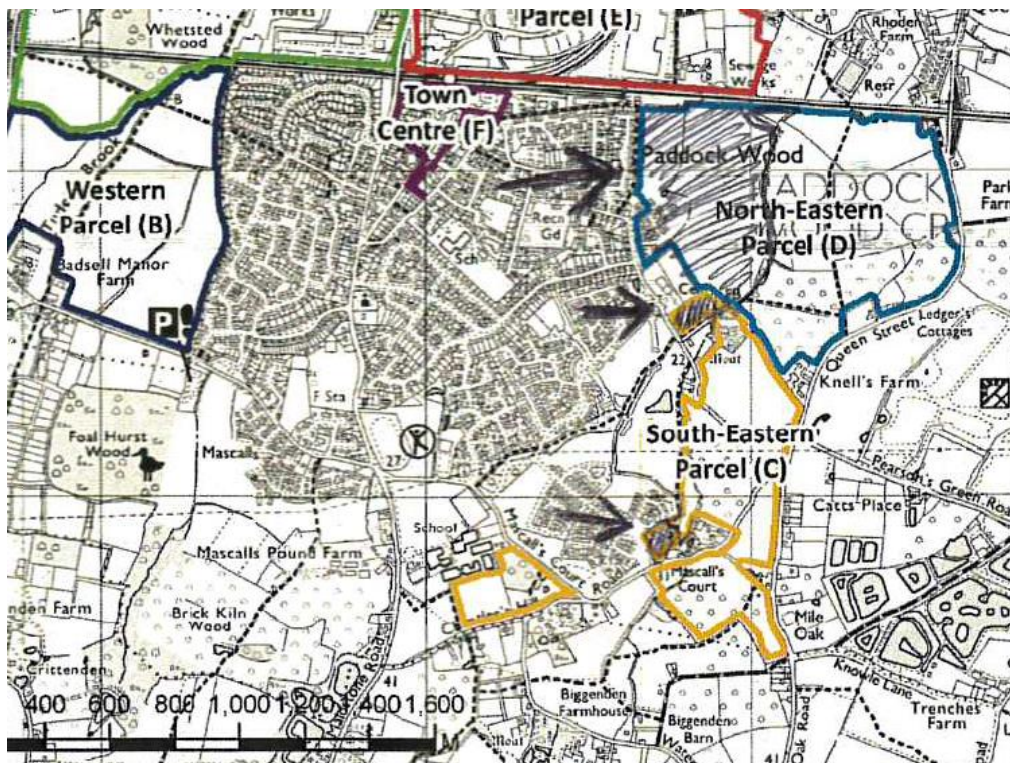
In the context of the above you will be aware that we currently have outstanding planning applications with the council for:

1. Full planning application for erection of 170 homes and Waste Water Treatment Works together with temporary construction / haul road off Queen Street to enable the delivery of the Waste Water Treatment Works and up to 150 dwellings, and outline planning application (appearance, landscaping, layout, and scale reserved) for the erection of up to 430 additional homes, inclusive of associated infrastructure including land for a new primary school, play

areas, allotments, network of new roads (and widening of existing roads), surface water drainage features, car and cycle parking and open space and associated works – the Redrow development' [ref: TW/23/00118/HYBRID].

2. Full planning application for erection of 160 homes and outline planning application (appearance, landscaping, layout and scale reserved) for the erection of up to 400 additional homes, inclusive of associated infrastructure including land for specialist accommodation for the elderly, expansion of the secondary school, a local centre, play areas, network of new roads (and widening of existing roads), surface water drainage features, car and cycle parking and open space and associated works – the Persimmon development.' [ref: TW/23/00086/HYBRID].
3. Full planning application for construction of bus, pedestrian, and cycle link between the land at Church Farm and land at Knells Farm, together with associated works. [TW/23/00091/FULL].

These broadly correspond to the north eastern and south eastern parcels respectively as identified in the Paddock Wood Strategic Sites Master Planning Addendum (PS_046), and the Summary of Proposed Modifications (PS_063) as SS/STR 1 (C and D); albeit we note that there appears to be a drafting error on the associated plans for these area as shown in appendix D of PS_046 and appendices E and G of PS_063, as both include land that is not part of the proposed allocation. The north eastern parcel includes the Countryside site which already benefits from planning permission and is nearing completion, and the south eastern parcel includes two areas that fall within an adjacent Persimmon development site which is also nearing completion – see annotations below. Whilst we have been assured by officers that this will be corrected prior to submission to the Inspector, we feel for completeness we should highlight this discrepancy in these representations so that we are all clear on what the areas north east and south east of Paddock Wood comprise and **SLP Mod 6 and SLP Mod 8** can be corrected accordingly.



1 The proposed changes to Policy STR/SS1 – SLP Mod 9.

- 1.1 Policy STR/SS1 as proposed to be modified, now encompasses 5 parts, that which relate to Development Principles, which encompasses 15 criteria, that which relates to Masterplanning, which encompasses 12 principles, that which relates to Strategic Infrastructure which encompasses 10 principles, and the specific policy criteria for the 5 identified areas:

The North - Western parcel
The South - Western parcel
The South - Eastern parcel
The North - Eastern parcel and
The Northern parcel.

- 1.2 Whilst Redrow and Persimmon support the overall principles of this policy they are concerned that as a policy it runs to circa 8 pages of A4 text and doesn't seem to us to really comply with government guidance that planning policies should be 'concise'¹. As the Local Plan should be read as a whole, it should be as concise as possible with a minimal amount of repetition. Avoiding repetition will also remove any discrepancies between slight deviations in wording of different policies or different parts of the same policy.
- 1.3 In the context of the above we note that criterion 3 of Development Principles part of Policy STR/SS1 for example stipulates that the housing mix should accord with Policy H1. This is repeated (in less detail) in each of those parts of the policy that relate to the individual parcels. Equally, the emphasis on the proposals being landscape-led should be in the Development Principles section of the policy, at the beginning of Criterion 5 and deleted from those parts of the policy that relate to the individual parcels. There are numerous other examples which duplicate the same point.
- 1.4 In order to assist the council, we have suggested some proposed changes to the policy wording as far as it relates to the land north east and south east of Paddock Wood which we hope will contribute in creating a sounder and less repetition and confusing policy. This will also help the public understand what is proposed and required and when across the sites as a whole and within each parcel as we believe the intention was. To this end, we believe an appropriate form of words could be agreed with those promoting the various areas in advance of the Local Plan Examination resuming / via a Statement of Common Ground to be presented to the EIP.
- 1.5 This matter aside we note that the Development Principles section of the modified policy STR/SS1 requires under criterion 13 that: '*The development proposals for the whole of the allocated area shall embed garden settlement principles. Proposals for each Parcel should give effect to this requirement and be guided by the Council's Structure Plan SPD for the whole of the allocation;*' and under criterion 15 that '*The development to be delivered to be in accordance with a Framework Masterplan Supplementary Planning Document (SPD).*' In addition, criterion 'i' of the Masterplanning section of the modified policy STR/SS1 requires: '*All development proposals in relation to the Eastern and Western parcels shall be in accordance with an approved masterplan relating to each parcel that will respect the above requirements and take into account the Council's Structure Plan SPD*'.

¹ See PPG on Plan Making - Paragraph: 002 Reference ID: 61-002-20190315

- 1.6 Following recent discussions with officers, we understand that the process indicated above is to change to reflect the changes being brought forward in the Levelling-up and Regeneration Act 2023, especially the move away from the use of SPD's, such that the Council's Structure Plan (the work undertaken by David Lock Associates) is to be included as an Appendix to the Local Plan, and that joint masterplans will then be required for the land to the east and west of Paddock Wood to be prepared by Redrow and Persimmon, and Crest and Dandara respectively with the Council's officers and statutory consultees; said joint masterplans being guided by the Council's Structure Plan as set out in the Appendix to the Local Plan and submitted with the individual planning applications to show comprehensive and cohesive development – as has in fact occurred on the land to the east of Paddock Wood.
- 1.7 Redrow and Persimmon both support this proposed change to the process rather than that set out in the proposed modified policy as this will ensure the housing trajectory is not prejudiced by additional adoptions procedures. Rather it will provide the least amount of delay in delivering the sites to meet the proposed delivery trajectory whilst also providing certainty in terms of meeting the Plan's objectives for Paddock Wood.
- 1.8 Given the above we would recommend the Development Principles Criteria 13 and 15 be amended as suggested in the attached appendix to reflect these changes².
- 1.9 We also note that criterion 9 of the Development Principles section of the modified policy states: *'Consider the potential for mineral deposits and make provision for any viably workable minerals to be extracted prior to development commencing on the site.'*
- 1.10 The council will be aware that we have, through the auspicious of applications for the land east of Paddock Wood obtained agreement from KCC minerals that whilst Sub-Alluvial River Terrace deposits run along the bed of the East Rhoden Stream, even if a viable mineral deposit prior extraction operation were to be undertaken, it would likely not meet the test of being in accordance with Policy DM 9 of the KMWLP. This is particularly given that field hedgerows/woodland are coincident with this mineral deposit and the close proximity of development that is occurring to the immediate west of the application site that may be occupied by the time that any prior extraction could take place. And that whilst the Tunbridge Wells Sand Formation (Sandstone) is located to the south of the Persimmon application site, only a small amount of this mineral (a building stone resource) is threatened with sterilisation and given the lack of any recent demand for this material in Kent and the extensive nature of this massive geological unit over much of the borough area, the County Council considers that criterion (2) of Policy DM 7 would apply. On this basis this criterion appears somewhat superfluous for the north eastern and south eastern parcels (SS/STR 1 (C and D)) and we would suggest criterion 9 of the Development Principles section of policy STR/SS1 as modified is amended accordingly. We would in addition highlight the fact that in retaining this clause the council has to have regard to the implication's minerals extraction could have on final build platforms, and the housing trajectory. As such we would suggest it is made clear that minerals extraction will only be encouraged prior to non-mineral development taking place, where this is practical and environmentally feasible. This reflects the approach adopted at the recent South Oxfordshire examination and may help address any potential impact on the housing trajectory.

² The same being true of criterion xiv of SS/STR(C) and criteria xii and criterion xii of SS/STR(D)

- 1.11 We also note that the Strategic Infrastructure section of the modified policy requires under criterion e that:
'Save to the extent covered by CIL requirements (if any), development proposals in relation to all Parcels will be required to be supported by planning obligations that provide so far (as necessary and reasonable) either for
(1) the timely payment of proportionate contributions towards the carrying out and/or implementation of strategic and other necessary highway mitigation works and improvements, education and health provision and other necessary infrastructure as identified in the Council's Strategic Sites Masterplanning and Infrastructure Study as updated from time to time, and/or.....
- 1.12 We are concerned about the reference to the Strategic Sites Masterplanning and Infrastructure Study (CD 3.66), as updated from time to time. As the plan is proceeding on the basis of the recommendations of the latest version of that document (PS_046) and all the viability assessment work (in PS_061) has been compiled to reflect this, we are concerned that any future amendments/ updates could prejudice the basis of the plan examination and the basis up on which those promoting the sites in PWeC are doing so. As such we would suggest that policy STR/SS1 needs to be clear that any amendments to this document would be subject to consultation with all relevant parties – TWBC cannot unilaterally change the requirement without establishing the implications of doing so with those promoting these sites/ ensuring the local community have a chance to have their say on what is being amended and why.
- 1.13 In addition, we note that criterion f of the Strategic Infrastructure section of the modified policy requires sports and leisure provision, and that criterion iii of SS/STR 1B – the south western parcel requires *'A scheme designed with a landscape led approach; 4.54 hectares of land for sport and leisure provision including outdoor pitches, changing facilities, and car parking'*. The mechanisms for the delivery of the new sports and leisure provision on the south western parcel (SS/STR 1 (B)), and the manner in which this ties in with the housing trajectory needs to be clarified so as not to prejudice housing land supply.³
- 1.14 Similarly we note that criterion h of the Strategic Infrastructure section of the modified policy requires: *'the delivery of secondary school provision equivalent to 3 Forms of Entry (3FE) within the North-Western development parcel, unless it is demonstrated that through feasibility studies that the provision can be delivered through other means such as expansion of existing secondary school provision'* whilst criterion vii of SS/STR 1A – the north western parcel requires: *'Safeguarding of land for 4FE secondary school that has land available to expand to 6FE should it be required'*. Clarity is required as to which criterion is correct and that the correct approach, together with the reasonable alternative – the expansion of Mascalls Academy - has been correctly factored into the Viability Appraisal and Infrastructure Delivery Plan⁴.
- 1.15 Finally, we note that whilst criterion J of the Strategic Infrastructure section of the modified policy requires: *'Contributions towards the improvement of the highway network including the Colts Hill Bypass and Kippings Cross'*; neither the Strategic Sites Masterplanning and Infrastructure Study Oct 2023 (PS_046) and associated addendum Viability Assessment (PS_061) make reference to the proposed works at Kippings Cross or attribute a figure to this.

³ Please see further comments in section 3 below regarding the proposed sports provision

⁴ Please see comments in section 3 below regarding the potential expansion of Mascalls Academy.

Nor is this a matter that is included within the IDP⁵. Whilst appendix 3 of the VA (PS_061d) does include reference to Junction 35 Kippings Cross and a figure of £500,000.00, this is not referenced in appendix 1 of the VA (PS_061b) and does not tally with what the SWECO Local Plan Transport Evidence Base: Transport Assessment Report Update for the Pre-submission Local Plan (2021) (CD 3.114), where, on p98 it states:

Scheme Type	Scheme Number	Mitigation Measure	Short Description	Included in Highway Model	LPS	LPSHM	LPSMS	Initial high level costs (£m)
Highway Schemes	218	A21 Kippings Cross / Blue Boys	Multi-modal corridor study required - Underlying issues which need HE/LEP funding. Interim scheme focuses on additional B2160 approach lane and signals at roundabout	In mitigation scenarios	-	√	√	£ 1,500,000

- 1.16 Given the policy requirements to contribute towards these works, clarity is required as to what the scope of said works are, how they are justified, and how much they are estimated to cost. In addition, this cost needs to be factored into the IDP and clarity provided in the VA as to what the figure actually is so that the implications on the overall viability of the PWeC proposals is fully understood.
- 1.17 SS/STR1 (C) South Eastern Parcel – as indicted above this is commensurate with Persimmons land holding and the area that is subject to planning application 23/00086/HYBRID.
- 1.18 Criterion ii requires ‘specialist extra care accommodation for the elderly’. We have through our discussions with officers, in our application referenced ‘specialist accommodation for the elderly’ so as to provide a suitable level of flexibility when it comes to the development of this area, having regard to the length of the build program and the fact that local needs/ circumstances may well change and that provision for this level of flexibility will ensure a more effective approach to the ultimate delivery of accommodation for the elderly. We would thus suggest that criterion ii needs to be amended to reflect the approach adopted in the application, or deleted in light of what is stipulated in Criterion 3 and 4 of Development Principles section of policy STR/SS1.
- 1.19 Criterion vi and x repeat one another and need to be considered in the context of the recent Written Ministerial Statement of the Minister of State for Housing on the 13th December 2023, when he indicated that:

⁵ The only place it is referenced, bar the proposed modification is in the Development Strategy Topic Paper Addendum (PS_054), at paras 5.5 and 5.6, where reference is made to the fact the highway modelling undertaken in support of the Submission Local Plan has been reviewed and updated, as set out in the recent Tunbridge Wells Stage 1 Technical Note [PS_047]. PS_047 does not however quantify the form and cost of any works to the Kippings Cross junction.

*‘The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government’s commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, **the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations.** The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:*

That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.

The additional requirement is expressed as a percentage uplift of a dwelling’s Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).’⁶

Given the above, and notwithstanding Persimmons commitment to Zero Carbon Homes/ Carbon Neutrality on all their sites, there is in our opinion no need for additional standards to be placed on developments through additional Local Plan policies that vary from that required in national government guidance and would suggest that when drafting policy SSSTR1 and associated policies EN1 and EN3, the Council have regard to the above.

- 1.20 Criterion ix requires the provision of a local centre providing up to 700sqm of floorspace (Use Class E(a) to (f)) in total. Use Class E – Commercial, Business and Service (a – f) comprises: Use, or part use, for all or any of the following purposes—
- a) for the display or retail sale of goods, other than hot food, principally to visiting members of the public,
 - b) for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,
 - c) for the provision of the following kinds of services principally to visiting members of the public—
 - (i) financial services,
 - (ii) professional services (other than health or medical services), or
 - (iii) any other services which it is appropriate to provide in a commercial, business or service locality,
 - d) for indoor sport, recreation, or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public,
 - e) for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner,
- 1.21 Whilst having no objection in principle to this, we would suggest that this is subject to such a facility being a viable proposition within this location. And that criterion ix is amended accordingly.
- 1.22 Criterion xi goes on to suggest that phasing and contributions towards strategic infrastructure delivery will be as set out in STR/SS 1, which as this is part of policy SS/STR 1 (C) seems somewhat superfluous.

⁶ <https://questions-statements.parliament.uk/written-statements/detail/2023-12-13/HCWS123>

- 1.23 SS/STR1 (D) North Eastern Parcel – as indicted above this is commensurate with Redrow’s land holding and the area that is subject to planning application 23/00118/HYBRID. Again, we note criterion ‘v’ is the same as criterion vi of SS/STR1 (C), and for the reasons set out above believe this needs to be amended in the light of the recent ministerial guidance. Likewise, criterion vi repeats criterion xi of SS/STR1 (C), and for the reasons set out above we believe to be superfluous; and criterion xii is the same as criterion xiv of SS/STR(c), which reflects criterion 15 of the Development Principles section of policy STR/SS 1 and for the reasons set out above should be amended.
- 1.24 These matters aside we support the proposed wording of policy STR/SS1 when it comes to sites C and D.

2 The plan period and housing land supply buffer – SLP Mod 3

- 2.17 We note the council’s proposed response to the Inspector’s Initial Findings suggest at SLP Mod 3 (PS_063), that the broad development strategy for Tunbridge Wells borough over the period 2020 - 2038, is to ensure that a minimum of 12,006 dwellings are developed. And that: *‘Following adoption, the Council will undertake an early review of the Local Plan, which will include further investigation of ways of meeting identified housing needs for the period post 2034.’*
- 2.18 In effect the above suggests the plan is only looking to meet housing needs for the next 10 years post adoption i.e. to 2034/35 and will need to be subject to an early review, the additional wording proposed to policy STR1 effectively addressing the issue of the early review.
- 2.19 As para 22 of the NPPF (Sept 23)⁷ makes it clear that strategic policies should look ahead over a minimum 15 year period from adoption, and this point is reiterated in the PPG⁸ the Council need to be very clear in their justification for the reduced plan period. To this end we note that para 9.3 of PS_054 indicates this is primarily due to the deletion of Tudeley Village and the associated reduction in housing land supply, and section 6.3 of the Addendum Sustainability Appraisal (SA) (PS_037), goes on to suggest that in looking at reasonable alternatives to the 10 year plan period, the council did consider pausing the plan to look to allocate addition sites to make up for the shortfall between the 10 and 15 year plan period, but that they took the view that this option presented a very similar position to the previous “no plan” option.
- 2.20 In the context of the above, we note that the Updated Local Plan Housing Trajectory (PS_062) explains that shortening the plan period to 10 years from adoption (i.e. to 2034/35) would deliver 10,280 dwellings against a target of 10,005, i.e. a surplus of 275 dwellings or put another way a 2.8% (rounded) buffer.
- 2.21 Whilst the Inspector will need to be satisfied that said buffer is sufficient to address any delay in the delivery of sites/ non delivery of sites, and thus ensure an effective plan that is fully justified, positively prepared and accords with national government guidance, especially paras 66 and 74 of the NPPF; we note, when looking at the trajectory in PS_062 that STR/SS

⁷ Given para 230 of the NPPF Dec 23 we are in these reps working to the Sept 23 version of the NPPF.

⁸ Paragraph: 064 Reference ID: 61-064-20190315

1 (The Strategy for Paddock Wood and east Capel) is said to deliver 2,453⁹ over the period to 2038, 2,389 by 2034/45. See extract below.

	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	36/37	Total
PS_062 Trajectory for STR/SS1	0	0	50	206	285	290	295	295	295	295	275	103	30	34	2,453

2.22 Comparing this to the proposed trajectory for the land north east and south east of Paddock Wood it's clear that given where these sites sit in terms of outstanding planning applications, that subject to consents being issued this year, they can start to deliver in 2025/26 at a higher rate than the trajectory suggests, such that subject to comments from those promoting the land to the south west and north west of Paddock Wood the buffer within the 10 year period may be greater than anticipated¹⁰.

	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	36/37	Total
Redrow	0	0	40	60	60	60	60	60	60	60	60	60	20	0	600
Persimmon	0	0	40	60	60	60	60	60	60	60	60	40	0	0	560
	0	0	80	120	120	120	120	120	120	120	120	120	20	0	1160

2.23 In addition to the above, when considering the 5 year housing land supply situation (HLS) and the requirements of para 74 of the Sept 23 NPPF, we note that para 3 of PS_062 suggests 6.13 years supply for the period April 2025 – March 30 based on the Liverpool method. Why the council have looked to adopt the Liverpool method given the scale of the surplus and the advice in PPG¹¹ we do not know¹², albeit we would call into question the stated level of the supply given the accompanying tables in PS_062. Taking the figures at face value the position appears to be as follows and not 6.13 yrs. supply as alluded to in PS_062 and PS_054 (para 13.5).

⁹ This compares with the 2,434 – 2,592 set out in appendix C of PS_063, and the sum of the proposed site specific allocations in STR/SS1 which totals 2,444 (minimum)

¹⁰ Whilst we acknowledge that the above, is ambitious, and less than the average time taken from gaining consent to first completions as set out in Lichfields Start to Finish (Second Edition (Feb 2020)), we believe, given the PPA we have in place and the work that has already taken place on the applications, and the commitment of both parties to the delivery of this site, that it is achievable.

The proposed build out rates are comparable to those found in Figure 7: Lichfields Start to Finish (Second Edition (Feb 2020) which suggest build-out rates of 107dpa for sites of 1,000-1,499, and 120 dpa for sites of 1,500 -1,999 (NB Table 4: of Lichfields Start to Finish (Second Edition) indicates that mean delivery rates by site sizes, within their first edition were 117dpa for sites of 1000- 1449 dwellings).

In addition, Crest historically have suggested two outlets on the land north west of Paddock Wood delivering circa 170 dpa, which if added to a single outlet on the land to the south west and the delivery rates for Persimmon and Redrow set out above suggests in excesses of 300dpa from 29/30.

¹¹ Paragraph: 031 Reference ID: 68-031-20190722

¹² The council's position on Liverpool in PS_062 is even more bizarre when looked at in the context of para 14 of the Five-Year Housing Land Supply Statement 2022/2023 (October 2023) and the use of Sedgfield when calculating the 5 year HLS. Likewise, the position in PS_054 (para 13.5) which whilst referencing Liverpool cross references the 5 yr. HLS statement and thus the use of Sedgfield.

Row	Five-Year Housing Land Supply Component	TWBC Housing Land Supply Calculations (April 2025 – March 30) From PS_062.
1	Annualised Figure Across Five-Year Period	677
2	Completions April 20 – March 23	1,842
3	Expected completions in 23/24	842
4	Shortfall $667 \times 4 = 2668 - 1842 - 842 = +16$	+16
5	Five-Year Requirement	3,319 $667 \times 5 - 16$
6	5% Buffer	166
7	Total Five-Year requirement	3,485
8	Five-Year Requirement annualised	697
9	Total Identified Supply NB taken at face value	4101
10	Supply Position	5.8 $4101/697$
11	Surplus / Shortfall	+616

2.24 In addition to the above we would also query the discrepancy there appears to be in the housing figures that appear in the trajectory in PS_062 and the figures that appear on p57 of PS_054 regarding the strategic expansion of Paddock Wood (STR/SS1), which appear to differ for no foreseeable reason.

2.25 Whilst we believe the council need to respond to these issues when submitting their final response to the Inspectors' Initial Findings, we assume, as it has not been raised in the Inspectors' Initial Findings, that the matter of the overall housing requirement and whether the plan should provide for more than the minimum local housing need figure is no longer a matter for debate. Likewise, the component parts of the housing supply and trajectory, bar those that are being changed and have been commented upon above. If for any reason these issues were to be reopened, we reserve our position to comment further upon them given our response to the Reg 19 Plan and subsequent MIQ's.

3 The Strategic Sites Masterplanning and Infrastructure Study Oct 2023 (PS_046) and associated addendum Viability Assessment (PS_061)

3.1 As indicted above we note that the reference to SPD's in criterion 13 and 15 of the Development Principles section of the modified policy STR/SS1, together with criterion 'i' of the Masterplanning section of the modified policy STR/SS1 *are to be amended further and that the Council's Structure Plan (the work undertaken by David Lock Associates) is to be included as an Appendix to the Local Plan; and that joint masterplans will then be required for the land to the east and west of Paddock Wood to be prepared by Redrow and Persimmon, and Crest and Dandara respectively, with the Council's officers and statutory consultees; said joint masterplans being guided by the Council's Structure Plan as set out in the Appendix to the Local Plan and submitted with the individual planning applications to show comprehensive and cohesive development.*

3.2 In the context of the above, para 4.7 of PS_054 indicates that:
'The Council's approach to the planned growth at PWeC has relied on extensive work by David Local Associates in conjunction with the respective delivery partners through the Strategic Sites Working Group. The disposition of proposed development is contained in the form of a Structure Plan within the Strategic Sites Masterplanning and Infrastructure Study'.

- 3.3 Given the above it is clearly important that the Council's Structure Plan SPD accurately reflects the position on the ground and what TWBC expect from the proposed strategic allocations at Paddock Wood. To this end we are disappointed to note that the Strategic Sites Masterplanning and Infrastructure Study 'Follow up Study' of October 2023 (PS_046) does not appear to have kept pace with the current applications for the land to the east of Paddock Wood. Para 2.17 of said study states:
'Two outline planning applications (OPAs) have been submitted for the proposed allocated sites to the east of Paddock Wood (outside the Metropolitan Green Belt boundary), by Taylor Wimpey and Persimmon. Both are based on the same joint masterplan, with each application making reference to the other, intended to be brought forward in a co-ordinated manner.'
- 3.4 As set out above, there are three applications, two of which are hybrid applications, and the applicants are Redrow and Persimmon. Furthermore, said applications have been through 2 DSE reviews, one of which DLA were present at, and they are aware that the overarching Masterplan for the land east of PW differs from that in their original Masterplanning Study for reasons of site constraints/ design rationale. Whilst para 2.18 of PS_046 makes it clear that the follow on study has adapted the masterplan to the east to reflect the position we have now reached, it is in our opinion important that policy STR/SS1 makes it clear that the Structure Plan is intended to provide guidance as to how the sites are to be brought forward, and that future applications can, subject to reasoned justification, vary from this.
- 3.5 We say this as whilst we are at a relatively advanced stage with our masterplan, and have in effect adopted the approach now being proposed by the Council, those to the west are not, and detailed site investigations associated with site promotions will inevitably bring to light matters that were not known to DLA whilst doing their desk top work, and because as discussions with various statutory consultees evolve so will future schemes. Thus, it would be counterproductive to suggest that the proposed Structure Plan is the only option that can be taken forward. As long as the principles enshrined in the Strategic Sites Masterplanning and Infrastructure Study are adhered to / addressed then there should be scope for variations from the proposed Structure Plan and policy STR/SS 1 should be clear in this regard – as should the Strategic Sites Masterplanning and Infrastructure Study. Para 3.6 of the SoCG entered into between Redrow, Persimmon and TWBC in October 2021 (CD ref 3.140) and Para 8.12 of the Strategic Sites Topic Paper (CD ref 3.67) appear to acknowledge this, advising that the Structure Plan prepared by DLA for PWeC, is not a fixed blueprint for the developments; rather it establishes the critical elements which should be secured through the delivery of these strategic settlements.
- 3.6 Whilst we also note that para 2.18 of PS_046 indicates that: *'This proposal is being considered by TWBC through the determination process. It has been prepared to respond to the parameters of the previous Structure Plan. As the Inspector's comments were primarily aimed at the western sites (NW/SW of Paddock Wood), the eastern sites are broadly unaffected by changes to the Structure Plan'* this does not mean changes could occur for other reasons and that the policy should, given the timescales over which the development is to be brought forward provide for some flexibility.
- 3.7 Section 2 of the PS_046 comments upon the implications of the updated baseline in terms of various matters, including flood risk, education provision, transport and movement, and sports and leisure provision; whilst section 3 investigates how these will be addressed through on and off site mitigation, and section 4 addresses the revisions to the infrastructure framework. We do not comment on the flood risk issue as it does not impact on the land east

of Paddock Wood. In terms of education provision, whilst we note that section 2 of PS_046 acknowledges the reduced level of secondary provision now required to meet the needs of the revised proposals for PWeC, and section 3 of PS_046 comments upon the merits of the expansion of the existing facility to accommodate this, PS_046 goes on to concentrate on the safeguarding of land to the west of Paddock Wood to accommodate the secondary education requirements of the development of the land at PWeC, and in doing so appears to encompass a tacit acceptance that what is required is 3FE to address the proposals for PWeC. Both Redrow and Persimmon, together with Crest have been investigating this matter, and have through their consultants (EHP), determined that whilst technically the total pupil product ratio from the scale of development proposed in PWeC would, if all dwellings were 'qualifying dwellings', generate 3FE, this does not take into account the fact not all dwellings will be qualifying dwellings that generate a pupil yield, and not all potential pupils would seek a place at a local non-selective secondary school. We say this as it is evident that in the academic year 2021/22 there were 71,498 pupils at KCC non-selective secondary schools including sixth form and there were 38,761 pupils at KCC selective secondary schools including sixth form. Therefore, on average 35% of pupils at KCC secondary schools in 2021/22 attended a selective school¹³

- 3.8 As a result of the above a feasibility study has been commissioned to determine whether an expansion of Mascalls Academy to accommodate a 2 or 3FE expansion, taking it from 8 to 10/11 FE is achievable¹⁴. Said investigations are taking place in consultation with Leigh Academy Trust who run the Academy, and consultants acting for TWBC/ KCC. As a prelude to this work, it has been acknowledged that notwithstanding the fact the Persimmon application¹⁵ for the land south east of Paddock Wood includes 3.84Ha of land adjacent to Mascalls Academy to facilitate the potential expansion of the school, that there is likely to be sufficient land available on the existing school site to enable the expansion of Mascalls Academy in order that it can provide sufficient non-selective secondary education places for the proposed development of PWeC. We say this as the school site occupies land covering a total of 13.4Ha and DfE guidance regarding the recommended minimum and maximum site areas for secondary schools indicates that for an 11FE secondary school with a sixth form, the range of recommended site areas is 10.8 – 13.57ha¹⁶. As a result the feasibility study is predicated on using the schools existing site without the need for additional land, albeit it is acknowledged that the additional land is there if required and that the majority of this parcel of land has the same or similar gradient near Chantler's Hill as the land further west which is also part of the existing school site, such that any proposal to use all or part of this additional 3.84Ha of land either for school buildings or other school uses would be similar to the uses which could be proposed on the existing school land located further west.
- 3.9 Given the above the assumption in PS_046 that the secondary school requirements will most likely be addressed through the safeguarding of land for a 6FE secondary on land to the west of PW needs to be considered in context and the safeguarding of said land within SS/STR1(A) addressed accordingly, and criterion h of the Strategic infrastructure section of Policy STR/SS1 revised accordingly. Likewise, table 8 in PS_046 needs to be caveated

¹³ $38,761 / (71,498 + 38,761) = 35\%$.

¹⁴ It should not be forgotten that the Submission Local Plan, in proposing a greater scale of growth at PWeC and the proposed garden village at Tudeley, had envisaged both a new standalone school at Tudeley and a 2FE of Mascalls academy, such that the principle and potential impacts have already been established for said expansion.

It should also be noted that whilst PS_054 refers at para 4.42 to Mascalls Academy being a 9FE school at present this is not the position as we understand it. Such that some of the speculation in paras 4.43 – 4.46 may no longer be accurate.

¹⁵ 23/00086/Hybrid

¹⁶ DfE BB103

according, as do the associated costs in appendix I and III of the addendum Local Plan Viability Assessment (PS_061b and PS_061d respectively)¹⁷.

- 3.10 Turning to Sports and Leisure provision we note that PS_046 sets out how the combined Sports Hub, located in the south-west of the growth sites in the original Strategic Sites Masterplanning and Infrastructure Study (CD3.66) is now proposed to be accommodated through improvements to existing facilities at Puntland's and the introduction of new outdoor sports facilities at Green Lane, as well as more limited facilities on the land to the south west of Paddock Wood. Whilst it is hoped that Sport England and Paddock Wood TC are agreeable to this revised approach in light of their statutory status/ land ownership interest, we would question how these revised contributions fit in with the councils Infrastructure Delivery Plan (IDP), as no revised IDP has been published in the Post-Initial Findings Evidence Base Documents.¹⁸ In addition we note with some concern the point made at para 4.61 of PS_054 that consideration is also being given as to how '*Further intensification of use could occur, for example by the replacement of the grass football pitch with an artificial surface, which can be used for more hours each week, supporting greater levels of participation and provision*'. Whilst having no objection to this in principle the associated costs are somewhat different and reassurance needs to be provided as to what has been allowed for in the VA.
- 3.11 Whilst in terms of highway infrastructure we note PS_046 indicates that masterplanning will proceed by modifying the 'Scenario 2' Infrastructure Schedule of the original infrastructure study (CD 3.66), which set out required infrastructure should only the Paddock Wood sites come forward, and that off-site highways provision has been re-examined as part of TWBC's Stage 3 highways modelling (undertaken by SWECO), which we comment upon below; it is not clear how this has taken on board the proposed response to secondary educational needs, and the revised sports provision, and potential effects of this on the network. Nor is it clear if, in terms of the secondary education provision, an alternative option has also been considered – i.e. the expansion of Mascalls Academy and the associated local highway impacts.
- 3.12 In the context of the above, when comparing the Dixon Searle Viability Assessments of 2021 (CD 3.65) and 2023 (PS_061) we note a number of highway works have been removed, including:
- | | |
|-------------------------------|----------|
| Internal road off main access | £687,500 |
| Access road off Church Rd | £500,000 |

¹⁷ We note these all assume 4FE secondary provision on the land to the north west of Paddock Wood at a cost of 18m. despite the requirement being 3FE. And that para 4.50 of PS_053 indicates that the minimum starting size for a secondary school would be 4 FE with appropriate expansion to 6 FE modelled into the development to take further growth anticipated beyond the 10 year period; and that in this scenario the 3 FE needed from growth at PWEC would be met by developer contributions and the remaining funding gap up to 4 FE would be met by the Education Authority to central government funding. This needs to be explicitly set out in the revised Local Plan so that it is clear to all what is proposed and who is paying for what – if this scenario comes to fruition.

¹⁸ The IDP March 2021 (CD3.71) was drafted to support the Reg 19 Plan and sit alongside the Strategic Sites Masterplanning and Infrastructure Study and the Viability Study (CD 3.66). At the time we highlighted conflicts / contradictions between the IDP and CD3.66, esp. in terms of the scale of additional health provision required to meet the needs of the development and associated costs, the form of the sports hub and what it entailed and associated costs, the scale of the primary needs and associated costs, and the scale and form of the highway works and associated costs. There being some considerable discrepancy between the figures proffered in the IDP and those suggested in CD3.66. The council need to publish an updated IDP as now the discrepancy between the updated VA (PS_061) and the IDP, and the between the updated Strategic Sites Masterplanning and Infrastructure Study (PS_046) and the IDP is significant, and we fear there are mixed messages arising, such that it is not clear what is needed, where and when, how much it is expected to cost, who is contributing towards it, and when is it to be provided.

Internal road between link N&S £1,800,000

- 3.13 Whilst the Viability Assessments suggests that these have been removed as DLA say they are no longer required with the reduction from 3,450 to 2,532 units at PWeC, we would refute this as they are still fundamental aspects of the proposals for the land east of Paddock Wood. There are in addition Off-Site Highway Improvements encompassing the introduction of Road Widening Works and Passing Bays along Queen Street and Mascalls Court Road required to accommodate the new bus link that have not been factored into the Viability Assessment and could cost circa £750,000. All of these costs, together with the increase in many of the other highway works between the two assessments, and the issues surrounding the works at Kippings Cross (see section 1 above), need to be taken into consideration when assessing the viability of the proposed development east of Paddock Wood as overall the highway works alone total circa 22.5mill for land east of PW¹⁹.
- 3.14 We also note that whilst the IDP identifies additional future requirements for bus infrastructure including a 'Demand-responsive urban bus service' linking residential development to the town centre and rail station within Paddock Wood, the focus in PS_053²⁰ is on running a standard commercial bus service in the public transport strategies. Whilst we are doing everything we can on the land to the east of Paddock Wood to accommodate this within the bounds of our site, we are concerned that this may not be achievable off site on the surrounding rural road network, or within the estate roads that lead to and from the site to the town centre, and would suggest that in order to ensure flexibility/ not to prejudice deliverability PS_053 continues to reference the merits of a demand-responsive 'yellow bus' type service through the Paddock Wood sites.²¹
- 3.15 We would also suggest, as per our reps on the Reg 19 Plan that in order to safeguard the proposed bus links identified on the draft Structure Plan as shown on map 27 (SLP Mod 6) that a safeguarding policy is introduced actively highlighting these routes and making it clear that the land identified for safeguarding has been safeguarded to support the delivery of the strategic allocations, that if necessary, the Council will use Compulsory Purchase Powers to enable delivery of these routes to support the delivery of the strategic allocations, and that any proposals for development that may reasonably be considered to impact the delivery of the identified safeguarded routes will be required to demonstrate the proposal would not harm their delivery/ that planning permission will not be granted for development that would prejudice the construction or effective operation of the proposed safeguarded routes.
- 3.16 In addition to the above we also note that whilst table 8 of PS_046 references the Colts Hill Improvements and Appendices I and III of the Addendum to Local Plan Viability Assessment

¹⁹ The total cost of the highways works, including the works highlighted above and those proposed at Kippings Cross is circa £49k, which for 2532 dwellings gives a cost of circa £19,350 per dwelling. So, for the 1,160 dwellings proposed on the land east of Paddock Wood is £22,446,019.

²⁰ Para. 4.15 of TWBCs 'Provisions for sustainable and active travel, especially for major development sites, and the implications for transport modelling' (November 2023), states: '*The applications envisage a "demand responsive" service, but this is now being reviewed in the context of a potential town-wide bus service also serving the remaining strategic developments proposed to the west and north of the town.*'

²¹ We note that para 3.14 of PS_046 refers to an electric hopper bus loop to operate via bus gates and that para 3.15 references the fact that bus and active travel links to the east of the town can be achieved through the permitted Countryside development smaller buses. Likewise, para 5.14 of PS_054 refers to a Town Bus loop to operate via bus gates at key points into them and connecting them to the town centre, northern employment area and railway station. As such the reference to standard commercial bus service in PS_053 is somewhat confusing and contrary to the aims and objectives of the updated Strategic Sites Masterplanning and Infrastructure Study which the proposed policy changes look to the development to reflect.

(PS_061B and PS_061D) also references the Colts Hill Improvements, the indicative costs given in PS_061B and PS_061D differ from those in the IDP (CD3.71), with PS_061B indicating a figure of circa £7.25 million, PS_061B a figure of £5.825mill and CD3.71 a figure of circa £20 million on page 129. Clarity is required to confirm the correct figure, how this has been arrived at, and the justification behind it.

- 3.17 Finally, we note that whilst PS_046 indicates that health provision is to be off site, Policy STR/SS 1 indicates in section 3 (Strategic Infrastructure), criterion g that '*Health provision*' will be '*split across one or all of the local centres*', and the addendum Local Plan Viability Assessment (PS_61b) has identified an infrastructure cost of £3mill against a new health care facility. Clarity is sought as to what is intended as at present the evidence base is contradictory.
- 3.18 As is clear from table 17 of the Strategic Sites Masterplanning and Infrastructure Study (CD 3.66), and table 2 of the addendum Local Plan Viability Assessment (PS_061c), changing the assumptions contained in the viability assessment even slightly can impact upon the viability of the project, such that we would ask that the council undertake further sensitivity testing to address our concerns and strengthen the evidence base.²²
- 3.19 In the context of the above and in noting the delivery strategy set out in section 4 of PS_046, we would highlight the fact that section 7 of the original Strategic Sites Masterplanning and Infrastructure Study (CD 3.66), in addressing the delivery strategy made it clear at para 7.16 that each development must be able to proceed independently at its own speed, and that where possible, shared infrastructure should be monetized to enable equalisation/equitable contributions. This ethos should in our opinion be retained and reiterated in the revised plan. To this end we also agree that in order to address any short-term infrastructure funding gaps it may be sensible, as suggested in para 7.14 of CD 3.66 to seek funding from central Government, for example through the Housing Infrastructure Fund, to ensure new homes can be delivered alongside necessary infrastructure.

4 Interrelationship with other policies of the Submission Local Plan

- 4.1 Whilst not mentioned in the proposed modifications to the development strategy following the Inspectors Initial Findings letter, there will we believe have to be amendments to a number of other affiliated policies, not least policy STR/PW1 especially criterion 1 and 2 and criterion 5 and 10; and that said changes need to have regard to our comments above re secondary educational needs, and changes to the infrastructure requirements set out in the Strategic Sites Masterplanning and Infrastructure Study. This is we note commented upon in passing at para 1.7 of PS_054, and whilst we accept, as set out in para 1.8 of PS_054 that the Addendum to the Development Strategy Topic Paper does not consider the full range of modifications that may be required to the Local Plan, but rather, focusses on those matters raised by the Inspector that he believes need reviewing at this point to enable the examination to proceed, we would expect the summary of the proposed modifications (PS_063) to address these.
- 4.2 Likewise, as policy STR5 appears to be based upon the IDP, and this has not been updated, a cross check needs to be undertaken to ensure there is no ambiguity given the changes to the Strategic Sites Masterplanning and Infrastructure Study, such that the necessary

²² Para 6.94 of CD3.66 also acknowledges that a small change in one assumption can have a relatively large impact on the outcome / result, a point reiterated in para 7.4 of the Strategic Sites Topic Paper (CD 3.67).

infrastructure, services, and facilities required to meet the needs of the proposed developments is clarified and the plan requirements are both justified and effective.

5 Local Plan Transport Assessment

- 5.1 The Sweco Stage 1-3 Local Plan Strategic Modelling and Modal Shift reports provide traffic simulation modelling for Paddock Wood and the surrounding highway network and identify highways and transport mitigation schemes from previous 2021 analysis that potentially remain applicable. Subject to detailed modelling and liaison with the Highway Authority our client remains agreeable to addressing and mitigating highway impacts, through the identified schemes (or otherwise), where this is directly related to the scale of development proposed.
- 5.2 The TWBC 'Provisions for sustainable and active travel, especially for major development sites, and the implications for transport modelling' report (PS_053) affirms the desire to upgrade the Hop Pickers heritage route. The provision of this route is wholly supported by our client, the first phase of which could be facilitated through their land. Our client also retains support for the walking and cycling provisions identified in this report and the LCWIP Phase 2 where there is the ability to deliver pedestrian / cycle infrastructure within our site to deliver and make linkages to the key routes identified.
- 5.3 Our client is fully supportive of the Local Plan and its Evidence Base aims to reduce highway network congestion through the delivery and integration of sustainable travel infrastructure in existing and proposed settlements to drive modal shift away from private car travel.

6 Conclusions

Many of our comments on the councils proposed response to the Inspectors Initial Findings letter are, we believe, capable of resolution by simply rewording the proposed modification / a review of the evidence base so as to justify the position being advocated. We are, however, uneasy at the sheer length of policy STR/SS1, and believe that it needs to be reviewed with a view to being more succinct and direct in what it is seeking to achieve. Likewise, we are concerned that the evidence base contains a number of contradictions that will lead to confusion as to what is expected of the land at PWeC, and when, and how shared costs are to be managed. The evidence base thus needs a detailed review prior to submission to the Inspector to ensure the contradictions highlighted above are addressed and that the viability appraisal has taken on board all potential development costs and remains viable given the scale of the infrastructure costs being placed upon it. This will we believe assist everyone concerned in the development process and is something we would be happy to talk to the Borough Council further about.

We support the council's proposed response to the Inspectors Initial Findings in general terms, and the proposed allocation of the land at Paddock Wood for strategic scale expansion. We do however have reservations about some of the revised wording of policy STR/SS1, and justification for some of the criterion contained therein. Likewise, we are concerned about some of the assumptions used in the updated VA, the consistency in the infrastructure requirements being sought from the development of the land at PWeC in the updated VA and Strategic Sites Masterplanning and Infrastructure Study; and the lack of any updated IDP. All of which is leading to uncertainty as to the actual requirements for the land at PWeC in terms of what, where, when and how much.

We would however like to highlight Redrow Homes and Persimmon South East's desire to continue to work with Tunbridge Wells Borough Council on the delivery of the proposed strategic allocation at

Paddock Wood and to this end would welcome the opportunity to meet with officers to discuss our comments on their response to the Inspectors Initial Findings as soon as is practically possible.

In the context of the above you will be aware that the applications for the land east of Paddock Wood have been submitted against the requirements of policies STR/SS1 and STR/PW1 of the Submission Local Plan, together with the aims and aspirations for the site as set out in the Strategic Sites Masterplanning and Infrastructure Study, IDP, VA and TARU²³, and that said applications have over the past few months been reviewed against the requirements of the councils emerging response to the Inspectors Initial Findings so as to ensure that they align with the councils revised position and can come forward in a timely way, as part of a comprehensive suite of sites in and around Paddock Wood, to help accommodate the housing needs of the area.

Predicated on the emerging Structure Plan the strategic scale expansion of PWeC can provide tangible benefits for the local community in terms of improvements to the strategic highway network, as well as local routes, improvements to public transport provision, enhanced pedestrian and cycle links, reduced flood risk, expansion to the local primary and secondary education provision, new sports facilities, new play facilities, new health and medical facilities, a new community hub and new social and leisure facilities. Said development will also provide for much needed family sized housing, affordable housing, and starter homes without any adverse environmental or landscape impacts. Indeed, as set out in the Submission Local Plan, the strategic scale expansion of PWeC provides an opportunity to provide for significant landscape and environmental improvements.

We look forward to talking to you further about the above.

Yours sincerely


JUDITH ASHTON
Judith Ashton Associates

C.c. Josephine Baker Redrow Homes Limited
Matt Besant Persimmon Homes South East

²³ Transport Assessment Report Update (March 2021)

Tunbridge Wells Borough Local Plan - Proposed response by TWBC to the Inspector's Initial Findings
Appendix to Representations submitted on behalf of Redrow Homes Limited and Persimmon Homes South East
Land North East and South East of Paddock Wood

Suggested changes to policy STR/SS1

Annotations as follows: **New suggested text** ~~Suggested deleted text~~ [\[Comment\]](#)

Development Principles

5. Be **landscape led and** of a high standard of design with particular attention to be paid to structural and detailed landscaping (to promote and deliver a continuous and homogeneous landscape approach to the allocation as a whole), layout, scale, height, detailed design, and massing to ensure that the development responds to local character and its overall setting. Planning applications for development should be informed by a landscape and visual impact assessment, biodiversity and heritage studies and the initial outline/ hybrid applications should be assessed by a Design Review Panel, at least once at pre-application stage and once following submission of a planning application; [\[to reflect the changes to the site specific policies below\]](#)

6. Incorporate ~~zero and~~ low carbon development, in line **with the Future Homes Standards, or any future national update**, ~~the requirements of EN3, provide an exemplar scheme with climate change mitigation and adaptation measures and sustainable development principles in relation to the design, construction and operational stages;~~ [\[to reflect the recent ministerial statement\]](#)

7. Meet the informal and formal recreational needs of the development and provide areas of green and open space [as shown schematically on Map 28], and biodiversity objectives of Policy EN9 and which where possible integrates with neighbouring Parcels to ensure a consistent and legible functional and visual relationship between them. **This should incorporate a scheme of management of communal spaces and green infrastructure within the eastern and western parcels including provision for management and funding, initial community and stakeholder involvement with amenity, landscape, and biodiversity objectives for a period of 30 years from the completion of the development;**[\[moved from Masterplanning Criterion v\]](#)

9. Consider the potential for mineral deposits **on land to the West of Paddock Wood** and make provision for any viably workable minerals to be extracted prior to development commencing on the site, **where this is practical and environmentally feasible.** [\[to reflect our understanding of the situation, as set out in para 1.10\]](#)

11. Provide walking and cycling linkages within and between each parcel, together with links to Paddock Wood town centre, existing and new employment areas, and surrounding countryside **in accordance with Policy TP2;** [\[to provide clarity\]](#)

13. The development proposals for the whole of the allocated area shall embed garden settlement principles. Proposals for each Parcel should give effect to this requirement and be guided by the Council's Structure Plan for the whole of the allocation **as set out in the Appendix XX to this Local Plan** [\[to reflect recent discussions with officers and negate the need for any separate SPD\]](#)

14. Proposals for the piecemeal development of individual sites in the Eastern and Western Parcels that do not conform to the above requirements as a whole will not be permitted; and [\[Suggest this becomes Criterion 15\]](#)

15. ~~The development to be delivered to be in accordance with a Framework Masterplan Supplementary Planning Document (SPD)~~ **Further, joint masterplans for the West of Paddock Wood and (separately) the East of Paddock Wood should be prepared by the respective developers with the Council and relevant statutory consultees and submitted for approval with the individual**

planning applications to show comprehensive and cohesive development. [Suggest this becomes Criterion 14] [to reflect recent discussions with officers and negate the need for any separate SPD]

Masterplanning

As set out above at [suggested] Criterion 14, the new development shall be delivered through a **joint** masterplan approach **for the West of Paddock Wood and (separately) the East of Paddock Wood.**

i. All development proposals ~~in relation to the Eastern and Western parcels~~ shall be in accordance with an approved **the appropriate** Masterplan relating to each parcel that will respect the above requirements and take into account the Council's Structure Plan SPD. Where development parcels abut each other and developers have worked collaboratively on masterplanning, this will be supported where it meets the other aims and objectives in this policy. ~~The masterplan shall be submitted to the Council for its approval as part of the initial application for planning permission in relation to (any part of) the relevant Parcel.~~ [to reflect recent discussions with officers and negate the need for any separate SPD]

v. Incorporate a green and blue infrastructure (GBI) plan which is informed by a comprehensive wildlife and habitat survey and heritage and landscape character assessments. ~~This should incorporate a scheme of management of communal spaces and green infrastructure within the eastern and western parcels including provision for management and funding, initial community and stakeholder involvement with amenity, landscape and biodiversity objectives for a period of 30 years from the completion of the development.~~ [Suggest moving to amended Criterion 7 of Development Principles]

vi. **Show how the development will incorporate the full range of sustainable transport measures,** the proposed transport links, including access to the development and main internal highway links and all intended links within the site and to the surrounding footpath and cycleway and bridleway network, including proposed and potential footpath and cycleway and bridleway links to the wider area. All pedestrian and cycle links through the allocated site should be convenient and highly legible; [to provide clarity]

ix. ~~Show how the development will incorporate the full range of sustainable transport measures;~~ [moved to Criterion vi. above]

xiii. The masterplans for **the East and West Paddock Wood** shall include a phasing and implementation plan which shall identify the phasing of development across the whole of the relevant Parcel to ensure that the development will be carried out in a manner that co-ordinates the implementation and occupation of the development and the timely delivery of such necessary on and off-site infrastructure as shall be reasonably required to support the development and occupation of each Parcel and its proper integration with neighbouring Parcels and the timely provision of Parcel specific and shared infrastructure taking into account Table 11 of the Council's SSMIS dated February 2021 as may be updated, **following consultation with relevant parties,** (from time to time) or as may otherwise be reasonably required. [to reflect our comments in section 1.12 above]

Strategic Infrastructure

The development shall be delivered in accordance with **the** phasing and implementation plan **as approved under Criterion xiii above,** which shall be required to be **and** secured by conditions and/or s.106 obligations **to individual developer applications** to ensure that:.....[to provide clarity]

(1) the timely payment of proportionate contributions towards the carrying out and/or implementation of strategic and other necessary highway mitigation works and improvements, education and health provision and other necessary infrastructure as identified in the Council's Strategic Sites Masterplanning and Infrastructure Study as updated from time to time, **following consultation with relevant parties,** and/or [to reflect our comments in section 1.12 above]

h) ~~The delivery of secondary school provision equivalent to 3 Forms of Entry (3FE) within the North Western development parcel, unless it is demonstrated that through feasibility studies that the provision can be delivered through other means such as expansion of existing secondary school provision;~~ **The delivery of secondary school provision equivalent to up**

to 3 Forms of Entry (3FE). Subject to the current feasibility study, this may be delivered through the expansion of Mascalls Academy or through the provision of a safeguarded site within the North-Western development parcel (both alternatives are shown on the Revised Map 28). If the latter is required, the safeguarded site will need to be able to accommodate a 4FE school as a minimum, with the land available to expand to 6FE should it be required. Kent County Council will fund the additional classrooms beyond the 3FE, if required. [to reflect our understanding of the situation, as set out in paras 3.7 – 3.9 inclusive]

Policy SS/STR 1(C) – South Eastern Parcel Requirements

- ~~II. A mix of housing in accordance with policy H1, to include specialist extra care accommodation for the elderly in accordance with policy H6; [Duplicates Criterion 3 and 4 of Development Principles]~~
- ~~III. A scheme designed with a landscape led approach; [Duplicates Criterion 5 of Development Principles, as suggested to be amended above]~~
- ~~IV. Provide walking and cycling linkages within the site connecting to adjacent development parcels, existing walking and cycling infrastructure including together with links to Paddock Wood town centre, existing and new employment areas, and surrounding countryside in accordance with policy TP 2; [Duplicates Criterion 11 of Development Principles, as suggested to be amended above]~~
- ~~V. Safeguarding of land north of Chanters Hill for the possible expansion of Mascalls Academy if required.~~
- ~~VI. Incorporate zero and low carbon energy production, in line with the requirements of policies EN 1 and EN 3; [Duplicates Criterion 6 of Development Principles, as suggested to be amended above]~~
- ~~VII. Provide areas of green and open space; [Duplicates Criterion 7 of Development Principles]~~
- ~~VIII. Shall demonstrate particular regard for the setting of the High Weald AONB;~~
- ~~IX. **Subject to being viable** a Local centre providing up to 700sqm commercial floorspace (Use Class E(a) to (f)) in total; [to reflect our comments in section 1.20 above]~~
- ~~X. Incorporate zero and low carbon development, in line with the requirements of policies EN 1 and EN 3; [Duplicates Criterion 6 of Development Principles, as suggested to be amended above]~~
- ~~XI. Phasing and contribution towards strategic infrastructure delivery as set out in STR/SS 1; [Duplicates first sentence of strategic Infrastructure as suggested to be amended]~~
- ~~XII. Provision of water supply and access to wastewater treatment facilities;~~
- ~~XIII. Control of flood risk through use of Sustainable Drainage Systems, to facilitate a reduction in the overall flood risk of the site and surrounding area, in accordance with policies EN 24, EN 25, and EN 26; and~~
- ~~XIV. Development to be delivered to be in accordance with a Framework Masterplan Supplementary Planning Document (SPD). [Duplicate of Criterion 13 of Development Principles]~~

Policy SS/STR 1(D) – North Eastern Parcel Requirements

- ~~ii A scheme designed with a landscape led approach; [Duplicates Criterion 5 of Development Principles, as suggested to be amended above]~~
- ~~iii Land for a two-form entry primary school;~~
- ~~iv Provide walking and cycling linkages within the site connecting to adjacent development parcels, existing walking and cycling infrastructure including together with links to Paddock Wood town centre, existing and new employment areas, and surrounding countryside in accordance with policy TP 2; [Duplicates Criterion 11 of Development Principles, as suggested to be amended above]~~
- ~~v Incorporate zero and low carbon development, in line with the requirements of policies EN 1 and EN 3. [Duplicates Criterion 6 of Development Principles, as suggested to be amended above]~~
- ~~vi Phasing and contribution towards strategic infrastructure delivery as set out in STR/SS 1; [Duplicates first sentence of strategic Infrastructure as suggested to be amended]~~
- ~~vii Provide areas of green and open space; [Duplicates Criterion 7 of Development Principles]~~
- ~~viii Development should make use of, and enhance, the Hop Pickers Trail;~~
- ~~ix Shall demonstrate particular regard for the setting of the High Weald AONB;~~
- ~~x Provision of water supply and access to wastewater treatment facilities;~~

- xi Control of flood risk through use of Sustainable Drainage Systems, to facilitate a reduction in the overall flood risk of the site and surrounding area in accordance with policies EN 24, EN 25, and EN 26; and
- xii ~~Development to be delivered to be in accordance with a Framework Masterplan Supplementary Planning Document (SPD).~~ [\[Duplicate of Criterion 13 of Development Principles\]](#)

JAA 22nd Feb 2024