

Local Plan Regulation 19 representations in document order

Comments on Section 5: Place Shaping Policies: Hawkhurst

Supporting Information File Ref No: SI_84a-u

Comment

Agent	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Sigma Planning Services
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Consultee	Kevin Willcox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Rydon Homes
Address	[REDACTED] [REDACTED] FOREST ROW [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes [REDACTED]
Comment ID	PSLP_1729
Response Date	03/06/21 13:25
Consultation Point	Hawkhurst (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Sigma Planning for Rydon Homes RYDON 6.pdf Sigma Planning for Rydon Homes RYDON 5.pdf Sigma Planning for Rydon Homes RYDON 1.pdf Sigma Planning for Rydon Homes RYDON 15.pdf Sigma Planning for Rydon Homes RYDON 18.pdf Sigma Planning for Rydon Homes RYDON 2.pdf Sigma Planning for Rydon Homes RYDON 9.pdf Sigma Planning for Rydon Homes RYDON 4.pdf Sigma Planning for Rydon Homes RYDON 14.pdf Sigma Planning for Rydon Homes RYDON 13.pdf Sigma Planning for Rydon Homes RYDON 16.pdf Sigma Planning for Rydon Homes RYDON 8.pdf Sigma Planning for Rydon Homes RYDON 17.pdf Sigma Planning for Rydon Homes RYDON 7.pdf Sigma Planning for Rydon Homes RYDON 3.pdf

[Sigma Planning for Rydon Homes RYDON 11.pdf](#)
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[Sigma Planning for Rydon Homes - covering letter.pdf](#)
[Sigma Planning for Rydon Homes RYDON 10.pdf](#)
[Sigma Planning for Rydon Homes RYDON 12.pdf](#)
[Sigma Planning for Rydon Homes List of Appendices TWBC LP.docx](#)

Data inputter to enter their initials here KJ

Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Sigma Planning Services

Question 3

To which part of the Local Plan does this representation relate? Paragraph(s)

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Section 5: Hawkhurst

Paragraphs 5.353 & 5.354

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC: see supporting documents attached, including composite of all representations].

Housing Provision in Hawkhurst

These paragraphs seek to confirm the overall level of housing development at Hawkhurst will be 161-170 dwellings. Paragraph 5.354 goes on to recognise that this is a substantial reduction on that put forward for consultation at an earlier stage – namely 681-731 dwellings. This significant change from the Draft Local Plan is not justified because:-

(a) **AONB** – The Hankinson Duckett Associates LVIA of November 2020 – Paragraph 7.8 suggests a reduction in the numbers of dwellings proposed on three Draft Local Plan proposed allocations HA1, Hawkhurst Golf Club, HA8, Hawkhurst Business Park and HA9, land at Santer's Yard, Gills Green. This reduction in numbers would provide an increased open space provision within three sites, reduce the intensity of development along the A229 and provide localised improvements to the AONB which, if developed positively in more detail, could mitigate against the predicted cumulative effects on the AONB. The report does not suggest the removal of any of the proposed housing allocations at Hawkhurst from the Local Plan or any further reduction of numbers at other Hawkhurst sites. The report therefore does not provide any justification for the removal of housing allocation sites proposed in the Draft (Reg 18) Local Plan. The LUC Landscape Sensitivity Assessment (2018) identified scope for small scale residential development at various points around the town and this was fed into the Draft Local Plan proposed allocations in November 2019. There is nothing in the evidence base that contradicts the conclusions of these 2018 and 2020 landscape assessments. The dramatic reduction in housing numbers at Hawkhurst is therefore not supported by any professional landscape evidence.

(b) **Air Quality** – The Air Quality Topic Paper of February 2021 addresses the situation at the crossroads in the centre of Hawkhurst and the proposed Air Quality Management Area on a short stretch of the Cranbrook Road to the north of the junction. This is associated with existing levels of traffic congestion on this arm of the junction. The air quality impacts are modelled for the PSLP but no wider testing has been carried out. The conclusion is that it is reasonable to expect concentrations to reduce from those measured and modelled in 2019 in the coming years, more rapidly than they have in previous years. The modelling of air quality impacts associated with additional traffic from newly-built dwellings were modelled for the period 2020-2027. It was felt that impacts were lessening sufficiently by 2027 and so it was considered that the model did not need to go any further into the future. Air Quality is therefore proposed to be managed by two policies, EN23, Air Quality and EN24, Air Quality Management Areas. The current situation in respect of air quality impacts is therefore that:-

- there is nothing that precludes higher levels of housing development at Hawkhurst over the Plan Period, which remain untested by the evidence base on Air Quality.
- air quality impacts are lessening as vehicle emission levels decline to the point where modelling beyond 2027 was considered to be unnecessary.
- air quality management is secured by development management policies EN23 and EN24.

There have therefore been no changes in the understanding of air quality impacts between the Draft Local Plan and PSLP stages that are of a significance that would justify the reduction of housing numbers at Hawkhurst by 76%.

(c) **Highways** – there is an issue of traffic congestion at the crossroads in the centre of Hawkhurst at the junction of the A268 and the A229. This is a longstanding issue. The junction is controlled by traffic lights and, at times, queues form. This is also the cause of air quality issues on the northern

leg of the junction on Cranbrook Road. New housing development at Hawkhurst will address this issue in a number of ways, which may vary, with the location of the individual site and the scale of the proposal itself. Various means of addressing the issue include:-

- junction improvements
- traffic light phasing
- a localised by-pass of the junction
- measures to reduce trip generation

The issue is therefore one of traffic management tailored to individual development projects and this has been the ongoing approach by the highway authority who have never identified a finite cap upon the capacity of the junction. The issue is one of traffic congestion and not highway safety. There has been no material change in the highway situation between the Draft Plan and the PSLP and therefore no reason why the confidence held by TWBC about housing numbers proposed at Hawkhurst in the Draft (Reg 18) Local Plan cannot continue.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_84a-u

Comment

Agent	[REDACTED]
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Consultee	Kevin Willcox [REDACTED]
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Comment ID	PSLP_1732
Response Date	03/06/21 13:25
Consultation Point	Hawkhurst (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	Sigma Planning for Rydon Homes_RYDON 5.pdf Sigma Planning for Rydon Homes_RYDON 13.pdf Sigma Planning for Rydon Homes_RYDON 1.pdf Sigma Planning for Rydon Homes_RYDON 4.pdf Sigma Planning for Rydon Homes_RYDON 16.pdf Sigma Planning for Rydon Homes_RYDON 10.pdf Sigma Planning for Rydon Homes_List of Appendices TWBC LP.docx Sigma Planning for Rydon Homes_RYDON 15.pdf Sigma Planning for Rydon Homes_RYDON 14.pdf Sigma Planning for Rydon Homes_RYDON 17.pdf Sigma Planning for Rydon Homes_RYDON 3.pdf Sigma Planning for Rydon Homes_RYDON 12.pdf Sigma Planning for Rydon Homes_RYDON 18.pdf Sigma Planning for Rydon Homes_RYDON 2.pdf

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[Sigma Planning for Rydon Homes_RYDON 9.pdf](#)
[Sigma Planning for Rydon Homes_RYDON 8.pdf](#)
[Sigma Planning for Rydon Homes_RYDON 6.pdf](#)
[Sigma Planning for Rydon Homes_Composite Representations.pdf](#)
[Sigma Planning for Rydon Homes_RYDON 7.pdf](#)

Data inputter to enter their initials here KJ

Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Sigma Planning Services

Question 3

To which part of the Local Plan does this representation relate? Paragraph(s)

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Section 5: Hawkhurst

Paragraphs 5.360

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

Question 4

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Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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[TWBC: see supporting documents attached, including composite of all representations].

Infrastructure requirements in Hawkhurst

This paragraph is supported but the Plan does not include the comprehensive policies necessary to deliver these infrastructure requirements. In particular, there is no provision to safeguard land for replacement playing fields to facilitate the expansion of Hawkhurst CEP School or new housing provision to deliver the new medical centre and public car parking to the north of Birchfield Grove. These were to be delivered as part of a package of proposals contained within Policy AL/HA4 of the Draft (Reg 18) Local Plan but that policy has not been carried forward into the PSLP.

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. Yes, I wish to participate in hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Hawkhurst: Policy
STR/HA 1: The Strategy for Hawkhurst
parish**

Comment

Consultee	John Windeatt [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	John Windeatt [REDACTED]
Comment ID	PSLP_37
Response Date	13/04/21 08:04
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Letter
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	John Windeatt
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1: The Strategy for Hawkhurst parish

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Thank you for your notification about the publication of the above.

The plan is very extensive and, if nothing else, I am sure will be seen as a historic record of our position and thoughts in future times.

Obviously my interest is mainly related to Hawkhurst. Am I correct in thinking that Hawkhurst has the sole "made" Neighbourhood Development Plan in the Borough. Importantly, it identified sufficient sites for future housing development to meet the Government's targets.

To me the main issues in Hawkhurst are the roads and the proposed golf club development. The housing numbers sought is clearly unsustainable for many reasons as has been well documented previously.

However, money talks _ _ _

With regards to the roads I have the following thoughts:-

I understand that KCC have now withdrawn their reservations concerning the relief road, closure of the south end of Cranbrook Road, and other proposals in the planning application. There must be some reason for them to have shifted their position. For the record I have written to Highways twice in the last year about traffic noise etc but have not received any reply.

Whilst there are periodic traffic holdups in Hawkhurst, I don't think the resultant delay is ever more than five to ten minutes, so let's get the issue into perspective. Hold ups at Flimwell can be longer.

It is disappointing to read that the plan makes a case for roadworks to alleviate the perceived problem at Hawkhurst - Clause 2.35 refers. Later Clause 5.357 states "potential to provide a relief road to the northwest of the village".

The comments about air quality along Cranbrook Road would again appear to support the relief road. We should remember that Government policy is the introduction of electric vehicles throughout this decade so the problem of poor air quality is likely to get considerably better. Clause 2.36 refers. Diverting traffic onto the High Street will simply bring the same problem to the residents along the High Street.

The fact remains that a substantial percentage of the vehicles coming into Hawkhurst along the Cranbrook Road that will be diverted along the relief road will turn left on the High Street to get to the shops, and to access The Moor, and most importantly to get onto the A2244 that provides a useful alternative route to the A21 down to Hastings

Clause 5.358 states "future planning applications must consider the traffic impact and that they will not have an unacceptable impact or result in severe residential cumulative impacts. There is no doubt in my mind that the possible changes to traffic flow will result in severe residential cumulative impacts along the High Street towards Hawkhurst and at the Flimwell junction.

More generally, is there some reason why Tunbridge Wells Golf Club is listed in Appendix 2 - Schedule of designated local green space sites, but Hawkhurst Golf Club is not? What a positive move it would be to keep the golf club as a green space.

[TWBC: the above paragraph on Local Green Space has also been entered under Appendix 2: Schedule of Local Green Space - see Comment Number PSLP_44].

It seems silly for Tunbridge Wells to make up for the shortfall in Sevenoak's future housing provision. As a sleeper town, Sevenoaks residents commute north to London so taking them farther south is illogical.

A couple of the fundamental statements should not be overlooked. Policy EN19 - High Weald Area of Outstanding Natural Beauty states "Planning permission will be refused for major development unless it is in the public interest and in accordance with national policy. Any further development in Hawkhurst should be refused on these grounds.

NPPF - Government Planning policy states" development must be sustainable"

I do hope that the Government keeps within its own guidelines and doesn't just ride roughshod over our well considered development plans.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

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If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Supporting Information File Ref No: SI_22

Comment

Consultee	Peter Hay [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Hay [REDACTED]
Comment ID	PSLP_359
Response Date	24/05/21 13:02
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_359 & PSLP_370-376 Hawkhurst traffic supporting photographs Redacted.pdf
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Hay
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former Site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy STR/CS1 - The Strategy for Cranbrook and Sissinghurst Parish

Policy AL/CRS1 Land off Brick Kiln Farm, Cranbrook Road

Policy AL/CR3 - Turnden Farm, Hartley Road, Cranbrook

[TWBC: this representation has been input against Policies STR/HA 1, AL/HA1, AL/HA2, AL/HA3, AL/HA4, STR/CS1, AL/CRS1 and AL/CR3 – see Comment Numbers PSLP_359 and PSLP_370-376]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I very much strongly support the removal of Hawkhurst Gold Club Site and overall reduction in housing allocation within the village and also the reduction in harm to AONB. In addition, I do not consider the remaining numbers, HA/1, HA/4 along with Cranbrook CRS/1 and CRS/4 are justified as no assessment has been undertaken of the cumulative effect upon the junction at Flimwell and the village crossroads. Note: The recent planning application South of Copthall Avenue was recently refused partly because of this impact and AONB.

Also, I do not consider that HA/1, HA/3, CRS/1 and CRS/4 are consistent with National Policy as neither focus on sustainable locations for development and the use of private cars will always remain – NPPF 103 and 104 refers. This is plain to see.

I would also say that the policies will fail to preserve or enhance the AONB contrary to NPPF Para 172

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

1. Removal of Copthall allocation HA/4 (plans are incorrect anyway)
2. To modify HA/1 to reflect reduced overall numbers of housing in Hawkhurst following removal of HA/1
3. To modify CRS/1 to reflect overall reduction in housing numbers in Cranbrook as a result of the removal of CRS/1
4. To modify HA/2 and HA/3 to include wording from Local Plan AL/HA/1 to ensure Area of Landscape Importance is retained and reinforced as part of any new proposal for planning permission.
5. Modify HA/1 and make it clearer that any development outside LBD will not be permitted (unless there is an exception specifically identified elsewhere in the plan)

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	. No, I do not wish to participate in examination hearing session(s)
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Supporting Information File Ref No: SI_26

Comment

Agent	Mr William Hall [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Broadlands Planning Ltd
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Consultee	Mr & Mrs Dunlop [REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Mr & Mrs Dunlop [REDACTED]
Comment ID	PSLP_457
Response Date	26/05/21 14:38
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	PSLP_443, 457 Broadlands Planning for Dunlop SI-1 Representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Mr & Mrs Dunlop
Question 2	
Agent's Name and Organisation (if applicable)	Broadlands Planning Ltd.
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policies Map (Inset Map No(s)) 15; Hawkhurst

[TWBC: This representation has been put against Policies STR 1 and STR/HA 1 - see Comment Numbers PSLP_443 and PSLP_457]

Question 4

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Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

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Please see Broadlands Planning supporting letter *[TWBC: Please see supporting documents]*, which sets out why the definition of the Limits to Built Development on Local Plan Inset Map 15; Hawkhurst is not sound, as denying the character and appearance of the continuous built development on the south west boundary of Hawkhurst and north of High Street, with the LBD defined too tightly to the historic core of the centre of Hawkhurst.

Tunbridge Wells Borough Regulation 19 Pre Submission Local Plan 2021. Representations in respect of the proposed Limits to Built Development north of High Street, Hawkhurst, as shown on Inset Map 15; Hawkhurst, and following the terms of Policy STR1; The Development Strategy, Policy STR/HA 1; The Strategy for Hawkhurst Parish, and Inset Map 15; Hawkhurst.

This submission is made on behalf of Mr and Mrs Dunlop and family. I attach a completed form for this representation.

The submission sets out my client's concerns at to the definition and extent of the Limits to Built Development on the south western edge of Hawkhurst and north of the High Street, as set out in;

1. Policy STR1; The Development Strategy;

To achieve, this the Local Plan: 2. Looks to focus new development within the Limits to Development of settlements, as defined on the Policies Map, where proposals accord with the other relevant policies of this Plan;..

2. Policy STR/HA 1; The Strategy for Hawkhurst parish;

'The development strategy for Hawkhurst parish is to: Set Limits to Built Development for Hawkhurst, as defined on the Policies Map (Inset Map 15) as a framework for new development over the plan period.'

3. The delineation of the Limits to Built Development shown on Inset Map 15; Hawkhurst, as drawn to the south west of Hawkhurst and, in particular north of High Street, which approach we consider over restrictive, not justified, and not sound.

We note the terms of the Review of the Limits to Built Development Addressed in the **Limits to Built Development Topic Paper-Regulation 18 Consultation August 2019**, in particular the following;

1.2 Limits to Built Development (LBDs) are used to differentiate between the built up areas of settlements and areas of countryside beyond. Generally, and subject to compliance with other policies in this Plan, there will be a presumption that the principle of proposed development such as infilling, redevelopment, and/or changes of use will be acceptable inside the LBD, while land and buildings outside the LBD will be considered as countryside where there is much stricter control over development.

II. Principles

2.10 The following principles are used to define LBDs:

- 1) LBDs are policy lines drawn around the 'main' built up area of a sustainable settlement – but they do not seek to define settlements as such.*
- 2) Land inside the LBD will generally be substantially developed – including buildings, roads (excluding roads on the edge), etc.*
- (3) The main land uses outside the LBD will generally comprise of or be used for agriculture, woodland, lakes/ponds, outdoor sports, and leisure, unless surrounded by other development.*
- 4) LBD boundaries should normally follow physical features, e.g. roads, walls, field boundaries, although there may be instances where it is appropriate to cut across property curtilages to ensure that local character and/or amenities are protected.*
- 5) LBDs need not be contiguous. It may be appropriate for a settlement to have two (or more) separate elements, where this reflects distinct built up parts, e.g. Goudhurst.*
- 6) There may be some fringe areas beyond a settlement's more consolidated core, as well as smaller villages/hamlets and enclaves of development in the countryside that do not have a LBD, in order to maintain the overall rural character of an area.*

11 Criteria

'Criteria used to determine what should or should not be included within LBD Boundaries;

Any amendment to LBD's should:

(c) ..have no adverse effect on landscape character.

(e).. be of a scale/nature in keeping with the form and function of the settlement and result in no harm to its character, appearance or setting-does it relate more to the built environment or to the surrounding countryside.

(f)..not extend existing features or result in ribbon development

Exclude

1 Isolated buildings or sporadic/dispersed development e.g individual or small groups of buildings separated from the main built up area of the settlement.

1V. large rear gardens or paddocks stretching well out from the built form of the settlement. Where there is an obvious variation in the rear line of garden curtilages along the edge of a settlement, then a striking line will be applied through these to form a uniform edge to the settlement

We note that;

- Along High Street the main built up area is linear in character and appearance and does incorporate both the higher density and historic area nearer the core at the central crossroads and the lower density residential areas of detached houses fronting High Street as it extends to the west.
- The latter is clearly part of the historic development pattern of Hawkhurst as it has grown from its hamlet origins, as is typical of most settlements. It provides an essential range of higher and lower density homes for the residents of Hawkhurst, and is a part of the 'main' and sustainable built area of Hawkhurst.
- These buildings and their curtilages along this part of High Street are not isolated or dispersed, but materially contiguous.
- The Proposed Limits to Built Development along High street, however, is drawn tightly to the higher density and historic 'consolidated Core' of Hawkhurst and some later residential estate development along Oakfield.
- To the west of this LBD, however, is found a materially unbroken line of primary residential development, barring the buildings of Hawkhurst Golf Club, along to the Hawkhurst Hospital, including the more densely historically developed enclave of houses with more limited curtilages on the eastern and western entrances of Slip Mill Road to High Street, and a range of virtually uninterrupted detached houses in more extensive and landscaped grounds which are tightly defined on their northern edge by open cultivated farmland. This is part of the urban area of Hawkhurst.

My clients **object to the restricted extent of the defined Limits to Built Development on this western edge of Hawkhurst, as shown on Inset Map 15; Hawkhurst.**

We **request that the Inspector for the Examination finds it appropriate to extend the Limits to Built Development north of High Street along to the Hawkhurst Hospital.**

This request is justified and made on the following grounds;

- This area is contiguous with the historic core of Hawkhurst, and cannot be characterised as fringe land on the 'edge' of the settlement of Hawkhurst.
- This area is an integral part of the historic development of the settlement of Hawkhurst, and its developed confines.
- This is not open 'countryside' land, but part of the built up area of Hawkhurst.
- This land is substantially developed, including lower density homes in landscaped grounds.
- The area is well defined and constrained by High Street as the main western entrance to Hawkhurst, and open agricultural fields to the north.
- The substantial landscaping of the houses, both within their curtilages and along the High Street roadside, contributes materially to the attractive landscape character of this approach the Hawkhurst centre.
- The incorporation of this area within the defined Limits to Development will not harm its landscaped character.

The inspector is requested to determine accordingly.

[TWBC: For full representation please see supporting documents]

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see attached Broadlands Planning letter of full representation [TWBC: *Please see supporting documents*], which sets out the case for an extension of the Proposed Limits to Built Development north of High Street, Hawkhurst, on Inset Map 15; Hawkhurst.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

If you would like to attach a file in support of your comments, please upload it here. [PSLP_443, 457 Broadlands Planning for Dunlop SI-1 Representation.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Julie Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent [REDACTED]
Comment ID	PSLP_541
Response Date	28/05/21 10:32
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	CPRE Kent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/HA1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

CPRE Kent objects to the Policy STR/HA1 The Strategy for Hawkhurst parish.

We welcome the significant reduction in housing numbers in PSLP Allocations when compared with previous versions of this plan and we accept that, as the whole parish is within the High Weald AONB, any growth will require some development on AONB land.

We do however continue to object to allocation HA/AL4. It does not demonstrate an efficient use of land nor does it meet the Council's stated aim of optimising density to minimise loss of green fields.

We believe it must be a precondition to the permanent loss of greenfield areas within the AONB that any housing authorised should be at an efficient density in accordance with paragraphs 137 and 138 of the NPPF, to minimise development on protected land across the Borough as a whole. HA/AL 4 represents a waste of valuable, and supposedly protected, land and will inevitably lead to the sacrifice of more greenfield land in the future. If there is a local housing need it should be met by development within the existing LBD and at a density appropriate to that location. More compact forms of development, such as small apartment blocks, would dramatically reduce the amount of land required. Please see our response to STR1 for further details.

(We note that a planning application (ref: 20/02788/FULL) that mirrors this allocation was rejected by the Council's Planning Committee on 12 May 2021 due to the impact on the AONB and traffic volumes at the crossroads in Hawkhurst.)

The strategy for Hawkhurst does not provide an effective solution to existing traffic congestion and air pollution that will be worsened by new housing developments. The Council has recently decided that an AQMA is required but the policy requirement is for development proposals to "establish an acceptable impact" upon the Hawkhurst crossroads. Surely any impact is unacceptable? The wording of this policy was markedly different in the previous consultation, requiring "clear evidence that there is sufficient capacity" at the Hawkhurst crossroads.

Additionally, the policy only requires an air quality assessment to be provided in relation to major developments generating specified volumes of traffic movements in the proposed AQMA on Cranbrook Road. Unless the *cumulative* impact of all developments is assessed, potential reductions in air quality will not be correctly identified.

CPRE Kent supports active travel however we do not believe that for the settlement of Hawkhurst the development of an active travel strategy will be effective in generating a significant modal change from car dependency. As a rural service centre, it meets the day-to-day needs of a wide rural catchment area but requires travel to other centres both within and outside the borough to meet wider needs.

Propensity to cycle may be limited by topography (with electric bikes not being an affordable option for some residents) and by distance and narrow road widths limiting inter-settlement journeys. In particular, we believe that significant traffic movements generated by commuting to work, where onward travel by train is required, will be difficult to reduce. We note that the policy no longer proposes

contributions toward a feasibility study to consider alternative modes of public transport provision to serve Hawkhurst (which was included in the Regulation 18 policy); we suggest instead that public transport improvements should form a key part of the approach for reducing congestion.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Remove allocation AL/HA4 from the plan.

Strengthen the policy provisions to allow development to be refused if the developer cannot demonstrate clear evidence of sufficient capacity at the Hawkhurst, taking into account the cumulative effect of all other proposed developments.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To explore these issues further.

Additionally, we would wish to counter any representations which may be made at the hearing sessions on behalf of promoters of the sites that have not been allocated. We have a particular concern regarding the now-removed allocation for 400+ dwellings at Hawkhurst Golf Course (site 115), which we previously opposed. If this allocation were reinstated, we would question the need for other housing allocations in Hawkhurst. We note that a planning application (19/02015/HYBRID) that was submitted for this has now gone to a non-determination appeal.

Comment

Consultee	Angie Thirkell [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Angie Thirkell [REDACTED]
Comment ID	PSLP_864
Response Date	02/06/21 14:05
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Mrs Angela Thirkell
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STRA/HA/1	
HA3	
HA4	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Angie Thirkell [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Angie Thirkell [REDACTED]
Comment ID	PSLP_869
Response Date	02/06/21 14:07
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Mrs A Thirkell
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STRA/HA/1	
HA3	
HA4	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

If you consider that the Local Plan is not sound, please answer this question.

Question 5

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2) I am still not happy with the remaining overall numbers set out in HA1 & in HA4, I feel they are not justified given the cumulative impact of those allocations on Hawkhurst Crossroads & the Flimwell Junction which as have not been assessed

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Modification of HA1 to reflect the overall reduction of housing with removal of HA4

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Peter Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Williams [REDACTED]
Comment ID	PSLP_922
Response Date	28/05/21 09:00
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Williams
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy CRS1 - Land at Brick Kiln Farm, Cranbrook Road

Policy CRS3 - Turnden Farm, Hartley Road, Cranbrook

Sustainability Appraisal

[TWBC: this representation has been input against Policies STR/HA1, AL/HA1, AL/HA2, AL/HA 3, AL/HA4, AL/CRS1, AL/ CRS3 and Sustainability Appraisal – see Comment Numbers PSLP_922, PSLP_939, PSLP_940, PSLP_941, PSLP_942, PSLP_943 and PSLP_944]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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- . Failure to preserve or enhance AONB
- . Needs to be reduction in Hawkhurst Allocation - "enough is enough"
- . Removal of HH Golf Course site was sound and sensible decision
- . The impact of additional traffic @ Flimwell/ A21 junction will be considerable - there are already significant traffic build ups.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Revisit HA1 to reflect reduced overall housing numbers in Hawkhurst

Removal of HA4 (Cophall)

Revisit HA2 + HA3 to ensure area of landscape importance is retained

Modify HA1 to ensure no development at side limits of build

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

The constant "one step forward and one back" re housing development is a constant frustration - once a decision is made then stick with it. The demise of Hawkhurst Golf Club was due to the constant "developing not developing" which over many years meant attracting new members was impossible.

Comment

Consultee	Mr Patrick Sprague [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Cranbrook [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Patrick Sprague [REDACTED]
Comment ID	PSLP_1049
Response Date	02/06/21 16:43
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Patrick Sprague
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/HA 1 The Strategy for Hawkhurst parish	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound Yes

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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I am fully supportive of the removal of the Hawkhurst Golf Course Development.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	R Elliott [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	R Elliott [REDACTED]
Comment ID	PSLP_1066
Response Date	03/06/21 13:12
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	R Elliott
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STRA/HA/1, HA2, HA3, HA4, CRS1 and CRS3	
AL/SA 1, AL/SA 2	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

If you consider that the Local Plan is not sound, please answer this question.

Question 5

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

For all of these reasons, and in addition, these policies will not preserve and certainly will not enhance the AONB. This is contrary to NPPF para 172.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

1. Remove CRS3 (Cranbrook Turnden site)
2. Modify CRS1 to reflect reduction of overall housing numbers in Cranbrook as a result of the removal of CRS3 and/or CRS/1
3. Remove HA4 (Copthall allocation)
4. Modify HA1 to reflect reduction in overall housing numbers in Hawkhurst

5. Modify HA2 and HA3 to incorporate wording from existing Local Plan Policy AL/HA1 in order to retain and reinforce Area of Landscape Importance as part of any new proposal put forward for planning permission
6. Further modify HA1 to emphasise that development outside the Limits of Built Development will not be permitted save unless it is a recognised exception from elsewhere in the plan.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Supporting Information File Ref No: SI_63

Comment

Agent	Mr Jonny Pickup [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Town and Country Planning Solutions
Address	- - -
Consultee	Mr M Sciberras [REDACTED]
Company / Organisation	VS LandPro Ltd.
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	VS LandPro Ltd [REDACTED]
Comment ID	PSLP_1074
Response Date	02/06/21 14:32
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	PSLP_1074 TCPS for VS LandPro Ltd Representation and Appendices Redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	VS LandPro Ltd
Question 2	
Agent's Name and Organisation (if applicable)	Town & Country Planning Solutions
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Paragraph No(s) 5.351–5.359

Policies Map (Inset Map No) 10

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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These representations are made on behalf of VS LandPro and relate to a former housing site allocation, known as Santer's Yard, Gills Green, Hawkhurst. The site previously formed part of draft Policy AL/HA 9 of the Regulation 18 Consultation version of the draft Tunbridge Wells Local Plan.

However, this draft site allocation was removed as part of the Regulation 19 Consultation Version and these representations seek to demonstrate that its removal is unjustified.

This assessment is provided under separate cover, which has been appended to this form.

[TWBC: for full representation, please see supporting documents]

Representations on behalf of VS LandPro Ltd

1) Introduction

- 1 These representations are submitted on behalf of VS LandPro Ltd (the developer) in relation to a site known as Santer's Yard, Gills Green, Hawkhurst. The site previously comprised a site allocation under draft Policy AL/HA 9 (site assessment reference 422) of the draft Tunbridge Wells Local Plan (regulation 18 consultation), to provide up to 37 dwellings (including 35%

affordable housing) together with employment land falling under B1, B2 and B8 uses (see extract below).

[TWBC: for Site Plan, please see full representation attached as a supporting document]

- 1 However, the site has now been omitted, along with three other sites as part of the Regulation 19 submission version of the draft Plan. This represents a reduction from a housing target 731 dwellings for Hawkhurst down to just 170 dwellings, a reduction of over 75%.
- 2 It is the case of the developer that the removal of the Santer's Yard site is unjustified and as such the proposals for Hawkhurst the plan are unsound. As such, this objection related to draft Policy STR/HA1 and Inset Map 10 of the Submission Draft (i.e. Regulation 19) version of the Plan, which set out the strategic objectives for Hawkhurst over the plan period.

2) Objection to draft Policy STR/HA1 and Inset Map 10

- 1 The Site Assessment Sheet for site AL/HA 9 (reference 422) forming part of the background evidence for the Regulation 19 Submission Version of the Plan is contained in **Appendix 1** attached. Having previously been considered suitable as a housing and employment allocation in the Regulation 18 version of the Draft Plan, the site is considered unsuitable due to the perceived adverse impact upon the landscape character of the High Weald Area of Outstanding Natural Beauty (HWAONB) and the distance from Hawkhurst.

[TWBC: for Appendices, please see supporting documents]

- 1 In terms of the perceived impact upon the HWAONB, the Site Assessment Sheet states that the Council's Landscape and Visual Impact Assessment (LVIA) concluded that the development of the 'whole site would have a severe impact upon the AONB'. However, the relevant section of the Council's LVIA contained in **Appendix 2** suggests that instead of removing the whole site allocation, that the employment land at the northern part of the site should be removed and replaced with public open space and that the residential element at the southern part of the site could be retained without causing significant harm to the HWAONB, subject to the retention of the existing natural boundary features. The Assessment states that;

"The removal of the employment allocation from the site would reduce the potential harm to local landscape character as a result of the proposed development and would provide opportunities to implement enhancements within the site. This change would also protect the settlement pattern and character of Gill's Green. Approximately half of the site would be retained within open space land uses..."

...The proposed housing allocation is in keeping with the existing settlement pattern, however the proposed employment allocation to the north of the site is inconsistent. The proposals are likely to affect the connection to the countryside for a limited number of residents within Gill's Green

The measures set out within the draft allocation policy and additional GI prescriptions would protect the existing boundary vegetation of the site and protect the historic field pattern. It would allow for the introduction of new characteristic features within the proposed open space, which could further screen the settlement from the surrounding landscape.

The policy controls would ensure that the design of the proposals is well thought through and designed to minimise visual intrusion to the landscape.

Careful location of any vehicular access on the southern or south-western boundary, combined with the replacement planting of any lost hedgerow or trees, would maintain the rural character to the two routeways adjacent to the site.

These measures would reduce predicted effects on local landscape character, the amenity of the existing routeways and would protect key features that contribute to the positive character of the site. They would also provide opportunities to improve recreation and pedestrian and cycle connectivity within Gill's Green."

[TWBC: for Appendices, please see supporting documents]

- 1 Prior to the publication of the Council's LVIA, the Applicant submitted a preapplication consultation to the Borough Council, which sought to remove the employment land allocation and replace it with public open space, with an illustrative masterplan showing how the rest of the land might be develop for housing (provided overleaf and reproduced in Appendix 3).

[TWBC: for extract image, please see full representation attached as a supporting document]

[TWBC: for Appendices, please see supporting documents]

- 1 However, despite concluding that the residential allocation at the southern part of the site could be retained in principle, the Council elected to remove the whole site allocation from the submission version of the Plan, with concerns also being raised over the sustainability of the site location.
- 2 As such, VS LandPro have also undertaken a pre-application consultation with Kent County Council Highways, in order to determine whether the proposal would be likely to have a harmful impact upon the local highway network. The County Council's response suggested that a residential development in this location would raise 'some concern', but that this might be addressed through the provision of highway improvements, including the creation of a roadside pathway linking the site to local bus stops and vehicle passing points on Patchwork End.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see wording modifications within the attached document.

[TWBC: for full representation, please see supporting documents]

3) Suggested modifications to Policy STR/HA1 and Inset Map 10

- 1 The Council's own LVIA indicated that the southern part of the site could be allocated for residential uses without having a harmful visual impact upon with HWAONB. As such, the Applicant is proposing that the northern part of the site is retained for public amenity space and ecological enhancements, with the southern part only being allocated for residential uses.
- 2 The illustrative masterplan shows how this scheme might be delivered without having any harmful impact upon the HWAONB. The Applicant's pre-application consultation with ESCC Highways suggests that mitigation measures could be included within the scheme to ensure that the proposal would not have a harmful impact upon the local highway network.
- 3 As such, there was no justification for the removal of this site which would make a valuable contribution to the housing supply in the Borough and as such, this site should be reallocated as a housing site for up to 37 dwellings (including 35% affordable housing), together with the provision of public amenity and ecological enhancement land within the Tunbridge Wells Local Plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

N/A

If you would like to attach a file in support of your comments, please upload it here.

PSLP 1074 TCPS for VS LandPro
Ltd Representation and Appendices Redacted.pdf

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Alan Chambers [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Alan Chambers [REDACTED]
Comment ID	PSLP_1093
Response Date	03/06/21 14:04
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Other
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mr Alan Chambers
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/HA 1 The Strategy for Hawkhurst parish	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I wish to support the reduced housing allocation for Hawkhurst, as the previous plan had too many houses. The traffic in the village is already excessive and pollutes the High Street and traffic lights.

I am particularly pleased that Hawkhurst Golf Club is no longer included for housing development in the new local plan. The Hawkhurst Golf Club proposal is not suitable for an AONB.

It would be more appropriate surely to increase development at larger sites of T'Wells and Paddock Wood.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mrs Liane Chambers [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Liane Chambers [REDACTED]
Comment ID	PSLP_1126
Response Date	03/06/21 16:23
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Other
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mrs Liane Chambers
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/HA 1 The Strategy for Hawkhurst parish	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I strongly welcome the changes in the current draft plan, removing the housing allocation for the Golf Club site in Hawkhurst.

I also support the reduction in the housing allocation for Hawkhurst, as the previous numbers were unsustainable and not suitable for the AONB.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ms Clare Escombe [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Hawkhurst Parish Council
Address	The Office at The Moor Hawkhurst TN18 4NT
Event Name	Pre-Submission Local Plan
Comment by	Hawkhurst Parish Council [REDACTED] [REDACTED]
Comment ID	PSLP_1294
Response Date	04/06/21 10:39
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Hawkhurst Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Paragraph No(s) 5.285, 5.357, 5.358, 5.359, 5.361

[TWBC: for further comments relating to specific Policies - STR 1, AL/HA 4, AL/HA 5, AL/HA 7 and AL/HA 8 - please see Comment Numbers PSLP_1282, PSLP_1286, PSLP_1287, PSLP_1289 and PSLP_1290]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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Traffic/Transport

HPC regards the requirement for development proposals to establish the impact on Hawkhurst crossroads and the Flimwell crossroads (5.285 and 5.358) as a positive aspect of this Plan. However, there has been no strategic assessment carried out of the traffic impacts on the Hawkhurst crossroads and the Flimwell junction. The borough-wide transport assessment does not consider these impacts. Therefore, the Plan is not "sound".

Any mitigation measures need to be effective and be based on evidence. To date, the approach has been a contribution to KCC for buses. HPC has been unable to obtain any evidence that this money has been spent on Hawkhurst. Indeed, we have been told that it has not. We have seen no evidence to suggest that this approach has had any impact on the traffic situation in the village (paragraph 5.359).

Paragraph 5.357 indicates that a "relief" road was considered, together with the closure of the northern arm of the Hawkhurst crossroads. We welcome TWBC's decision that this was not supportable in the context of national policy to limit development in AONBs. However, we feel that it is important to emphasise that HPC and the residents of Hawkhurst object strongly to the suggestion that this would have been a "relief" road. It would, in fact, have been an access road for a large housing development that would have had a negative impact on traffic congestion on the other three arms of the crossroads and the Flimwell junction. This would have also impacted the wider highway network, not just in Hawkhurst but in the surrounding villages.

HPC also want to draw attention to the fact that the Sustainability Appraisal concludes that the proposed allocations will have a negative impact on traffic.

Air Quality

Hawkhurst Parish Council welcomes the inclusion of the requirement to assess the impact of developments on air quality on the Cranbrook Road arm of the crossroads (STR/CRS1 4 & STR/HA1 5). However, it should be noted that the Parish Council and our Borough Councillors have significant concerns relating to the level of pollution on the other arms of the crossroads. TWBC has recently introduced additional monitoring tubes, but this data will not be available until at least 2022.

Consequently, we request that the results of this monitoring will be fed into the Local Plan when it becomes available.

Again, we note that the Sustainability Appraisal indicates that the level of development proposed will have a negative impact on air quality. This is concerning for Hawkhurst and its residents and it is vital that this impact is minimised.

Infrastructure

Paragraph 5.361 states that additional wastewater capacity **may** be required. There is no doubt that this will be required for the level of development proposed in the Plan. Hawkhurst's sewage treatment works are already operating overcapacity. In this respect, the Plan continues to fail to address the need to ensure that developments are only allowed to proceed when the planning authority is satisfied that the associated services and utilities are adequate to support them. For example, there is reference to the need for additional capacity at water waste treatment works (page 53 and STR5) and a claim that regulatory bodies "have been consulted" (page 55) but developers are merely required to collaborate with service providers without sanction for non-delivery. Our experience with Southern Water gives no confidence that the statutory providers will either co-operate effectively, or comply with any undertaking once given. It should be made clear that planning permission will not be given in the absence of effective and binding undertakings relating to the provision of the necessary services, and that construction will not be permitted until those services and utilities are in place.

Question 6

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Strategic assessment carried out of the traffic impacts on the Hawkhurst crossroads and the Flimwell junction.

Strengthening of the requirements for infrastructure to be in place prior to construction commencing.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Margaret Arger & Robin Oakley ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Staplehurst Parish Council
Address	Parish Office Staplehurst TN12 0BJ
Event Name	Pre-Submission Local Plan
Comment by	Staplehurst Parish Council (Margaret Arger & Robin Oakley - [REDACTED])
Comment ID	PSLP_1317
Response Date	03/06/21 09:34
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Staplehurst Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

[TWBC: for comments relating to STR/CRS 1, STR/HA 1, PSTR/BE 1, PSTR/FR 1, PSTR/GO 1, PSTR/SA 1 and TP 6 - please see Comment Numbers PSLP_1315, PSLP_1317-1318, PSLP_1320-1322 and PSLP_1325]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Introduction

Tunbridge Wells Borough borders the southern edge of Staplehurst parish and includes Frittenden, Cranbrook and Sissinghurst and Goudhurst parishes. Other parishes in the borough where development might affect Staplehurst are Hawkhurst, Sandhurst, & Benenden. We have concentrated on the numbers of dwellings which it is proposed to permit within the borough and we have commented where appropriate. We have also commented on a number of highways and transportation matters in the plan. Where two figures are quoted for the number of dwellings which might be permitted in a parish these are minimum and maximum e.g. 161 – 170.

Hawkhurst 161-170. The roads running North-South (a Primary Route) and East-West cross at the traffic lights in the centre of the village which are the source of much delay and congestion to traffic. The Borough's Plan states that it will ensure that all development proposals establish an acceptable impact on the crossroads junction, but it does not give any idea as to how this will be achieved. The Annual Mean Objective for Nitrogen Dioxide (NO₂) are currently being exceeded at times on the A229 Northern approach to the traffic lights. The Borough has declared an Air Quality Management Area (AQMA) for 250m to the north of the crossroads because of this. Additional traffic generated by housing development could affect air quality. Improved library, adult learning and social care services would be provided by Cranbrook Community Hub.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, Not Stated
data inputter to tick 'not stated' box.

Comment

Consultee	David Warman [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Campaign to Protect Hawkhurst Village
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Campaign to Protect Hawkhurst Village [REDACTED] [REDACTED]
Comment ID	PSLP_1473
Response Date	04/06/21 08:21
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.10
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Campaign to Protect Hawkhurst Village
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policy AL/HA3 Land off Copthall Avenue and Highgate Hill

Policy STR/CR1 The strategy for Cranbrook and Sissinghurst

Policy AL/CRS3 Turnden Farm, Hartley Road, Cranbrook

[TWBC: this representation has been input against Policies STR/HA 1, AL/HA 4, STR/CR1 and AL/CR3 – see Comment Numbers PSLP_1473, PSLP_1490, PSLP_1491 and PSLP_1492]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not justified
	. It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support the overall development strategy put forward in the Pre-Submission Local Plan. In particular we very much welcome and support the changes made in response to the 2019 consultation on the Draft Local Plan and the removal of a number of large proposed housing allocations in Hawkhurst and Cranbrook. We consider that this overall approach is sound.

However, we have a number concerns regarding the remaining specific Hawkhurst and Cranbrook Policies relating to Transport and AONB issues.

These comments are common to STR/HA1, HA3, CRS1 and CRS3 and therefore are submitted for consideration in respect of all these policies. We have not submitted duplicate representations for each policy.

Transport Issues

Policy STR/HA1 sets out the overall development strategy for Hawkhurst (policy STR/CRS1 does the same for Cranbrook and Sissinghurst).

Both these draft policies contain a criterion that development proposals must have an acceptable impact on the Hawkhurst crossroads and the Flimwell crossroads.

This criterion is welcome, however there is no analysis in the evidence base of the impact of the remaining allocations in both Hawkhurst and Cranbrook on these highway junctions. The March 2021 SWECO Transport Assessment does not contain an assessment the impact of the proposed allocations on these junctions.

There is an internal consistency in the draft policies recognising the potential impact on the Hawkhurst and Flimwell junctions as a concern, without undertaking any strategic assessment of the capacity of those junctions to accommodate the proposed allocations as part of the Local Plan process.

The Council will be aware that in respect of the proposed Copthall Avenue allocation HA/4, KCC objected to the planning application on the basis of the impact of the proposals on the Hawkhurst

crossroads. The Council subsequently refused the application for that reason (as well as the harm to the AONB).

Having very recently resolved that a planning application for the site would have an unacceptable impact upon the Hawkhurst crossroads, it would be irrational for the Council to seek to retain the site as an allocation.

For this reason, we do not consider that STRA/HA1, HA4, STR/CS1 and STR/CS3 are sound because:

- 1 They are not “justified” as they are not based on a proportionate evidence base – indeed there is no evidence base regarding their impacts on highways junctions at Hawkhurst and Flimwell which the Council has acknowledged in the draft wording of the policies to be a concern; and
- 2 They are not consistent with national policy because they do not focus development in sustainable locations and will not limit the need to rely on private car trips – contrary to the requirements of paragraphs 103 and 104 of the NPPF.

AONB issues

Notwithstanding the welcome revisions at the Pre-Submission Stage, the draft Plan will still propose very significant major development in the High Weald AONB.

The Council recently refused a planning application for the HA4 allocation site due to the harm caused to the AONB. It would therefore be inconsistent for that allocation to be pursued through the Local Plan.

Criterion 1 of Policy HA1 seeks to define Limits of Built Development “as a framework for new development over the plan period”.

We do not consider that this criterion is sufficiently robust or effective. The criterion has been added to seek to minimise harm to the AONB. However, as drafted it would not operate to in any way restrict or limit development outside the Limits of Built Development. Unless the criterion makes explicit that development outside the Limits of Built Development as a general presumption will be resisted (particularly on greenfield sites) other than in the specific exemptions addressed elsewhere in the plan, it will be completely ineffective as it will not limit built development outside the defined area. The very concept of Limits of Built Development will therefore be entirely redundant.

Against this background we do not consider that STR/HA1, AL/HA4, STR/CRS1 and AL/CRS3 are sound because they are not consistent with paragraph 172 of the NPPF which seeks to preserve and enhance the AONB and limit development in such areas.

Question 6

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We would therefore request the following modifications:

The removal of allocation AL/HA4

- 1 The consequent amendment of STR/HA1 Criterion 2 to reduce the overall housing numbers to reflect the removal of allocation AL/HA4
- 2 The amendment of STRA/HA1 Criterion 1 to make clear that proposals for development on greenfield sites outside the Limits of Built Development will be resisted unless they fall within one of the exceptions identified elsewhere in the Plan
- 3 The removal of allocation AL/CRS3

- 4 The consequent amendment of STR/CRS1 Criterion 2 to reduce the overall housing numbers to reflect the removal of allocation AL/CRS3

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To ensure that the transport impacts of the proposed allocations on the Hawkhurst and Flimwell are taken into account.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_91a-d

Comment

Agent	Andy Pearce [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CBRE Limited
Address	[REDACTED] [REDACTED] London [REDACTED]
Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Dandara Ltd
Address	[REDACTED] [REDACTED] Hemel Hempstead [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Dandara Ltd [REDACTED]
Comment ID	PSLP_1697
Response Date	04/06/21 16:55
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_1685-1711(not inclusive)_CBRE(Dandara)_S'borough Concept_SI.pdf PSLP_1685-1711(not inclusive)_CBRE(Dandara)_Letter_SI_.pdf PSLP_1685-1711(not inclusive)_CBRE(Dandara)_Representation_SI_.pdf PSLP_1685-1711(not inclusive)_CBRE(Dandara)_LandscapeConcept_SI.pdf
Data inputter to enter their initials here	AT
Question 1	

Respondent's Name and/or Organisation Dandara

Question 2

Agent's Name and Organisation (if applicable) CBRE Ltd

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Paragraph Numbers: 5.383 - 5.388

[TWBC: Covering letter, Full Written Representation, Landscape Concept and Southborough Vision Document attached as Supporting Information. This representation has been input against Section 3 - Vision & Objectives, Section 4 - The Development Strategy, Policies STR/SS 1, STR/HA 1, AL/RTW 5 and STR/CRS 1 – see Comment Numbers PSLP_1685, PSLP_1688, PSLP_1689, PSLP_1697, PSLP_1703 and PSLP_1711]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC: Covering letter/email as follows - copy also attached as Supporting Information]

CBRE is appointed by Dandara Ltd. to submit representations relating to the Regulation 19 Pre-Submission Draft version of the Tunbridge Wells Borough Local Plan.

Dandara hold specific land interests in respect of the following sites as set out in our representations:

- . STR/PW1 / STR/SS1 – Badsell Farm, Paddock Wood ('Paddock Wood');
- . STR/HA1 / AL/HA4 – Land off Copthall Avenue and Highgate Hill, Hawkhurst ('Hawkhurst');
- . STR/RTW1 / AL/RTW5 – Land at Speldhurst Road, Southborough ('Southborough');
- . AL/RTW 16 – Land to the west edge of Eridge Road at Spratsbrook Farm ('Spratsbrook Farm');
- and
- . Omission Site – Land east of Camden Lodge, adjacent to Mill Lane and Sissinghurst Road ('Sissinghurst');

The above sites are located within the administrative area of Tunbridge Wells Borough Council ('TWBC'). The Paddock Wood, Hawkhurst, Southborough and Spratsbrook Farm sites are all allocated in the Pre-Submission Draft Local Plan.

Separate written representations have been submitted by Barton Willmore LLP in respect to Dandara's land interests at AL/RTW 16 – Land to the west edge of Eridge Road at Spratsbrook Farm ('Spratsbrook Farm'). CBRE's written representations have been fully coordinated with Barton Willmore LLP's representations for Spratsbrook Farm.

Accordingly, please find the following enclosed representations which will be sent via email and secure electronic file transfer:

- . This cover letter;
- . Completed Local Plan Response Forms; and
- . Written Representations Report dated June 2021.

Dandara will continue to engage with TWBC as well as key stakeholders, to feed into and inform later stages of the plan-making process including the Examination hearings in due course.

Dandara will also continue to monitor the progress of the emerging Local Plan and will also look to make written representations on the next stage, Examination hearings in due course.

[TWBC: End of covering letter/email]

5.104 Site allocation AL/HA4 was included in the Council's SHELAA (January 2021). The assessment for the Site covered the 5.28ha central and eastern parcel (Site refs. 78) and the separate adjacent parcel to the north-west (Site ref. 419). The SHELAA concluded that both sites 78 and 419 are suitable as potential Local Plan allocations on the basis they are sustainable locations for development, given it is located within/mostly adjacent to the LBD and there is pedestrian access to the centre of Hawkhurst. In addition, the assessment noted that both sites are available and are both deliverable within the Plan period. Dandara support the findings of the SHELAA and proposed site allocation AL/HA4.

5.105 Pre-Submission Local Plan Policy STR/HA1: 'The Strategy for Hawkhurst parish' sets out the development strategy for Hawkhurst parish and the requirement for "circa" 161-170 net new dwellings, including affordable housing. Dandara support this policy and Set Limits to Built Development (LBD) for Hawkhurst, factoring in the amendments as a result of the proposed site allocations.

5.106 The site is allocated in the Pre-Submission Local Plan AL/HA4: 'Land at Copthall Avenue and Highgate Hill, Hawkhurst (Highgate)' for 70-79 dwellings, including 40% affordable housing, and significant areas of publicly **accessible open space**. **A Policy Plan is included at Figure 9 below.**

Planning Applications

5.107 Dandara has undertaken architectural and feasibility work for the identified western/central development parcel for the site.

5.108 Dandara submitted a full application (LPA ref. 18/01063/FUL) in March 2018 for the redevelopment of the majority of site allocation AL/HA4 (see application site location plan in Figure 10 below) for a total 49 residential unit scheme. This application was refused in April 2019 despite an Officer recommendation for approval. The scheme was refused by Members at committee for one sole reason based on the design of the access via Copthall Avenue despite KCC Highways Authority agreement that the proposed access was acceptable.

5.109 An appeal was subsequently submitted but was since withdrawn on 23 September 2020 in light of a fresh application for the entirety of the site allocation was sought.

Latest Application5.110 An EIA Screening Opinion request (LPA ref. 20/03901/ENVSCR) was made on 23 September 2020 for a 71 unit residential scheme. The Council's EIA Screening Opinion decision dated 12 March 2021 confirmed the development did not constitute EIA Development and therefore an Environmental Impact Assessment was not required in support of a planning application.

5.111 Dandara submitted a new full application (LPA ref. 20/02788/FULL) on 23 September 2020 for the larger land parcel, containing the entirety of the Draft Allocation AL/HA4 (see A site location plan extract is provided in Figure 11 below) for a 71 residential unit scheme: "Development of the site to provide 71 dwellings, alongside car parking, cycle parking, sustainable drainage, internal road network, public open space and associated landscaping and including the demolition of existing agricultural barn and garage and alterations to the existing access from Highgate Hill".

5.112 The application removed the previous proposed site access from Copthall Avenue which was not supported by KCC Highways.

5.113 The application was subsequently refused (against Officer recommendation for approval) at TWBC Planning Committee on 12 May 2021 despite Officer recommendation for approval. The reasons for refusal on the decision notice dated 19 May 2021 are as follows: 1. AONB: the proposal would not conserve and enhance the landscape or scenic beauty of the AONB, and exceptional circumstances have not been sufficiently demonstrated to demonstrate the proposals outweigh the adverse impacts and are in the public interest. 2. Impact on highway network: development would result in a quantum of traffic that would have a significant adverse effect on capacity and congestion of the crossroads in Hawkhurst and the wider transport network.

5.114 Considering the principle of Development and taking each reason for refusal below, Dandara refute the reasons for refusal.

Principle of Development5.115 The Council's Committee Report for ref. 20/02788/FULL confirms that the majority of the site lies outside the LBD, wherein the adopted Local Plan directs new residential development in sustainable locations, within the LBD of existing settlements. However, it is recognised that the Council cannot currently demonstrate a 5-year housing land supply (4.83 years) which forms an important material consideration in applying the presumption in favour of sustainable development and determining applications without delay in accordance with Paragraph 11 of the NPPF.

5.116 Where a Local Planning Authority cannot demonstrate a five year housing supply, Paragraph 11 (d) of the NPPF is engaged. This states that in the absence of any relevant Development Plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless: "i. the application of policies in this Framework (listed in footnote 6) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. **any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole**".

5.117 Footnote 7 to the NPPF states that this includes (for applications involving the provision of housing) situations where the LPA cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer, as set out in Paragraph 73. Footnote 6 states these policies include AONBs, irreplaceable habitats and heritage assets.

1. Impact on the High Weald AONB5.118 The site (formerly Policy AL/HA6 now Policy AL/HA4) was included as part of the Council's Landscape and Visual Impact Assessment (LVIA) (November 2020), a supporting evidence base document to the Pre-Submission Local Plan. The site was identified as being small scale and comprising semi-enclosed landscape, with features and characteristics that are typical of the High Weald AONB. It was recommended that any proposed development should be concentrated to the north and west of the site and it was concluded that "a sensitive and well designed housing development would be acceptable in this location, providing that it creates a positive edge to settlement and respects the separation between Highgate and The Moor".

5.119 Moreover, under the heading 'potential to avoid or reduce adverse effects' within the Council's LVIA for site HA 6, the Council's LVIA identifies the following five practical measures that identify how effects on the AONB can be reduced and moderated: 1. The inclusion of the eastern and southern parts of the site within open space would protect existing landscape features and would limit the potential for new development to affect the character of the wider rural landscape. 2. The open space has the potential to include the enhancement of existing features and new complementary habitats, which could link existing habitats within and around the site. The space would maintain the rural edge to the site and the retention of existing trees and woodland would filter and screen views of the proposed

development.3. The inclusion of an appropriate new landscape buffer to the western site boundary would assist in protecting the significance of adjacent heritage assets.4. The proposed allocation would be consistent with the existing settlement pattern to the south of Hawkhurst. It would provide opportunities to create new recreational routes and facilities for existing and new residents.5. The introduction of a long term management plan for the site would maintain the quality and condition of the AONB landscape within the site.

5.120 Overall, the LVIA concluded that site has a medium potential for harm to the AONB if developed and medium – low potential for harm to the AONB if recommendations within the report are met. Dandara support the findings and recommendations of the LVIA and consider this to be a detailed and robust assessment.

5.121 The LVIA (August 2020) submitted as part of application ref. 20/02788/FULL confirms that the proposed development approach is sensitive to the local landscape character and visual impact through the incorporation of suitable primary mitigation measures, including using a low density, informal layout which builds on the characteristics of local farmstead typologies, and retaining large areas of open space and woodland to the south and east, creating a 'soft', informal edge to Hawkhurst, which is visually contained within its existing and strengthened woodland setting. This approach would link habitats, create landscape buffers to heritage assets, and would be consistent with the existing settlement pattern, with minimal impact on the separation of Hawkhurst from the Moor. This sensitive approach would be managed in perpetuity through a long term management plan, to be agreed with the Council.

5.122 As a result, the LVIA concludes the proposed development will result in "very limited harm", and the "character and value of the AONB are protected and the proposed development will assimilate successfully into its context". After a 15 year establishment period, the residual effects are minimal and there will be no significant effects to the AONB or Local Landscape Character.

5.123 As contained in the Council's Committee Report, the TWBC Landscape and Biodiversity Officer supported the findings of the Applicant's LVIA for the site which concludes a "Medium-High value" and "Medium-High sensitivity" with "Medium magnitude of change resulting in a Moderate adverse effect". Whilst these effects will lessen overtime it was further concluded that the landscape the effect of development on a greenfield site is predicted to remain "Moderate" overall. The Council's Landscape and Biodiversity Officer (Paragraph 181) states: "I do not disagree with the final conclusion although the initial harm may be higher and the mitigation more effective than suggested such that the final result is the same. Whilst noting that such a level of harm is almost inevitable for a greenfield site in a similarly sensitive landscape it must be remembered that this is still an impact on the AONB and must be given great weight".

5.124 The TWBC Landscape and Biodiversity Officer and Planning Environmental Officer both were fully supportive of the proposed scheme and raised no objection and it was confirmed that the "Council considers this would provide a benchmark for other developments who wish to develop in the High Weald AONB in the future" (Paragraph 10.66 of the Council's Committee Report for ref. 20/02788/FULL).

5.125 This statement leaves a very clear impression of the quality of the design approach to the site, and its long term potential in enhancing the quality of development locally.

5.126 Furthermore, Paragraph 10.66 of Council's Committee Report for ref. 20/02788/FULL states: "overall there is likely to be significant localised harm to the AONB but this can be reduced through a sensitive approach, detailed design and securing long term management of the landscape areas. The AONB and landscape harm would be as a result of the introduction of additional residential dwellings into an open Greenfield area. The proposal offers opportunities to improve some aspects of the site in terms of landscape character and appearance as well as ecological enhancements".

5.127 It is further concluded at Paragraphs 10.90-10.91 of the Council's Committee Report that: "The overall conclusion when assessed against the requirements of para 172 of the NPPF, and having particular regard to the emphasis in the NPPF and NPPG on supporting sustainable development and contributing to the 5 year housing land supply, is that the proposal will have a moderate positive impact overall.

As such, it is considered that principally due to the housing delivery benefits outweighing the identified harm to the landscape and environment, there are exceptional circumstances where the development is in the public interest in this instance to depart from the NPPF presumption against major development in the AONB".

5.128 The proposed development would conserve the landscape and scenic beauty of the AONB and the proposed landscape scheme mitigation is sufficient to mitigate against any impact. The proposed development includes robust local exceptional circumstances case which would outweigh the adverse impacts of the development and that delivery of 71 much need homes is in the public interest given the Council's housing shortage in accordance with Paragraph 172 of the NPPF, the provisions of the PPG, Policy EN25 of the Tunbridge Wells Borough Local Plan 2006, Core Policies 4 and 14 of the Core Strategy 2010, Policy LP2 of the Hawkhurst Neighbourhood Plan and aligns with the Council's own policy evidence base.

2. Highways Impact 5.129 In respect to the site location and whether the proposed development constitutes sustainable development, Paragraphs 10.29 and 10.90 of the Council's Committee Report (dated 12 May 2021) confirms the development would satisfy the social and economic objectives and despite having some environmental impact as set out above, on balance the proposed development is considered to support sustainable development and contribute to the Council's 5YHLS in accordance with paragraph 175 of the NPPF.

5.130 In regards to highway impact, the Council's Committee Report (Paragraph 10.114) concludes that the Council and KCC Highways (as Highway Authority and technical experts), that despite the proposed scheme having an adverse impact upon the highway network and on overall planning balance, the scale of development and associated trip generation will not have a "severe impact" and TWBC were supportive of the scheme.

5.131 In light of the above, if the proposed development is found to constitute sustainable development, provides sufficient, safe and suitable access and would not result in unacceptable impact on highway safety the application should not be refused in accordance with Paragraphs 108 and 109 of the NPPF.

5.132 Therefore, Dandara argue that the proposed development would not have a significant adverse impact on the highway network and includes safe and suitable access on accordance with Paragraphs 108 and 109 of the NPPF, the provisions of the PPG, Core Strategy Policy 3 and Policy AM1 of the Hawkhurst Neighbourhood Plan.

Summary 5.133 Dandara therefore refute the Council's reasons for refusal for planning application ref. 20/02788/FULL which was refused despite Officer recommendation for approval including the Council's Landscape and Biodiversity Officer and Planning Environmental Officer.

5.134 Dandara are currently considering their options for appeal.

5.135 Fundamentally, in the context of these local plan representations, the suggested reasons for refusal do not affect the principle of developing/allocating the site and are matters that are associated with the development management process. On the basis of the evidence that has been collated for the site and has been independently prepared by TWBC the proposed allocation of the site for residential development remains sound.

Draft Site Allocation AL/HA4 5.136 The site is allocated in the Pre-Submission Local Plan AL/HA4: 'Land at Copthall Avenue and Highgate Hill, Hawkhurst (Highgate)' for 70-79 dwellings, including 40% affordable housing, and significant areas of publicly accessible open space. Dandara broadly support this allocation.

5.137 That said, Dandara have made some specific comments below in respect to specific requirements of site allocation Policy AL/HA4:

Quantum of Development 5.138 Dandara support Policy AL/HA4 and the allocation of the Hawkhurst site for comprehensive development. The Site is capable of accommodating at least 71 residential units as part of high-quality scheme as per refused application ref. 20/02788/FULL. Dandara have undertaken an array of technical/background work which formed part of the previous applications and consider the site to have potential to accommodate additional dwellings and therefore support the proposed quantum of 70-79 dwellings as set out under draft allocation Policy AL/HA4 in the interest of securing the efficient and effective use of the Land at Copthall Avenue and Highgate Hill, Hawkhurst (Highgate) in line with Paragraph 122 of the NPPF.

5.139 However, Dandara suggest the word "circa" is added so revised site allocation Policy AL/HA4 reads "circa 70-79 dwellings" in the interest of completeness, consistency with other site allocation policies and in order for the new Plan and its policies to be found sound in accordance with paragraph 35 of the NPPF.

Land Uses / Layout 5.140 Part 5 of Policy AL/HA4 identifies specific areas of the site for residential use. Dandara support this requirement. It is noted that refused scheme ref. 20/02788/FULL, was consistent with this requirement and proposed residential on the western and central development parcel areas and open space / landscape buffer on the eastern land parcel.

5.141 Part 7 of Policy AL/HA4 requires the layout and design of the scheme to factor in the location of the site on the edge of the settlement and the setting of listed buildings, and to provide a scheme that is sensitively designed and provides a suitable edge to the settlement. Dandara support this policy requirement in the interest of achieving a high design quality and in the interests of good place making.

5.142 Dandara further note that the refused scheme provided as a suitable edge to the settlement as concluded in the Council's Committee Report (Paragraph 10.80): "The sensitive design of the development, particularly in its exploration of using a high quality agricultural courtyard / barn typology which acts as the new settlement edge and interface with the AONB beyond the site".

Highways 5.143 Part 2 of Policy AL/HA4 seeks the provision of the main vehicular access into the site to be from Highgate Hill. Dandara support this main vehicular access requirement and highlight that main vehicular access was proposed from Highgate Hill as part of refused application ref. 20/02788/FULL which was supported by the Council and KCC Highways.

Trees / Ancient Woodland 5.144 Part 8 of Policy AL/HA4 requires proposals to assess and respond to, ancient woodland and TPOs on-site through the development layout and design to be informed by an ecological survey. Dandara support this policy requirement.

5.145 Dandara further note that in respect to the refused scheme ref. 20/02788/FULL, no objection was raised by the Council's Tree Officer. Paragraph 10.45 of the Council's Committee Report for ref. 20/02788/FULL concludes that: "(...) whilst there are some impacts upon trees and landscaping, this is not considered to be significant or to a level which would warrant refusal of consent".

5.146 Similarly, no objection was raised from the Council's Landscape and Biodiversity Officer in respect to the conclusions and proposed mitigation set out in the accompanying detailed ecological assessment.

Open Space / Play Space / Green Infrastructure 5.147 Dandara support Part 9 of Policy AL/HA4 which requires the provision of on-site amenity/natural green space and children's and youth place space. Dandara are committed to delivering a high quality residential scheme including the provision of appropriate play space and natural greenspace in the interests of good placemaking in accordance with the PPG.

Housing Delivery 5.148 The Council's Housing Supply and Trajectory Topic Paper for Pre-Submission Local Plan (February 2021) confirms that site allocation AL/HA4 is included in the Council's trajectory for the short term delivery of 75 new homes (mid-range) in two tranches: 44 homes in 2023/24 and 31 homes in 2024/25.

5.149 Dandara support the planned growth for the site and then proposed quantum range of 70-79 homes is appropriate. Dandara however do not support the trajectory for the site on the basis, new homes could be delivered sooner in the first five years of the Plan period i.e. from 2021/22 as the site is available now; and there are no site constraints to development. Dandara suggest 2 year delivery period is reasonable given the size of the site.

5.150 The site is therefore available now, is suitable for residential development and deliverable now in the short term i.e. first 5 years of the new Plan Period (2020/21 – 2024/25). The Council's trajectory should be amended accordingly.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Site Allocation AL/HA4 Proposed Amendment 5.151 Dandara broadly support site allocation Policy AL/HA4, however require an amendment to the allocation to reflect the proposed access as part of refused scheme ref. 20/02788/FULL.

5.152 Draft site allocation Policy AL/HA4 (part 3) includes a requirement for a new pedestrian link to Copthall Avenue. The proposed scheme for ref. 20/02788/FULL included this requirement to reflect the proposals at the time which sought demolition of an existing property, replacement with another and creation of the new pedestrian link. However, the Applicant subsequently removed this and proposed an alternative pedestrian link from the public open space to Fieldways which was agreed as acceptable with KCC and TWBC Officers.

5.153 Dandara suggest the location of future pedestrian access is less prescriptive to reflect the multiple access options either to Copthall Avenue or Fieldways in the interests of allowing sufficient flexibility, not pre-determining a masterplan process and not compromising future site delivery. Dandara recognise there would always be a pedestrian and vehicular route onto Highgate Hill. Part 3 of Policy AL/HA4 should be reworded to include the option of securing emergency vehicle and pedestrian access to be provided "either to Copthall Avenue, Highgate Hill and/or Fieldways".

5.154 For the reasons set out above and in the interest of ensuring robust and sound policies / site allocations, Dandara suggest the Council amend site allocation Policy AL/HA4 in accordance with Paragraph 35 of the NPPF.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Dandara wish to participate in the hearing session to discuss their representations and to provide further evidence to assist the Inspector where necessary in the interests of ensuring the emerging Local Plan, its strategic allocation policies and all other strategic and development management policies can be found to be sound and meet all the specific soundness tests set out at Paragraph 35 of the NPPF.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

4.9 The Council's supporting Sustainability Appraisal (SA) sets out the preferred growth strategy of securing a planned strategic extension at Paddock Wood based on garden village principles, supplemented by the creation of a new garden village at Tudeley Village and promotion of new growth at existing settlements.

4.10 The production of the SA is a key evidenced based document in understanding whether or not the approach to the spatial strategy is sound. The NPPF (2019) introduced a subtle but important change to the definition of 'justified' with the requirement now for 'an appropriate strategy' rather than 'the most appropriate strategy'.

4.11 The SA (February 2021) includes the assessment of 8 alternative options for the spatial strategy. In presenting a robust approach the SA (February 2021) correctly considers the implications for the spatial strategy in including Paddock Wood in some options and excluding it from others.

4.12 Paragraph 6.2.13 of the SA (February 2021) succinctly summarises the consequences for sustainable development if an alternative spatial strategy was pursued which sought to focus growth exclusively in the main town and main town and villages. In the assessment it is noted that the exclusion of Paddock Wood (and in turn the additional pressure that this would place on other areas to accommodate growth) would have a detrimental impact upon 8 of the SA objectives including: objectives of business growth, climate change, deprivation, employment, health, services, travel and water. The assessment work undertaken provides a sound basis to inform the proposed spatial strategy with the approach representing an appropriate strategy (as required by the NPPF).

4.13 At the more detailed policy level, the SA provides a rigorous and robust testing of the 11 Local Plan strategic objectives against the 19 SA objectives and confirms there are no sustainability objectives that are more incompatible than compatible with the Local Plan objectives.

4.14 The SA explains the Council's assessment of their growth strategy options as set out in the Issues and Options stage SA (2017).

4.15 The Council's site assessment review includes assessment of potential development sites and reasonable alternative sites. Dandara support the scoring for Land to the north of Badsell Road, Five Oak Green, Paddock Wood (Site ref. 142) as part of strategic allocation STR/SS1 and TN12 Land off Copthall Avenue and Highgate Hill, Hawkhurst (Site ref. 78); and Land at Speldhurst Road, Southborough (Site ref. 100). Dandara consider the review of these development sites to be accurate, robust and informed by proportional evidence in accordance with Paragraph 35(b) of the NPPF.

4.16 However, Dandara disagree with the findings of the reasonable alternatives site assessment, land east of Camden Lodge, adjacent to Mill Lane and Sissinghurst Road (Site ref. 120). This is discussed further on in this submission, however, this site was a largely neutral scoring site and comprises a small greenfield site within the settlement boundary and not located in the AONB and is proposed for medium scale residential redevelopment.

4.17 Dandara support the Council's SA subject to the above comments on the Council's strategic objectives, consider it to be robust and satisfies the relevant legal requirements including SEA in accordance with Paragraph 32 of the NPPF.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_84a-u

Comment

Agent	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Sigma Planning Services
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Consultee	Kevin Willcox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Rydon Homes
Address	[REDACTED] [REDACTED] FOREST ROW [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes [REDACTED]
Comment ID	PSLP_1717
Response Date	03/06/21 13:25
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Sigma Planning for Rydon Homes_RYDON 15.pdf Sigma Planning for Rydon Homes_RYDON 3.pdf Sigma Planning for Rydon Homes - covering letter.pdf Sigma Planning for Rydon Homes_Composite Representations.pdf Sigma Planning for Rydon Homes_RYDON 12.pdf Sigma Planning for Rydon Homes_RYDON 9.pdf Sigma Planning for Rydon Homes_RYDON 18.pdf Sigma Planning for Rydon Homes_List of Appendices TWBC LP.docx Sigma Planning for Rydon Homes_RYDON 13.pdf Sigma Planning for Rydon Homes_RYDON 1.pdf Sigma Planning for Rydon Homes_RYDON 5.pdf Sigma Planning for Rydon Homes_RYDON 11.pdf

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Data inputter to enter their initials here KJ

Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Sigma Planning Services

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not positively prepared
 . It is not effective
 . It is not justified
 . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC: see supporting documents attached, including composite of all representations].

The Strategy for Hawkhurst Parish

- 1 Hawkhurst has a population of about 5000 people and is located within the south-east part of the Borough. It forms part of the West Kent Housing Market Area, together with the western parts of the Borough. It lies wholly within the High Weald AONB and is an important rural service centre.

Hawkhurst is one of the main towns in the Borough and is located at its eastern end. It is not close to any other sizeable settlement and therefore must play a self-contained role as a service centre for its extensive rural hinterland. It has its own affordable housing needs, which cannot reasonably be met elsewhere and existing rural services and facilities need to be supported. The Local Plan evidence base does not properly consider these aspects from the point of view of retaining and enhancing the vitality of the town as a rural service centre.

- 1 At the Draft Local Plan stage it was proposed to deliver 681-731 new dwellings which was clearly a level of growth that the Council considered was able to be assimilated by the settlement, consistent with maintaining its character. That is agreed.
- 1 At the same time, the IDP identifies significant infrastructure requirements for Hawkhurst irrespective of the quantum of new development proposed. These include:-
 - a new medical centre
 - a new community hall/centre
 - expansion of the Primary School
 - more areas for children's play space and parks and recreation grounds, children's natural play at Hawkhurst Pond and improvements to the quality and capacity of King George V playing field.

KCC also expect financial contributions from new housing development towards the delivery of a new community hub at Wilkes Field, Cranbrook.

- 1 The Hawkhurst Neighbourhood Plan was made in March 2018 and modified in April 2020. The text of the PSLP – Paragraph 5.365 – confirms that, whilst some policies of the NP are not superseded by the PSLP, those that relate to the pre-existing Limits to Built Development and the scale of development sites, notably HD1(a) and HD1(b), are out-of-date. The NP also includes a number of specific goals and reference to a list of projects that indicate how developer contributions could potentially be used.
- 1 The PSLP proposes only 161-170 new dwellings at Hawkhurst, a reduction of 76% from the numbers proposed in the Reg 18 version of the Plan. Of these, three of the proposed allocation sites already have planning permission, totalling 92 units, and there is a current planning application on the fourth proposed allocation site for 71 units which was submitted in October 2020 and was recently refused planning permission (20/02788). The proposed housing allocations at Hawkhurst therefore simply recognise planning history and there are no new housing allocations proposed for the remainder of the Plan period to 2038. This is an extraordinary and inappropriate planning approach to a settlement of such size and importance.
- 1 Furthermore the town's infrastructure requirements are not funded and the PSLP will not provide any developer contributions towards the required improvements to local infrastructure and services. Criterion 10 of Policy STR/HA1, which seeks developer contributions, either in kind (normally land) and/or financial, from residential schemes to be used towards a long list of local

infrastructure improvements, is effectively redundant from the outset and will only be relevant to residential development not currently envisaged by the Plan, such as that granted on appeal.

- 1 The text of the PSLP (Paragraph 5.354) suggests that the substantial reduction in housing numbers from the proposals in the Draft Plan reflects the outcome of additional evidence base studies and research – but this is not the case.

(a) **AONB** – The Hankinson Duckett Associates LVIA of November 2020 – Paragraph 7.8 suggests a reduction in the numbers of dwellings proposed on three Draft (Reg 18) Local Plan proposed allocations HA1, Hawkhurst Golf Club, HA8, Hawkhurst Business Park and HA9, land at Santer's Yard, Gills Green. This reduction in numbers would provide an increased open space provision within three sites, reduce the intensity of development along the A229 and provide localised improvements to the AONB which, if developed positively in more detail, could mitigate against the predicted cumulative effects on the AONB. The report does not suggest the removal of any of the proposed housing allocations at Hawkhurst from the Local Plan or any further reduction of numbers at other Hawkhurst sites. The report therefore does not provide any justification for the removal of housing allocation sites proposed in the Draft (Reg 18) Local Plan. The LUC Landscape Sensitivity Assessment (2018) identified scope for small scale residential development at various points around the town and this was fed into the Draft Local Plan proposed allocations in November 2019. There is nothing in the evidence base that contradicts the conclusions of these 2018 and 2020 landscape assessments. The dramatic reduction in housing numbers at Hawkhurst is therefore not supported by any professional landscape evidence.

(b) **Air Quality** – The Air Quality Topic Paper of February 2021 addresses the situation at the crossroads in the centre of Hawkhurst and the proposed Air Quality Management Area on a short stretch of the Cranbrook Road to the north of the junction. This is associated with existing levels of traffic congestion on this arm of the junction. The air quality impacts are modelled for the PSLP but no wider testing has been carried out. The conclusion is that it is reasonable to expect concentrations to reduce from those measured and modelled in 2019 in the coming years, more rapidly than they have in previous years. The modelling of air quality impacts associated with additional traffic from newly-built dwellings were modelled for the period 2020-2027. It was felt that impacts were lessening sufficiently by 2027 and so it was considered that the model did not need to go any further into the future. Air Quality is therefore proposed to be managed by two policies, EN23, Air Quality and EN24, Air Quality Management Areas. The current situation in respect of air quality impacts is therefore that:-

- there is nothing that precludes higher levels of housing development at Hawkhurst over the Plan Period, which remain untested by the evidence base on Air Quality.
- air quality impacts are lessening as vehicle emission levels decline to the point where modelling beyond 2027 was considered to be unnecessary.
- air quality management is secured by development management policies EN23 and EN24.

There have therefore been no changes in the understanding of air Quality impacts between the Draft Local Plan and PSLP stages that are of a significance that would justify the reduction of housing numbers at Hawkhurst by 76%.

(c) **Highways** – there is an issue of traffic congestion at the crossroads in the Centre of Hawkhurst at the junction of the A268 and the A229. This is a longstanding issue. The junction is controlled by traffic lights and, at times, queues form. This is also the cause of air quality issues on the northern leg of the junction on Cranbrook Road. New housing development at Hawkhurst will address this issue in a number of ways, which may vary, with the location of the individual site and the scale of the proposal itself. Various means of addressing the issue include:-

- junction improvements
- traffic light phasing
- a localised by-pass of the junction
- measures to reduce trip generation

The issue is therefore one of traffic management tailored to individual development projects and this has been the ongoing approach by the highway authority who have never identified a finite cap upon the capacity of the junction. The issue is one of traffic congestion and not highway safety. There has been no material change in the highway situation between the Draft Plan and the PSLP and

therefore no reason why the confidence held by TWBC about housing numbers proposed at Hawkhurst in the Draft (Reg 18) Local Plan cannot continue to be accommodated.

It is concluded that there is no evidential justification for limiting new housing at Hawkhurst to the level proposed in the PSLP.

- 1 The settlement of Hawkhurst has the potential to provide significantly more housing numbers towards local and boroughwide housing need than is currently proposed. This would assist in broadening the range, location and type of housing sites allocated in the Plan. It will also assist housing delivery, particularly in the early part of the Plan period. This potential is consistent with the status of the town as one of the main towns in the Borough and its role as a Rural Service Centre supporting the local rural economy. It can also secure opportunities to improve local infrastructure and services through the provision of land and development contributions. The growth of the Town can be achieved without harm to its essential character and will support the vitality and viability of local businesses and infrastructure throughout the Plan period and beyond.
- 1 The Draft Plan recognised this potential and proposed substantial housing allocations. The PSLP does not do so, or make any assessment of the adverse impact upon the rural economy, the vitality and viability of local services and infrastructure of a period of nil growth up to 2038. The Plan is therefore not positively prepared, justified by a robust evidence base or effective in terms of the delivery of housing and new local infrastructure. It is not consistent with National policy that seeks to:-
 - significantly boost the supply of homes
 - support a prosperous rural economy
 - ensure the vitality of the town centre
 - provide social, recreational and cultural facilities and services the community needs
- 1 By way of an example of the potential that was recognised by the Draft Plan but is discarded in the PSLP, it is useful to consider Land at Fowlers Park which is controlled by Rydon Homes Ltd and is being promoted, in accordance with the Draft Local Plan. The site lies on the eastern edge of the town and was proposed under Policy AL/HA4 for mixed uses of housing, community uses (a new Medical Centre), open space and playing fields for the local Primary School. (safeguarded)
- 1 In terms of planning history a larger site was dismissed on appeal in 2013 but the potential for a smaller development close to the settlement edge was not ruled out.
- 1 The Council confirmed this potential in the adopted Site Allocations Local Plan (2016) where Policy AL/HA4 Birchfield, Rye Road allocated a site for 26 dwellings and one of the policy criteria was:-

“development must not compromise the possibility of future access to land to the north”

The explanatory text is as follows:-

7.25 It is possible that land to the north of Birchfield, Rye Road could provide an appropriate location to contribute to the development needs of Hawkhurst within the next Plan period (post 2026). Therefore, any development of the Birchfield site should not jeopardise access to land to the north. However, it should be emphasised that the allocation of sites for the post- 2026 period would depend on a housing requirement for Hawkhurst being identified in a future review of the Plan and an assessment of available sites at that time”.

The Birchfield development has now been completed and in accordance with the policy criteria, access to Rye Road has been safeguarded to secure development at Fowlers Park to the north.

- 1 The SHELAA July 2019 concluded that the Fowlers Park site is suitable, in part, as a potential Local Plan allocation subject to further consideration. (Rydon 6).
- 1 The site was proposed as a mixed use allocation AL/HA4 in the Draft Local Plan for:-
 - approximately 100 dwellings
 - a medical centre or community facility
 - safeguarded land for future school expansion
 - public car park – 15 spaces

- public open space

(Rydon 7)

The Sustainability Assessment for the relevant part of the site confirmed that there were no negative or very negative landscape or land use impacts arising from the development of part of the site. Landscape impacts were assessed as being “slightly negative”. (Rydon 7).

- 1 The LUC Landscape Sensitivity Assessment of Hawkhurst (July 2018) identified high sensitivity in all the landscape parcels around Hawkhurst, which lies entirely in the AONB. Fowlers Park lies in Parcel Ha5 where the sensitivity level is reduced to Medium-High for small development proposals and the conclusion is that there are opportunities for small scale residential development associated with the existing urban edge. The LSA formed part of the evidence base that supported the proposed allocation AL/HA4 in the Draft Local Plan. (Rydon 9)
- 1 The HDA Landscape and Visual Impact Assessment of Proposed Allocation Sites within the High Weald AONB (November 2020) concluded that the potential harm to the AONB if Draft Local Plan allocation AL/HA4 was taken forward in accordance with the recommendations of the report was Medium/Low. The report’s conclusions on Land at Fowlers Park are:-

“The site has a tangible increase in rurality from west to east. This change in development potential across the site is reflected in the proposals map for the draft allocation, which safeguards the more sensitive areas of the site as open space land-uses. These provide opportunities for enhancement within the site, including potential new recreational routes and facilities, which would benefit the AONB landscape within the site”. (Rydon 8).

- 1 Against this background it is a mystery why the site was not carried forward to the PSLP. It should be re-instated as a proposed mixed use allocation including housing, a medical centre, safeguarded land for school playing fields, public car park and open space as per the attached masterplan. (Rydon 10).
- 1 The suitability of the Fowlers Park site for a mixed used development has been extensively assessed by relevant professional disciplines. The findings are summarised in the attached Design Document. (Rydon 10).
- 1 Further evidence of the justification for the allocation of the site, as set out in the Draft Local Plan (Reg 18 version) is provided in the following Topic-specific reports:-
- 1 **Landscape** – Allen Scott have prepared a review of the TWBC evidence base in relation to the PSLP (attached dated 14th May 2021 (Rydon 12)). This concludes that the Hankinson Duckett Associates Visual Impact Assessment agrees that landscape impacts upon the AONB, with mitigation, will fall within acceptable limits and there are potential enhancements.
- 1 **Air Quality** – Air Quality Consultants have reviewed the air quality justification provided by TWBC which contributed to their decision not to carry forward the Fowlers Park mixed use allocation from the Draft Local Plan to the Pre-Submission version (attached dated May 2021 (Rydon 11)). Their conclusion is that, based upon future air quality impacts, there is no justification for limiting new housing in Hawkhurst to 170 dwellings and the Draft Local Plan (Reg 18) proposals remain valid.
- 1 These up-dated technical assessments of the key development impacts arising from the proposed mixed use allocation AL/HA4 in the Draft (Reg 18) Local Plan confirm that it remains a sustainable development option consistent with the Scale and character of the settlement and capable of delivering much needed housing and new local services/infrastructure, to support the vitality and viability of Hawkhurst and the local rural economy over the plan-period.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_84a-u

Comment

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Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes [REDACTED]
Comment ID	PSLP_1743
Response Date	03/06/21 13:25
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	Sigma Planning for Rydon Homes_RYDON 1.pdf Sigma Planning for Rydon Homes_RYDON 2.pdf Sigma Planning for Rydon Homes_RYDON 11.pdf Sigma Planning for Rydon Homes_RYDON 5.pdf Sigma Planning for Rydon Homes_RYDON 17.pdf Sigma Planning for Rydon Homes_List of Appendices TWBC LP.docx Sigma Planning for Rydon Homes_RYDON 13.pdf Sigma Planning for Rydon Homes_RYDON 16.pdf Sigma Planning for Rydon Homes_RYDON 7.pdf Sigma Planning for Rydon Homes_Composite Representations.pdf Sigma Planning for Rydon Homes_RYDON 14.pdf Sigma Planning for Rydon Homes - covering letter.pdf

[Sigma Planning for Rydon Homes RYDON 15.pdf](#)
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[Sigma Planning for Rydon Homes RYDON 3.pdf](#)
[Sigma Planning for Rydon Homes RYDON 18.pdf](#)
[Sigma Planning for Rydon Homes RYDON 4.pdf](#)

Data inputter to enter their initials here KJ

Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Sigma Planning Services

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC: see supporting documents attached, including composite of all representations].

SUSTAINABILITY APPRAISAL

- 1 The plan-making authority are required to assess the sustainability of their plan proposals and this includes the consideration of reasonable alternatives. The Issues and Options version of the Plan (2017) was accompanied by an Interim SA, the Reg 18 Draft Plan (2019) was accompanied by a full SA and likewise the current Reg 19 Pre-Submission version is accompanied by a full SA. However, in each case, the alternatives that are tested essentially involve different strategies for the spatial distribution of a fixed housing requirement figure. There is no full SA testing of lower or higher numbers of housing provision and there is therefore no robust basis upon which to judge the ability of the District to accommodate the uncapped housing needs of the District or to assist in meeting the unmet housing needs of other Districts. This is most unsatisfactory, does not properly fulfil their legal obligations and undermines confidence in the Council's claim not to be able to meet housing need in full (beyond capped targets) or to assist in addressing unmet housing need in other Districts.

Site 413 – Land at Fowlers Park, Hawkhurst

- 1 In the SA accompanying the Draft (Reg 18) Local Plan this site is assessed as the whole site and also separately as part of the site. The “whole site” extends to about 34 acres but the “part” site comprises only the western end which adjoins the settlement of Hawkhurst. It is this part of the site which was proposed as a mixed use allocation for housing, a medical centre, safeguarded land for school playing fields, public car parking and public open space – Policy AL/HA4 of the Draft Local Plan. The SA for this part site included no “very negative” or “negative” impacts and landscape impacts were assessed as only “slightly negative”. Most of the sustainability objectives were neutral, slightly positive or positive. The SA was therefore supportive of the development potential of this part of the site. (Rydon 17).
- 2 However, in the SA accompanying the PSLP (Reg 19) (Reg 18) there is no separate assessment of the “part” site. Only the large site is assessed and it includes Negative and Very Negative impacts on the sustainability objectives of land use and landscape. Also, the Biodiversity impact has changed from neutral in the Reg 18 Plan to slightly negative in the Reg 19 Plan for no obvious reason. There is an assessment of the small site proposed to be allocated for a medical centre but the “part” site, previously proposed site allocation A/HA4 in the Reg 18 Draft Local Plan, is not assessed. This makes the Reg 19 SA unsound because it has not assessed all reasonable alternatives and there is no SA justification for not taking the AL/HA4 proposed allocation forward to the PSLP.
- 3 Copy extracts from the Reg 18 and Reg 19 SAs are attached for purposes of comparison. (Rydon 18 and 19).

CONCLUSION

- 1 The failure of the SA to consider all reasonable alternative spatial strategies or Reasonable alternative sites and to test higher and lower housing numbers, together with the identified errors in assessing impacts on sustainability objectives in the two quoted cases (there are likely to be other similar errors) lead to the conclusion that the SA is unsound and therefore the Plan is not legally compliant.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Peter Brudenall [REDACTED]
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Event Name	Pre-Submission Local Plan
Comment by	Mr Peter Brudenall [REDACTED]
Comment ID	PSLP_1798
Response Date	03/06/21 14:15
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.6
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Peter Brudenall
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/HA 1 The Strategy for Hawkhurst parish	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Improvements have been made to the Local Plan, for example, the removal of any development to the Hawkhurst Golf Course is to be very much welcomed given the catastrophic effect that development would have on the village and the AONB.

However, Hawkhurst and the surrounding area is still subject to significant development and in my view this should be reduced even further. Hawkhurst (and surrounding areas) lack basic infrastructure to allow it to cope with a significant number of additional houses, and the associated traffic. Lack of schools, doctors, dentists, parking etc must be taken into account when considering development of more than 5-10 houses. Priority must also be given to the AONB and the fact that Hawkhurst is a village, not a town. A cumulative assessment should be undertaken to assess the impact of all developments on existing road networks and local infrastructure.

There is no suitable proposal as yet to solve the issue of the Hawkhurst crossroads, and levels of pollution along the High Street are already at alarming levels. There is also a major issue relating to the need to deal with major sewage problems due to the infrastructure needing significant repair or replacement.

Development in Hawkhurst should therefore be severely limited to smaller numbers of housing, and current allocation numbers should be further reduced until such time as the infrastructure has "caught up" to cope adequately with the existing population.

Accordingly, the housing numbers for HA1, the allocation for HA4 and those in Cranbrook (CRS1 and CRS4) cannot be justified given that no assessment has yet been made of the cumulative impact of allocations on existing infrastructure, and the Flimwell Junction and the Hawkhurst crossroads.

In my view, HA1, HA3 and CRS1 and CRS4 are not consistent with national policy as they don't focus development in sustainable locations and will not limit the need to rely on private car trips (as per NPPF para 103 and 104).

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- 1 Removal of HA4 (Copthall allocation).
- 2 Modification of HA1 to reflect reduced overall housing numbers in Hawkhurst as a result of removal of HA4 (Copthall allocation).
- 3 Removal of CRS3 (Cranbrook Turnden Site).
- 4 Modification of CRS1 to reflect a reduction in overall housing numbers in Cranbrook.
- 5 Modification of HA2 and HA3 to incorporate wording from existing Local Plan Policy AL/HA1 to ensure the Area of Landscape Importance is retained and reinforced as part of any new proposal for planning permission.
- 6 Modification of HA1 to make it clearer that development outside the Limits of Built Development will not be permitted (unless in exceptions identified elsewhere in the Plan).

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_113

Comment

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Event Name	Pre-Submission Local Plan
Comment by	Wealden Homes [REDACTED]
Comment ID	PSLP_1862
Response Date	04/06/21 11:19
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.12
Files	PSLP_1862 & 1871 Barton Willmore for Wealden Homes SI Full Representation with Appendices Redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Wealden Homes
Question 2	

Agent's Name and Organisation (if applicable) Barton Willmore

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

[TWBC: for further comments by Wealden Homes on Policy STR 1, please see Comment Number PSLP_1871]

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Please refer to supporting submitted representations.

[TWBC: the below text is from relevant sections of the submitted representation, which has also been attached as a supporting document]

TUNBRIDGE WELLS BOROUGH - LOCAL PLAN

REGULATION 19 PRE-SUBMISSION CONSULTATION

LAND AT STREATLEY, HAWKHURST

REPRESENTATIONS SUBMITTED ON BEHALF OF WEALDEN HOMES

June 2021

1.0 INTRODUCTION

1.1 These representations are submitted on behalf of Wealden Homes in response to the Tunbridge Wells Borough Local Plan - Regulation 19 Consultation. The Consultation (26 March – 04 June 2021) comprises a "Pre-Submission" consultation document as part of the Local Plan process. It follows the

earlier Reg 18 “Issues and Options” (May – June 2017) and Reg 18 “Draft Local Plan” (Sept – Nov 2019) stages of the Local Plan to which Wealden Homes has previously made representations to.

1.2 Wealden Homes is a local and SME housebuilder and has interests at land at the Streatley property on Horns Road, Hawkhurst (the “site”) which forms an omission site in the Local Plan. The site is assessed under site reference no. 52 as part of the Sustainability Appraisal (SA) and SHELAA processes.

1.3 Notwithstanding our client’s interests, these representations have been prepared in objective terms and assesses the Local Plan against the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG). In this regard, we set out below the main aspects of these representations as follows:

a) Local Plan Strategy – Meeting Housing Need

- The Local Plan seeks to meet the Government’s Standard Method for new homes (678dpa) over an 18-year Plan period (2020 – 2038);
- This entails a need for 12,204 units over 18 years;
- The Local Plan seeks to provide 13,069 – 13,444 dwellings during the Plan period;
- Taking the mid-point of the above, this provides a buffer of 8.6%;
- We consider that a buffer closer to 20% would address previous shortfalls, affordability issues in the Borough, as well as the potential for unmet needs arising from Sevenoaks;
- We consider that the range of dwellings proposed provides uncertainty as to the extent of housing need being met.

b) Land at Streatley, Horns Road, Hawkhurst

- Our client’s site provides a “suitable”, “achievable”, “available” and “deliverable” site for development up to 40 dwellings;
- These representations object to assessments of the site set out in the SA and SHELAA;
- The proposals would respond positively towards meeting housing need in the Borough area;
- The proposals would make a meaningful contribution towards achieving a 20% buffer in the Local Plan;
- Development of the Site would secure a sensitive design response in the AONB in which the site is located. We note that the AONB washes over Hawkhurst and other settlements in the Borough and the Local Plan includes site allocations in other parts of the AONB. Our client’s site can be considered positively in this context.

1.4 In summary, we consider that the Local Plan should achieve a 20% buffer in order for it to be “Sound” in accordance with the NPPF. Our client’s site can make a meaningful contribution towards achieving a 20% buffer.

[TWBC: Section 2 has been inputted against Policy STR 1 (The Development Strategy), please see Comment Number PSLP_1871]

3.0 PROPOSED SPATIAL STRATEGY – HAWKHURST

3.1 In this section, we address the spatial strategy for Hawkhurst including the opportunity our client’s site presents as against the SA and SHELAA assessments of it.

a) Policy STR/ HA 1 – The Strategy for Hawkhurst Parish

3.2 The strategic framework for the Local Plan is broadly based on securing strategic development at Tunbridge Wells, Paddock Wood and Tudeley, as well as development dispersed across other settlements of the Borough.

3.3 The above policy identifies new development at Hawkhurst to provide 161 – 170no. new homes, as well as aligned infrastructure delivery. This includes the provision of a new community centre at King George V playing fields, medical facilities in Hawkhurst, as well as the proposed expansion at Hawkhurst Primary School.

3.4 We note that the previously allocated site at Hawkhurst Golf Club (and associated Relief Road from Cranbrook Road to High Street)2 has been removed from the Local Plan strategy. This (and other

factors) has resulted in a reduction on the growth earmarked to Hawkhurst from 681 – 731no. new homes (previous Reg 18 Local Plan) to 161 – 170no. homes (current Reg 19 Local Plan).

3.5 Wealden Homes considers that the Local Plan should seek to plan for an extra c. 1,500 new homes in order to reach the 20% buffer in the Plan (this makes provision for the already planned for 7% buffer). In this regard, Hawkhurst is a suitable location in the Borough for planned residential growth (and aligned infrastructure provision) and it is considered that the Local Plan should seek to aim for previous higher levels of growth earmarked to the settlement.

3.6 Wealden Homes acknowledges the importance placed in the Local Plan for much needed local facilities. This is supported through the Neighbourhood Plan for Hawkhurst (as modified – 2020) which seeks the provision of a new Community Hall (Policy CM2) in the settlement. To this extent, development of the site at Streatley could make a significant contribution towards the delivery of the Community Hall, in the form of a £1m contribution should the site be identified for up to 40 dwellings in the Local Plan.

3.7 Wealden Homes also recognises and supports the ambition of the Local Plan to secure a range of new homes including at Hawkhurst. This will include meeting the needs for both young families as well as for older people and in this regard, the Wealden Homes site is able to secure 1 and 2-bed flats, terraces and bungalows, in addition to 2, 3 and 4 bed bungalows and chalets for older people.

b) Site at Streatley, Horns Road, Hawkhurst

Sustainability Appraisal

[TWBC: for comments on the Sustainability Appraisal, please see Question 8]

c) Summary

3.22 Wealden Homes supports the Local Plan spatial strategy insofar as it earmarks growth to Hawkhurst. However, it considers that the extent of growth to the settlement should be uplifted given the need to achieve a 20% buffer in the Plan.

3.23 Wealden Homes does not consider that the evidence base assessments of the site are justified or sound. Rather, it considers that the site is “suitable”, “available”, “achievable” and thus “deliverable” for development in the short-term. The site is capable of delivering the following benefits:

- Up to 40no. dwellings (providing a range and mix of homes);
- The site could deliver a lesser extent of development in line with the objectives of the Hawkhurst Neighbourhood Plan;
- All units would be built to lifetimes homes standards and including provision for bungalows for older people;
- The site can offer a valuable contribution to the growth of Hawkhurst without expensive and challenging improvements to the infrastructure of the settlement. Equally the development of the site would lead to limited impacts upon the Hawkhurst crossroad as Horns Road offers an alternative route to the main A21 route to the west;
- Open space provision;
- New access road;
- Appropriate parking provision;
- On-site drainage/treatment facility placing no pressure on existing drainage system in Hawkhurst;
- Provision of 40% affordable housing; and
- Other obligations towards infrastructure provision (Incl. Community Hall).

4.0 CONCLUSION

4.1 These representations, as prepared on behalf of Wealden Homes, support the aspiration of the Local Plan to meet its housing needs in full. This should however be supplemented by a buffer closer to 20% rather than the current 7 – 10% buffer proposed in the Local Plan. This would address previous shortfalls, affordability issues in the Borough, as well as the potential for unmet needs arising from Sevenoaks.

4.2 Our client's site provides a viable option for meeting uplifted housing needs in the Borough. Contrary to the SA and SHELAA assessments, development of the site would secure a sensitive design response in the AONB in which the site is located. We note that the AONB washes over Hawkhurst and other settlements in the Borough and the Local Plan includes site allocations in other parts of the AONB. Our client's site can be considered positively in this context.

4.3 The site is "suitable", "available", "achievable" and thus "deliverable" for development in the short-term and it is capable of delivering the following benefits:

- Up to 40 no. dwellings (providing a range and mix of homes);
- The site could deliver a lesser extent of development in line with the objectives of the Hawkhurst Neighbourhood Plan;
- All units would be built to lifetimes homes standards and including provision for bungalows for older people;
- The site can offer a valuable contribution to the growth of Hawkhurst without expensive and challenging improvements to the infrastructure of the settlement. Equally the development of the site would lead to limited impacts upon the Hawkhurst crossroad as Horns Road offers an alternative route to the main A21 route to the west;
- Open space provision;
- New access road;
- Appropriate parking provision;
- On-site drainage/treatment facility placing no pressure on existing drainage system in Hawkhurst;
- Provision of 40% affordable housing; and
- Other obligations towards infrastructure provision (Incl. Community Hall).

4.4 In summary, we consider that the Local Plan should achieve a 20% buffer in order for it to be "Sound" in accordance with the NPPF. Our client's site can make a meaningful contribution towards achieving a 20% buffer in addition to the 10% requirement for small – medium sites.

1 Swale BC included such a policy in its Regulation 19 Local Plan Consultation.

2 Refer to Draft Local Plan (Reg 18 Consultation), Sept – Nov 2019

APPENDICES

APPENDIX 1 - Wealden Homes representations to Reg 18 Draft Local Plan (Sept - Nov 2019)

APPENDIX 2 - Wealden Homes – Landscape and Visual Impact Assessment

[TWBC: for appendices, please see supporting documents]

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to supporting submitted representations.

[TWBC: the below text is from relevant sections of the submitted representation, which has also been attached as a supporting document]

3.5 Wealden Homes considers that the Local Plan should seek to plan for an extra c. 1,500 new homes in order to reach the 20% buffer in the Plan (this makes provision for the already planned for 7% buffer). In this regard, Hawkhurst is a suitable location in the Borough for planned residential growth (and aligned infrastructure provision) and it is considered that the Local Plan should seek to aim for previous higher levels of growth earmarked to the settlement.

4.0 CONCLUSION

4.1 These representations, as prepared on behalf of Wealden Homes, support the aspiration of the Local Plan to meet its housing needs in full. This should however be supplemented by a buffer closer to 20% rather than the current 7 – 10% buffer proposed in the Local Plan. This would address previous shortfalls, affordability issues in the Borough, as well as the potential for unmet needs arising from Sevenoaks.

4.4 In summary, we consider that the Local Plan should achieve a 20% buffer in order for it to be “Sound” in accordance with the NPPF. Our client’s site can make a meaningful contribution towards achieving a 20% buffer in addition to the 10% requirement for small – medium sites.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Wealden Homes considers that the Local Plan housing supply should be uplifted by c. 1,500 homes. Accordingly, it considers that its site at Streatley, Hawkhurst can make a meaningful contribution to the supply and should thus be allocated. The site can also positively address the shortfall in small-medium sites. Wealden Homes would accordingly seek to present its planning arguments at the relevant examination hearing sessions.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Please refer to supporting submitted representations.

[TWBC: the below text is from the submitted representation, which has also been attached as a supporting document]

b) Site at Streatley, Horns Road, Hawkhurst
Sustainability Appraisal

3.8 The Site is assessed in the Sustainability Appraisal (as accompanying the Reg 19 Local Plan) on the basis of it being a “reasonable alternative” to the selected proposed allocations at Hawkhurst.

3.9 The assessment for the site (page 324 of the SA) largely aligns with the assessment undertaken in the Interim SA as part of the Reg 18 Draft Local Plan consultation. We therefore do not repeat the

full set of comments, instead we rely upon Wealden Homes' Reg 18 representations (Nov 2019) at Appendix 1.

3.10 We note that the SA scoring with regard to both "Air Quality" and "Biodiversity" has been downgraded since the previous Reg 18 Draft Local Plan from "Neutral" to "Slightly Negative" (Air Quality) and from "Neutral" to "Slightly Neutral/Negative" (Biodiversity).

3.11 The SA seeks to offer an explanation with regard to the downgrading on Air Quality, noting that this seeks "to better reflect high likelihood of private car use". The SA does not however explain the amendment to the "Biodiversity" scoring.

3.12 The rationale for the "Air Quality" scoring is unclear particularly given that scoring in relation to "Services and Facilities" and "Travel" remains unchanged from the previous Interim SA. Furthermore, this does not appear to have regard to future uplift in electric vehicle use and the Government's commitment for all new vehicles to be powered by electricity by 2030. Accordingly, we consider that the SA scoring for Air Quality should revert back to "Neutral".

3.13 Equally, we consider that Biodiversity Net Gains can be achieved across the site as demonstrated in previous planning submissions for the site. This is feasible through the provision of a broad package of landscape and ecological measures, including open space, SuDS, boundary hedgerow provision and linear ecological "corridors" running through the site. Accordingly, we consider that Biodiversity scoring should be "Neutral/Positive".

Strategic Housing and Economic Land Availability Assessment - SHELAA

3.14 The site is assessed in the SHELAA – Site Assessment Sheets for Hawkhurst Parish (pages 15 – 16). This provides a brief assessment of the site and confirms that the site is "available" and "achievable".

3.15 In terms of suitability, the SHELAA finds the site as "unsuitable" and the reason for this is as follows:

Development of this site on the edge of the settlement would have an adverse impact upon the landscape character and settlement pattern, located in the AONB.

3.16 Wealden Homes objects to this and considers that the SHELAA provides too simplistic a reasoning behind the suitability criteria for the site.

3.17 In this regard, we note that the Council's "Landscape and Visual Impact Assessment of Proposed Allocated Sites in the High Weald AONB (Nov 2020)" does not contain a detailed assessment of the site.

3.18 Instead, a comprehensive and robust Landscape Visual Impact Assessment (LVIA – Appendix 2) has been submitted by Wealden Homes as part of previous planning applications at the site. This identifies that the development on the site would not cause any significant or adverse effects upon landscape character or the visual amenity of the locality, with particular regard to the wider High Weald AONB. The LVIA identifies that the proposed development would have a minimal impact on the visual amenity of the surrounding landscape of Hawkhurst, as well as from existing residential properties.

3.19 The LVIA includes a package of landscape-led and biodiversity measures that ensure conservation of strategic green infrastructure, green links to the countryside and enhancement of habitats. The LVIA concludes there would only be some alteration of the land from the effects of the change from open pasture to built development, however the significance of this change would be negligible given the additional woodland and landscape buffer zones created. The LVIA confirms that with the proposed enhancements of landscape features, including green links, substantial planting and woodland extensions, the overall effect upon the landscape would be low and consequently not harmful to the AONB.

3.20 In summary, the LVIA confirms development on the Site would have a moderate effect upon built and historic character and a negligible effect upon all types of valued landscape features, including that of the High Weald AONB and the nearby Conservation Area of The Moor. The impact of the development would however be mitigated through enhanced landscape measures, as drawn from the conclusions of the LVIA.

3.21 In light of the above, we do not consider the SA or SHELAA assessments to be justified or sound in accordance with the NPPF.

If you would like to attach a file in support of your comments, please upload it here.

[PSLP 1862 & 1871 Barton Willmore for Wealden Homes SI Full Representation with Appendices Redacted.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_119a-m

Comment

Agent	Mr Steve Brown [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woolf Bond Planning
Address	The Mitfords Basingstoke Road READING RG7 1AT
Consultee	[REDACTED]
Company / Organisation	Millwood Designer Homes Ltd
Address	Bordyke End 59 East Street Tonbridge TN9 1HA
Event Name	Pre-Submission Local Plan
Comment by	Millwood Designer Homes Ltd [REDACTED]
Comment ID	PSLP_1885
Response Date	03/06/21 14:23
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	App 05 Calverton v Nottingham City 2015 EWHC 1078 Admin.pdf App 07 Hundal v S Bucks DC 2012 EWHC 7912 Admin.pdf App 09 Uttlesford Post stage 1 hearings letter to the Council 10.1.20 .pdf WBP Reps for Millwood - Hawkhurst - 3 June 2021.pdf App 10 Examiners Report on the Examination of NEA S1 10th Dec 2020.pdf App 01a Millwood TW Local Plan Reps - Hawkhurst - 14 Nov 2019.pdf App 03 Sevenoaks Final Report Mar 2020.pdf App 08 Tandridge Inspector-Preliminary-Conclusions-Advice.pdf App 01b 5416-LLB-RP-L-0002-S4-P02 Landscape Statement.pdf App 06 St Albans v Hunston Properties 2013 EWCA Civ 1610.pdf App 04 Sevenoaks DC v CLG [2020] EWHC 3054.pdf App 01c 5416-LLB-ZZ-XX-DR-L-0001-S4-P02 Landscape Principles.pdf App 02 Inspectors letter to Tonbridge and Malling 15.12.20.pdf

Data inputter to enter their initials here KJ

Question 1

Respondent's Name and/or Organisation Millwood Designer Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Woolf Bond Planning

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

[TWBC: full representation attached has been separated into Policy STR1 (PSLP_1883, Policy STR9 (PSLP_1884), Policy PSTR/HA1 (PSLP_1885) and Policy STR/SS3 (PSLP_1886). See also appendices attached].

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

1. INTRODUCTION

1.1 Our clients (Millwood Designer Homes Ltd) control the land at Chittenden Fields, north of High Street (A268), Hawkhurst. This site has been promoted through earlier stages in the Local Plan as an additional location for growth in the Borough, taking account of its credentials as a sustainable location for growth adjoining the acknowledged suitability of Hawkhurst, as indicated in the Council's SHLAA. In contrast to other locations, the development of new homes at the site will ensure the embedment of behaviour associated with the sustainable living unlike other locations in the Borough, especially the new community proposed at Tudeley Village.

1.2 Further to our submissions on earlier stages in the preparation of the Local Plan, the Council has failed to provide an appropriate strategy which seeks to meet the Borough's development needs, especially with respect of housing." Consequently, for the reasons outlined in these submissions, it is not considered that the Draft Submission Plan adequately addresses the Borough's housing needs in locations which are accessible to existing infrastructure and services such as those available at Hawkhurst which include those relating to health, education, leisure, retail and employment and will support the continuation of them as advocated by paragraph 77 of the NPPF. Such locations should be considered in advance of the unjustified removal of land from the Green Belt which as detailed in the representations would be wholly consistent with the approach of national policy in the NPPF. We therefore advocate changes to the Local Plan to address these matters.

1.3 Having regard to the concerns with respect of the appropriateness of the approach and its challenges of delivering sustainable growth, we therefore advocate the removal of the proposed allocation at Tudeley Village and the allocation of deliverable sites in sustainable locations, including land controlled by our client's at Chittenden Fields, Hawkhurst. The site affords a sustainable opportunity in helping to meet identified housing needs and could provide for circa 70 dwellings, in a landscape setting, within walking distance from local services and facilities.

1.4 For the reasons detailed in this submission, growth at Chittenden Fields, Hawkhurst due to its relationship with existing development and facilities would result in achievement of sustainable development. Furthermore, the proximity of the Chittenden Fields site to services and facilities that residents will need to undertake their daily life ensures that sustainable behaviours are embedded in residents from initial occupation of the homes. This therefore contrasts with that at Tudeley Village which due to the limitations of these in the local area will result in need for longer journeys to undertake daily lives, which are therefore likely to result in increased use of the car. Once this behaviour becomes the norm for residents in Tudeley, it will be harder to encourage them to switch to more sustainable alternatives once they become available.

1.5 The reports and documents submitted with this representation demonstrate the suitability of the approach advocated. As detailed in the representations, this land is not subject to constraints which would prevent its delivery for development at an early stage during the plan period should this be confirmed through the examination of the Plan.

1.6 We also have several comments/representations on the policies within the Draft Submission Tunbridge Wells Borough Local Plan which should be addressed prior to its submission for examination by the Secretary of State.

2. REPRESENTATIONS AND SUPPORTING INFORMATION

2.1 Our comments upon the various draft policies and proposals are set out below and are accompanied by the following Documents:

- Duly Completed Response Form.
- Copy of submissions on behalf of Millwood Designer Homes to the Council's Draft Local Plan Regulation 18 Consultation (November 2019) (appendix 1)
- Copy of Inspector's assessment of the Tunbridge & Malling Local Plan (15th December 2020) (appendix 2)
- Inspector's Report into Examination of the Sevenoaks Local Plan (2nd March 2020) (appendix 3)
- Sevenoaks DC v Secretary of State for Communities, Housing & Local Government [2020] EWHC 3054 (appendix 4)
- Calverton PC v Nottinghamshire County Council [2015] EWHC 1078 (Admin) (appendix 5)
- St Albans City & District v Hunston Properties [2013] EWCA Civ 1610 (appendix 6)
- Hundal v South Bucks DC [2012] EWHC 7912 (Admin) (appendix 7)
- Tandridge LP Inspector's interim

conclusions (11th December 2020) (appendix 8)• Uttlesford Local Plan post Stage 1 hearings Inspector's letter to Council 10th January 2020 (appendix 9)• North Essex Authorities (Braintree, Colchester & Tendring) Inspector's Report (10th December 2020) (appendix 10)

2.2 Our client's representations upon the Draft Local Plan can be summarised as relating to the following:

Policy

Representation

Policy STR1: The Development Strategy and extent of Built Development Limits

Objection

Policy STR9: Green Belt

Objection

Policy STR/HA1: The Strategy for Hawkhurst Parish and the omission of land at Chittenden Fields as a housing allocation for 70 dwellings.

Objection

Policy STR/SS3: The Strategy for Tudeley Village

Objection

Omission site – Land at Chittenden Fields, north of High Street (A268), Hawkhurst (SHLAA ref 2) – failure to include as an allocation in policy STR/HA1

Objection

3. OVERARCHING POSITION

3.1 We have a strong belief in the principle of the plan-led system and in setting out our representations upon these policies, we hope to be able to work with the Council between now and the formal submission of the Draft Local Plan pursuant to Regulation 22 of The Town and County Planning (Local Planning) (England) Regulations 2012 (as amended), to ensure the Local Plan satisfies the tests of soundness at paragraph 35 of the NPPF.

3.2 We have considerable experience and expertise in dealing with and realising development schemes through the planning system. In this context, a principal constraint to the timely delivery of housing is the way in which policies for the allocation of sites have been formulated.

3.3 Local Plans must be capable of delivering from the point at which they are adopted. This means scrutinising the policy wording to ensure the Plans are sound and that the allocations contained therein are capable of being delivered at the point envisaged. This is particularly the case in relation to the need for Councils to collate a robust evidence base to justify the imposition of certain policies and/or their wording so as not to over burden and/or stifle sustainable and appropriate development.

3.4 In this instance, the draft Local Plan needs to be amended in order to ensure it robustly plans for the delivery of sufficient housing to address a housing requirement established in accordance with national planning policy and guidance. This therefore indicates that the Plan must seek to deliver the minimum of 14,364 dwellings between 2020 and 2039 rather than 12,204 dwellings from 2020 to 2038 as currently envisaged.

3.5 To address this requirement for additional homes, we contend that land at Chittenden Fields, Hawkhurst should be allocated for residential development (SHLAA ref 2). This site can accommodate 70 dwellings and as indicated in these representations and the supporting documents would be a sustainable addition to the village.

3.6 The representations also highlight a failure of the Local Plan as currently drafted to contribute towards addressing the acknowledged unmet needs of neighbouring authorities and the allocation of Chittenden Fields, Hawkhurst, can also supply homes to resolve this issue.

3.7 As detailed in the representations, the Chittenden Fields site would be a logical addition to the existing development in Hawkhurst and should be included in the defined extent of the village. This requires consequential amendments to the Limits to Build development for Hawkhurst as defined on the Local Plan Proposals Map (Inset Map 15).

3.8 We also advocate other revisions to the Draft Submission Local Plan to ensure it is consistent with the evidence base prepared by the Council.

3.9 We are concerned to ensure that the Local Plan is robust, and it is in this context that we set out our representations.

4. THE NPPF TESTS OF SOUNDNESS

4.1 Section 3 of the NPPF (Feb 2019) sets out the principal components to be included in Local Plans. Paragraph 35 requires that to be “sound” a DPD should be positively prepared, justified, effective and consistent with national policy.

4.2 A positively prepared plan provides a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs, and is informed by agreements with other Authorities so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development.

4.3 In order to be justified, the Draft Submission Local Plan must have an appropriate strategy, taking into account reasonable alternatives and be based on proportionate evidence.

4.4 Effective means the document must be deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred and evidenced by the statements of common ground.

4.5 The Local Plan should seek to meet the Council’s full housing need. However, we have concerns regarding the rationale for and robustness of the housing numbers the Council is seeking to accommodate within the Draft Submission Local Plan. We also have concerns regarding the appropriateness of the sites selected for contributing towards addressing the Borough’s development needs.

4.6 For the reasons set out in these representations there are several shortcomings with the Plan, as currently drafted, that result in the need for amendments.

4.7 These amendments relate to the need to increase the level of housing provision within a more appropriate plan period, thereby ensuring the emerging plan is consistent with the Government’s planning advice and policy. They also advocate changes to the extent of the defined settlement area of Hawkhurst together with amendments to other policies of the plan.

4.8 These amendments would reflect our view of the clear sustainability advantages of growth at Hawkhurst (Consistent with paragraph 77 of NPPF) in preference to unsustainable locations where development conflicts with the approach of the NPPF i.e. Tudeley Village. In the case of Tudeley village, due to its identification in advance of locations which are to be preferred having regard to the approach of the NPPF, we contend that the new settlement proposal should be omitted from the Plan with the site retained in the Green Belt.

4.9 Furthermore, to address the additional identified housing need, we advocate that land at Chittenden Fields, north of Highs Street, Hawkhurst (SHLAA ref 2) should be included as an additional allocation within draft policy PSTR/HA1.

4.10 The remainder of this submission is focused on providing responses to the Council’s draft policies in the Local Plan.

7. POLICY STR/HA1: THE STRATEGY FOR HAWKHURST PARISH

7.1 This policy provides an overview of the allocations and development proposed for the parish of Hawkhurst. To be consistent with the amendments advocated elsewhere in these representations it is essential that the policy is revised to ensure that it reflects the changes associated with the allocation of land at Chittenden Fields, north of High Street, Hawkhurst.

9. OMISSION SITE: FAILURE TO INCLUDE ALLOCATION OF LAND AT CHITTENDEN FIELDS, NORTH OF HIGH STREET (A268), HAWKHURST AS AN ALLOCATION WITHIN THE LOCAL PLAN CONSISTENT WITH POLICY STR/HA1 (SHLAA REF 2)

9.1. Through the other representations submitted to the policies of the Plan, there is a need to allocate additional land for housing development. Having regard to those representations and the earlier

promotion of the land at Chittenden Fields, north of High Street, Hawkhurst for residential development, it is clear that this is a suitable location for allocation. The reasons for this are detailed below.

9.2. Millwood Designer Homes Ltd has a controlling interest in land at Chittenden Fields, Hawkhurst which extends to approximately 3ha. The site has been assessed in the Council's Strategic Housing and Economic Land Availability Assessment ("SHELAA") under Site Ref: 2.

9.3. Millwood Designer Homes Ltd is a local developer that has won multiple awards for its high-quality scheme designs. They are committed to securing high quality schemes that secure the best form of development for their sites.

9.4. We have undertaken a thorough assessment of the character of the site and surrounding area and consider that it affords a sustainable development opportunity for up to approximately 70 dwellings.

9.5. The site is located within the confines of existing built development. It is not within a 'gap' and forms part of the built-up area.

9.6. Overall, the site has no physical constraints, and is well-related to the existing residential development. It is in close enough proximity to Hawkhurst to be able to walk to the centre, such that it affords a sustainable location in helping to meet identified housing needs whilst providing for sustainable patterns of growth.

Landscape

9.7. The Council's SHELAA assessed the site as being unsuitable in landscape terms, which assessment draws upon the landscape analysis set out in the Landscape Sensitivity Assessment undertaken by LUC on behalf of the Council (July 2018).

9.8. The Landscape Sensitivity Assessment included the site within sub-area Ha1. Whilst it is acknowledged that the site has some landscape sensitivities (as is the case with the majority (if not all) of greenfield allocations on the edge of settlements), the site has identifiable and defensible boundaries and could be developed sensitively, with a focus on a high quality landscaping strategy which would mitigate the landscape impact.

9.9. Our client instructed consultants Lloyd Bore Ltd to undertake an assessment of the suitability of the scheme to accommodate housing development. Their findings are set out in the accompanying Landscape and Visual Statement (Nov 2019) which concludes that the site has a high landscape capacity to accommodate development. Paragraph 7.5 states as follows.

"...the site is already very well contained and screened visually from the wider landscape, and offers good opportunities for mitigation, enhancement and successful integration with the existing development pattern of the village."

9.10. Paragraph 7.6 further adds that the site is not prominent in the wider AONB landscape.

9.11. Paragraph 7.8 concludes in relation to the acceptability of developing the site for housing in landscape terms as follows:

"... the impact on the AONB of an appropriately designed development on Chittenden Field would in fact be very limited.."

9.12. This analysis addresses the landscape comments in the Council's SHELAA and sets out the landscape capacity of the site to accommodate housing development.

Highways, Accessibility and Sustainability

9.13. A Transport Assessment has been undertaken in order to assess the highway and sustainability merits of the site for housing development, which matters were set out in our previously submitted representations in November 2019 (Appendix 1 refers).

9.14. In locational terms, the merits of the site include its proximity to the main retail facilities and bus stops are located in the centre of Hawkhurst which is 790m east of Chittenden Fields and therefore within walking distance.

9.15. There is a private school near to the site and a community hospital is located about 625m west of the site.

9.16. Other facilities such as golf club, public house and a church are also located within an easy walking distance, between the site and central Hawkhurst.

- 9.17. The nearest bus stops to Chittenden Fields are located on the A268 High Street approximately 150m east of the site (both east and westbound).
- 9.18. There are also bus stops (both east and westbound) located approximately 740m to the east of the site in Hawkhurst.
- 9.19. Overall, there are at least three buses per hour passing the site. Two of these run in two directions, therefore the overall frequency of buses passing the site is five per hour (two-way) on a weekday. However, they do not all stop at the nearest bus stops to the site.
- 9.20. There is a wide highways verge on the A268 adjacent to the site and therefore, there is the ability to introduce more formal bus stops with shelters on the A268 adjacent to the site to serve the bus routes that already pass the site.
- 9.21. The proposed means of vehicular access to serve development of the site for housing could be provided from the A268 via a new simple priority junction.
- 9.22. The visibility splays achievable from the site access to the nearside of the carriageway at present are 2.4m x 120m to the left (to the east) and 2.4m x 120m to the right (to the west). This fully complies with the DMRB standard for a road subject to a 40mph speed limit.
- 9.23. The access road would be extended into the site from the southern boundary to provide a surfaced road of 5.5m wide with 2m footways on both sides to the potential development site. The access road would have an average gradient of 1 in 12 between the back of footway level and development site, which would be adequate for use by large vehicles.
- 9.24. An impact assessment has been undertaken on the assumption of developing the site for up to approximately 100 dwellings. This has been undertaken as a sensitivity test in order to ensure trip rates are assessed at a maximum level.
- 9.25. This amount of development would generate an extra circa 550 vehicle trips (two-way) per weekday (two-way).
- 9.26. On the basis of the foregoing, the site is demonstrated to be in a sustainable location.
- 9.27. We consider that part of the solution to addressing the identified shortfall is to allocate land at Chittenden Fields, north of High Street, Hawkhurst for residential development alongside consequential changes to Inset Map 15.

10. OVERALL CONCLUSIONS

- 10.1. Our representations to the draft submission Local Plan have identified a number of concerns with the document as drafted, especially with respect of its soundness.
- 10.2. As indicated in the representations, changes to policies of the Plan are advocated, including the borough's housing requirement in policy STR1.
- 10.3. To ensure adequate supply of housing arises, the land at Chittenden Fields, north of High Street, Hawkhurst should be included as a housing allocation for approximately 70 dwellings.
- 10.4. These matters can be addressed through Main Modifications to the Plan allowing for a Sound Plan.

11. FINAL REMARKS

- 11.1. We trust the above comments are of assistance in preparing the necessary main modifications to provide for a sound Local Plan.
- 11.2. We welcome the opportunity to engage in constructive dialogue with the Council in relation to our observations, including the allocation of our client's site at Chittenden Fields, Hawkhurst.
- 11.3. Additionally, we confirm that we wish to be notified of each further step in the preparation of the Local Plan, including its submission to the Inspectorate for examination.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Changes sought to the Local Plan with respect of the policy STR/HA1

7.2 The Plan therefore as currently prepared is not sound with respect of:

a) Not positively prepared as the policy (alongside others in the document) fails to meet the areas housing needs, including a contribution towards unmet needs of neighbouring authorities, b) Is not justified as the evidence does not support the exclusion of the Chittenden Fields site whereas other sites are included which are inconsistent with the assessments and appraisals of the Council; and c) The policy is not consistent with national policy as it fails to deliver sufficient housing to meet the Borough's needs, including that arising in neighbouring ones.

7.3 To address these matters of soundness, several amendments are proposed. The proposed changes are.

1. That policy STR/HA1 (and STR1 and Inset Map 15 relating to the Limits to Built Development) is amended to ensure that it acknowledges the allocation of land at Chittenden Fields, north of High Street, Hawkhurst as a development site for circa 70 dwellings, with consequential amendments made to the document reflecting its identification.

Change sought to the Local Plan.

9.28. To ensure that the plan is therefore sound as detailed in the representations, land at Chittenden Fields, north of High Street, Hawkhurst should be included as a residential allocation with consequential amendments to settlement boundaries.

9.29. The dwellings to the West of Hawkhurst, north and south of High Street, to include the omission site at Chittenden Fields (Site Ref: 2), extending to the west up to and including Hawkhurst Community Hospital, should be included within a revised settlement boundary. This represents a logical and sensible approach to defining the LBD at Hawkhurst.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To clarify any points the Inspector has with respect of the detailed representations submitted

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_141

Comment

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Event Name	Pre-Submission Local Plan
Comment by	Cedardrive Ltd ([REDACTED])
Comment ID	PSLP_2053
Response Date	03/06/21 17:12
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.10
Files	DHA Planning for Cedardrive - full representation.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Cedardrive Ltd
Question 2	
Agent's Name and Organisation (if applicable)	DHA Planning
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

[TWBC: the full representation attached has been divided between Policy STR/HA (PSLP_2053), Vision and Strategic Objectives (PSLP_2054), Policy STR1 (PSLP_2055), Policy AL/HA3 (PSLP_2056) and Development Management Policies (PSLP_2057)

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

1.1 Introduction

1.1.1 These representations have been prepared by DHA Planning on behalf of Cedardrive Ltd in respect of the Tunbridge Wells Borough Council Regulation 19 Local Plan consultation – referred to herein as the Pre-Submission Local Plan (PSLP). 1.1.2 These representations relate to land at Hawkhurst Golf Club, which Cedardrive is promoting the construction of a new relief road to reduce congestion in Hawkhurst together with residential redevelopment and other amenities as part of the wider development plan review.

1.1.3 Based on the current national and local planning context, we consider this land to be suitable for development.

1.2 The site

1.2.1 The Hawkhurst Golf Club site currently measures 20.69 hectares and comprises a nine-hole golf course, formed by 1968 on the land on the north western side of Hawkhurst, as shown in Figure 1.

1.2.2 The site is irregular and sinuous in shape stretching from the A268 to the south, north along the A229 as far as Gills Green. The A229 Cranbrook Road forms the site's eastern boundary.

1.2.3 The main buildings on the site comprise the existing club house, and two squash courts. The clubhouse building lies at the southern end of the site where the principal vehicular access is located from the A268 High Street leading to an area of parking for visitors. This part of the site is bordered on either side by residential properties with further residential and farm/equestrian properties adjoining the golf course to the west and south-east.

[TWBC: see full representation attached for Figure 1: Aerial view of the Appeal Site (Courtesy of Google Earth 2021)]

1.2.4 The southern part of the site borders the Highgate area of Hawkhurst, which comprises the main village centre. The northern part of the site borders the Gills Green area of Hawkhurst. A new care home has recently been constructed to the east of the northeast of the site on Cranbrook Road, immediately opposite the northernmost part of the site.

1.2.5 The land in the southeast corner of the Site (formerly Springfield Nursery) was granted outline planning consent at appeal (all matters except access reserved) in November 2020, for the erection of up to 24 dwellings on the site (reference 17/02192/OUT). The site is served by an existing access onto the A229 Cranbrook Road to the east.

Regulation 18 Local Plan

1.2.6 The site was proposed to be allocated in the Regulation 18 draft Local Plan, published for consultation in September 2019.

1.2.7 Policy AL/HA1 (land forming part of the Hawkhurst Golf Club course to the north of the High Street) allocated the site for residential development providing approximately 400 – 450 dwellings, a relief road, and community centre (with associated public parking provision).

1.2.8 The policy stated that development on the site should accord with the following requirements:

(1) The development proposals to be informed by a masterplan, which sets out how high levels of permeability will be provided through the site and linkages with the wider surrounding areas will be established.

(2) No buildings to be constructed in the open space landscape and buffer area defined on the site allocations plan, reflecting landscape and topographical constraints.

(3) The provision of a new road through the site to act as a relief road to the existing road network serving Hawkhurst, and to reduce traffic congestion at and around the crossroads of the A268 Rye Road with Cranbrook Road/Highgate Hill at the centre of Hawkhurst.

(4) The relief road shall be fully constructed and brought into use, the closure of the northern arm of Cranbrook Road (at the Rye Road crossroads), and the completion of the public realm works shall be undertaken in accordance with an appropriate timetable, which will be agreed as part of any planning application.

(5) An assessment of the new relief road upon the viability of the commercial area located along the A268 Rye Road.

(6) Transport modelling to inform the location of junctions, traffic lights, bus stops within the site, new/improved pedestrian footways and crossings, to include consideration of the wider settlement centre. Any proposed new or improved junctions with Cranbrook Road to include an assessment of the impact upon trees and the requirement for engineering works, reflecting the steep tree covered banks that are currently present along parts of the site boundary with Cranbrook Road.

(7) The design and layout to be informed by a comprehensive energy and climate change strategy.

(8) Air quality modelling required to inform the location and design of road junctions in close proximity to sensitive receptors, including Marlborough House School and Hawkhurst House Care Home.

(9) The provision of a pedestrian/cycle link through the site to link Gill's Green to the commercial centre of Hawkhurst. Opportunities for other pedestrian/cycle links to be explored, including through the Springfield area located to the north east of the site.

(10) Provision of public electric vehicle charging points and car share facilities in accordance with Policy TP 2: Transport Design and Accessibility.

(11) Development proposals will need to demonstrate a positive contribution to Biodiversity Opportunity Area targets.

(12) Demonstration through the submission of relevant and proportionate heritage investigations that the proposals have taken account of Holman's farmstead and other heritage assets located in proximity to the site and will not have a materially harmful impact upon these assets.

(13) Water courses; SUDs mitigation to protect areas within the Environment Agency's flood zone 3.

(14) Provision of on-site allotments, amenity/natural green space, parks and recreation grounds, children's play space and youth play space in accordance with the requirements of Policy OSSR 2: Provision of publicly accessible open space and recreation.

(15) The provision of land to accommodate a community facility, to include adequate public parking within the site, or alternatively contributions towards the provision of the facility including adequate public parking on an alternative suitable site which shall be agreed through the planning process.

1.2.9 Cedar drive provided representations at the Regulation 18 stage supporting the draft allocation.

Planning application and non-determination appeal

1.2.10 A planning application was submitted for a development of up to 417 dwellings (since reduced to 374) and a new relief road connecting the A229 Cranbrook Road and A268 High Street.

1.2.11 One of the key benefits of the scheme is a new, public road through the centre of the site which would link the A268 High Street and A229 Cranbrook Road. Combined with the proposals to amend the Highgate crossroads, by closing off the northern arm, this would effectively result in the A229 being diverted through the site.

1.2.12 This new relief road will remove the need for some traffic movements to have to pass through the heavily congested A268/A229 Highgate crossroads in the centre of Hawkhurst. This will improve the performance of that junction, reducing queue lengths and journey times, even taking into account both the proposed development and other committed developments in the area. As a result, the proposals would result in an improvement in traffic conditions at the crossroads, with significant associated air quality benefits within the recently declared Air Quality Management Area (AQMA) on Cranbrook Road. KCC Highways has confirmed that the scheme would improve traffic conditions, as set out later in these representations.

1.2.13 The proposals also included a care home, doctor's surgery and/or community hall or similar use, a public car park, public park, open space, woodland planting and recreation facilities and other associated works. Detailed permission was sought for the road, with outline planning permission sought for the remaining development.

1.2.14 Without prior warning, the Council removed the Golf Club draft allocation from the Regulation 19 Local Plan, which was first published in draft form in December 2020. Following confirmation from planning officers in January 2021 that the application proposals would no longer be supported, an appeal against non-determination has since been lodged, which is due to be heard at a public inquiry in September 2021.

1.3 Background

1.3.1 Tunbridge Wells Borough Council (TWBC) has produced a new Local Plan to guide future development within the borough. As the Council is now satisfied that it has a sound plan it proposes to submit the plan for Independent Examination following completion of this final round of consultation.

1.3.2 Once submitted, the Local Plan will be examined by an Inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is 'sound'. In this regard, the Government published a revised NPPF in February 2019, which provides that to be "sound" a local plan must be:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.3.3 This submission comments on the plan having regard to these tests of soundness.

1.4 Legal Compliance

1.4.1 In terms of legal compliance, the main requirements for the early stages of Local Plan consultation are in relation to:

- planning for community engagement;
- the sustainability appraisal (including consultation with the statutory environment consultation bodies);
- identifying significant cross boundary and inter-authority issues; and
- ensuring that the plan rests on a credible evidence base, including meeting the Act's requirement for keeping matters affecting the development of the area under review.

1.4.2 The Council has undertaken public consultation at various stages. Furthermore, it has liaised with the development industry via Agents Forums and as such we raise no objection to this aspect of legal compliance.

1.4.3 From a wider perspective, we are concerned about the degree to which the Council has complied with the statutory framework for preparing a new plan, albeit we will reserve our position on this matter until all final consultation documentation and statements of common ground have been published.

1.5 Assessment of Soundness

1.5.1 The TWBC Draft Local Plan (herein referred to as 'the plan') sets out the spatial vision, strategic objectives, and overarching development strategy for the borough. It details overarching place shaping policies for each parish and settlement, as well as site specific allocations to deliver the strategy and detailed policies to be applied to all new development.

1.5.2 The plan will set the agenda for development across the borough to 2038 and replace the current Development Plan, which comprises the Local Plan 2006 (saved policies), the Core Strategy 2010, and the Site Allocations Local Plan 2016.

1.5.3 This representation comments on the following elements of the plan:

- Vision and Strategic Objectives;
- Development Strategy and Strategic Policies;
- Place Shaping Policies; and
- Development Management Policies.

Place Shaping Policies

1.5.64 The place shaping policies establish the spatial priorities for different areas in the borough, organised according to non-parish and parish areas. For each area, there is an overarching policy that development should adhere to and details are provided for individual allocated sites that will deliver the quantum of development proposed. The site-specific allocations provide both strategic and development management guidance.

Policy STR/HA1

1.5.65 Cedardrive Ltd STRONGLY OBJECTS to Policy STR/HA1. In particular:

- The proposed reduction in development at Hawkhurst (criterion 2), compared to the Reg 18 proposals, is unacceptable and unsound;
- In particular, the deletion of Reg 18 allocation of Hawkhurst Golf Club is unsound; and
- The requirement for development proposals to establish an acceptable impact on the Hawkhurst crossroads (criterion 3) cannot be achieved without the relief road proposed as part of the Golf Club scheme, and is therefore also unsound.

1.5.66 The PSLP proposes a significantly reduced level of development in Hawkhurst compared to the Regulation 18 plan – reducing from up to 731 homes in the Reg 18 version to up to 170 in the PSLP. Paragraph 5.354 of the PSLP states:

"This is a substantial reduction on that put forward for consultation at an earlier stage. This reflects the outcome of additional evidence base studies and research, notably in relation to the likely impacts of sites' development, individually and cumulatively, on the High Weald AONB, as well as in relation to traffic congestion at the crossroads and associated air quality implications (now recognised by the recent declaration of an Air Quality Management Area)..."

1.5.67 This "justification" for reducing development ignores that fact that the proposed Hawkhurst Golf Club development would both reduce congestion at the crossroads and reduce air quality effects to the level that would effectively remove the need for the AQMA. These issues are discussed further below.

1.5.68 For the reasons set out below, the removal of the Golf Club from the PSLP results in a Local Plan which has not been positively prepared, is based on a strategy which is not justified, and would not be effective.

The case for development at Hawkhurst Golf Club

1.5.69 It is clear that TWBC were previously of the view that the public benefits of the Golf Club proposal outweighed any landscape and other harms that would result, in proposing to allocate the site for development in the Reg 18 Local Plan.

1.5.70 In addition to the significant public benefit of providing much-needed market housing and affordable housing (including the provision of specialist elderly care housing, for which there is also a particular need), the main benefit of the proposals is the delivery of a new relief road which would address a serious traffic congestion problem which has existed for decades and continues to get worse. There are also various other benefits as identified below.

Traffic congestion

1.5.71 As is recognised at paragraph 3.12 of TWBC's Infrastructure Delivery Plan (IDP), "the A229 is constrained at the junction with the A268 in Hawkhurst and this crossroads suffers from **severe congestion** at peak times and other times of the day." (our emphasis).

1.5.72 A relief road for Hawkhurst has been mooted since at least the 1990s. The crossroads in the centre of Hawkhurst are severely congested, and not just at peak hours, with the north-south alignment in particular slowing larger vehicles down. This is compounded by parked cars along Cranbrook Road meaning that vehicles often have to stop and wait to allow traffic to pass the parked cars, which can often result in the crossroads becoming blocked and the efficiency of the junction being compromised.

1.5.73 Policy AM1 of the Hawkhurst Neighbourhood Plan highlights the crossroads as a major problem and seeks a solution. That plan envisaged a double-roundabout solution, but this has since been discounted as technically unworkable.

1.5.74 The IDP lists several proposed road improvements at paragraph 3.15. Despite up to 170 new homes being proposed at Hawkhurst in the PSLP, neither the Local Plan nor the IDP propose any improvements to the junction. The Local Plan therefore makes no provision whatsoever to address congestion which the Council's own evidence acknowledges to be severe.

1.5.75 On 19 May 2021, TWBC refused planning permission for the development of 71 dwellings at Highgate Hill (PSLP allocation site AL/HA4), the second reason for refusal for which was:

"The development would result in a quantum of traffic that would have a significant adverse effect on capacity and congestion of the crossroads in Hawkhurst and the wider transport network. This effect would not result in a sustainable development and would be contrary to Core Policy 3 of the Core Strategy 2010, Policy AM1 of the Hawkhurst Neighbourhood Plan and paragraph 108 of the National Planning Policy Framework 2019 and the National Planning Practice Guidance."

1.5.76 It is evident from this that there is a severe problem at Hawkhurst Crossroads which the PSLP does not attempt to address and which is causing the Council to refuse planning permission for a development in Hawkhurst on the only draft allocated site not to already have planning permission.

1.5.77 PSLP paragraph 5.358 states that future applications for development in Hawkhurst will need to consider traffic impacts on the crossroads and provide suitable mitigation.

1.5.78 It should be noted here that in its response to the Golf Club planning application (see Appendix 1), KCC Highways agreed in September 2020 that the Golf Club's relief road proposals, together with the proposed closure of the Cranbrook Road arm of the crossroads (and taking into account the planned housing both at the Golf Club and in the Reg 18 Local Plan) "will improve the overall junction operation, with a lower average delay per vehicle" and would result in "overall betterment".

1.5.79 By contrast, nobody else has ever identified a workable and deliverable scheme to improve the congestion at the crossroads. The relief road proposed by the Cedar drive at a cost of several million pounds is therefore the only realistic potential solution. As will be summarised below, any pedestrian, driver and cyclist using the Highgate Crossroads will benefit.

Air Quality

1.5.80 The traffic congestion issues at the Hawkhurst crossroads currently lead to air quality problems, as recognised in PSLP paragraph 4.46.

1.5.81 TWBC's Environmental Health Officer has confirmed that there were no objections to the planning application on air quality grounds. Indeed, Cedar drive will demonstrate at the forthcoming appeal that the proposed closure of the northern arm of the Highgate crossroads will lead to significant

air quality benefits within the recently declared AQMA on Cranbrook Road by removing all through traffic from the worst affected part of village centre.

1.5.82 This is a very significant benefit of the proposals.

Walking and cycling infrastructure

1.5.83 IDP paragraph 3.59 refers to a list of other future improvements required to deliver Local Plan growth. These include:

- A Local Cycling and Walking Infrastructure Plan for Hawkhurst village with improved pedestrian and cycling routes within the existing area; and
- An improved footpath on A229 between Hawkhurst, Cranbrook and Sissinghurst

1.5.84 In relation to the latter point, there is currently a continuous footpath along the A229 past the Golf Club site, though this runs adjacent to the busy road. The Golf Club proposals include new footpaths through the proposed new village park, which would provide a more attractive route for pedestrians than at present. Improvements to cycling and walking links are an objective of the Parish Council as set out in Policy AM4 of their made Neighbourhood Plan.

1.5.93 The HDA assessment notes that the site is a “typical golf course” which “is not representative” of any of the key landscape characteristics of the landscape character areas – indeed, it is a “landscape pattern [which] is at odds with the wider landscape”. It is “very well contained from public viewpoints”.

1.5.94 The assessment recognises that development would have positive effects on recreation as there is currently no public access within the site.

1.5.95 Overall the assessment acknowledges that there are both adverse and beneficial effects resulting from the development. Some concerns are raised in relation to particular aspects of the proposal, specifically the northern parcel, though it concludes that any changes to the draft allocation would need to be balanced against the viability of the site.

1.5.96 Indeed, HDA's summarised policy recommendations are limited to the following:

- Include wording restricting built development, road infrastructure and external lighting within the proposed open space and landscape buffer;
- Seek a requirement for a detailed access design for the vehicular junction onto the A229. The design should include tree survey data, proposed changes in level and visibility splays and should clearly identify and feature loss and subsequent mitigation planting.
- Provision of a long-term maintenance plan for the open space within the site; and
- Include a requirement for an LVIA as part of the application, to inform the masterplan for the site.

1.5.97 All of these recommendations could have been easily accommodated.

1.5.98 Since HDA did not recommend removal of the site, and they recognise that there are benefits as well as concerns, this report does not provide strong evidence to justify the removal from the plan of an allocation which provides so many clear public benefits. The Council could and should have weighed up any remaining concerns against the public benefits and concluded that the allocation should have been retained, whilst reducing the quantum of development to match the 374 units shown in the revised planning application.

Comments on the Sustainability Appraisal

1.5.99 The Sustainability Appraisal for the site has been altered from that published at the Reg 18 stage. Two changes have been made:

- The Biodiversity score has been downgraded from ‘neutral’ to ‘slightly negative’. It is not clear why this change has been made. The accompanying commentary remains as when assessed previously, stating that “Despite being a predominantly greenfield site, the previous use as a golf course would mean impacts upon biodiversity are limited and can be adequately controlled with protection buffers.”
- The Air Quality score has been upgraded from ‘slightly positive’ to ‘slightly to very positive’, with the commentary now amended to state that “The relief road is a significant piece of transport infrastructure and is likely to bring large noise and air benefits to the centre of Hawkhurst by diverting traffic away from the AQMA on Cranbrook Rd.”

1.5.100 These appear to be the only changes to the appraisal and do not provide justification for removing the site from the plan.

TWBC Development Strategy

1.5.101 The Development Strategy Topic Paper (DSTP) states at paragraph 6.40 that the Sustainability Appraisal justifies the reduction of development in the AONB, including in Hawkhurst, subject to further consideration of site-specific merits and 'exceptional circumstances'.

1.5.102 National policy must of course be followed, though in a borough where 69% of the land area is within the AONB, it is almost inevitable that some major development will be required there. This is especially the case in larger settlements such as Hawkhurst which are washed over by the AONB designation, and particularly so where there are existing problems that urgently require a solution, such as the severe traffic problems that already affect the village.

1.5.103 Adverse effects to the AONB cannot always be avoided, as is recognised at DSTP paragraph 6.140. The benefits of a proposed allocation must also be weighed in the balance.

1.5.104 DSTP paragraph 6.161 states that the Golf Club allocation – originally for up to 450 units – was removed primarily due to AONB impacts. The current planning appeal is for a scheme already reduced from this figure, with up to 374 units proposed – 24 of which are already accounted for within allocation AL/HA3.

1.5.105 According to the DSTP, the Council considers all of the following PSLP allocations to comprise "major development" in the AONB:

- AL/RTW16 Spratsbrook Farm, Tunbridge Wells: 120 dwellings
- AL/RTW17 Longfield Road, Tunbridge Wells: 80,000sqm employment – planning permission already granted
- AL/CRS1 Brick Kiln Farm, Cranbrook: 180 dwellings – planning permission already granted
- AL/CRS3 Turnden Farm, Cranbrook: 204 dwellings – resolution to grant planning permission subject to S106, though the SoS has called the application in for his own determination
- AL/HA1 White House, Hawkhurst: 43 retirement apartments – planning permission already granted
- AL/HA4 Copthall Avenue/Highgate Hill: Up to 79 dwellings – planning permission refused, on grounds of AONB and effect on Hawkhurst crossroads
- AL/BM1 Brenchley Road, Matfield: 45 dwellings – planning permission granted
- AL/PE2 Hubbles Farm, Pembury: 80 dwellings
- AL/PE3 Land south of Hastings Road, Pembury: 80 dwellings

1.5.106 Of these, two of the three largest allocations already benefit from a planning permission, where the paragraph 172 exceptional circumstances test has already been applied.

1.5.107 In the case of Brick Kiln Farm, the committee report for the 2018 outline permission concluded that:

"There is an unmet housing need, together with ongoing supply challenges that represent the exceptional circumstances necessary to justify the growth of Cranbrook." (Planning committee report 28 March 2018 for application reference 16/502860/OUT)

1.5.108 In the case of an application for 165 dwellings at Turnden, the 2021 committee report concluded that:

"it is considered that principally due to the housing delivery benefits (market and affordable at 40%) outweighing the identified harm to the landscape and environment, there are exceptional circumstances in this instance to depart from the NPPF presumption against major development in the AONB" (Planning committee report 27 January 2021 for application reference 20/00815/FULL)

1.5.109 The Turnden committee report also refers to landscaping improvements and a greater than 10% biodiversity net gain as contributing to the exceptional circumstances.

1.5.110 It is recognised that the Hawkhurst Golf Club proposals are larger than these two schemes. But it should also be noted that the public benefits arising from the proposal are significantly greater too. These include but are not limited to:

- The boosting of the Council's housing supply by up to 374 units (assuming a reduction in allocated numbers to match that of the current scheme);
- A significant boost to the Council's affordable housing supply;
- A recognised improvement to the village crossroads junction where existing transport congestion is agreed to be severe, and where no other solution has been identified, and at a cost of several million pounds;
- Improvements to air quality in the village centre that would remove the need for the recently confirmed Air Quality Management Area;
- The provision of a new public park;
- The provision of a new public car park, in a village where parking options are very limited;
- New pedestrian and cycle routes between Highgate and Gills Green;
- Closing off the northern arm of the Highgate crossroads has the potential to create an attractive, pedestrianised new focal point for the

village; and• The re-use of a little-used golf course, which has already created an unnatural landscape feature, in preference to developing on agricultural fields.

1.5.111 This is a substantial list of public benefits which outweigh any landscape harm.

Conclusion

1.5.112 It is clear from the above analysis that the removal of the Golf Club allocation is not justified by the evidence which is claimed in support of the decision. Not only does the plan unnecessarily remove 374 planned homes, it also means that the only identified solution to address Hawkhurst's longstanding severe traffic congestion issues has been removed from the plan. No alternative solution is suggested, thereby preventing existing residents from seeing this burden addressed, whilst also limiting the potential for future growth in Hawkhurst and any other nearby settlements, such as Sandhurst, where travel through this junction would be required.

1.6 Summary and Conclusions

1.6.1 In summary, this representation has been prepared on behalf of Cedardrive Ltd in response to the Tunbridge Wells Borough Council Pre-submission Local Plan Consultation. The purpose being to provide comment on the Council's proposed development strategy ahead of Examination.

1.6.2 We support the aspiration to meet housing need in full and consider that a dispersed growth strategy represents the optimum means to achieve this. Nonetheless, we consider that the Local Plan strategy as a whole relies heavily on the delivery of strategic sites that would require the provision of supporting infrastructure. Moreover, the Council have applied overly optimistic projections to the delivery of housing for the extension of Paddock Wood and the Tudeley Garden Village.

1.6.3 We object strongly to the unjustified removal of Hawkhurst Golf Club from the draft Local Plan, which renders the plan unsound for the reasons set out above.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Supporting Information File Ref No: SI_153

Comment

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Comment by	Countryside Properties ([REDACTED])
Comment ID	PSLP_2140
Response Date	26/05/21 16:30
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.7
Files	DHA Planning for Countryside Properties-full representation Hawkhurst.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Countryside Properties
Question 2	
Agent's Name and Organisation (if applicable)	DHA Planning

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

[TWBC: the full representation attached has been divided between Policy STR/HA1 (PSLP_2140), Vision and Strategic Objectives (PSLP_2145), Policy STR1 (PSLP_2148) and Development Management Policies (PSLP_2158)

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

1.1 Introduction

1.1.1 These representations have been prepared by DHA Planning on behalf of Countryside Properties (hereafter referred to as Countryside) in respect of the Tunbridge Wells Borough Council Regulation 19 Local Plan consultation.

1.1.2 These representations relate to land adjacent to Countryside Properties' existing site on Highgate Hill, which is now complete following a successful permission allowed at appeal in 2015. Countryside is promoting this additional land as a logical 'phase 2' (SHELAA Site 86) residential redevelopment to mirror the quality of the established scheme.

1.1.3 Based on the current national and local planning context, we consider this additional site to be suitable for development and we consider there to be 'exceptional circumstances' to release this additional land within the High Weald Area of Outstanding Natural Beauty ('AONB'). As a consequence we object to its omission,

1.2 Background

1.2.1 Tunbridge Wells Borough Council (TWBC) has produced a new Local Plan to guide future development within the borough. As the Council is now satisfied that it has a sound plan it proposes to submit the plan for Independent Examination following completion of this final round of consultation.

1.2.2 Once submitted, the Local Plan will be examined by an Inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is 'sound'. In this regard, the Government published a revised NPPF in February 2019, which provides that to be "sound" a local plan must be:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.2.3 This submission comments on the plan having regard to these tests of soundness as well as wider legal compliance.

1.3 Legal Compliance

1.3.1 In terms of legal compliance, the main requirements for the early stages of Local Plan consultation are in relation to:

- planning for community engagement;
- the sustainability appraisal (including consultation with the statutory environment consultation bodies);
- identifying significant cross boundary and inter-authority issues; and
- ensuring that the plan rests on a credible evidence base, including meeting the Act's requirement for keeping matters affecting the development of the area under review.

1.3.2 The Council has undertaken public consultation at various stages. Furthermore, it has liaised with the development industry via Agents Forums and as such we raise no objection to this aspect of legal compliance.

1.3.3 From a wider perspective, and having regard to the duty to cooperate, there is grave concern in respect of the degree of cross boundary working and the extent to which Tunbridge Wells Borough has genuinely sought to assist with unmet housing need arising from neighbouring authorities. Indeed, the Sevenoaks, Tonbridge and Malling and Wealden Local Plans have all recently failed to pass through independent examination because of inadequate efforts to work collectively. Given these failures, it is difficult to conclude that Tunbridge Wells Borough Council should be absolved of similar criticisms.

1.3.4 Indeed, within the Duty to Cooperate Topic Paper the Council confirms that it relies upon the Statements of Common Ground (SOCG) agreed with Sevenoaks DC in May 2019, yet this agreement was deemed inadequate for Sevenoaks to have properly discharged its duty to cooperate. It was seen as too little too late.

1.3.5 The topic paper then states that an updated SoCG between TWBC and SDC is currently being prepared, but is delayed due to ongoing legal action by SDC following an adverse decision by the High Court (note this was Court of Appeal) in relation to its own Local Plan. That Court of Appeal judgement has now been handed down and reinforces the failure to discharge the duty.

1.3.6 Having regard to the above, we are concerned about the degree to which the Council has complied with the statutory framework for preparing a new plan, albeit we will reserve our position on this matter until all final consultation documentation and statements of common ground have been published.

1.3.7 In any event, the deletion of a vast number of suitable sites at the Regulation 19 stage would suggest that there are opportunities to meet the needs of the adjacent and potentially more constrained neighbours and that this is a matter that should be address via the plan making process, collectively with the West Kent neighbouring authorities, rather than Tunbridge Wells proceeding ahead in isolation.

1.4 Assessment of Soundness

1.4.1 The TWBC Draft Local Plan (herein referred to as 'the plan') sets out the spatial vision, strategic objectives, and overarching development strategy for the borough. It details overarching place shaping policies for each parish and settlement, as well as site specific allocations to deliver the strategy and detailed policies to be applied to all new development.

1.4.2 The plan will set the agenda for development across the borough to 2038 and replace the current Development Plan, which comprises the Local Plan 2006 (saved policies), the Core Strategy 2010, and the Site Allocations Local Plan 2016.

1.4.3 This representation comments on the following elements of the plan:

• Vision and Strategic Objectives; • Development Strategy and Strategic Policies; • Place Shaping Policies; and • Development Management Policies.

Place Shaping Policies

1.4.83 The place shaping policies establish the spatial priorities for different areas in the borough, organised according to non-parish and parish areas. For each area, there is an overarching policy that development should adhere to and details are provided for individual allocated sites that will deliver the quantum of development proposed. The site-specific allocations provide both strategic and development management guidance.

1.4.84 Policy STR/HA1 sets the proposed strategy for Hawkhurst and states that Approximately 161 to 170 net new dwellings will be allocated for the village. This represents a substantial reduction on the 681-731 new dwellings that were proposed to be delivered across seven sites as part of the Regulation 18 plan.

[TWBC: for Extract of proposed proposal map for Hawkhurst see full representation attached].

1.4.85 Whilst some provision is made for the sensitive enlargement of Hawkshurst, we do not think the plan has gone far enough and given the sustainability credentials of the settlement. Indeed, we consider that Hawkhurst could and should accommodate more than the 2.75% of growth that has been assigned to it.

1.4.86 We draw this conclusion because Hawkhurst falls within the third tier of the settlement hierarchy, and is defined as a Rural Service Centre within policy ED8. It is a highly substantial village with a range of basic services and a population of approximately 4,400 and therefore further growth will help maintain existing rural services and would promote an improved offer.

1.4.87 Countryside also has concerns about the nature and deliverability of some of the sites that have been proposed for inclusion at the expense of their land. For example, during the course of the public inquiry for the Phase 1 development, the landscape visual impact of development on the south western edge of the village was fully debated and tested, with the Inspector ultimately accepting the case of the Council. Landscape impact is not therefore a reasonable basis not to allocate the land.

1.4.88 It is our view that the failure to adequately plan for the needs of residents, including those that would like to live in the village but do not have adequate access to properties in Hawkhurst, must be addressed and this represents a further example of not providing the right homes in the right locations. Simply put, the residents that want to live in Hawkhurst do not want to be decanted to wait a decade for Tudeley Village or to be decanted to the outskirts of Paddock Wood.

1.4.89 Based on the above context, the place shaping aspects of the strategy are unsound and require modification, including the redistribution of housing proposed at Tudeley to genuinely deliverable sites like our client's land at Hawkhurst.

1.4.90 The SHELAA's basis for rejecting the inclusion of Site 86 is extremely limited, with the only justification being that 'there is significant concern about landscape impact and the settlement pattern'.

1.4.91 However, the SHELAA is not a policy document and instead should be a 'policy of' technical assessment of site availability. For this reason, the site should be identified as being suitable, available and achievable given it is in the control of a developer and has no overriding constraints. Furthermore, on the basis that TWBC's SHELAA appears to only find sites suitable for development where they are then allocated, this means it is not a robust and reliable piece of evidence base upon which sound decisions can be reached.

1.4.92 Furthermore, Countryside has prepared and previously presented to the Council a detailed Landscape Visual Assessment (LVA) which identifies there is capacity for residential development within the Site.

1.4.93 From a wider perspective, Site 86 represents a sustainable alternative allocation option. It falls within 400 metres walk from the commercial centre of the village and immediately abuts a site where 62 new homes have been delivered by Countryside .

1.4.94 The land is irregular in shape and comprises two agricultural fields enclosed by a central division of tree and hedge planting.

1.4.95 To the north, the site is bound by existing residential development along the Cul de Sac 'Theobolds' and an area of mature trees.

1.4.96 To the east the site abuts Countryside existing development site (known as Phase 1), which provides an opportunity for a direct linkage to Highgate Hill.

1.4.97 To the south, the land is surrounded by open agricultural land, with sporadic residential development along Hensil Lane to the southwest and the playing fields associated with Marlborough House School to the west.

1.4.98 In respect of the local surroundings, the local primary school is approximately 800 metres walk distance via Rye Road, and the commercial centre gives access to a range of facilities, services and amenities, including Waitrose and Tesco food stores that would provide future residents with an outlet for the weekly shop.

1.4.99 With respect to public transport, the nearest bus stops are positioned adjacent to the Phase 1 site access on Highgate Hill. These provide at least one school service, plus two services to Hastings, the highest frequency of which is hourly Monday to Saturday with four services on a Sunday. A further service to Tunbridge Wells runs hourly from the High Street.

1.4.100 With the above in mind, the site is sustainably located and provides a logical location for new housing in Hawkhurst and is promoted by a developer with a strong track record of delivering in the area.

1.5 Summary and Conclusions

1.5.1 In summary, this representation has been prepared on behalf of Countryside Properties in response to the Tunbridge Wells Borough Council Pre-submission Local Plan Consultation. The purpose being to provide comment on the Council's proposed development strategy ahead of Examination.

1.5.2 We support the aspiration to meet housing need in full and consider that a dispersed growth strategy represents the optimum means to achieve this. Nonetheless, we object to the exclusion of our client's land at Highgate Hill, Hawkhurst (Site 86) which is unsubstantiated by evidence. Furthermore, we object to the limited growth promoted around Hawkhurst.

1.5.3 Furthermore, we consider that the Local Plan strategy relies heavily on the delivery of strategic sites that would require the provision of supporting infrastructure. Moreover, the Council have applied overly optimistic projections to the delivery of housing for the extension of Paddock Wood and the Tudeley Garden Village.

1.5.4 In our view, further small to medium sites are needed to remedy these matters or soundness and such additional sites should be directed to sustainable locations such as Hawkhurst.

Question 6

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1.5.4 In our view, further small to medium sites are needed to remedy these matters or soundness and such additional sites should be directed to sustainable locations such as Hawkhurst.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Supporting Information File Ref No: SI_156

Comment

Consultee	Strategic Planning ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Kent County Council (Planning and Environment)
Address	Invicta House County Hall MAIDSTONE ME14 1XX
Event Name	Pre-Submission Local Plan
Comment by	Kent County Council (Planning and Environment) (Strategic Planning - [REDACTED])
Comment ID	PSLP_2208
Response Date	04/06/21 16:56
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	Kent County Council-full representation.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Kent County Council (Growth, Environment & Transport)
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	Policy STR/HA 1 The Strategy for Hawkhurst parish

[TWBC: see attached full representation, which has been input against the following: Section 1 (PSLP_2164), Section 2 (PSLP_2168), Section 3 (PSLP_2169), Policies STR1 (PSLP_2170), STR2 (PSLP_2171), STR4 (PSLP_2172), STR5 (PSLP_2174), STR7 (PSLP_2175), STR8 (PSLP_2176), Section 5 (PSLP_2177), Section 5: Royal Tunbridge Wells (PSLP_2178), Policies AL/RTW1 (PSLP_2180), AL/RTW5 (PSLP_2181), AL/RTW7 (PSLP_2183), AL/RTW14 (PSLP_2184), AL/RTW17 (PSLP_2185), AL/RTW21 (PSLP_2187), STR/SO1 (PSLP_2188), AL/SO1 (PSLP_2190), Strategic Sites (PSLP_2192), STR/SS1 (PSLP_2193), STR/SS2 (PSLP_2195), STR/SS3 (PSLP_2196), STR/PW1 (PSLP_2199), AL/PW1 (PSLP_2200), STR/CA1 (PSLP_2201), AL/CRS1 (PSLP_2202), AL/CRS2 (PSLP_2203), AL/CRS3 (PSLP_2204), AL/CRS4 (PSLP_2205), AL/CRS6 (PSLP_2206), AL/CRS7 (PSLP_2207), STR/HA1 (PSLP_2208), PSTR/BE1 (PSLP_2209), PSTR/BI 1 (PSLP_2210), PSTR/BM1 (PSLP_2211), PSTR/FR1 (PSLP_2212), PSTR/GO1 (PSLP_2213), PSTR/HO1 (PSLP_2214), AL/HO1 (PSLP_2215), PSTR/LA1 (PSLP_2216), AL/LA1 (PSLP_2217), PSTR/PE1 (PSLP_2218), AL/PE4 (PSLP_2219), PSTR/RU1 (PSLP_2220), PSTR/SA1 (PSLP_2221), AL/SA1 (PSLP_2222), PSTR/SP1 (PSLP_2223), EN1 (PSLP_2224), EN3 (PSLP_2225), EN4 (PSLP_2226), EN5 (PSLP_2227), EN8 (PSLP_2228), EN9 (PSLP_2229), EN10 (PSLP_2230), EN12 (PSLP_2231), EN13 (PSLP_2232), EN14 (PSLP_2233), EN18 (PSLP_2234), EN19 (PSLP_2235), EN20 (PSLP_2236), EN25 (PSLP_2237), EN26 (PSLP_2238), H1 (PSLP_2239), H3 (PSLP_2240), H7 (PSLP_2241), ED1 (PSLP_2242), ED2 (PSLP_2243), ED3 (PSLP_2244), ED4 (PSLP_2245), ED5 (PSLP_2246), ED6 (PSLP_2247), Town, Rural Service, Neighbourhood, and Village Centres (PSLP_2248), Policies TP1 (PSLP_2249), TP2 (PSLP_2250), TP3 (PSLP_2251), TP4 (PSLP_2252), TP5 (PSLP_2253), TP6 (PSLP_2254), OSSR1 (PSLP_2255), Appendix 4 (PSLP_2256) and Evidence Base (whole Plan) (PSLP_2257)

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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The County Council has set out its full response to the consultation in the attached Appendix. Comments are linked to relevant policies where appropriate.

Public Rights of Way

The County Council supports this policy.

Question 6

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Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Question 7a

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The County Council may wish to attend hearing sessions in respect of its statutory and non statutory functions.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Hawkhurst: Policy
AL/HA 1: Land at the White House,
Highgate Hill**

Comment

Consultee	Mr Peter Brudenall [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Peter Brudenall [REDACTED]
Comment ID	PSLP_1794
Response Date	03/06/21 14:15
Consultation Point	Policy AL/HA 1 Land at the White House, Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Peter Brudenall
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 1 Land at the White House, Highgate Hill	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

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Improvements have been made to the Local Plan, for example, the removal of any development to the Hawkhurst Golf Course is to be very much welcomed given the catastrophic effect that development would have on the village and the AONB.

However, Hawkhurst and the surrounding area is still subject to significant development and in my view this should be reduced even further. Hawkhurst (and surrounding areas) lack basic infrastructure to allow it to cope with a significant number of additional houses, and the associated traffic. Lack of schools, doctors, dentists, parking etc must be taken into account when considering development of more than 5-10 houses. Priority must also be given to the AONB and the fact that Hawkhurst is a village, not a town. A cumulative assessment should be undertaken to assess the impact of all developments on existing road networks and local infrastructure.

There is no suitable proposal as yet to solve the issue of the Hawkhurst crossroads, and levels of pollution along the High Street are already at alarming levels. There is also a major issue relating to the need to deal with major sewage problems due to the infrastructure needing significant repair or replacement.

Development in Hawkhurst should therefore be severely limited to smaller numbers of housing, and current allocation numbers should be further reduced until such time as the infrastructure has "caught up" to cope adequately with the existing population.

Accordingly, the housing numbers for HA1, the allocation for HA4 and those in Cranbrook (CRS1 and CRS4) cannot be justified given that no assessment has yet been made of the cumulative impact of allocations on existing infrastructure, and the Flimwell Junction and the Hawkhurst crossroads.

In my view, HA1, HA3 and CRS1 and CRS4 are not consistent with national policy as they don't focus development in sustainable locations and will not limit the need to rely on private car trips (as per NPPF para 103 and 104).

Question 6

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- 1 Removal of HA4 (Copthall allocation).
- 2 Modification of HA1 to reflect reduced overall housing numbers in Hawkhurst as a result of removal of HA4 (Copthall allocation).
- 3 Removal of CRS3 (Cranbrook Turnden Site).
- 4 Modification of CRS1 to reflect a reduction in overall housing numbers in Cranbrook.
- 5 Modification of HA2 and HA3 to incorporate wording from existing Local Plan Policy AL/HA1 to ensure the Area of Landscape Importance is retained and reinforced as part of any new proposal for planning permission.
- 6 Modification of HA1 to make it clearer that development outside the Limits of Built Development will not be permitted (unless in exceptions identified elsewhere in the Plan).

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

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Comment

Consultee	Vivien Halley [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Vivien Halley [REDACTED]
Comment ID	PSLP_1822
Response Date	03/06/21 15:12
Consultation Point	Policy AL/HA 1 Land at the White House, Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.6
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Vivien Halley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 1 Land at the White House, Highgate Hill

Policy AL/HA2 Brook House Cranbrook Road

Policy AL/HA3 Former Site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 Land to the north of Copthall Avenue and Highgate Hill, Hawkhurst

Policy AL/CRS1 Land at Brick Kiln Farm, Cranbrook Road

Policy AL/CRS3 Turnden Farm, Hartley Road, Cranbrook

[TWBC: this representation has been input against Policies AL/HA1, AL/HA2, AL/HA3, AL/HA4, AL/CRS1 and AL/CRS3 – see Comment Numbers PSLP_1822, PSLP_1829, PSLP_1830, PSLP_1831, PSLP_1832 and PSLP_1833]

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

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- . I strongly support the removal of the Hawkhurst Golf Course site and the overall reduction in the allocation of housing numbers within the village and therefore the reduction to the harmful impact to an Area of Outstanding Natural Beauty.
- . The Local Plan has not taken into account the 28 houses in Heartenoak Road that are currently under construction and which will have a significant impact on the inadequate infrastructure and constant traffic congestion within Hawkhurst and especially at the village crossroads and along Queens Road, Heartenoak Road and Ockley Road.
- . I do not consider that the remaining housing development numbers set out in policies AL/HA1 (White House), AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm) are justified because no assessment has been undertaken of the cumulative impact of allocations on the Flimwell junction, village crossroads and the increase in traffic using minor roads and lanes to avoid the congested crossroads. The recent planning application at Copthall was refused due to the impact on the crossroads and the AONB.
- . I do not consider that the remaining numbers set out in policies AL/HA2 (Brook House) and AL/HA3 (Springfield Nurseries) are justified because no assessment has been undertaken of the cumulative impact of the significant recent developments in Hawkhurst in the areas of Heartenoak Road, thus creating more traffic congestion and pollution at the crossroads in the village or more traffic using the local narrow roads and lanes in order to avoid queuing at the crossroads. It has been well documented that the crossroads in the village are already functioning over their capacity so an increase in traffic cannot be justified. When residents from Cranbrook return home for example from shopping in the village, instead of waiting at the crossroads they will resort to finding alternative routes and turn local narrow roads such as Queens Road, Heartenoak Road, Ockley Road, Winchester Road, Woodbury Road and Vale Road into speeding rat runs, causing

constant disruption, traffic noise and pollution to local residents and also damage to parked vehicles.

- . I do not consider that policies AL/HA1 (White House), AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm) are consistent with national policy because they do not focus development in sustainable locations and will not limit the need to rely on private car trips (NPPF paragraphs 103 and 104).
- . I consider the policies will fail to preserve or enhance the AONB (contrary to the NPPF paragraph 172).

Question 6

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- . Removal of policies AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm).
- . Modify the Local Plan to reflect the reduction in the overall housing numbers in Hawkhurst and Cranbrook as a result of the removal of the above policies and give consideration to the 28 houses currently under construction in Heartenoak Road.
- . Should any further housing development be undertaken in Hawkhurst and especially in the Cranbrook Road area, it would be essential to reduce the possibility for people to drive through local roads (i.e. rat runs) in order to avoid the queues at the crossroads. Car drivers travelling towards the A229 towards Maidstone from the A268 (from the direction of Sandhurst) should be prevented from driving down Queens Road, into Heartenoak Road, into Ockley Road and then into Winchester Road, in order to join the A229 and thus avoiding the crossroads. This could be achieved by blocking off this "rat run" at the junction between Ockley Road and Winchester Road. Adapting existing roads so they have pedestrian access only, has already been successfully implemented in other areas of Hawkhurst to prevent through traffic along the following roads:
 - . Northgrove Road
 - . Western Road
 - . Copthall Avenue/All Saints Road
- . The introduction of traffic calming measures in Queens Road and Heartenoak Road to prevent speeding traffic, improve safety and improve the quality of life of residents living along these extremely busy roads.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_22

Comment

Consultee	Peter Hay [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Hay [REDACTED]
Comment ID	PSLP_370
Response Date	24/05/21 13:02
Consultation Point	Policy AL/HA 1 Land at the White House, Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_359 & PSLP_370-376 Hawkhurst traffic supporting photographs Redacted.pdf
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Hay
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former Site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy STR/CS1 - The Strategy for Cranbrook and Sissinghurst Parish

Policy AL/CRS1 Land off Brick Kiln Farm, Cranbrook Road

Policy AL/CR3 - Turnden Farm, Hartley Road, Cranbrook

[TWBC: this representation has been input against Policies STR/HA 1, AL/HA1, AL/HA2, AL/HA3, AL/HA4, STR/CS1, AL/CRS1 and AL/CR3 – see Comment Numbers PSLP_359 and PSLP_370-376]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I very much strongly support the removal of Hawkhurst Gold Club Site and overall reduction in housing allocation within the village and also the reduction in harm to AONB. In addition, I do not consider the remaining numbers, HA/1, HA/4 along with Cranbrook CRS/1 and CRS/4 are justified as no assessment has been undertaken of the cumulative effect upon the junction at Flimwell and the village crossroads. Note: The recent planning application South of Copthall Avenue was recently refused partly because of this impact and AONB.

Also, I do not consider that HA/1, HA/3, CRS/1 and CRS/4 are consistent with National Policy as neither focus on sustainable locations for development and the use of private cars will always remain – NPPF 103 and 104 refers. This is plain to see.

I would also say that the policies will fail to preserve or enhance the AONB contrary to NPPF Para 172

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

1. Removal of Copthall allocation HA/4 (plans are incorrect anyway)
2. To modify HA/1 to reflect reduced overall numbers of housing in Hawkhurst following removal of HA/1
3. To modify CRS/1 to reflect overall reduction in housing numbers in Cranbrook as a result of the removal of CRS/1
4. To modify HA/2 and HA/3 to include wording from Local Plan AL/HA/1 to ensure Area of Landscape Importance is retained and reinforced as part of any new proposal for planning permission.
5. Modify HA/1 and make it clearer that any development outside LBD will not be permitted (unless there is an exception specifically identified elsewhere in the plan)

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	Mr Keith Lagden [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] CRANBROOK [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Keith Lagden [REDACTED]
Comment ID	PSLP_431
Response Date	26/05/21 12:26
Consultation Point	Policy AL/HA 1 Land at the White House, Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Keith Lagden
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 1 Land at the White House, Highgate Hill

[TWBC: this representation has been input against Policies AL/HA1, AL/HA2, AL/HA3, AL/HA4, STR/CRS1, AL/CRS1 and AL/CRS4 – see Comment Numbers PSLP_431, PSLP_435-440]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

- . I fully support the removal of Hawkhurst Golf Club coupled with the significant reduction in housing allocation numbers within Hawkhurst resulting in less damage to the AONB.
- . I am concerned that the remaining numbers set out in HA1, the allocation in HA4 and CRS1 & CRS4, are acceptable, as no assessment has been undertaken on the cumulative impact of these allocations on either the Flimwell junction or the Hawkhurst village crossroads.
- . In my opinion HA1, HA3 plus CRS1 & CRS4 do not embody National Policy, as they do not focus development in locations which are sustainable and in no way limit the need to rely on private car trips (NPPF paras 103 & 104)
- . The policies neither help to preserve or enhance the AONB (which is contrary to NPPF para 172)

Question 6

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I would like to see the following modifications:-

- . Remove HA4
- . Adjust HA1 to show reduced overall housing numbers in Hawkhurst due to HA4 removal.
- . Remove CRS3
- . Adjust CRS1 to show reduced overall housing numbers in Cranbrook due to removal of CRS3
- . Adjust HA1 to clarify that no development outside of the Limits of Build Development will be permitted (unless in the specific exceptions shown elsewhere in the plan)

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1190
Response Date	03/06/21 15:31
Consultation Point	Policy AL/HA 1 Land at the White House, Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 1 Land at the White House, Highgate Hill	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Southern Water is the statutory wastewater undertaker for Hawkhurst. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 43 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Question 6

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or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In consideration of the above, we recommend the following criterion for Policy AL/HA 1

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Peter Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Williams [REDACTED]
Comment ID	PSLP_939
Response Date	28/05/21 09:00
Consultation Point	Policy AL/HA 1 Land at the White House, Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.6
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Williams
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy CRS1 - Land at Brick Kiln Farm, Cranbrook Road

Policy CRS3 - Turnden Farm, Hartley Road, Cranbrook

Sustainability Appraisal

[TWBC: this representation has been input against Policies STR/HA1, AL/HA1, AL/HA2, AL/HA 3, AL/HA4, AL/CRS1, AL/ CRS3 and Sustainability Appraisal – see Comment Numbers PSLP_922, PSLP_939 and PSLP_940, PSLP_941, PSLP_942, PSLP_942, PSLP_942, PSLP_943 and PSLP_944]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

- . Failure to preserve or enhance AONB
- . Needs to be reduction in Hawkhurst Allocation - "enough is enough"
- . Removal of HH Golf Course site was sound and sensible decision
- . The impact of additional traffic @ Flimwell/ A21 junction will be considerable - there are already significant traffic build ups.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Revisit HA1 to reflect reduced overall housing numbers in Hawkhurst

Removal of HA4 (Copthall)

Revisit HA2 + HA3 to ensure area of landscape importance is retained

Modify HA1 to ensure no development at side limits of build

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

The constant "one step forward and one back" re housing development is a constant frustration - once a decision is made then stick with it. The demise of Hawkhurst Golf Club was due to the constant "developing not developing" which over many years meant attracting new members was impossible.

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Hawkhurst: Policy
AL/HA 2: Brook House, Cranbrook
Road**

Comment

Consultee	Mr Peter Brudenall [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Peter Brudenall [REDACTED]
Comment ID	PSLP_1795
Response Date	03/06/21 14:15
Consultation Point	Policy AL/HA 2 Brook House, Cranbrook Road (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Peter Brudenall
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 2 Brook House, Cranbrook Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

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Improvements have been made to the Local Plan, for example, the removal of any development to the Hawkhurst Golf Course is to be very much welcomed given the catastrophic effect that development would have on the village and the AONB.

However, Hawkhurst and the surrounding area is still subject to significant development and in my view this should be reduced even further. Hawkhurst (and surrounding areas) lack basic infrastructure to allow it to cope with a significant number of additional houses, and the associated traffic. Lack of schools, doctors, dentists, parking etc must be taken into account when considering development of more than 5-10 houses. Priority must also be given to the AONB and the fact that Hawkhurst is a village, not a town. A cumulative assessment should be undertaken to assess the impact of all developments on existing road networks and local infrastructure.

There is no suitable proposal as yet to solve the issue of the Hawkhurst crossroads, and levels of pollution along the High Street are already at alarming levels. There is also a major issue relating to the need to deal with major sewage problems due to the infrastructure needing significant repair or replacement.

Development in Hawkhurst should therefore be severely limited to smaller numbers of housing, and current allocation numbers should be further reduced until such time as the infrastructure has "caught up" to cope adequately with the existing population.

Accordingly, the housing numbers for HA1, the allocation for HA4 and those in Cranbrook (CRS1 and CRS4) cannot be justified given that no assessment has yet been made of the cumulative impact of allocations on existing infrastructure, and the Flimwell Junction and the Hawkhurst crossroads.

In my view, HA1, HA3 and CRS1 and CRS4 are not consistent with national policy as they don't focus development in sustainable locations and will not limit the need to rely on private car trips (as per NPPF para 103 and 104).

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question

5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- 1 Removal of HA4 (Copthall allocation).
- 2 Modification of HA1 to reflect reduced overall housing numbers in Hawkhurst as a result of removal of HA4 (Copthall allocation).
- 3 Removal of CRS3 (Cranbrook Turnden Site).
- 4 Modification of CRS1 to reflect a reduction in overall housing numbers in Cranbrook.
- 5 Modification of HA2 and HA3 to incorporate wording from existing Local Plan Policy AL/HA1 to ensure the Area of Landscape Importance is retained and reinforced as part of any new proposal for planning permission.
- 6 Modification of HA1 to make it clearer that development outside the Limits of Built Development will not be permitted (unless in exceptions identified elsewhere in the Plan).

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	David Warman [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Campaign to Protect Hawkhurst Village
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Campaign to Protect Hawkhurst Village [REDACTED] [REDACTED]
Comment ID	PSLP_1493
Response Date	04/06/21 08:21
Consultation Point	Policy AL/HA 2 Brook House, Cranbrook Road (View)
Status	Processed
Submission Type	Email
Version	0.9
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Campaign to Protect Hawkhurst Village
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 2 Brook House, Cranbrook Road

Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst

[TWBC: this representation has been input against Policies AL/HA 2 and AL/HA 3 see Comment Numbers PSLP_1493 and PSLP_1494]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Policy AL/HA2 is the allocation for the Brook House site. Policy AL/HA3 is the adjoining Springfield Gardens site.

Both sites were comprised within the allocation for the current Site Allocations Local Plan – AL/HA2.

Both sites benefit from extant planning permissions.

However, the new allocation policy wording is different to the current allocation.

Within the main inset map on the draft plan (Map 15) there is an Area of Landscape Importance which acts as a buffer between the proposed allocations and the northern boundary of Oakfield.

However, this Area of Landscape Importance is not replicated on the drawings attached to the individual allocations.

Furthermore the existing policy in the Site Allocations Local Plan contains a criterion which states:

“the area designated as an Area of Landscape Importance should be retained and reinforced with additional planting and further structural planting should be incorporated within the northern and western boundaries of the site”

This criterion has not been replicated in the new proposed allocations – the wording of which does not even note the Area of Landscape Importance.

There is a risk that revised planning applications could be made which seek to infringe upon the Area of Landscape Importance and reduce the buffer zone.

Against this background we do not consider the proposed wording on Policies AL/HA2 or AL/HA3 are sound because they are not consistent with national policy, specifically NPPF paragraph 172 as they do not preserve or enhance the AONB.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Both AL/HA2 and AL/HA3 should be amended to include a criterion that replicates the wording in the existing Site Allocations Local Plan:

“the area designated as an Area of Landscape Importance should be retained and reinforced with additional planting and further structural planting should be incorporated within the northern and western boundaries of the site”

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To ensure that the inconsistencies between the existing site allocation policy and proposed revised wording are properly considered.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Vivien Halley [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Vivien Halley [REDACTED]
Comment ID	PSLP_1829
Response Date	03/06/21 15:12
Consultation Point	Policy AL/HA 2 Brook House, Cranbrook Road (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Vivien Halley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 1 Land at the White House, Highgate Hill

Policy AL/HA2 Brook House Cranbrook Road

Policy AL/HA3 Former Site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 Land to the north of Copthall Avenue and Highgate Hill, Hawkhurst

Policy AL/CRS1 Land at Brick Kiln Farm, Cranbrook Road

Policy AL/CRS3 Turnden Farm, Hartley Road, Cranbrook

[TWBC: this representation has been input against Policies AL/HA1, AL/HA2, AL/HA3, AL/HA4, AL/CRS1 and AL/CRS3 – see Comment Numbers PSLP_1822, PSLP_1829, PSLP_1830, PSLP_1831, PSLP_1832 and PSLP_1833]

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

- . I strongly support the removal of the Hawkhurst Golf Course site and the overall reduction in the allocation of housing numbers within the village and therefore the reduction to the harmful impact to an Area of Outstanding Natural Beauty.
- . The Local Plan has not taken into account the 28 houses in Heartenoak Road that are currently under construction and which will have a significant impact on the inadequate infrastructure and constant traffic congestion within Hawkhurst and especially at the village crossroads and along Queens Road, Heartenoak Road and Ockley Road.
- . I do not consider that the remaining housing development numbers set out in policies AL/HA1 (White House), AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm) are justified because no assessment has been undertaken of the cumulative impact of allocations on the Flimwell junction, village crossroads and the increase in traffic using minor roads and lanes to avoid the congested crossroads. The recent planning application at Copthall was refused due to the impact on the crossroads and the AONB.
- . I do not consider that the remaining numbers set out in policies AL/HA2 (Brook House) and AL/HA3 (Springfield Nurseries) are justified because no assessment has been undertaken of the cumulative impact of the significant recent developments in Hawkhurst in the areas of Heartenoak Road, thus creating more traffic congestion and pollution at the crossroads in the village or more traffic using the local narrow roads and lanes in order to avoid queuing at the crossroads. It has been well documented that the crossroads in the village are already functioning over their capacity so an increase in traffic cannot be justified. When residents from Cranbrook return home for example from shopping in the village, instead of waiting at the crossroads they will resort to finding alternative routes and turn local narrow roads such as Queens Road, Heartenoak Road, Ockley Road, Winchester Road, Woodbury Road and Vale Road into speeding rat runs, causing

constant disruption, traffic noise and pollution to local residents and also damage to parked vehicles.

- . I do not consider that policies AL/HA1 (White House), AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm) are consistent with national policy because they do not focus development in sustainable locations and will not limit the need to rely on private car trips (NPPF paragraphs 103 and 104).
- . I consider the policies will fail to preserve or enhance the AONB (contrary to the NPPF paragraph 172).

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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- . Removal of policies AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm).
- . Modify the Local Plan to reflect the reduction in the overall housing numbers in Hawkhurst and Cranbrook as a result of the removal of the above policies and give consideration to the 28 houses currently under construction in Heartenoak Road.
- . Should any further housing development be undertaken in Hawkhurst and especially in the Cranbrook Road area, it would be essential to reduce the possibility for people to drive through local roads (i.e. rat runs) in order to avoid the queues at the crossroads. Car drivers travelling towards the A229 towards Maidstone from the A268 (from the direction of Sandhurst) should be prevented from driving down Queens Road, into Heartenoak Road, into Ockley Road and then into Winchester Road, in order to join the A229 and thus avoiding the crossroads. This could be achieved by blocking off this "rat run" at the junction between Ockley Road and Winchester Road. Adapting existing roads so they have pedestrian access only, has already been successfully implemented in other areas of Hawkhurst to prevent through traffic along the following roads:
 - . Northgrove Road
 - . Western Road
 - . Copthall Avenue/All Saints Road
- . The introduction of traffic calming measures in Queens Road and Heartenoak Road to prevent speeding traffic, improve safety and improve the quality of life of residents living along these extremely busy roads.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_22

Comment

Consultee	Peter Hay [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Hay [REDACTED]
Comment ID	PSLP_371
Response Date	24/05/21 13:02
Consultation Point	Policy AL/HA 2 Brook House, Cranbrook Road (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_359 & PSLP_370-376 Hawkhurst traffic supporting photographs Redacted.pdf
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Hay
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former Site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy STR/CS1 - The Strategy for Cranbrook and Sissinghurst Parish

Policy AL/CRS1 Land off Brick Kiln Farm, Cranbrook Road

Policy AL/CR3 - Turnden Farm, Hartley Road, Cranbrook

[TWBC: this representation has been input against Policies STR/HA 1, AL/HA1, AL/HA2, AL/HA3, AL/HA4, STR/CS1, AL/CRS1 and AL/CR3 – see Comment Numbers PSLP_359 and PSLP_370-376]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I very much strongly support the removal of Hawkhurst Gold Club Site and overall reduction in housing allocation within the village and also the reduction in harm to AONB. In addition, I do not consider the remaining numbers, HA/1, HA/4 along with Cranbrook CRS/1 and CRS/4 are justified as no assessment has been undertaken of the cumulative effect upon the junction at Flimwell and the village crossroads. Note: The recent planning application South of Copthall Avenue was recently refused partly because of this impact and AONB.

Also, I do not consider that HA/1, HA/3, CRS/1 and CRS/4 are consistent with National Policy as neither focus on sustainable locations for development and the use of private cars will always remain – NPPF 103 and 104 refers. This is plain to see.

I would also say that the policies will fail to preserve or enhance the AONB contrary to NPPF Para 172

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

1. Removal of Copthall allocation HA/4 (plans are incorrect anyway)
2. To modify HA/1 to reflect reduced overall numbers of housing in Hawkhurst following removal of HA/1
3. To modify CRS/1 to reflect overall reduction in housing numbers in Cranbrook as a result of the removal of CRS/1
4. To modify HA/2 and HA/3 to include wording from Local Plan AL/HA/1 to ensure Area of Landscape Importance is retained and reinforced as part of any new proposal for planning permission.
5. Modify HA/1 and make it clearer that any development outside LBD will not be permitted (unless there is an exception specifically identified elsewhere in the plan)

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	Mr Keith Lagden [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] CRANBROOK [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Keith Lagden [REDACTED]
Comment ID	PSLP_435
Response Date	26/05/21 12:26
Consultation Point	Policy AL/HA 2 Brook House, Cranbrook Road (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Keith Lagden
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 2 Brook House, Cranbrook Road

[TWBC: this representation has been input against Policies AL/HA1, AL/HA2, AL/HA3, AL/HA4, STR/CRS1, AL/CRS1 and AL/CRS4 – see Comment Numbers PSLP_431, PSLP_435-440]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

- . I fully support the removal of Hawkhurst Golf Club coupled with the significant reduction in housing allocation numbers within Hawkhurst resulting in less damage to the AONB.
- . I am concerned that the remaining numbers set out in HA1, the allocation in HA4 and CRS1 & CRS4, are acceptable, as no assessment has been undertaken on the cumulative impact of these allocations on either the Flimwell junction or the Hawkhurst village crossroads.
- . In my opinion HA1, HA3 plus CRS1 & CRS4 do not embody National Policy, as they do not focus development in locations which are sustainable and in no way limit the need to rely on private car trips (NPPF paras 103 & 104)
- . The policies neither help to preserve or enhance the AONB (which is contrary to NPPF para 172)

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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I would like to see the following modifications:-

- . Remove HA4
- . Adjust HA1 to show reduced overall housing numbers in Hawkhurst due to HA4 removal.
- . Remove CRS3
- . Adjust CRS1 to show reduced overall housing numbers in Cranbrook due to removal of CRS3
- . Adjust HA1 to clarify that no development outside of the Limits of Build Development will be permitted (unless in the specific exceptions shown elsewhere in the plan)

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1245
Response Date	03/06/21 15:31
Consultation Point	Policy AL/HA 2 Brook House, Cranbrook Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 2 Brook House, Cranbrook Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Hawkhurst. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 25 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Our assessment has also revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

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In consideration of the above, we recommend the following criterion for policy AL/HA 2

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Peter Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Williams [REDACTED]
Comment ID	PSLP_940
Response Date	28/05/21 09:00
Consultation Point	Policy AL/HA 2 Brook House, Cranbrook Road (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Williams
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy CRS1 - Land at Brick Kiln Farm, Cranbrook Road

Policy CRS3 - Turnden Farm, Hartley Road, Cranbrook

Sustainability Appraisal

[TWBC: this representation has been input against Policies STR/HA1, AL/HA1, AL/HA2, AL/HA 3, AL/HA4, AL/CRS1, AL/ CRS3 and Sustainability Appraisal – see Comment Numbers PSLP_922, PSLP_939, PSLP_940, PSLP_941, PSLP_942, PSLP_943, and PSLP_944]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

- . Failure to preserve or enhance AONB
- . Needs to be reduction in Hawkhurst Allocation - "enough is enough"
- . Removal of HH Golf Course site was sound and sensible decision
- . The impact of additional traffic @ Flimwell/ A21 junction will be considerable - there are already significant traffic build ups.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Revisit HA1 to reflect reduced overall housing numbers in Hawkhurst

Removal of HA4 (Cophall)

Revisit HA2 + HA3 to ensure area of landscape importance is retained

Modify HA1 to ensure no development at side limits of build

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

The constant "one step forward and one back" re housing development is a constant frustration - once a decision is made then stick with it. The demise of Hawkhurst Golf Club was due to the constant "developing not developing" which over many years meant attracting new members was impossible.

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Hawkhurst: Policy
AL/HA 3: Former site of Springfield
Nurseries, Cranbrook Road,
Hawkhurst**

Comment

Consultee	Mr Peter Brudenall [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Peter Brudenall [REDACTED]
Comment ID	PSLP_1796
Response Date	03/06/21 14:15
Consultation Point	Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Peter Brudenall
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Improvements have been made to the Local Plan, for example, the removal of any development to the Hawkhurst Golf Course is to be very much welcomed given the catastrophic effect that development would have on the village and the AONB.

However, Hawkhurst and the surrounding area is still subject to significant development and in my view this should be reduced even further. Hawkhurst (and surrounding areas) lack basic infrastructure to allow it to cope with a significant number of additional houses, and the associated traffic. Lack of schools, doctors, dentists, parking etc must be taken into account when considering development of more than 5-10 houses. Priority must also be given to the AONB and the fact that Hawkhurst is a village, not a town. A cumulative assessment should be undertaken to assess the impact of all developments on existing road networks and local infrastructure.

There is no suitable proposal as yet to solve the issue of the Hawkhurst crossroads, and levels of pollution along the High Street are already at alarming levels. There is also a major issue relating to the need to deal with major sewage problems due to the infrastructure needing significant repair or replacement.

Development in Hawkhurst should therefore be severely limited to smaller numbers of housing, and current allocation numbers should be further reduced until such time as the infrastructure has "caught up" to cope adequately with the existing population.

Accordingly, the housing numbers for HA1, the allocation for HA4 and those in Cranbrook (CRS1 and CRS4) cannot be justified given that no assessment has yet been made of the cumulative impact of allocations on existing infrastructure, and the Flimwell Junction and the Hawkhurst crossroads.

In my view, HA1, HA3 and CRS1 and CRS4 are not consistent with national policy as they don't focus development in sustainable locations and will not limit the need to rely on private car trips (as per NPPF para 103 and 104).

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- 1 Removal of HA4 (Copthall allocation).
- 2 Modification of HA1 to reflect reduced overall housing numbers in Hawkhurst as a result of removal of HA4 (Copthall allocation).
- 3 Removal of CRS3 (Cranbrook Turnden Site).
- 4 Modification of CRS1 to reflect a reduction in overall housing numbers in Cranbrook.
- 5 Modification of HA2 and HA3 to incorporate wording from existing Local Plan Policy AL/HA1 to ensure the Area of Landscape Importance is retained and reinforced as part of any new proposal for planning permission.
- 6 Modification of HA1 to make it clearer that development outside the Limits of Built Development will not be permitted (unless in exceptions identified elsewhere in the Plan).

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	David Warman [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Campaign to Protect Hawkhurst Village
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Campaign to Protect Hawkhurst Village [REDACTED] [REDACTED]
Comment ID	PSLP_1494
Response Date	04/06/21 08:21
Consultation Point	Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst (View)
Status	Processed
Submission Type	Email
Version	0.7
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Campaign to Protect Hawkhurst Village
Question 2	
Agent's Name and Organisation (if applicable)	Campaign to Protect Hawkhurst Village
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Policy AL/HA 2 Brook House, Cranbrook Road

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Policy AL/HA2 is the allocation for the Brook House site. Policy AL/HA3 is the adjoining Springfield Gardens site.

Both sites were comprised within the allocation for the current Site Allocations Local Plan – AL/HA2.

Both sites benefit from extant planning permissions.

However, the new allocation policy wording is different to the current allocation.

Within the main inset map on the draft plan (Map 15) there is an Area of Landscape Importance which acts as a buffer between the proposed allocations and the northern boundary of Oakfield.

However, this Area of Landscape Importance is not replicated on the drawings attached to the individual allocations.

Furthermore the existing policy in the Site Allocations Local Plan contains a criterion which states:

“the area designated as an Area of Landscape Importance should be retained and reinforced with additional planting and further structural planting should be incorporated within the northern and western boundaries of the site”

This criterion has not been replicated in the new proposed allocations – the wording of which does not even note the Area of Landscape Importance.

There is a risk that revised planning applications could be made which seek to infringe upon the Area of Landscape Importance and reduce the buffer zone.

Against this background we do not consider the proposed wording on Policies AL/HA2 or AL/HA3 are sound because they are not consistent with national policy, specifically NPPF paragraph 172 as they do not preserve or enhance the AONB.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Both AL/HA2 and AL/HA3 should be amended to include a criterion that replicates the wording in the existing Site Allocations Local Plan:

“the area designated as an Area of Landscape Importance should be retained and reinforced with additional planting and further structural planting should be incorporated within the northern and western boundaries of the site”

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To ensure that the inconsistencies between the existing site allocation policy and proposed revised wording are properly considered.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_141

Comment

Agent	Mr Jonathan Buckwell ()
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Consultee	()
Email Address	
Company / Organisation	Cedardrive Ltd
Address	
Event Name	Pre-Submission Local Plan
Comment by	Cedardrive Ltd ()
Comment ID	PSLP_2056
Response Date	03/06/21 17:12
Consultation Point	Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	DHA Planning for Cedardrive - full representation.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Cedardrive Ltd
Question 2	
Agent's Name and Organisation (if applicable)	DHA Planning
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst

[TWBC: the full representation attached has been divided between Policy STR/HA (PSLP_2053), Vision and Strategic Objectives (PSLP_2054), Policy STR1 (PSLP_2055), Policy AL/HA3 (PSLP_2056) and Development Management Policies (PSLP_2057)

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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1.1 Introduction

1.1.1 These representations have been prepared by DHA Planning on behalf of Cedardrive Ltd in respect of the Tunbridge Wells Borough Council Regulation 19 Local Plan consultation – referred to herein as the Pre-Submission Local Plan (PSLP). 1.1.2 These representations relate to land at Hawkhurst Golf Club, which Cedardrive is promoting the construction of a new relief road to reduce congestion in Hawkhurst together with residential redevelopment and other amenities as part of the wider development plan review.

1.1.3 Based on the current national and local planning context, we consider this land to be suitable for development.

1.2 The site

1.2.1 The Hawkhurst Golf Club site currently measures 20.69 hectares and comprises a nine-hole golf course, formed by 1968 on the land on the north western side of Hawkhurst, as shown in Figure 1.

1.2.2 The site is irregular and sinuous in shape stretching from the A268 to the south, north along the A229 as far as Gills Green. The A229 Cranbrook Road forms the site's eastern boundary.

1.2.3 The main buildings on the site comprise the existing club house, and two squash courts. The clubhouse building lies at the southern end of the site where the principal vehicular access is located from the A268 High Street leading to an area of parking for visitors. This part of the site is bordered on either side by residential properties with further residential and farm/equestrian properties adjoining the golf course to the west and south-east.

[TWBC: see full representation attached for Figure 1: Aerial view of the Appeal Site (Courtesy of Google Earth 2021)]

1.2.4 The southern part of the site borders the Highgate area of Hawkhurst, which comprises the main village centre. The northern part of the site borders the Gills Green area of Hawkhurst. A new care home has recently been constructed to the east of the northeast of the site on Cranbrook Road, immediately opposite the northernmost part of the site.

1.2.5 The land in the southeast corner of the Site (formerly Springfield Nursery) was granted outline planning consent at appeal (all matters except access reserved) in November 2020, for the erection of up to 24 dwellings on the site (reference 17/02192/OUT). The site is served by an existing access onto the A229 Cranbrook Road to the east.

Regulation 18 Local Plan

1.2.6 The site was proposed to be allocated in the Regulation 18 draft Local Plan, published for consultation in September 2019.

1.2.7 Policy AL/HA1 (land forming part of the Hawkhurst Golf Club course to the north of the High Street) allocated the site for residential development providing approximately 400 – 450 dwellings, a relief road, and community centre (with associated public parking provision).

1.2.8 The policy stated that development on the site should accord with the following requirements:

(1) The development proposals to be informed by a masterplan, which sets out how high levels of permeability will be provided through the site and linkages with the wider surrounding areas will be established.

(2) No buildings to be constructed in the open space landscape and buffer area defined on the site allocations plan, reflecting landscape and topographical constraints.

(3) The provision of a new road through the site to act as a relief road to the existing road network serving Hawkhurst, and to reduce traffic congestion at and around the crossroads of the A268 Rye Road with Cranbrook Road/Highgate Hill at the centre of Hawkhurst.

(4) The relief road shall be fully constructed and brought into use, the closure of the northern arm of Cranbrook Road (at the Rye Road crossroads), and the completion of the public realm works shall be undertaken in accordance with an appropriate timetable, which will be agreed as part of any planning application.

(5) An assessment of the new relief road upon the viability of the commercial area located along the A268 Rye Road.

(6) Transport modelling to inform the location of junctions, traffic lights, bus stops within the site, new/improved pedestrian footways and crossings, to include consideration of the wider settlement centre. Any proposed new or improved junctions with Cranbrook Road to include an assessment of the impact upon trees and the requirement for engineering works, reflecting the steep tree covered banks that are currently present along parts of the site boundary with Cranbrook Road.

(7) The design and layout to be informed by a comprehensive energy and climate change strategy.

(8) Air quality modelling required to inform the location and design of road junctions in close proximity to sensitive receptors, including Marlborough House School and Hawkhurst House Care Home.

(9) The provision of a pedestrian/cycle link through the site to link Gill's Green to the commercial centre of Hawkhurst. Opportunities for other pedestrian/cycle links to be explored, including through the Springfield area located to the north east of the site.

(10) Provision of public electric vehicle charging points and car share facilities in accordance with Policy TP 2: Transport Design and Accessibility.

(11) Development proposals will need to demonstrate a positive contribution to Biodiversity Opportunity Area targets.

(12) Demonstration through the submission of relevant and proportionate heritage investigations that the proposals have taken account of Holman's farmstead and other heritage assets located in proximity to the site and will not have a materially harmful impact upon these assets.

(13) Water courses; SUDs mitigation to protect areas within the Environment Agency's flood zone 3.

(14) Provision of on-site allotments, amenity/natural green space, parks and recreation grounds, children's play space and youth play space in accordance with the requirements of Policy OSSR 2: Provision of publicly accessible open space and recreation.

(15) The provision of land to accommodate a community facility, to include adequate public parking within the site, or alternatively contributions towards the provision of the facility including adequate public parking on an alternative suitable site which shall be agreed through the planning process.

1.2.9 Cedar drive provided representations at the Regulation 18 stage supporting the draft allocation.

Planning application and non-determination appeal

1.2.10 A planning application was submitted for a development of up to 417 dwellings (since reduced to 374) and a new relief road connecting the A229 Cranbrook Road and A268 High Street.

1.2.11 One of the key benefits of the scheme is a new, public road through the centre of the site which would link the A268 High Street and A229 Cranbrook Road. Combined with the proposals to amend the Highgate crossroads, by closing off the northern arm, this would effectively result in the A229 being diverted through the site.

1.2.12 This new relief road will remove the need for some traffic movements to have to pass through the heavily congested A268/A229 Highgate crossroads in the centre of Hawkhurst. This will improve the performance of that junction, reducing queue lengths and journey times, even taking into account both the proposed development and other committed developments in the area. As a result, the proposals would result in an improvement in traffic conditions at the crossroads, with significant associated air quality benefits within the recently declared Air Quality Management Area (AQMA) on Cranbrook Road. KCC Highways has confirmed that the scheme would improve traffic conditions, as set out later in these representations.

1.2.13 The proposals also included a care home, doctor's surgery and/or community hall or similar use, a public car park, public park, open space, woodland planting and recreation facilities and other associated works. Detailed permission was sought for the road, with outline planning permission sought for the remaining development.

1.2.14 Without prior warning, the Council removed the Golf Club draft allocation from the Regulation 19 Local Plan, which was first published in draft form in December 2020. Following confirmation from planning officers in January 2021 that the application proposals would no longer be supported, an appeal against non-determination has since been lodged, which is due to be heard at a public inquiry in September 2021.

1.3 Background

1.3.1 Tunbridge Wells Borough Council (TWBC) has produced a new Local Plan to guide future development within the borough. As the Council is now satisfied that it has a sound plan it proposes to submit the plan for Independent Examination following completion of this final round of consultation.

1.3.2 Once submitted, the Local Plan will be examined by an Inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is 'sound'. In this regard, the Government published a revised NPPF in February 2019, which provides that to be "sound" a local plan must be:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.3.3 This submission comments on the plan having regard to these tests of soundness.

1.4 Legal Compliance

1.4.1 In terms of legal compliance, the main requirements for the early stages of Local Plan consultation are in relation to:

- planning for community engagement;
- the sustainability appraisal (including consultation with the statutory environment consultation bodies);
- identifying significant cross boundary and inter-authority issues; and
- ensuring that the plan rests on a credible evidence base, including meeting the Act's requirement for keeping matters affecting the development of the area under review.

1.4.2 The Council has undertaken public consultation at various stages. Furthermore, it has liaised with the development industry via Agents Forums and as such we raise no objection to this aspect of legal compliance.

1.4.3 From a wider perspective, we are concerned about the degree to which the Council has complied with the statutory framework for preparing a new plan, albeit we will reserve our position on this matter until all final consultation documentation and statements of common ground have been published.

1.5 Assessment of Soundness

1.5.1 The TWBC Draft Local Plan (herein referred to as 'the plan') sets out the spatial vision, strategic objectives, and overarching development strategy for the borough. It details overarching place shaping policies for each parish and settlement, as well as site specific allocations to deliver the strategy and detailed policies to be applied to all new development.

1.5.2 The plan will set the agenda for development across the borough to 2038 and replace the current Development Plan, which comprises the Local Plan 2006 (saved policies), the Core Strategy 2010, and the Site Allocations Local Plan 2016.

1.5.3 This representation comments on the following elements of the plan:

- Vision and Strategic Objectives;
- Development Strategy and Strategic Policies;
- Place Shaping Policies; and
- Development Management Policies.

Policy AL/HA3: Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst

1.5.113 Cedardrive **SUPPORTS** this policy which allocates this site for up to 24 dwellings. This is consistent with the planning permission which Cedardrive secured on appeal in 2020.(APP/M2270/W/20/3245562)

1.5.114 The site also forms part of the wider Golf Club planning application site, which is currently the subject of a non-determination appeal. However, Cedardrive confirms that this scheme is deliverable independently of the Golf Club scheme.

1.6 Summary and Conclusions

1.6.1 In summary, this representation has been prepared on behalf of Cedardrive Ltd in response to the Tunbridge Wells Borough Council Pre-submission Local Plan Consultation. The purpose being to provide comment on the Council's proposed development strategy ahead of Examination.

1.6.2 We support the aspiration to meet housing need in full and consider that a dispersed growth strategy represents the optimum means to achieve this. Nonetheless, we consider that the Local Plan strategy as a whole relies heavily on the delivery of strategic sites that would require the provision of supporting infrastructure. Moreover, the Council have applied overly optimistic projections to the delivery of housing for the extension of Paddock Wood and the Tudeley Garden Village.

1.6.3 We object strongly to the unjustified removal of Hawkhurst Golf Club from the draft Local Plan, which renders the plan unsound for the reasons set out above.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	Vivien Halley [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Vivien Halley [REDACTED]
Comment ID	PSLP_1830
Response Date	03/06/21 15:12
Consultation Point	Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Vivien Halley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 1 Land at the White House, Highgate Hill

Policy AL/HA2 Brook House Cranbrook Road

Policy AL/HA3 Former Site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 Land to the north of Copthall Avenue and Highgate Hill, Hawkhurst

Policy AL/CRS1 Land at Brick Kiln Farm, Cranbrook Road

Policy AL/CRS3 Turnden Farm, Hartley Road, Cranbrook

[TWBC: this representation has been input against Policies AL/HA1, AL/HA2, AL/HA3, AL/HA4, AL/CRS1 and AL/CRS3 – see Comment Numbers PSLP_1822, PSLP_1829, PSLP_1830, PSLP_1831, PSLP_1832 and PSLP_1833]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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- . I strongly support the removal of the Hawkhurst Golf Course site and the overall reduction in the allocation of housing numbers within the village and therefore the reduction to the harmful impact to an Area of Outstanding Natural Beauty.
- . The Local Plan has not taken into account the 28 houses in Heartenoak Road that are currently under construction and which will have a significant impact on the inadequate infrastructure and constant traffic congestion within Hawkhurst and especially at the village crossroads and along Queens Road, Heartenoak Road and Ockley Road.
- . I do not consider that the remaining housing development numbers set out in policies AL/HA1 (White House), AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm) are justified because no assessment has been undertaken of the cumulative impact of allocations on the Flimwell junction, village crossroads and the increase in traffic using minor roads and lanes to avoid the congested crossroads. The recent planning application at Copthall was refused due to the impact on the crossroads and the AONB.
- . I do not consider that the remaining numbers set out in policies AL/HA2 (Brook House) and AL/HA3 (Springfield Nurseries) are justified because no assessment has been undertaken of the cumulative impact of the significant recent developments in Hawkhurst in the areas of Heartenoak Road, thus creating more traffic congestion and pollution at the crossroads in the village or more traffic using the local narrow roads and lanes in order to avoid queuing at the crossroads. It has been well documented that the crossroads in the village are already functioning over their capacity so an increase in traffic cannot be justified. When residents from Cranbrook return home for example from shopping in the village, instead of waiting at the crossroads they will resort to finding alternative routes and turn local narrow roads such as Queens Road, Heartenoak Road, Ockley Road, Winchester Road, Woodbury Road and Vale Road into speeding rat runs, causing

constant disruption, traffic noise and pollution to local residents and also damage to parked vehicles.

- . I do not consider that policies AL/HA1 (White House), AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm) are consistent with national policy because they do not focus development in sustainable locations and will not limit the need to rely on private car trips (NPPF paragraphs 103 and 104).
- . I consider the policies will fail to preserve or enhance the AONB (contrary to the NPPF paragraph 172).

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- . Removal of policies AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm).
- . Modify the Local Plan to reflect the reduction in the overall housing numbers in Hawkhurst and Cranbrook as a result of the removal of the above policies and give consideration to the 28 houses currently under construction in Heartenoak Road.
- . Should any further housing development be undertaken in Hawkhurst and especially in the Cranbrook Road area, it would be essential to reduce the possibility for people to drive through local roads (i.e. rat runs) in order to avoid the queues at the crossroads. Car drivers travelling towards the A229 towards Maidstone from the A268 (from the direction of Sandhurst) should be prevented from driving down Queens Road, into Heartenoak Road, into Ockley Road and then into Winchester Road, in order to join the A229 and thus avoiding the crossroads. This could be achieved by blocking off this "rat run" at the junction between Ockley Road and Winchester Road. Adapting existing roads so they have pedestrian access only, has already been successfully implemented in other areas of Hawkhurst to prevent through traffic along the following roads:
 - . Northgrove Road
 - . Western Road
 - . Copthall Avenue/All Saints Road
- . The introduction of traffic calming measures in Queens Road and Heartenoak Road to prevent speeding traffic, improve safety and improve the quality of life of residents living along these extremely busy roads.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_22

Comment

Consultee	Peter Hay [REDACTED]
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Event Name	Pre-Submission Local Plan
Comment by	Peter Hay [REDACTED]
Comment ID	PSLP_372
Response Date	24/05/21 13:02
Consultation Point	Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP 359 & PSLP 370-376 Hawkhurst traffic supporting photographs Redacted.pdf
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Hay
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former Site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy STR/CS1 - The Strategy for Cranbrook and Sissinghurst Parish

Policy AL/CRS1 Land off Brick Kiln Farm, Cranbrook Road

Policy AL/CR3 - Turnden Farm, Hartley Road, Cranbrook

[TWBC: this representation has been input against Policies STR/HA 1, AL/HA1, AL/HA2, AL/HA3, AL/HA4, STR/CS1, AL/CRS1 and AL/CR3 – see Comment Numbers PSLP_359 and PSLP_370-376]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I very much strongly support the removal of Hawkhurst Gold Club Site and overall reduction in housing allocation within the village and also the reduction in harm to AONB. In addition, I do not consider the remaining numbers, HA/1, HA/4 along with Cranbrook CRS/1 and CRS/4 are justified as no assessment has been undertaken of the cumulative effect upon the junction at Flimwell and the village crossroads. Note: The recent planning application South of Copthall Avenue was recently refused partly because of this impact and AONB.

Also, I do not consider that HA/1, HA/3, CRS/1 and CRS/4 are consistent with National Policy as neither focus on sustainable locations for development and the use of private cars will always remain – NPPF 103 and 104 refers. This is plain to see.

I would also say that the policies will fail to preserve or enhance the AONB contrary to NPPF Para 172

Question 6

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

1. Removal of Copthall allocation HA/4 (plans are incorrect anyway)
2. To modify HA/1 to reflect reduced overall numbers of housing in Hawkhurst following removal of HA/1
3. To modify CRS/1 to reflect overall reduction in housing numbers in Cranbrook as a result of the removal of CRS/1
4. To modify HA/2 and HA/3 to include wording from Local Plan AL/HA/1 to ensure Area of Landscape Importance is retained and reinforced as part of any new proposal for planning permission.
5. Modify HA/1 and make it clearer that any development outside LBD will not be permitted (unless there is an exception specifically identified elsewhere in the plan)

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	Mr Keith Lagden [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] CRANBROOK [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Keith Lagden [REDACTED]
Comment ID	PSLP_436
Response Date	26/05/21 12:26
Consultation Point	Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Keith Lagden
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst

[TWBC: this representation has been input against Policies AL/HA1, AL/HA2, AL/HA3, AL/HA4, STR/CRS1, AL/CRS1 and AL/CRS4 – see Comment Numbers PSLP_431, PSLP_435-440]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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- . I fully support the removal of Hawkhurst Golf Club coupled with the significant reduction in housing allocation numbers within Hawkhurst resulting in less damage to the AONB.
- . I am concerned that the remaining numbers set out in HA1, the allocation in HA4 and CRS1 & CRS4, are acceptable, as no assessment has been undertaken on the cumulative impact of these allocations on either the Flimwell junction or the Hawkhurst village crossroads.
- . In my opinion HA1, HA3 plus CRS1 & CRS4 do not embody National Policy, as they do not focus development in locations which are sustainable and in no way limit the need to rely on private car trips (NPPF paras 103 & 104)
- . The policies neither help to preserve or enhance the AONB (which is contrary to NPPF para 172)

Question 6

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I would like to see the following modifications:-

- . Remove HA4
- . Adjust HA1 to show reduced overall housing numbers in Hawkhurst due to HA4 removal.
- . Remove CRS3
- . Adjust CRS1 to show reduced overall housing numbers in Cranbrook due to removal of CRS3
- . Adjust HA1 to clarify that no development outside of the Limits of Build Development will be permitted (unless in the specific exceptions shown elsewhere in the plan)

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1225
Response Date	03/06/21 15:31
Consultation Point	Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Southern Water is the statutory wastewater undertaker for Hawkhurst. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 24 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Question 6

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or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In consideration of the above, we recommend the following criterion for Policy AL/HA 3

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Peter Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Williams [REDACTED]
Comment ID	PSLP_941
Response Date	28/05/21 09:00
Consultation Point	Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Williams
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy CRS1 - Land at Brick Kiln Farm, Cranbrook Road

Policy CRS3 - Turnden Farm, Hartley Road, Cranbrook

Sustainability Appraisal

[TWBC: this representation has been input against Policies STR/HA1, AL/HA1, AL/HA2, AL/HA 3, AL/HA4, AL/CRS1, AL/ CRS3 and Sustainability Appraisal – see Comment Numbers PSLP_922, PSLP_939, PSLP_940, PSLP_941, PSLP_942, PSLP_943 and PSLP_944]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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- . Failure to preserve or enhance AONB
- . Needs to be reduction in Hawkhurst Allocation - "enough is enough"
- . Removal of HH Golf Course site was sound and sensible decision
- . The impact of additional traffic @ Flimwell/ A21 junction will be considerable - there are already significant traffic build ups.

Question 6

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Revisit HA1 to reflect reduced overall housing numbers in Hawkhurst

Removal of HA4 (Cophall)

Revisit HA2 + HA3 to ensure area of landscape importance is retained

Modify HA1 to ensure no development at side limits of build

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

The constant "one step forward and one back" re housing development is a constant frustration - once a decision is made then stick with it. The demise of Hawkhurst Golf Club was due to the constant "developing not developing" which over many years meant attracting new members was impossible.

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Hawkhurst: Policy
AL/HA 4: Land off Copthall Avenue
and Highgate Hill**

Supporting Information File Ref No: SI_22

Comment

Consultee	Peter Hay [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Hay [REDACTED]
Comment ID	PSLP_373
Response Date	24/05/21 13:02
Consultation Point	Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_359 & PSLP_370-376 Hawkhurst traffic supporting photographs Redacted.pdf
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Hay
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

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Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former Site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy STR/CS1 - The Strategy for Cranbrook and Sissinghurst Parish

Policy AL/CRS1 Land off Brick Kiln Farm, Cranbrook Road

Policy AL/CR3 - Turnden Farm, Hartley Road, Cranbrook

[TWBC: this representation has been input against Policies STR/HA 1, AL/HA1, AL/HA2, AL/HA3, AL/HA4, STR/CS1, AL/CRS1 and AL/CR3 – see Comment Numbers PSLP_359 and PSLP_370-376]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
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Question 5

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I very much strongly support the removal of Hawkhurst Gold Club Site and overall reduction in housing allocation within the village and also the reduction in harm to AONB. In addition, I do not consider the remaining numbers, HA/1, HA/4 along with Cranbrook CRS/1 and CRS/4 are justified as no assessment has been undertaken of the cumulative effect upon the junction at Flimwell and the village crossroads. Note: The recent planning application South of Copthall Avenue was recently refused partly because of this impact and AONB.

Also, I do not consider that HA/1, HA/3, CRS/1 and CRS/4 are consistent with National Policy as neither focus on sustainable locations for development and the use of private cars will always remain – NPPF 103 and 104 refers. This is plain to see.

I would also say that the policies will fail to preserve or enhance the AONB contrary to NPPF Para 172

Question 6

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1. Removal of Copthall allocation HA/4 (plans are incorrect anyway)
2. To modify HA/1 to reflect reduced overall numbers of housing in Hawkhurst following removal of HA/1
3. To modify CRS/1 to reflect overall reduction in housing numbers in Cranbrook as a result of the removal of CRS/1
4. To modify HA/2 and HA/3 to include wording from Local Plan AL/HA/1 to ensure Area of Landscape Importance is retained and reinforced as part of any new proposal for planning permission.
5. Modify HA/1 and make it clearer that any development outside LBD will not be permitted (unless there is an exception specifically identified elsewhere in the plan)

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	. No, I do not wish to participate in examination hearing session(s)
---	---

Comment

Consultee	Mr Keith Lagden [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] CRANBROOK [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Keith Lagden [REDACTED]
Comment ID	PSLP_437
Response Date	26/05/21 12:26
Consultation Point	Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Keith Lagden
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill

[TWBC: this representation has been input against Policies AL/HA1, AL/HA2, AL/HA3, AL/HA4, STR/CRS1, AL/CRS1 and AL/CRS4 – see Comment Numbers PSLP_431, PSLP_435-440]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

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- . I fully support the removal of Hawkhurst Golf Club coupled with the significant reduction in housing allocation numbers within Hawkhurst resulting in less damage to the AONB.
- . I am concerned that the remaining numbers set out in HA1, the allocation in HA4 and CRS1 & CRS4, are acceptable, as no assessment has been undertaken on the cumulative impact of these allocations on either the Flimwell junction or the Hawkhurst village crossroads.
- . In my opinion HA1, HA3 plus CRS1 & CRS4 do not embody National Policy, as they do not focus development in locations which are sustainable and in no way limit the need to rely on private car trips (NPPF paras 103 & 104)
- . The policies neither help to preserve or enhance the AONB (which is contrary to NPPF para 172)

Question 6

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I would like to see the following modifications:-

- . Remove HA4
- . Adjust HA1 to show reduced overall housing numbers in Hawkhurst due to HA4 removal.
- . Remove CRS3
- . Adjust CRS1 to show reduced overall housing numbers in Cranbrook due to removal of CRS3
- . Adjust HA1 to clarify that no development outside of the Limits of Build Development will be permitted (unless in the specific exceptions shown elsewhere in the plan)

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Julie Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent [REDACTED]
Comment ID	PSLP_542
Response Date	28/05/21 10:37
Consultation Point	Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	CPRE Kent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AILHA4	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We continue to object to allocation HA/AL4. It does not demonstrate an efficient use of land nor does it meet the Council's stated aim of optimising density to minimise loss of green fields. We believe it must be a precondition to the permanent loss of greenfield areas within the AONB that any housing authorised should be at an efficient density in accordance with paragraphs 137 and 138 of the NPPF, to minimise development on protected land across the Borough as a whole. HA/AL 4 represents a waste of valuable, and supposedly protected, land and will inevitably lead to the sacrifice of more greenfield land in the future. If there is a local housing need it should be met by development within the existing LBD and at a density appropriate to that location. More compact forms of development, such as small apartment blocks, would dramatically reduce the amount of land required. Please see our response to STR1 for further details.

(We note that a planning application (ref: 20/02788/FULL) that mirrors this allocation was rejected by the Council's Planning Committee on 12 May 2021 due to the impact on the AONB and traffic volumes at the crossroads in Hawkhurst.)

The strategy for Hawkhurst does not provide an effective solution to existing traffic congestion and air pollution that will be worsened by new housing developments. The Council has recently decided that an AQMA is required but the policy requirement is for development proposals to "establish an acceptable impact" upon the Hawkhurst crossroads. Surely any impact is unacceptable? The wording of this policy was markedly different in the previous consultation, requiring "clear evidence that there is sufficient capacity" at the Hawkhurst crossroads.

Additionally, the policy only requires an air quality assessment to be provided in relation to major developments generating specified volumes of traffic movements in the proposed AQMA on Cranbrook Road. Unless the *cumulative* impact of all developments is assessed, potential reductions in air quality will not be correctly identified.

CPRE Kent supports active travel however we do not believe that for the settlement of Hawkhurst the development of an active travel strategy will be effective in generating a significant modal change from car dependency. As a rural service centre, it meets the day-to-day needs of a wide rural catchment area but requires travel to other centres both within and outside the borough to meet wider needs.

Propensity to cycle may be limited by topography (with electric bikes not being an affordable option for some residents) and by distance and narrow road widths limiting inter-settlement journeys. In particular, we believe that significant traffic movements generated by commuting to work, where onward travel by train is required, will be difficult to reduce. We note that the policy no longer proposes contributions toward a feasibility study to consider alternative modes of public transport provision to serve Hawkhurst (which was included in the Regulation 18 policy); we suggest instead that public transport improvements should form a key part of the approach for reducing congestion.

Question 6

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Delete policy.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? ☐ Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To explore these issues further.

Comment

Consultee	Peter Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Williams [REDACTED]
Comment ID	PSLP_942
Response Date	28/05/21 09:00
Consultation Point	Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Williams
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy CRS1 - Land at Brick Kiln Farm, Cranbrook Road

Policy CRS3 - Turnden Farm, Hartley Road, Cranbrook

Sustainability Appraisal

[TWBC: this representation has been input against Policies STR/HA1, AL/HA1, AL/HA2, AL/HA 3, AL/HA4, AL/CRS1, AL/ CRS3 and Sustainability Appraisal – see Comment Numbers PSLP_922, PSLP_939, PSLP_940, PSLP_942, PSLP_]]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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- . Failure to preserve or enhance AONB
- . Needs to be reduction in Hawkhurst Allocation - "enough is enough"
- . Removal of HH Golf Course site was sound and sensible decision
- . The impact of additional traffic @ Flimwell/ A21 junction will be considerable - there are already significant traffic build ups.

Question 6

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Revisit HA1 to reflect reduced overall housing numbers in Hawkhurst

Removal of HA4 (Cophall)

Revisit HA2 + HA3 to ensure area of landscape importance is retained

Modify HA1 to ensure no development at side limits of build

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

The constant "one step forward and one back" re housing development is a constant frustration - once a decision is made then stick with it. The demise of Hawkhurst Golf Club was due to the constant "developing not developing" which over many years meant attracting new members was impossible.

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1229
Response Date	03/06/21 15:31
Consultation Point	Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Southern Water is the statutory wastewater undertaker for Hawkhurst. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

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In consideration of the above, we recommend the following criterion for Policy AL/HA 4

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ms Clare Escombe [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Hawkhurst Parish Council
Address	[REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Hawkhurst Parish Council [REDACTED] [REDACTED]
Comment ID	PSLP_1286
Response Date	04/06/21 10:39
Consultation Point	Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Hawkhurst Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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AL/HA4 - This allocation should be removed from the Local Plan as it was refused at planning committee. Moreover, KCC Highways have objected to this site on Highways grounds so it does not comply with paragraph 5.358. Therefore, we request that this allocation is removed from the Plan and HA1 is adjusted to reflect the overall amended numbers.

Question 6

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Removal of AL/HA4 and adjustment to numbers in HA1.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	. No, I do not wish to participate in examination hearing session(s)
--	--

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ms Claire Tester [REDACTED]
Email Address	[REDACTED]
Company / Organisation	High Weald AONB Unit
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	High Weald AONB Unit [REDACTED]
Comment ID	PSLP_1440
Response Date	04/06/21 13:10
Consultation Point	Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.7
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	High Weald AONB Unit
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill

[TWBC: this representation has been input against Policies STR 1, AL/HA 4, AL/PE 1, AL/PE 2 and AL/PE 3 – see Comment Numbers PSLP_1434, PSLP_1440, PSLP_1441, PSLP_1442 and PSLP_1443]

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

.	It is not justified
.	It is not consistent with national policy

Question 5

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Please see representation on STR1.

[TWBC: as follows]

HWAONB Unit Representation on STR1 – The Development Strategy

1.0 General Comments

1.1 The High Weald AONB Unit acknowledges that Tunbridge Wells Borough Council has sought to address the Unit's previous representations in its preparation of the Regulation 19 Local Plan. In particular we welcome the following:

- The assessment of whether potential allocation sites in the AONB constitute major development, and whether they meet the NPPF 172 tests;
- The reduction in the number of major development sites in the AONB and the reduction in the scale of some of the sites retained; and
- The amendments to a number of development management policies in response to the Unit's comments at Regulation 18 stage.

1.2 However, the Unit remains concerned about the overall level of development being proposed within the AONB and the impact of the retained major development sites. Whilst it appreciates the additional evidence the Borough Council has produced to justify these sites (such as the Landscape and Visual Impact Assessment, the AONB Setting Analysis Report and the Grassland Survey) it has significant issues with the assumptions and outcomes of these studies. The following statement sets out why the Unit believes that this approach is not justified and is contrary to national policy and guidance. It also explains why it believes that the proposed development strategy of the Local Plan would have a severe detrimental impact on the purposes for which the AONB was designated.

2.0 The High Weald AONB

2.1 The High Weald was designated in 1983 as an Area of Outstanding Natural Beauty. It is an exceptionally beautiful medieval landscape covering 564 square miles across the counties of East and West Sussex, Kent and Surrey.

2.2 The High Weald AONB Joint Advisory Committee was established in 1989 and is a partnership of 15 local authorities, Defra, Natural England and organisations representing farming, woodland, access and community interests. The JAC is responsible for publishing and monitoring the statutory AONB Management Plan. The JAC is supported by a small, dedicated staff team, the High Weald AONB Unit, which provides advice on how to conserve and enhance the AONB. The advice provided by the AONB Unit assists public bodies and statutory undertakers to meet their duty as set out in Section 85 of the Countryside and Rights of Way Act 2000 to have regard to the purpose of conserving and enhancing the natural beauty of AONBs in making decisions that affect it.

2.3 The High Weald AONB Unit is an advisory body not a local planning authority and it has no statutory powers. The AONB Unit is not a statutory consultee on planning matters, but offers advice based on the statutory High Weald AONB Management Plan, which has been adopted by all partner authorities, as 'their policy for the management of the area and for the carrying out of their functions in relation to it'.

3.0 National Policy and Guidance in Relation to AONBs

3.1 The National Planning Policy Framework (NPPF) paragraph 172 requires great weight to be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas. The scale and extent of development within these designated areas should be limited.

3.2 In the event that the decision-maker concludes that development is 'major' in terms of its impact on the AONB, paragraph 172 of the NPPF states that "Planning permission should be refused for major development⁵⁵ other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated".

3.3 Footnote 55 says: "For the purposes of paragraphs 172 and 173, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined".

3.4 NPPF paragraph 11 explains the presumption in favour of sustainable development. It says that local planning authorities should provide for objectively assessed needs for housing and other uses, as well as any unmet needs from neighbouring areas, unless **"the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area"**. The assets referred to are listed in footnote 6 and include Areas of Outstanding Natural Beauty. The most relevant policy in the Framework for AONBs is paragraph 172 as above.

3.5 Planning Practice Guidance, revised July 2019, states "The National Planning Policy Framework makes clear that the scale and extent of development in these areas should be limited, in view of the importance of conserving and enhancing their landscapes and scenic beauty. Its policies for protecting these areas may mean that it is not possible to meet objectively assessed needs for development in full through the plan-making process, and they are unlikely to be suitable areas for accommodating unmet needs from adjoining (non-designated) areas. Effective joint working between planning authorities covering designated and adjoining areas, through the preparation and maintenance of statements of common ground, is particularly important in helping to identify how housing and other needs can best be accommodated..." Paragraph: 041 Reference ID: 8-041-20190721.

3.6 On 16 December 2020 the government announced how it would be responding to widespread concern about its proposals to amend the standard method for calculating housing need. This response confirmed that the Government would not be progressing these changes, but rather would be retaining the existing standard method for most local planning authorities and boosting supply by increasing the housing numbers of the 20 largest cities in England by 35%. The Government's response included the following statements:

"we heard suggestions in the consultation that in some places the numbers produced by the standard method pose a risk to protected landscapes and Green Belt. **We should be clear that meeting housing need is never a reason to cause unacceptable harm to such places.** But harm or homes is not a binary choice. We can plan for well designed, beautiful homes, with access to the right infrastructure in the places where people need and want to live while also protecting the environment and green spaces communities most value".

"Many respondents to the consultation were concerned that the 'targets' provided by the standard method were not appropriate for individual local authority areas. **Within the current planning system**

the standard method does not present a ‘target’ in plan-making, but instead provides a starting point for determining the level of need for the area, and it is only after consideration of this, alongside what constraints areas face, such as the Green Belt, and the land that is actually available for development, that the decision on how many homes should be planned for is made. It does not override other planning policies, including the protections set out in Paragraph 11b of the NPPF or our strong protections for the Green Belt. It is for local authorities to determine precisely how many homes to plan for and where those homes most appropriately located. In doing this they should take into account their local circumstances and constraints. In order to make this policy position as clear as possible, we will explore how we can make changes through future revisions to the National Planning Policy Framework, including whether a renaming of the policy could provide additional clarity”. 3.7 The above statements do not change existing policy, but reaffirm the existing situation in the NPPF that the housing need numbers produced by the standard method are just a starting point and not a target. 70% of Tunbridge Wells borough is within the High Weald AONB, and yet, the Regulation 19 Local Plan is predicated on the Borough Council meeting its full housing need figure of 678 dwellings per year, or some 12,200 over the plan period of 2020 to 2038. This has severe repercussions for the AONB and prevents the Local Plan from conserving and enhancing its natural beauty.

5.0 Major Development in the High Weald AONB

The Major Development Sites

5.1 Appendix 2 and 3 of the Development Strategy Topic Paper provides the justification for why some of the proposed allocation sites have been considered ‘major development’ in the terms of paragraph 172 of the NPPF and some are not. This assessment has been carried out in a transparent way, and the NPPF makes it clear that whether a development is major or not is a matter for the decision-maker.

5.2 The sites identified as major are as follows:

AL/RTW16 Land at Spratsbrook Farm	120 dwellings	(As the developable part of the site is outside the AONB it is considered that this should be treated as a site in the setting of the AONB rather than major development within it)
AL/RTW17 Longfield Road, Tunbridge Wells	80,000sqm	employment
AL/CRS1&2 Brick Kiln Farm & Corn Valley	215-225 dwellings	AL/CRS3 Turnden, Cranbrook
200-204 dwellings	AL/HA1 The White House, Hawkhurst	43
apartments	AL/HA4 Copthall Avenue, Hawkhurst	70-79 dwellings
AL/PE1,2&3 Pembury	210-220 dwellings	AL/BM1 Maidstone Road, Brenchley
45 dwellings	Total	
	903-936 dwellings	

5.3 Some of the above sites already have status in the planning system as follows:

- AL/CRS1&2 Brick Kiln Farm & Corn Valley: These sites were allocated in the 2016 DPD and 180 dwellings at Brick Kiln Farm has outline planning permission;
- AL/CRS3 Turnden, Cranbrook: 36 dwellings already granted full planning permission on the farmstead part of the site;
- AL/HA1 The White House, Hawkhurst: planning permission already granted for 43 retirement apartments;
- AL/BM1 Maidstone Road, Brenchley: outline and reserved matters permission already granted for 45 dwellings.

5.4 The dwellings proposed on major development sites in the AONB with no current planning status are:

- AL/CRS3 Turnden, Cranbrook 164-168 dwellings
- AL/HA4 Copthall Avenue, Hawkhurst 70-79 dwellings
- AL/PE1,2&3 Pembury 210-220 dwellings
- **Total 444-467 dwellings**

5.5 It should be noted that option GS2 in the Sustainability Appraisal assumes that reducing development below the housing need to one that does not involve any major development in the High Weald AONB would result in the scale of housing being reduced by between 1,600 - 2000 dwellings (17% of housing need for 11,526). It is not clear where this number comes from. It is the Unit's understanding that sites already allocated in an adopted Plan or granted outline or full planning permission would go ahead even if all major development sites in the AONB were removed from this Local Plan. Therefore the reduction in housing numbers would be 444-467 dwellings, or about 4% of 11,526.

The Major Development Tests

5.6 As quoted in paragraph 3.2 above, NPPF 172 says that “Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest” and provides a number of tests for the consideration of

such applications. Whilst the wording of this paragraph does not refer to allocations at the plan-making stage, if these tests are not applied at this stage there is a significant risk that allocations will not be deliverable, which would conflict with the test of soundness on effectiveness.

5.7 The Unit believes that the proposed major development allocations fail the NPPF 172 tests for the following reasons:

- **The need for the development:** the Borough Council argues that the high housing need for the area necessitates major development in the AONB. However, this argument is circular. If the conservation and enhancement of the AONB was given great weight as required by NPPF 172 then the housing requirement figure for the Borough would be adjusted downwards to reflect the fact that 70% of the area is AONB, and there would be no 'necessity' to locate large amounts of development within the AONB.

- **Developing outside the designated area, or meeting the need for it in some other way:** Even if it is necessary to allocate some development within the AONB that does not mean that such provision should be in the form of major development sites. As explained below, the High Weald landscape is small scale in character and can accommodate small scale development successfully without damaging its natural beauty.

- **Any detrimental effect on the environment:** this is explored in more detail below.

The Impact of Major Development on the AONB

5.8 National policy and legislation requires decision-makers to have regard and give great weight to conserving and enhancing the natural beauty of AONBs. In the High Weald this natural beauty is defined in the AONB Management Plan's Statement of Significance, which identifies five defining components of character that have made the High Weald a recognisably distinct and homogenous area for at least the last 700 years.

1. Geology, landform and water systems – a deeply incised, ridged and faulted landform of clays and sandstone with numerous gill streams. 2. Settlement – dispersed historic settlement including high densities of isolated farmsteads and late Medieval villages founded on trade and non-agricultural rural industries. 3. Routeways – a dense network of historic routeways (now roads, tracks and paths). 4. Woodland – abundance of ancient woodland, highly interconnected and in smallholdings. 5. Field and Heath – small, irregular and productive fields, bounded by hedgerows and woods, and typically used for livestock grazing; with distinctive zones of lowland heaths, and inned river valleys.

Other equally important characteristics are also identified in the Management Plan under sections on the land-based economy and related rural life and 'other qualities'.

5.9 The objectives for the settlement component are:

- Objective S1: To reconnect settlements, residents and their supporting economic activity with the surrounding countryside;
- Objective S2: To protect the historic pattern and character of settlement;
- and • Objective S3: To enhance the architectural quality of the High Weald and ensure development reflects the character of the High Weald in its scale, layout and design.

5.10 One of the actions for objective S2 is to "Seek to prioritise the delivery of new housing primarily through small-scale development and a mix of housing sizes that responds to local needs". Small scale carefully designed development can be accommodated successfully in this landscape whilst retaining its character, but large-scale developments are much more challenging to integrate successfully without detrimental effects. It is the view of the High Weald AONB Unit that major development cannot be accommodated within the AONB without damaging the essentially human scale character of the area or the purposes of the designation.

5.11 The 5 core components derive from the natural geology, topography and soils of the area and how people have used them over the centuries. Unlike the historically communally farmed landscapes of the Midlands which the national planning system is based on, the High Weald does not have nucleated towns and villages that are separated by open unoccupied countryside where any development would be 'isolated'. Instead it is based on a high density of medieval farmsteads most of which were farmed 'in severalty' – that is by individual families rather than as part of wider estates or communal systems. They were dispersed across the High Weald, surrounded by enough land to support a family and managed as mixed farms to suit the soil conditions and topography and to maximise self-sufficiency. Trees and hedges were an important component of the farming systems and fields were often carved out of woodland by hand (assarts) resulting in their characteristic small and irregular

shape. The challenging topography and soil conditions, which are suited to growing trees and grass rather than crops, mean that the High Weald has retained its Medieval character, with its small fields and woodland shaws, and its high density of historic routeways.

5.12 This history is important because it explains the human scale of the landscape components which comprise the natural beauty of the High Weald and the importance of the dispersed settlement pattern created by the farmsteads. Hamlets, villages and small towns evolved in the late Medieval period and onwards at the intersection of routeways and around commons to facilitate trading between farmsteads and the creation of small industries and crafts. Whilst these settlements are more consolidated, many have farmsteads on their outskirts and it is particularly important to maintain the separation between these two different settlement types so that the historic landscape remains legible for future generations. Continually adding to the larger villages and towns threatens this historic character, especially when it subsumes these adjacent farmsteads. Large-scale developments sit uncomfortably in this landscape because they overlap historic field systems and dominate the small scale historic settlement pattern. Whilst retaining field boundaries and historic features within new developments is important, it cannot overcome the basic incompatibility of locating large scale development within such a small scale landscape. It therefore inevitably fails to conserve and enhance the natural beauty of the AONB.

Landscape and Visual Impact Assessment

5.13 Following the Regulation 18 consultation the Borough Council commissioned Hankinson Duckett Associates to undertake a Landscape and Visual Impact Assessment of 21 potential allocation sites in the AONB. The AONB Unit was consulted on the brief to these consultants but not on the outcome of the work.

5.14 Appendix B to this submission identifies the detailed concerns with this work. Whilst it has a particular focus on the proposed site at Turnden, the concerns about the overall approach apply to all of the major development sites proposed in the AONB in the Regulation 19 Plan. These can be broadly summarised as follows:

- The Assessment consistently downgrades impact on the AONB;
- The imprecise method encourages operator bias and its opaque nature discourages scrutiny;
- The site assessments are inconsistent, partial, unsubstantiated and peppered with loaded phrases;
- There is a visual bias across the assessments with the impact on landscape as a resource being significantly underplayed;
- The cumulative effects of development under each site assessment section do not deal in specifics and when they do they focus almost entirely on visual effects – separation, viewpoints and planting – rather than landscape effects such as the loss of soils; field systems and their potential for biodiversity or food production; rurality, dark skies, tranquillity or other perceptual qualities.

5.15 For the reasons detailed above and in Appendix B it is considered that this LVIA should not be relied upon and it should be accepted that major development within the AONB will have a severe detrimental impact on the natural beauty of the High Weald.

6.0 Development in the Setting of the AONB

6.1 Even if Growth Strategy 2 was followed and the uncommitted major development sites in the AONB removed from the Local Plan, the remaining growth proposed would still have a significant impact on the designated area. This is because only 30% of the Borough is outside of the AONB so attempting to meet all or nearly all of the housing need figure puts tremendous pressure on this area, including where it abuts or is close to the AONB boundary. Developments outside but affecting the AONB include:

- Paddock Wood / land east of Capel Parish 3,490-3,590 dwellings
- Tudeley Garden Village 2,800 dwellings
- Horsmonden 240-320 dwellings
- Spratsbrook Farm, Tunbridge Wells 120 dwellings
- Benenden Hospital 47-50 dwellings

6.2 The Borough Council commissioned Hankinson Duckett Associates to produce an 'AONB Setting Analysis Report'. Whilst the work that has gone into this study is appreciated, the Unit was not consulted on its methodology or outcomes. The study focuses primarily on the inter-visibility of developments and direct impacts and does not address the wider impacts of accommodating this level of growth so close to the boundary of the AONB. These impacts include:

- Increased visitor numbers to the AONB placing pressure on its recreational facilities and infrastructure;
- Increased traffic travelling through the AONB to access the new developments and the highway 'improvements' required to accommodate this;
- Loss of tranquillity arising from the above;
- Increase

in air pollution arising from the above; • Light pollution from developments on the edge of the AONB and from highway improvements which require to be lit.

6.3 The above impacts would be reduced if the overall housing number was reduced to reflect the 70% of the Borough which lies within the AONB rather than trying to meet the full housing need by squeezing as much as possible into the remaining area. This statement focuses on the impact of this strategy on the AONB because that is the Unit's remit. However, this does not mean we are blind to the devastating impact of the planned level of growth on the area outside of the AONB, much of which is Green Belt and/or Low Weald countryside which is highly valued by its residents.

7.0 Conclusion

7.1 The High Weald AONB Unit believes that the overall level of development proposed and the major development sites allocated in the AONB are not justified and are contrary to national policy and guidance. The proposed development strategy of the Local Plan would have a severe detrimental impact on the purposes for which the AONB was designated and would fail to conserve and enhance this national asset. It is therefore recommended that there is a reduction in the overall housing figure and that all the major development sites in the AONB be deleted from the Local Plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To advise the Inspector on matters relating to the High Weald AONB. The Partnership is the body with responsibility for advising those with a duty to have regard to conserving and enhancing the AONB under Section 85 of the Countryside and Rights of Way Act.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Please see representation on STR1 [TWBC: As follows]

4.0 The Sustainability Appraisal

4.1 The Sustainability Appraisal is the main tool by which the Borough Council assesses the options for the level of growth and its distribution, and selects its development strategy. NPPF paragraph 32 says that "Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements" and paragraph 35 says that Plans are 'sound' if they meet the tests, including "Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence".

4.2 The Sustainability Appraisal for the Regulation 19 Local Plan assesses a number of growth options against sustainability objectives. Appendix A to this statement shows the scores and commentary for two of these options:

- GS13 - The strategy reflected in the Regulation 19 Local Plan; and
- GS2 - A strategy which reduces development below the housing need to one that does not involve any major development in the High Weald AONB.

This exercise has been carried out to understand the reasoning behind the selection of the Local Plan strategy compared to the option that most closely aligns to the AONB Unit's position, albeit it doesn't address its concerns about the impact of overall levels of growth on the setting of the AONB.

4.3 Appendix 1 demonstrates the following:

- That the economic objectives are double-counted in the assessment by the application of two objectives on business growth and employment and no account is taken of the benefit the AONB brings to the tourism industry;
- That the perceived impact of strategies on areas of deprivation is double-counted in the assessment by the application of two objectives on health and deprivation and no account is taken of the need for such areas to have good access to the countryside which would be lost to major development under GS13;
- That the assessment of the impact of option GS2 on climate change is clearly incorrect and conflicts with the commentary. This option will be much more positive for the climate change objective than GS13, not just because of reductions in transport and carbon emissions from new dwellings but due to the carbon sequestration function of soils and natural habitats;
- The heritage score for GS2 should be positive to reflect the heritage value of the landscape itself (medieval field systems etc) which would be impacted less under GS2 than GS13. Heritage is not just about listed buildings and conservation areas;
- Whilst it is agreed that GS2 would have a less positive impact on housing than GS13, the suggestion that building more dwellings in the AONB would reduce house prices is unsubstantiated and goes against known evidence. To meet housing needs in the AONB requires more genuinely affordable housing not more £300k+ houses. It is also noted in paragraph 5.5 below that the reduction in housing numbers for this option appears to have been over-estimated, which would affect the relative scores for this objective;
- Landuse - this objective is supposed to be about protecting soils, and reusing previously developed land and buildings. Instead the scoring seems to focus on impacts on the greenbelt. Since most of the major development sites in the AONB are on greenfield land GS2 should score much more positively than GS13;
- The landscape score for GS2 should be much more positive because it significantly reduces the harm to the AONB, which has the highest planning status in respect of landscape and scenic beauty. This is the only objective which mentions the AONB, and does so alongside all other landscape impacts, diluting its importance in the overall assessment of sustainability whereas the NPPF requires that AONBs be given 'great weight';
- Travel - As the only difference between GS2 and GS13 is the omission of major development sites in the AONB, which as the commentary says will be in areas where alternative transport modes are not popular or viable, the score for GS2 should be more positive for the travel objective than GS13 rather than the opposite as shown.
- Water - If the score is not significantly affected by reduction in growth in the AONB as per the commentary then it should be the same for GS2 and GS13.

4.4 If the above inaccuracies and inconsistencies in the scoring were corrected then GS2 would score more positively overall than the strategy selected for the Regulation 19 Local Plan.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_76

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Natural England
Address	International House Dover Place ASHFORD TN23 1HU
Event Name	Pre-Submission Local Plan
Comment by	Natural England [REDACTED]
Comment ID	PSLP_1463
Response Date	04/06/21 13:41
Consultation Point	Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_1444_Natural England_SI.pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Natural England
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill

[TWBC - Full representation attached as Supplementary Information]

[TWBC: This representation has been input against Policies PSTR1, AL/RTW17, AL/CRS 1, AL/CRS 2, AL/CRS 3, AL/HA 4, AL/BM 1, AL/PE 1, AL/PE 2, AL/PE 3, AL/RTW 16, STR/SS1, STR/SS3, EN11,

Section 3, STR 8, Section 5, EN1, EN9, EN10, EN12, EN13, EN14 AND EN19 – see Comment Numbers PSLP_1444, PSLP_1459, PSLP_1460, PSLP_1462, PSLP_1489, PSLP_1463, PSLP_1464, PSLP_1465, PSLP_1466, PSLP_1467, PSLP_1468, PSLP_1469, PSLP_1470, PSLP_1472, PSLP_1478, PSLP_1480, PSLP_1481, PSLP_1482, PSLP_1483, PSLP_1484, PSLP_1485, PSLP_1486, PSLP_1487, PSLP_1488]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	<input type="checkbox"/> It is not justified
	<input type="checkbox"/> It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Appendix 2: Major development allocations within the High Weald AONB

Our core reason for considering the local plan as unsound is due to the proposed allocations within the AONB that have been defined by TWBC as major development. These include some sites that have been granted planning permission without the support of an allocation in the adopted local plan and we continue to object to the draft allocations for major development.

Natural England objects to the inclusion of these major development allocations sites within the AONB because we consider that these policies fail the test of soundness (see our Soundness comments above). We therefore recommend that alternative approaches are taken that avoid impacts on the designated landscape. Our specific comments regarding these allocations are outlined as follows:

AL/HA 4 - Land off Copthall Avenue and Highgate Hill

We note the Council's recent refusal for planning permission at this site which Natural England objected to. Natural England therefore objects its inclusion as an allocation but we consider that it may be more acceptable if its size and scale are significantly reduced such that it no longer represents major development.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Natural England welcomes the reduction in scale and number of major development site allocations within the AONB since the Regulation 18 stage of the draft local plan, but we do not consider the current draft local plan to be sound and have highlighted our reasons in our full response letter for this regarding the remaining major development allocations within the AONB. We advise that these allocations should not be pursued, and alternative options should continue to be explored. While we have objected to major development proposed within the AONB, we remain committed to the plan-led scrutiny of the proposals to ensure soundness of approach, which enhances the High Weald's highly valuable and special landscape for future generations. We wish to work with TWBC to help ensure the best possible outcomes for the AONB and the environment.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Natural England are a statutory consultee for local plan consultations and, under the CROW Act, have powers regarding AONBs. The development strategy and major development allocations within the AONB are the core reason for why we consider the local plan as unsound.

In addition, Natural England objected to a planning proposal (20/00815/FULL) for the Turnden Farm site (AL/CRS 3) in 2020 and requested that the decision by TWBC to approve the development was called in by the Secretary of State. The proposal is now subject to a Public Inquiry which Natural England is engaged in as a Rule 6 party.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Appendix 3: Sustainability Appraisal

There are several alternative growth strategy options within the Sustainability Appraisal (SA) and the Council has chosen a growth strategy with significant negative landscape impacts. Natural England's view is that the preferred approach should afford sufficient weight to environmental factors. This is supported by NPPF Paragraph 8 which states that economic, environmental and social objectives need to be pursued in mutually supportive ways to support net gains across each of these objectives. Paragraph 32 also states that (emphasis added):

'Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements (The reference to relevant legal requirements refers to Strategic Environmental Assessment. Neighbourhood plans may require Strategic Environmental Assessment, but only where there are potentially significant environmental effects.'). This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). However, the SA appears to prioritise social and economic considerations over environmental ones as Section 6.2.19 states:

'The term 'preferable' is used in this sense to mean the option that has the highest scores for the economic and social pillars, and the least negative scores for the environmental pillar'

We also refer to Paragraph 11(b) of the NPPF which states that:

"(b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area;"

Given the provisions of paragraph 11 (and consequently paragraph 172), we consider that the weight afforded to protecting nationally designated landscapes has not been sufficiently considered as part of exploring alternative options and the environmental value of the AONB has been underestimated. It is our view that significant impacts have not been avoided as far as possible and, as outlined in other sections, we advise that major development within the AONB has not been appropriately justified.

Given the above, we are concerned that the underpinning assessment and recommendations of the SA are not giving an appropriate level of consideration for the environmental benefits associated with alternative growth strategies, especially given the great weight that should be afforded to designated landscapes.

Natural England has significant concerns that the SA underestimates the value of avoiding major development within the AONB and the scale of impact of including it. The chosen growth strategy achieves a very positive score ('+++') for housing as it assumes it will meet standard housing need and local housing needs across the borough. However, it scores neutral or negative scores for environmental factors, including 'slightly negative' ('-') for Landscape, despite the scale and size of major developments directly within the AONB and its setting including the large strategic sites at Tudeley and Paddock Wood.

As outlined in other sections of this letter, our view is that we consider that securing effective enhancement and mitigation measures for major development within the AONB is very challenging and therefore scores for environmental/landscape factors are likely to be overstated in the SA conclusions. Similarly, the SA finds that sites such as Turnden (AL/CRS 3) are still allocated despite scoring a very negative score for landscape (Appendix J, Page 321).

Furthermore, for Growth Strategy 2 (no major development within the AONB), climate change is scored as negative ('- -' in table 14) despite having lower growth in the AONB and Borough compared with Growth Strategy 13 (adopted approach for Pre-Submission Local Plan) which includes higher growth and major development within the AONB but only scores slightly negatively for climate change ('-' in table 25). It is our view that Growth Strategy 2 would reduce carbon emissions associated with transport and new dwellings as well as carbon sequestration (which is not mentioned in the SA) when compared with Growth Strategy 13.

Given the scale of development within the AONB and its setting in the chosen growth strategy, we also question the neutral score given for biodiversity. While we support biodiversity net-gain, approaches should be in addition to applying the mitigation hierarchy which should aim to avoid negative impacts on biodiversity in the first instance. As the SA states that nature conservation designations are more common in the AONB, we advise that any benefits for biodiversity (including those which contribute to the neutral score for the chosen growth strategy) are interpreted with some caution.

Finally, point 3.2.8 does not reflect the findings of the HRA and mitigation proposed for Ashdown Forest SPA (see the HRA section below). We advise this section of the SA is amended to reflect the findings of the HRA.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	David Warman [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Campaign to Protect Hawkhurst Village
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Campaign to Protect Hawkhurst Village [REDACTED] [REDACTED]
Comment ID	PSLP_1490
Response Date	04/06/21 08:21
Consultation Point	Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Campaign to Protect Hawkhurst Village
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policy AL/HA3 Land off Copthall Avenue and Highgate Hill

Policy STR/CR1 The strategy for Cranbrook and Sissinghurst

Policy AL/CRS3 Turnden Farm, Hartley Road, Cranbrook

[TWBC: this representation has been input against Policies STR/HA 1, AL/HA 4, STR/CR1 and AL/CR3 – see Comment Numbers PSLP_1473, PSLP_1490, PSLP_1491 and PSLP_1492]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

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We strongly support the overall development strategy put forward in the Pre-Submission Local Plan. In particular we very much welcome and support the changes made in response to the 2019 consultation on the Draft Local Plan and the removal of a number of large proposed housing allocations in Hawkhurst and Cranbrook. We consider that this overall approach is sound.

However, we have a number concerns regarding the remaining specific Hawkhurst and Cranbrook Policies relating to Transport and AONB issues.

These comments are common to STR/HA1, HA3, CRS1 and CRS3 and therefore are submitted for consideration in respect of all these policies. We have not submitted duplicate representations for each policy.

Transport Issues

Policy STR/HA1 sets out the overall development strategy for Hawkhurst (policy STR/CRS1 does the same for Cranbrook and Sissinghurst).

Both these draft policies contain a criterion that development proposals must have an acceptable impact on the Hawkhurst crossroads and the Flimwell crossroads.

This criterion is welcome, however there is no analysis in the evidence base of the impact of the remaining allocations in both Hawkhurst and Cranbrook on these highway junctions. The March 2021 SWECO Transport Assessment does not contain an assessment the impact of the proposed allocations on these junctions.

There is an internal consistency in the draft policies recognising the potential impact on the Hawkhurst and Flimwell junctions as a concern, without undertaking any strategic assessment of the capacity of those junctions to accommodate the proposed allocations as part of the Local Plan process.

The Council will be aware that in respect of the proposed Copthall Avenue allocation HA/4, KCC objected to the planning application on the basis of the impact of the proposals on the Hawkhurst

crossroads. The Council subsequently refused the application for that reason (as well as the harm to the AONB).

Having very recently resolved that a planning application for the site would have an unacceptable impact upon the Hawkhurst crossroads, it would be irrational for the Council to seek to retain the site as an allocation.

For this reason, we do not consider that STRA/HA1, HA4, STR/CS1 and STR/CS3 are sound because:

- 1 They are not “justified” as they are not based on a proportionate evidence base – indeed there is no evidence base regarding their impacts on highways junctions at Hawkhurst and Flimwell which the Council has acknowledged in the draft wording of the policies to be a concern; and
- 2 They are not consistent with national policy because they do not focus development in sustainable locations and will not limit the need to rely on private car trips – contrary to the requirements of paragraphs 103 and 104 of the NPPF.

AONB issues

Notwithstanding the welcome revisions at the Pre-Submission Stage, the draft Plan will still propose very significant major development in the High Weald AONB.

The Council recently refused a planning application for the HA4 allocation site due to the harm caused to the AONB. It would therefore be inconsistent for that allocation to be pursued through the Local Plan.

Criterion 1 of Policy HA1 seeks to define Limits of Built Development “as a framework for new development over the plan period”.

We do not consider that this criterion is sufficiently robust or effective. The criterion has been added to seek to minimise harm to the AONB. However, as drafted it would not operate to in any way restrict or limit development outside the Limits of Built Development. Unless the criterion makes explicit that development outside the Limits of Built Development as a general presumption will be resisted (particularly on greenfield sites) other than in the specific exemptions addressed elsewhere in the plan, it will be completely ineffective as it will not limit built development outside the defined area. The very concept of Limits of Built Development will therefore be entirely redundant.

Against this background we do not consider that STR/HA1, AL/HA4, STR/CRS1 and AL/CRS3 are sound because they are not consistent with paragraph 172 of the NPPF which seeks to preserve and enhance the AONB and limit development in such areas.

Question 6

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We would therefore request the following modifications:

The removal of allocation AL/HA4

- 1 The consequent amendment of STR/HA1 Criterion 2 to reduce the overall housing numbers to reflect the removal of allocation AL/HA4
- 2 The amendment of STRA/HA1 Criterion 1 to make clear that proposals for development on greenfield sites outside the Limits of Built Development will be resisted unless they fall within one of the exceptions identified elsewhere in the Plan
- 3 The removal of allocation AL/CRS3

- 4 The consequent amendment of STR/CRS1 Criterion 2 to reduce the overall housing numbers to reflect the removal of allocation AL/CRS3

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To ensure that the transport impacts of the proposed allocations on the Hawkhurst and Flimwell are taken into account.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Peter Brudenall [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Peter Brudenall [REDACTED]
Comment ID	PSLP_1797
Response Date	03/06/21 14:15
Consultation Point	Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Peter Brudenall
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Improvements have been made to the Local Plan, for example, the removal of any development to the Hawkhurst Golf Course is to be very much welcomed given the catastrophic effect that development would have on the village and the AONB.

However, Hawkhurst and the surrounding area is still subject to significant development and in my view this should be reduced even further. Hawkhurst (and surrounding areas) lack basic infrastructure to allow it to cope with a significant number of additional houses, and the associated traffic. Lack of schools, doctors, dentists, parking etc must be taken into account when considering development of more than 5-10 houses. Priority must also be given to the AONB and the fact that Hawkhurst is a village, not a town. A cumulative assessment should be undertaken to assess the impact of all developments on existing road networks and local infrastructure.

There is no suitable proposal as yet to solve the issue of the Hawkhurst crossroads, and levels of pollution along the High Street are already at alarming levels. There is also a major issue relating to the need to deal with major sewage problems due to the infrastructure needing significant repair or replacement.

Development in Hawkhurst should therefore be severely limited to smaller numbers of housing, and current allocation numbers should be further reduced until such time as the infrastructure has "caught up" to cope adequately with the existing population.

Accordingly, the housing numbers for HA1, the allocation for HA4 and those in Cranbrook (CRS1 and CRS4) cannot be justified given that no assessment has yet been made of the cumulative impact of allocations on existing infrastructure, and the Flimwell Junction and the Hawkhurst crossroads.

In my view, HA1, HA3 and CRS1 and CRS4 are not consistent with national policy as they don't focus development in sustainable locations and will not limit the need to rely on private car trips (as per NPPF para 103 and 104).

Question 6

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- 1 Removal of HA4 (Copthall allocation).
- 2 Modification of HA1 to reflect reduced overall housing numbers in Hawkhurst as a result of removal of HA4 (Copthall allocation).
- 3 Removal of CRS3 (Cranbrook Turnden Site).
- 4 Modification of CRS1 to reflect a reduction in overall housing numbers in Cranbrook.
- 5 Modification of HA2 and HA3 to incorporate wording from existing Local Plan Policy AL/HA1 to ensure the Area of Landscape Importance is retained and reinforced as part of any new proposal for planning permission.
- 6 Modification of HA1 to make it clearer that development outside the Limits of Built Development will not be permitted (unless in exceptions identified elsewhere in the Plan).

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Vivien Halley [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Vivien Halley [REDACTED]
Comment ID	PSLP_1831
Response Date	03/06/21 15:12
Consultation Point	Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Vivien Halley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 1 Land at the White House, Highgate Hill

Policy AL/HA2 Brook House Cranbrook Road

Policy AL/HA3 Former Site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 Land to the north of Copthall Avenue and Highgate Hill, Hawkhurst

Policy AL/CRS1 Land at Brick Kiln Farm, Cranbrook Road

Policy AL/CRS3 Turnden Farm, Hartley Road, Cranbrook

[TWBC: this representation has been input against Policies AL/HA1, AL/HA2, AL/HA3, AL/HA4, AL/CRS1 and AL/CRS3 – see Comment Numbers PSLP_1822, PSLP_1829, PSLP_1830, PSLP_1831, PSLP_1832 and PSLP_1833]

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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- . I strongly support the removal of the Hawkhurst Golf Course site and the overall reduction in the allocation of housing numbers within the village and therefore the reduction to the harmful impact to an Area of Outstanding Natural Beauty.
- . The Local Plan has not taken into account the 28 houses in Heartenoak Road that are currently under construction and which will have a significant impact on the inadequate infrastructure and constant traffic congestion within Hawkhurst and especially at the village crossroads and along Queens Road, Heartenoak Road and Ockley Road.
- . I do not consider that the remaining housing development numbers set out in policies AL/HA1 (White House), AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm) are justified because no assessment has been undertaken of the cumulative impact of allocations on the Flimwell junction, village crossroads and the increase in traffic using minor roads and lanes to avoid the congested crossroads. The recent planning application at Copthall was refused due to the impact on the crossroads and the AONB.
- . I do not consider that the remaining numbers set out in policies AL/HA2 (Brook House) and AL/HA3 (Springfield Nurseries) are justified because no assessment has been undertaken of the cumulative impact of the significant recent developments in Hawkhurst in the areas of Heartenoak Road, thus creating more traffic congestion and pollution at the crossroads in the village or more traffic using the local narrow roads and lanes in order to avoid queuing at the crossroads. It has been well documented that the crossroads in the village are already functioning over their capacity so an increase in traffic cannot be justified. When residents from Cranbrook return home for example from shopping in the village, instead of waiting at the crossroads they will resort to finding alternative routes and turn local narrow roads such as Queens Road, Heartenoak Road, Ockley Road, Winchester Road, Woodbury Road and Vale Road into speeding rat runs, causing

constant disruption, traffic noise and pollution to local residents and also damage to parked vehicles.

- . I do not consider that policies AL/HA1 (White House), AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm) are consistent with national policy because they do not focus development in sustainable locations and will not limit the need to rely on private car trips (NPPF paragraphs 103 and 104).
- . I consider the policies will fail to preserve or enhance the AONB (contrary to the NPPF paragraph 172).

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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- . Removal of policies AL/HA2 (Brook House), AL/HA3 (Springfield Nurseries), AL/HA4 (Copthall Avenue) and in Cranbrook policies AL/CRS1 (Brick Kiln Farm) and AL/CRS3 (Turnden Farm).
- . Modify the Local Plan to reflect the reduction in the overall housing numbers in Hawkhurst and Cranbrook as a result of the removal of the above policies and give consideration to the 28 houses currently under construction in Heartenoak Road.
- . Should any further housing development be undertaken in Hawkhurst and especially in the Cranbrook Road area, it would be essential to reduce the possibility for people to drive through local roads (i.e. rat runs) in order to avoid the queues at the crossroads. Car drivers travelling towards the A229 towards Maidstone from the A268 (from the direction of Sandhurst) should be prevented from driving down Queens Road, into Heartenoak Road, into Ockley Road and then into Winchester Road, in order to join the A229 and thus avoiding the crossroads. This could be achieved by blocking off this "rat run" at the junction between Ockley Road and Winchester Road. Adapting existing roads so they have pedestrian access only, has already been successfully implemented in other areas of Hawkhurst to prevent through traffic along the following roads:
 - . Northgrove Road
 - . Western Road
 - . Copthall Avenue/All Saints Road
- . The introduction of traffic calming measures in Queens Road and Heartenoak Road to prevent speeding traffic, improve safety and improve the quality of life of residents living along these extremely busy roads.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Alec Travers ()
Email Address	
Address	 CRANBROOK TN18
Event Name	Pre-Submission Local Plan
Comment by	Mr Alec Travers ()
Comment ID	PSLP_2041
Response Date	04/06/21 15:30
Consultation Point	Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mr Alec Travers
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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I wish to record my comments on the proposals for sites for housing in Hawkhurst as contained in your Pre-Submission Local Plan, in particular that contained in Policy AL/HA 4 Land at Copthall Avenue and Highgate Hill, Hawkhurst (Highgate) and Policy AL/HA 5 Land to the north of Birchfield Grove (medical centre).

Regarding Policy AL/HA-4, the recent dismissal of the Planning Application by the TWBC Planning Committee for the reasons stated show ample cause as to why this site should not be considered for development. In addition, I would state that the potential for traffic accidents at the point of entry on to Highgate Hill, both from traffic coming at speed down the Hill and with traffic attempting to cross into what is very often a static line of traffic waiting at the traffic-lights on the "Up" section are further reasons for turning this site down. The matter of access to the shopping centre at Highgate by pedestrian or cycle means is, in my opinion, a non-starter due to the steep hill, any resident in development on this site is going to use their car. This, in its turn, will contribute to the severe pollution already arising from traffic using Highgate. The Inspector, on dismissing the appeal for a development site in Hearten oak Road - Appeal Ref: APP/M2270/W/20/3247397 – gave ample reasons why that development should not proceed: I consider the same reasons apply with equal force against this site being approved for housing development.

Concerning Policy/HA-5, my only comment is that this site should be for the Medical Centre **only**, with neither any housing attached nor any provision made for a feeder road leading off site to any potential future development in Fowlers Park fields.

I would like these comments to be added to those you may have already received on this Plan.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Hawkhurst: Policy
AL/HA 5: Land to the north of
Birchfield Grove**

Supporting Information File Ref No: SI_5a-c

Comment

Consultee	Norman McChesney [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Norman McChesney [REDACTED]
Comment ID	PSLP_128
Response Date	14/05/21 22:11
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Web
Version	0.1
Files	2.JPG 3.JPG 1.JPG

Question 1

Respondent's Name and/or Organisation	Mr Norman McChesney
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Question 3

To which part of the Local Plan does this representation relate?	Policy
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Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 5

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified
- . It is not consistent with national policy

Question 5

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Duty to cooperate

The Local Planning Authority (LPA) is required to cooperate consistently, actively and on an ongoing basis with other bodies during the preparation of the plan. Site 413 (the Site underlying Policy AL/HA5) was removed from the Local Plan in December 2020 after months during which well-argued points against its inclusion were made and after Kent CC Highways made strong objections to major developments given high traffic flows and severe congestion at Hawkhurst crossroads. Less than a month later, Site 413 was put back into the Local Plan to accommodate a medical centre with provision for what would likely be a substantial number of parking places. In performing such a reversal of policy over such a short period with no public consultation, the LPA has shown itself to be severely deficient in its "strategy for involving the community in the preparation and revision of plans and the consideration of planning applications" as stated in Paragraph 2.1 of the Guidance Notes.

Soundness

1 Not Positively Prepared

The strategy has not been positively prepared and this can be highlighted in two areas:

i Traffic

The LPA has not made adequate allowance for the effect of increased traffic flows. In the course of a judicial review (White House, Hawkhurst) we learn that on 4 September 2017, Ms Hubert - the Principal Transport and Development Planner in the Highways and Transportation Division of KCC - sent an email to councillors and officers of KCC and the Defendant attaching a document entitled "KCC Highways Position Statement: Development in Hawkhurst – Summary". In the email, she stated that the statement set out that KCC Highways would be objecting to any further development within Hawkhurst village boundary "owing to the impact on the already congested junction being **severe**" (Reference TW19/01271 Decision JR 11 November 2020). The proposed medical centre would unite the two existing practices in Hawkhurst with additional related facilities and substantial parking. The Site is at the very edge of the eastern part of the village and is 800 metres from the crossroads. Hawkhurst residents in the more populous areas south, west and north of the crossroads would most likely drive to the new medical centre as would the many patients living outside the village. These added traffic flows would increase pressure on the already congested crossroads and this would be compounded by tailbacks along the Rye Road leading to further congestion at its junction with Birchfield Grove where traffic flows would be significantly increased because of traffic to and from the new medical

centre. It should be noted that in relation to the application reference 19/01299 to build six bungalows opposite Birchfield Grove, KCC Highways and Transportation commented (26 July 2019) that:

“Rye Road is a busy distribution route where the last recorded speeds in connection with the development opposite [that is, Birchfield Grove], were in excess of 40 mph.”

In this context it should be noted that despite the 30mph zone being extended beyond the Birchfield Grove development, almost all vehicles exiting the village eastward accelerate to or beyond 40mph even before arriving at the Birchfield Grove junction.

Regarding Birchfield Grove itself, the sightlines both to left and right along Rye Road are poor. The width of the mouth of the road joining Rye Road is too narrow to allow a vehicle to exit safely onto Rye Road if another vehicle is turning in at the same time. Whilst this is manageable in the context of 26 dwellings (that permitted and constructed at Birchfield Grove), the situation would likely become highly dangerous, if the plan goes ahead, given the high number of traffic movements likely to be associated with a medical centre incorporating the two existing surgeries plus related facilities. Although Birchfield Grove is quite short at approximately 130 metres long, it has been constructed with appropriate minimal width and with four curves along its length to give the development a rural character. If Birchfield Grove had been planned as part of a larger development to include the current 26 dwellings plus a medical centre with its own facility for (somewhat transient) parking for staff and visitors, which is what it will become if the proposal for the Site goes ahead, such a curved road of minimal width would never have been contemplated. Birchfield Grove is of a width appropriate only to its current size and visitors' parking is limited to space for only two vehicles. Covenants allow roadside parking for vehicles delivering goods and carrying out maintenance including painting and decorating or small building works for residents at any reasonable time of day and such covenants would need to be respected if the introduction of traffic restrictions in Birchfield Grove were ever contemplated.

Birchfield Grove has a single point of access and there is no provision for an internal loop. If the proposals for the Site as outlined in the Local Plan were to go ahead, Birchfield Grove would most likely become highly congested given the high volume of through traffic to and from the proposed development with the likelihood of complete stoppage of traffic flow in the event of vehicle breakdown. The twists on the road in Birchfield Grove are sufficiently tortuous that a high level of traffic is likely to lead to vehicles mounting kerbs and pavements when faced with oncoming vehicles. This point is clearly illustrated in the first attached photo. On grounds of traffic considerations alone, this development is not sustainable.

ii AONB

The LPA has not taken proper account of the fact that Site 413 is in an especially prominent position dominating the fine AONB landscape to the north. The Site stands on the highest part of a ridge and any building on this site would be visible from miles around to the north. A medical centre with substantial parking would have a severely detrimental visual effect on the AONB. The effect would be even worse with the car park likely to be illuminated by electric lighting up to at least 8.00 pm in winter months and this, moreover, in the context of Birchfield Grove having been planned with a dark sky policy. The landscape to the north is shown in the second photo attached. The view looking south to Site 413 from a public footpath, commonly called the bridle path and close to Water Lane, is shown in the third photo. The proposed medical centre with many parked cars would stand on the green area in front of the white double gable-like frontage of what is No. 25 Birchfield Grove in the photo and would be highly visible when viewed from many parts of the surrounding countryside.

The earlier decision by the Secretary of State (13/00014) of 14 April 2014

A Planning Inspector, in the appeal against the decision of the Council to refuse application no.13/00014 (an application for the development of a larger site at the same location) dismissed an appeal against the refusal of 120 dwellings at the Site for the following reasons:

- . The development would have a materially harmful visual effect on the AONB

- . It would fail to represent the high standard of urban/rural design required by policy

The AONB reason over-rode all of the other issues raised by the appellant. Though the present plan is for a medical centre without houses, the proposed medical centre with the attendant substantial parking would fulfil the conditions that made application no. 13/00014 unacceptable in 2014. If the development were to go ahead, a highly attractive piece of open landscape located high on a ridge would be gone forever. On environmental grounds the development is not sustainable.

2 Not Justified

The strategy underlying Policy AL/HA5 cannot be justified in that it has not taken account of reasonable and indeed viable alternatives and is therefore not based on proportionate evidence as stipulated in Paragraph 3.1 of the Guidance Notes.

There are better alternative sites for a medical centre:

i King George V Playing Fields, The Moor

This site, under Policy AL/HA6, contained provision for a medical centre until it was removed in January 2021. In the current Local Plan, the site is allocated for development of a community facility. The Site Layout Plan is given in Map 48. Immediately adjacent and to the east of this site is a piece of land over an acre in size owned by Hawkhurst Parish Council who has been willing to release this land to provide a community facility which would include a medical centre. Such a plan would make efficient use of land already partly developed and there would be an economy of scale regarding parking since it would be shared by all users of the combined facility. Siting a medical centre on this site would have a significantly less harmful visual effect on the landscape than siting it on the high ridge at the edge of the village (Land north of Birchfield Grove). This site would serve the whole Moor area including Stream Lane and Horns Road as well as Moor Hill and Highgate Hill including the various streets leading off the latter. Since this whole area is more populous than that of the village east of the crossroads, pressure on the crossroads is likely to be less than if the medical centre were sited north of Birchfield Grove.

ii The Hawkhurst Community Hospital

Since this site has already been developed, siting a medical centre here would, like siting it in King George V Playing Fields, have less harmful implications. There would also be an obvious advantage through the synergy resulting from two establishments providing related services to the community and existing in the same location.

iii Hawkhurst Golf Course

The planning application for this site continues to make provision for a medical centre. This site is about 600 metres from Hawkhurst crossroads and has thus a fairly central location.

3 Not Consistent with National Policy

In Section 15 of the National Planning Policy Framework (NPPF) Paragraph 170, it is stated that planning policy and decisions should contribute to and enhance the natural and local environment by various means (six are listed) including (a) protecting and enhancing valued landscapes, (b) recognising the intrinsic character and beauty of the countryside and (e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.

Following on from this, it is stated in Paragraph 172 that "Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest."

According to the conditions that should apply to planning policy as set out in the NPPF, the siting of a medical centre in Site 413 with significant parking facilities in such a prominent position in the AONB dominating the landscape to the north is only justifiable in exceptional circumstances. It is clear from

the reasonable alternatives set out above under '2 Not Justified' that exceptional circumstances do most certainly not apply.

Question 6

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The siting of a large medical centre in a prominent position in the AONB in land to the north of Birchfield Grove is so inappropriate by reason of (i) damage to AONB, (ii) unacceptable additional pressure of traffic flows on Rye Road and at the Hawkhurst crossroads and (iii) excessive and unacceptable pressure from traffic on Birchfield Grove, that the only possible modification to the Local Plan to make it sound is to remove it from the plan and reposition the medical centre at King George V Playing Fields.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	<input type="checkbox"/> No, I do not wish to participate in examination hearing session(s)
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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:	<input type="checkbox"/> Yes, I wish to be notified of future stages of the Local Plan
--	--

Comment

Consultee	Jennifer Finnimore [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Jennifer Finnimore [REDACTED]
Comment ID	PSLP_282
Response Date	29/05/21 13:38
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Mrs Jennifer Finnimore
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 5	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified
- . It is not consistent with national policy

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

The removal of Site 413 from the Local Plan was followed by reinserting a part of it (the 'Site' at 0.79 acres) to take a medical centre, all within a very few weeks at the start of this year and with no consultation. This does not seem to fulfil the LPA's 'duty to cooperate'.

Traffic flows along Rye Road are only getting progressively worse with the passage of time and KCC Highways have already stated that the Hawkhurst crossroads is at full capacity. The proposed medical centre would not only incorporate the village's two doctors' surgeries but would also contain other medical facilities. There are indications that car parking for over fifty cars would be needed on site. Patients living on the other three sides of the crossroads away from Rye Road would most likely drive to the centre given that the Site is a good ten minutes' walk from the crossroads. The result would be an increase in traffic flow along Rye Road and severe congestion on Birchfield Grove which is a twisting road initially designed to service 26 houses (which were sold to the buyers on that basis). On these considerations the Policy is not sound, not positively prepared and not justified.

The Site is on top of the ridge on which most of Hawkhurst stands and dominates the countryside to the north. This is a particularly beautiful part of the AONB and the siting of the medical centre here with a large car park would be a discordant feature, not to say a blight, on the landscape. In 2014 an appeal relating to an application to build houses in this area, then called Site 64, was dismissed citing the damage that would be done to the AONB (13/00014, 14 April 2014). The same principles apply now as they did in 2014. King George V Playing Fields had appeared in the Local Plan with provision for a medical centre until that was changed, again without consultation, earlier this year. This site is much more appropriate to host a medical centre given that the site could accommodate this in addition to the community centre planned in the same area and given too that damage to the AONB would be much less since it is already somewhat developed and has a much less commanding view of the surroundings. Given that a better alternative exists, there are no 'exceptional circumstances' that would justify the Policy. On AONB considerations, therefore, the Policy is not sound, not positively prepared and not justified. Nor is it consistent with National Policy given the conditions set out in Section 15 of the National Planning Policy Framework.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at

examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The only modification that could make the Local Plan compliant and sound in relation to Policy AL/HA 5 would be its removal from the site proposed and siting it at King George V Playing Fields.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Derek Gregory [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Hawkhurst Cranbrook [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Derek Gregory [REDACTED]
Comment ID	PSLP_400
Response Date	25/05/21 19:35
Consultation Point	Map 48 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Mr & Mrs D L Gregory
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/HA5	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

FACTS:

- 1 In 2014 a previous housing scheme for 120 houses on the same site was dismissed on appeal to protect the landscape and natural beauty in an AONB
- 2 Without suitable direct access onto Rye Road, any further application was deemed unlikely to succeed.
- 3 In 2016 Riverdale Developments purchased land now forming Birchfield Grove to the south of Site 413 from Rydon Homes Ltd, who had previously purchased part of the garden of Birchfield House. These properties were marketed as having "stunning views over Kent countryside".
- 4 In 2020 Riverdale Developments filed Copy Access Deed of Easement for 5 years in favour of Rydon Homes, permitting access from Birchfield Grove across a narrow eco-strip to Site 413
- 5 Rydon Group's focus is in construction, maintenance and house building, as well as in health-care joint ventures
- 6 Rydon Group was the lead contractor overseeing the refurbishment of Grenfell Tower 2014-2016. The group is no longer allowed to bid for public contracts either by the Government or the Mayor of London
- 7 In 2020 TWBC's Draft Local Plan contained provision for a medical centre and 100 houses on Site 413
- 8 In Jan 2021 Site 413 was removed from the Pre-Submission Local Plan, and the medical centre was to be re-sited at KGV Playing Fields adjacent to the new Community Centre with shared parking availability
- 9 In Feb 2021 the doctors successfully lobbied for the medical centre to be reinstated on Site 413, as they had an offer of 0.79 hectare "free" land. This would clearly enhance the profitability of the new joint practice and inflate the potential selling price on retirement.
- 10 Hawkhurst Parish Council, speaking on behalf of the local community, would make land available at KGV. In addition, the Community Hospital is already an NHS facility, whilst the Golf Club Redevelopment Application includes mention of a medical centre facility.
- 11 Both the doctors and TWBC have declined to provide relevant information requested under the Freedom of Information Act.
- 12 KCC Highways acknowledge concerns about access into Rye Road and regard the Hawkhurst crossroads as being at full capacity.
- 13 As Site 413 is located at the eastern edge of the village, virtually all traffic from the medical centre would need to turn right into Rye Road, before distributing 3-ways at the crossroads.

QUESTIONS:

- 1 Why should the doctors' commercial interests trump the interests of the community?
- 2 Why should a carbuncle be allowed such a prominent position in an AONB, particularly when alternatives are readily available?

- 3 Are we to believe that the medical centre would not be followed by an Application for housing too?
- 4 How might the exit into Rye Road and the substantially increased traffic at the crossroads be accommodated?
- 5 Would it not be ironic for a medical centre to be the cause of further deterioration in air quality in the village?

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The only possible modification to the Local Plan to make it sound is to remove AL/HA5 from the Plan and reposition the medical centre at King George V Playing Fields, adjacent to the new Community Centre.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Gavin Steele [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Gavin Steele [REDACTED]
Comment ID	PSLP_418
Response Date	01/06/21 16:48
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Gavin Steele and David Veale
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/HA 5	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

The Local Plan is not sound because it is not positively prepared

1. AONB

Site 413 (the Site underlying Policy AL/HA 5) is virgin land, situated in an AONB. Government planning policy aims to protect AONB. Building a medical centre runs contrary to that policy, particularly given the likely size of the building (apparently two stories with significant parking requirements - ie for 53 vehicles). As the medical centre will undoubtedly hold drugs, there will presumably be various security requirements, not least lighting, further undermining the AONB, and running contrary to the dark skies policy adopted in Birchfield Grove.

AONB concerns are considerably exacerbated by the local topography. Site 413 is on a ridge and the proposed medical centre would dominate that ridge and would be a prominent and discordant feature when viewed from country lanes and footpaths to the north on the other side of the valley. From redacted minutes of a meeting between Rydon and TWBC Planning in January 2019, it is clear this is regarded as the most 'sensitive' part of the site.

Decision of the Secretary of State (13/00014) 14 April 2014 - In 2014 a Planning Inspector dismissed an appeal against the refusal of 120 dwellings at this very same site because (i) the development would have a materially harmful visual effect on the AONB and (ii) it would fail to represent the high standard of urban/rural design required by policy. Quoting from the Inspector's report, "*Great weight should be given to conserving landscape and scenic beauty in AONBs which have the highest status of protection in relation to landscape and scenic beauty*". The very significant weight given to the protection of AONB has not materially changed since the Inspector's decision of April 2014. The Site is no different seven years later and while the present plan is for a medical centre without houses, the proposed medical centre with its substantial parking would fulfil the conditions that made application no. 13/00014 unacceptable in 2014.

It should also be noted that Birchfield Grove is surrounded by an Ecological Mitigation Area (approximately 2 to 3 meters wide). Not only will this strip of land be breached to allow access to Site 413 but any protections to wildlife, fauna and flora that the strip was meant to offer will be undermined by building a medical centre next to it.

2. Increase in traffic congestion in Hawkhurst:

The medical centre would generate a considerable amount of additional traffic given that the two existing Hawkhurst doctors' surgeries are amalgamating and because of the additional services believed to be planned from the new centre. Many patients from both surgeries live further afield than Hawkhurst but many if not most patients who live in Hawkhurst will also find it necessary to use cars. The site is a good ten minutes' walk from the Hawkhurst Crossroads and for patients living to the north, south and west of this, car would be the preferred mode of transport.

The additional traffic generated by the medical centre would increase congestion at the Hawkhurst Crossroads, which is already very busy, as patients from the more populous areas south, west and

north of the Crossroads (as well as those from further afield) would very likely drive to the centre. KCC Highways has made the point that the Crossroads it is 'at capacity' - see the judgment against Hawkhurst Parish Council when it claimed for judicial review regarding a development to the south of the Crossroads at The White House (TWBC Planning 19/01271). In addition, KCC Highways recently objected to another proposed housing development (74 homes), also to the south of the Crossroads, "owing to worsening congestion at the Hawkhurst crossroads junction" which they also note, quoting an August 2020 TA is "already operating over capacity". To reinforce the point, this application has now been refused by TWBC's Planning Committee on the grounds of the impact on both the High Weald AONB and road congestion. (Decision made on 12 May 2021).

Air pollution - the increase in traffic generated by the siting of the medical centre to the east of the Crossroads (ie in the least populated area of the village) will also lead to an increase in air pollution. The air quality in Hawkhurst is already one of the worst in Kent due to the Crossroads. A bad position will be made even worse.

3. Birchfield Grove (including access to the Rye Road):

Birchfield Grove is a twisting road designed to serve a small development of 26 houses. If it had been planned as the access road to a large medical centre, with the constant to and fro of traffic that this entails, the current design and layout would never have been considered. Roadside parking for vehicles delivering goods and carrying out maintenance or small building works for residents at any reasonable time of day is permitted and would need to be maintained if the introduction of traffic restrictions in Birchfield Grove was ever contemplated.

Birchfield Grove would most likely become highly congested given the high volume of through traffic to and from the proposed medical centre with the likelihood of a complete breakdown in traffic flows in the event of vehicle breakdown and very considerable delays when parked vehicles and vans are encountered (as referenced above).

In addition, the junction between Birchfield Grove and Rye Road has poor sightlines and would struggle to handle the increased volume of traffic generated by the medical centre. In this context, a planning application to build six bungalows on the other side of the Rye Road (virtually opposite Birchfield Grove) was turned down recently mainly because of concerns around access to the Rye Road – see see weblink

This problem is exacerbated by the speed at which many cars travel when leaving Hawkhurst, heading east. Despite the fact that the turn into Birchfield Grove lies within a 30mph speed limit, vehicles regularly travel at up to 40mph.

The Local Plan is not sound because it is not justified

Policy AL/HA5 cannot be justified because it is not based on proportionate evidence, as detailed in the Guidance Notes.

1. Alternative and better sites

Specifically it has not taken in to account a number of viable alternative, and better, sites for the medical centre in Hawkhurst.

King George V Playing Fields at the Moor (KGV)

This was the very proposal put forward by TWBC in the January 2021 PSLP before the offer of free land at the AL/HA 5 site emerged. The proposal then was that the medical centre would be co-located with a new community centre at KGV, thereby generating a number of synergies, including parking. There are other advantages to KGV - notably, it is already developed (there is a Sports Pavilion; parking; tennis courts; playing fields and a playground) so would not damage or undermine the AONB; it is not on a ridge (unlike AL/HA 5) so will be very considerably less visible; access will be easier given that KGV already accommodates the traffic associated with its existing facilities; and, as the area around KGV is more populous than the area east of the Crossroads, congestion and air pollution at the Crossroads is likely to be less.

Hawkhurst Community Hospital

This is an already developed site so any adverse impact on the AONB would be minimal. In addition there are obvious synergies to be gained from having both the medical centre and the community hospital at the same site.

Hawkhurst Golf Course

The current planning application includes provision for a medical centre.

2. Future housing north of the site if the allocation were adopted

No account appears to have been taken of the fact that although the current proposal is limited to a new medical centre and parking, it seems highly unlikely that the owner of the land would offer it without any prospective benefit, notwithstanding the gift of the land for the medical centre. It is also virtually certain that Rydon, who own the 'Access Option' from Birchfield Grove to the site and beyond, would not allow access for the development of the medical centre unless it opened up the prospect of building houses beyond the site at some point in the future. The medical centre appears to be a trojan horse for future housing development.

The Local Plan is not sound because it is not consistent with national policy

NPPF 172 requires that great weight should be given to conserving and enhancing landscape and scenic beauty in the AONB and the scale and extent of development should be limited, and planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

The medical centre will constitute a major development in the AONB given its nature, scale and setting and its significant adverse impacts as described earlier. Given the number of viable alternative sites for the medical centre, in particular KGV, no exceptional circumstances exist to justify major development at AL/HA 5 or to outweigh the environmental harm identified.

Furthermore Government policy is clearly moving towards providing greater protection of the countryside, as evidenced by the plan to introduce a far higher policy test into the NPPF as a result of the January 2020 Building Better, Building Beautiful Commission "Living with Beauty" report. This reinforces the need to protect virgin areas of AONB (ie AL/HA 5).

The Local Plan fails to comply with the duty to co-operate

The process by which Site 413 (the Site underlying AL/HA5) came to be included in this version of the PSLP clearly shows how TWBC has failed to co-operate with the community in the preparation and revision of the Local Plan.

In September 2019, Site 413 was included in TWBC's draft Local Plan. At this stage the proposal was for a medical centre and 100 houses. This prompted significant objections and in early January 2021 Site 413 was removed from the Pre-Submission Local Plan (PSLP), as a result of various considerations, in particular AONB concerns and KCC Highways' objection to any significant increase in traffic along Rye Road. Instead TWBC suggested that the medical centre should be co-located with a new Community Centre at another site in Hawkhurst (The King George V (KGV) playing fields at the Moor).

Between the site's removal from the PSLP and the Extraordinary TWBC Council meeting on 3 February 2021 to approve the PSLP, what appears to have happened is that the owner of Site 413 offered land for a medical centre and parking for free and that representatives from the two medical surgeries in Hawkhurst approached TWBC Planning to reverse the decision made in January and alter the Local Plan to include a medical centre.

This abrupt reversal of policy was made without any public consultation, engagement or even notification and clearly shows a failure in the duty to co-operate.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question

5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To make the Local Plan sound, it should be modified by moving the medical centre from the land allocated to Policy AL/HA5 to the King George V Playing Fields at the Moor (KGV), as originally proposed by TWBC in January 2021.

A medical centre at the land allocated to AL/HA5 is unsound as it would do irreparable damage to the AONB when there is an alternative site available that offers no damage to the AONB (ie KGV). Furthermore, it would lead to an increase in traffic congestion and, most likely, air pollution at the Hawkhurst Crossroads and on the Rye Road. Finally, traffic flows on Birchfield Grove would become excessive and unacceptable.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To assist the Inspector understand local residents' concerns about the destruction of AONB (when viable alternative sites exist) and the profound impact in terms of harm to their amenities were the medical centre to be built at the land allocated to AL/HA5.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_36a-g

Comment

Agent	Nicholas Kingsley-Smith [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kingsley Smith Solicitors LLP
Address	[REDACTED] Chatham [REDACTED]
Consultee	The Grove (Hawkhurst) Management Co [REDACTED]
Email Address	[REDACTED]
Company / Organisation	The Grove (Hawkhurst) Management Co Ltd
Address	[REDACTED] Hawkhurst -
Event Name	Pre-Submission Local Plan
Comment by	The Grove (Hawkhurst) Management Co Ltd [REDACTED] [REDACTED]
Comment ID	PSLP_537
Response Date	28/05/21 09:35
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_537_FULL_KCC_Highways_SI-5.pdf PSLP_537_image_SI-1.JPG PSLP_537_SI-3_page_2.jpg PSLP_537_SI-3_page_1.jpg PSLP_537_image_SI-2.JPG PSLP_537_site_plan_SI-4.jpg PSLP_537_SI-3_pages_3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	The Grove (Hawkhurst) Management Co Ltd

Question 2

Agent's Name and Organisation (if applicable) Kingsley Smith Solicitors LLP

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 5 Land to the north of Birchfield Grove

Paras 5.389-5.392

Map 47

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC: additional supporting information is attached to this representation].

Dear Sirs

Publication of Pre-Submission Local Plan - Representation

Land to the north of Birchfield Grove

Paras 5.389 -5.392

Policy AL/HA 5

Map 47

We are instructed by the members of The Grove (Hawkhurst) Management Company Limited who represent the resident occupiers of Birchfield Grove, who object to Policy AL/HA 5 that seeks to allocate land to the North of Birchfield Grove ['Site'] for the reasons set out below. In so doing, the council is urged to instead allocate land for a medical centre at The King George V playing fields at the Moor.

Preface

A previous scheme for 120 homes was dismissed on appeal in April 2014^[1]. Whilst permission was later granted for the homes that form Birchfield Grove, the council distinguished that land from the land to its north, and it is clear a defensible boundary to the North (given the school site to the immediate West) was created. Regrettably in September 2019 the Site (and more land – then called Site 413) was included in the draft Local Plan for a medical centre and 100 houses, but significant objections led to its withdrawal. For reference a copy of the residents' objections submitted as part of the consultation on the Local Plan is attached.

On 4 January 2021 Site 413 was removed from the Pre-Submission Local Plan (PSLP). There were many written objections to the Site's inclusion in the Plan, in particular AONB concerns, and second KCC Highways' objection to any significant increase in traffic along Rye Road. Instead TWBC suggested that the medical centre should be co-located with a new Community Centre at another site in Hawkhurst (The King George V (KGV) playing fields at the Moor ['KGV']). In this context, we note that TWBC have already worked with Cranbrook and Sissinghurst Parish Council to develop a joint facility in Cranbrook on exactly the same lines. Our client maintains that co-location at KGV is the appropriate solution for Hawkhurst.

Between the Site's removal from the PSLP and the Extraordinary TWBC Council meeting on 3 February 2021 to approve the PSLP, what appears to have happened is that the owner of Site 413 offered for free 0.79 hectare for a medical centre, representatives from the two existing medical surgeries approached Stephen Baughen (Head of Planning at TWBC Planning) to reverse the decision made in January and alter the Local Plan to include a medical centre at the Site.

We understand that the two surgeries will be amalgamating later this year i.e. before the emerging local plan could be adopted in any event. The proposed medical centre is intended to provide premises for the combined practice, and quite possibly other medical services. A meeting on 4/2/21 between the doctors' surveyor and, amongst others, TWBC Planning Dept and representatives of the Parish Council led our client to understand that it is likely to be a two-storey building with parking for over 50 cars. The Site area has capacity to accommodate that level of development, likely to exceed 1,000 sqm floor space, and it is reasonable to assume that would be achieved, when formulating these submissions.

Principal objections

AONB

The very significant weight to be given to the protection of AONB has not materially changed since the inspector's decision of April 2014. The Site is no different seven years later, part treed greenfield open farmland and the description of the special interest arising is very important to consider. We remind the council of those findings.

The inspector's findings equally apply now to the Site as follows (with policy references updated, bold for emphasis):

"Great weight should be given to conserving landscape and scenic beauty in AONBs which have the highest status of protection in relation to landscape and scenic beauty. Paragraph [172] of the Framework states that planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such application should include an assessment of the need for the development including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; the cost of and scope for developing elsewhere outside the designated area, or meeting the need for it in some other way; and any detrimental effect on the environment the landscape and recreational opportunities, and the extent to which that could be moderated"

The proposal will constitute major development. There is no exceptional circumstance to justify encroachment into this beautiful landscape when there is scope for meeting the need for it in some

other way i.e. at KGV where the impacts would be significantly less and not cause harm to local resident amenities. The inspector made these further findings that do not apply to KGV:

Around 70% of borough is designated AONB. The scenic beauty of the AONB is derived from undulating and rolling countryside, dispersed settlements, historic farmsteads, ancient tracks and routeways, ancient woodlands, heaths and shaws, with a heritage of woodland industries and iron workings, and small irregularly shaped and productive fields[2].

The Site is quite unlike KGV. KGV is already built upon and distinguishable from the wider landscape. The Inspector went on (bold for emphasis) when refusing permission in 2014 for Site 413:

Hawkhurst is located in a broad high plateau on the main ridge line between the Rother Valley and Hexeden Channel. It is conspicuous along the ridgeline. It dates from before the 13th century. The historic settlement pattern is characterised by the layout of the traditional village centre and clusters of white painted dark framed weather boarded dwellings nestled around a small green. The settlement is considerably larger and there are examples of modern developments in the locality.

The site is part of a network of peaceful managed farmed landscape of pasture and open arable fields on the gentle open slopes rolling down from the plateau. The undulating topography of the site plays an important role on the landscape character. Given the rising and falling nature of the landscape the development will be visible from various public vantage points. The undeveloped quality of the site makes a significant contribution to the landscape character. The development would be seen as an urban extension to Hawkhurst and it would be out of keeping with the character of the settlement pattern due to the location and built form of the site.

Additionally the location and siting would represent a significant encroachment into the countryside. Despite the hedgerow as part of a mitigation scheme the access would be seen as an alien feature on the landscape and it would be out of keeping with the undeveloped character of this part of the countryside.

In this location the development would be seen as an unacceptable visual protuberance on landscape. This is because of the extent and scale of the development. I find that would have a materially detrimental visual effect upon the natural scenic and beauty of this part of the AONB, and it would undermine the open and mainly undeveloped appearance of the site thereby harming features which are integral to the character of Hawkhurst.

The undulating topography of the site reinforces the historic rural setting of Hawkhurst and I have strong reservations about the effect of the development upon the appearance of Hawkhurst

I find development would have a significant and demonstrable visual effect upon the landscape character of the AONB. The development fundamentally conflicts with advice contained within paragraphs [172 and 173] of the Framework which seek to restrict this kind of development in designated areas such as the AONB. Accordingly the development fails to comply with the main aims and objectives of the development plan.

The scale and location of the development would have a significant and demonstrable visual effect on the wider landscape.

The undulating topography of the site reinforces the historic rural setting of Hawkhurst.

Harmful visual effects upon the AONB would fail to comply with local and national planning policies given the potential effect upon the character and appearance of Hawkhurst. I consider it would be of greater weight that the grant of planning permission for this scheme would materially harm the visual landscape and landscape character of the AONB because of the site's location and would fail to represent a high standard of urban design given the scale of the development.

The exceptional case?

NPPF 172 requires that great weight should be given to conserving and enhancing landscape and scenic beauty in the AONB and the scale and extent of development should be limited, and planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

Whether a proposal is 'major development' in the context of NPPF 172 is a matter for the decision maker (having regard to footnote 55). In this instance, the proposed development is major development

in the AONB having regard to its nature, scale and setting and the significant adverse impacts of the development as set out below.

The site is part of a network of peaceful managed farmed landscape of pasture and open arable fields on the gentle open slopes rolling down from the plateau. The undulating topography of the site plays an important role on the landscape character. Given the rising and falling nature of the landscape the development will be visible from various public vantage points. The undeveloped quality of the site makes a significant contribution to the landscape character. The development would be seen as an urban extension to Hawkhurst and it would be out of keeping with the character of the settlement pattern due to the location and built form of the site. Additionally, the location and siting would represent a significant encroachment into the countryside, seen as an alien feature on the landscape and it would be out of keeping with the undeveloped character of this part of the countryside, an unacceptable visual protuberance on landscape. The nature of the development will erode this relatively tranquil rural environment, a generator of traffic set within a rural landscape, the scale of the use would be substantial, involving large numbers of people and large built form intrusive in this rural setting, when the Site is devoid of any building. Considering setting, the proposal would take place within a part of the landscape that is integral to the setting and charm of the village and it would erode its rural landscape setting. Its scale and height would be prominent in this location, a major and permanent disruptive change to landform, harmful to the character and appearance of the AONB.

The level and intensity of the proposed use of the site would also impact on the tranquillity of the area, which is a recognised key component characteristic of AONB designation. Moreover, artificial light associated with the development, together with noise and activity would impact on bio-diversity and contradict the “dark skies” policy adopted for Birchfield Grove. The ecological value of the Site, and ancient woodland priority would mean allocation would be contrary to policy. Whilst there would be some economic and social benefits, the high-quality environment of the High Weald AONB within and around Hawkhurst is of considerable importance and this carries great weight. Overall, the development would result in significant erosion of the landscape character of the AONB with significant adverse impact on the character and appearance of the area and would not conserve or enhance the landscape and intrinsic scenic beauty of the AONB and the purposes for which the area has been designated. The proposal does not present exceptional circumstances necessary to justify major development within the AONB or outweigh the environmental harm identified particularly as alternatives(s) exist with significantly less harmful impacts.

Beauty

The Framework is currently being reviewed again and it is clear that NPPF until 2019 from its inception, and PPG prior to that, gave significant weight to protection of the countryside for its own sake (see for example paragraph 170b NPPF 2019). The Ministry consulted upon, and is set to introduce, a far higher policy test, thanks to the January 2020 Building Better, Building Beautiful Commission “*Living with Beauty*” report. This tells us to “*ask for beauty*” and “*refuse ugliness*”. Our client asks that now. It not merely chimes with the findings of the 2014 Inspector, nor is Beauty being merely reinstated from the previous NPPF position - it will be fundamental to sustainable development as defined before the Plan is adopted.

Other serious adverse impacts

Building a medical centre at the Site runs contrary to current and future policy, it is on the above mentioned ridge upon which the 2014 Inspector gave great weight in terms of protection. The proposed medical centre would dominate that ridge and would be a prominent and discordant feature when viewed from country lanes and footpaths to the north on the other side of the valley (see attachments labelled photos 01 and 02 from the North). From redacted minutes of a meeting between Rydon and TWBC Planning in January 2019, there is confirmation that this is regarded as the most ‘sensitive’ part of site – see documents labelled FOI 1 to 4, in particular FOI 2. It should also be noted that the Birchfield Grove development is surrounded by an Ecological Mitigation Area (approximately 2-3m wide – see attachment labelled Ecological Strip). Not only will this strip of land be breached to allow access to the Site but in addition any protection for wildlife, fauna and flora that the strip was meant to offer will be undermined by building a medical centre next to it.

Given that Site 413 was excluded from the January draft of the PSLP because of AONB concerns, what has changed to allow such a large structure to be built on the same site? Nothing material has changed since the 2014 Inspector made his findings.

The Site is a good ten minutes' walk from the Hawkhurst Crossroads and for patients living to the north, south and west of this, car would be the preferred mode of transport. The Hawkhurst Crossroads is already very busy. KCC Highways has made the point that the Crossroads it is 'at capacity', and has recently objected to another proposed housing development (71 homes), also to the south of the Crossroads, "owing to worsening congestion at the Hawkhurst crossroads junction" which they also note, quoting an August 2020 TA is "already operating over capacity" – see attachment labelled FULL KCC Highways (letter dated 25 February 2021 in Application TW/20/02788/FULL, KCC Highways and Transportation). To reinforce the point, this application has now been refused by TWBC's Planning Committee on the grounds of the impact on both the High Weald AONB and road congestion. (Decision made on 12 May 2021).

The intensification of use of the access road (Birchfield Grove) has already been objected to by Kent County Council highways (see TW/14/00547/OUT 1/5/2014). The borough council gave reserved matter approval to the current layout apparently unaware (from fair reading the officer assessment report) of the implications of leaving an aligned road near the northern boundary, which was not part of the presentation layout made by the developer to borough council members when they granted planning permission. Residents and their solicitors were similarly unaware when purchasing their properties in Birchfield Grove. Unlike the private road element that closes off Birchfield Grove at its northern end, the Site's proposed access was not segregated compared to the remainder, to leave open an access to more development. To the contrary, the landscaping proposed to borough council members was a defensible barrier to further development to the North i.e. including the Site (see Application 16/07797, Approval of Reserved Matters 2/10/17, Agent Response to Parish Council comments).

The escalation of use, were the Site allocated and then developed as drafted, would have profound implications for our client residents in terms of harm to their amenities. It is obvious from the significant escalation in traffic movement, this will lead to noise, fumes, vibration and disturbance to what is otherwise currently a quiet cul-de-sac that does not facilitate access beyond. Indeed, all residents, and even more so, those abutting or overlooking the Site would be adversely impacted. Here again the 2014 inspector raised significant concern in respect of harm by way of less than high quality design, but in 2014 the Framework provisions were less effective than now.

The position is currently set out in the 2019 Framework under section 12, commencing at paragraph 124. Put short, it has since then been a **"fundamental"** requirement that **development makes better the places in which people live their lives**, to be acceptable to communities. It will fail that fundamental test and it is explicit the Framework requires such development to be regarded as unsustainable. The test is no different when considering allocation of land in a new local plan since planning permission would still be required.

The air quality in Hawkhurst is one of the worst in Kent due to the Crossroads. Bringing both surgeries to the Site is likely to add to the poor air quality as patients to the south of Hawkhurst who previously attended the surgery located in the south of the village (Wish Valley) will now have to drive up Highgate Hill and turn right at the Crossroads. Perhaps more significantly, on their return journeys all visitors to the medical centre would turn right into Rye Road (see below for access and sightline problems) before distributing three ways at the Crossroads.

The junction from Birchfield Grove to Rye Road – this junction has poor sightlines and would struggle to handle the increased volume of traffic. In this context, a planning application to build six bungalows on the other side of the Rye Road (virtually opposite Birchfield Grove) was turned down recently mainly because of concerns around access to the Rye Road – see (see web link)

Accordingly, the Site must not be allocated, but protected from development. There is no plausible planning case otherwise simply because a landowner offers land for free. So where else should a medical centre be allocated? The answer is not difficult.

Alternative site availability.

This is a key point given the above Framework requirements. KGV was suggested by TWBC in the January draft of the PSLP before the offer of free land at Site emerged. Our client believes KGV has considerable advantages over the Site – notably, it is already developed (there is a Sports Pavilion; parking; tennis courts; playing fields and a playground) so would not damage or undermine the AONB. In addition, it believes this site can meet the doctors' requirements for the new medical centre, including parking. The idea in the January PSLP was that the medical centre would be co-located with a proposed new Community Centre. This would potentially generate a number of synergies. Finally, it believes

access would not be an issue given that KGV already accommodates the traffic associated with its existing facilities. It is also worth noting that there are two other potential sites at the local Community Hospital which lies on the outskirts of the village and at the proposed development at the Golf Club which includes provision for a new medical centre too.

Future housing north of the Site if the allocation were adopted

Although the current proposal is limited to a new medical centre and parking, it seems highly unlikely that the owner of Site would offer it without any prospective benefit, notwithstanding the gift of the land for the medical centre. It is also virtually certain that Rydon, who own the 'Access Option' from Birchfield Grove to the Site and beyond, would not allow access for the development of the medical centre unless it opened up the prospect of building houses beyond the Site at some point in the future. The landowner's track record for that is established. The offer of the land cannot be given any weight in terms of planning merit.

The doctors' professional adviser was understood to have been asked about 'ringfencing' the medical centre so that no further access could be made to the remainder of the land (site 413) through the medical centre/Site but at a meeting with representatives of Hawkhurst Parish Council and TWBC planning turned that down. This fuels concern that the medical centre is a 'trojan horse' for significant future housing on site 413.

Conclusions

The 2014 Inspectorate decision made findings with which the allocation of this Site is in fundamental conflict. For the planning system to be reputable, consistency is crucial. The Neighbourhood Plan policy position does not support allocation of this Site. LP2 maintains the AONB protection and AM3 gives generalised support to a replacement facility, but does not identify this Site.

Accordingly, in terms of Framework dimensions, there is no **economic benefit compared with KGV**, and in terms of **environment**, the position firmly tips against the Site, plus as a less harmful alternative site exists, that will equally meet the **social dimension**. It does not meet the Framework 3 tests, so it would be "**Unsound**" to leave the Site shown as a proposed allocation. This is very clear in 'place' and 'plan' making terms. The council should instead identify KGV as the viable site for the medical centre.

Yours faithfully,

Kingsley Smith

Kingsley Smith Solicitors LLP

Copy of the residents' objections submitted as part of the consultation on the Local Plan published July 2020

Representations to TWBC re Fowler's Park, Hawkhurst (Policy AL/HA 4)

TWBC has included a site in Hawkhurst (Fowler's Park) ("the Site") in its Regulation 18 Consultation draft new Local Plan ("the Draft Plan"), which is being consulted upon in a first round of publication between 20 September and 1 November 2019. The detailed proposals for the Site is set out in Policy AL/HA 4 of the Draft Plan. Briefly, the Site is allocated for residential use (C3) of approximately 100 dwellings, a medical centre or community facility (together with sufficient parking space), and safeguarded land for future school expansion.

We are instructed by residents of Birchfield Grove, Hawkhurst, the road from which any new development at the Site is to gain access. The representations contained in this letter have been approved by **[a number of other residents by whom we are not expressly instructed but from whom we have received confirmation, via our clients, that it also reflects their concerns with regard to the development of the Site]**

Our clients have several serious concerns regarding the suitability of the Site for the development which is being proposed in the Draft Plan. As set out in the draft policy, the Site in undeveloped "greenfield" land, it is within the Area of Outstanding Natural Beauty, is rural, comprises an area of Ancient Woodland and contains several Tree Preservation Orders and Veteran Trees. There is some development abutting the Site to the south and west, generally consisting of residential gardens and playing fields.

The issues which will be addressed in this representation are:

- 1 Transport / highways issues
- 2 Consistency of decision-making with plan-making
- 3 The earlier decision by the Secretary of State (13/00014) of 14 April 2014
- 4 AONB Protection
- 5 ClientEarth letter, September 2019
- 6 Sustainability / future-proofing
- 7 Housing Supply
- 8 The Relief Road

Transport / highways issues

The Site will be accessed through the new development (which our clients occupy) at Birchfield Grove. Birchfield Grove was only constructed very recently, between November 2018 and April 2019, our clients taking occupation of their property in March 2019, only some six months ago. The properties in Birchfield Grove were still being sold up to September this year. At no point during the transfer of their property (or, we understand, any of the others on the development) was the possibility of development on the Site mentioned. Whilst it is fully appreciated that this is not a material planning consideration, it goes to the consistency and transparency of cumulative local government decisions and how the failure to hold those principles affects not only the sustainability of the area but also individuals' lives and futures.

The Site will cater for, the Draft Plan indicates, about 100 new dwellings. With the average car ownership for a 3-bedroomed house being 2, that number increasing exponentially with the size of the home, this equates to an average (qualified guestimate) of 200 additional cars going through what was expected to be a quiet cul-de-sac by many of the purchasers. Birchfield Grove will be the only point of access for the Site as the consideration of any access from Whites Lane has been restricted by paragraph 2 of the draft policy.

Hawkhurst suffers terribly from congestion, rippling back from the busy crossroads in the centre of the village. It is noted that a relief road is proposed in the Draft Plan in the Development Strategy ST1 for the whole borough (paragraph 4) but the details of this are in no way sufficiently advanced (or if they are, they are not yet publicised) to enable any adequate consultation on development which it may 'relieve', taking place.

As far as the logistics of the Site itself, on leaving Birchfield Grove, the sightlines both to left and right are poor. The width of the mouth of the road joining Rye Road is too narrow to allow a vehicle to exit safely onto Rye Road if another vehicle is turning in at the same time. Whilst this is manageable in the context of 26 dwellings (that permitted and constructed at Birchfield Grove), the situation would likely become highly dangerous with the number of vehicles associated with the 100 extra houses proposed for the Site, public parking for 15 vehicles and a medical centre with its own parking. It should be noted that in relation to the application reference 19/01299 to build six bungalows opposite Birchfield Grove, KCC Highways and Transportation commented (26 July 2019) that:

"Rye Road is a busy distribution route where the last recorded speeds in connection with the development opposite [that is, Birchfield Grove], were in excess of 40 mph."

In this context it should be noted that despite the 30mph zone being extended beyond the Birchfield Grove development several months ago, almost all vehicles exiting the village eastward accelerate to or beyond 40mph even before arriving at the Birchfield Grove junction.

It is noted that the draft policy AL/HA4, paragraph 11 states that *"Confirmation from the highway authorities that there is no objection to the impact of the development at the crossroads at Highgate"* is a requirement for any development of the Site.

The added volume of westbound traffic from Birchfield Grove would add significantly to pressure on the crossroads already under considerable strain.

Although Birchfield Grove is quite short at approximately 130 metres long, it has been constructed with appropriate minimal width and with four curves along its length to give the development a rural character. If Birchfield Grove had been planned as part of a larger development of 126 dwellings, public parking for 15 vehicles and a medical centre with its own (somewhat transient) parking facilities for staff and visitors, which is what it will become if the proposal for the Site goes ahead, such a curved road of minimal width would never have been contemplated. Birchfield Grove is of a width appropriate only to its current size and visitors' parking is limited to space for only two vehicles. If the proposals

for the Site as outlined in the Draft Plan go ahead, Birchfield Grove will become highly congested with through traffic to and from the proposed development.

Consistency of decision-making with plan-making

In the decision made by TWBC with regard to the development of Birchfield Grove, the applicant's agent agreed to remove any reference to access being maintained to the Site in response to representations made by Hawkhurst Parish Council that there was no future development proposed on the Site. An email from the applicant's agent to the local authority dated 30 March 2017 containing its agreement was published on TWBC's planning portal against application no.16/07797 on 29 September 2017 **[enclosed]**. It can therefore be presumed by the reasonable observer that it was considered by the applicant and the local authority that there was no element of access to the Site which should properly fall to be considered in the decision-making process for the development of Birchfield Grove. Our clients feel that, if the local authority (as a body) were aware of access being required for any potential future development (either in principle or properly formulated) at the Site at the time that it made the decision in the Birchfield Grove site, that information should have been a material planning consideration and should have been referred to in the material submitted for, and the subsequent decision of, Birchfield Grove. The local planning authority is put to proof regarding the timing of its knowledge of the Site coming forward for development either by way of application or as part of the Call for Sites for the Draft Plan and the decision taken in the Birchfield Grove application (decision notice issued: 29 September 2017).

The earlier decision by the Secretary of State (13/00014) of 14 April 2014

Furthermore, a Planning Inspector, in the appeal against the decision of the Council to refuse application no.13/00014 (an application for the development of a larger site at the same location) dismissed an appeal against the refusal of 120 dwellings at the Site for the following reasons:

- (i) The development would have a materially harmful visual effect on the AONB
- (ii) It would fail to represent the high standard of urban/rural design required by policy

The AONB reason over-ride all of the other issues raised by the appellant in terms of housing numbers (the Council could not satisfy its 5yr HLS at that time), its generally sustainable location, the lack of material harm to the biodiverse ecology of the Site, identified and quantified economic, environmental and social benefits to the development, highways issues, drainage problems and the provision of affordable housing, all of which the Inspector felt could be addressed through the planning agreement but none of which would overcome the inherent and long-standing damage that would be caused to the AONB by the development of 120 houses on the Site.

AONB Protection

Paragraph 11 of the National Planning Policy Framework (the NPPF) states that:

"Plans and decisions should apply a presumption in favour of sustainable development.

*For **plan-making** this means that:*

- (a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;*
- (b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, **unless**:*
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

One of the policies specifically mentioned in the NPPF that "protect areas or assets of particular importance" described in paragraph 11(b)(i) is that regarding Areas of Outstanding Natural Beauty.

Paragraph 170 of the NPPF, in particular, states that, *"planning policies and decisions should contribute to and enhance the natural and local environment by:*

- (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*

(b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

(c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

(d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

(e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

(f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”

More specifically, paragraph 172 states that, “Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks. Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major developments other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

(a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

(b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

(c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”

Where there are sufficiently robust policies in place to counter-balance the presumption in favour of sustainable development, reasons for refusal may be sustained. In the Inspector’s consideration of all of the policy factors, nothing outweighed the importance of the AONB, not even a lack of housing supply for the local authority.

The importance of the AONB cannot be under-estimated. Once it is gone, it is gone forever; there is no return. The Inspector described the Site as being “*part of a network of peaceful, managed, farmed landscape of pasture and open arable fields on the gentle open slopes rolling down from the plateau. The undulating topography of the site plays an important role on the landscape character*” and “*the undeveloped quality of the site makes a significant contribution to the landscape character*”. [Enclosure: Decision Letter: paras 49 & 50]

In plan-making (i.e. the allocation of sites for development), a similar approach should be taken, as outlined by the NPPF.

The Draft Plan considers the AONB at Policy EN 21, which clearly states, at the first paragraph that:

“*All development within, or affecting the setting of, the High Weald AONB shall seek to serve and enhance its landscape and scenic beauty, having particular regard to the impacts on its character components, as set out in the High Weald AONB Management Plan.*”

The preceding explanatory paragraphs to the draft policy are also set out below:

“6.224 *The High Weald AONB covers approximately 70% of the borough and has the highest status of protection nationally in relation to landscape and scenic beauty, equal to that of National Parks. The Local Planning Authority has a statutory duty to conserve and enhance the natural beauty of the High Weald AONB. The High Weald AONB Management Plan 2019-2024 provides the following statement of significance:*

‘Time depth and objective analysis has defined the High Weald AONB as characterised by dispersed settlement, particularly historic farmsteads, ancient tracks and routeways, an abundance of ancient woodland, wooded heaths and shaws with a heritage of woodland industries and iron working and small, irregularly shaped and productive fields. These are all draped over a deeply incised and ridged landform of clays and sandstones with numerous gill streams, and are closely related to socio-economic characteristics that have roots extending deep into history. The essential character of the High Weald was established by the 14th century and has survived major historical events and social and technological changes. It is considered to be one of the best surviving coherent medieval landscapes in northern Europe. This fundamental and largely immutable character is the essence of the natural beauty of the AONB’.

6.225 *The High Weald AONB Management Plan is structured around the five key components of this character:*

- . *geology, landform, water systems, and climate;*
- . *settlements;*
- . *routeways;*
- . *woodland; and*
- . *field and heath.*

6.226 *The Local Planning Authority will have particular regard to these components in determining development proposals affecting the High Weald AONB and, where relevant, areas of the High Weald National Landscape Character Area that adjoin the designated area.”*

The draft policy, in paragraph 2, then attempts to preclude from itself those sites which are allocated in the draft NLP but which are within the boundaries of the AONB:

“Development in the AONB on sites not allocated in the Local Plan will need to be of a limited scale appropriate in terms of its nature and location, and demonstrate a positive contribution to the objectives of the AONB Management Plan...”

This statement goes entirely against the rationale behind national policy (the NPPF), the statutory duty imposed upon the LPA contained in section 85 of the Countryside and Rights of Way Act 2000 (“the CROW Act 2000”) and also the Draft Plan’s own preceding explanatory paragraphs.

Whilst it is appreciated that the LPA has discretion when drafting Plans to determine the weight to apply to matters which are given materiality by the NPPF and the PPG, protection for the Area of Outstanding Natural Beauty is required **in law** by the application of section 85 of the CROW Act 2000. This states at sub-paragraph (1) that:

“In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.”

It is submitted that by attempting to remove the statutory protection from those sites which are allocated in the Draft Plan, the LPA is acting contrary to section 85 of the CROW Act 2000.

ClientEarth letter, September 2019

In response to the letter written by ClientEarth to the LPA putting it on notice of the potential it faces to violate its legal environmental obligations, the Draft Plan must ensure the introduction of “proper” climate change plans, including evidence-based carbon reduction targets which are central to those new plans. ClientEarth describes the need to include carbon targets in local planning policies as a “core objective against which all other policies and decisions will be tested”.

It must therefore be questioned whether the use of the Site for 100 new houses satisfies the LPA’s legal obligation to achieve a net zero carbon footprint for the UK. The LPA must be absolutely sure it can comply, via the imposition of appropriate planning conditions and, more importantly, the strong and targeted enforcement of any breaches of those conditions, with its statutory duty to uphold the law as set out in section 19(1)(A) of the Planning and Compulsory Purchase Act 2004, in that:

“development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change”

Sustainability / future-proofing

The government has recently announced the target requirement for the country to achieve zero net carbon emissions by the year 2050.

Should these site-specific objections not be successful and the Site be allocated as proposed by the LPA in the Draft Plan, any developer must be strictly required to ensure that the development of the Site achieves this high degree of sustainability and that neither the village, the county nor the region suffers any detriment to its air quality or available amenity land to provide services for future generations of its inhabitants.

Housing Supply

As mentioned above, the Inspector's decision from 2014 highlighted the importance of the AONB, even over a lack of housing supply.

Our clients are fully aware of the need for the LPA to meet the figures set out annually by central government in the Housing Delivery Test, or undertake the consequential actions required where there has been a failure to do so. If the LPA can identify its housing supply, either including this Site or not, at the time of considering the Draft Plan, or at a later date prior to the Examination of the draft policies contained in the Draft Plan then there will be less pressure to allocate sites which are considered unsustainable or have additional designated national protection.

It can be seen that much relies on the timing of the coming forward of sites for inclusion in the Draft Plan and also the number of houses being built in the years leading up to a Plan's examination and adoption.

Our clients are strongly of the view that in order to satisfy its housing targets, the LPA (a) does not need to include this Site in its allocation; or (b) should consider alternative sites outside Hawkhurst before it over-runs the village with development that it cannot sustain either in the medium- or long-term.

The Relief Road

The provision of a relief road in Hawkhurst from Cranbook Road to Rye Road/High Street (as mentioned above, referred to in the Development Strategy policy STR1) is only required as a result of the enormous scale of development now proposed in the village and does not appear in the Transport section of the Draft Plan (paragraphs 6.506-6.540; policies TP1-6).

Our clients are extremely concerned that it will not relieve the traffic concerns in relation to this particular Site as it is at the opposite end of the village. Its effect will be negligible.

Furthermore, it would appear that a proper assessment of the relief road and its effects has not been conducted, or at least not officially reported upon and analysed in order for it to be published as part of the Draft Plan.

Until such analysis is available on the real prospects of the relief road benefitting the village, or its surrounding area, and complying with all sustainability principles, the allocation of development sites which it is suggested would be better served by the existence of the relief road, is open to challenge.

Conclusion

The obvious remedy to facilitate the ability of the LPA to achieve its given target of net zero carbon emissions, to comply with all of its statutory obligations to conserve and enhance the AONB, and to protect any future detriment to the amenity of the residents of Hawkhurst, is to remove this Site (as well as others in Hawkhurst) from the Draft Plan.

9 October 2019

Thomson Snell & Passmore LLP

[1] 2198919

[2] The High Weald AONB Management Plan 2009

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The siting of a large medical centre in a prominent position in the AONB in land to the north of Birchfield Grove is so inappropriate by reason of (i) damage to the AONB when there is an alternative site that offers no damage to the AONB, (ii) unacceptable additional pressure of traffic flows on Rye Road and at the Hawkhurst crossroads and (iii) excessive and unacceptable pressure from traffic on Birchfield Grove, that the only possible modification to the Local Plan to make it sound is to remove it from the plan and reposition the medical centre at King George V Playing Fields.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

No, I do not wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_42a-c

Comment

Consultee	Ruth McChesney [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Ruth McChesney [REDACTED]
Comment ID	PSLP_653
Response Date	28/05/21 17:37
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Web
Version	0.1
Files	IvyCourtSurgery02.jpg IvyCourtSurgery01.jpg PottersLane.JPG
Question 1	
Respondent's Name and/or Organisation	Ruth McChesney
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 5	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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My objection relates to the adverse impact that a building of the size and scale of the proposed medical centre would have on the High Weald Area of Outstanding Natural Beauty. The mass of a large building situated on the top of a slope, as it would be on this site, would dominate and overwhelm a sensitive view. To help illustrate this concern, I attach three pictures. One is of the view of the site from Potter's Lane (north north-west of the site); the other two are of the newly opened Ivy Court Surgery in Tenterden. To have a building of anything remotely approaching the size of the Tenterden Surgery on such a sensitive site would be, in my view, appalling and a gross detriment to the AONB.

It is worthy of note that even in the central town site of Tenterden, Ashford Borough Council was originally minded to oppose the planned Surgery, stating that "the proposed height, bulk and massing of the building was of substantial concern".

Question 6

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The Medical Centre must be located on a more suitable site - may I suggest the King George V Playing Fields near the proposed new Community and Sports Centre?

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Janet Deakin [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Janet Deakin [REDACTED]
Comment ID	PSLP_832
Response Date	30/05/21 11:28
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Janet Deakin
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 5 Land to the north of Birchfield Grove

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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As a Birchfield Grove resident, I wish to register my objection to Policy AL/HAS which seeks to allocate land to the north of Birchfield Grove for the purposes of a new joint doctors' surgery, parking spaces and ancillary facilities.

My reasons are all substantiated by Kingsley Smith's comprehensive submission to you dated 21 May 2021. Therefore to prevent being lengthy and repetitive, I have precised my response which wholly refers back to Kingsley Smith's submission.

AONBSee Solicitor's report on this aspect. To me there seem to be no 'exceptional circumstances' as to why the surgery should be located at Birchfield Grove. Certainly the downsides of such a project would be catastrophic in terms of encroachment in an AONB. Also Site 413 was excluded from the January draft of the PSLP because of AONB issues. Have there been any changes since then? None are evident to me. Also the ecological strip intended as protection for wildlife, flora etc would be breached, contrary to what I was told when purchasing my property.

TRAFFIC AND ACCESSTraffic congestion in Hawkhurst is a well known and frustrating fact. The village simply cannot cope with current, let alone, increased volume. Every day there are back ups from the traffic lights to the junction with Birchfield Grove - an impossible situation exacerbated by vehicle fumes, speeding traffic braking hard to join the queue - an accident waiting to happen. In addition, visibility to exit Birchfield Grove is difficult to say the least, as is entry into Birchfield Grove, particularly at night - there are no street lamps - dark sky policy. How would this policy sit with a large practice, cars etc on the north side of the ridge? (I notice planning was turned down recently for 6 bungalows opposite Birchfield Grove due to traffic/access reasons).

Birchfield Grove itself is a narrow cul de sac and entirely unsuitable for large flows of traffic. Some houses are only a few feet from the road which in itself presents a high degree of danger let alone the resultant stinking fumes which will be generated by queues of cars trying to exit Birchfield Grove and speeding cars having gained entry, plus the prospect of larger vehicles, ambulances etc.

ALTERNATIVE SITEA well documented fact that TWBC has agreed to a proposed joint surgery at KGV with notable advantages over Birchfield Grove. The provision also of a Community Centre is a real bonus, a facility for a village the size of Hawkhurst so desperately needs. Why are the doctors so insistent on pressing for Birchfield Grove when services already exist at KGV, parking and no encroachment on AONB and housing - do ask yourselves! Gaining access at Birchfield Grove will no doubt lead to future applications from the owners of the land beyond for a large housing project. A ridiculous scenario which would only add to current problems previously mentioned not to mention Sewage which is a major concern in this area.

I trust TWBC will give careful and measured thought to this reapplication and its long term effects if granted, and fully embrace the points raised here and in particular, Kingsley Stevens submission.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Dennis Marshall [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Dennis Marshall [REDACTED]
Comment ID	PSLP_961
Response Date	02/06/21 16:46
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Dennis Marshall
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/HA 5	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified
- . It is not consistent with national policy

Question 5

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The Local Plan is not sound for the site underlying AL/HA5 for the reasons below.

AONB

This is untouched AONB. A medical centre of this scale plus parking for over 50 cars would destroy this beautiful landscape. As the site is on a ridge this will adversely impact many parts of the village. Lighting for the large car park will have a seriously detrimental visual effect and is counter to the dark skies policy in place in Birchfield Grove. In addition in 2014 an appeal to build houses on the same site was dismissed by the Inspector principally because of the need to protect the AONB. Nothing has changed since then. The current protections for wildlife, flora and fauna around Birchfield Grove will be undermined as (i) access to the site will be across a protected Ecological Mitigation Area and (ii) the medical centre itself will be built next to it. As an alternative site exists for the medical centre there can be no exception that will allow building on AONB at the land allocated to AL/HA5.

TRAFFIC CONGESTION

Siting a medical centre on this land will increase congestion in the village and, in particular, at the Crossroads as patients in the south, north and west of the village will most likely have to travel by car to the medical centre. This will also increase air pollution at the Crossroads, which is already one of the worst areas in Kent.

The increase in traffic in Birchfield Grove will also cause severe problems given that the road is designed for only 26 houses. It is twisty and narrow and completely inappropriate for access to a busy medical centre.

The junction between Birchfield Grove and Rye Road has poor sight lines and cars regularly travel at speeds in excess of 30mph. The additional traffic generated by the medical centre will make matters even worse.

ALTERNATIVE SITE

There is a viable and better suited alternative site at the King George V Playing Fields (KGV) at the Moor. It has several advantages over AL/HA 5 - for example, it has already been developed with a sports pavilion and playing fields and it is in a much less prominent position and any additional building will have a minimum impact on AONB. KGV was also proposed by TWBC in January 2021 as the site for the medical centre.

DUTY TO COOPERATE - the site underlying AL/HA5 was removed entirely from the TWBC Local Plan in January of this year following consultation with the public. It was then reinserted just ahead of the February TWBC Council meeting without any consultation with local residents. Discussions with the doctors' surgeries did, however, take place. A one sided discussion does not meet the duty to cooperate.

Question 6

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To make the Local Plan sound, the medical centre should be moved to the King George V Playing Fields at the Moor.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Linda Beverley [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Hawkhurst Cranbrook [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Linda Beverley [REDACTED]
Comment ID	PSLP_978
Response Date	02/06/21 17:45
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Mr Donald and Mrs Linda Beverley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/HA5	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

Question 5

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My comment is consistent with the letter submitted by the Grove Management Company Ltd, expressing the representations of residents of Birchfield Grove in relation to the development on the land North of Birchfield Grove.

Question 6

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The building of a large Medical Centre and parking would be inappropriate on this site.

The field is part of the AONB and should not be developed.

Previous developments have been refused.

The access from Rye Road would be through a small housing development, Birchfield Grove. The access road would have to disturb an ecological corridor around the small housing development, endangering the wildlife present.

inevitably there would be a massive increase in traffic through the small development. The entrance to Birchfield Grove is at the end of the village and cars passing tend to increase their speed although the limit is 30 mph. A child was knocked down at this point a few days ago. there is poor visibility exiting from Birchfield Grove for vehicles and pedestrians.

the road is not wide enough for any parked vehicles, it would limit access for residents and utility vehicles.

children currently play relatively safely on the bikes etc in Birchfield this would not be the case if there were to be access to a major medical centre at the back.

the landowner us offering th3 land at no cost to the doctors at Northridge and Wish Valley practises, however my opinion is that once access is given the developers will then submit housing plans similar to ones that have been refused before on this site.

the building would be a carbuncle view from the surrounding lanes, and for residents of Birchfield Grove.

Question 7

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Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Sandra Faulkner [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Hawkhurst Cranbrook [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Sandra Faulkner [REDACTED]
Comment ID	PSLP_1067
Response Date	04/06/21 11:40
Consultation Point	Map 47 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Sandra Faulkner
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 5	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

<input type="checkbox"/>	It is not justified
<input type="checkbox"/>	It is not consistent with national policy

Question 5

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1. The proposal to site a new Medical Centre in site 413 (AL/HA 5 Policy) is unsound and not compliant with planning laws surrounding building in AONB.

2. Birchfield Grove is not an appropriate road to manage unacceptable traffic flow should a Medical Centre be sited in the field to the north of Birchfield Grove and as such policy AL/HA 5 is unsound.

Submission 1. When the Pre Submission Local Plan was approved by the Tunbridge Wells Planning Committee early January 2021, the proposed medical centre was allocated to available land at the King George V (KGV) playing field at the Moor alongside the proposed new community centre (policy AL/HA 6).

There is ample land available at King George V playing field for both proposed buildings and also the required car parking. There is an existing community hall and sports facilities along with a childrens playground and offers both easy access by foot, bicycle or indeed car with an existing bus stop adjacent to the proposed facilities. The Parish Council would welcome discussion with the GP's to explore this possibility.

The new medical centre is currently proposed on a high ridge of over 200 feet in a field (AL/HA 5) that gently slopes down to the north from position of the proposed building and will be entirely visible. This will be more apparant and visible in the darker skies at night time when lighting will be required. This field is a very pleasant environment in an AONB with excellent biodiversity value.

Building in the AONB is permitted if the community interest outweighs the harm to the area. However, three conditions have to be met and this proposal fails the condition that there is no alternate available site. In this case there is an identified and available site at King George V playing field (AL/HA 6) as highlighted in the first edition of the Pre Submission Local Plan approved at the beginning of January.

This alternative site (AL/HA 6) is very accessible with ease of access by foot, bicycle, car and an adjacent bus stop for public transport. The land available is in a discreet location within the overall site of AL/HA 6 and having a proposed community centre and medical centre co-located meets with Tunbridge Wells Council's current policy whereby supporting (including a substantial grant) our local Cranbrook and Sissinghurst Parish Council in a mirror project as an example.

AL/HA 5, the land north of Birchfield Grove, as mentioned is in an AONB. It is currently part of a bigger site recently named as site 413 and historically as site 64. The landowner of site 413 has offered the two GP surgeries 0.79 hectare of the field (which is at its highest point) free of charge. It should be noted that in the DRAFT LOCAL PLAN site 413 was highlighted for a possible Medical Centre PLUS 100 houses. Both the Medical Centre and 100 houses were taken out of AL/HA 5 when the Pre Submission Local Plan was approved by the Tunbridge Wells Planning Committee in January 2021. We were informed that the withdrawal was due to AONB concerns plus a report suggested the new garden village at Capel was viable lessening the need for further development in Hawkhurst.

In February 2021 the Tunbridge Wells Full Council approved an amended version of the PSLP that located the Medical Centre back at AL/HA 5 or site 413 rather than AL/HA 6. I understand that the Head of Planning at Tunbridge Wells Council was informed by the landowner that the piece of land AL/HA 5 would be available to the GP's free of charge but this is not a reason to locate a Medical Centre in AONB nor should it be the "trojan horse" as the door opener for a further application to build 100 houses alongside the proposed Medical Centre,

There is history here. The landowner together with Ward Homes applied to build 100 plus houses in site 413 (AL/HA 5) when it was previously named site 64. This was turned down on appeal by the Inspector in 2014 on the grounds of spoiling the AONB, so what has changed since then - if anything planning laws for AONB have tightened?

Submission 2. Kent County Council has recently refused to support substantial planning applications in Hawkhurst until the traffic congestion caused by the crossroads in the centre of the Highgate district of the village is resolved. Recent traffic surveys undertaken point to traffic volumes at the crossroads well over capacity leading to large queues throughout the village and seriously poor air pollution due to the traffic queueing with engines running.

The GP's state in their promotional material that patients will walk or cycle to the proposed Medical Centre at AL/HA 5, the distance for most patients will be further than their current journeys and together with the topography of Hawkhurst it is more likely a car will be their preferred choice of transport. This will add further pressure on the crossroads and air quality as patients from the Moor sector of the village and also the western and northern side of the Highgate sector of the village are likely to use their car as choice of transport to the proposed Medical Centre,

The access road to Birchfield Grove is extremely poor both turning into Birchfield Grove and likewise off into Rye Road. The entrance junction is tight and cars turning into Birchfield Grove have to wait until any cars exiting Birchfield Grove turning right have joined Rye Road.

The site lines are poor exiting from Birchfield Grove and this section of Rye Road is notorious for speeding as it is the only part of Hawkhurst that the village Speedwatch programme does NOT monitor for some reason! Recent traffic surveys undertaken as part of planning approval for Birchfield Grove confirm that the 30mph speed limit is breached consistently and the average speed is nearer 40mph on most occasions with the result exiting Birchfield Grove is a lottery.

Indeed, while not suggesting speed was the cause, two children have been hit by vehicles in this stretch of Rye Road in the last 12 months.

It should be noted that a planning application for six bungalows in the field off Rye Road directly opposite Birchfield Grove was recently refused due to traffic difficulties accessing onto Rye Road from the proposed development. The access road was directly opposite Birchfield Grove.

The internal layout of Birchfield Grove is not conducive to managing heavier traffic volume. The road weaves or meanders in profile and is not the width to manage significant traffic flow.

Question 6

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Removal of the Medical Centre and AL/HA 5 and explore possibility of locating in AL/HA 6 or alternative sites.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	Eddie Coombs [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Eddie Coombs [REDACTED]
Comment ID	PSLP_1141
Response Date	03/06/21 18:14
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Mr E & Mrs J Coombs
Question 2	
Agent's Name and Organisation (if applicable)	N/A
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/HA 5	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified
- . It is not consistent with national policy

Question 5

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AONB

Any development on Site 413 will inevitably damage the AONB. The likely size of the building and the subsequent parking requirements would be absolutely catastrophic to one of the most beautiful and unspoilt areas in the village. The need for lighting for the car park and security of the building would absolutely destroy any semblance of the dark sky policy. It is difficult to believe that anyone could have chosen a more environmentally damaging site to build a Medical Centre.

The Secretary of State Inspector refused earlier appeals for development of this site stating great weight should be given to conserving the landscape and beauty of the AONB, which have the highest status of protection in relation to landscape and scenic beauty. The site is unchanged since this decision 7 years ago and seems to allow no reasonable argument to permit development on this site.

The location of this site would be very difficult to police effectively and would undoubtedly encourage anti-social behaviour, which is currently associated with the existing car parks in the village.

Building the Medical Centre would cause significant damage to existing wildlife, flora and fauna. This would inevitably damage the ecological mitigation area that surrounds Birchfield Grove particularly during the construction period and for the following years.

CHANGES TO LOCAL PLAN

Site 413, which included the Site considered in Policy AL/HA 5 in addition to a hundred houses, was taken out of the Local Plan in mid-December 2020 following a consultation process in which arguments against Site 413's inclusion were advanced including one from KCC Highways who strongly objected to major developments on the grounds that the Hawkhurst crossroads was already severely congested. The new Medical Centre was then allocated to the King George V Playing Fields (KGV) along with the proposed community centre as evidenced in the revised Local Plan at that time. Before 12th January, doctors from the two Hawkhurst practices were in talks with the owner of Fowler's Park (Site 413) and were unwilling to talk to Hawkhurst Parish Council, who was willing to engage with the doctors to find a solution at KGV. It was clear, however, that the doctors had a decided preference for the Site at Fowler's Park. Later in January the owner of Fowler's Park appears to have offered free 0.79 hectares of land within Site 413, big enough to accommodate the combined doctors' surgeries plus related services and parking for over fifty vehicles but without the houses. Clearly such a facility would still generate significant traffic flows and there would seem to be no good reason for its reinsertion to the Local Plan given the reasons for its removal in December 2020. The fact that the 0.79 hectares of land was offered free is not a planning issue and nor is the matter of any preference the doctors have for any given site. The issues of traffic congestion, attendant air pollution and other matters that argued against Site 413 still stand. **The Planning authority is put to proof that genuine and legitimate**

planning issues came to its attention in the second half of January to cause this rapid reversal in its position with regard to the siting of the medical centre.

In addition, at a meeting in early February involving members of both the TWBC planning department and Hawkhurst Parish Council as well as representatives of the doctors, the proposal that the 0.79-hectare Site should be ring-fenced to prevent access to housing development in other parts of Site 413 was considered and rejected. As Rydon holds the access option to Site 413, it would seem that the most obvious reason for the landowner's "generosity" is the increased likelihood of housing development in Site 413 at a later stage, once the Medical Centre becomes established, which is something that would bring significant financial benefits to both the landowner and Rydon.

TRAFFIC

As noted above, the location of the site would result in more cars passing through the crossroads, resulting in even more congestion and also resulting in harmful air pollution. Air pollution is especially important and for very obvious reasons every step should be taken to minimise the risks not to make a bad position worse.

Access to and from the site through Birchfield Grove is clearly unsuitable. The road was never designed to facilitate the increased volume of traffic and congestion would be inevitable especially when deliveries are being made to the residents.

Also the junction between Birchfield Grove and Rye Road has difficult sightlines and increased usage would bring significant risk of serious accidents. This matter was raised previously when a planning application for six dwellings opposite Birchfield Grove was denied on these grounds.

LOCAL PLAN NOT JUSTIFIED

The Policy AL/HA5 cannot be justified, as it has not taken into account any better alternative sites for the Medical Centre.

The King George V Playing Field.

The Hawkhurst Parish Council proposed to release some land so that the Medical Centre would be co-located with the new Community Centre at the KGV and therefore create a community hub. This was a matter that the doctors seemed not willing to discuss with the Parish Council (see Changes of Local Plan above). This land is partly developed so there could be shared parking and utilities and no damaging intrusion on the AONB. If the Medical Centre were sited here, at the more populous area of the village, this would help to ease any congestion on the crossroads and Rye Road.

Hawkhurst Community Hospital

As this is an already developed site, there would be an obvious synergy to having the Medical Centre and the Community Hospital in the same place, which would result in a greater benefit to the community as a whole than sum of their separate parts.

Hawkhurst Golf Club

The current planning application includes provision for a Medical Centre.

NOT CONSISTANT WITH NATIONAL POLICY

The National Planning Policy Framework states that consideration should be given to enhance the landscape and beauty of the AONB and development should be limited. Any development should help to improve the local environment. As stated previously, given the number of better alternatives there is no justification in this development.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The only modification that can make the Local Plan sound in relation to Policy AL/HA5 would be to remove it from the proposed site and place the Medical Centre at one of the alternative sites listed above. We note that the Parish Council has, in this regard, expressed a preference for KGV.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ms Clare Escombe [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Hawkhurst Parish Council
Address	The Office at The Moor Hawkhurst TN18 4NT
Event Name	Pre-Submission Local Plan
Comment by	Hawkhurst Parish Council [REDACTED] [REDACTED]
Comment ID	PSLP_1287
Response Date	04/06/21 10:39
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Hawkhurst Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 5 Land to the north of Birchfield Grove

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

AL/HA5 - HPC recognises that there is a need for a new medical centre, However, this is not an appropriate site due to the impact on the AONB and the unacceptable level of traffic through Birchfield Grove.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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Removal of AL/HA5.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ms Alison Burchell [REDACTED]
Email Address	[REDACTED]
Company / Organisation	NHS Kent and Medway Clinical Commissioning Group
Address	[REDACTED] [REDACTED] Ashford [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	NHS Kent and Medway Clinical Commissioning Group [REDACTED]
Comment ID	PSLP_1553
Response Date	04/06/21 09:16
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	NHS Kent and Medway Clinical Commissioning Group
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 5 Land to the north of Birchfield Grove

[TWBC: this representation has been input against Policies AL/RTW 8, AL/RTW 15, STR/CRS 1, AL/HA 5, STR/SS 3, PSTR/HO 1, PSTR/BM 1, STR/SS 1, PSTR/GO 1 and AL/HO 3— see Comment

Numbers PSLP_1550, PSLP_1551, PSLP_1552, PSLP_1553, PSLP_1556, PSLP_1568 PSLP_1570, PSLP_1554, PSLP_1559 and PSLP_1569]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I can confirm that the CCG has been engaged in the local plan development process in order to assess implications for primary medical care provision. The impacts are set out in the IDP and will be regularly reviewed and updated in line with the CCG's GP Estates Strategy. The following comments are provided on specific policies in relation to general practice provision for completeness.

Policy AL/HA 5

Land to the north of Birchfield Grove

This site, as defined on the Hawkhurst Policies Map, is allocated for a medical centre and parking to serve this facility.

Comment: The CCG notes the allocation and confirms that the two general practices in Hawkhurst are developing plans and a business case with regards to relocating to this site. These will be considered through CCG governance at the appropriate time.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	No, I do not wish to participate in examination hearing session(s)
--	--

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

No, I do not wish to be notified of future stages of the Local Plan

Comment

Consultee	Rosemary Cory [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Cranbrook [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rosemary Cory [REDACTED]
Comment ID	PSLP_1698
Response Date	04/06/21 16:05
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Rosemary Cory
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 5 Land to the north of Birchfield Grove	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

AL/HA5 – while there is a need for a new medical centre in Hawkhurst, the proposed site is not appropriate due to the impact on the AONB and the unacceptable level of traffic through Birchfield Grove.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Removal of AL/HA 5.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_84a-u

Comment

Agent	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Sigma Planning Services
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Consultee	Kevin Willcox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Rydon Homes
Address	[REDACTED] [REDACTED] FOREST ROW [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes [REDACTED]
Comment ID	PSLP_1733
Response Date	03/06/21 13:25
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	Sigma Planning for Rydon Homes_RYDON 15.pdf Sigma Planning for Rydon Homes_RYDON 17.pdf Sigma Planning for Rydon Homes_RYDON 9.pdf Sigma Planning for Rydon Homes - covering letter.pdf Sigma Planning for Rydon Homes_RYDON 14.pdf Sigma Planning for Rydon Homes_RYDON 8.pdf Sigma Planning for Rydon Homes_Composite Representations.pdf Sigma Planning for Rydon Homes_RYDON 7.pdf Sigma Planning for Rydon Homes_RYDON 6.pdf Sigma Planning for Rydon Homes_RYDON 2.pdf Sigma Planning for Rydon Homes_RYDON 1.pdf Sigma Planning for Rydon Homes_RYDON 16.pdf Sigma Planning for Rydon Homes_RYDON 5.pdf

[Sigma Planning for Rydon Homes RYDON 10.pdf](#)
[Sigma Planning for Rydon Homes RYDON 12.pdf](#)
[Sigma Planning for Rydon Homes List of Appendices TWBC LP.docx](#)
[Sigma Planning for Rydon Homes RYDON 11.pdf](#)
[Sigma Planning for Rydon Homes RYDON 4.pdf](#)
[Sigma Planning for Rydon Homes RYDON 18.pdf](#)
[Sigma Planning for Rydon Homes RYDON 13.pdf](#)
[Sigma Planning for Rydon Homes RYDON 3.pdf](#)

Data inputter to enter their initials here KJ

Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Sigma Planning Services

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 5 Land to the north of Birchfield Grove

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC: see supporting documents attached, including composite of all representations].

Proposed Medical Centre – Land to the North of Birchfield Grove, Hawkhurst

- 1 There is a pressing need for improved medical facilities at Hawkhurst. However, the PSLP does not facilitate the delivery of the new Medical Centre.
- 1 In the Draft Local Plan (Reg 18) the medical centre was to be provided as part of a package of proposals including housing, a public car park, safeguarded land for playing fields to facilitate the expansion of Hawkhurst C of E Primary School and extensive Public Open Space. The relevant DLP policy is AL/HA4 but this was not carried forward to the PSLP.
- 1 On the basis of the Draft Local Plan interested parties, including multiple landowners, Rydon Homes Ltd (the proposed developers of the housing), the doctor's practices and the NHS jointly, set about preparing proposals to deliver the Local Plan Policy package in terms of finance, access, phasing and land provision. These preparations are continuing in the hope that the unexpected and unjustified change of position by TWBC will be reversed – either by TWBC themselves or through the Examination of the Plan. However, without the complete package for comprehensive development there are issues of access, land provision and funding which mean that the new medical centre cannot be provided in isolation.
- 1 A stand alone policy for providing the medical centre has no realistic prospect of delivery and therefore the policy is not justified, positively prepared or effective. To be made sound the Plan needs to include a proportion of housing at Fowlers Park as well as the other community benefits, to resolve the access, land provision and funding issues which prohibit the Doctor's Surgery coming forward in isolation. This would be in line with the Council's policy for this site that was initiated in the Site Allocations Local Plan (2016) and would provide a complete and soft development edge to the eastern side of the Town.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Alec Travers ([REDACTED])
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] CRANBROOK TN18 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Alec Travers ([REDACTED])
Comment ID	PSLP_2042
Response Date	04/06/21 15:30
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mr Alec Travers
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 5 Land to the north of Birchfield Grove

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I wish to record my comments on the proposals for sites for housing in Hawkhurst as contained in your Pre-Submission Local Plan, in particular that contained in Policy AL/HA 4 Land at Copthall Avenue and Highgate Hill, Hawkhurst (Highgate) and Policy AL/HA 5 Land to the north of Birchfield Grove (medical centre).

Regarding Policy AL/HA-4, the recent dismissal of the Planning Application by the TWBC Planning Committee for the reasons stated show ample cause as to why this site should not be considered for development. In addition, I would state that the potential for traffic accidents at the point of entry on to Highgate Hill, both from traffic coming at speed down the Hill and with traffic attempting to cross into what is very often a static line of traffic waiting at the traffic-lights on the "Up" section are further reasons for turning this site down. The matter of access to the shopping centre at Highgate by pedestrian or cycle means is, in my opinion, a non-starter due to the steep hill, any resident in development on this site is going to use their car. This, in its turn, will contribute to the severe pollution already arising from traffic using Highgate. The Inspector, on dismissing the appeal for a development site in Hearten oak Road - Appeal Ref: APP/M2270/W/20/3247397 – gave ample reasons why that development should not proceed: I consider the same reasons apply with equal force against this site being approved for housing development.

Concerning Policy/HA-5, my only comment is that this site should be for the Medical Centre **only**, with neither any housing attached nor any provision made for a feeder road leading off site to any potential future development in Fowlers Park fields.

I would like these comments to be added to those you may have already received on this Plan.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Hawkhurst: Policy
AL/HA 7: Hawkhurst Station Business
Park**

Comment

Consultee	Mr Adrian Cory [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Adrian Cory [REDACTED]
Comment ID	PSLP_1902
Response Date	03/06/21 14:12
Consultation Point	Policy AL/HA 7 Hawkhurst Station Business Park (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mr Adrian Cory
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 7 Hawkhurst Station Business Park

Paragraph No. 5.343 et seq.

[TWBC: this comment also set against Policy AL/HA8 - see PSLP_1903]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- ☐ It is not positively prepared
- ☐ It is not effective
- ☐ It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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The conditions attached to the proposed industrial developments at Gills Green (AL/HA 7 & 8) should presumably include the need for an impact assessment on the Hawkhurst crossroads? There must be a likelihood that these developments will increase the passage of HGVs. The general need for such an impact assessment is stated at para 5.358.

Question 6

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The conditions attached to the proposed industrial developments at Gills Green (AL/HA 7 & 8) should include the need for an impact assessment on the Hawkhurst crossroads.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- ☐ No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

- ☐ Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Rosemary Cory [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Cranbrook [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rosemary Cory [REDACTED]
Comment ID	PSLP_1699
Response Date	04/06/21 16:05
Consultation Point	Policy AL/HA 7 Hawkhurst Station Business Park (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Rosemary Cory
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 7 Hawkhurst Station Business Park	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I welcome the requirement for development proposals to establish the impact of proposed developments on Hawkhurst crossroads and the Flimwell crossroads (5.285 and 5.358). However, I believe that there has been no strategic assessment carried out on the traffic impacts of the Hawkhurst crossroads and the Flimwell junction. The borough-wide transport assessment does not consider these impacts. Therefore, the Plan is not "sound".

I welcome TWBC's decision that the proposal for a so-called "relief road" as a quid pro quo for a large development on the Hawkhurst golf course was not supportable in the light of national policy to limit development in AONBs. It would, in fact, have been no more than an access road for a large housing development, that would have had a negative impact on traffic congestion on the other three arms of the crossroads and the Flimwell junction. This would have also impacted the wider highway network, not just in Hawkhurst but in the surrounding villages.

The conditions attached to the proposed industrial developments at Gills Green (AL/HA 7 & 8) should presumably include the need for an impact assessment on the Hawkhurst crossroads? There must be a likelihood that these developments will increase the passage of HGVs. The general need for such an impact assessment is stated at para 5.358.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Plan should incorporate a proper assessment of the traffic impact of proposed developments on both the Hawkhurst Crossroads and the Flimwell junction (in consultation with Highways England and East Sussex CC).

The conditions attached to the proposed industrial developments at Gills Green (AL/HA 7 & 8) should include the need for an impact assessment on the Hawkhurst crossroads.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ms Clare Escombe [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Hawkhurst Parish Council
Address	The Office at The Moor Hawkhurst TN18 4NT
Event Name	Pre-Submission Local Plan
Comment by	Hawkhurst Parish Council [REDACTED] [REDACTED]
Comment ID	PSLP_1289
Response Date	04/06/21 10:39
Consultation Point	Policy AL/HA 7 Hawkhurst Station Business Park (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Hawkhurst Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 7 Hawkhurst Station Business Park

[TWBC: this comment has been input against Policies AL/HA 7 and AL/HA 8 - please see Comment Numbers PSLP_1289 and PSLP_1290]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

AL/HA7 & AL/HA8 - The Sustainability Appraisal indicates that these two sites will have a negative impact on air quality and travel. It seems feasible that these allocations will result in increased passage of HGVs through the village. Therefore, as with other allocations, we would request that there is a need for an impact assessment on Hawkhurst crossroads both in terms of traffic congestion and air quality.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Specific reference to the need to determine the impact on Hawkhurst crossroads for AL/HA7 and AL/HA8.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_21a-d

Comment

Agent	Mr William Hall [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Broadlands Planning Ltd
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Consultee	Mr Peter Dunlop [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kent Woodward Ltd
Address	[REDACTED] [REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Kent Woodward Ltd (Mr Peter Dunlop - [REDACTED])
Comment ID	PSLP_352
Response Date	24/05/21 10:58
Consultation Point	Policy AL/HA 7 Hawkhurst Station Business Park (View)
Status	Processed
Submission Type	Email
Version	0.9
Files	PSLP_352_Broadlands_Planning_for_Kent_Woodward_SI-2_Site_Location_Plan.pdf PSLP_352_Broadlands_Planning_for_Kent_Woodward_SI-3_Planning_Statement.pdf PSLP_352_Broadlands_Planning_for_Kent_Woodward_SI-1_Supporting_Letter_Redacted.pdf PSLP_352_Broadlands_Planning_for_Kent_Woodward_SI-4_Landscape
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Kent Woodward Ltd.

Question 2

Agent's Name and Organisation (if applicable) Broadlands Planning Ltd.

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 7 Hawkhurst Station Business Park

Proposals Map 49

[TWBC: This representation has been put against Policies ED 1 and AL/HA7 - see Comment Numbers PSLP_337 and PSLP_352]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC: the following wording is contained in the email sent submitting the representations dated 21 May 2021]:

Please find attached submissions and supporting documentation to the Pre Submission Local Plan, made on behalf of Kent Woodware Ltd, which Company owns and operates the Hawkhurst Station Business Park, and owns the land to the south of the Business Park, and March's Field to the north of the Business Park.

The representations comprise the following;

- 1 **Support**; for the proposal in **Policy AL/HA7** for the proposed allocation of land to the south of the Station Business Park for employment uses (E/B2/B8).
- 1 **An Objection**; to the limited extent of the Proposed Employment Area under the terms of **Key Employment Area Policy ED1**, as shown on Inset Map 16; Gills Green and the Red lined Allocation Plan Map 49 Site Layout Plan for Policy AL/HA7, which we consider to be not justified. This designation for employment use should be **extended** to incorporate all the land shown on Inset Map 16 and the Red lined Allocation Plan Map 49 Site Layout Plan for Policy AL/HA7, and shown as blue for employment land, and as proposed previously under the terms of Regulation 18 Draft Local Plan Policy AL/HA8 and Policy ED1, and in respect of land shown on the attached site location plan.
- 1 **An objection**; to the area shown in green as an *'open space and landscape buffer'* on Inset Map 16; Gills Green and Map 49 Site Layout Plan, along with the requirement for a 'landscape buffer' on Policy AL/HA7 (5), which we consider is not justified, and should be deleted.

This submission is supported by the following documentation;

- 1 A completed Representation Form.
- 2 Broadlands Planning Ltd supporting letter.
- 3 Red lined Site Location Plan 07-PR-004.
- 4 Broadlands Planning Ltd supporting Planning Statement setting out full representations.
- 5 Lloyd Bore Ltd; Landscape and Ecology prepared a Landscape and Visual Appraisal

The Inspector is requested to;

- 1 **Retain Policy AL/HA7** for the application of the **red lined site Allocation Boundary** area south of Station Business Park for employment uses (E/B2/B8), with **requirements for a Landscape and Visual Impact Assessment and Landscape Management Scheme**.
- 2 **Extend the Proposed Employment Area under the terms of Policy ED1 as shown on Inset Map 16; Gills Green and Proposals Map 49** to incorporate all of the land shown as red lined as Allocation Boundary, and to be **shown blue for Employment Use**.
- 3 **Remove the area shown in green as an 'open space and landscape buffer'** on Inset Map 16; Gills Green and Map 49 Site Layout Plan.
- 4 **Delete the reference in Draft Policy AL/HA7 (5) for.. a landscape buffer to be provided within the southern area of the site..**

I trust the above are in order.

However, if you have any queries or require any further information please do not hesitate to contact me.

[TWBC: the following is taken from the representation form submitted on 21 May 2021]:

Please see full written representations and objections in attached site location plan and Broadlands Planning Statement, with references to; Pre Submission Local Plan Written Statement. Policies ED1 and AL/HA7, including (3) and (5) Inset Map 16; Gills Green Map 49; Site Layout Plan Regulation 18 Draft Local Plan Call for Sites 2016 Adopted Site Allocation Local Plan 2016 2016 Sevenoaks and Tunbridge Wells Economic Needs Study HAD Site Visual Impact Assessment Lloyd Bore Ltd Landscape and Ecology; Landscape and Visual Appraisal 2016

[TWBC: the following text is taken from the Planning Statement attached as a supporting document - see full Statement to view images and maps]:

INTRODUCTION

- 1 This submission and representations are made on behalf write on behalf of Kent Woodware Ltd, which Company owns and operates the Hawkhurst Station Business Park, and owns the land to the south of the Business Park, and March's Field to the north of the Business Park, as shown on the site location plan attached to these representations.

SUMMARY OF REPRESENTATIONS

- 1 The representations comprise the following;
 - a. **Support**; for the proposal in **Policy AL/HA7** for the proposed allocation of land to the south of the Station Business Park for employment uses (E/B2/B8).
 - b. **Objection**; to the limited extent of the Proposed Employment Area under the terms of **Key Employment Area Policy ED1**, as shown on Inset Map 16; Gills Green and Allocation Plan Map 49

Site Layout Plan. This designation for employment use should be **extended** to incorporate all the land shown on Inset Map 16 and the red lined Allocation Plan Map 49 Site Layout Plan for Policy AL/HA7, and shown as blue for employment land, and as proposed previously under the terms of Regulation 18 Draft Local Plan Policy AL/HA8 and Policy ED1 as shown below.

c. An objection; to the area shown in green as an 'open space and landscape buffer' on Inset Map 16; Gills Green and Map 49 Site Layout Plan, which should be deleted, along with the requirement for a 'landscape buffer' on Policy AL/HA7 (5).

1 The relevant plans are shown below.

2019 Regulation 18 Consultation Draft Local Plan Allocation Site AL/HA8 and Inset Map 15 showing ED1 boundary [TWBC: For maps see full Planning Statement attached as a supporting document]

2021 Pre Submission Local Plan inset Map 16; Gills Green extract Policies AL/HA7 and ED1 and Pre Submission Map 49 Site Layout Plan [TWBC: For maps see full Planning Statement attached as a supporting document]

1 The considerations in support of the above representations are set out below.

THE HISTORY OF THE DEVELOPMENT HAWKHURST STATION BUSINESS PARK

- 1 Hawkhurst Station Business Park is recognised as a successful and busy Business Park, which is occupied by a range of companies in the production and distribution of building and trade materials, and food.
- 1 Prior to the development of the business park on the former railway station land, the site was occupied by The Kent Woodware Company Ltd from 1911, which subsequently expanded to take in the railway land to the south on the closure of the Hawkhurst branch line in 1963, and by the purchase in the mid 1980's from an adjacent area of former pasture land from Mr John Santer.
- 1 The Kent Woodware Company manufactured wooden components for the brush and furniture trades. However, in time cheap imports from Eastern Europe and the Far East led to the decline of and closure of the wood turning business.
- 1 The following aerial photographs shows Kent Woodware in operation viewed from the southwest, with open pasture land to the south, and viewed from the north, showing extent of works and storage areas, with stacked timbers, and former Santer's land with timber storage runs and access drives.

[TWBC: For extract images see full Planning Statement attached as a supporting document]

- 1 Development of the present Business Park commenced in 1989 with the construction of a warehouse unit fronting the A229 Cranbrook Road. Further development took place in 1998 with the construction of a cold store, in 2006 an additional cold store in 2006, two warehouse units in 2007 and 2011/12, three further warehouse units in 2011 and 2012, and in 2015/16 a production unit on the final area of developable land.
- 1 Together with three existing buildings on the site, the total floor area provided at Hawkhurst Station Business Park is some 7600 square metres floorspace occupied by a mix of users; by Raven Roofing, Hurstway Construction, Nortrade (Seafoods), Howden Joinery, Rhokett Foods, Maws Fine Foods, and Kent Woodware Ltd.

THE DEVELOPMENT PLAN

Tunbridge Wells Borough Council's Call for Sites 2016

- 1 In support of a submission in **2016** to the **Tunbridge Wells Borough Council's Call for Sites, in respect of the potential for development for employment purposes of the land south of Hawkhurst Station Business Park**, we advised that;

In total, the Companies within the Business Park currently employ 131 personnel, plus seasonal workers, of which 14.5% live within 5 miles travel to work, 45.8% between 5 and 10 miles and 39.7% over 10 miles.

Of the companies at Hawkhurst Station Business Park, four have indicated that they will be looking to employ additional staff within the next two years and two anticipate that they will have a requirement to take additional space or relocate to larger premises and due to the location of the business park, its good access and road network and the quality of the units, their preference would be to remain on the Hawkhurst Station Business Park.

It can be seen that the Hawkhurst Station Business Park is a successful enterprise, that accommodates the needs of a range of production and warehousing companies, which operate successfully, in modern

purpose built accommodation with good access and servicing arrangements, provide much locally based employment, and have a stated need to expand their premises here, but cannot at present as no land for expansion is available.

Lloyd Bore Ltd; Landscape and Ecology; Landscape and Visual Appraisal 2016

1 We advise that, for the purposes of support to the submission made on behalf of Kent Woodware Ltd to the Council's 2016 Call for Sites **Lloyd Bore Ltd; Landscape and Ecology prepared a Landscape and Visual Appraisal**, to assess the susceptibility of the landscape surrounding the site and the Area of Natural Beauty to harm from the development of the site. This Appraisal is attached to this submission.

1 This Appraisal concluded as follows;

NATURE OF POTENTIAL EFFECTS

Visual Amenity

6.1 *The assessment concludes that the site has very limited scope to cause changes to general visual amenity, as the site is visually contained, with the longest views available from one direction only (westerly).*

6.2 *There is the potential for some limited local scale adverse impacts, but these are limited to two private residential properties located close to the site, to the south and east.*

6.3 *Overall the visual landscape is assessed to have a **Low** susceptibility to the proposed development. The development would be visible from a restricted, localised area within 500m of the site and typically only from locations where development is already an existing feature of the view, or is within the vicinity of the view origin. The proposed development would share characteristics with existing development nearby.*

6.4 *Publicly accessible views of the site would be gained from a short section of Slip Mill Road immediately to the west of the site. From here, the new development would be partially visible, appearing through and above existing and proposed vegetation, to the western boundary of the site.*

6.5 *There would be no adverse impact upon views from any of the public rights of way within the study area.*

6.6 *Views from one public right of way have been identified to the west of the site. These are gained from public footpath WC132 within 500m of the site.*

6.7 *From this public footpath the extent of new development visible would be either so small and / or viewed from such a distance that it would form only minor background within part of the view and would have no significant impact upon their composition, nature or quality. The introduction of the proposed development would have no adverse effect on the amenity value of views from these locations.*

6.8 *The proposed development does have the potential to cause minor adverse impacts upon views from two residential properties located adjacent to and overlooking the site from the south and east. These impacts would be partly due to the nature of the development (industrial in character), and the impact this has on the views currently experienced from the properties.*

6.9 *The development itself would not be uncharacteristic of the surrounding industrial character generated by the adjacent business park.*

6.10 *These adverse impacts should be considered temporary in nature, being experienced only by current occupiers. Future occupiers with no prior knowledge of existing views would not experience adverse impacts, or deem the site uncharacteristic of its setting and surroundings.*

6.11 *The proposed layout plan includes specific measures to minimise visual impacts experienced by these properties, as primary mitigation. This includes:*

Retention and reinforcement of existing vegetation along the eastern, southern and western boundaries to ensure screening of the new buildings.

Where feasible, proposed buildings would be orientated with short elevations facing public views, and the layout should be designed so that buildings screen buildings.

The colours of the proposed buildings would be chosen to ensure they recede into the view.

The height of the development would be limited to ensure it does not exceed the height of existing buildings within the business park.

Any changes in ground level can be gauged to minimise as far as is reasonable visual impact on adjacent properties.

Landscape Resource

6.12 The likely impacts and effects that may arise from the proposed development relate to a change in land use and vegetation cover, with an increase in built development.

6.13 The proposed development would not be uncharacteristic of its setting and would not be of a scale, massing, location or nature that would result in any notable impacts upon the landscape resources that combine to create the prevailing landscape character at a local, or regional scale.

6.14 Although the development would fundamentally change the appearance of the site, this would not cause a significant change in terms of landscape character. This is largely due to the fact that the site location is equally influenced by the adjacent developed landscape as the undeveloped rural landscape. The site occupies part of the urban / rural fringe rather than being part of the wider agricultural landscape.

ABILITY TO ACCOMMODATE DEVELOPMENT

Visual Resource

6.15 It is assessed that the site, its immediate surroundings and the wider landscape has the capacity to accommodate the proposed development.

6.16 The site is visually contained and would be seen from a small number of publicly accessible locations. From these locations it has been assessed that the development would have no significant effect upon the general visual character of the wider landscape.

6.17 Adverse impacts would affect only a small number of private residential properties immediately adjacent to the site boundary, as a result of a partial loss of views towards and through the site. These effects would be experienced by the current occupiers of the properties only, and would not affect future occupants or the wider population.

6.18 The development would not result in the loss of any significant cultural or historically important views. Future owners of the affected properties are unlikely to consider the proposed development as uncharacteristic of the setting.

Landscape Resource

6.19 It is concluded that the site, its immediate surroundings and its wider landscape context has the capacity to accommodate the development without experiencing adverse impacts upon key landscape resources or overall landscape character.

6.20 The development would not result in the loss of, or damage to, key landscape resources or features and would not introduce uncharacteristic or detracting features into the landscape.

Adopted Site Allocations Local Plan 2016

1 The Borough Councils **Adopted Site Allocations Local Plan 2016** confirmed as follows;
Gill's Green

7.15 Currently, an area of around two hectares at Gill's Green is identified in the 2006 Local Plan, under Policy ED4, for economic development uses. This Policy states that the site is suitable for business (B1), general industrial (B2) or storage or distribution (B8) uses, subject to development causing no significant harm to the amenities or character of the area. The Policy seeks to improve highways, bus and pedestrian access to the site and ensure a high quality of development with substantial screening in the form of hedgerow and tree planting.

7.16 Gill's Green is identified in Core Policy 7: Employment Provision as one of the Borough's Key Employment Areas, where the retention of existing floorspace and intensification or redevelopment for employment uses will be encouraged. The Policy adds that, if more employment land is required, it will be directed to the broad location of, or extensions to, the Key Employment Areas defined in the Policy.

2016 Sevenoaks and Tunbridge Wells Economic Needs Study

1 The **2016 Sevenoaks and Tunbridge Wells Economic Needs Study** advised as follows;

Land at the former Hawkhurst Railway Station, Gills Green Key Employment Area

9.35 The Gill Green KEA is characterised by a mix of B2 and B8 uses. Existing occupiers include Howdens, Nortrade Seafood Specialist and Raven Roofing Supplies. The buildings on site are of steel frame construction and good quality. There is also evidence of new single storey buildings being constructed to provide additional accommodation.

9.36 The KEA is accessed from the A229 and is highly visible. There are bus stops at c.60m and 150m to the south of the site. However, the area is around 18 miles from the M25 therefore connections to the strategic motorway network are somewhat limited. Notwithstanding this, the site is well occupied and there is also evidence of recent take up, with the construction of a new unit to the west of the site being pre let.

9.37 Colliers' view is that this is a good rural employment site. It is considered there is potential to extend the site to the south west to accommodate further B2 and B8 uses. Although not currently allocated, it is understood a further c.3 acres of land is potentially available to facilitate this expansion and there is potential demand from existing occupiers.

9.38 It should be noted, however, that any future development would need to be sensitive to the landscape character of the area and compatible with the residential properties which would border the potential expansion site; for example a buffer zone would most likely be required to screen any potential development. This area, and possible allocation, would also need to be tested through the Local Plan process.

Regulation 18 Tunbridge Borough Council Draft Local Plan 2019

1 In response to the **Regulation 18 Borough Council's Draft Local Plan of 2019** Kent Woodware **supported** the proposed allocation of the land for employment uses (B1, B2, B8) under the terms of Policy AL/HA 8; Hawkhurst Station Business Park (SHELAA reference: Site 102); and the proposed extension of The Key Employment Area under Policy ED1, the boundaries for which are shown on Inset Map 15; Gills Green and Site Layout Map 68 below. The latter ED1 boundary overlapped with the proposed allocation area for land to the south under Draft Policy HA9.

[TWBC: For maps see full Planning Statement attached as a supporting document]

- 1 These Draft Local Plan proposals were somewhat complicated in that;
 - . The proposed extension to the Station Business Park under Policy ED1 incorporated land belonging to Kent Woodware as shown in the red lined allocation Site Layout Map 68 above.
 - . However, the proposed employment area on land to the south, in separate ownership, was also proposed for development under the terms of Policy AL/HA9, as shown on the Map 69, the Allocation Plan below, with access through the Hawkhurst Station Business Park.

[TWBC: For map see full Planning Statement attached as a supporting document]

1 Policy AL/HA9 and Map 68 show the proposed development as comprising;
Northern part of site (north of the buffer) as defined on the allocation plan: employment uses
B1/B2/B8 uses;

Southern part of site (south of the buffer) as defined on the allocation plan: residential development (C3) providing approximately 38 dwellings;

A landscape buffer to be provided between the two separate areas of development as defined on the allocation plan.

- 1 Policy AL/HA 8 incorporated 2 requirements for a landscape and visual impact assessment and a landscape management scheme, to ensure that development would not harm materially the character and appearance of the surroundings of the site and the Area of Outstanding Natural Beauty, or any residential neighbours, as set out below;

5. A landscape and visual impact assessment that informs the height and massing of development proposals, to include the height and colour of roofs, and reflects the elevated rural location of the site that can be viewed from parts of the surrounding areas (see Policy EN 1: Design and other development management criteria and Landscape Policies EN 20 and EN 21).

8. Provision of a landscape management scheme to ensure any impact of development upon the surrounding rural area is minimised in perpetuity (see criterion 3 of Policy EN 1: Design and other development management criteria).

- 1 Policy HA9 also required;

6. A landscape and visual impact assessment that informs the height and massing of development proposals, to include the height and colour of roofs, and reflects the elevated rural location of the site that can be viewed from parts of the surrounding areas (See Policy EN 1: Design and other development management criteria and Landscape Policies EN 20 and EN 21);

8. Layout of development should take account of AONB components (see Policy EN 21: High Weald Area of Outstanding Natural Beauty (AONB));

9. Provision of a landscape management scheme to ensure any impact of development upon the surrounding rural area is minimised in perpetuity (see criterion 3 of Policy EN 1: Design and other development management criteria and Landscape Policies EN 20 and EN 21);

1 The **Regulation 19 Pre Submission Local Plan has deleted Regulation 18 Draft Local Plan Policy AL/HA9.**

RECENT PRESSURE FOR ADDITIONAL COMMERCIAL FLOORSPACE

1 Over recent years there have been pressures for increased building floorspace from existing Companies within the Business Park, in particular from Maws Fine Foods which occupies Unit 7, and Rhokett which occupies units 5, 6, 8, 9, 10 and 12.

Maws Fine Foods

- 1 Maws Fine Foods, which occupies Unit 7, is a local family owned Company, established in 1989, which is one of the leading food wholesale and distributors of catering supplies, including ambient, frozen chilled and non-food wholesale goods supplying distributing to a wide range of businesses in London and South-East England, including Michelin star restaurants, exclusive hotels, bistros, bars and cafes, their very particular day to day staple foods and goods, and sourcing speciality items. Unit 7 is a modern purpose-built warehouse, with temperature controlled and monitored and recorded chiller-units. Goods are delivered via a fleet of tracker-monitored, dual temperature-controlled vehicles to ensure timely, efficient, and optimum delivery.
- 1 Kent Woodware obtained a planning consent TW/18/1520/FULL, with subsequent discharge of planning conditions, for a new building to provide for additional floorspace for Maws Fine Food to expand its business, being the '*construction of a commercial building of 400 square metres, for B1 light industrial, B2 general industrial, and B8 storage and distribution uses, on land immediately to the south of the Hawkhurst Station Business Park, with access, parking and drainage*'. This development, as shown below, was permitted on land outside the defined limits of the current allocated employment site, in support of Maws Fine Foods' commercial needs, and being development which did not impact materially on its surroundings or the landscape of the Area of Outstanding Natural Beauty.

[TWBC: For map see full Planning Statement attached as a supporting document]

- 1 The consented development incorporates a drainage pond accommodating the run off drainage from a large part of the Business Park, which already drains onto the open land to the south, and the consented development. The open landscaped drain from the consented development will run alongside the eastern boundary of Kent Woodware's land to an open attenuated drainage pond on its southern boundary.
- 1 This development now has the benefit of a Lawful Development Certificate (Existing): Development involving the digging of a trench and the construction of a sub-surface French drain as part of the implementation of planning application TW/18/01520/FULL prior to its expiry, under reference TW/20/03242/LDCEX.

Rhokett.

- 1 Rhokett are a locally based Company, established in 2002 with support from Michelin star Chef Gary Rhodes, OBE. Rhokett produces a range of exceptional high standard hand finished luxury desserts that include its iconic cheesecakes, tarts, mousses, cakes and many more, supplied to a range of clients, including supermarkets, airlines and 5 star hotels. Rhokett, with its original high grade production units still located at Courtlands Farm, Turnden Road, Cranbrook, also occupy buildings at the Hawkhurst Station Business Park, being building units 5, 6, 8, 9, 10, and 12, being for production, material storage, packing accommodation, waste treatment and production offices. Rhokett employs circa 200 staff.
- 1 In order to meet its pressing need for additional cold and pallet storage space, without recourse to a major planning application, Rhokett has obtained the following temporary 5 year consents;

- . TW/20/00355; consent (retrospective) for the siting of 8 mobile cold store units and a car park with 35 spaces on the open land to the south to replace the spaces lost on site. The rectangular refrigeration units are sited within the curtilages of 5/6, 10, and 12.
- . TW/20/03472; consent (retrospective) for the siting of 3 x 9 x 9 metres single storey temporary marquees for bad weather pallet storage, for 5 years during the months of September to December inclusive, and parking on the open land to the south. The marquees, shown in blue below, are sited within the curtilages of units 5 and 10.
- 1 Both consents reduce the area for onsite parking within the premises, which shortfalls are balanced by the construction of a temporary 35 space car park on land to the south, as shown on the consented scheme below.

[TWBC: For map see full Planning Statement attached as a supporting document]

30. However, this temporary car park runs over the site of the development of a new commercial building consented under TW/18/01520/FULL and Lawful Development (Existing) Certificate and TW/20/03242/LDCEX. The latter Certificate was granted on the basis that any above ground development would require the car park to be removed, with consequent implications for the loss of replacement car parking for Rhokett under the terms of planning consents TW/20/00355 and TW/20/03472 set out above.

31. The effect of this is to either impede the final construction and occupation of the 'implemented' new building, or to remove this temporary car park. The latter will require Rhokett to either remove its temporary consented freezer units and marquees and to reinstate on site car parking, or prepare and submit another planning application for a temporary car park on adjacent land to allow the retention of the freezer units and marquees. The overlap is shown on the drawing below.

[TWBC: For map see full Planning Statement attached as a supporting document]

BREXIT AND COVID-19 PANDEMIC RESTRICTIONS

- 1 Kent Woodware and its Planning and Commercial Agents have discussed the expansion requirements with the above Companies and others both on and off the Station Business park.
- 1 Whilst the impact of Brexit and Covid-19 restrictions has, understandably, been to stall the submission of planning applications to support further building construction to meet Company requirements Companies are now actively preparing for the predicted market recovery.

POTENTIAL DEVELOPMENT TO MEET COMPANY REQUIREMENTS

- 1 The latest discussions with Companies on their requirements for expansion have taken place in respect of the prospects of development on the land and the area proposed to be allocated under the terms of **Regulation 18 Borough Council's Draft Local plan of 2019 Policy AL/HA 8 for employment uses (B1, B2, B8), the red lined allocation boundary for which is shown on Map 68 above.**

Draft sketch scheme for site development

- 1 We have prepared a sketch scheme for development which would, in the view of Kent Woodware, meet a good measure of Company requirements for additional floorspace, on this area of land, as shown below.

[TWBC: For map see full Planning Statement attached as a supporting document]

- 1 This scheme shows;
 - . A range of commercial buildings capable of accommodating Use Class E, B2 and B8 occupiers.
 - . Access taken from the implemented scheme under TW/18/01520/FULL and Lawful Development (Existing) Certificate and TW/20/03242/LDCEX, into a pair of service yards and parking areas, for a run of buildings parallel to Slip Mill Road but set back with a wide intervening and significantly enhanced landscape screen. Building heights can be determined as part of a Landscape Visual Assessment.
 - . A significant setback of new building from the boundaries with Station Cottages to the north-west, being some 24 metres to their boundary fencing and 41 metres to the flank wall of the terrace. The intervening land is mounded and would be suitably landscaped.
 - . Enhanced planting to the site boundary and the building line with Slip Mill Lane of up to 19 metres depth.
 - . An enhanced landscaped boundary to the east, running alongside the car park, which accommodates the drainage run to the southern attenuation lagoon, some 11-15 metres wide, with a detailed scheme to realise the ecological potential of the drain and supplemented native planting.

- . A significant open strip of land along the southern boundary of some 32-41 metres, accommodating the landscaped site drainage lagoon.
- 1 This initial sketch scheme illustrates the manner in which this area of land has the potential to meet a good measure of local business needs for additional commercial floorspace in a manner that meets technical design requirements and highways standards, and with significant landscaping to mitigate any potential impact on its immediate surroundings and the Area of Outstanding Natural Beauty, in accordance with the terms of Draft Local Plan Policy AL/HA8.

HANKINSON DUCKETT ASSOCIATES SITE VISUAL IMPACT ASSESSMENT

- 1 The **Tunbridge Wells Borough Council Economic Development Topic Paper of March 2021** confirms the reasoning behind the reduction in the area proposed for development within the allocated area in new Policy AL/HA7, as follows.

4.32 The Gill's Green Key Employment Area lies to the north of Hawkhurst on Cranbrook Road and serves this rural part of the borough. This area has been popular for businesses to locate and expand and therefore an area of undeveloped land is identified and allocated under Policy AL/HA7, to the south of the existing KEA for further employment generating uses within use class E/B2 and B8.

*4.32 This area differs somewhat from the Draft Local Plan which sought to allocate a larger area to the south of the existing KEA; however, **following the outcomes of further landscape assessment work, this area has been reduced to the site now proposed in the Local Plan.***

- 1 The **'further landscape assessment work'** is found in the **Document Tunbridge Wells-Landscape and Visual Impact Assessment of Proposed Allocation Sites within the High Weald AONB** of November 2020 prepared by Hankinson Duckett Associates, Section 6.7: Hawkhurst.
- 1 HAD, on behalf of Tunbridge Wells Borough Council, have carried out a **Landscape Visual Assessment of the proposed Draft Allocations within the High Weald Area of Outstanding Natural Beauty proposed in the Regulation 18 Draft Local Plan.**
- 1 This included Draft Policy AL/HA 8 outlined above, along with a simple red lined allocation boundary, and written policy requirements for a landscape and visual impact assessment (5) and landscape management scheme (8) with references to other policies in respect of design, development management and landscape.
- 1 HAD considered that;
 - a. The site is a disturbed, degraded, unkempt, neglected and unkempt field 'in pasture', with scattered piles of rubble and a shipping container forming detracting features within the site. It and has few characteristic features and is heavily influenced by the industrial estate to the north.
 - b. The site is generally well contained from the surrounding landscape, being enclosed by mature vegetation including tree belts and hedgerows, where the incongruous landscape features are less noticeable. Landscape features are associated with field boundaries and are generally intact. There are opportunities to replace some features with more characteristic boundary treatments.
 - c. Views of the site are limited to receptors adjacent to the site boundary and long distance glimpsed views from the high ground to the north-west, west and south-west. There are infrequent glimpsed winter views of the site through the boundary vegetation on Slip Mill Lane, adjacent to the western site boundary. The site boundary trees are visible within the views, which screen the ground within the site. There are glimpsed views into the site from nearby residential properties, though seen in the context of the existing industrial estate.
 - d. Visual receptors (public views) to be considered (ordered from higher to lower sensitivity) include; walkers on the footpath to the north-west of the site, walkers and motorists using Slip Mill Road, and people at the south-western edge of the industrial estate, to the north of the site.
 - e. The site is relatively simple, but lacks coherence. This is largely due to the variety of boundary features, some of which are characteristic of the local landscape, while others are less typical.

43. HAD's Assessment concludes as follows;

The site consists of a disturbed and unkempt field in pasture, which is heavily influenced by the industrial estate to the north. The site is enclosed by mature vegetation including tree belts and hedgerows, some of which comprise native species, while others are less typical of the local landscape. A Leylandii hedge on a bund forms the north-western boundary, which forms an anomaly in the character of the adjacent Slip Mill Lane, which is mapped as a historic routeway. The site is well contained from the

wider landscape, however the introduction of tall buildings within the site is likely to change this assessment of visibility.

The site is a relatively small part of the assessment area considered by LUC within the sensitivity study. The whole area was assessed as having a high sensitivity, as it is representative of the AONB landscape. The more developed areas at Gills Green were noted as being less sensitive to change.

Any development should be designed to minimise visibility and subsequently the effects of the development on the wider AONB. **Providing that existing structural landscape features within the site and at the site boundaries can be retained and enhanced with new planting, it would be possible to include sensitively designed development within the site, without causing significant adverse effects on the character and appearance of the AONB. The suitability of the site for development is largely dependent on the employment need and the detailed design of the proposals.**

The site is degraded, has few characteristic features and would benefit from landscape improvements and long-term management. Key landscape features within the site could be retained and there is sufficient space within the proposed open space to the south and west of the site, to introduce characteristic new features, which could contribute to the screening of the site. The proposed pedestrian and cycle link to Gill's Green would provide some recreational benefits.

Hawkhurst has a made Neighbourhood Plan and policies within this should be considered as part of any development of the site.

By following the proposed GI strategy and policy measures outlined above, it would be possible to mitigate for development within the site and provide some on-site enhancements that would contribute positively to the character and appreciation of the AONB.

Policy recommendations for the Regulation 19 version of the Draft Local Plan include:

Photomontages to be provided from a selected number of key viewpoints as part of the prescribed LVIA.

Include wording to protect boundary features within the site.

THE BASIS FOR THE OBJECTION

- 1 The basis for the objection to proposed Policy AL/HA7, Inset Map 16; Gills Green, and Proposals Layout Map 49 shown above lies in the **extent of the proposed area of green open space alongside the southern boundary of the site, which limits the potential for the site to accommodate clear and expressed local business requirements for development land on which to meet their needs for buildings, with a consequent failure to incorporate all the Kent Woodware land within the Key Employment Area Policy ED1.**

45. Kent Woodware accepts the reasonable requirements for site development to retain and enhance existing structural and boundary landscaping.

46. Such requirements could have been met under the terms of Parts 5 and 8 of Regulation 18 Consultation Draft Policy AL/HA8 which were drafted as follows;

5. A landscape and visual impact assessment that informs the height and massing of development proposals, to include the height and colour of roofs, and reflects the elevated rural location of the site that can be viewed from parts of the surrounding areas (see Policy EN1: Design and other development management criteria and Landscape Policies EN21 and EN21).

8. Provision of a landscape management scheme to ensure any impact upon the surrounding rural area is minimised in perpetuity (see criterion 3 of Policy EN1: Design and other rural management criteria).

47. This can and should be achieved now by the application of Proposed Pre Submission Policy AL/HA8 requirements;

For a Landscape and Visual Impact Assessment and Landscape Management Scheme supplemental as set out under part 3 of the Policy.

For a detailed landscape submission and management scheme under the terms part 5 the Policy, with updated cross references to relevant Pre Submission Draft Local Plan Policies (now such as EN1: Sustainable design, EN12: Trees, woodland, hedges and development, EN16: Landscape within the

built development, EN18: Rural landscape, and EN19: The High Weald Area of Outstanding Natural Beauty).

Within the terms of and negotiated by way of a detailed planning application to accord with the above.

48. Kent Woodware cannot accept the impact of the extensive area of 0.677 hectares of proposed open space in Policy AL/HA7 and Shown on Inset Map 16; Gills Green and Policy Map 49, which amounts to 33% of the proposed red lined allocation land.

49. Accordingly, the terms.. A landscape buffer to be provided within the southern part of the site... should be deleted from Pre Submission Draft Policy AL/HA7(5).

50. The prescription for a landscaped open space and buffer zone within the southern edge of the Policy AL/HA7 land arises from the terms of the HAD's Visual Impact Assessment, which assessed the terms of previous Regulation 18 Draft Policy AL/HA8 with its more expensive proposed extension of the Business Park to the south, and draft Policy AL/HA9 alongside to the south with its 'landscaped buffer zone' to buffer the extended employment land and a residential allocation. Consequently, it then recommended the adjusted Proposals Map below, shows existing Green Infrastructure retained, proposed open space, landscape buffer and landscape feature protection, but on the basis of a smaller extension to the Business Park and extension of employment land or residential allocation to the south.

[TWBC: For map see full Planning Statement attached as a supporting document]

1 There is **no substantive or justified reasoning** for this large area of proposed open space within the Kent Woodware land, which takes up **33% of the red lined proposed allocation land**, which we consider to be **arbitrary, unjustified and excessive**.

1 HAD comment, on Regulation 18 Draft Local Plan Policy AL/HA8, that;

There is no proposed open space requirement within the allocation plan and no requirement for feature retention within the draft policy. There is the potential that this would result in the loss of boundary features, which could have significant adverse effects on landscape character.

The effects on recreation within the site may be positive and are unlikely to be negative.

Landscape and recreational opportunities:

Provision of open space to the west and south of the site allows existing boundary features to be retained and enhanced with new planting. The provision of open space to the south would maintain the separation between the industrial estate and the residential part of Gill's Green. There are opportunities to create new and complementary habitats within the open space. The draft policy anticipates a north-south link through the site, which will improve pedestrian and cycle connectivity with Gill's Green.

The inclusion of the eastern and southern parts of the site within open space would protect existing landscape features and would limit the potential for new development to affect the character of the wider rural landscape.

The open space has the potential to include the enhancement of existing features and new complementary habitats, which could link existing habitats within and around the site. The space would maintain the rural edge to the site and the retention of existing trees and woodland would filter and screen views of the proposed development.

The inclusion of an appropriate new landscape buffer to the western site boundary would assist in protecting the significance of adjacent heritage assets.

The proposed allocation would be consistent with the existing settlement pattern to the south of Hawkhurst.

It would provide opportunities to create new recreational routes and facilities for existing and new residents.

The introduction of a long term management plan for the site would maintain the quality and condition of the AONB landscape within the site.

These measures would reduce predicted effects on internal landscape features, local views and the character of the site and wider landscape.

1 We consider that there is a distinction between the terms of 'open space' and landscaping as used by HAD in their considerations and advice.

1 We consider that;

a. With the removal now of the previously proposed extension to the Station Business Park in Draft Policy AK/HA8 beyond the Kent Woodware land, the previously draft proposed allocation of residential land north of Gills Green, and the proposed landscaped buffer between the two land uses, there appears to be no material need for a for 'landscaped buffer' to separate Gills Green from a Business Park extension, in view of the extensive area of retained and protected open land at this edge of the settlement.

b. Under the changed circumstances, this proposed open space to the south of the allocated land is not justified as there will be more than adequate retained open separation between an extended industrial estate and the residential part of Gill's Green, and a suitably landscaped southern boundary within any new development will screen any potential visual impact.

c. There cannot and will not be public open space, recreation, or pedestrian or cycle links into or through this privately owned land which will be an extension to the Station Business Park. Station Business Park is a private commercial enterprise, with no general public rights of way. It is occupied by busy commercial operators, and serviced by large commercial vehicles, including large articulated and refrigerated lorries and trucks, delivery vans, fork lift trucks, staff and visitor parking. This restriction of public access is applied in the interests of the health and safety, and highways safety, of staff and visitors. Such restrictions must apply to any built extension.

d. Proposed Pre Submission Policy AL/HA7 does not propose a north-south link through the site to improve pedestrian and cycle connectivity with Gill's Green, as shown in Draft Policy AL/HA8, as the Draft Local Plan proposed a further extension to the Business Park on its immediate southern boundary served by an access through the Business Park, with an open space beyond leading to a residential allocation north of Gills Green, which are not carried into the Pre-Submission Plan. The land proposed under AL/HA7 now backs onto an open field with a hedgerow boundary.

e. There is no need for such an extensive designated public open space or recreation within the new development. There is no need for an open space for staff, and any such space would not be open to the general public. It is also not needed to maintain the separation between the industrial estate and the residential part of Gill's Green, as claimed by HAD above, as there is sufficient open distance between these 2 parts on the north and western boundary of Gills Green in the open fields to the south of this land.

f. Open landscaped space can be accommodated within the development. The sketch scheme described above shows an area of land on the southern boundary of the site which would need to accommodate the attenuated drainage lagoon for a large part of the Business park and any extension, up to 41 metres depth, which would be landscaped and used as casual open space by staff working alongside, which will be a material and acceptable enhancement to the proposed development.

g. The need for substantive landscaping on this land, as a screen to the development and to maintain characteristic boundary features and the enhancement of the site with characteristic wildlife boundary planting, and naturalistic surface water features and drainage systems and storage on the eastern and southern boundaries, can be secured by way of ;

additions to Proposed Policy AL/HA7 (5) in draft Policy AL/HA7 outlined above.

the application of Policies EN1; Sustainable design, character, site context, landscape, trees and amenity, biodiversity and geodiversity, EN12; Trees, woodland, hedges and development), EN18; Rural landscape), EN19 :The High Weald Area of Outstanding Natural Beauty in the formulation of a detailed development scheme, with full assessments, documentation, and justification in a planning application submitted for determination by the Local Planning Authority in the light of planning policy and Supplemental Guidance.

CONCLUSIONS

- 1 Kent Woodware Ltd supports the proposed allocation of its open land south of the Station Business Park for employment uses in proposed Local Plan Policy AL/HA7, and as shown within the proposed red lined area on the Proposals Maps.
- 2 This Policy, in principle, follows the success of Station Business Park since its formal designation as an employment area in 2006, and the benefits it brings for business and employment in the eastern rural part of Tunbridge Wells Borough.
- 1 The proposed allocation for an extension to the Business Park follows successive advice since 2006 in the Council's Call For Sites, its Development Plan formulations in its Adopted Allocations

- Local Plan 2016, its 2016 Economic Needs Study, and the proposed allocation under AL/HA8 in its Regulation 18 Consultation Draft Local Plan which Kent Woodware supported.
- 1 The Council has since supported Kent Woodware in obtaining planning consent, now implemented, for a new building to serve the existing needs or an adjacent Business, on the open land within the proposed new allocation and without material harm to its surroundings, its wider neighbours, or the surrounding landscape.
 - 1 It is clear to Kent Woodware and its closely advising commercial and planning Agents that there are a clear and pressing needs of local Businesses on the Business Park, and beyond, for additional land to serve their needs for additional building floorspace which can be met on the proposed allocation land.
 - 1 Whilst Brexit and Covid 19 restrictions have stalled new developments, and the cost of formulating detailed planning applications during these times, businesses are now looking to expansion in the light of prospective economic recovery. Development on the allocated land will assist in that recovery and secure business prosperity, employment retention and creation.
 - 1 However, we are firm in our advice to the Inspector for the Local Plan Examination that the retention of the proposed area of green 'open space' shown within the proposed allocation, amounting to 33% of the red lined allocation, would act against the need of local business to expand, to meet their development needs, and local employment.
 - 1 The commissioned Landscape and Site Visual Assessments carried out by Lloyd Bore on behalf of Kent Woodware and Hankinson Duckett Associates on behalf of the Local Planning Authority essentially arrive at the same conclusions; that the proposed allocated land, as former Station and pasture land, and serving the needs of the Former Kent Woodware wood turning business for many years, is now degraded, but is essentially reasonably contained within the surrounding landscape with only limited views towards its boundary landscaping, which can be enhanced to screen the site. New development, and particularly its building heights, design, materials and colour, must be guided by the findings and recommendations of landscape and visual impact appraisals and sensitive landscape proposals. This can be achieved.
 - 1 However, we consider both the principle and extent of the green proposed open space recommended by Hankinson Duckett Associates and shown on the Proposed Allocation Maps to be arbitrary, excessive and unfounded. HAD's assessment shows no detail as to how the extent of the green open spaces has been determined.
 - 1 We consider that HSD's assessment will work against the needs of local businesses and their retention and creation of employment.
 - 1 Kent Woodware accepts the need and requirements for any new development on this land to pay the utmost regard to the retention of the existing boundary landscaping and its enhancement with characteristic wildlife boundary planting, and naturalistic surface water features and drainage systems.
 - 1 These requirements can be achieved by additions to Policy AL/HA7, set out previously as (3) and (5) in Regulation 18 Draft Policy AL/HA8 outlined above, and the application of Policies for sustainable design, character, site context, landscape, trees and amenity, biodiversity in the formulation of a detailed development scheme, with full assessments, documentation, and justification in a planning application submitted for determination by the Local Planning Authority in the light of planning policy and Supplemental Guidance.
 - 1 The Inspector is therefore requested to;
 - a. Retain Policy AL/HA7 for the application of the red lined site Allocation Boundary area south of Station Business Park for employment uses (E/B2/B8), with requirements for a Landscape and Visual Impact Assessment and Landscape Management Scheme.
 - (b) Extend the Proposed Employment Area under the terms of Policy ED1 as shown on Inset Map 16; Gills Green and Proposals Map 49 to incorporate all of the land shown as red lined as Allocation Boundary, and to be shown blue for Employment Use.
 - (c) Remove the area shown in green as an 'open space and landscape buffer' on Inset Map 16; Gills Green and Map 49 Site Layout Plan.
 - (d) Delete the reference in Draft Policy AL/HA7 (5) for.. a landscape buffer to be provided within the southern area of the site..

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete area shown in green as an 'open space and landscape buffer' on Inset Map 16; Gills Green and Map 49 Site Layout Plan, along with the requirement for a 'landscape buffer to be provided within the southern boundary of the site' on Policy AL/HA7 (5).

Extend Key Employment Area Policy ED1, as shown on Inset Map 16; Gills Green and the Red lined Allocation Plan Map 49 Site Layout Plan for Policy AL/HA7 to cover all of red lined allocated site and to be shown as blue for employment land.

See attached full representations. [TWBC: See representations attached as supporting documents]

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Hawkhurst: Policy
AL/HA 8: Site at Limes Grove (March's
Field)**

Comment

Consultee	Mr Adrian Cory [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Adrian Cory [REDACTED]
Comment ID	PSLP_1903
Response Date	03/06/21 14:12
Consultation Point	Policy AL/HA 8 Site at Limes Grove (March's Field) (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mr Adrian Cory
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 8 Site at Limes Grove (March's Field)

Paragraph No. 5.343 et seq.

[TWBC: this comment also set against Policy AL/HA7 - see PSLP_1902]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

The conditions attached to the proposed industrial developments at Gills Green (AL/HA 7 & 8) should presumably include the need for an impact assessment on the Hawkhurst crossroads? There must be a likelihood that these developments will increase the passage of HGVs. The general need for such an impact assessment is stated at para 5.358.

Question 6

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The conditions attached to the proposed industrial developments at Gills Green (AL/HA 7 & 8) should include the need for an impact assessment on the Hawkhurst crossroads.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

- . Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Rosemary Cory [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Cranbrook [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rosemary Cory [REDACTED]
Comment ID	PSLP_1700
Response Date	04/06/21 16:05
Consultation Point	Policy AL/HA 8 Site at Limes Grove (March's Field) (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Rosemary Cory
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 8 Site at Limes Grove (March's Field)	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I welcome the requirement for development proposals to establish the impact of proposed developments on Hawkhurst crossroads and the Flimwell crossroads (5.285 and 5.358). However, I believe that there has been no strategic assessment carried out on the traffic impacts of the Hawkhurst crossroads and the Flimwell junction. The borough-wide transport assessment does not consider these impacts. Therefore, the Plan is not "sound".

I welcome TWBC's decision that the proposal for a so-called "relief road" as a quid pro quo for a large development on the Hawkhurst golf course was not supportable in the light of national policy to limit development in AONBs. It would, in fact, have been no more than an access road for a large housing development, that would have had a negative impact on traffic congestion on the other three arms of the crossroads and the Flimwell junction. This would have also impacted the wider highway network, not just in Hawkhurst but in the surrounding villages.

The conditions attached to the proposed industrial developments at Gills Green (AL/HA 7 & 8) should presumably include the need for an impact assessment on the Hawkhurst crossroads? There must be a likelihood that these developments will increase the passage of HGVs. The general need for such an impact assessment is stated at para 5.358.

Question 6

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After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Plan should incorporate a proper assessment of the traffic impact of proposed developments on both the Hawkhurst Crossroads and the Flimwell junction (in consultation with Highways England and East Sussex CC).

The conditions attached to the proposed industrial developments at Gills Green (AL/HA 7 & 8) should include the need for an impact assessment on the Hawkhurst crossroads.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

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Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ms Clare Escombe [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Hawkhurst Parish Council
Address	The Office at The Moor Hawkhurst TN18 4NT
Event Name	Pre-Submission Local Plan
Comment by	Hawkhurst Parish Council [REDACTED] [REDACTED]
Comment ID	PSLP_1290
Response Date	04/06/21 10:39
Consultation Point	Policy AL/HA 8 Site at Limes Grove (March's Field) (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Hawkhurst Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 8 Site at Limes Grove (March's Field)

[TWBC: this comment has been input against Policies AL/HA 7 and AL/HA 8 - please see Comment Numbers PSLP_1289 and PSLP_1290]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

AL/HA7 & AL/HA8 - The Sustainability Appraisal indicates that these two sites will have a negative impact on air quality and travel. It seems feasible that these allocations will result in increased passage of HGVs through the village. Therefore, as with other allocations, we would request that there is a need for an impact assessment on Hawkhurst crossroads both in terms of traffic congestion and air quality.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Specific reference to the need to determine the impact on Hawkhurst crossroads for AL/HA7 and AL/HA8.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_24

Comment

Agent	Mr William Hall [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Broadlands Planning Ltd
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Consultee	Mr Peter Dunlop [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kent Woodward Ltd
Address	Unit 16 Hawkhurst Station Business Park Hawkhurst TN18 5BD
Event Name	Pre-Submission Local Plan
Comment by	Kent Woodward Ltd (Mr Peter Dunlop [REDACTED])
Comment ID	PSLP_428
Response Date	26/05/21 11:05
Consultation Point	Policy AL/HA 8 Site at Limes Grove (March's Field) (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_428_Broadlands Planning for Kent Woodward SI-1 Inset Map 16.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Kent Woodward Ltd.
Question 2	
Agent's Name and Organisation (if applicable)	Broadlands Planning Ltd.

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 8 Site at Limes Grove (March's Field)

Paragraph Numbers: 5.351/2, 5.408

Inset Map 16; Gill Green.

Proposals Map 50 Site Layout Plan

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound Yes

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Kent Woodware Ltd, as land owner, **SUPPORTS** the contingent approach to the allocation of land at March's Field, Limes Grove, for employment purposes, subject to monitoring and demonstrable evidence of the need for further employment provision, or potentially at the five- year review of the Local Plan, as set out in Policy AL/HA8; Site at Limes Grove(March's Field) and Written Statement para 5.408, and shown on Inset Map 16 [TWBC: Please see supporting documents]; Gills Green and Proposals Map 50, with the land safeguarded for employment use in the long term to serve the eastern part of the Borough.

This approach will assist Kent Woodware Ltd to continue to assist local companies to provide employment in this part of the eastern sector of Tunbridge Wells Borough.

Kent Woodware Ltd is fully aware of the need for the stated requirements for the design and layout of any development to be based on the findings of the requisite supporting appraisals, and the site's location in the Area of Natural Beauty and adjacent to Listed Buildings and an historic farmstead.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

If you would like to attach a file in support of your comments, please upload it here.

PSLP_428_Broadlands Planning for Kent
Woodware_SI-1_Inset Map 16.pdf

Future Notifications

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