

Date: 14<sup>th</sup> February 2024  
Your ref: APP/M2270/V/21/3273015

**CPRE Kent - The Countryside Charity**  
CPRE Kent, Queen's Head House,  
Ashford Road, Charing,  
Kent  
TN27 0AD

Laura Webster – Decision Officer

pcc@levellingup.gov.uk

**By email only.**

Dear Ms Webster

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77 APPLICATION MADE BY BERKELEY HOMES (EASTERN COUNTIES) LTD LAND ADJACENT TO TURNDEN, HARTLEY ROAD, CRANBROOK**

**Call-in Reference: APP/M2270/V/21/3273015**

We write further to your letter dated 2<sup>nd</sup> February.

CPRE Kent consider the various matters outlined within your letter, along with the applicant's letter of the 11<sup>th</sup> of January, add yet further clear weight against the grant of planning permission. We therefore welcome the opportunity to make further representations on these matters.

In responding to each relevant issue raised, we will use the applicants' headings for ease as these largely cover the points we wish to make with regards to the matters raised within your letter:

**1) Emerging Local Plan Process**

The eLP remains procedurally at a less advanced state than it was on the date of the Decision. It therefore remains our firm view that little weight can be attached to the emerging Local Plan (eLP) and its policies.

Specifically, the current consultation is exactly that, a consultation upon the various options available to the Council, not just the Council's preferred option. In responding to this consultation, CPRE Kent will again be strongly arguing that the Council's strategy with regard to allocations within the High Weald Area of Outstanding Natural Beauty (AONBs) should be reviewed. This will include our view that their preferred strategy does not give sufficient regard to the new duties arising from Section 245 of Levelling-Up and Regeneration Act 2023 to conserve and enhance the natural beauty of the AONB. We and others have a clear legitimate expectation that our views will at least be given due consideration by the Council ahead of their submission to the Local Plan Inspector of a revised development strategy.

Accordingly, the Council have agreed with the eLP Inspector that the public consultation should be similar to the Regulation 19 consultation procedure for making representations about a local plan. In line with this agreement, it is our view the eLP can be given no more weight than it would be given were it at the Regulation 19 stage.

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In any event, it is our view that the timescale as set out with the December LDS and highlighted by the applicant within their paragraph 2.2. is ambitious and arguably contradicts the advice being provided by the Council elsewhere. Specifically, and as highlighted within the Council's own guidance document under next steps<sup>1</sup>, it is stated they anticipate further examination hearings to be held "in late Spring/early Summer 2024". Following the hearings' conclusion, there will then need to be a further Inspector's report, followed by a formal 6-week main modification consultation. Whilst CPRE Kent would welcome the final eLP Inspectors report by August/September 2024 as suggested by the LDS, this seems quite unlikely. Against this context, we would certainly caution against the view the eLP is at an advanced stage for the purposes of NPPF Paragraph 48.

Finally, the applicant seeks to make much of the fact the Turnden Allocation (AL/CRS3) was not discussed in any detail during the meeting of TWBC Full Council of 13<sup>th</sup> December 2023. It is our view that this is simply because the inclusion of AL/CRS3 is not critical to the eLP being found sound. As set out within TWBC Updated Local Plan Housing Trajectory (Position as of 1 April 2023) published December 2023, there is currently a surplus of 275 dwellings assessed against the new 10-year period, with an anticipated five-year supply of 6.13 years at assumed point of adoption<sup>2</sup>. There is therefore sufficient flexibility for the eLP to be found sound with regards to NPPF Paragraph 69 should AL/CRS3 be removed.

## **2) Housing Land Supply**

CPRE Kent agree with the applicant that as a consequence of paragraphs 77 and 226 of the NPPF, the Council now need only demonstrate a 4-year land supply. We however disagree with the calculation undertaken by Lichfields and set out within paragraph 3.2 of their letter. This seemingly seeks to assess the 4-year housing supply against a 4-year housing supply requirement. Such an approach is contrary to the guidance now provided within the NPPG which states "Where the criteria under paragraph 226 are met, an authority will need to demonstrate a 4-year housing land supply with a 20% buffer, if appropriate, against their five-year housing land supply requirement"<sup>3</sup>.

Following publication of the revised NPPF, CPRE Kent sought clarification from the Council regarding what they considered to be their 4-year supply position, in the interests of clarity for all those involved in the planning system. On 13<sup>th</sup> February 2024, the Council published a revised position confirming that they considered the four-year supply figure to be 4.50 years. Whilst CPRE Kent does not wish to dispute this figure for the present purposes of this application, it is noted the calculation takes account of the shortfall in housing supply between 1 April 2020 – 31 March 2023. There is ambiguity whether this is required, though it is also noted that further guidance on Housing Supply and Delivery is to be published in due course<sup>4</sup>.

With regard to the 2022 Housing Delivery Test, we note that 677 houses were delivered in 2022, which is in excess of the current standard method target of 667 and resulted in a 96% delivery across the 3-year period meaning there are no sanctions being imposed upon the Council as a consequence.

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<sup>1</sup> [https://tunbridgewells.gov.uk/\\_\\_data/assets/pdf\\_file/0019/460153/Guidance-and-Explanation-Note-Consultation-on-Response-to-Inspectors-Initial-Findings.pdf](https://tunbridgewells.gov.uk/__data/assets/pdf_file/0019/460153/Guidance-and-Explanation-Note-Consultation-on-Response-to-Inspectors-Initial-Findings.pdf) - copy provided at Appendix 1

<sup>2</sup> See paragraph 3 - [https://forms.tunbridgewells.gov.uk/\\_\\_data/assets/pdf\\_file/0005/460148/PS\\_062-Updated-Local-Plan-Housing-Trajectory.pdf](https://forms.tunbridgewells.gov.uk/__data/assets/pdf_file/0005/460148/PS_062-Updated-Local-Plan-Housing-Trajectory.pdf) - copy provided at Appendix 2

<sup>3</sup> NPPG Paragraph: 056 Reference ID: 68-056-20240205

<sup>4</sup> See Chief Planning Officer letter of 5<sup>th</sup> February -

[https://assets.publishing.service.gov.uk/media/65c1f056c43191000d1a45f8/240205\\_Chief\\_Planners\\_Letter\\_Housing\\_Supply\\_PPG.pdf](https://assets.publishing.service.gov.uk/media/65c1f056c43191000d1a45f8/240205_Chief_Planners_Letter_Housing_Supply_PPG.pdf) - copy provided at Appendix 3

We are cognisant of the fact that the Secretary of State consented to the quashing of his previous decision on the sole basis that inadequate reasoning was provided to explain why a reduced five-year supply figure did not change his view regarding application of the exceptional circumstances test under then NPPF paragraph 177 (now paragraph 183). With there now being a 4-year requirement which the Council can comfortably demonstrate, with a sizable surplus, this ground falls away, along with any ambiguity regarding the failure to meet the exceptional circumstances test.

Instead, the situation is now clear that the presumption in favour of development under NPPF Paragraph 11(d)(i) can no longer be engaged. Accordingly, full weight should now be accorded to the previously identified conflict with adopted Policies LBD1 and EN25 of the Local Plan, Core Policies 1, 12 and 14 of the Core Strategy, and Policy AL/STR 1 of the Site Allocations LP. This change alone firmly tilts the planning balance against the grant of planning permission.

### **3) Beauty and Design**

It is clear from the Secretary of State's Written Ministerial statement of 19<sup>th</sup> December 2023 that the use of the word beautiful within the revised NPPF is a very deliberate attempt to give greater weight to matters of design in decision makers' consideration of planning matters.<sup>5</sup> Specifically, it was stated:

*"Building beautifully and refusing ugliness has been central to the Government's planning reforms, as the right aesthetic form makes development more likely to be welcomed by the community. From today, the NPPF goes further to cement the role of beauty and placemaking in the planning system by expressly using the word 'beautiful' in relation to 'well-designed places'".*

The Secretary of State has previously made his view clear that the proposed scheme was not sensitively designed, having regard to its High Weald AONB setting. Nothing has changed in this regard, and these are views which we and the other Rule 6 parties clearly share. The design of the scheme must therefore remain at best a neutral factor in the context of the planning balance.

### **4) AONB Policies**

The fact that no secondary legislation has yet been produced does not prevent the full application of the new duty placed upon public authorities following enactment and commencement of Section 245 of Levelling Up Act and the consequential changes to Section 85 of Countryside and Rights of Way Act 2000 (for Areas of Outstanding Natural Beauty).

This duty makes clear that the Secretary of State, in deciding whether to permit the development, must seek to further the specified purposes of the Protected Landscape, which for the High Weald AONB is to conserve and enhance its natural beauty. This is an active duty, not a passive one. Specifically, this means that the development must, inter alia, further the aims and objectives of the High Weald AONB Management Plan.

In this instance, however, it is seemingly the view of the authors of this plan, the High Weald AONB unit, that the design of the development does not meet the aims and objectives of their plan. This view is seemingly shared by the Government's Statutory Advisor on AONBs, Natural England. This view also aligns with the previous view of the Secretary of State who considered, in deciding not to grant the application, that the design of the proposal does not reflect the expectations of the High Weald Housing Design Guide nor respond to its AONB setting.

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<sup>5</sup> <https://questions-statements.parliament.uk/written-statements/detail/2023-12-19/hcws161>

Overall, it is clear that this statutory duty now constitutes a material consideration, regardless of the fact no changes were deemed necessary to the text of the NPPF.

#### **5) December statement and applicant's Conclusion**

The applicant seems to be making the case that the application site constitutes plan led development, when quite clearly it is speculative development for which no adopted site allocation exists. Instead, the applicant pursued a speculative planning application during a period of then marginal housing supply, while also promoting their site in the Local Plan. The application has been strongly and widely opposed by the local community, whom we at CPRE Kent have sought to give a voice to. We therefore disagree with the applicant's assertion that the AL/CRS3 allocation "remains unchallenged".

From our reading of the Secretary of State's December Statement, it seems to us that it was exactly this sort of situation that the recent NPPF revisions sought to address.

#### **CPRE Kent's Conclusion**

For the reasons set out above, the revisions to the NPPF and enhanced duty with respect to the High Weald AONB clearly support the refusal of permission, on grounds consistent with the previous refusal of permission.

Again, we can see no justification for yet further time-consuming and costly inquiry hearings. Rather, and given the significant uncertainty that this outstanding matter is having upon the local community, along with the time and resource burden being placed upon all parties involved, we would urge that a timely decision now be made upon this application.

Should any further information be needed from CPRE Kent to conclude the decision, please do not hesitate to contact us.

Yours Sincerely,

**CPRE Kent - The Countryside Charity**



W. [www.cprekent.org.uk](http://www.cprekent.org.uk)

The Kent Branch of the Campaign to Protect Rural England is a registered charity (number 1092012), and is also a company limited by guarantee, registered in England (number 4335730).

 Please consider the environment before printing this letter.

Enc:

1. Guidance and Explanation Note – Consultation on Response to Inspector's Initial Findings published January 2024
2. Updated Local Plan Housing Trajectory (Position as of 1 April 2023) published December 2023
3. Chief Planning Officer letter of 5<sup>th</sup> February

# Appendix 1 – Guidance and Explanation Note – Consultation on Response to Inspector’s Initial Findings published January 2024

Tunbridge Wells Borough



Tunbridge Wells Borough Council

# **Guidance and Explanation Note – Consultation on Response to Inspector’s Initial Findings**

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January 2024



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# 1.0 Introduction

- 1.1 Tunbridge Wells Borough Council (TWBC) submitted its new Local Plan to the Secretary of State in November 2021, to begin Examination of the Local Plan by an independent Planning Inspector, Mr Matthew Birkinshaw BA(Hons) Msc MRTPI. Following submission, a series of public Hearings formed part of that examination. The Hearings occurred in two stages:

## **Stage 1 Hearings: 1 March to 3 March and 29 March 2022**

- The Stage 1 Hearings covered Legal Compliance of how the plan had been prepared, including the Duty to Cooperate.
- The Inspector wrote to TWBC on 6 April 2022 and found that the examination could move on to Stage 2 for further detailed Hearings.

## **Stage 2 Hearings: 25 May to 19 July 2022**

- The Stage 2 Hearings covered: Housing and Employment Needs; Spatial Strategy and Distribution of Development; Green Belt Release, Site Selection; Strategic Sites; Meeting Housing Needs; Residential Site Allocations; Housing Land Supply; Employment, Economic Development and Infrastructure; Retail, Town Centres and Community Facilities; Transport Infrastructure; Landscape, Local Green Space and Open Space, Sport and Recreation; Sustainable Design and Heritage and Conservation; and The Natural Environment.

## **Post hearing Action Points**

- A series of post hearing Action Points were provided covering matters and clarifications that arose in discussions during the Hearings. These were submitted to the Inspector (See Stage 1 and Stage 2 Action Points on the Council's [Examination of Local Plan and Latest News](#) webpage) for further consideration and covered: Housing for Older People; Housing Densities; Settlement, Role and Function Study (Brenchley); Policy H6 action point; Superseded Policies; Policy AL/HA6 King George V Playing Fields; Green Belt Changes; Policy AL/RTW19 Land north of Hawkenbury Rec; Tudeley Village Housing Delivery; Policy AL/CRS6 South of the Street Sissinghurst; Policy AL/PE4 Land at Downingbury Farm; Policies AL/CO1 & GO2; Policy AL/HO2 Land South of Brenchley Road; Policy AL/SO2 Mabledon House; A21 Dualling Route; Policy EN16 Landscape within the Bult Environment; Policy EN15 Local Green Space; Policy EN21 ECV Points; Colebrook House ownership; and Sports and Leisure Needs.
- 1.2 Following the Examination hearing sessions the Inspector wrote with his [Initial Findings](#) to the Council on 22 November 2022. The letter sets out a number of queries for TWBC to consider and where possible overcome, in order that the Local Plan can proceed to the next stage of the examination.
- 1.3 TWBC has considered the comments made in the Inspector's Initial Findings and prepared a detailed response to each matter raised. Further details of this are



provided in Sections 3 and 4 below. On 13 December 2023, the Proposed Changes to the Local Plan were considered and approved by Full Council for public consultation.

## 2.0 The Public Consultation

- 2.1 There is a six-week consultation period during which time representations may be made on the Council's response to the initial findings, including the revised development strategy. The consultation begins on **Monday 15 January 2024 and runs until midnight on Monday 26 February 2024.**

### Viewing Consultation Documents

The consultation documents (hard/paper copies) are available for public inspection during the consultation period (15 January to 26 February 2024) at:

- **The Amelia Scott, Mount Pleasant Road, Royal Tunbridge Wells, TN1 1AW**, which is open from 9am-6pm (Monday to Wednesday and on Friday), 9am-8pm on Thursday, 9am-5pm on Saturday and 10am-4pm on a Sunday (Telephone 01892 526121).
- **Capel Parish Council:** Capel Village Hall, Falmouth Place, Five Oak Green, TN12 6RD which is open from 10am – 12pm on Tuesday and Thursday (Telephone 01892 837524).
- **Paddock Wood Town Council:** The Podmore Building, St. Andrews Field, St. Andrews Road, Paddock Wood, TN12 6GT which is open from 10am-3pm Monday to Friday (Telephone 01892 837373).
- **Cranbrook and Sissinghurst Parish Council:** The Old Fire Station, Stone Street, Cranbrook, TN17 3HF which is open from 10am–12pm Monday to Friday (Appointments can be made outside of these times by prior arrangement by calling 01580 713112).

The consultation documents can also be viewed online under the [Post-Initial Findings Evidence Base Documents January 2024](#) (these documents are also listed under Section 5 below and at Appendix A of the [Development Strategy Topic Paper Addendum \[PS\\_054\]](#)).

### Nature and scope of public consultation

- 2.2 Comments are sought on the proposed response by TWBC to the Inspector's [Initial Findings](#), which is set out in the Development Strategy Topic Paper Addendum (document number PS\_054). The Development Strategy Topic Paper Addendum is supported by a Sustainability Appraisal Addendum (document number PS\_037) and a

set of Evidence Base Documents covering a range of matters including: Green Belt, Transport/Active Travel, Highways modelling, Access and Movement, Flood Risk, Employment Land and in relation to Paddock Wood and Land at east Capel master planning work. A link to and full list of the Post Initial Findings Evidence Base Documents is provided in Section 5 below.

- 2.3 Through this consultation you can comment on the proposed response to the Inspector's Initial Findings contained in the Development Strategy Topic Paper and make comments on the Sustainability Appraisal Addendum or Evidence Base documents if you wish. Further information on how to submit comments is provided below.
- 2.4 This public consultation is being undertaken as part of the Examination process at the request of the Local Plan Inspector and, as such, the consultation is a non-statutory process which is not covered by the provisions of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 2.5 The scope of this public consultation is focused on the Council's proposed Changes to the TWBC Submission Local Plan (SLP) in response to the Inspectors Initial Findings letter.
- 2.6 Any representations should address whether the proposed response to the initial findings makes the SLP legally compliant and sound. Please note that compliance with the Duty to Co-operate does not apply after a Local Plan has been submitted for independent examination.
- 2.7 In due course, the examination Inspector will consider, amongst other matters, whether the Council's proposed changes to the SLP meet the four tests for soundness within paragraph 35 of the National Planning Policy Framework 2023, namely, that the revised Plan is:
- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
  - **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
  - **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
  - **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.
- 2.8 To assist the Inspector, representations made can suggest alternative or additional modifications to the Council's response including the revised Development Strategy to make the SLP sound and legally compliant. In addition, where an interested person

wishes to participate in any future examination hearing sessions, such a request should be included in their representation/response form.

## How to make representations

Representations can be made:

### Online

The preferred method for submitting comments is online using the Council's planning portal <https://consult.tunbridgewells.gov.uk/kse/> Please note that an account is not required to comment through the portal, and if you leave the planning portal page before finalising any comments, it will save what has been written so far.

### By email

A form can be downloaded as an MS Word document - [downloadable form link needed](#), or written representations made by email to [localplan@tunbridgewells.gov.uk](mailto:localplan@tunbridgewells.gov.uk)

### By Post

You can complete the above form or make written representations and send it to the Council at:

Planning Policy,  
Planning Services,  
Tunbridge Wells Borough Council,  
Royal Tunbridge Wells,  
Kent TN1 1RS

Further details are available on the Local Plan pages of the Council's website <https://tunbridgewells.gov.uk/planning/planning-policy/local-plan> . Further assistance can be sought by email at [localplan@tunbridgewells.gov.uk](mailto:localplan@tunbridgewells.gov.uk) or telephone 01892 554056.

## 3.0 Summary of the Proposed Changes to the TWBC Submission Local Plan

3.1 The Council's proposed response to the Inspector's findings, is summarised as:

- Proposed removal of the strategic policy STR/SS 3: The Strategy for Tudeley Village from the Local Plan.
- Revision of the strategic policy STR/SS 1: The Strategy for Paddock Wood and land at east Capel, including a reduction in the amount of residential housing growth by approximately 1,000 dwellings, with all housing being on Flood Zone 1 and employment land on Flood Zone 2, along with a reduction of employment provision, and reconfigured sport and recreation provision and secondary school education provision (as set out at Appendix D of the Development Strategy Topic Paper Addendum).
- At Hawkhurst it is proposed to revise site allocation policy number AL/HA 5: Land to the north of Birchfield Grove, to include housing, and land safeguarded for primary school expansion (in accordance with a planning committee resolution on application reference 22/02664/HYBRID).
- Also at Hawkhurst, the Council proposes the removal of site allocation policy number AL/HA 8: Limes Grove (March's Field) from the Local Plan. This site was proposed for employment use in the Submission Local Plan.
- Progression of a 10 year housing land supply position including the requirement for an immediate review of the plan.

## 4.0 The Council's Response to the Inspector's Initial Findings

### The Development Strategy – Policy STR1

4.1 The Submission Local Plan is supported by a series of Green Belt studies which reviewed land within the Green Belt through a three-stage process:

- **Stage 1** identified Broad Areas that make a strong contribution to one of the five Green Belt purposes as set out in the NPPF (paragraph 138).
- **Stage 2** comprised a more detailed and focussed review of 37 assessment parcels and 10 broad areas identified around settlements in the Strategic Study and resulted in an overall rating of potential harm (to the Green Belt) that could result from release of these areas.

- The purpose of the **Stage 3** study was to consider in more detail the potential harm to the Green Belt purposes of the release of the proposed Green Belt allocations and how Green Belt harm could be mitigated to inform policies.

- 4.2 The Inspector found that the Green Belt study was “*a logical and sound way of considering where growth should take place*” (ID-012 – paragraph 5), but also questioned why the Council did not carry out a Stage 3 assessment on reasonable alternative sites. The inspector concluded that, “*Further work is therefore necessary before a conclusion can be reached that exceptional circumstances exist to release the relevant site allocations from the Green Belt*”.
- 4.3 The Council has now undertaken a Stage 3 Addendum to the Green Belt Study which resolves the points raised by the Inspector. The resultant findings support the Council’s position in regard to the development strategy in the Submission Local Plan, and that no reasonable alternative sites are available.

### **The Strategy for Tudeley Village – Policy STR/SS3**

- 4.4 The Submission Local Plan proposed “Tudeley Village” as a new garden settlement, in Capel Parish, to accommodate approximately 2,800 new homes, of which some 2,100 were expected within the plan period (by 2038). It also anticipated up to some 10,000sqm of commercial and office floorspace, and associated infrastructure.
- 4.5 The proposal stemmed largely from the combination of the difficulties in identifying sufficient suitable sites in the borough to meet the local housing need, coupled with a recognition, as highlighted in the NPPF (paragraph 73), that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns.
- 4.6 The Inspector found that “*at this stage there remain significant and fundamental unanswered questions regarding the accessibility of the site by sustainable modes of transport, the ability to successfully mitigate against serious impacts on the highway network, the suitability and deliverability of the Five Oak Green bypass and the ability of the site to deliver housing at the rate and scale envisaged by the Plan.*”
- 4.7 After a review of the comments made by the Inspector relating to the Location and Accessibility of the Tudeley Village allocation, the Five Oak Green Bypass, and deliverability of the site, it has been identified that, due to the delays in expected delivery rates the retention of Tudeley Village as an allocation in the Local Plan would see a notably smaller contribution to housing numbers within the plan period than previously anticipated.
- 4.8 The proposed change would therefore see the removal of the Tudeley Village allocation from the plan.

### **The Strategy for Paddock Wood and East Capel – Policy STR/SS1**

- 4.9 The Inspector found that the strategy for Paddock Wood and Land at east Capel (PWeC) as set out in Policy STR/SS1 for expansion of the town was a ‘logical choice’.

The Council's approach to ensuring the planned growth at PWeC is sound has relied on extensive work in the form of a Structure Plan prepared on its behalf by David Lock Associates in conjunction with the respective delivery partners through the Strategic Sites Working Group.

- 4.10 The Inspector queried how the Council will ensure that the development comes forward in a comprehensive manner, thus ensuring that the vision for a strategically and holistically planned expansion is realised.
- 4.11 The Inspector also raised Paragraph 161 of the NPPF which requires all Plans to apply a sequential, risk-based approach to the location of development. The Council as part of its initial work in the Strategic Sites and Infrastructure Study identified one of the development approaches that would rely solely on delivery of housing within Flood Zone 1 (Option 3) where all residential development is in the safest land in terms of its flood risk classification. To satisfy the sequential approach officers have revisited the Option 3 development approach. This review of Option 3 has included a consideration of impact on housing supply and resulted in a reduction of approximately 1,000 homes from the original allocation estimate.
- 4.12 The consequential impact of the removal of the Tudeley Village allocation Policy STR/SS3 has meant that further Masterplanning work has been undertaken at Paddock Wood and Land at east Capel, to accommodate appropriate Sport and Leisure provision, and secondary school provision.

#### **The Strategy for Hawkhurst – Policy STR/HA1**

- 4.13 The Inspector raised questions about the appropriateness of two proposed allocations within Hawkhurst parish, Land north of Birchfield Grove and Limes Grove.
- 4.14 In regard to Land at Birchfield Grove the deliverability of the proposed medical centre allocated within the site (Policy AL/HA 5) in the Submission Local Plan needed further consideration. The Inspector's letter sets out that for the Plan to be found sound a site for the medical centre needs to be found. From the Hearings it was clear that the site will not come forward without housing due to certain land ownership issues.
- 4.15 Subsequent work carried out by TWBC officers has confirmed that there is no other suitable site at Hawkhurst to deliver a new medical centre. Further assessment of the 'exceptional circumstances' for major development in the AONB (now known as 'National Landscape') has been undertaken, and as such an allocation incorporating housing would now be supported. The now proposed amended allocation would be for a mixed use scheme including approximately 70 dwellings as well as the medical centre, and for school expansion land which has recently been identified as being necessary by the Education Authority (KCC). This would be in accordance with a Planning Committee resolution from November 2023 relating to planning application 22/02664/HYBRID.
- 4.16 In regard to the allocation at Limes Grove (Policy AL/HA 8) the Inspector advised that, given that the site, formally used for commercial purposes as a woodyard, is vacant and is located directly opposite the existing business park, there may be the

possibility to identify the site for smaller, less-intensive ancillary uses associated with the business park, rather than as originally proposed in the Submission Local Plan owing to concerns regarding accessibility for large vehicles.

- 4.17 However, following exhaustive discussions, the Highways Authority advises that safe pedestrian and vehicular access is not achievable for the proposal, or a related, scaled-down, use. This, together with a lack of previous planning history to support its lawful use, has resulted in the Council now proposing that this site allocation be deleted from the Plan.

Full details of the Council's proposed revised development strategy are set out in the **Development Strategy Topic Paper Addendum [PS\_054]**.

## 5.0 Additions to the Evidence Base

### Supporting Documents

- 5.1 The following new evidence base studies/papers have been produced to support the proposed changes/revised development strategy to the Local Plan and can be viewed on the Council's website here: [Post-Initial Findings Evidence Base Documents January 2024](#).

PS\_035: Green Belt Stage 3 Addendum report – Assessment of Reasonable Alternative Sites

PS\_036: SHELAA sheets for all reviewed Green Belt sites

PS\_037: Sustainability Appraisal Addendum

PS\_038: Sustainability Appraisal options SHELAA sheets

PS\_039: RAG Assessment – Access and Movement – Five Oak Green bypass

PS\_040: Tunbridge Wells Public Transport (PT) Feasibility Study Review

PS\_041: Paddock Wood Bus Service Options

PS\_042: River Medway and River Teise updated climate change Flood Zone modelling and mapping

PS\_043: Paddock Wood Streams updated present day and climate change Flood Zone modelling and mapping

PS\_044: Updated present day and climate change Flood Zone mapping

PS\_045: Employment land provision at Paddock Wood

PS\_046: Paddock Wood Strategic Sites (Master Planning) Addendum

PS\_046a: Figure 5: Structure Plan for Paddock Wood (Framework Plan, drawing no. TWBC04-008 Rev C)

- PS\_046b: Figure 13: Land Use Budget for Structure Plan (drawing no. TWBC04-009 Rev C)
- PS\_046c: Figure 14: Infrastructure Provision for Paddock Wood Sites (Infrastructure Plan, drawing no. TWBC04-011 Rev C)
- PS\_047: TW Stage 1 Technical Note - Review of Strategic Model Methodology and Set Up for Local Plan
- PS\_048: TW Local Plan Stage 2 Reporting
- PS\_049: TW Local Plan Stage 3 Modal Shift Impact Reporting
- PS\_050: RAG Assessment – Access and Movement – Colts Hill Bypass
- PS\_051: Colts Hill Bypass Green Belt Assessment
- PS\_052: Zone of Theoretical Visibility (ZTV) Colts Hill Bypass (note: this is a duplicate of PS\_050, which includes Zone of Theoretical Visibility)
- PS\_053: Provisions for Sustainable and Active Travel
- PS\_054: Development Strategy Topic Paper Addendum
- PS\_055: Equalities Impact Assessment (EqIA)
- PS\_056: Habitat Regulations Assessment (HRA)
- PS\_057: Local Development Scheme (LDS)
- PS\_058: Tunbridge Wells Bus Feasibility Technical Note
- PS\_059: TW Local Plan Stage 3 Part 2 Outcomes
- PS\_060: TWBC Local Plan Paddock Wood and east Capel Access and Movement Report
- PS\_061a: Addendum to Local Plan Viability Assessment Main Report
- PS\_061b: Appendix i Development Assumptions Overview – Tables 1 and 1a
- PS\_061c: Appendix ii Updated Results – Table 2
- PS\_061d: Appendix iii Appraisal Summaries
- PS\_062: Updated Local Plan Housing Trajectory (Position as at 1 April 2023)
- PS\_063: Summary of Proposed Modifications to the Development Strategy, following Inspector’s Initial Findings in November 2022

## 6.0 Next Steps

- 6.1 Following the end of the six-week consultation period, all responses received will be carefully reviewed by the Council. Consideration will be given as to whether further revisions of the proposed changes/revised development strategy are necessary to



address issues of soundness raised in consultation responses. Any such changes will not be subject to further public consultation as the persons making representations requesting changes to the proposed changes/revised development strategy will normally be entitled to address the Inspector at any forthcoming examination hearings in 2024. As mentioned above, where an interested person wishes to participate in any future hearing sessions, such a request should be included in their representation/response form.

- 6.2 The Council will then submit the proposed changes/revised development strategy (and all other supporting documents) and the representations received to the Local Plan Inspector to enable the examination to be resumed. The Inspector will consider all material submitted by the Council, including any representations received in the consultation period. It is anticipated that the Inspector will resume the examination in late Spring/early Summer 2024 and hold further hearings. However, this is a matter for the Inspector to decide and is outside of the Council's control.
- 6.3 Please visit the Council's [Examination of the Local Plan and Latest News](#) webpage for further updates and information.

**If you require this document in another format,  
please contact:**

**Planning Policy**

**Planning Services**

**Tunbridge Wells Borough Council**

**Town Hall**

**Royal Tunbridge Wells**

**Kent TN1 1RS**

**Telephone: 01892 5 5 4 0 5 6**

## Appendix 2 - Updated Local Plan Housing Trajectory (Position as of 1 April 2023) published December 2023

Tunbridge Wells Borough



Tunbridge Wells Borough Council  
**Updated Local Plan Housing Trajectory**  
**(Position as at 1 April 2023)**

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December 2023



## Supporting Commentary

1. This housing trajectory (see table below) is an update to that previously published within Appendix 4 of the Council's [Matter 9, Issue 1 Hearing Statement](#). The updated position is the position as at 1 April 2023. This updated position therefore accounts for all completions between 1 April 2020 – 31 March 2023, and draws upon the information found within the Council's recent [Five-Year Housing Land Supply Statement 2023](#).
2. As outlined within the Council's [Local Plan Development Strategy Topic Paper – Addendum \[PS 054\]](#), the proposed changes to the development strategy to be included in the Local Plan (in response to the Inspector's Initial Findings Letter (received November 2022) mean that the Council is proposing to proceed on the basis of a 10-year housing land supply position post adoption. The Council proposes to undertake an early Local Plan review because of having a 10-year, rather than a 15-year, housing land supply. The phasing of any proposed allocations beyond this 10-year period (and before 31 March 2038; that is, the end of the previously proposed plan period) is included within the table below for information. Where any housing allocation includes a range, the mid-point is taken.
3. In short, the previously proposed plan period (to 2038) would result in a shortfall of 1,073 dwellings (12,006-10,933 dwellings). The 10-year period, to the end of March 2035, would result in a surplus of 275 dwellings. The updated position would also achieve a five-year housing land supply on adoption (assumed to be the end of 2024, so taking the figure for the coming five years from 1 April 2025) of 6.13 years (under the Liverpool method, which spreads the surplus over the whole plan period, rather than just the next five years).









## Appendix 3 - Chief Planning Officer letter of 5th February



Department for Levelling Up,  
Housing & Communities

**Joanna Averley**  
*Chief Planner*

**Department for Levelling  
Up, Housing and  
Communities**

3rd Floor, Fry Building  
2 Marsham Street  
London SW1P 4DF

5 February 2024

By email only

Dear Chief Planning Officer,

### **Update to Planning Practice Guidance on Housing Supply and Delivery**

Today we have published updated planning practice guidance on Housing Supply and Delivery to ensure that it reflects the planning policy changes set out in the recently published National Planning Policy Framework (NPPF). The guidance can be found here [Housing supply and delivery - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/housing-supply-and-delivery), and includes information on transitional arrangements for decision making, updates to clarify how local authorities who meet the policy criteria can calculate a 4-year housing land supply position, as well as further detail on the circumstances under which authorities are not required to demonstrate a 5-year housing land supply for decision making.

In particular, paragraph 226 of the updated NPPF introduced a temporary measure that means some authorities only have to demonstrate four years of specific deliverable sites instead of the usual five. Following feedback from across the sector, the Planning Practice Guidance confirms that this will be based on the performance against 5-year housing land supply; not an alternative calculation.

We intend to publish further Housing Supply and Delivery guidance in due course which will set out how past oversupply can be considered by authorities who are calculating their 5-year housing land supply position, as well as wider updates to ensure that the position in the revised NPPF is fully reflected in guidance.

**Yours faithfully,**

**Joanna Averley**  
**Chief Planner**