

Submission 28-1

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 does this representation relate?

9.0 Development strategy options

Which part of the plan does your comment relate?

Paragraph

What is the reference number?

9.1

Do you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) would make it:

Yes No

Legally Compliant Selected Not Selected

Sound Not Selected Selected

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. 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.

Paragraph 9.1 – CPRE Kent agrees there is a need for “new development strategy options, clearly distinct from those already appraised” and is particularly concerned about the impact of Council’s spatial strategy on its designated Protected Landscapes/the High Weald AONB.

This is not a new issue. It reflects the position taken by CPRE at earlier rounds of consultation, in its Matters Statements and in respect with the on-going situation regarding the Called-In planning application on land adjacent to Turnden, Hartley Road, Cranbrook (APP/M2270/V/21/3273015).

CPRE’s most up to date position is set out in its letter sent to the Department for Levelling Up, Housing and Communities dated 14 February 2024 (attached). See also correspondence from CPRE to DLUHC dates 20 and 21 November 2023.

CPRE is firmly of the view that the Council’s strategy with regard to allocations within the AONB should be reviewed.

The new duties arising from Section 245 of Levelling-Up and Regeneration Act 2023 place an active duty on the Council, in its decisions in relation to the Local Plan, to further the purposes of conserving and enhancing the natural beauty of the High Weald AONB. This represents a more onerous obligation on the Council in relation to the AONB than previously applied and a clear and legitimate expectation that the Council will review its strategy for the AONB in the light of its new statutory duty and alter the strategy accordingly.

This is an issue we raised in our statement on Matter 2, Issue1 (and Matter 3, issue 1), as follows:

CPRE Kent considers there are good reasons why the Council should not be seeking to meet its housing requirement in full – reflecting the constraints clearly shown on the key diagram, including the fact that 69% of the borough is designated AONB and 22% is green belt. It is considered that the housing requirement is not justified.

Paragraph 176 of the NPPF requires great weight to be given to conserving and enhancing landscape and scenic beauty in AONBs. Paragraph 137 confirms the great weight be attached to the green belt.

Housing growth should be balanced against the need to protect and continue to conserve and enhance what is important to the local community, including the green belt and AONB.

Given that the High Weald AONB stretches across the whole length of the borough, not only should consideration be given to the impact of the development strategy on the AONB, but also the impact on the significant areas of land which lie within its setting.

CPRE Kent is of the view that the scale of development should be moderated. Need should be the starting point – balanced against the constraints of being a borough with significant green belt and AONB coverage, plus other constraints.

In respect of specific allocations CPRE has already set out its views on the proposed allocations in Cranbrook in its Matter 7, Issue 7 hearing statement with respect to development in the Crane Valley and the impact on the AONB. We are continuing to participate with regard to the Called-In appeal (and subsequent Challenge by the Appellant) with respect to planning application 20/00815/FULL. CPRE maintains all the objections to Policy AL/CRS3 which have been advanced in our previous submissions.

In view of the implications of Section 245 Levelling-Up and Regeneration Act, CPRE is firmly of the view that the Council's strategy with regard to allocations within the AONB should be reviewed, by excluding the allocation under Policy AL/CRS3 and it also be accepted by the Council that its duties under Section 245 may oblige it to set a housing requirement below need, as calculated by the standard methodology, in accordance with paragraph 11(b)(i) footnote 7.

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

Yes, I wish to participate at the examination

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

To discuss the Council's spatial strategy with regard to the AONB.

Submission 28-2

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 does this representation relate?

12.0 Conclusions on preferred development strategy option

Which part of the plan does your comment relate?

Paragraph

What is the reference number?

12 Conclusions on preferred development strategy options

Do you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) would make it:

Yes No

Legally Compliant Selected Not Selected

Sound Not Selected Selected

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. 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.

12 Conclusions on preferred development strategy options

CPRE Kent welcomes the proposed amendment to the Council’s development strategy that would see the deletion of the strategic allocation at Tudeley Village and the strategic allocation at Paddock and east Capel amended to address issues of flood risk and acknowledges the resultant reduction in housing yield would necessitate an early review of the Local Plan.

However, we consider that this reduction in housing numbers could be addressed, in part, by densities that reflect the nature of the urban extension at Paddock Wood (and other sites).

In this respect, we’d like to ask the Council to do a simple calculation based on densities ranging from 60-120dph (for an urban neighbourhood) to see how far this goes towards addressing the shortfall in terms of the 2,100 homes that were planned to come forward (within the Plan period) at Tudeley and the 1,000 homes lost as a means of addressing the flooding (and other issues) at Paddock Wood. See comment under paragraph 4.28.

CPRE Kent would also like see the implications of Section 245 Levelling-Up and Regeneration Act being properly taken into account. CPRE is firmly of the view that the Council’s strategy with regard to allocations within the AONB should be reviewed and it be accepted by the Council the housing requirement should be set below need as calculated by the standard methodology, in accordance with paragraph 11(b)(i) footnote 7. See comments under section 9.1 above.

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

Yes, I wish to participate at the examination

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

To discuss density/site yields and spatial strategy within the AONB

Submission 28-3

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 does this representation relate?

7.0 Other matters

Which part of the plan does your comment relate?

Policy

What is the reference number?

Land at Mabledon House – Policy AL/SO2

Do you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) would make it:

Yes No

Legally Compliant Selected Not Selected

Sound Not Selected Selected

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7.0 Other Matters

Land at Mabledon House – Policy AL/SO2

Under the heading of the strategy for Southborough, it is noted that in his Initial Report the Inspector made specific reference to the allocation of land at Mabledon House for a luxury hotel of up to 200 bedrooms and a leisure development with spa and conference facilities.

At paragraph 68 of his report the Inspector indicated that “another way of making the Plan sound might therefore be to support the principle of the uses proposed but within the exceptions permitted by national planning policy.” He then went on to urge the Council to give this matter further consideration as to the most appropriate way forward.

It is noted that no such detail has been forthcoming.

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

Yes, I wish to participate at the examination

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

To share local views

Submission 28-4

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 does this representation relate?

3.6 Issue Area C: Deliverability

Which part of the plan does your comment relate?

Paragraph

What is the reference number?

3.78

Do you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) would make it:

Yes No

Legally Compliant Selected Not Selected

Sound Not Selected Selected

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Paragraph 3.78 – CPRE Kent welcomes the proposed amendment to the Council’s development strategy that would see the strategic allocation at Tudeley Village withdrawn and acknowledge this would necessitate an early review of the Local Plan.

However, we do consider that this reduction in housing numbers could be addressed, in part, by setting densities that reflect the nature of the proposed urban extension at Paddock Wood (and making upward adjustments to other site allocations).

In this respect, we’d like to ask the Council to do a simple calculation based on densities ranging from 60-120dph (for an urban neighbourhood) to see how far this goes towards addressing the shortfall in terms of the 2,100 homes that were planned to come forward (within the Plan period) at Tudeley and the 1,000 homes lost as a means of addressing the flooding (and other issues) at Paddock Wood. See comment under paragraph 4.28.

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

Yes, I wish to participate at the examination

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

To explore comments around density/site yields

Submission 28-5

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 does this representation relate?

5.0 Transport related matters

Which part of the plan does your comment relate?

Paragraph

What is the reference number?

5 - transport

Do you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) would make it:

Yes No

Legally Compliant Selected Not Selected

Sound Not Selected Selected

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5.0 Transport related matters

CPRE Kent is concerned that details contained within the Council’s Tunbridge Wells Bus Feasibility Technical Note (PS_058) will not come to fruition. While we support measures to reduce reliance on individual journeys by private car and welcome commitment to active travel and better public transport it is not clear how this will be achieved on the ground, as a way of making the proposed development at Paddock Wood more sustainable.

Paragraph 7.1.4 of PS-058 sets out bus route 6 (Paddock Wood – Pembury – Tunbridge Wells) could be increased in frequency from one hour to 15-minute intervals, it is not clear that there is an appetite from the local bus company to ensure this happens.

Enquiries made by Brenchley and Matfield Parish Council to the responsible officer at KCC appear to suggest there are no definitive plans by Arriva to revise the timetable for bus route 6. In addition, the changes outlined in the draft local plan and in Bus Feasibility Technical Note are aspirations only. In the current climate, where bus services are de-regulated, there is no mechanism to force Arriva to make changes to its service provision.

We remain concerned that there appears to be no firm commitment to the safeguarding or purchase of land to achieve the proposed inter-urban cycle routes as shown in Figure 9 and paragraph 7.9 of document PS_53 (Provisions for Sustainable and Active Travel). We also question whether a cycle route using dark, winding country lanes to connect a possible cycle route running alongside the proposed Colts Hill bypass with the existing cycle route alongside the A21 Tonbridge to Pembury

bypass, would be safe enough to attract regular use by cyclists and provide a realistic sustainable alternative to the private car.

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

Yes, I wish to participate at the examination

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

To explore issues in relation to rural bus services.

Submission 28-6

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 does this representation relate?

4.0 Paddock Wood strategic growth

Which part of the plan does your comment relate?

Paragraph

What is the reference number?

4.63

Do you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) would make it:

Yes No

Legally Compliant Selected Not Selected

Sound Not Selected Selected

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Paragraph 4.63 - CPRE Kent welcomes the proposed amendment to the Council's development strategy that would see the strategic allocation at Paddock Wood and East Capel amended to address issues of flood risk and acknowledges the resultant reduction in housing yield would necessitate an early review of the Local Plan.

However, we do consider that this reduction in housing numbers could be addressed, in part, by densities that reflect the nature of this urban extension.

In this respect, we'd like to ask the Council to do a simple calculation based on densities ranging from 60-120dph (for an urban neighbourhood) to see how far this goes towards addressing the shortfall in terms of the 2,100 homes that were planned to come forward (within the Plan period) at Tudeley and the 1,000 homes lost as a means of addressing the flooding (and other issues) at Paddock Wood. See comment under paragraph 4.28.

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

Yes, I wish to participate at the examination

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

To discuss density/site yields

Submission 28-7

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 does this representation relate?

4.0 Paddock Wood strategic growth

Which part of the plan does your comment relate?

Paragraph

What is the reference number?

4.28

Do you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) would make it:

Yes No

Legally Compliant Selected Not Selected

Sound Not Selected Selected

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. 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.

Paragraph 4.28 – CPRE Kent acknowledges the need to attenuate surface water as close to source as possible. However, we STRONGLY OBJECT to the reduction in density from 35dph to 30dph, with a potential density of 32dph on some parcels of land.

With the design flair and imagination of the developers’ teams it should be possible to marry the twin objectives of controlling surface water flooding and optimising the use of land to be allocated for housing development, as a means of ensuring that in progressing the current draft Local Plan and its subsequent early review that the sacrifice of green field land is minimised.

In response to issues raised at the EIP the Council produced a note for the Inspector (June 2022) with respect to densities (TWLP/083). This references the National Model Design Code and the categorisation of development and the range of densities that can be expected within them.

It should be noted that land at east Capel and Paddock Wood is currently green field. But it will NO LONGER be green field once it is developed and therefore densities should reflect those for urban neighbourhoods. That is, 60-120dph. Even if there is a difference in view on the categorisation of this strategic allocation, it would comprise a suburban neighbourhood with a realistic expectation of 40-60dph.

As set out in our Hearing Statements it is unreasonable to consider that the starting point for densities be 35dph and a shameful waste of the Council’s precious land use resources, in one of the comparatively few undeveloped areas of the Borough which is neither Metropolitan Green Belt nor High Weald AONB, to allow urban sprawl at a mere 30dph to eat up the countryside.

This is not a new issue we're raising. It is one we have flagged up on numerous occasions, as set out in our Matters Statements.

Matter 2, Issue 1: CPRE Kent remains to be convinced that the Council has placed sufficient emphasis on increasing density within the towns and larger villages, or on insisting on high density development on greenfield sites.

Matter 3, Issue 1: CPRE Kent remains to be convinced that the Council has placed sufficient emphasis on increasing density within the towns and larger villages or on insisting on high density development 2 on greenfield sites.

Matter 3, Issue 2: CPRE Kent is of the view that higher densities should be encouraged within the borough's towns and villages. Higher densities in themselves should not be assumed to adversely impact on settlement character. In fact, research undertaken by CPRE and Place Alliance concludes that higher density schemes are shown to be more successful, including in terms of design quality (see below).

It is noted that the Brownfield and Urban Topic Paper (January 2021) CD 3.83 makes reference to use of an indicative density of 45dph (compared to the 30dph in the SHELAA), which is little more than suburban density levels. If the density of brownfield and urban land is being optimised to what amounts to very low levels of development, the question arises about what happens in the case of green field allocations – and the implications for resultant yields and the provision of affordable housing and support to active travel and public transport.

The Strategic Sites Masterplanning and Infrastructure Study report (February 2021) CD 3.66a refers to the opportunity to provide a higher density of development around the settlement centre at Tudeley, with lower density development at the edges to respect rural character. At paragraph 5.63 it is noted that average density would be between 35-38dph for the urban extension at Paddock Wood. These densities are very low and fall below the expectations set out in the National Design Code.

Further research undertaken by CPRE and Place Alliance (A housing design audit for England, 2020) https://www.cpre.org.uk/wp-content/uploads/2020/03/Place-Alliance-A-Housing-Design-Audit-forEngland_2020.pdf concludes that housing schemes performed more poorly with distance from the urban core and with reduced density. The additional constraints imposed by stronger pre-existing urban context, were considered to encourage a more sensitive design response. Building at low density and on green fields is not being done well in terms of design quality. The most successful schemes (as audited in the study of 142 developments) were those at 56dph – which is almost double the national average of 31dph.

The same comments were also made in respect of Matter 5, Issue 1.

In respect of Matter 3, Issue 1 (Paddock Wood and East Capel) we specifically stated:

CPRE Kent notes that the Plan allocates an area of approximately 418 hectares in three parcels. However, the Plan does not set out the developable area per parcel or for the whole urban extension - although an average density of 35-38dph is given in the Strategic Sites Topic Paper (CD_3.67). As a result, it is unclear whether the size of the site was determined by the number of homes required or vice versa.

CPRE Kent considers that all development, whether it be on sustainably located brownfield sites, or on green fields should be built at higher than low suburban development densities of 30dph, so that greenfield land take is kept to an absolute minimum. The National Model Design Code

<https://www.gov.uk/government/publications/national-model-design-code>, part of the government's planning practice guidance, states that density is an essential component of an effective design code. Building at 20-40dph is noted as representing development in outer suburbs; suburban development is pegged at 40-60dph and urban neighbourhoods at 50-120dph.

The Council does not appear to have considered applying this guidance to the proposed urban extension even though, as the Plan states, all sites are within walking or cycling distance of Paddock Wood railway station (paragraph 5.176). The proximity of Paddock Wood main shopping area to the railway station is clear on Inset Map 5, Paddock Wood TC (CD_3.129d(ii)).

We note that neither of the alternative options set out in the Strategic Housing and Economic Land Availability Assessment (CD.3.771 Paddock Wood Site Assessment Sheets) appear to consider increased density. Release of Green belt land at this location could have been minimised by increased density in the parcels/areas outside the Green Belt.

We also remain to be convinced that the Council has placed sufficient emphasis on increasing density within the other towns and larger villages or insisting on high density development on allocated greenfield sites.

To conclude we'd like to ask the Council, as a preliminary step before detailed work is undertaken, to do to do a simple calculation based on densities ranging from 60-120dph (for an urban neighbourhood) to see how far this goes towards addressing the shortfall in terms of the 2,100 homes that were planned to come forward (within the Plan period) at Tudeley and the 1,000 homes lost as a means of addressing the flooding (and other issues) at Paddock Wood. If, as we anticipate, this demonstrates a substantially increased capacity for housing, revisions should be made to allocation yields, prior to the next stage of the local plan making process.

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

Yes, I wish to participate at the examination

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

To discuss density/site yields