



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

Representation Form

Please use a separate sheet for each representation

Ref: (For official use only)

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

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 send them by post to: Tunbridge Wells Borough Council, PLANNING POLICY, Town Hall, Royal Tunbridge Wells, TN1 1RS

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

	1. Personal Details	2. Agent Details (if applicable)
Title	Mr and Mrs	
First Name	Nick and Hilary	
Last Name	Andrews	
Job title (where relevant)		
Organisation (where relevant)		
Address Line 1	██████████	
Address Line 2	██████████████████	

Address Line 3	██████████	
Address Line 4	██████████	
Postcode	██████████	
Telephone number	██████████	
Email address (where relevant)	████████████████████	

PART B – YOUR REPRESENTATION
(Please use a separate sheet for each representation)

Name or Organisation	
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3.	To which part of the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) as set out in the Development Strategy Topic Paper Addendum?	
Chapter and (if applicable) sub heading	Chapter 2 – Greenbelt Chapter 3 – Tudeley Garden Village Chapter 4 – Strategic Growth at Paddock Wood	
Policy		
Paragraph number or appendix		

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

5.	<p>Please give details of why you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 - 2038) (as set out in the Development Strategy Topic Paper Addendum) are not legally compliant or are unsound. Please be as precise as possible.</p> <p>If you wish to support the legal compliance or soundness of the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) (as set out in the Development Strategy Topic Paper Addendum) please also use this box to set out your comments.</p> <p>The text box will automatically expand if necessary.</p>
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Click or tap here to enter text.

Chapter 2 – Greenbelt

Regarding Greenbelt. Point 2.24 (page 9) states “In addition, with the obvious exception of the strategic sites, it can be seen that the Council has generally proposed those sites with least harm to the Green Belt”

This is a worrying statement in that TWBC Local Plan is still proposing 1250 houses to be built in the North Western and Western Parcel of SS/STR 1 which specifically separates Paddock Wood from Capel Parish, Five Oak Green and Tonbridge. There is no evidence presented that this is the site with least harm to the Metropolitan Greenbelt.

Chapter 4 – Strategic Growth at Paddock Wood

Regarding the 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) and regarding Flood risk in particular;

TWBC have not provided further evidence related to pluvial flood risk and therefore have not considered this serious risk to flooding. As we write, the land in East Capel (North Western Parcel of SS/STR1(A)) is flooded, where the maps in PSA 042, 043 and 044 show there is no risk of flooding. There is no evidence to say where flood water (from whatever source – fluvial or pluvial) will be contained or go. The housing developments on this parcel of land are at exceedingly high risk of flooding.

PS044 Updated Present Day & Climate Zone flood mapping. This is a fluvial flood risk document.. Certain details in this document are based on incorrect/faulty input data. Certain areas (shown as white) define the land as not flood risk now or predicted in the future. This is incorrect and as we live and have lived on one of these “white areas” for 31 years, a large tract of this land does actually flood every year. Today, this land is flooded or waterlogged at best – in an ordinary winter. We note the watertable at time of rain, except in summer, is between ground level and approx. 10/15cm beneath the surface.

The other two flood risk documents PS042 and 043 are apparently equally failing in the initial basis data regarding where the historic, and current floods are.

Consequently the basis of the mapping is based upon incorrect/faulty input data in many places on this map. We have a number of photographs over the years showing this area to be flooded/waterlogged, including some from the past three months. **Please see 10 attached photographs to our email. If the input data is unsound the conclusions are unsound.**

We cannot comment on the flood mapping projection models but as we are now aware, following the Fujitsu Horizon scandal, computer systems can be wrong and

often are, when it comes to predictive models. The firm who produced these computer based reports have not given any indication of the error factors that may be in the models so on the basis of the poor input data, it is questionable whether the models they are relying on are correct as well. It appears as though computer modelling has been produced to fit with TWBC's ultimate vision of houses on this parcel of land rather than a true independent analysis of the flooding issues on flood plain. We have not been given access to TWBC's instruction to the flood specialists which is unfortunate as we do not know if the instruction was given to meet the requirement of the inspector.

It is worth considering that with climate change potentially leading to greater volatility in weather patterns causing greater rain fall/flood risks, any mortgages for houses built on land that is at risk of flooding have to be declare that to the lender and property insurer. As this area is often water logged and frequently floods, the likelihood is that the houses will be unsaleable assuming the developer is transparent in any sales process. Mortgage lenders and insurance underwriters have excellent risk assessments of flood risks as their capital is at risk, and these are potentially more accurate than the projections provided.

We would argue that it is unsound to allow potential homeowners to purchase property's in known flood risk areas, incur greater costs and anguish (if they can get mortgages and insurance). It is further unsound of the Borough Council to allow housing to be built in such areas knowing the risks that have been brought to their attention many times during this whole Local Plan process.

The third point we wish to raise is the issue again, of TWBC's lack of understanding and acknowledgement of the distinct separation between land in the East of Capel Parish and land in the West of Paddock Wood town – parcelling the land as one*. The existing parish Boundary is not the A228. The straightening and widening of the B2015 (which then became the A228) only happened in 1982. The land East of the A228 at Whetsted still belongs in Capel Parish. The emerging Capel Parish Neighbourhood Plan demonstrates perfectly the distinct differences between the rural parish of Capel and the town of Paddock Wood.

* See Local Plan Development Strategy Topic Paper – Addendum Page 68 – Table 4 – Capel Parish's Housing allocation is stated as zero. Whereas the true impact on Capel Parish will still be c1250 houses in East Capel. It is worth pointing out again, that Capel Parish currently has c915 homes with a recently undertaken housing needs assessment resulting in an additional 140 homes. If TWBC don't even know which Parish the housing developments are being placed in, the Local Plan has to be unsound.

6.	<p>Please set out what modification(s) you consider necessary to the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) Incorporating the Proposed Changes set out in the Development Strategy Topic Paper Addendum, legally compliant or sound, having regard to the Matter you have identified at Section 5 (above) where this relates to legal compliance or soundness.</p> <p>You will need to say why this modification will make the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.</p> <p>The text box will automatically expand if necessary.</p>
<p>Full and detailed flood defences where the water will flow and the damage it will cause downstream.</p> <p>Full flood analysis based on correct data including risks of Pluvial flood risk.</p> <p>Analysis by TWBC of the Mortgage and Insurance costs for potential homeowners purchasing new houses on an existing flood plain i.e. will flood insurance and mortgages be available to these purchasers.</p> <p>Removal of the allocation of housing in East Capel, barring the 140 houses outlined in the recently conducted housing needs assessment.</p>	

7.	<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><u>Chapter 3 – Review of the Proposal for a new Garden Village at Tudeley.</u></p> <p>Regarding the Proposed removal of the strategic policy STR/SS 3: The Strategy for Tudeley Village from the Local Plan. We wholly concur that this is a wise decision in that evidence has not been forthcoming to demonstrate the soundness of this plan in terms of deliverability, transport, infrastructure, the pressure on neighbouring Tonbridge and fundamentally, and the unjustifiable removal of this land from Metropolitan Greenbelt. For these reasons, the removal of this proposed development in Tudeley must be seen as permanent decision and should not be revisited as a development option when the Local Plan is reviewed in TWBCs proposed early review (14.8 page 60) . If the proposed development was seen by the Inspector and TWBC to be unsound in 2022/23, the development will remain unsound.</p>	

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8.	If your representation is seeking a modification, do you consider it necessary to participate at the examination hearings stage when it resumes?
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No, I do not wish to participate at the examination hearings

Yes, I wish to participate at the examination hearings

9.	If you wish to participate at the examination hearings stage once it resumes, please outline why you consider this to be necessary:
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Because we are experienced in the flooding aspects of land in east Capel Parish.

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

Sustainability Appraisal

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

11.	<p>Please use this box for any comments you wish to make about the Sustainability Appraisal.</p> <p>The text box will automatically expand if necessary</p>	
<p>Click or tap here to enter text.</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, as there will not normally be a subsequent opportunity to make further representations based on the original representation at later stages.

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

Signature	NCG Andrews & HA Andrews	Date	26/2/24
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