



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

**Main Modifications Consultation
Representation Form**

**Please use a separate form/sheet for each
representation/main modification**

Ref:

(For official
use only)

We welcome your comments on the Tunbridge Wells Borough Local Plan Main Modifications Consultation.

The consultation also includes a number of other documents as listed in Box 1 below upon which representations can be made, including an updated Sustainability Appraisal and updated Habitats Regulations Assessment.

Completed forms must be received at our offices by midnight on **Wednesday 30th April 2025**.

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

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

Please refer to the [Guidance Note on Making Representations](#) for further information. The Guidance Note explains the soundness tests and statutory plan making requirements relevant to this consultation.

PART A – CONTACT DETAILS

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

	1. Personal Details	2. Agent Details (if applicable)
Title	MR	
First Name	ADRIAN	
Last Name	PITTS	
Job title (where relevant)		

Organisation (where relevant)		
Address Line 1	████████████████████	
Address Line 2	████████████████	
Address Line 3	██████████	
Postcode	██████	
Telephone number	██████████	
Email address (where relevant)	████████████████████	

PART B – YOUR REPRESENTATION

(Please use a separate form/sheet for each representation)

1.	Name of the Document to which this representation relates (please tick):
X	Schedule of Proposed Main Modifications
	Sustainability Appraisal (Part 2)
	Habitats Regulations Assessment (Part 2)
	Schedule of proposed Map Changes (Policies Map/Inset Maps)

2.	To which part of the document listed in Box 1 above does this representation relate to?
If Main Modification (please quote number e.g. MM1)	As stated below
Chapter and (if applicable) subheading	As stated below
Policy/Paragraph number	As stated below

3.	Do you consider the Main Modification / document on which you are commenting, makes the Borough Local Plan Submission Version (2020 – 2038) (please tick or cross as appropriate):
-----------	---

3.1	Legally Compliant	Yes		No	
3.2	Sound	Yes		No	X

4.	<p>Please give details of why you consider the Main Modification/document not to be legally compliant or sound. Please be as precise as possible and provide evidence to support this.</p> <p>Or</p> <p>If you wish to support the legal compliance or soundness of a main modification/document, please also use this box to set out your comments.</p> <p>The text box will automatically expand if necessary.</p>
<p>The limitation of only speaking about the soundness of the proposed modifications focused on the material following the Inspector's modifications means the documents provided should be <i>clear, effective and necessary</i>. Most of the modifications are textual changes rather than any responses to representations made at the hearings in 2024.</p> <p>Again, it is a complex document to make representations on, as it refers to main modifications by number without providing a source document for this.</p> <p>The modifications as presented for consultation do not seem to take account of the Development Strategy Topic Paper Feb 2021 5.4 Too much focus on Tunbridge Wells and Paddock Wood – the Vision needs to ensure it illustrates <i>how development will take place across the borough and address the needs of rural villages</i>. Allocations with existing planning permission as 1/4/ 2023 1444 Total for Borough 4,094-4529 allocating 50% in PDW as a 'plan'.</p> <p>Reading alongside the Amended Infrastructure Delivery Plan 2025 we find that the amendments are not identified in any way making this a much less transparent document of more complexity for communities affected. This is a barrier to transparency and ease of response from communities.</p> <p>MM22 52 Para 4.95 Transport in IDP describes a package of significant transport measures to support the growth at the Strategic Sites at Paddock Wood (including land at east Capel). This includes new road junctions/links, but this appears to be based on an update from December 2022 not taking account of growth in Paddock Wood that has already taken place but not been delivered. It does not address sufficient impacts on rural roads around the growth of Paddock Wood and it states, 'the Local Plan will expect site promoters to outline their Vision for the site that manages down the impact of planned development and frame the transport requirements, for all modes of transport, in accordance with relevant Monitor and Manage Strategies.'</p> <p>This should be covered in a masterplan to ensure that the separate parcels in the Local Plan are improved by transport measures within the site and the roads that link it to</p>	

Paddock Wood (PDW) town centre and to nearby villages. It is not sound to place this responsibility on site promoters without sufficient success criteria for managing down development impact and frames what site promoters think are the transport requirements.

Point 1 of section B Public Transport – includes mention of rapid bus/transport links.

The 'agreed' Monitor and Manage strategies (ref c) Highway Network) seek to "create a sustainable SRN that **meets the future needs of our stakeholders, road users, communities and the environment we live in.**" <https://nationalhighways.co.uk> National Highways deal with A roads and the main roads, including the junctions and road improvements to A228. There is no provision for similar related to the B roads and country lanes which serve different parts of Paddock Wood development parcels, and local villages. Therefore, the premise of sustainability is not sound as it does not include impact assessment on non-main roads, nor is there a masterplan to include these already overused and poorly maintained routes with any strategic link to development. The modification states that 'other funding opportunities will be investigated' but the scope of the impact on the network is now purely on major roads and already much delayed improvements.

As required by the DfT Circular 01/22 Infrastructure delivery 34.... From a transport perspective, this evidence should provide a means of demonstrating to the examining inspector, development industry **and local communities** that *planned growth is deliverable, and that the **funding, partners and relevant processes are in place to enable the delivery of infrastructure**; or that there is a realistic prospect that longer term investment can be secured within the timescales envisaged. [emphasis added]*

This is not clearly met within the Plan as modified. Local. Communities are not convinced road infrastructure as set out in the modifications will be deliverable as nothing has been delivered in phase 1 of the developments in PDW nor having a pledge in the plan for the smaller rural transport road infrastructure.

MM27 67-68 Section 4

4.125 amended. Exceptional circumstances to remove from green belt land in Paddock Wood to enable the growth required – put forward in 2022 following a consultation with TW residents. The response from PDW was not favourable. The support for this originally included more sites which have now been amended leaving PDW to have 50% of the Borough's housing supply.

Overall 3.046% of Green Belt designated with the justification (Section 5) that "for effectiveness and consistency with MM85 and to clarify that no green belt releases are proposed at Southborough or Langton Green." There is no note to explain this decision and the reduction in green belt removal overall. Table 6 shows the reinstatement of GB land on Pembury Road, Henwood Green Road and additional GB removal for land west of Colts Hill to Badsell Road Paddock Wood.

Ref Development Strategy Topic Paper Feb 2021 2.6. Table 1 B Southborough*, Cranbrook, Paddock Wood and Hawkhurst

MM30 p72 Policy STR 10 Neighbourhood Plans

This amendment importantly states:

“For clarity, an up-to-date made neighbourhood plan *forms part of the statutory development plan for the borough* and, as such, *planning applications will be determined in accordance with that plan where a proposal is in its area*, **including any identified infrastructure requirements set out in the Neighbourhood Development Plan**, as well as the adopted Local Plan. “ [Emphasis added]

The significant weight given by this and the paragraph which follows seems to imply more weight will be given to NDPs and their ‘locally-specific focus’ although there is no indication of any contra-indications of planning weight from other policies.

Section 5: Place Shaping Policies

MM79 138-144 Strategic sites

Paragraph 5.153

The Local Plan proposes the provision of the significant expansion of Paddock Wood including east Capel for another 2450 dwellings. Although (5.160) the majority of removed Green Belt land is mainly within the parish of Capel, the development is inextricably linked to the facilities, and infrastructure of Paddock Wood. This needs to be clearly linked to the funding for the town as it is a contribution to its growth. This land is also insufficiently planned for not just the flood mitigations within the site, but also does nothing to address community concerns about how the development will push the water towards PDW. River flows and the topography has not been evidenced clearly and would be more sound if this had been addressed in a modification.

Para 5.192 In terms of Major modifications this is a key new statement:

“It is important that the overall vision is clearly established to help develop the growth around Paddock Wood and east Capel strategically and holistically. To this end, the Council **requires that all developments will require a masterplan relating to each parcel (or combination of parcels).**” [emphasis added]

Again, there is no holistic masterplan or draft provided as part of the consultation. There is no modification to include how this might be effected, and reassurance to residents that this part of the Plan will shaped by this paragraph (5.192). Combining parcels with different developers to give holistic overview would suggest a more detailed and wide-ranging consultation and engagement with communities not just at the outline stage but also when pre-applications are being discussed. There seems to be no role for the Council leader or members to be involved despite the Leader’s responsibility for place shaping, and members representing their communities. This is a weakness.

Paragraph 5.189

“The infrastructure required to support an expanded settlement of this scale in the location proposed has been identified. This includes education provision, health facilities, and required drainage and utility services. “

At the hearings this was clearly debated, it may be identified but it is far from sound in terms of its funding, deliverability and sustainability.

Paragraph 5.193

The masterplans shall be prepared with relevant key stakeholders and submitted with planning applications.

Agreed but more than the current statutory stakeholder would be more effective in delivering the Plan. We are unable to comment on the engagement with key stakeholders as no detailed masterplan documents have been provided.

MM81 145-150 Policy STR/SS1

New policy and maps

Development principles –

3. The development proposals as a whole shall:

c) ... this specific new principle is welcomed, *“This should include the retention and enhancement of hedges and trees along the A228 with development set back from A228 to reduce visual impact on the countryside, with use of internal hedging and tree belts along field boundaries to influence development layout;”*

Whilst (h) is important in dealing with surface water run-off, ensuring that the development principle that the parcels will not exacerbate flooding elsewhere, and to improve mitigation for potential flooding is important there is no amendment to deal the river and water flow into PDW. Removal of Green Belt on Colts Hill identified earlier will also exacerbate the water running down into Paddock Wood, so this principle needs to be strengthened to be sound.

(j) another reference to a masterplan action on Green Belt removal we have not seen therefore have not has consultation on, it is not clear ‘compensatory improvements’ will be demonstrated.

Master planning (sections 8-11)

The amended policy section here, seems to repeat previous modifications eg masterplan will involve key stakeholders, each parcel/combined parcels etc.

9. Gives an idea of a masterplan’s scope but again doesn’t provide clarity on what is needed eg (a) ‘functional links’ with neighbouring parcels, the existing community and the town centre. Being functional doesn’t give any idea of what residents expect or the quality of those links. With poor bus links and congested internal roads at present there seems to be no account of this in the framing of the scope. There is a reliance on the car in PDW but no commitment in master planning to improve this beyond major links and highways. This is a vague unsound paragraph.

The bus routes are ‘demand responsive’ so are not guaranteed to provide this infrastructure (IDP Table 3 Transport Needs).

(e) sustainable transport measures are needed but this masterplan principle doesn’t mention details for a full range including improvements to rural roads which will serve the employment parcel, and several other parcels. Links from the Capel parcel which is designed to include schools to the station (entrance by Baxalls) which currently is a very narrow pavement are not mentioned or within scope of the modified plan.

(h) just identifying these centres is not sufficient. Need to be specific.

11. Phasing and implementation plans have not been successful in PDW to date. The section **‘The phasing and implementation plan shall include details to demonstrate how the provision of necessary infrastructure will be coordinated with the occupation of the development, including shared services with other phases or parcels.’**

Phasing has meant that no significant infrastructure has been delivered in PDW from the development already built. S106 money has been triggered but there is no safeguarding of the money being spent in a timely way to deliver the agreed outcomes even when the infrastructure is described as essential. There cannot be another round of development without significant infrastructure delivery. The Local Plan needs to reflect this. Impact from development has not been successfully or satisfactorily mitigated to date in Paddock Wood.

12. (Strategic Infrastructure)

Securing infrastructure through conditions and /or S106 obligations needs to build in delivering that desired infrastructure. (a) only with delivered infrastructure can the impact of development be mitigated. The Plan needs to ensure this is monitored over a phased period to make it a sounder proposal. (b) facilities again need early establishment built into the masterplan, through appropriate trigger points, and it is not clear who decides the appropriate level of infrastructure provision. Early establishment has not happened in PDW to date.

(c) sustainable travel is just ‘access’ to, not improved travel links and improved rural roads. It doesn’t go far enough.

(d) This seems to only cover major roads and junctions with a plethora of caveats. With only two main junctions for PDW, both of which have already been identified by KCC and not yet delivered. This needs to be rectified.

Section 15 What infrastructure should include:

This list is welcome. It clarifies the range and scope of infrastructure to be covered by the Plan, but although it states it will be funded this is dependent on developer viability issues further in the process of delivering the LP. In the historical context of PDW, this was expected when development started under existing policies and LP (2006). Although the amended IDP identifies the categories of infrastructure further (critical etc) to support this section, the phasing of development so far has led to a delay or altering of infrastructure demands in PDW which are not reflected in the Plan.

Feasibility is also very poorly outlined – “Outdoor sports facilities (which shall include a 25m swimming pool if feasible);” – ‘shall include’ suggests certainty, ‘if feasible’ does not. This is not sufficiently clear or costed to be sound.

Health provision – again this is too vague to be meaningful. To be provided and delivered would be land in the first instance with money to the relevant authority to build that provision. No mention of associated staff costs and therefore less feasible going forward. This is not clear and hard to test in terms of soundness. There is no mention of new facilities or expansion of existing premises.

In the IDP 3.117 shows that no contact has been made with the local Secondary Care Trust but there is a need for extension of Hospitals over the plan period. This is not in the infrastructure listed here or a reference to being a potential need. This is an unsound omission.

Secondary school provision – in this major growth model (b) states to provide provision equivalent to 3 forms of entry (3FE) “as an expansion of LAT Mascalls Academy” and this is the preferred option. The modification then goes on to state that ‘if this...is not deliverable, a new secondary school shall be delivered...’ and land has been allocated in the plan for this. None of the representations made at the hearing on education have been part of the Inspector’s modifications.

Amended IDP 3.80 Secondary Schools (non-selective) states in the amended version, that development of Paddock Wood... “will necessitate a new 6FE Secondary school within the Paddock Wood area.” This seems to be an error, in conflict with the LP modification which is for a 3FE growth as an expansion of Mascalls. The IDP here seems out of date referring to dates that have already passed eg 2019-20 estimation for selective school provision.

The basis for this option is on KCC forecasts that are dated 2022 or earlier, and I recently had a letter from Estates at Leigh Academies Trust that clarified their pupil numbers:

The PAN for Mascalls in Sept 2021 was 240, KCC requested Mascalls to take a 2FE bulge for 2 years (PAN 300) for 2022/23 and 2023/24. In September 2024 Mascalls PAN was reduced to 270. LAT are not currently looking to reduce the PAN.

These changes are not reflected in the documentation provided by the Council to date. The calculation by KCC does fluctuate, but recent documents in Planning for applications do not reflect this planned increase, and the calculation of FE needs to be accurate for the life of the plan. A recalculation is needed.

Amended IDP 3.79 – 3.80 says the expected demand for places is to increase (the current Primary School is oversubscribed). There has been no change to the reference to St Andrew’s Primary School confirmation from the DfE in fact local information is that this deal has passed and is not going ahead. With no more information from the DfE should this be taken as the solution to rising demand? The IDP refers to 2FE which is clearly not enough but conflicts with the data from the modified Plan.

The primary school vision overall seems to suggest 2 x 2FE schools in the Plan - 4FE needed not 3 separate schools. Provision was already made for a primary school in PDW in earlier development. There is not a requirement for 2 (poss 3) primary schools to be built, and no explanation given for this. Duplication of development is not sound. None have been delivered since 2016.

I have already commented on the highways issues, and the focus on junction improvements (IDP p20) The statement: 3.4 p19 IDP The Transport Decarbonisation Plan (2021) states “We need to move away from transport planning based on predicting future demand to provide capacity (‘predict and provide’) **to planning that sets an outcome communities want to achieve and provide the transport solutions to deliver those outcomes** (sometimes referred to as “vision and validate”).” Seems to support my point that improvement to the internal rural roads from the roundabouts listed (e) and links to different parts of the town and the industrial parcel are what the community really want. I believe this should be more explicit in the modified wording for PDW. 3.22 p24 does not include any consideration of the impact on linking roads except in very general terms of more mitigation being needed and therefore the (f) section in the modified wording is not sufficient to provide an outcome communities want to achieve.

Amended Infrastructure Delivery Plan March 2025 states “2.29 It is accepted that some of these identified infrastructure items **may be aspirational and may not be delivered as part of this Local Plan**, however it may be that they can form the basis of negotiations through the Development Management process, as part of development coming forward.”

The may be and may not aspect of this delivery plan is too vague to be meaningful. It is not strong enough to support the “certainties” outlined in the modified plan with any confidence for communities. This is not a sound basis for a 10 year period.

MM253 p477

7.10 The modified wording acknowledges an immediate increase in delivery early in the plan period, *“mainly due to the implementation of housing allocations in the earlier **Site Allocations Local Plan (2016)**,... Hence, **although the strategic urban expansion at Paddock Wood as well as the majority of new site allocations proposed in this Plan, are not expected to see first completions until about 2025/26**, a continuity of housing supply should be maintained (including a rolling-five-year housing land supply with appropriate buffers).*[emphasis added]

Development in PDW has been significant already in terms of delivering completed housing land supply which has been subject to a lack of any delivered infrastructure to date, and contributes to the lack of community confidence in the Plan going forward.

5.

If you do not agree with the proposed Main Modification/document, please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at Section 4 (above) where this relates to legal compliance or soundness.

Please be as precise as possible.

The text box will automatically expand if necessary.

Please see above

6.	<p>Please use this box for any other comments you wish to make.</p> <p>The text box will automatically expand if necessary.</p>
	<p>I believe I have made this representation focusing on the modifications which are identified, challenged with reasons for my comments. I have linked my comments to the modifications, and the data, reports and expert opinion where necessary. The 'effectiveness' of the Plan is key for it to be sound and there are major concerns about this aspect of the modifications, and in places a lack of consistency between the modifications and documents I have been directed to.</p>

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification.

7.	<p>Please tick this box if you wish to be kept informed about the Inspector's Report and/or adoption of the Local Plan</p>	<p>tick</p>
----	--	-------------

Signature		Date	28/4/2025
------------------	---	-------------	-----------

Thank you for taking the time to complete this form.

Closing date for responses: midnight on Wednesday 30th April 2025