



Paddock Wood Town Council Representations

**Tunbridge Wells Borough Local Plan
Consultation on the Council's Response to
the Inspector's Initial Findings**

February 2024

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These Representations are prepared and submitted on behalf of Paddock Wood Town Council (PWTC) and the representations are supported by the Paddock Wood Neighbourhood Plan Steering Group.

1. Introduction

- 1.1. It has been over two years since the Examination into the Local Plan commenced following the submission of the Local Plan to the Secretary of State on 1st November 2021 and nearly two years since the Public Hearings commenced. The Town Council has been closely involved in the various stages of the Local Plan including in the Public Hearings that took place in early 2022. The Town Council wishes to participate in any future Hearings on the Local Plan given the scale of growth still proposed at Paddock Wood and given the constraints and complexities of the area which are well known.
- 1.2. The current consultation being held by TWBC is to seek comments *“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)”*¹. It is explained that through this consultation consultees can comment on the proposed response to the Inspector’s Initial Findings contained in the Development Strategy Topic Paper Addendum and make comments on the Sustainability Appraisal Addendum or Evidence Base documents if they wish to. We are asked to address whether the proposed response to the initial findings makes the SLP legally compliant and sound.
- 1.3. TWBC summarises the Proposed Changes to the TWBC Submission Local Plan as follows²:
- *“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).*

¹ 'Guidance and Explanation Note – Consultation on Response to Inspector’s Initial Findings’ (Jan 2024) (Paragraph 2.2)

² 'Guidance and Explanation Note – Consultation on Response to Inspector’s Initial Findings’ (Jan 2024) (Paragraph 3.1)

- *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."*

1.4. To be clear, as set out by TWBC, the Development Strategy Topic Paper Addendum does not consider the full range of modifications that may be required to the Local Plan. Rather, it is focussed on those matters raised by the Inspector that he believes need reviewing at this point to enable the examination to proceed³. Given the time that the Council has had since receiving the Inspector's Letter it seems it could have provided a more complete set of proposed changes for consultation. There is no indication provided by the Council of what other changes it considers may need to be made to the Local Plan

1.5. 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)⁴.

1.6. The Town Council provides its response to the Council's response in the sections below and is seeking a meeting with TWBC. The Town Council's previous representations to the previous Local Plan consultations and submissions made to the Examination are still valid and should be referred to by TWBC as part of this current consultation and going forward.

1.7. As the Town Council's representations set out in detail, the Town Council considers the proposed changes to the Local Plan to be unsound and not legally compliant. This is in relation to the overall process being proposed by TWBC and its proposed changes to policies, its supporting evidence base and Sustainability Appraisal. In terms of the proposed changes to the Local Plan being unsound they are not positively prepared, not justified, not effective and not consistent with national policy as set out in our representations. The particular policies we are responding to are limited to those that are part of the consultation being carried out by TWBC which are as follows:

- SLP Mod 1: Figure 5 Key Diagram
- SLP Mod 2: Table 3 Housing Need and Supply 2020-2038
- SLP Mod 3: Policy STR1 The Development Strategy
- SLP Mod 4: Table 4 Distribution of housing allocations
- SLP Mod 6: Policy STR/SS1 The Strategy for Paddock Wood, including land at east Capel Map 27 (Masterplan Areas)

³ Local Plan Development Strategy Topic Paper Addendum (November 2023) (Paragraph 1.8)

⁴ Guidance and Explanation Note – Consultation on Response to Inspector's Initial Findings' (Jan 2024) (Paragraph 2.4)

- SLP Mod 7: Policy STR/SS1 The Strategy for Paddock Wood, including land at east Capel Map 28 (Paddock Wood and East Capel Structure Plan (published with the permission of David Lock Associates Ltd)
- SLP Mod 8: STR/SS1 The Strategy for Paddock Wood including land at east Capel. New Maps for Paddock Wood and East Capel Development Parcels
- SLP Mod 9: Policy STR/SS1 The Strategy for Paddock Wood including land at east Capel

2. Engagement and Consultation with the Town Council and Stakeholders

- 2.1. The information being consulted on by TWBC is all new information to the Town Council.
- 2.2. There has not been any opportunity for the Town Council or other consultees to participate in any consultation or engagement activities with TWBC during this consultation period and the accessibility of the documentation consulted on has been poor and difficult for many in the community to understand. Given the scale and complexity of the changes proposed as part of this consultation and the proposed changes to the Paddock Wood Strategic Sites Addendum TWBC should have held consultation activities for people to engage and to give people the opportunity to better understand what changes are being proposed by the Council.
- 2.3. It is considered that the approach taken by TWBC do not comply with the Council's Statement of Community Involvement (October 202). In regard to Planning Policy activities the SCI states the following (Paragraph 2.8)

"To encourage the identification of issues and concerns at the earliest opportunity, the Council will follow two general principles:

- 1. To recognise the needs of different groups in the community by making communication timely, relevant, and accessible; and*
 - 2. To provide for community involvement in ways that make best use of people's time and available resources."*
- 2.4. The current consultation has not followed these general principles. Communication and documentation have not been accessible and there has been no community involvement – requiring consultees to respond to approximately 20 new technical planning documents with an explanatory Local Plan Strategy Topic Paper Addendum which is difficult to follow and has many errors is not making the best use of people's time and resources. **An example is that it refers to Sections B, C, D, E, F, G and H however there are no such Sections in this document. For example, it states at Paragraph 1.7 that "most critically Section H sets out recommended revisions to the overall development strategy at Policy STR1 of the Local Plan..." yet no Section H exists. How are consultees supposed to follow this as the key consultation document with such a fundamental error?**
 - 2.5. The Paddock Wood Strategic Sites Addendum includes many critical plans that are of such poor resolution that they are not legible. This makes it impossible to fully understand what is being proposed. TWBC has requested higher resolution copies of these Plans.
 - 2.6. Indeed, there has been very limited engagement with the Town Council since the Local Plan Hearings commenced. The 'Strategic Sites Working Group' (SSWG) that TWBC

claimed was the key to collaboration and cooperation regarding the proposals and Masterplan at Paddock Wood has ceased to exist. TWBC explained as part of the Examination that the SSWG was to bring key stakeholders together and provide a round table forum to update and enable discussions in progressing the strategic sites through the Local Plan and beyond:

“The purpose of the SSWG, as set out in the Topic Paper [CD 3.67], was to bring together the key stakeholders and provide a round table forum to update and enable discussions on key items in progressing the strategic sites through the Local Plan and beyond. For example, members of the SSWG input into the brief for the Masterplanning work (via email on 2nd July 2020 ahead of finalisation and publication of the Tender on 7th July 2020. Comments were received and incorporated into the final tender document); were invited to the technical workshops for their appropriate disciplines and were given presentations on the emerging Masterplan and Infrastructure work which was prepared by David Lock Associates. The SSWG was also provided with presentations on the Council's active travel proposals for Paddock Wood and Tudeley Village, as set out in the draft Local Cycling and Walking Implementation Plan (LCWIP) [CD 3.115]”⁵

2.7. The SSWG was disbanded and were supposed to have been replaced with individual meetings between TWBC and with parishes including Paddock Wood Town Council which has not materialised.

2.8. The Town Council has made a record of engagement with TWBC since the start of the Local Plan Hearings which has been very limited and was mainly in relation to the sports strategy and leisure matters. Any meetings regarding the Local Plan were 'information giving' sessions only. The meetings that have taken place are listed below and are to the best of the Town Council's knowledge:

- **10/03/2022** Meeting regarding Sports Strategy - this was a session telling us of the plans in relation to the venue on the Badsell/Whetsted Roads.
- **14/07/2022** Invited to a meeting about the Leisure Strategy.
- **09/09/2022** Meeting regarding the Local Plan - these meetings were proposed monthly but rarely took place, they were not minuted and largely focused on the Town Centre.
- **04/11/2022** 'Catch up' meeting with Policy Officer.
- **22/02/2023** Invited to a meeting regarding strategic sites, which was an information giving session.
- **22/06/2023** Invited to a Paddock Wood strategic site regarding Sports.
- **25/10/2023** Local Plan Update meeting.

⁵Matter 1: The Role of the Strategic Sites Working Group (4th March 2022) (Paragraph 8)

2.9. We question what engagement and consultation TWBC has undertaken since the Local Plan hearings and the current consultation in terms of working with key stakeholders (apart from developers and landowners) such as Duty to Cooperate Prescribed Bodies including neighbouring authorities and statutory bodies regarding the evidence and proposed changes to the Local Plan presented in this consultation. This does not appear to be set out anywhere and should be an important consideration in understanding how input and discussions with key stakeholders have informed and shaped the proposals being consulted on.

2.10. We note there is a lack of reference to the Paddock Wood Neighbourhood Plan in the Local Plan and supporting documentation including the Mastepanning work despite the Neighbourhood Plan passing referendum and being 'Made' by Tunbridge Wells Full Council on 4th October 2023⁶. There are many relevant sections of the Neighbourhood Plan that should be acknowledged and referred in the Local Plan whereas at the moment it is ignored for the most part.

2.11. The Neighbourhood Plan's Vision and Objectives are set out below

*Paddock Wood will retain its character as **a modern, 21st Century, rural market town**, preserving its built and natural heritage whilst sympathetically accommodating new growth.*

*New residential and commercial development **that embeds high environmental standards** will be delivered alongside the appropriate **infrastructure to support community life and activity for all ages**, including younger people.*

*New growth and development will integrate seamlessly with the existing settlement to create a balanced place with **a cohesive, socially inclusive community, with a thriving centre at its heart**, and accessible open spaces that support wildlife as well as people. A wide range of social, community and recreational facilities will help make Paddock Wood a better place to live, learn, work and visit for everyone, including the elderly, vulnerable and disabled.*

*Through **sustainable design and the promotion of active travel**, Paddock Wood will be future-proofed, responding proactively to the challenges posed by climate change.*

Figure 2.1: Paddock Wood Neighbourhood Plan - Vision

⁶ <https://tunbridgewells.gov.uk/planning/planning-policy/neighbourhood-plans/paddock-wood>

- Objective 01:** Deliver the social and environmental infrastructure necessary to support a growing community in the 21st Century.
- Objective 02:** Coordinate all new development so that it contributes to the creation of a safe and sustainable community with good access to essential services for all residents.
- Objective 03:** Maintain and enhance the character of Paddock Wood as a rural market town, and protect and promote its culture, economy and heritage.
- Objective 04:** Ensure high quality new development through appropriate use of materials, details and designs that are sympathetic to the local context.
- Objective 05:** Ensure that future development will be designed in such a way as to improve the quality of life for all residents.
- Objective 06:** Create a robust and flexible network of streets, roads and spaces suitable for all modes of travel.
- Objective 07:** Working collaboratively with all our neighbouring parishes.
- Objective 08:** Maintain existing sports facilities and create additional sports and recreation facilities to meet the needs of the growing population.
- Objective 09:** Enhance the town's natural beauty and countryside setting by protecting and enhancing biodiversity.
- Objective 10:** Create a buoyant, thriving town centre, which acts as a focal point for residents and visitors alike.

Figure 2.2: Paddock Wood Neighbourhood Plan - Objectives

3. Duty to Cooperate

3.1. We previously set out how TWBC has not complied with the Government's legal test for discharging its Duty to Cooperate. TWBC explains that the Duty to Cooperate no longer applies to TWBC as the Local Plan has been submitted:

*"Please note that compliance with the Duty to Co-operate does not apply after a Local Plan has been submitted for independent examination."*⁷

3.2. However, given the lengthy discussions regarding strategic cross-boundary matters with neighbouring authorities (Sevenoaks and Tonbridge and Malling) in relation to unmet housing needs and infrastructure needs and delivery, progress on the Duty to Cooperate does seem to be relevant. This is particularly the case given that TWBC is now the authority claiming that it cannot meet its development needs due to constraints it has in the borough including AONB, Green Belt and importantly the new acknowledgement by TWBC of its severe flood risk constraints in and around Paddock Wood that seriously reduce its ability to plan for housing in this part of the borough as originally planned.

3.3. TWBC is proposing an 'immediate review' of the Local Plan if it were to proceed to adoption so the Duty to Cooperate position and activities during the post-submission period (include the present period) are still relevant and should be considered.

3.4. In relation to the Duty to Cooperate activates undertaken recently, we note that TWBC has also failed to comply with the Town and Country Planning (Local Planning) (England) Regulations 2012⁸ which states that:

"(6) Where a local planning authority have co-operated with another local planning authority, county council, or a body or person prescribed under section 33A of the Act, the local planning authority's monitoring report must give details of what action they have taken during the period covered by the report."

The most recent TWBC Authority Monitoring Report (AMR) available on TWBC's website is the 2021-2022 Authority Monitoring Report⁹ does not detail actions TWBC has taken in relation to the Duty to Cooperate.

3.5. Furthermore, TWBC's Statement of Community Involvement (October 2020) commits to reporting *"on how it meets the Duty Cooperate in its Authority Monitoring Report"*¹⁰.

⁷ Guidance and Explanation Note – Consultation on Response to Inspector's Initial Findings (Jan 2024) (Paragraph 2.6)

⁸ <https://www.legislation.gov.uk/ukxi/2012/767/regulation/34/made> (see 34(6))

⁹ https://tunbridgewells.gov.uk/_data/assets/pdf_file/0009/437616/Authority-Monitoring-Report-2021-22_accessible.pdf

¹⁰ https://tunbridgewells.gov.uk/_data/assets/pdf_file/0003/343650/StatementofCommunityInvolvement2020Accessible_version.pdf (Paragraph 2.17)

4. NPPF Changes (2023)

4.1. It is important to acknowledge the recent changes to the NPPF in December 2023 which are significant and relevant to this Examination. There are at least two key changes to the NPPF that are worth highlighting as part of this Examination.

4.2. The first of these key changes is in relation to local authorities now having greater flexibility to plan for fewer or higher number of homes than the standard method indicates, and where there are specific local circumstances that justify an alternative approach to assessing housing need, that is now explicitly supported.

4.3. Paragraph 60 of the NPPF now clarifies through new text that the overall aim of meeting housing needs is to meet as much of an area's identified housing need as possible:

"The overall aim should be to meet as much of an area's identified housing need as possible"¹¹

4.4. Paragraph 61 now states that the standard method is an 'advisory starting-point' and local circumstances may which justify an alternative approach to assessing housing need (our emphasis):

"The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area "There may be exceptional circumstances, including relating to the particular demographic characteristics of an area (Footnote 25: Such particular demographic characteristics could, for example, include areas that are islands with no land bridge that have a significant proportion of elderly residents) which justify an alternative approach to assessing housing need; in which case the alternative approach should also reflect current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for"¹².

4.5. Secondly, there is a new paragraph (Paragraph 145) of the revised NPPF that states local authorities may choose to (but are not required to) review and alter Green Belt boundaries (in the event that they consider that they cannot meet housing need) during the plan-making process, where exceptional circumstances are fully evidenced and justified.

4.6. Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process.

¹¹ NPPF (December 2023) (Paragraph 60)

¹² NPPF (December 2023) (Paragraph 61)

4.7. There are of course transitional arrangements for the changes to the NPPF that were made in December 2023 as set out below. Whilst the Local Plan is not 'caught' by the timing of these transitional arrangements these changes surely have some bearing on the Examination given the significant changes at the national level - any review of the Local Plan will be conducted under the new NPPF and there are surely implications of this fact on the current Examination that should be explored. Given the borough's significant constraints its housing requirement and need to propose such strategic Green Belt releases could be reduced under the new NPPF changes.

NPPF December 2023 Annex 1 – Implementation

For the purpose of plan-making

“The policies in this Framework (published on 19 December 2023) will apply for the purpose of examining plans, where those plans reach regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (pre-submission) stage after 19 March 2024. Plans that reach pre-submission consultation on or before this date will be examined under the relevant previous version of the Framework in accordance with the above arrangements”. (Paragraph 230)

5. Plan Period and Proposed 'Early Review'

Plan Period

5.1. The NPPF states that "*Strategic policies should look ahead over a minimum 15-year period from adoption (except in relation to town centre development)*"¹³. Planning Practice Guidance (PPG) confirms this:

*"The National Planning Policy Framework is clear that strategic policies should be prepared over a minimum 15 year period and a local planning authority should be planning for the full plan period"*¹⁴.

5.2. TWBC previously calculated that it anticipated Local Plan adoption in June 2022 and that based on that calculation it would extend the Local Plan period to March 2038 so that the remaining Plan Period at the point of adoption would be 15.75 years¹⁵.

5.3. The Submission Local Plan states "*In accordance with national policy...this Plan runs from 2020 to 2038, following anticipated adoption in January 2023*"¹⁶. Clearly the Local Plan will not be adopted in June 2022 or January 2023 and the earliest it would be adopted is at the end of 2024 if it were to pass Examination. On this basis the Local Plan period will not meet the minimum plan period of 15 years from adoption as required by the NPPF.

5.4. **Therefore, the Local Plan period needs to be extended by at least two years (end date of March 2040) and the evidence base needs to be updated in line with this extension.**

5.5. The NPPF now requires that where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery. As the Town Council has set out in its previous submissions, there is clearly a need for more lead in time to plan for this proposed new strategy which will require an enormous amount of funding, due diligence, community / stakeholder engagement and joined up planning in order to properly plan and deliver.

Early Review

5.6. TWBC states that the deletion of Tudeley Village would make such a substantial reduction in housing land supply that the Local Plan's allocations would no longer be sufficient to provide for 15 years post adoption, all other things being equal. It states that for this scenario, and potentially others, to be capable of being found sound, there would be a need to commit to an early review of the Local Plan.

5.7. TWBC also refers to the changes to the planning system and national planning policies being imminent strengthens the case for this approach.

¹³ NPPF paragraph 22

¹⁴ PPG: Paragraph: 064 Reference ID: 61-064-20190315

¹⁵ Housing Needs Assessment Topic Paper for Pre-Submission Local Plan (February 2021) (Paragraphs 2.2-2.3)

¹⁶ Submission Local Plan paragraph 1.13

- 5.8. It explains that its assessment is supported by the Sustainability Appraisal, which concludes that, in the particular circumstances surrounding the way forward with the Local Plan, it is most appropriate to revise the development strategy as proposed¹⁷. We would like to point out that the Sustainability Appraisal did not look at any new / revisited sites and it simply looked at multiple reconfigurations of the Paddock Wood and east Capel and Tudeley Village options, therefore, to rely on a Sustainability Appraisal that did not have an 'open mind' about other potential sources of housing supply is not a sound approach.
- 5.9. TWBC states that if the Local Plan were to be found sound that it would be conditional upon a review within five years of the date of adoption. However, such a 'condition' is already imposed under [regulation 10A of The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#) whereby local planning authorities must review local plans, and Statements of Community Involvement at least once every 5 years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community.¹⁸
- 5.10. TWBC proposes the following wording be added to the Local Plan:
- “Following adoption, the Council will undertake an early review of the Local Plan, which will include further investigation of ways of meeting identified housing needs for the period post 2034.”*
- 5.11. **Therefore, it is unclear what TWBC is actually proposing in terms of an 'early review' as a review within 5 years is already a requirement. If TWBC proposes an 'immediate review' upon adoption what makes the Council that it will find more 'reasonable alternatives' to help deliver its development needs when it has apparently just undertaken this same exercise and concluded that it is not possible?**
- 5.12. As it has pointed out, the new national policies would be in force if and when TWBC prepare its Local Plan Review which could be based on different housing requirements and no requirement to review its Green Belt.

¹⁷ Local Plan Development Strategy Topic Paper – Addendum (Nov 2023) (Paragraph 13.18)

¹⁸ PPG Paragraph: 062 Reference ID: 61-062-20190315

6. Local Development Scheme (LDS) & Approach to SPDs

6.1. Whilst we welcome the proposed reduction in the number of SPDs, we have a number of fundamental concerns with the Council's proposed approach for the SPD and its timetable.

6.2. In terms of the Council's proposed approach to SPD(s) it effectively states that whilst SPDs may in some circumstances take 'some time to draft and adopt' and that as a result housing delivery could be delayed. TWBC's approach is to align the timetable of the Paddock Wood Structure Plan SPD with that of the Local Plan so that the SPD is adopted at the same time as the Local Plan or soon afterwards. This timing is set out in the Council's Local Development Scheme (December 2023) which proposes that the SPD is consulted on during March – May 2024 with adoption in October – December 2024. The LDS proposes that the Local Plan Inspector's Report is received in August – September 2024 and that adoption takes place in October – December 2024.

6.3. There are many issues with this proposed approach.

- A draft SPD should be consulted on after the Local Plan is adopted so that any known changes that result from the remainder of the Examination, Main Modifications consultation and adoption are known and can be reflected in a draft SPD. Consulting on an SPD on the most important topic of the Local Plan (Paddock Wood and east Capel) at the same time that Local Plan is being examined on the same topic seems to be a poor use of resources and is likely to confuse consultees and create consultation fatigue for all involved.
- If the Council considers that it has a draft SPD ready for consultation next month (March 2024) why does TWBC not include the details of the Masterplan and SPD within the Local Plan so that they can be fully examined? It appears that TWBC wishes to avoid or bypass the scrutiny of its Masterplan and SPD that would be required if the details were included in the Local Plan given that an SPD does not need to go through the Examination process.

6.4. Referring to the Council's statement below it appears that the Council is also seeking to rush the SPD process in order demonstrate that its proposed Housing Trajectory is deliverable (please see our response to the Housing Trajectory in the following section):

"The Council considers that the work undertaken on masterplanning is thorough and extensive and, whilst under some circumstances, an SPD could take some time to draft, consult on, and adopt, meaning that the speed to which associated housing may come forward could be delayed, much of that work is in place and it is anticipated that the process of adoption of the SPD would keep pace with the

adoption of the Local Plan in order that its adoption might be either aligned to the same timeframe or very soon afterwards.”¹⁹

6.5. Further to the points we raise above, TWBC appears to think that the SPD does not require its own full public consultation following the potential adoption of the Local Plan but that it can simply ‘twin-track’ the consultation of the SPD with the consultation on main modifications to the Local Plan. The Parish Council considers this as an attempt by TWBC to bypass the due process required to ensure the SPD is based on sound community engagement and consultation. For example, this approach of ‘twin-tracking’ the Local Plan and SPD simply assumes that the main modifications proposed will be written into the final adopted Local Plan which are still subject to consultation and review of consultee representations and final changes recommended in the Inspector’s Report. There is of course the potential of a legal challenge of the Local Plan following adoption. Preparing and consulting on an SPD in advance of this clearly an ineffective and unsound approach. It would only be reasonable for TWBC to prepare a realistic a timetable for the SPD that ensures due planning process.

“Whilst the nature of SPD production relies on public consultation, it would already benefit from a policy direction that has already been agreed through the Local Plan. Swift delivery of SPDs is not uncommon and can be twin-tracked with later consultation on main modifications. Nevertheless, it has been accepted at the hearings that the policy itself (STR/SS1) may be modified (Appendix D) to only require a single overarching SPD, which would include the parameters for the scale, type and mix of uses permitted at each of the development parcels (aligned with each developer), and also identify strategic and site-specific infrastructure.”²⁰

6.6. As we set out elsewhere, we are concerned that Paddock Wood Town Centre is not part of the scope of the Paddock Wood Structure Plan SPD which risks town centre improvements not being delivered alongside the huge growth of the town. We discuss this further in our section below title ‘Growth Proposed at Paddock Wood’.

¹⁹ Local Plan Development Strategy Topic Paper Addendum (November 2023) (Paragraph 4.14)

²⁰ Local Plan Development Strategy Topic Paper Addendum (November 2023) (Paragraph 4.15)

7. Housing Trajectory and Housing Delivery Assumptions

- 7.1. PWTC is by no means endorsing the principle of development proposed at Paddock Wood by its responses in regard to the Council's Housing Trajectory and its associated Delivery Assumptions.
- 7.2. The Council's evidence and approach to determining the housing trajectory and housing delivery assumptions are not justified and not effective and inconsistent with national policy.
- 7.3. Paragraph 73 of the NPPF states that: *"Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites"*.
- 7.4. TWBC's Updated Local Plan Housing Trajectory (Position as at 1 April 2023) (December 2023) is still unrealistic for Paddock Wood based on the Town Council's previous representations on this matter. We provide a comparison of the 2021 trajectory and the 2023 housing trajectory below.

STR / SS1 (The Strategy for Paddock Wood and east Capel)

- 7.5. The 2021 trajectory assumed 3,490 Lower, 3,540 Mid and 3,590 Upper for Paddock Wood Site Ref STR/SS1. The 2023 trajectory now assumes 2,374, 2,453 and 2,532 respectively for the same site. TWBC uses the Mid assumptions of 3,540 and 2,453 in the trajectories. This results in a difference of 1,087 less dwellings in 2023 for this Site Reference.
- 7.6. Both trajectories have the first housing completions being delivered in 2025/26 and full delivery completed in 2036/37 – a total of 12 years of delivery.
- 7.7. As the Town Council set out in its previous submissions, the delivery of homes starting in 2025/26 is unrealistic and not backed by evidence. In respect of the lead in time for housing delivery the Inspector references *'Start to Finish: Second Edition'* (Lichfields 2020) which the Town Council also used in its submissions and analysis of the proposed trajectory. The Inspector raises this in relation to the Tudeley Village proposals however the same still applies to Paddock Wood as a large site of over 2,000 dwellings (the threshold used in that study) and an SPD is still proposed at Paddock Wood.

"The most up-to-date, independent evidence of deliverability on large sites before the examination is Start to Finish: Second Edition (Lichfields, 2020). It shows that the average time from validation of an outline planning application to the delivery of houses on large sites over 2,000 dwellings range from 5.0 to 8.4 years. In this case, the submitted Plan would need to be modified and consulted on before adoption, Supplementary Planning Documents would need to be produced, published for consultation and adopted, planning applications would have to be prepared and submitted,

important details regarding phasing and the deliverability of shared infrastructure would need resolving, along with agreements on complex planning obligations. Details of the bypass would also have to be finalised, tested, applied for and approved, in addition to the compulsory purchase of land before the wider site could come forward. When taking all these factors into account, I am not persuaded that the housing trajectory is realistic.”²¹

7.8. This process described by the Inspector is no different for the Paddock Wood proposals. Using this lead in times from the validation of an outline application (assuming 2024/25) the delivery of housing should not be assumed to commence until between 2029/30 and 2032/33. Depending on whether you assume 5 or 8 years of lead in time based on the Lichfields evidence this would result in a reduction of between 830 and 2,011 dwellings at STR/SS1.

7.9. As we have set out previously and evidenced by the Lichfields study there will need to be many further reserved matters applications, Section 106 agreement(s), discharging of planning conditions and opening up works for each of the areas identified as part of the Masterplan and SPD. There is also the matter of the Colt’s Hill Bypass which would need to be finalised, tested applied for approval and not to mention the delivery of key utility infrastructure to support the development that would need to be put into place.

7.10. This resultant reduction in housing undermines the Council’s overall revised strategy. We explain below how the assumed delivery rates are also unjustified.

Plan Year		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18			
Actual Year		2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	2036/37	2037/38			
Projected Housing Completions		767	932	990	986	801	885	660	737	686	623	736	733	720	661	598	705	646	391			
Cumulative Projected Housing Completions		767	1699	2689	3675	4476	5361	6021	6758	7444	8067	8803	9536	10256	10917	11515	12220	12866	13257			
Housing Target		678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678	678			
Cumulative Housing Target		678	1356	2034	2712	3390	4068	4746	5424	6102	6780	7458	8136	8814	9492	10170	10848	11526	12204			
Ref	Site Address	Parish	Lower	Mid	Upper															Totals		
STR/SS 1	The Strategy for Paddock Wood and east Capel	Paddock Wood	3490	3540	3590	0	0	0	0	0	300	300	300	300	300	300	300	300	300	240	0	3540
STR/SS 2	The Strategy for Paddock Wood Town Centre	Paddock Wood	30	30	30	0	0	0	30	0	0	0	0	0	0	0	0	0	0	0	0	30
STR/SS 3	The Strategy for Tudeley Village	Capel	2100	2100	2100	0	0	0	0	150	150	150	150	150	150	150	200	200	200	200	2100	
AL/PW 1	Land at Mascalls Farm	Paddock Wood	412	412	412	0	0	0	0	1	77	25	0	0	0	0	0	0	0	0	0	103

Figure 7.1: Housing Supply and Trajectory Topic Paper for Pre-Submission Local Plan (2021)

Plan Year		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18			
Actual Year		2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	2036/37	2037/38			
Projected Housing Completions		688	518	636	842	736	758	1049	798	926	707	663	614	567	523	255	182	230	241			
Cumulative Projected Housing Completions		688	1206	1842	2684	3420	4178	5227	6025	6951	7658	8321	8935	9502	10025	10280	10462	10692	10933			
Housing Target		667	667	667	667	667	667	667	667	667	667	667	667	667	667	667	667	667	667			
Cumulative Housing Target		667	1334	2001	2668	3335	4002	4669	5336	6003	6670	7337	8004	8671	9338	10005	10672	11339	12006			
Ref	Site Address	Parish	Lower	Mid	Upper															Totals		
AL/SO 1	Speidhurst Road former allotments (and between Bright Ridge and Speidhurst Road)	Southborough	16	16	16	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AL/SO 2	Land at Mableton House	Southborough	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AL/SO 3	Land at Baldwins Lane	Southborough	26	26	26	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
STR/SS 1	The Strategy for Paddock Wood and east Capel	Paddock Wood	2,374	2,453	2,532	0	0	0	0	50	206	285	290	295	295	295	275	103	30	34	0	2453
STR/SS 2	The Strategy for Paddock Wood Town Centre	Paddock Wood	30	30	30	0	0	0	0	0	0	0	5	5	5	1	0	0	0	0	0	16
AL/PW 1	Land at Mascalls Farm	Paddock Wood	413	413	413	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Figure 7.2: Updated Local Plan Housing Trajectory (2023) (PS_062)

²¹ ID-012 Inspector’s Initial Findings Report (November 2022) (Paragraph 34)

7.11. In terms of the delivery rates proposed in the trajectory there is very little change from that in the previous trajectory proposed by TWBC. The first year of delivery assumes a more realistic figure (50 dwellings compared to 300) and the final three years of delivery also seem more realistic. However, the bulk of the delivery is assumed between years 2026/27 and 2033/34 with very similar delivery rates during these core years of the trajectory. In fact, the average delivery rates for these years is 254 dwellings per annum in the 2023 compared with 300 dwellings per annum in TWBC's previous trajectory. Six of these core years have only a very small difference in assumed delivery rate.

7.12. This assumed delivery rate is also at odds with the Lichfield evidence which confirms an average build-out rate of 160 dwellings per annum. TWBC is assuming an average delivery rate of nearly twice this amount. If one were to use the Lichfields delivery assumption of 160 dwellings average per annum it would take 15 years to fully deliver the housing in this location

7.13. Taken together with the lead in times outlined earlier in this section and the resultant first year of delivery being say 2030 for the sake of argument, then 2045 would be the final year of delivery using a 160 dwelling average per annum assumption. This obviously extends well beyond the Local Plan period and has significant impacts on the ability of the Council to demonstrate a 10 year housing supply.

STR / SS2 (Paddock Wood Town Centre)

7.14. The 2023 housing trajectory includes 30 dwellings for the town centre and assumes 16 dwellings are delivered over the plan period however there is no explanation as to why 16 dwellings are assumed whereas no dwellings were assumed in the previous version of the trajectory.

AL / PW1 (Land at Mascalls Farm)

7.15. A capacity of 413 dwellings are assumed in the 2023 housing trajectory for this location however there is no phasing provided in the trajectory or an explanation.

Total from Extant Planning Permissions (1 April 2023)

7.16. The housing trajectory (2023) assumes the delivery of 2,845 dwellings from extant planning permissions as of 1st April 2023. However, there is no breakdown of these permissions in terms of housing number or in terms of their delivery assumptions by year. These are the sole source of housing assumed for the next two years before the first 50 dwellings are assumed to be delivered at Paddock Wood (STR / SS1). The details of the extant planning permissions should be included in the housing trajectory particularly given their importance in the next three years.

Overall Trajectory Delivery Rates vs Past Delivery

7.17. The delivery assumptions for housing are well in excess of the average annual housing completions in the past 16 years as evidenced by TWBC's Monitoring Report (2022). The net housing completions in the borough over the previous sixteen years is

6,165 dwellings. Therefore, the average delivery is 385 dwellings per annum. The highest year of delivery was 2020/21 was 688 dwellings.

7.18. When comparing this with the assumed completions in the trajectory one can see that the delivery assumed over the next seven years will require higher delivery than has ever been achieved in the borough and in many years it will require a delivery rate of many times the borough’s annual average housing completion rate. For example the trajectory assumes the following delivery:

- 2023/24: 842 dwellings (from extant planning permissions)
- 2024/25: 736 dwellings (from extant planning permissions)
- 2025/26: 758 dwellings (from extant planning permissions + 50 dwellings from STR/SS1)
- 2026/27: 1,049 dwellings
- 2027/28: 798 dwellings
- 2028/29: 926 dwellings
- 2029/30: 707 dwellings

Table 19: Net Additional Dwellings Complete by Monitoring Year (Source: TWBC Monitoring, 2022)

Year	Total Net Completions
2006/2007	517
2007/2008	517
2008/2009	411
2009/2010	104
2010/2011	315
2011/2012	212
2012/2013	-5
2013/2014	-16
2014/2015	323
2015/2016	447
2016/2017	461
2017/2018	537
2018/2019	554
2019/2020	474
2020/2021	688
2021/2022	518
2006/07 – 2021/22 Average	379
2016/17 – 2021/22 5-Year Average	554

Figure 7.3: TWBC Housing Delivery 2006/07-2021/22

7.19. Further questions should be raised regarding these delivery assumptions when one compares the Council’s previous housing trajectory and the current 2023 trajectory. For

example, the Council previously assumed the following with the actual delivery falling well short of the trajectory assumptions:

- **2020/21** Assumed: **767** dwellings, Actual: **688** dwellings,
Difference: **-79** dwellings
- **2021/22** Assumed: **932** dwellings, Actual: **518** dwellings
Difference: **-414** dwellings
- **2022/23** Assumed: **990** dwellings, Actual: **636** dwellings
Difference: **-354** dwellings

7.20. TWBC assumed 2,689 dwellings would be delivered however only 1,842 dwellings were actually delivered. In other words, TWBC has misjudged the delivery of housing in the borough by -847 dwellings over the previous two years. How can one possibly rely on TWBCs housing trajectory and its assumptions in the coming years given such a miscalculation in the short term (previous three years)?

Windfall Allowance

7.21. TWBC proposes that its windfall allowance in the Housing Trajectory is increased so that an addition 520 dwellings are assumed in the supply up to 2038. It refers to the past four years of monitoring to justify its larger windfall site rates of delivery as 30 dpa- why TWBC not providing earlier data on this (prior to 2019)? Otherwise, it is difficult to recognise delivery trends over just four years. It appears that rather than look for alternative development sites in the rest of the borough outside of Paddock Wood that TWBC has looked to increase its windfall allowance instead.

7.22. The other sections of our representations address the lack of details regarding infrastructure delivery, SPD proposals Paddock Wood Masterplan and Viability matters that all relate to this proposed trajectory.

7.23. The Council's poorly thought-out assumptions regarding housing delivery and trajectory render the Local Plan unsound, as it fails the tests of being justified, effective and consistent with national policy, contrary to the requirements of paragraph 35 of the NPPF. Further evidence gathering and analysis is required to determine the most appropriate spatial strategy for the delivery of housing across the borough.

8. Proposed Changes to the Development Strategy

8.1. The Council states that the development strategy options considered by officers as variations from the Pre-Submission Local Plan (PSLP) in terms of housing delivery and which have been subject to Sustainability Appraisal, are summarised below. It explains that for Paddock Wood there are different options and scale of employment land provision which it states that Option 5 is its preferred option for employment.

Option 1 – As PSLP, but with revised housing trajectory for Tudeley Village (SA Development Strategy Option number 14)

Option 2 – As PSLP, but with revised housing trajectory for Tudeley Village and housing contained wholly within Flood Zone 1 at Paddock Wood including land in east Capel (SA Development Strategy Option numbers 19A and 19B)

Option 3 – As PSLP, but with no Tudeley Village (SA Development Strategy Option number 15)

Option 4 – No Tudeley Village and reduced housing and employment growth at Paddock Wood including land in east Capel, both being sited on Flood Zone 1 (SA Development Strategy Option number 16)

Option 5 - No Tudeley Village and reduced housing and employment growth at Paddock Wood including land in east Capel, with all housing on Flood Zone 1, with employment land similar to the PSLP, but excluding land which is, or will be, within Flood Zone 3, while including land which would be within Flood Zone 2 (SA Development Strategy Option number 17)

Option 6 - No Tudeley Village and reduced housing and employment growth at Paddock Wood including land in east Capel, with all housing on Flood Zone 1, with employment land similar to the PSLP, but excluding some land which is, or will be, within Flood Zone 3, while still including one site (Keylands Farm) which would be within Flood Zone 3, as well as other sites within Flood Zone 2 (SA Development Strategy Option number 18)

Option 7 – Defer the examination to review options for means of achieving a 15-year housing land supply (SA Development Strategy Option number 12)

8.2. The options are summarised here which confirms that the Council only looked at Tudeley and Paddock Wood and did not consider other options throughout the borough:

“In essence, the options centre around the decision about whether to retain Tudeley Village, and around the extent of growth at Paddock Wood including land in east Capel, as well as the relative merits of these, which will require an early Local Plan review, relative to undertaking further work now to seek to meet a full 15-years’ housing land supply.”

“Option 5 is the recommended development strategy moving forward. This essentially corresponds to the Inspector's 'Option 3 (Delete the (Tudeley Village)' allocation from the submitted Plan.”

8.3. In terms of the Sustainability Appraisal used to help inform the Council's preferred option, the SA only considered variations of Paddock Wood and Tudeley Village rather than look at other options across the borough so it is a circular process whereby the Council has confirmed its preferred options from a very limited scope of reasonable alternatives and options. See our 'Sustainability Appraisal' section.

8.4. TWBC's main proposed changes to the Local Plan are effectively to remove the Tudeley Garden Village proposals due to Council's inability to demonstrate its suitability and deliverability and to reduce the amount of housing and employment in Paddock Wood also due to its inability to demonstrate the suitability and deliverability of the location in relation to flood risk the delivery of infrastructure. Apart from this there are no fundamental changes to the Development Strategy – despite the shortfall of demonstrable housing supply TWBC has not considered what other options may be available across the borough or in discussion with its neighbouring authorities. It has rejected the possibility of other reasonable alternatives to deliver housing in its Sustainability Appraisal and Green Belt Review.

8.5. As a result, the Council is not able to demonstrate it has the development capacity for the proposed Plan Period up to 2038. As such it is proposing new policy wording to Policy STR1 (The Development Strategy) which states:

“Following adoption, the Council will undertake an early review of the Local Plan, which will include further investigation of ways of meeting identified housing needs for the period post 2034.”

8.6. Whilst we state that the amount of housing at Paddock Wood is proposed to be reduced the proposed changes to Policy STR/SS1 show the deletion of 'approximately 3,490-3,590 dwellings' the Policy no longer sets out the overall housing requirement in the Policy. Instead the minimum housing requirement is set out by each of the 'Parcels' which states the following:

- Policy SS/STR1(A) North-Western Parcel: 770 dwellings
- Policy SS/STR1(B): South-Western Parcel: 514 dwellings
- Policy SS/STR1(C) South-Eastern Parcel: 560 dwellings
- Policy SS/STR1 (D) North-Eastern Parcel: 600 dwellings

Total: 2,444 dwellings

8.7. There is nowhere stated in policy the quantum of housing planned for Paddock Wood Town Centre. However, in the proposed table below it states 30 dwellings.

8.8. Based on the above the calculation 2,444 dwellings + 30 dwellings = 2,474 it is unclear how the Council has arrived at its estimates of 2,877 (lower) and 3,035 (upper) for Paddock Wood. If this was an inaccuracy then there is a considerable difference of

between the proposed new policy calculations and Appendix C, Table 4 in the proposed changes to the Local Plan.

Parish/Settlement	Local Plan allocations	
	Lower	Upper
Royal Tunbridge Wells	1,416 1,278	1,536 1,421
Southborough	42	42
Paddock Wood	3,032 2,877	4,032 3,035
<i>Strategic urban expansion*</i>	3,400 2,434	3,500 2,592
<i>Town centre</i>	30	30
Capel	2,100	2,100
<i>Tudeley Village – new settlement</i>	2,100	2,100
Cranbrook and Sissinghurst	453	467
<i>Cranbrook</i>	415	429
<i>Sissinghurst</i>	38	38
Hawkhurst	161 231	170 240
Benenden*	87 88	95
<i>Benenden*</i>	43 41	45
<i>East End*</i>	44 47	50
Bidborough	0	0
Brenchley and Matfield	56	60
Frittenden	25	30
Goudhurst	25	25
Horsmonden	240 230	320 290
Lamberhurst	25	30
Pembury	389	417
Rusthall	15	15
Sandhurst	20	30
Speldhurst	10	12
Sub-total	8,996 5,764	9,384 6,209
Allocations with existing planning permission (to be discounted to avoid double counting)	920 1,614	920 1,614
Total (with existing planning permission discounted)	8,076 4,150	8,464 4,595

Figure 8.1: Summary of Proposed Modifications - Appendix C – Table 4 – Distribution of Housing Allocations

Site	Settlement/Parish	Policy Number	Net Developable area (ha)
Land adjacent to Longfield Road	Royal Tunbridge Wells	AL/RTW 17	13.4
Land east of Maidstone Road	Paddock Wood	STR/SS 1	6.6 4.27
Land east of Transfesa Road	Paddock Wood	STR/SS 1	4.6 4.25
Hawkhurst Station Business Park	Gill's Green	AL/HA 7	1.2

Figure 8.2: Summary of Proposed Modifications - Appendix D Table 5– Employment Land Allocations Identified in the Local Plan

8.9. Despite the Council’s calculation of a housing supply shortfall of 1,073 dwellings over the plan period, it has effectively proposed nothing further to amend the Local Plan’s Development Strategy to include more housing sites to make up for its shortfall. This is despite the many studies prepared in the meantime. It simply proposes to remove

Tudeley, remove housing from the Flood Zones 2 and 3 at Paddock Wood and slightly reduce the employment land requirement.

- 8.10. The Council's proposed addition to Policy STR1 (The Development Strategy) to take an early review to 'further investigate ways of meeting housing needs beyond 2034' is simply not justified as it has failed to demonstrate how it has exhausted all other potential locations of housing. As stated throughout our submission, why does the Council think it will find additional housing as part of an 'early review' and what is considered an 'early review' – this is not defined anywhere.
- 8.11. Policy STR1 (The Development Strategy) of the Local Plan is not positively prepared, not justified, not effective and inconsistent with national policy.

9. Sustainability Appraisal

9.1. The Sustainability Appraisal prepared by TWBC is extremely limited in its scope of options that it appraised. There is not much explanation provided by the Council for its limited scope of options apart from saying that there are 'previously less sustainable options' and that 'different distribution options have already been appraised'. So it concludes that rather than reappraise them that it finds the only other option to appraise is to 'suspend the examination' in order to re-evaluate more options and it compares this option to the previous 'no plan' option. The SA has not approached the reasonable alternatives work with an 'open mind' and quickly concludes that Paddock Wood and Tudeley are effectively the only options it can possibly consider.

*'Whilst there are also options of reassessing previously less sustainable options in order to provide the full 15-years housing land supply, different distribution options have already been appraised. Therefore, rather than reappraise them, the further option at this stage is to suspend the examination to carry out this re-evaluation. Hence, this option presented is very similar to the previous 'no plan' option.'*²²

9.2. Through this statement TWBC appears to consider that its SA of the Pre Submission Plan was a sound piece of work. However, as can be seen from the Examination to date that is not the case given that it concluded that placing approximately 1,000 dwellings in Flood Zones 2 and 3 was reasonable as was placing 2,100 dwellings in the middle of the countryside without any deliverable sustainable infrastructure. Given that this is clearly the case why should one assume that the rejected options from the previous SAs should not be looked at again? Further to this point, what is the real difference between 'suspending the examination to carry out a re-evaluation' and undertaking an 'early review' of the Local Plan?

9.3. Considering that TWBC has had since November 2022 (date of the Inspector's Letter) to find a solution to its unsound development strategy, one would have thought that seeking additional locations for housing in the borough is an activity that would have been undertaken during this period.

9.4. Instead of a range of genuine reasonable alternatives and options the SA presents the following options for Paddock Wood and east Capel:

"A range of alternative options for the reduced scale of housing growth at Paddock Wood and east Capel have been considered as follows:

- *An alternative that removes all residential development and employment sites from Flood Zones 2 and 3 (SS1 Revision A)*
- *An alternative that removes all residential development from Flood Zones 2 and 3 and all employment land from Flood Zone 3 (SS1 Revision B)*

²² Sustainability Appraisals of the Submission Local Plan (October 2023) (Paragraph 6.3.4)

- *An alternative that removes all residential development from Flood Zones 2 and 3, and retains employment land primarily in Flood Zone 2, but with some in Flood Zone 3 (SS1 Revision C)*²³

9.5. These are simply small variations of the same option and assessing the effects of comparing each of these options is not possible.

²³ Sustainability Appraisals of the Submission Local Plan (October 2023) (Paragraph 6.2.1)

10. Growth Proposed at Paddock Wood (including Masterplan Issues)

Introduction

- 10.1. As a result of the Inspector's Initial Findings the proposed growth strategy for Paddock Wood has been revisited, with the scale of growth reduced, location of this amended, and different scenarios for infrastructure provision, including sports and leisure, proposed.
- 10.2. As already set out, production of the proposed modifications has been lengthy. It has meant that progress has been made on applications for development to the north and east of the town. The growth strategy for Paddock Wood reflects these rather than taking the opportunity to proactively shape them and what that might mean for the most appropriate form and location of infrastructure.
- 10.3. Equally, and despite the Paddock Wood Neighbourhood Plan having been subject to examination and a successful referendum in October 2023, the proposed revisions make very little (save for minor references in the Sports and Leisure section), to the Neighbourhood Plan. This is disappointing, not least because of the considerable efforts undertaken by the Town Council to prepare a Plan supported by the community, but because the Neighbourhood Plan is the most up-to-date statement for Policy for the future of the town.

Sports and Leisure provision

- 10.4. The revised strategy for sports and leisure provision in Paddock Wood is unsatisfactory and does not reflect the reality of use in Paddock Wood nor the aspirations developed by the community through the Paddock Wood Neighbourhood Plan. The Town Council asks that the Inspector request the Borough Council to revisit the proposals to ensure that they better reflect the current and future needs of the town.
- 10.5. It is our understanding, based on the material submitted, that the scale of Sports and Leisure provision now proposed has been scaled back from the submission version of the Local Plan and essentially now comprises (1) intensification of existing facilities plus (2) new outdoor sports pitches in the South-Western growth parcel.
- 10.6. The Inspector will recall from Examination hearings that the Town Council's aspirations, as developed in collaboration with sports clubs and associations, was to see sports and leisure provision distributed around the town, retaining all existing sports facilities located to the south of the railway line and supplementing these with new outdoor sports provision at Eastlands to the north of the railway line. This would represent a balanced approach to distribution of facilities across Paddock Wood, the distribution of new development, and maximise proximity to sustainable travel means for residents and those travelling into Paddock Wood from further afield. This is reflected in the Paddock Wood Neighbourhood Plan. In addition, and

as part of this approach, the Neighbourhood Plan also envisages improvements to the quality of facilities at the existing Putlands Leisure Centre.

- 10.7. The aspirations established by the Town Council remain as set in the Neighbourhood Plan. TWBC has not taken the opportunity to work with the Town Council to inform the revised approach to Sports and Leisure facilities in Paddock Wood through the Local Plan. This is not considered to be a positive approach to planning. Furthermore, the rationale for the strategy is not fully justified as it does not recognise existing challenges nor future aspirations.
- 10.8. The location of new outdoor sports to the west of Paddock Wood is outside of the Town Council administrative area, falling within Capel Parish. As noted during the Examination of the Local Plan, the Town Council is keen to take on the running and management of such a facility, but this would be precluded by the proposed location in Capel Parish and where the Parish has previously confirmed that they do not wish to have the burden of potentially having to manage such a facility. Based on this alone there is little logic to the proposed location of the sport facilities.
- 10.9. The strategic growth options explored by David Lock (in the Strategic Sites Masterplanning and Infrastructure Study, Paddock Wood Growth Follow-on Study) have, essentially, taken their initial 'Option 3' growth scenario as a start point. This, along with the original preferred Option 1 scenario saw provision of an outdoor sports hub in the South-Western growth area. There has been no consideration of the merits of Option 2 which showed the outdoor sports hub located to the north of the railway line in the Town Council's preferred location.
- 10.10. The David Lock report initially ruled out the provision of an outdoor sports hub to the north of the railway line on a number of grounds (none of which the Town Council agree with, and which also conflicted with their own reasons for locating the hub in the South-Western growth area), including:
 - It would create excessive north south vehicular traffic.
 - It might result in the 'rat running' of traffic through existing residential areas.
 - Flooding would cause pitches to be inundated with water.
 - The provision of buildings associated with the outdoor sports hub would have an impact on the landscape setting.
- 10.11. Despite the above, the revised growth strategy now envisages a new secondary school being provided north of the railway line in the Town Council's preferred location for a new outdoor sports hub. The reasons given by David Lock to discount the sports hub in this location must equally apply to provision of a school, if not more so.
- 10.12. There doesn't appear have been any real testing or rationale for the location of the school nor the sports hub. There has been no assessment of different options (nor engagement with the Town Council on these), with the locational requirements for

the school essentially been considered first and then the location of sports provision determined following this. The Town Council questions why alternatives have not been considered and assessed.

10.13. The David Lock report refers, in their own words, to a 'high-level' appraisal of existing sports facilities in Paddock Wood and which sites are considered appropriate for intensification, providing additional capacity for sports. The Town Council considers the assessment and proposed solutions to be flawed:

- Whilst the Town Council is supportive of improvements to the Putlands Leisure Centre, the proposed intensification of this does not take account of the surface water problems experienced at the site, nor the plans which are in place to improve the existing skate park.
- The report states, in Table 1, that there is no existing sports provision at the Memorial Park. This is not the case. There are two tennis courts on the site at present, the Insulators Football team is based here, and the cricket wicket is being reinstated. Furthermore, the presence of the community centre has increased use of the Memorial Field for informal sports use. Para 3.30 of the David Lock report acknowledges that the Memorial Field is undergoing an upgrade at present. The purpose of this is to enhance facilities for existing residents and should not be seen as a means to contribute to requirements generated through future housing and population growth.
- Green Lane is identified as an opportunity for intensified sports provision given current lack of use. However, discussions have taken place about reinstating the Green Lane football team, who would play here. This is not reflected in the report and what this means for quantum of space required for new sports facilities.
- There is no mention in the report of the Elm Tree sports pitches. This is important as it is home to the largest club in Paddock Wood but there is no room for expansion and it suffers from limited access other than by car but where there is also a lack of parking. These issues need considering in a robust sports strategy for Paddock Wood.

Layout and structure

10.14. Whilst updated flood modelling and amendments to the proposed scale and location of growth resulting from this are welcome, the actual distribution of growth needs to be properly considered. The proposed growth strategy prepared by David Lock essentially envisages a fractured series of development areas within the South-Western parcel, with the central development area (where the Local Centre is indicated as being) and the very western development area alongside the A228 / Maidstone Road both being relatively small in size and disconnected from the wider town.

- 10.15. The proposal essentially envisages archipelagos of development that respond to flood risk but do not consider how these will help create a sense of place and sustainable forms of development. Their size and lack of connectivity will not encourage and support sustainable modes of travel. Indeed, the isolation of these development areas will necessitate travel by private car for many residents. Furthermore, the limited quantum of development that will be possible to accommodate in these development areas, combined with lack of proximity to the wider area, is likely to have a negative impact on social inclusion, health and wellbeing matters, and is unlikely to generate the critical scale of mass required to support provision of a local centre.
- 10.16. The approach to the locating of development alongside the A228 / Maidstone Road is also in conflict with the initial Strategic Sites Masterplan report prepared. This notes that there is a 'need for a strong edge to the revised Green Belt boundary' and it envisaged, in the preferred option, the outdoor sports hub being located here, essentially to help form a 'green buffer' to communities in Capel. Indeed, the overarching concept plan prepared as a basis to inform all ideas clearly shows a strategic landscape corridor in this location. Further, Figure 4, (Key design opportunities and parameters) on page 15 of the updated David Lock Report clearly shows the requirement for a landscape feature comprising a new Green Belt edge along the entirety of the A228. This is not reflected in the proposed growth strategy which clearly shows development areas alongside the A228 in which is meant to be the new Green Belt edge.
- 10.17. As with the Sports and Leisure section, the Town Council can see no evidence of any assessments being undertaken of the revised growth scenario and how these are aligned with wider principles for good place making and the garden city principles upon which the strategy is supposedly based (the TWBC Local Plan Development Strategy Topic Paper - Addendum, for example, states at para 4.3, that 'the expansion of the town of Paddock Wood would be delivered on garden settlement principles and be fully integrated within the existing town'). The Town Council can only infer that these areas of development have only been retained in an effort to maximise the quantum of development being accommodated across Paddock Wood and that no real consideration has been given to the quality of place being created.

Town Centre

- 10.18. Policy STR/SS 2 of the draft Local Plan presents the strategy for Paddock Wood Town Centre. Supporting text to this policy quite rightly states that with the scale of planned growth proposed around Paddock Wood, there is an opportunity to invest in and enhance the role of the town centre. Both the policy and supporting text state that a Supplementary Planning Document will be prepared for the town centre.
- 10.19. There is currently no proposed change to this Policy, however the Local Development Scheme (LDS) does not identify that an SPD will be prepared for the

town centre and the 'purpose' of the Paddock Wood Structure Plan SPD does not refer at all to the town centre.

- 10.20. Given the lack of attention to the town centre in the Masterplanning work it is a genuine concern that the town centre is being overlooked and that the focus of TWBC is solely on urban extensions to the town. As has been set out before, the town centre requires significant investment in order to cope and serve the growth of the area and to ensure that any growth can be used as a means for 'placemaking' in the town centre which is after all the 'heart' of the town.
- 10.21. Whilst the Town Council welcomes ideas and solutions to improve walking and cycling conditions, this needs to be balanced with the needs of all and restricting vehicular traffic from using the Maidstone railway bridge would have wider impacts, including on emergency vehicles, the mobility impaired, services and deliveries. It is also important to recognise that the railway line is a barrier to movement and by restricting access across this could increase severance between communities. Although the masterplan for the growth area proposes new bridges across the railway, these are primarily for walking and cycling, and are not in the town centre.
- 10.22. It is noted that the proposed revised policy text for Paddock Wood states that masterplans for the growth areas are to be prepared ahead of an application and that these should be subject to Design Review. The reference to the Design Review process is welcome but the Town Council must question how effective this will be given that the parameters for any masterplan are already set by the areas for development established in the David Lock study. The Town Council recommends that the Design Review process should happen now, as part of the testing of the growth scenarios.

In Summary

- 10.23. The Town Council remains unconvinced by the revised growth strategy and policy for Paddock Wood:
- The proposed location for outdoor sports provision does not, in any way, respond to the issues raised during the first round of Local Plan hearings. No justification has been provided for this and no assessments have been undertaken to demonstrate why TWBC believes this is the most appropriate location. There have been no conversations with the Town Council about this, the running and management of the facilities, and why, despite the work undertaken by the Town Council in partnership with local sports clubs and organisations through production of the Neighbourhood Plan, this has been ignored.
 - The proposals for intensification of existing sports facilities do not reflect the reality of current use nor more recent discussion about how they might be used, nor other constraints faced, such as localised flooding at Putlands or existing

pressure on the Elm Tree pitches. Until such a time as the TWBC strategy fully reflects this in their proposed strategy it cannot be considered robust.

- The proposed areas of development around Paddock Wood now better relate to flood risk and modelling. This is welcome. However, it appears this has been rather simplistically reflected in the structure and distribution of potential development in the South-Western development parcel. The Town Council is unconvinced that the proposed approach reflects good place making principles. The fractured form of development will not support sustainable modes of travel nor efforts to foster social inclusion and community cohesion. These run to the heart of the NPPF. Furthermore, the proposed location of development runs counter to the stated ambitions of creating a strong edge to the Green Belt in this location. There has been no testing, that the Town Council can see, of the structure of development within each of the development parcels beyond their relationship with areas of flood risk. Until such time as wider consideration and assessment is undertaken the strategy cannot be considered robust nor justified.
- The Town Council, as custodians of Paddock Wood, has, through the Neighbourhood Plan, established policies for the town that are underpinned by indicators established by the Quality of Life Foundation and which are intended to help shape better places for all to live in. It is a shame to see that TWBC does not appear to hold the same aspirations for the Paddock Wood.

10.24. We understand that the masterplanning work relies heavily on the burden of paying for infrastructure such as flood mitigation, education, Colts Hill bypass, sports facilities being shared equally over all the development sites by all the developers. It is also assumed that the viability impact of some sites being capable of a high density of development and others having to be low density due to land being required for SuDS,, swales and other built mitigation features will again be equally shared. We question what the mechanism is for achieving this coordination and delivery without external oversight. The phasing and viability of this approach has not practically been testing in the viability evidence which is quite a blunt instrument for testing development viability and does not capture the complexity of the strategic development proposed at Paddock Wood and Tudeley.

11. Infrastructure

General

11.1. A very concerning omission from TWBC's updated evidence base is an updated Infrastructure Delivery Plan (IDP). It states that the Submission version of the IDP was informed through discussion and consultation with relevant service providers operating in the borough, alongside reviewing evidence and publications and that it was published as a "Live Document", updated to reflect relevant changes in information. TWBC states that it is acknowledged that the live status of the document meant that there may be a requirement for it to be subject to further changes as information from various parties changed²⁴. However, TWBC does not explain why an updated IDP is not provided at this important stage in order to support its changes. As a result there is no evidence that clearly sets out the infrastructure that is to be delivered, its cost, how it will be funded, who will fund it and when it will be delivered.

11.2. WBC states²⁵ that:

- the proposed options assessed for Paddock Wood and land at east Capel look to assess whether the revised level of housing growth at Paddock Wood mean that the development is self-sustaining in terms of meeting its infrastructure needs;
- much of the focus of work has been to assess the needs generated from the revised amount of housing land at PWeC which has been reduced so that it is only delivered within Flood Zone 1 which would see a reduction in housing numbers from 3,590 – 2,592 (upper limit);
- The main infrastructure demands are that infrastructure that was to be shared across Tudeley Village and PWeC would be delivered solely by PWeC in the scenario tested where Tudeley is removed from the plan. The work undertaken by the Council has sought to see secondary school provision, and sports and leisure provision delivered within the Paddock Wood and east Capel area within the proposed allocation. What is clear is that the infrastructure needs derived from the proposed revisions to the allocation and policy STR/SS 1 mean that less infrastructure is required;
- The David Lock Associates Paddock Wood Strategic Sites (Masterplanning) Addendum paper [PS_046] sets out at table 8 the Infrastructure Schedule for the policy, the location of the infrastructure and whether it is onsite or offsite, and the likely timeframe for delivery (short, medium, or long term). The table splits the infrastructure into different categories as follows:-

²⁴ Local Plan Development Strategy Topic Paper Addendum (November 2023) (Paragraph 6.2)

²⁵ Local Plan Development Strategy Topic Paper Addendum (November 2023) (Paragraphs 6.4-6.7)

- Strategic Transport – main junction improvements including Colts Hill Bypass, and including different Sustainable Transport elements covered by the LCWIP.
- Utilities – electricity, gas, telecoms, water etc.
- Education – 3 FE secondary provision (shared), and primary schools 2x 2 FE
- Public Open – including allotments, general amenity space, children's play areas and sports pitches.
- Community provision – New health provision within the site and general provision, and sport and leisure provision including upgrading to existing facilities and the provision of new outdoor pitches.

11.3. There seems to have been very little effort put into understanding the details of what is actually required based on the proposed revised strategy. For example when it simply states 'Utilities – electricity, gas, telecoms, water etc' what exactly is required, when is it required to be put in place and what is the funding mechanic to be used? When one looks to the *Paddock Wood Strategic Sites Addendum (2023)*, the Infrastructure Schedule (Table 8), see below, the infrastructure information and delivery are severely limited, only stating the name of the project, whether it is 'on site' or 'off site' and 'when' is either 'short, medium or long term'. It is a very unclear Schedule and confusing in many places as to what is meant by 'on site' or 'off site' and what is meant by short medium or long term.

Wastewater

- 11.4. For example, stating that '**Sewage Works Upgrade**' is taking place in the medium/long term does not give one confidence that TWBC understands what is actually involved in delivering this upgrade or for example how much (if any) development can take place before this upgrade is delivered. Given the existing sewage issues in Paddock Wood which we have explained in detail throughout the Examination there appears to be no detail in TWBC's evidence on how it intends to address this matter. The Viability appraisal assumes £230k for this upgrade which seems inadequate.
- 11.5. The previous IDP states that "*additional wastewater treatment capacity required over the Plan Period [is] to be determined*". Due to the omission of specific wastewater infrastructure requirements within the IDP and Masterplanning work, it is not possible to cross-reference the viability testing outputs with infrastructure that is proposed within the Local Plan, IDP or Masterplanning work. This could therefore result in several inaccuracies, which, in turn, could have implications for the overall viability of the scheme.
- 11.6. It is important to note that there is no land available for expanding the existing wastewater treatment works and PWTC has confirmation from Southern Water even before the current proposals that that treatment works were already at capacity.

There is no land available in the Masterplan for the required expansion of the wastewater treatment works.

Table 8: Infrastructure Schedule

No	Infrastructure Item	Site / Off Site	When?
Strategic Transport			
Highway Infrastructure			
1	Colts Hill Improvements	Off Site	Medium
2	A228 Whetsted Road/A228 Bransbridges Road/B2160 Maidstone Road roundabout	Off Site	Short

Figure 11.1: Extract from PS_046 Strategic Sites Masterplan (October 2023) (Table 8 Infrastructure Schedule)

11.7. In many instances (see Utilities section below it says 'Paddock Wood All' for 'Site / Off Site' and Short / Medium / Long for 'When'. There appears to be no precision whatsoever in terms of how the delivery of infrastructure is to be timed, funded and delivered.

Utilities		
Electricity - New Connections	Paddock Wood All	Short/Medium/Long
Electricity - Diversion of Existing Utilities	Paddock Wood All	Short
Gas - New Connections	Paddock Wood All	Short/Medium/Long
Gas - Diversion of Existing Utilities	Paddock Wood All	Short
Telecoms - New Connections	Paddock Wood All	Short/Medium/Long
Telecoms - Diversion of Existing Utilities	Paddock Wood All	Short
Water - New Connections	Paddock Wood All	Short/Medium/Long
Water - Diversion of Existing Utilities	Paddock Wood All	Short
Sewage Works Upgrade	Off-Site	Medium/Long
Foul Water - New Connections	Paddock Wood All	Short/Medium/Long
Foul Water - Diversion of Existing Utilities	Paddock Wood All	Short
Electric vehicle infrastructure	Paddock Wood All	Short/Medium/Long

Figure 11.2: Extract from PS_046 Strategic Sites Masterplan (October 2023) (Table 8 Infrastructure Schedule)

Colts Hill Bypass

- 11.8. We note that the ‘Infrastructure Plan’ (PS046c) indicates that the Colts Hill Bypass is identified as a ‘potential bypass’ in the Key however the cost of this is factored into the viability work and appears to be confirmed by TWBC as being part of the delivery package. The Viability study assumes the cost of this to be £5.8 million which is one of the most expensive pieces of infrastructure in the viability assumptions. However
- 11.9. However, in the previous IDP the Colts Hill/A228 bypass is classified as ‘critical priority, medium timing, £30 million scheme funded solely by develop’. The costs of this scheme align with the Stage 2 Local Plan Viability Study (Appendix IIa)²⁶, as appraisal one for Paddock Wood (with shared costs) and Tudeley (with shared costs) amount to £20 million (£11,040,000 and £8,960,000 respectively). It is worth noting that the Paddock Wood assumptions are based on all strategic allocations coming forward within Paddock Wood.
- 11.10. **How is it that the cost of delivering the Colts Hill Bypass has gone from £30 million in the previous IDP / Viability study to £5.8 million in the Viability study?**
- 11.11. These points raise serious questions as to what TWBC’s intentions are with the Colts Hill Bypass and the ability of the Bypass to be funded and delivered raising key issues about the overall viability of the proposals at Paddock Wood.

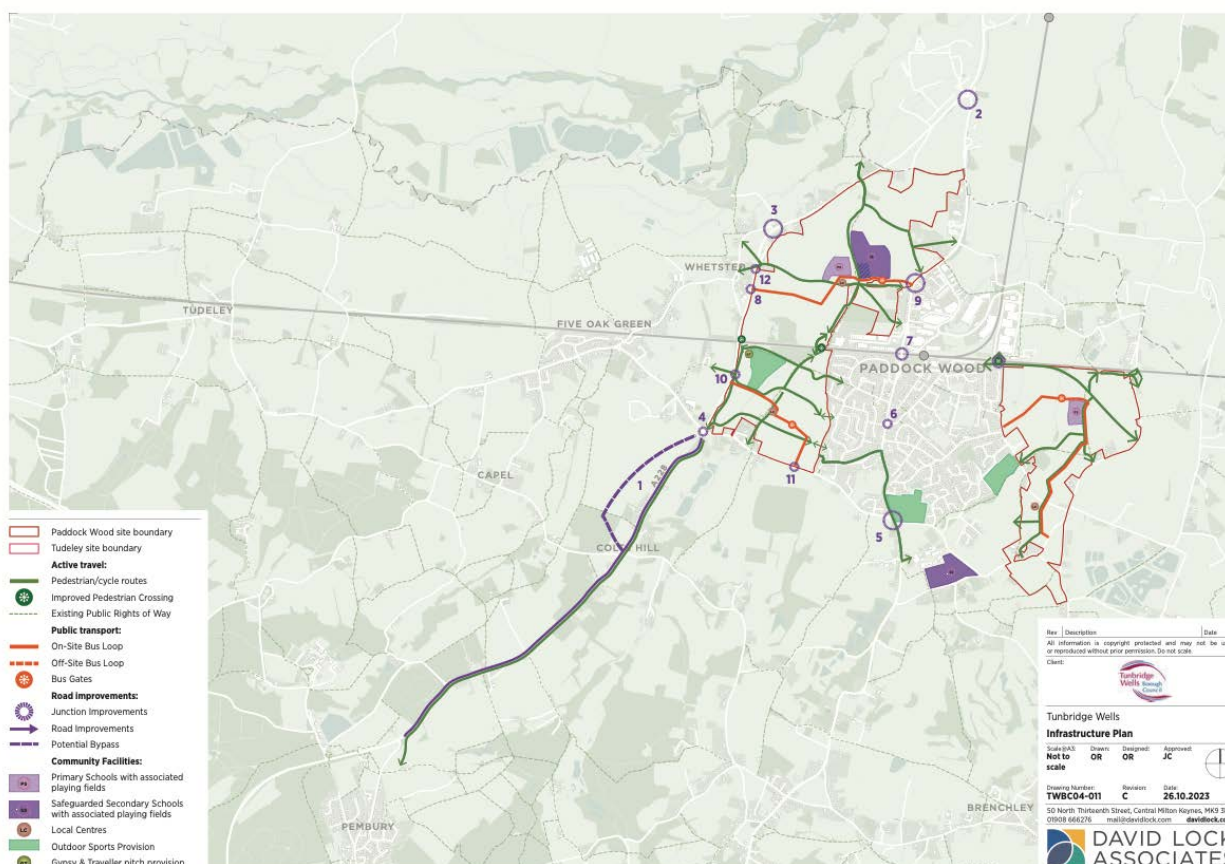


Figure 11.3: PS_046c Strategic Sites Masterplan (October 2023) (Infrastructure Plan)

²⁶ https://tunbridgewells.gov.uk/data/assets/pdf_file/0009/385641/Viability-Assessment-Stage-2-Appendix-IIa-Appraisal-of-Strategic-Sites.pdf

Health Provision

- 11.12. The David Lock Masterplanning study (Infrastructure Schedule) states that there will be a 'Primary Care contribution' and that it will be 'off site' in the short/medium/long term. It also states that a 'New health centre facility' will be located off site in the long term. There is no identification of land for a 'new health centre facility' in the Masterplanning work and no explanation of what is being proposed regarding health provision. This is concerning for the Town Council as there is clearly a need for significant improvements to health provision in the town.
- 11.13. It is important to note that with the current three developments in Paddock Wood, they relied on the Howell Surgery in Brenchley (four miles away) taking the excess demand. Howell Surgery is now closed to new patients from Paddock Wood as rolls are full. Woodlands Surgery in Paddock Wood does not have capacity either. East Peckham Surgery located nearby in Maidstone Borough lost its surgery last year.

Cemeteries

- 11.14. PWTC has previously raised (through representations and discussions with TWBC) the need for the provision of cemetery space in Paddock Wood. It has calculated that an additional 3 acres of land suitable for cemetery space is required to provide for the additional population in Paddock Wood. This is a particularly important issue given that cemeteries cannot be located on land susceptible flooding. The Local Plan does not address this issue and the Town Council has never had a response to this from TWBC.

Transport –congestion in Paddock Wood

- 11.15. The Council's work on modal shift and a move toward sustainable transport fail to consider the lack of employment within Paddock Wood and the reduction in public transport at Paddock Wood. It is considered that workers are likely to continue to rely on cars. The air pollution in Paddock Wood is high during rush hour in the morning and evening and there is no reference in the Plan to this.
- 11.16. The Town Council has previously raised concerns regarding congestion within Paddock Town Centre have which have not been adequately addressed within the Local Plan. The previous IDP had detailed three improvements to the B2160 (Maidstone Road). These include:
- *Improved B2017 Badsell Road/B2160 Maidstone Road signalised junction*
 - *Improved A228 Maidstone Road/Whetsted Road priority junction*
 - *Improved A228 Whetsted Road/A228 Bransbridges Road/B2160 Maidstone Road roundabout*
 - *Improved B2160 Maidstone Road/Commercial Road priority junction*
 - *Widening at junction of B2160 and Lucks Lane*

11.17. The 'Highway Infrastructure' related to key junctions and roundabouts proposed in the David Lock Masterplanning work is stated as follows:

- Colts Hill Improvements (Medium Term)
- A228 Whetsted Road / A228 Bantsbridges Road/ B2160 (Short Term)
- A228 Maidstone Road / Whetsted Road Priority Junction (Short Term)
- A228 Maidstone Road / B2017 Badsell Road (Colts Hill) roundabout (Short Term)
- B2017 Badsell Road / B2160 Mainstone Road signalised Junction (Short Term)
- B2160 Maidstone Road / Commercial Road Priority Junction (Short Term)

11.18. It is noted that the 'Widening at junction of B2160 and Lucks Lane is no longer identified in the Council's assumptions – is this correct and is there a reason for this?

11.19. As set out elsewhere it is still not clear from the David Lock Masterplanning work what is meant by short, medium or long term, what the associated funding and costs are for each of these improvements or what the trigger points are for the delivery of each improvements.

11.20. It is still clear that the above infrastructure projects will not alleviate congestion on the B2160, as the above measures focus on allowing those using private vehicles residing in the proposed urban extensions to access the centre of Paddock Wood. Maidstone Road is a narrow B-road which narrows into a single carriageway in places. Access in and out of the town centre to the north at the A228 Whetsted Road/A228 Bransbridges Road/B2160 Maidstone Road junction is particularly concerning, as the Local Plan's Transport Assessment had indicated that this junction will be overcapacity a4 104% (volume over capacity).

Flood Risk

11.21. In terms of flood risk and preventative flood mitigation, the previous flood risk mitigation measures detailed within the IDP for Paddock Wood totalled "*£9 million approximate cost (excluding groundworks)*". Referring to the Viability Study Stage 2 (Appraisal IIa), flood risk costs including enhanced/new channels in SFRA, flood defences, raised platform and SUDS total £8,661,975, resulting in a funding gap of £338,025. However, now the Viability study assumes only £850k for SuDS. As we explain in the Flood Risk section below, the Local Plan is still planning its strategic development in an area that is very prone to flooding – this flooding will not strictly adhere to the Zones 2 and 3 boundaries on the map. This budget for addressing the flood risk issues at Paddock Wood appear to be inadequate.

11.22. The points raised above all point to a lack of a realistic 'Phasing Plan' for the proposed development at Paddock Wood. This absolutely critical to provide a realistic year-by-year outline plan of what infrastructure is needed up front before

development commences and what the triggers are for the delivery of other key infrastructure throughout the life of the Local Plan (and beyond). This Phasing Plan would factor in the infrastructure costs and set out who is responsible for delivery. Such a Phasing Plan (similar to or part of an IDP) would lead TWBC a more realistic housing trajectory for the area and most importantly will help ensure that the necessary infrastructure is delivered at the right time. Currently there is nothing ensuring this, and the Council lacks a clear understanding of what infrastructure is required and when (triggers required), its cost and who will deliver it.

12. Flood Risk

- 12.1. Despite the Inspector and TWBC stating that they are in agreement that Paddock Wood is a "logical choice for growth" this needs to be heavily caveated with the recognition that the Council's strategy for Paddock Wood was flawed and not compliant with the NPPF regarding flood risk. In fact, the Council's failure to apply the NPPF's requirement for a Sequential Test and Exceptions Test has undermined the Council's overall development strategy and ability to demonstrate that it can deliver its housing requirements.
- 12.2. PWTC raised its strong concerns and objections with TWBC at the Regulation 18, Regulation 19 and throughout the Examination regarding the inadequate evidence and assessment of flood risk matters due to the extensive flood risk existing at Paddock Wood. However, these concerns were never addressed. The Town Council does not need to repeat the points made in its previous submissions to the Local Plan and Examination, but these previous concerns are still present despite a reduction in housing and employment proposed at Paddock Wood.
- 12.3. We are pleased that the Inspector has questioned the application of the sequential test in the strategy for development at Paddock Wood and east Capel, and the appropriateness of delivering housing, and employment in areas of Paddock Wood that are at higher risk of flooding. As a result, the Council has updated its evidence base for flooding at Paddock Wood and is proposing to only propose housing on Flood Zone 1 and has said that development will not be proposed on Zones 2 and 3.
- 12.4. We are pleased that the flood mapping / modelling has been updated which better reflects the experience of those living in Paddock Wood.
- 12.5. The mapping for the Flood Zones 2 and 3 is provided below:

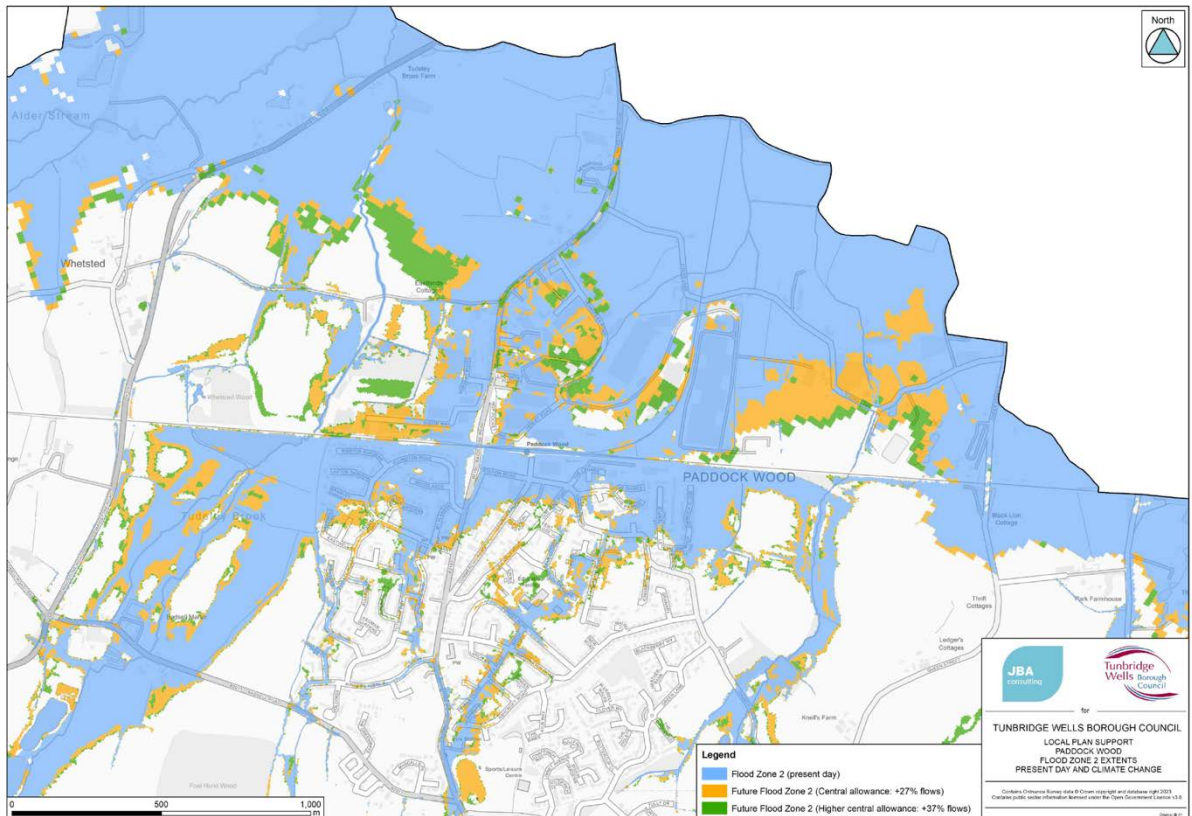


Figure 12.1: PS_044 Updated present day and climate change Flood Zone mapping Flood Zone 2

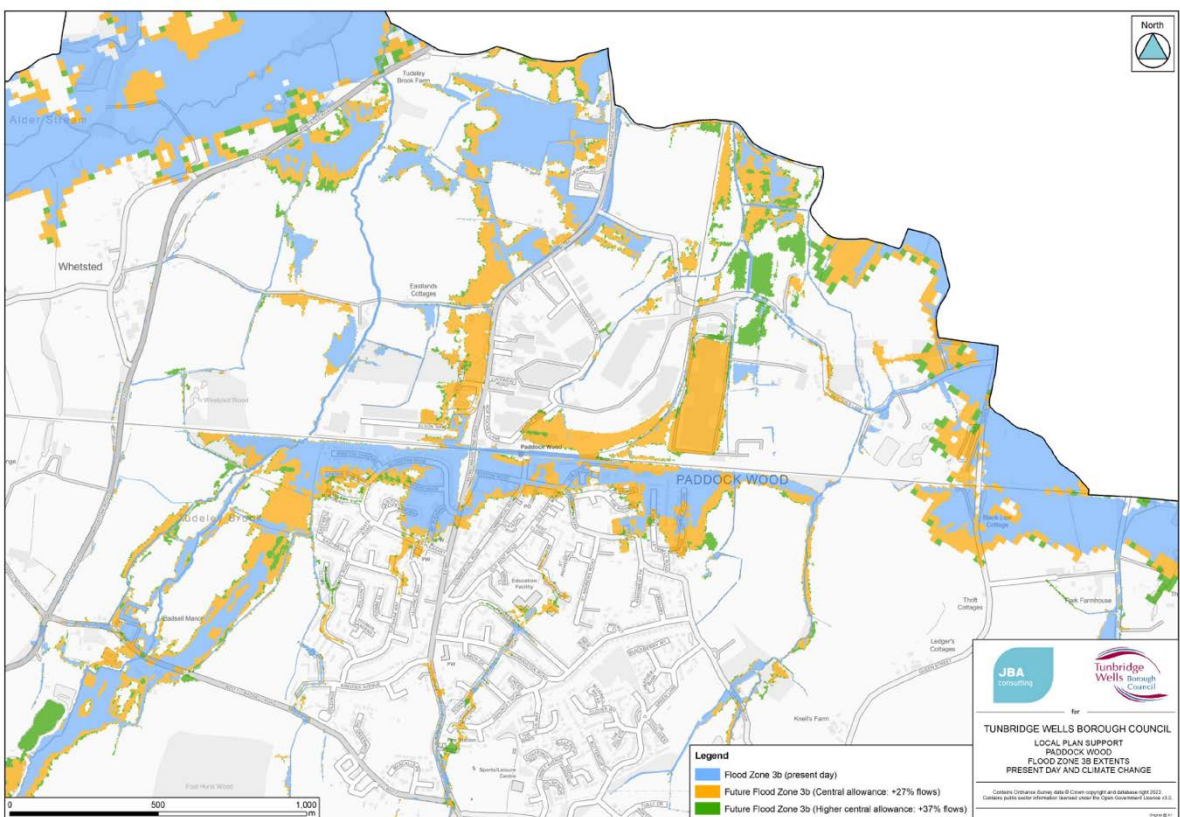


Figure 12.2: PS_044 Updated present day and climate change Flood Zone mapping Flood Zone 3

12.6. The Council explains that the flood assessments carried out have formed the basis of the updated Masterplanning work carried out and have fundamentally influenced the

strategy for the Strategic Sites²⁷. It explains that the current masterplanning takes a high level approach to surface water attenuation whereby it is assumed to be undertaken as close to source as possible and that these drainage features will be required within the development parcels themselves²⁸. In order to account for this it has reduced the housing density from 35 dph to 30 dph or 15% (for the sake of accuracy this is actually closer to 14%). It then departs from this stating that the width of some development parcels represents the opportunity for higher densities depending upon the development mix and structure, so it increases the density assumption to 32 dph. It calculates a total figure of 2,532 dwellings for the combined Strategic Sites²⁹. However, when one reviews the Masterplanning work it still states that the assumed average density will be dropped from 35 dph to 30 dph which conflicts with the Council's explanation of 32 dph. It is unclear which is the approach being taken.

- 12.7. We have attempted to compare the new flood risk evidence with the update Strategic Sites Masterplanning to ascertain whether the masterplanning work has adhered to the new evidence.
- 12.8. Frustratingly nowhere in the consultation documentation does it overlay the flood zones with the updated masterplanning which makes it extremely difficult to see the how the proposed development and Flood Zones 2 and Flood Zones 3 relate. As is the case with many of the important plans within the masterplanning work, the resolution is so poor that it is not possible to decipher the plans or the key. Figure 4 of the Masterplanning document appears to include flood mapping constraints however it is not possible to work out what Flood Zone is shown and this plan does not include the proposed development areas in any case.

²⁷ Local Plan Development Strategy Topic Paper Addendum (November 2023) (Paragraph 4.24)

²⁸ Local Plan Development Strategy Topic Paper Addendum (November 2023) (Paragraph 4.27)

²⁹ Local Plan Development Strategy Topic Paper Addendum (November 2023) (Paragraphs 4.24 – 4.29)

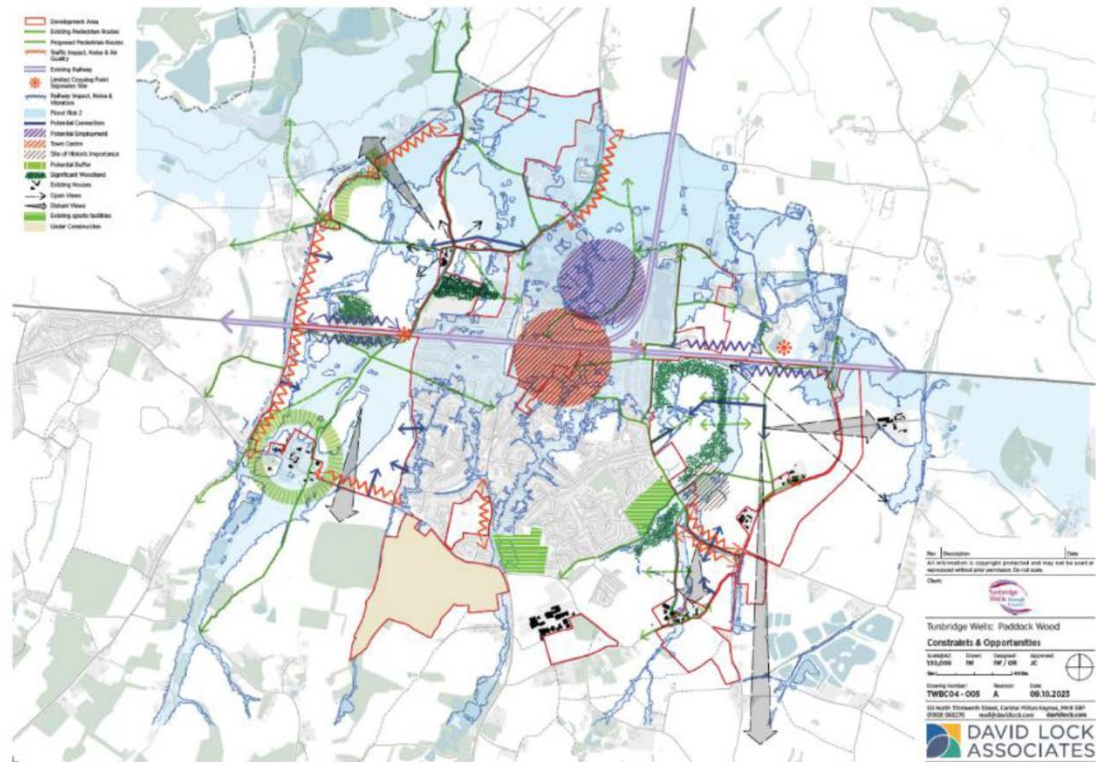


Figure 12.3: PS_046 Strategic Sites Masterplan (October 2023) (Figure 4 Key Design Opportunities and Parameters)

12.9. Gravelly Stream in Paddock Wood runs along the western side of Paddock Wood and crosses Badsell Road by culvert. This stream causes serious concerns as it floods many properties located next to the stream. There should be a barrier between the stream and the residential areas by way of a high concrete channel causing any water that overflows to be forced onto land located towards Five Oak Green. Gravelly Stream has over the years had to accept diverted water from the Tudeley Brook Steam (which is in fact in Five Oak Green). This then effects the amount of water that the culvert under the railway can take, when full to capacity this then floods Paddock Wood residents who live in Ribston Gardens, Laxton Gardens all the way back towards Badsell Road. Paddock Wood should not have to accept this in modern times, the streams are in Five Oak Green Parish/Capel yet Paddock Wood takes the brunt of the flooding issues. This issue is not addressed in the Council's proposals.

12.10. The proposed new development at Queen Street by Redrow and Persimmon presents serious issues for Paddock Wood and the Rhoden Stream. The developers wish to develop a new sewage works which will deposit a minimum of 50,000 litres a day into this small stream to serve the development. Over the last few years this stream has had to endure development on Green Lane where its flood waters flowed into the Rhoden Stream and lastly the development in Church Road which also places its water into the Rhoden Stream.

- 12.11. Rhoden Stream can only take so much water and there are additional issues with Dimmock Close being flooded all due to the Rhoden Stream and the railway culvert not being large enough to accommodate this excessive amount of water when there are heavy rainfalls. There has been no upgrade of the Stream no upgrade of the culvert and no upgrade of the ditches and streams on the opposite side of these culverts.
- 12.12. Figure 5 of the Structure Plan for Paddock Wood (PS_046a) appears to (subject to seeing this plan overlaid with the Flood Zones 2 and 3 mapping) use the Flood Zones 2 and 3 map as a rigid development boundary as if the flood risk mapping is set in stone and that there is no risk of the areas identified flooding in the future. This seems like a very simplistic approach by the Council that could have dire consequences for future occupants and owners of the proposed development. It is still unclear from the evidence submitted how the future planned development will impact on flooding in the area as the flood risk mapping is based on the current landform and existing rather than future development including new roads and overall increase in permeable land to that of developed land. Please can the Council direct us to this evidence base?
- 12.13. We note that despite the Council explaining that the surface water attenuation measures will be located within the development parcels (rather than off site), Figure 5 of the Structure Plan still shows the SUDS measures outside of the development parcels which makes one assume that the Council has not updated the development capacity exercise to this effect.
- 12.14. Figure 5 of the Structure Plan shows one location of 'Flood Management Measures' south of the railway line and south of the 'Improved Pedestrian Crossing'. It is unclear from the Masterplanning document what this measure is as it does not state anywhere.
- 12.15. We heard previously from the Council that placing strategic development in areas of flood risk would improve flooding issues in the area which as we explained defies all logic. As the Town Council has explained previously the Council 'blurs together' wastewater, freshwater infrastructure and surface water that causes flooding and represents a misunderstanding on the Council's part of the difference between these very different and very critical issues for Paddock Wood.
- 12.16. "Betterment" was promised by TWBC on the three strategic sites now under construction however in reality the sewerage system has been further over burdened and regularly overflows. Surface water flooding has worsened, it has become apparent that the functional dam provided by the railway line and its (mainly) blocked culverts are an insurmountable barrier to any potential flooding improvement works. Nothing has been agreed by Network Rail, even now when the sites are being occupied. The same applies to the east Capel site which again abuts the railway.
- 12.17. It is noted that due to the lack of a clear masterplanning approach, it has resulted in the Swatlands Employment Site to be approved before the Local Plan is adopted. The

new flood risk evidence indicates that this site might not have been approved had the Council followed the evidence and the requirements of the NPPF.

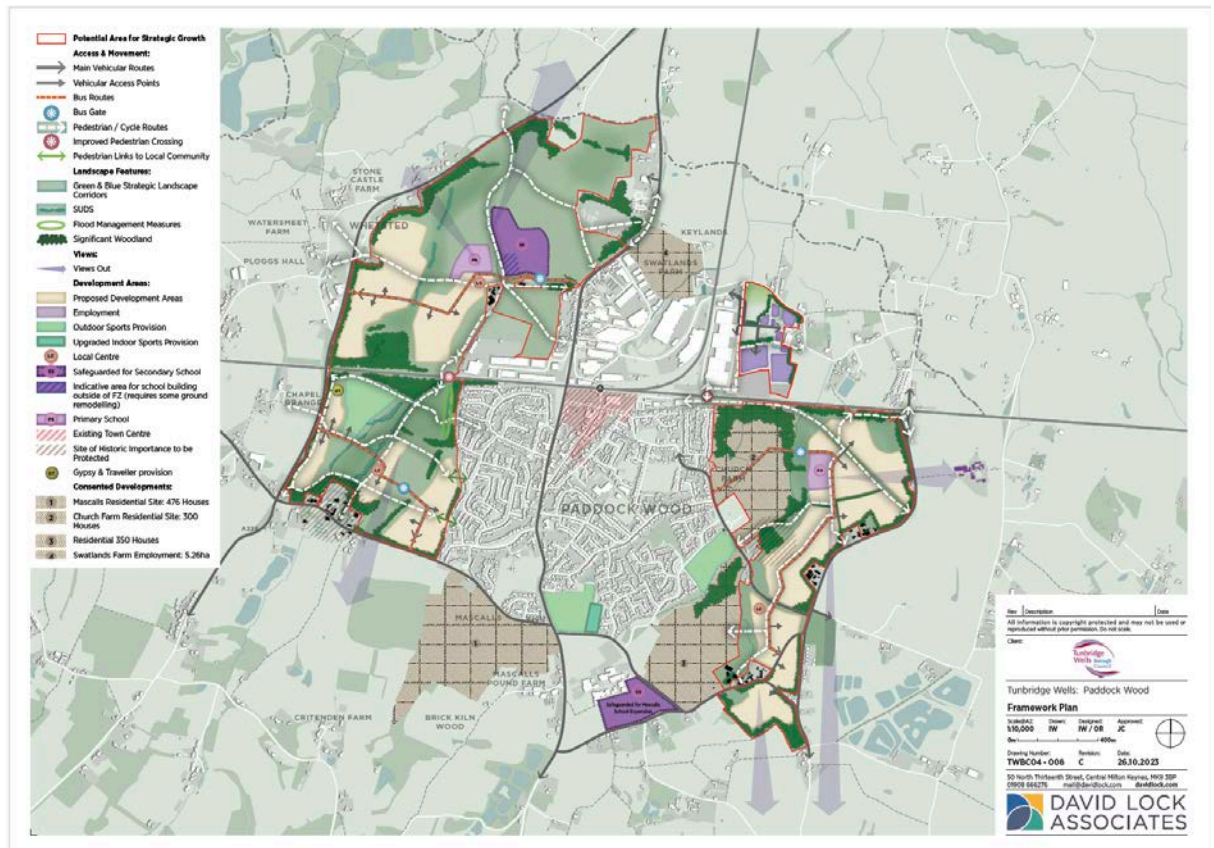


Figure 12.4: PS_046a Strategic Sites Masterplan (October 2023) (Figure 5 Structure Plan for Paddock Wood)

13. Viability

13.1. TWBC states that *"Discussions are ongoing with consultants Dixon Searle regarding the revised viability appraisal work, however delivery of the infrastructure associated with PWeC as set out in the David Lock Associates addendum paper is considered achievable"*³⁰. Given the lack of infrastructure detail in the David Lock addendum paper it is concerning that the revised viability work is relying on that report in order to assess the viability of the Local Plan and proposals at Paddock Wood and east Capel. As we have already set out the David Lock paper is lacking in detail and TWBC has failed to update its IDP which is a critical missing document as part of this consultation exercise.

13.2. The revised viability report states that the

*"The main areas of change relate to overall housing number assumed and the associated change in the infrastructure schedule produced by David Lock Associates (DLA) that sets out the infrastructure necessary to support the revised development proposals and provides current estimates of costs and indicative timings."*³¹

13.3. Furthermore, the Council does not provide an explanation in its Development Strategy Topic Paper as to the assumptions and findings of the revised viability report³². It is not clear what assumptions have actually changed in the viability study which makes it nearly impossible to comment on the Council's proposed response to the Inspector.

13.4. Looking to the revised viability report for this information in terms of what assumptions have remained or changed in the viability assessment from the previous strategy to the new strategy it is unclear. It states the following yet does not provide any detail on the changes:

*"It is worth noting that although the nature of the PWeC (only) related infrastructure requirements has very largely remained unchanged since the earlier review (completed early 2021), DLA has applied a +15% cost adjustment to most elements of the schedule, reflecting an overall assessment of costs having risen over the period from the earlier estimates. The same approach has been adopted by DSP in considering the housing build costs."*³³

³⁰ Local Plan Development Strategy Topic Paper Addendum (November 2023) (Paragraph 6.9)

³¹ Addendum to Local Plan Viability Assessment – Updated review of viability of Paddock Wood & east Capel (December 2023) (Paragraph 2.1.5)

³² Addendum to Local Plan Viability Assessment – Updated review of viability of Paddock Wood & east Capel (December 2023)

³³ Addendum to Local Plan Viability Assessment – Updated review of viability of Paddock Wood & east Capel (December 2023) (Paragraph 2.1.5)

- 13.5. It is noted that the Viability Assessment Addendum now includes an added cost for biodiversity net gain (BNG) however BNG is does not appear to be mentioned in the David Lock work and so it is unclear how this BNG is being calculated. Using the BNG hierarchy, the proposals should be delivering at least 10% BNG on site and this is not set out in Local Plan policy or addressed in the evidence base as far as we can see.
- 13.6. As set out in our 'Garden Settlement Principles' section, the previous viability evidence supporting the Local Plan claimed to include assumptions about the additional costs associated with applying 'Garden Settlement Principles' we could identify where these additional costs are set out in the evidence. Furthermore, the updated viability evidence base supporting this consultation makes no mention of 'garden settlement principles' or their associated costs being factored into the viability assessment.
- 13.7. As the Town Council has stated previously, the Local Plan viability study should take a 'worst case scenario' view on viability – there are countless examples across the country where viability matters for strategic proposals have not been scrutinised closely enough which has resulted in stalled sites and a lack of sufficient infrastructure to support the communities being planned. Given that the Local Plan proposes that the strategic development at Paddock Wood and east Capel should be delivered using Garden Settlement Principles, and given the exceptional need for flood risk mitigation infrastructure and new infrastructure to support this growth, TWBC and its residents cannot afford for the viability study to be a 'high level' assessment which lacks all the finer grain detailed and analysis that everyone knows is required to fully understand the challenges presented by TWBC's development proposals.

14. Green Belt

14.1. The Stage 3 Green Belt Addendum Report and the explanation of this Report and how the Council's summary and conclusions of its approach to Green Belt are both difficult to follow.

14.2. It appears that TWBC has not approached the Inspector's points regarding the need to fully evidence 'exceptional circumstances' with an open mind and has sought to keep its original proposed development strategy intact as much as possible. Its overall conclusion is that:

*"The overall findings of the review are that the conclusions in the original SA and SHELAA, that resulted in the sites identified as reasonable alternatives not being regarded as suitable for allocation, remain valid."*³⁴

14.3. TWBC then explains that with the 'obvious exception of the strategic sites' that it has 'generally proposed sites with least harm to the Green Belt'

*"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"*³⁵

14.4. Further evidence is where TWBC explains the following:

*"At the strategic level, some sites were not considered further (through the SHELAA process) due to the proposed development strategy for the Pre-Submission Local Plan and their proximity to the strategic allocations at Tudeley Village and Paddock Wood, and any consequent cumulative effect on the Green Belt (and/or coalescence concerns). These sites were previously found unsuitable through the SHELAA and SA work"*³⁶; and

*"Consequently, a change in the development strategy in relation to proposed strategic development at Tudeley Village and Paddock Wood may lead to these sites being reconsidered for potential allocation in relation to their contribution to the Green Belt, although it is noted that there may well be other reasons why these sites may remain unsuitable. Further consideration of such sites would be best done as part of a Local Plan review."*³⁷

14.5. This explanation by TWBC appears to suggest that the Council is not actively looking to meet its development shortfall as a result of its unsound approach to proposing Tudeley Village and proposing development in the high flood risk areas at Paddock Wood. Otherwise why would the Council identify sites that should be reconsidered for potential allocation but then state that further considerations of these sites should be done as part of a Local Plan review? Surely this is the time to consider potential development sites that could help ensure the Local Plan can be found sound?

³⁴ Local Plan Development Strategy Topic Paper Addendum (November 2023) (Paragraph 2.2)

³⁵ Local Plan Development Strategy Topic Paper Addendum (November 2023) (Paragraph 2.24)

³⁶ Local Plan Development Strategy Topic Paper Addendum (November 2023) (Paragraph 2.26)

³⁷ Local Plan Development Strategy Topic Paper Addendum (November 2023) (Paragraph 2.27)

14.6. There are clearly many sites / reasonable alternatives that have the same or lower harm ratings than STR/SS1 which have not been proposed for allocation in the Local Plan however there is no clear reason given for not allocating these sites.

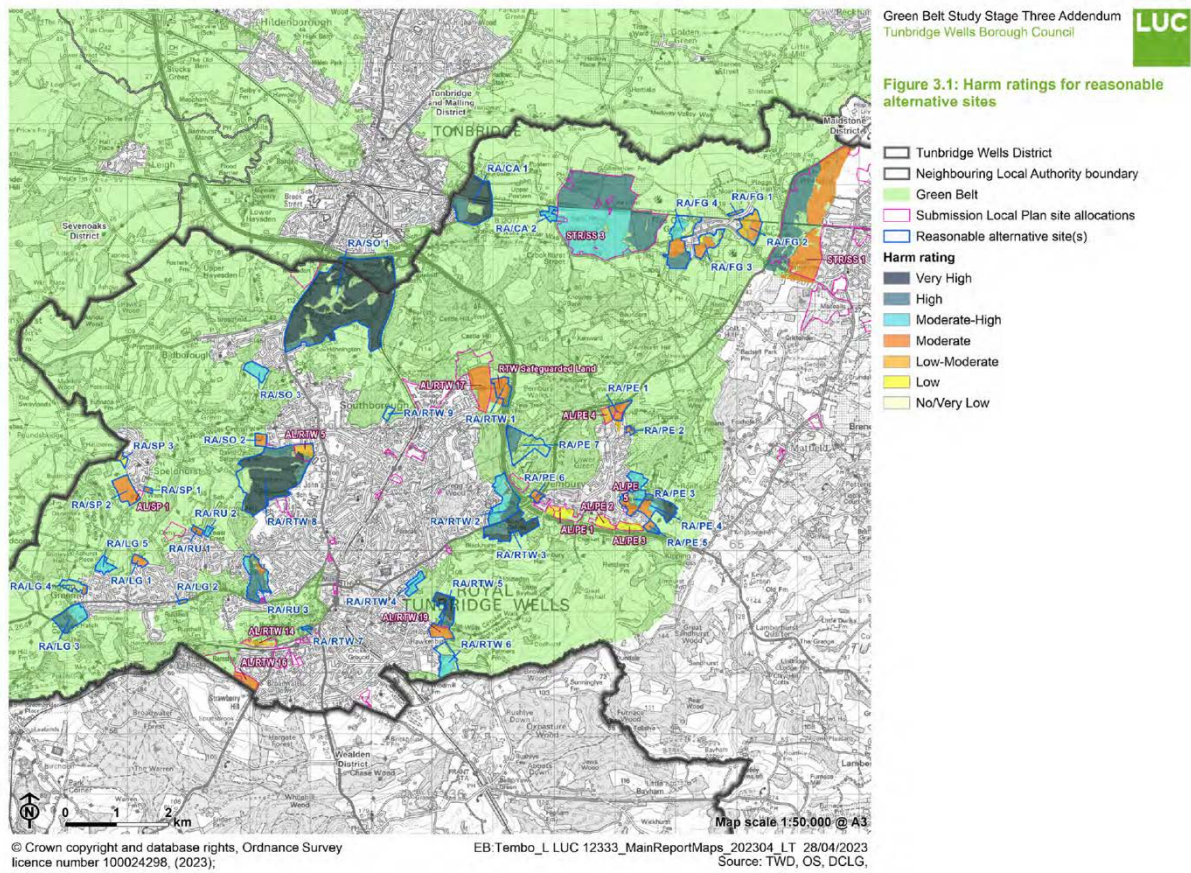


Figure 14.1: Harm ratings for reasonable alternatives (Green Belt Study Stage 3 Addendum)

15. Garden Settlement Principles

- 15.1. We consider that the Local Plan's multiple references to 'Garden Settlement Principles' is unjustified.
- 15.2. The NPPF states that local authorities should "*set clear expectations for the quality of the development and how this can be maintained (such as following Garden City principles) and ensure that a variety of homes to meet the needs of the different groups in the community will be provided*"³⁸.
- 15.3. The Local Plan states that "*at the heart of the creation of a sustainable community is the delivery of the new settlement based on garden settlement principles*"³⁹. Proposed changes to Policy STR/SS1 (The Strategy for Paddock Wood, including land at east Capel) now states: "*The development proposals for the whole of the allocated area shall embed garden settlement principles*".
- 15.4. The Pre-Submission Local Plan stated "*The development strategy for Paddock Wood and east Capel is to: (6) Ensure the development embeds the garden settlement principles. Planning applications need to demonstrate consideration of the associated key qualities as outlined in the supporting text*". The need for applications to demonstrate the key qualities of garden settlements is proposed for removal.
- 15.5. Although the previous viability evidence supporting the Local Plan claimed to include assumptions about the additional costs associated with applying 'Garden Settlement Principles' we could identify where these additional costs are set out in the evidence. Furthermore, the updated viability evidence base supporting this consultation makes no mention of 'garden settlement principles' or their associated costs being factored into the viability assessment.
- 15.6. The Inspectors of the Uttlesford Local Plan – which proposed multiple new garden settlements and stated that the new settlements would need to be developed in line with 'garden city principles' found that there were no mechanisms in place to ensure that the garden city principles could and would actually be delivered by the developers. They stated in their letter: "*Without assurances that the necessary mechanisms outside the plan would be put in place, we cannot be content in principle that the new proposed settlements would be true Garden Communities, or that the plan's stated vision for these new settlements would be met. This is a serious concern.*"⁴⁰. We have the same concerns for the Tunbridge Wells Local Plan in respect of the purported application of 'Garden Settlement Principles' with no concrete mechanisms for actually delivering development in this way and no evidence to justify it.

³⁸ NPPF paragraph 72 (c)

³⁹ Pre-Submission Local Plan paragraph 5.186

⁴⁰ Uttlesford Local Plan Inspectors' Letter (10th January 2020)

<https://uttlesford.moderngov.co.uk/documents/s17756/Appendix%201%20-%20Inspectors%20Letter.pdf>

16. Gypsies and Travellers

- 16.1. **We consider the Local Plan's approach to identifying locations for Gypsy and Traveller accommodation to be unclear and unjustified. This includes Policy H9 (Gypsies and Travellers) and Policy STR/SS1.**
- 16.2. Policy H9 states that the accommodation needs for Gypsies and Travellers will be met on the additional pitches as identified in Table 11. For Paddock Wood this states that there are no existing authorised pitches, no outstanding permissions and three potential additional pitches.
- 16.3. The Policies Map identifies three potential existing Gypsy and Traveller sites on the east side of Paddock Wood with potential for regularisation and / or intensification. These sites proposed are of a significant scale and would clearly accommodate more than one pitch each.
- 16.4. However the 2023 'Structure Plan' now identifies an area to the west of the town south of the railway line as 'Gypsy & Traveller provision' and the 'Strategic Sites Masterplanning Addendum' now states the following. There is no further explanation given in this document as to why the indicative location was selected or what happened to the previous proposed allocations in the Policies Map. The Council's Local Plan Development Strategy Topic Paper provides no explanation for this proposed location either even though it does now include this location below (in the Structure Plan) in its new Policy for the North Western Parcel. So it is unclear what the justification is for this and the proposed policy is at odds with David Lock's report stating that the location remains flexible within the Structure Plan.

"Policy also requires provision of a serviced Gypsy & Traveller site of 3 pitches. Location of this facility remains flexible within the Structure Plan, however an indicative location, pending detail studies on appropriate access, has been placed close to the A228 in the northwestern quadrant."⁴¹

⁴¹ PS_046 Paddock Wood Strategic Sites Masterplanning Addendum (Paragraph 3.1)



Figure 16.1: PS_046a Structure Plan for Paddock Wood

- 16.5. As stated in the Flood Risk section we question whether this location is within Flood Zone 1 and how this has been calculated in the development / housing capacity work undertaken.
- 16.6. The Council’s Gypsy and Traveller Accommodation Assessment was published in January 2018 over 6 years ago and is clearly out of date. Furthermore, the study explains at Paragraph 3.2 that there are several weaknesses with the reliability of the data used to determine the need for accommodation. It also states at Paragraph 3.7 that the data used in the study is from January 2015 to January 2017. The evidence being used is unreliable and dates from nearly a decade ago. The study also only covers the period to 2037 which does not align with the proposed TWBC Local Plan period (see our submissions regarding the need for a longer plan period). We consider this to be an unreliable on which to base local plan policy and allocations.

Table 11 Existing and proposed new Gypsy and Traveller sites that may have potential for accommodating additional pitches

Site	Parish	Existing authorised pitches	Outstanding permissions (as of December 2020)	Potential additional pitches
STR/SS 1*	Paddock Wood	0	0	3

Figure 16.2: Table 11 of Local Plan

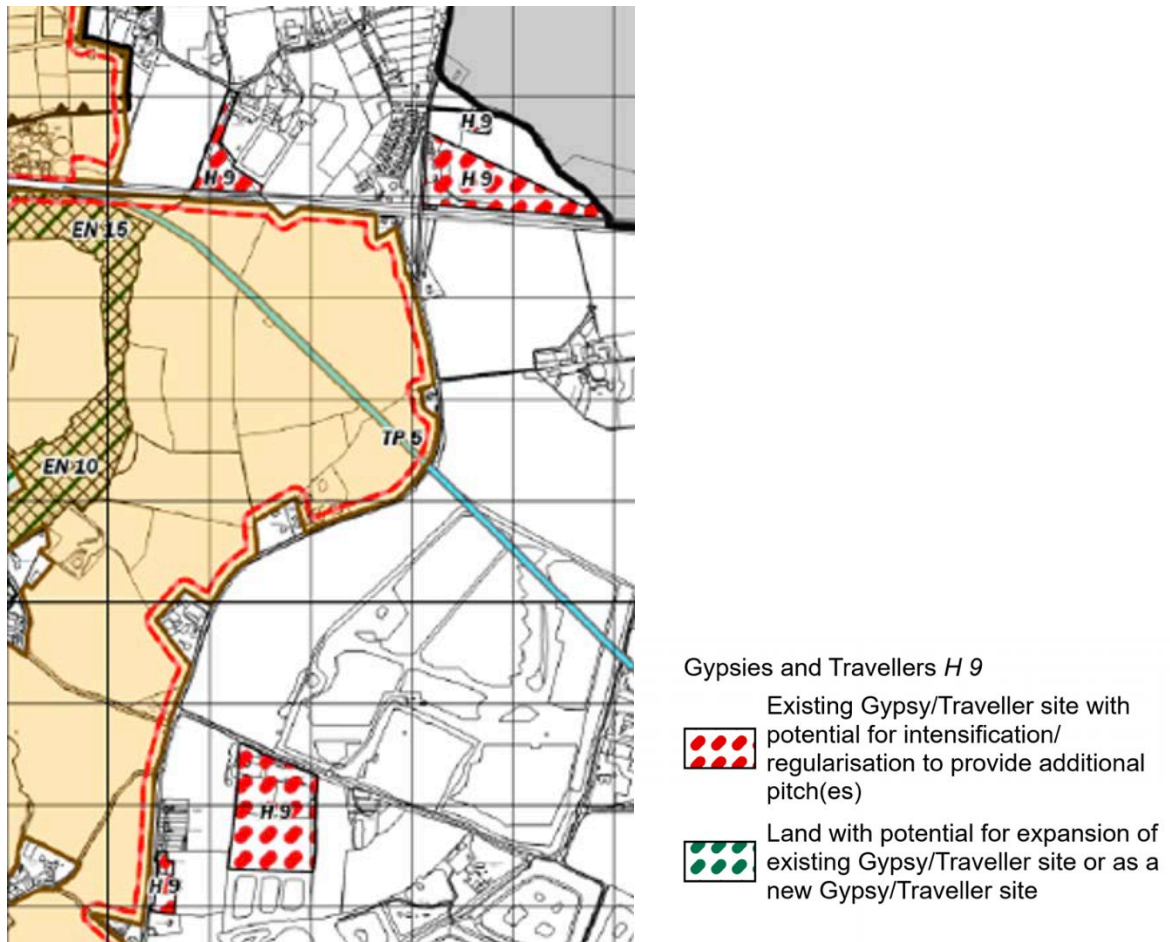


Figure 16.3: Policies Map: Paddock Wood Inset Map showing proposed Gypsy and Traveller sites / pitches)