

Examination of the Tunbridge Wells
Borough Local Plan

**Tunbridge Wells Borough Council
Hearing Statement**

**Matter 3: Spatial Strategy and
Distribution of Development
(Policies STR1, STR3, STR9
and STR10)
Issue 2: Distribution of
Development**

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Matter 3 – Spatial Strategy and Distribution of Development (Policies STR1, STR3, STR9 and STR10)

Issue 2 – Distribution of Development

Inspector’s Question 1: [re. basis of the distribution of development]

How was the distribution of development established? Has the Council sought to direct housing growth towards settlements based on their scoring in the Settlement Role and Function Study, or by another means?

TWBC response to Question 1

Introduction

1. As stated in response to Question 3 under Matter 3, Issue 1: Spatial Strategy [TWLP/014], the Local Plan has been informed by, rather than based on, the Settlement Role and Function Study (both the 2017 version [[CD 3.27](#)] and the 2021 Update (as subsequently corrected) [[CD 3.133](#)]).
2. The Study has had a significant influence in that it provides a basis for scoring of aspects of the Sustainability Appraisal [[PS 013](#)], particularly with regard to the ‘Services and Facilities’ (Objective 16 – improve access to and range of key services and facilities). The decision aiding questions in Appendix B, page 291 show that high weighting is afforded to Objective 16, as the provision/improvement of key services is a critical issue when determining where to develop.
3. Hence, the position of towns and villages in the settlement hierarchy and the information within the Study can be seen to have been instrumental in forming an understanding of the sustainability of settlements within the respective growth strategy options and in scoring the proposed site allocations within the Sustainability Appraisal (SA).

4. In addition, this is carried forward into the assessment of sites in the Strategic Housing and Economic Land Availability Assessment (SHELAA) through the consideration of the SA outcomes (under the 'Sustainability Assessment' heading on the SHELAA sheets).
5. The one instance where the Study has directly impacted on the distribution of development is in respect of the decision to remove the Limits to Built Development boundaries at Iden Green and Kilndown. This is explained further under the response to Matter 3, Issue 3: Limits to Built Development, Question 8 [TWLP/016].
6. For the most part, while the outcomes of the Settlement Role and Function Study give an indication of the level of the relative sustainability of settlements in terms of access to goods and services and the need to travel, it is recognised that it can only be a starting point for considering appropriate locations for new development and growth potential.
7. Other factors, such as transport, the ability to gain safe vehicular access, employment and other economic, environmental, landscape, heritage, flooding, Green Belt and land availability considerations, also influence the distribution of development. These factors are the subject of other parts of the evidence base, which are also drawn upon when assessing sites through the SHELAA.
8. Consequently, and as previously stated (Matter 2, Issue 1, Question 3 [TWLP/011]), it may be that the growth of larger settlements is restricted by substantial environmental, land availability, and/or infrastructure constraints, while suitable sites may exist in smaller settlements, which may become more sustainable as a result of growth.
9. Indeed, this is the case most notably in respect of Royal Tunbridge Wells (see the Council's Statement on Question 6 under Matter 3, Issue 1: Spatial Strategy [TWLP/014]).
10. In summary, the distribution of development is based on the aggregate assessment of a full range of planning considerations, in line with national policies, within which their scoring in the Settlement Role and Function Study plays a part, but not the sole determinant. Further elaboration is provided in response to subsequent questions.

Inspector's Question 2: [re. distribution of housing by settlement group]

When taking into account commitments and completions since the start of the Plan period, what proportion of new housing will be distributed to each group of settlements, as per the Settlement Role and Function Study?

TWBC response to Question 2

Introduction

11. The Council has not previously undertaken the calculation required by this question but has now done so. The full result is provided in Appendix 1, with a summary at Table 1 below. Proportions are presented for each settlement group as a whole, although it should be appreciated that there are different numbers of settlements in each group.

Table 1 Distribution of Housing by Settlement Group (01 April 2021 Position)

| 1 | 2 | 3 | 4 |
|-------|---|------------------------------------|-------------------------------------|
| Group | Settlements | Total Number of Dwellings in Group | Percentage in Each Settlement Group |
| A | Royal Tunbridge Wells | 3459 | 25.7% |
| B | Southborough, Cranbrook, Paddock Wood and Hawkhurst | 6065 | 45.0% |
| C | Rusthall and Pembury | 529 | 3.9% |
| D | Goudhurst, Langton Green, Benenden, Brenchley and Horsmonden | 706 | 5.2% |
| E | Lamberhurst, Speldhurst, Sandhurst, Five Oak Green, Sissinghurst and Bidborough | 383 | 2.9% |
| F | Matfield and Frittenden | 182 | 1.4% |
| G | Kilndown and Iden Green (and other smaller hamlets) | 46 | 0.3% |
| Other | Tudeley Village (Tudeley) | 2100 | 15.6% |

12. For transparency, the methodology used to create the above table involves the following:

- the figures relate to the plan period 2020-2038, but are updated to reflect housing land supply at 1 April 2021, as set out in the Council’s most recent published Five-Year Housing Land Supply Statement [[PS_020](#)];
- figures relate to overall total supply (i.e. completions, permissions, windfalls¹, allocations²);
- some small schemes are attributed to the defined settlement if it is in its vicinity, otherwise attributed to ‘other hamlets’;
- Tudeley Village is treated as its own category, as it does not fall within an existing settlement grouping;
- although the Limits to Built Development are being withdrawn for Kilndown and Iden Green, they are also included for completeness, and combined with smaller hamlets;
- the ‘Percentage in Each Settlement Group’ (Column 4) is calculated by dividing the total number of dwellings in each group (Column 3) by the total projected supply (13,470 dwellings).

13. Overall, the more notable findings are:

- the largest overall contribution to total supply (45%) is expected to come from the main service centres (outside of Royal Tunbridge Wells) in Group B;
- Within Group B, there is substantial variation between the settlements, with Paddock Wood making the largest single contribution of any settlement, 35.8%, to total supply (i.e. 4,827 dwellings);
- Royal Tunbridge Wells is expected to account for about a quarter, 27.7%, of total supply (3,459 dwellings);
- the proposed new settlement at Tudeley Village is expected to contribute about a sixth (15.6%) of total supply over the plan period;

¹ Windfall allowances per settlement grouping are based on historic windfall completions between 2006 and 2019. Hence, the windfall allowance per settlement grouping is therefore only an estimate.

² Allocation number exclude sites with planning permissions as at 01 April 2021, to avoid double-counting.

- for the respective village groups, Groups C, D, E, F, and G, their contributions to housing supply are seen to relate well to their relative roles and functions.

14. In conclusion, the distribution broadly accords with the existing settlement hierarchy, but with a significant additional contribution from Tudeley Village. The towns/service centres play a particularly important role, notably Paddock Wood, while the supply from villages is notably smaller, albeit broadly proportionate given their modest sizes and services.

Inspector's Question 3: [re. focus on sustainable locations]

Is the strategy consistent with paragraph 105 of the Framework, which states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes?

TWBC response to Question 3

Introduction

16. To an extent, the distribution of development relative to the respective settlement groupings, set out in response to the previous question, indicates that this expectation is met. Moreover, the Local Plan goes further to “*actively manage patterns of growth*”, as also highlighted in paragraph 105, in line with the objectives of the previous NPPF paragraph, which relate to the following considerations:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;*
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.”*

Consideration

17. The above objectives are highlighted, where appropriate and in the context of settlement sustainability in access terms, below, with settlements considered in order of their proposed levels of development.

Paddock Wood

18. Paddock Wood is to have the greatest level of growth of all settlements, the overall reasons for which are explained in response to Question 3 under Matter 3, Issue 1.
19. Accessibility, as well as the scope to promote walking, cycling and public transport³, are important considerations in both the focus on Paddock Wood and in the formulation of policy and proposals for it.
20. Paragraphs 5.171-5.175 on pages 139 and 140 of the Submission Local Plan [[CD 3.128](#)] highlight the transport context for considering growth at the town.
21. Of strategic importance is the fact that Paddock Wood is served by a mainline railway station, which is also well located close to the centre of the town. This is especially important from a business perspective, as is highway accessibility to the wider region, which is provided via the A228 just to the west of the town.
22. The masterplanning approach to the growth of the town is seen as the appropriate approach to ensure improvements in accessibility and in the provision of local infrastructure and services that will increase overall sustainability. Evidence of the masterplanning approach, including the relationship between transport infrastructure and the form of development and supporting services⁴, is contained in the Strategic Sites Masterplanning and Infrastructure Study 2021 [[CD 3.66](#)] and at Map 29: Transport Connections: Paddock Wood and east Capel, taken from the Study and reproduced on page 151 of the Local Plan. In recognition of this, the relevant highway authorities have accepted that there would lower trip generation from the new development at Paddock Wood, as set out at paragraph 3.15 of the SoCG between TWBC and Kent County Council as the highway authority [Document [PS 025](#)].
23. The net transport capacity implications of the proposals⁵, making full use of the potential for active travel, have been properly assessed in liaison with the local highway authority, and has resulted in a range of related infrastructure improvements, which are drawn together in the submitted Infrastructure Delivery Plan. [[CD 3.142](#)].

³ NPPF paragraph 104(c) highlights this objective

⁴ As highlighted in NPPF paragraph 104(b) and 106(a)

⁵ As highlighted in NPPF paragraph 104(d)

Tudeley Village

24. For the creation of a new settlement, there is real potential for significant development to be focused on a location which “*can be made sustainable*”.
25. The vision for Tudeley Village is expressly for a new settlement that will be sustainable and self-contained, in line with garden community principles. The settlement structure, around a highly legible, attractive and accessible movement framework, is proposed, with walking and cycling routes both within the settlement and beyond. The masterplanning approach is contained in the Strategic Sites Masterplanning and Infrastructure Study 2021 [[CD 3.66](#)], with extracts showing maps of transport connections reproduced in the Submission Local Plan on pages 165 and 166. As is the situation at Paddock Wood, in recognition of the masterplanned approach, layout and mix of uses at Tudeley, the relevant highway authorities have accepted that there would lower trip generation from Tudeley than at other residential developments, which is also covered by paragraph 3.15 of the SoCG between TWBC and Kent County Council as the highway authority [[Document PS 025](#)].
26. As with Paddock Wood, the strategic growth has wider transport implications. This has resulted in proposals for a new link road bypassing Five Oak Green and connecting to an improved A228. As noted for Paddock Wood, these, and other infrastructure improvements, are drawn together in the submitted Infrastructure Delivery Plan [[CD 3.142](#)].

Royal Tunbridge Wells

27. Paragraphs 5.7 – 5.19 of the Submission Local Plan sets out that Royal Tunbridge Wells is a sustainable location. However, as set out at paragraphs 5.10 – 5.14, while there have been relatively recent highway infrastructure improvements in terms of the A21 and its junction with Longfield Road, which has also undergone capacity improvements, congestion and air quality issues are most evident to the north and east of the town. This is manifest in the designation of an Air Quality Management Area (AQMA) along the A26 and queuing traffic along the Pembury Road (A264) at peak times, extending to other times of the day.
28. Traffic modelling of growth proposals has shown a need for local improvements, as there is no practicable strategic infrastructure solution. Of note, this includes a strategic

approach to providing additional capacity and encouraging active travel. This is expressed in parts 8-11 of Policy STR/RTW 1 of the Submission Local Plan, covering:

- support for active travel by delivering improvements to the local pedestrian and cycling network, as set out in the Local Cycling and Walking Infrastructure Plan [[CD 3.115a\(i\)-a\(ii\)](#), [3.115b\(i\)](#) and appendices], including Low Traffic Neighbourhoods and additional cycle parking in key locations (Part 8 of the policy);
- improvements to the local bus network and infrastructure (Part 9 of the policy);
- measures to reduce congestion on the radial routes into the town, including the A26 and A264, while prioritising active travel, specifically including a new roundabout at the junction of Halls Hole Road, Pembury Road and Blackhurst Lane (Part 10 of the policy);
- expansion of electric vehicle charging points and car club (Part 1 of the policy).

29. Hence, both mitigation and adaption measures, in a transport sense, are being pursued. However, as the transport modelling shows, whilst the proposed growth can be mitigated there is highly limited scope for further transport mitigations given the existing layout of buildings etc which would constrain further growth at the main urban area.

30. Therefore, significant development is focused on the main urban area, reflecting its sustainability. However, the overall effect of transport constraints and those of the Green Belt and AONB designations which largely encircle the town, as well as other environmental and heritage factors, all have a limiting effect on its outward expansion.

Hawkhurst

31. Specific reference is given to Hawkhurst, as this is a higher order (Group B) settlement in terms of service provision but where the scale of development proposals, individually and cumulatively, is limited due to impacts 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). This is set out in the Submission Local Plan chapter for Hawkhurst (at paragraphs 5.359-5.354, pages 199 and 200 [[CD 3.128](#)]).

32. Planning permission has now been granted for all the residential sites proposed to be allocated in the Submission Local Plan. Works have been identified to the crossroads

to accommodate this growth, and that from the residential allocations in Cranbrook (to the north) – although there is not significant additional capacity above this. Therefore, while the proposed site allocations are compatible with existing highway and related constraints (as well as appropriate in AONB terms), these paragraphs highlight that future planning applications (i.e. for those sites which are not consented) will still need to consider their traffic impacts, including upon the junction (crossroads) of the A229 and A268 at the centre of Hawkhurst and demonstrate that they will not have an unacceptable impact on highway safety or result in severe residual cumulative impacts. In relation to the non-consented allocated sites, implementation of the identified mitigation measures will be required. As part of such mitigation measures, a settlement-wide Local Cycling and Walking Infrastructure Plan and potentially Low Traffic Neighbourhoods is envisaged. This has policy expression at Part 4 of Policy STR/HA 1, while the regard to air quality is covered by Part 5 of the policy.

33. Therefore, again, there is substantial development proposed at Hawkhurst reflecting its sustainability, but there are limiting factors to its further growth. These mitigations which are required in relation to the allocations in the Submission Local Plan are regarded as consistent with the second part of NPPF paragraph 105, regarding reducing congestion and emissions and improving air quality, in the context of focusing on sustainable settlements for growth.

Other settlements

34. The distribution of development is fairly dispersed across the borough with even more modest-sized settlements accommodating some growth. As highlighted in response to Question 2 above, this is broadly proportional to their levels of services.
35. The response to Question 5 below reviews the growth proposed at other settlements in relation to their role and function, as well as their character.
36. It is accepted that such new development will generate additional out-of-village travel, but the Council is also conscious that the NPPF recognises, at paragraph 105, that there is more limited scope for sustainable transport solutions in rural areas.

Conclusion

37. It is concluded that the strategy and the distribution of development is consistent with paragraph 105 of the Framework insofar as it focuses development on locations which are or can be (or more accurately, can readily be) made sustainable, whilst also having due regard to other planning considerations.
38. Also, attention is drawn to the efforts made through the Local Plan's spatial strategies and policies to limit the need to travel and encourage sustainable transport modes.

Inspector's Question 4: [re. scale of growth further to that at Paddock Wood]

Having established the principle of significant growth at Paddock Wood (see Matter 3, Issue 1, Question 4 above), how did the Council determine the scale of additional housing proposed in the Plan?

TWBC response to Question 4

Introduction

39. For clarity, the growth potential at Paddock Wood was indeed identified at an early stage in view of the constraints and opportunities at respective settlements, as identified in response to Question 4 under Matter 3, Issue 1 [TWLP/014]. It was further tested and refined through the plan-making process, notably through the work of masterplanning consultants. This was in parallel with the evaluation of development potential elsewhere but did not pre-empt those assessments.
40. The overall scale of proposed development has stemmed from the twin processes of Sustainability Appraisal (SA), particularly in respect of focusing on strategy options most likely to provide for sustainable development, and the site assessment process of the Strategic Housing and Economic Land Availability Assessment (SHELAA).
41. The overall scale of additional housing across the borough can be traced back to the SA informing the Pre-Submission Local Plan in particular [[CD 3.58](#)], which was, as stated in its methodology, informed by available evidence, including various studies and the SHELAA initial assessments.
42. Site assessments were undertaken against a consistent methodology – as outlined in the Council's Matter 5 responses [TWLP/021].
43. In essence, the overall scale of growth has resulted from the distribution of development and site assessments, as outlined in response to Question 1 above, in the context of seeking to meet identified development needs. For key settlements outside of Paddock Wood, cross-reference may also be made to Question 5 above which reviews the decision to promote a new settlement at Tudeley Village, ahead of the expansion of existing towns and villages.

Inspector’s Question 5: [re. extent to which housing growth is proportionate to the character, role and function of settlements]

Where new development is proposed in towns and villages, is the scale, type and distribution of housing development proportionate to their character, role and function?

TWBC response to Question 5

Introduction

44. The Council has drawn on a strong and comprehensive evidence base in relation to the character, role and function of its towns and villages in preparing the Local Plan, as evident from the List of Core Documents.
45. The Settlement Role and Function Study, 2021 (with a subsequent minor correction) [\[CD 3.133\]](#) demonstrates the regard to sustainability in relation to the availability of, and access to, services and facilities. The relationship between the levels of growth and the role and function of settlements, which is closely related to their sustainability in terms of limiting the need to travel, is considered in response to Question 3 above.
46. Local character has been a key consideration in the assessment of the suitability of sites, with various aspects identified via the screening of constraints in the SHELAA (see Appendix 3 of SHELAA main report. [\[CD 3.77a\]](#)), including in relation to:
- Landscape Character Areas;
 - the High Weald AONB, and its components;
 - heritage assets, including Conservation Areas, Listed Buildings, historic farmsteads, archaeology areas, Historic Landscape Characterisation;
 - ecology, including national and local designated sites, Ancient Woodland, TPOs;
 - landscape within the built environment, including Areas of Important Open Space, Arcadian Areas, Areas of Landscape Importance;
 - Green Belt;
 - flood zones;
 - transport infrastructure, including safeguarded routes, rights of way.

47. The structure of the Local Plan itself reflects the Council's central approach to considering growth in the terms identified in the question, in that:
- a. The Local Plan has a strong spatial emphasis;
 - b. There are individual sections for each parish, which are typically centred on a principal settlement, often with smaller related ones;
 - c. Every parish/settlement⁶ chapter is prefaced by an overview of its character, the role and function of its main settlements and constraints; and
 - d. there is an overarching strategy for each parish/settlement, which provides a context for site allocations and the consideration of other development proposals.
48. There are settlements where the scale of housing development is not proportionate to their role and function; this is primarily due to the regard given to their character. The response to Question 3 above highlights this in relation to Royal Tunbridge Wells and Hawkhurst.
49. Growth at Paddock Wood is discussed previously in response to Question 4 under Matter 3, Issue 1 [TWLP/014]. The other Group B towns, Cranbrook and Southborough, are both constrained in terms of their character and setting.
50. Cranbrook: While within the High Weald AONB, Cranbrook has been found to offer some potential for growth to its south, as an extension of the allocations already made, but not yet built out, in the SALP. This major site, Turnden Farm, together with other proposed allocations, provides for some 415-429 new dwellings at Cranbrook (including the 216 new dwellings that have outline planning approval). This is regarded as proportionate to its role and function, and its character, while further site submissions have been rejected as not in keeping with these considerations.
51. Southborough: While a couple of urban sites have been identified and are allocated for housing, it is concluded, following consultation on potential sites at the Draft Local Plan stage, that the outward growth of Southborough would have substantial AONB impacts as well as significant Green Belt impacts on the separate identities of settlements; hence, they are no longer proposed.

⁶ Settlement here relates to Royal Tunbridge Wells, which is not 'parished'

52. For the Group C settlements of Pembury and Rusthall,
- a) Pembury: It can be seen that the Local Plan proposes site allocations totalling approximately 389-417 new dwellings (of which 54 have existing planning permission). This is broadly proportionate in scale, while the majority of the housing is on three adjoining sites between the village and the A21. Although a village, the Settlement Role and Function Study highlights a wide range of local services, as well as good access to those, as well as employment opportunities, in Royal Tunbridge Wells.
 - b) Rusthall: This village, lying close to the north-west of Royal Tunbridge Wells and abutted on its western side by Langton Green, is tightly wrapped around by Green Belt and AONB. In addition, a significant part of the parish, immediately south of the village, forms part of the Rusthall Common. Part of the village is also a Conservation Area. It has a number of services and facilities that support the wider area, including neighbouring Langton Green and Speldhurst, which help support the vitality and viability of these services and facilities. Six sites within Rusthall parish have been assessed within the SHELAA [[CD 3.77a](#) main report and [CD 3.77o](#) Rusthall Site Assessment Sheets]. The majority of sites have been assessed as unsuitable for allocation due to matters relating to scale of development, highway matters or Green Belt concerns. It is evident that growth of the village is highly constrained such that, notwithstanding its range of services, proposed planned growth is limited to reflect its character and setting.
53. Of the Group D villages, only Horsmonden is not within or enveloped by the High Weald AONB. The Local Plan proposes a relatively high level of development (some 240-320 dwellings) for its role and function, which is essentially a reflection of the lesser landscape character constraints. Even so, the sites are well-related to the village and will also provide valuable community facilities. Consideration was given to further allocations here, but as set out in the response to Question 7 in relation to the previous Issue (Matter 3, Issue 1, Spatial Strategy), other sites were either not available or were not found suitable for reasons notably of their landscape sensitivity, as well as poor connectivity and accessibility.

54. Other Group D villages are proposed to have lesser, or no, housing allocations:
- a) Benenden: Two smaller allocations are proposed within this AONB village, for approximately 43-45 dwellings;
 - b) Brenchley: As all potential sites were found to be unsuitable in terms of their impact on landscape character, heritage and/or settlement pattern grounds, no allocations are proposed. Details of sites around the village can be seen in the relevant section of the SHELAA at [CD 3.77d](#)⁷;
 - c) Goudhurst: This AONB village has a large Conservation Area with very limited potential for growth consistent with its character. Nonetheless, two smaller allocations are proposed (both with unimplemented planning permission) for approximately 26 (25 net) new dwellings;
 - d) Langton Green: This village is abutted on its eastern edge by Rusthall Village and is wrapped around by Green Belt and AONB. A Conservation Area lies along the western edge of the village, with very limited potential for growth consistent with its character. Some 10 sites at and around Langton Green were assessed through the SHELAA process [see [CD 3.77r](#)], but these were not judged suitable as potential allocations in the new Local Plan. This is due largely to particular impact on the AONB and Green Belt, issues regarding settlement pattern and in some instances, the ability to provide a suitable means of access.
 - e) Smaller (non-major) developments are also proposed in most Group E and F villages, namely at Lamberhurst, Speldhurst, Sandhurst, Sissinghurst, Matfield, and Frittenden. Such developments are all regarded as proportionate in the terms set out in the question. Again, as with Horsmonden, scope for further allocations were considered at Sissinghurst and Frittenden given its location outside the AONB, but these were either not suitable due to difficulties in relation to gaining safe highway access and/or good connectivity (Sissinghurst⁸) or were not available (Frittenden).

⁷ Sites around Brenchley village are site references: 34,80, 103, 215, 393, 399, 406,417, 427, LS7, LS33, LS34, LS35

⁸ This applied to Draft Local Plan sites AL/CRS 12, AL/CRS 13, AL/CRS 15, AL/CRS 16

55. The exceptions, where no allocations are proposed, are Five Oak Green and Bidborough:
- a) Five Oak Green has no allocations, in part due to site-specific issues, as set out in the respective SHELAA sheets, and in part due to its proximity to the proposed new settlement of Tudeley Village to the west, which provides a focus for growth in this locality. With particular regard to this nearby strategic development, it was not considered that sites at Five Oak Green would meet the Green Belt's 'exceptional circumstances' test.
 - b) Bidborough has no allocations due to a lack of sites put forward for assessment through the SHELAA process. Only one site was submitted through the 'Call for Sites', site 346, which was found through the SHELAA to be unsuitable as a potential allocation because it was not well related to the settlement and there were significant concerns about impact on both the AONB and Green Belt.
56. Reference is also made to East End, in Benenden Parish. This is an exception in the sense that, although a smaller settlement, two housing allocations are proposed. These are wholly or largely brownfield sites, where sensitive redevelopment is considered to be justified. In fact, both proposed allocations are reflected in the now made Benenden Neighbourhood Plan. The Council's hearing Statement on sites, and policies, relating to Benenden is set out in its Hearing Statement on Matter 7, Issue 9 [TWLP/043].
57. Separately, in relation to the type of development, it is pointed out that a number of development management policies are included that will help ensure that the character of places is respected, notably Policies EN1 (Sustainable Design), EN5 (Heritage Assets), EN9 (Biodiversity Net Gain), EN16 (Landscape within the Built Environment), EN19 (High Weald AONB), H2 (Housing Density), and OSSR1 (Retention of Open Space).

Inspector’s Question 6: [re. influence of AONB designation]

What is the justification for distributing new housing development to settlements within the High Weald AONB? How did the AONB designation influence the scale, type and distribution of housing development?

TWBC response to Question 6

Introduction

58. Initial reference is made to the relevant NPPF policies, notably at paragraphs 176 and 177. The key provisions are that “*great weight should be given to conserving and enhancing the landscape and scenic beauty*” in AONBs and that “*the scale and extent of development within all these designated areas should be limited,*”. It further advises that “*permission should be refused for major development, other than in exceptional circumstances and where it can be demonstrated that development is in the public interest.*”
59. In response to these provisions, all submitted sites within the High Weald AONB have been screened against the components of natural beauty (see Development Strategy Topic Paper page 45 [[CD 3.64](#)]), using information provided by the High Weald AONB Unit, as well as drawing on other sources (see Topic Paper paragraph 6.132), including Landscape Sensitivity Assessment [[CD 3.40](#)] and information from the Historic Landscape Characterisation [[CD 3.38](#)] and the AONB Management Plan [[CD 2.1](#)].
60. In addition, in recognition of the “*high bar*” (NPPF paragraph 177) in respect of major developments and in order to fully assess the detrimental effect on the AONB, as required as part of the consideration of “*exceptional circumstances*”, specific Landscape and Visual Impact Assessments (LVIAs) [[CD 3.96](#)] were commissioned following discussions/representations from Natural England and the High Weald AONB Unit for all such sites consulted upon at the Draft Local Plan Regulation 18 stage.
61. The consideration of development within the AONB is set out in Section H of the Development Strategy Topic Paper [[CD 3.126](#)].

Consideration

62. The fundamental justification for distributing new housing development to settlements within the High Weald AONB is that the proposed site allocations in the Local Plan are found to meet the tests set out in the NPPF.
63. For smaller (i.e. non-major) developments, these are found to generally conserve, or at least have no significant impacts on, the landscape and scenic beauty of the AONB.
64. For major developments, the methodology for determining the threshold, in line with NPPF Footnote 60, was firstly discussed with Natural England and the High Weald AONB Unit and the determination by the Council of sites in the AONB considered to be major or non-major is set out in the Development Strategy Topic Paper Appendix 3 [[CD 3.126](#)].
65. At the Draft Local Plan stage, based on available evidence at the time and having regard to the NPPF seek to meet development needs, a number of potential sites within the AONB were forward for development, for the purposes of consultation. Many of the larger proposals in particular received adverse comments, including from Natural England. In response to this, further assessment work was undertaken, most notably in that for all sites considered to be major, either alone or in combination with adjacent sites, detailed LVIAs were undertaken. This duly fed into the revised SA and SHELAA assessments and, where appropriate, into the consideration given to exceptional circumstances (as set out in Table 3 on pages 51-53 of the Topic Paper).
66. It is notable that as a result of the further testing of AONB impacts through the LVIA work and other reviews, 18 sites in the AONB were omitted, of which 10 were 'major developments. Also, several additional sites were reduced in terms of capacity. Appendix 4 of the DS TP [[CD 3.126](#)] identifies changes in the scale of development in the AONB between the DLP and PSLP, while Appendix 2 of the Council's Hearing Statement on Matter 2 Issue 1 [TWLP/011] identifies some corrections to its figures, showing that approximately 1,200 less dwellings are now proposed in the AONB than were consulted upon as part of the Draft Local Plan.

Approach to major development in plan-making

67. It is perhaps helpful at this point to highlight the Council's consideration of the wording of the NPPF in relation to 'major development', insofar as it is expressed as being applicable to planning applications, rather than plan-making. This point was emphasised in the explanation of recent NPPF amendments (see Development Strategy Topic Paper paragraphs 6.123 and 6.124 [[CD 3.64](#)]).
68. In light of this, following discussion on this matter with both Natural England and the High Weald AONB Unit, and on a precautionary basis, the Council has applied the precautionary approach set out in NPPF paragraph 177 to the inclusion of site allocations in the Local Plan. Its reasoning is set out at paragraph 6.125 of the Topic Paper [[CD 3.64](#)] and, notwithstanding the subsequent publication of the current NPPF, is still considered to be a logical extension of what the NPPF says. Moreover, there is nothing in the NPPF that suggests that this approach is inappropriate.

Scale, type and distribution of development in the AONB

69. The Development Strategy Topic Paper [[CD 3.126](#)] states at paragraph 6.159 (on page 53): "*The number of allocations in the AONB has reduced from 49 to 32, while the total number of dwellings proposed for allocation is now for 1,370 dwellings, a reduction of 47% from the Draft Local Plan total of 2,588 dwellings.*" However, it is now realised that there is an error in that one site (the subject of Policy AL/RTW 16), which did involve major development in the AONB at Draft Local Plan stage, has been substantially reduced such that its developable area is now wholly outside the AONB. This position has been agreed with Natural England, as set out in the parties' Statement of Common Ground. (See Duty to Cooperate Statement, Appendices H to J [[CD 3.132c\(v\)](#)])
70. The corrected total number of dwellings on sites allocated in the AONB is actually 1,126 dwellings at the mid-point of the range (or 1,161 at the upper end), as shown on the table at Appendix 2. This also shows that these figures respectively equate to 12.25% or 12.38% of total number of dwellings allocated in the Local Plan.
71. This scale of development, of up to 12.38% of the housing allocations, is proportionately *limited* in scale relative to the 20.75% of the existing total dwelling stock of the borough that is currently in the AONB.

72. It is also limited in extent, having regard to the fact that 69% of the borough is within the AONB and that a very small proportion (about a third of 1%) of the total AONB area within the borough is being proposed for development [see Development Strategy Topic Paper [CD 3.126](#), paragraph 6.167).
73. It remains the case that there are 31 allocations now proposed, primarily for residential, or residential-led, developments, but also including ones for employment, health-related and playing field/recreation uses.
74. The correction does impact somewhat on the split between major and non-major housing developments in the AONB. The table at Appendix 3 shows that the number of 'major developments' is nine, although these include four sites that individually are 'non-major' but are uprated to 'major' when the cumulative effect of adjacent sites is taken into consideration. Hence, of the 23 sites, ten are major developments when viewed cumulatively, while only six sites are 'major' when assessed individually.
75. In terms of the distribution of housing sites, all freestanding villages identified in the Settlement Role and Function Study [\[CD 3.133\]](#) have generally modest allocations, with the exception of Brenchley, where all potential sites were found to be unsuitable in terms of their impact on landscape character, heritage and/or settlement pattern.
76. In terms of employment land, there is a major development at Royal Tunbridge Wells (now consented) which is justified by its site-specific opportunity and the significant landscape and ecological mitigation involved. Elsewhere, the employment allocations at Gill's Green, Hawkhurst are to meet needs in the eastern part of the AONB, have followed landscape appraisals, and incorporate landscape mitigations.

Development within the setting of the AONB

77. For completeness, the question asks about the influence of the AONB designation on the scale, type and distribution of housing development, which can include development within its setting, as highlighted in the current NPPF (last sentence of paragraph 176).
78. Proposed developments within the AONB's setting have been identified and their impacts on its landscape and scenic beauty are set out in the AONB Setting Analysis Report. [\[CD 3.95\]](#) Its findings have informed the scale and disposition of development at both Paddock Wood and Tudeley Village as part of the masterplanning work.

Conclusion

79. As stated in the Development Strategy Topic Paper [[CD 3.126](#)], great weight has been given to the landscape and scenic beauty of the High Weald AONB, and that the overall scale and extent of development is limited, in accordance with the NPPF paragraph 176.
80. The Council has taken a precautionary, transparent and robust approach to the identification of major development in the AONB. In the few instances where larger ('major') developments are proposed, these are justified in terms of their exceptional circumstances.
81. While the Council has, in its view, properly applied NPPF policy for AONBs, and considered these within the context of the wider planning balance, in pursuing some development in the High Weald AONB, it similarly points to the same process that has, in many cases, led the Council to reject site submissions for further developments in the AONB.
82. Overall, AONB designation, relevant national policies and the defining characteristics of the High Weald AONB have a significant bearing on the scale, type and distribution of housing development in the Local Plan, as outlined above.

Inspector's Question 7: [re. regard to flood risk]

How have flooding constraints been taken into account in determining the spatial distribution of development? Is the Plan consistent with paragraph 161 of the Framework which states that all plans should apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.

TWBC response to Question 7

Introduction

83. Please note - this response should also be considered alongside the Council's response to Question 5, Matter 5, Issue 1 – Site Selection Methodology [TWLP/021], Questions 8 and 9, Matter 6, Issue 3 – Paddock Wood and East Capel [TWLP/024], and Question 26, Matter 6, Issue 1 – Tudeley Village [TWLP/022].
84. The Council has, in the preparation of the Local Plan, considered flooding constraints (from all forms of flooding) to determine the spatial distribution of development in accordance with the requirements of the NPPF. In line with Paragraph 161 of the NPPF, it is acknowledged by the Council that the Local Plan should apply a sequential, risk-based approach to the location of development and the first step in doing so is to apply the 'sequential test' and, if necessary, the 'exception test'.
85. In relation to the sequential test, paragraph 162 of the NPPF sets out that "*the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source...*" and "*development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding*". However, paragraph 163 sets out that "*if it is not possible for development to be located in areas with a lower risk of flooding (taking account of wider sustainability development objectives in reaching this decision) then the exception test may [author's emphasis] have to be applied*". Paragraph 162 then proceeds to set out that whether it will need to be applied is dependent on the Flood Vulnerability Classification of a use, and which flood zone it is in: this is set out in [Table 3](#) of the relevant section of the PPG, which is clear that development in relation to which the exception test is not required is "*appropriate development*".

86. Therefore, whilst paragraph 162 of the NPPF aims to steer development to areas of lowest flood risk (which is Flood Zone 1 in Tunbridge Wells borough), paragraph 163 is clear that (subject to being more/less vulnerable, water compatible or essential infrastructure) that the location of development in both Flood Zone 1 and Flood Zone 2 is still appropriate. There is therefore somewhat of a tension between these two paragraphs: 162 suggesting that all development should be in Flood Zone 1, but 163 setting out that certain development in Flood Zones 1 and 2 is appropriate. How the Council has taken account of these requirements is set out below.
87. At this introductory stage, it is also pertinent to explain that, whilst the Council considers that the Sequential Test has been met in the Submission Local Plan, due to the manner in which the spatial strategy developed, it also undertook work ahead of the Draft Local Plan to allow the Exception Test to be undertaken – as it was not clear at that time (and it was not until the completion of the masterplanning work for Strategic Site 1 (SS1) Paddock Wood, including land at east Capel) whether the Sequential Test would be met. More detail on this is again set out below.
88. In addition to the above, paragraph 161 also sets out that it is necessary to take into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.
89. Paragraph 161 of the NPPF then continues to set out four criteria which will enable the above requirements to be achieved. Commentary on how the Council has considered each of these four criteria is provided within this response at paragraphs 120-125 below
90. It is noted that the NPPF, when amended in July 2021, made changes in relation to “*taking into account all sources of flood risk (author’s emphasis highlighting the additional requirement now required by the NPPF) and the current and future impacts of climate change*”. Additionally, the Environment Agency produced updated guidance in July 2021 in relation to climate change allowances with regard to flood risk and also in relation to preparing SFRA’s.

Sequential Test

91. Planning Practice Guidance (PPG) sets out the requirements of the “[Sequential approach and sequential test](#)” in the preparation of a Local Plan. There is no set approach to carrying out the sequential approach or sequential test; however, the

guidance sets out at paragraph 022, that this can be undertaken directly, or, ideally, as part of the Sustainability Appraisal (SA) and should also be considered as part of the strategic housing land or employment land availability assessments. (It is noted that the NPPG has not been updated since the revised NPPF was issued in 2021).

92. In accordance with Paragraph 162 of the NPPF – and as set out above - the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. The PPG provides detail on how to apply the sequential test for Local Plan preparation, as set out within Diagram 2 of the [PPG](#), which the Council has followed.
93. The sequential test for the Tunbridge Wells borough is based upon data provided by the Level 1 Strategic Flood Risk Assessment (SFRA), [\[CD 3.105\]](#) which was completed by JBA Consulting in 2019. The SFRA was carried out for the whole borough, in order to inform the development strategy and site allocations within the Local Plan. A further Level 2 Strategic Flood Risk Assessment was carried out, in order to satisfy the requirements of the ‘Exceptions Test’ – ahead of the Draft Local Plan - which is explained in further detail below. Both documents have been compiled into one SFRA [\[CD 3.105\]](#) as a comprehensive document informing the Local Plan. A summary of the SFRA [\[CD 3.105\]](#) and detail of how the Council has considered development and flood risk in determining the spatial distribution and selection of sites is set out broadly at Section K of the Development Strategy Topic Paper for the Pre-Submission Local Plan - October 2021 [\[CD 3.126\]](#).
94. As part of the Local Plan production, the Council carried out a ‘Call for Sites’ process. All of the sites submitted through the Call for Sites were screened against available flood risk information and spatial data provided by the SFRA [\[CD 3.105\]](#) to provide a summary of risk for each site. Where sites were submitted to the Council following the production of the SFRA [\[CD 3.105\]](#), the flood risk mapping provided by JBA for the borough was used to inform the consideration of these sites in the same way.
95. Importantly, flooding from fluvial, surface water, reservoirs and groundwater was considered as part of this assessment, taking into account future impacts of climate change, thereby meeting the requirements of the NPPF (as well as the 2021 update). It is also important to note that when preparing the SFRA [\[CD 3.105\]](#) (and the Masterplan modelling for Paddock Wood [\[CD 3.66f\]](#)), a higher climate change allowance than required by the latest guidance was applied as a “*worst case scenario*”. The approach

to climate change is set out within Section 5 of the SFRA [CD 3.105], and explains how the allowance for climate change has been considered and possible impacts taken into account in the findings and recommendations.

96. The above work was carried out as an iterative process alongside the formulation of the SA [PS 013], the SHELAA [CD 3.77a] and the overall development strategy.
97. Taking each of these in turn, the SA [PS 013] used the detailed flood mapping of the whole borough and individual sites (which included all sources of flood risk), as produced within the SFRA [CD 3.105] through its assessment of options for growth and consideration of alternative options.
98. Specifically, the SA [PS 013] considered the findings of the SFRA [CD 3.105] as part of the environmental baseline review (see Table 140 – Environmental Indicators Analysis – Analysis of environmental baseline indicators and implication for new Local Plan).
99. Furthermore, the scoring methodology (see Appendix B – Decision -aiding questions used for scoring SA Objectives – in particular, Objective 19 on page 292) importantly considered flood risk as part of the decision aiding process. ‘Objective 19’, of the Sustainability Appraisal, was to “*Manage flood risk and conserve, protect and enhance water resource*” and this approach to the SA process was approved by the Environment Agency. The scoring of all the sites considered within the SA [PS 013] is provided within Chapter 8 of the report and accompanying appendices.
100. Additionally, all sites were scored by consideration of, amongst other issues, how well impacts from flooding were managed and whether flood risk could be exacerbated on or off site. To do this, areas at flood risk identified by the SFRA [CD 3.105] were reviewed as part of the process.
101. With regard to the SHELAA [CD 3.77a], the SHELAA methodology is set out in Section 3 of the SHELAA main report [CD 3.77a], where it details the process undertaken in the consideration of sites, in particular ‘Level 1 constraints’, such as flooding, as referred to at paragraph 3.37. See also Matter 5, Issue 1 – Site Selection Methodology [TWLP/021].
102. Furthermore, individual site assessment sheets in the SHELAA [CD 3.77a], have listed where there is flood risk on a site, including ‘Level 1 constraints’ as above (Flood Zone

3b) and Flood Zones 2 and 3a, which have been considered as part of the site assessment process. Additionally, sites identified as being at risk of flooding were given further consideration and consulted on with the EA and KCC where appropriate.

103. The results of the Sequential Test, at a borough scale, are that the developable areas of all allocations, with the exception of (relatively small) parts of Strategic Site SS1 (Paddock Wood, including land in east Capel), are located in Flood Zone 1. In terms of the small parts of Strategic Site SS1, the NPPF is clear at paragraph 162 that “*the need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3*”. The relatively small parts of Strategic Site SS1 where development is proposed that are within Flood Zone 2 comprise uses which are classified as either Essential Infrastructure or More Vulnerable: Table 3 of the relevant section of the PPG is clear that such “*development is appropriate*” in those Flood Zones, and that the Exception Test is not required. Therefore, even though the growth of Paddock Wood proposes some allocation in Flood Zone 2, in relation to these areas the Sequential Test has been passed.

The Exception Test

104. Whilst the Council considers that the Sequential Test has been passed, it did nevertheless undertake the Exception Test. The reason that it did so relates to the chronology and evolution of the Local Plan.
105. As explained in the response to Matter 3, Issue 1, Question 4 [TWLP/014] and the response to Question 4 in this Hearing Statement, during the preparation of the Draft Local Plan growth was identified at Paddock Wood, including land to the west of the settlement, in the eastern part of the parish of Capel. This contains areas which are in Flood Zones 2 and 3 and affected by surface water flood risk. In effect the Council had concluded during the preparation of the Draft Local Plan that it could not meet its development needs entirely from sites that were in Flood Zone 1 due to both wider borough wide sustainability issues – primarily in relation to Green Belt, AONB and highways constraints – and the particular sustainable development considerations of Paddock Wood as a settlement. The Council therefore sought to consider further sites through the application of the ‘exceptions test’.

106. At this stage, the masterplanning work – set out in more detail in relation to Matter 6 – had not been undertaken. This took place following consultation on the Draft Local Plan. It had not, at that time, been established that all the flood vulnerability classification of the development would be “*appropriate*” and the Exception Test would not be required, having regard to Table 3 of the PPG.
107. Accordingly, the Exception Test was applied at the Draft Local Plan stage. As explained in response to other questions, including Question 4 under Matter 3, Issue 1 [TWLP/014] and Question 4 of this Hearing Statement, the Council considered that there were wider sustainability issues that identified Paddock Wood as potentially suitable location for development despite small parts of it being in a zone at a higher risk of flooding as it is the only town (or “service centre”) (identified in the second tier of the Settlement Role and Function Study Further Update October 2021 [[CD 3.133](#)]) not enveloped by Green Belt or AONB and which has a main line train station with good access to the major and strategic road network. The testing through the Sustainability Appraisal(s) demonstrated these wider sustainability issues.
108. The masterplanning work carried out in 2020 and led by David Lock Associates (which followed the sequential approach) confirmed that the Sequential Test could be met.
109. It was, therefore, necessary for the Council to increase the scope of the SFRA to provide the information necessary to apply the ‘exception test’, focussing on the area around Paddock Wood and land to the east of Capel parish, through the Level 2 SFRA, [[CD 3.105](#)] and through further work undertaken by JBA (which is set out in Appendix 5 of the Strategic Sites Masterplanning and Infrastructure Study [CD. 3.66]). This meets the first requirement of paragraph 164 of the NPPF that the application of the exception test be informed by a strategic (Level 1) and more focused (Level 2) flood risk assessment.
110. The Level 2 assessment included more detailed consideration of surface water flood risk and demonstrates that the matters relevant to the ‘exception test’ have been addressed.
111. Additionally, new flood risk modelling was developed for the Level 2 SFRA [paragraphs 1.4.1 of [CD 3.105](#)], which enabled detailed consideration of flood risk at Paddock Wood and east Capel both for the present day and with the predicted impacts of climate

change. The updated flood risk modelling informed decision-making with regard to the placement of development, following the sequential approach.

112. A summary of the work that was carried out is provided at paragraphs 6.123-6.127 of the Development Strategy Topic Paper [[CD 3.126](#)] and full details are provided within the Level 2 SFRA [[CD 3.105](#)] as well as helpfully summarised within the Council's Hearing Statement on Matter 6, Issue 3 – Paddock Wood and East Capel (TWLP/024). This work considered a number of sites or 'parcels' and made recommendations as to the suitability of allocation of sites in accordance with the sequential test and exceptions test.
113. Accordingly, the application of the Exception Test at Draft Local Plan stage, based on the Level 2 SFRA indicated that both elements (a) and b)) of paragraph 164 could be satisfied for development to be allocated. In terms of element a): the wider sustainability benefits to the community of Tunbridge Wells borough had been considered through the SA, and it was demonstrated that these would outweigh the flood risk. In terms of element b) the Level 2 SFRA indicated that – subject to further work – growth at Paddock Wood could be safe without increasing flood risk elsewhere, and indeed could reduce flood risk.
114. As explained above, the Council considers that the Submission Local Plan has met the Sequential Test. Nevertheless, if it is concluded the Exception Test is required, it is firmly of the view that the Submission Local Plan passes both tests.
115. In terms of element b) JBA were involved in the masterplanning work for Paddock Wood including land in east Capel. Appendix 5 of the Strategic Sites Masterplanning and Infrastructure Study [CD. 3.66] – explains (at digital page 11) that in relation to option 1 – which is the allocation under Policy STR/SS1 –*“the modelling demonstrates the benefit of localised drainage measures and it is considered that more comprehensive drainage arrangements accompanied by more detailed analyses [i.e. at planning application stage] would enable the development of the residential sites outlined in Option 1 to be brought forward without any off-site increases in flood depths being predicted”*.
116. Moreover, attention is drawn to electronic page 6 of Appendix 5 of the Strategic Sites Masterplanning and Infrastructure Study [CD. 3.66] which states: *“it is understood that a*

flood management measure here must provide reduced flood risk to Paddock Wood, but not increase risk to third parties (e.g. the railway line), meaning any changes to risk must be maintained within the masterplan area. The predictions from the model are focused on presenting the change in flooding due to the proposed development layouts alone, which strengthens the acceptability of the development tested in this latest modelling, as the additional benefits of the flood management measure are not accounted for". Policy STR/SS1 specifically requires that the drainage strategy delivers "the levels of storage, attenuation and mitigation measures to reduce the incidence of flooding to adjacent residential areas in Paddock Wood". Accordingly, the evidence base demonstrates that the development will not increase flood risk elsewhere and could (if the additional flood management measures, as required by policy, are implemented) reduce flood risk overall at Paddock Wood.

117. Paragraph 4.18 of the SoCG between the Council and the Environment Agency [Appendix H2 of [CD 3.132c](#) (v)] sets out "*Policy STR/SS1 – Paddock Wood and east Capel- the EA has confirmed through its representations that it has no objection in principle to the inclusion of the proposed developments around Paddock Wood (Policy STR/SS 1 – Paddock Wood Development Plan). The Council and the EA has worked closely together during the masterplanning stage for the growth around Paddock Wood*".
118. Likewise paragraph 4.29 of Appendix I7 of [CD 3.132c](#) (v)] sets out Kent County Council as the Lead Local Flood Authority is "*supportive of the flood risk flood risk considerations contained within the Local Plan*".
119. In conclusion, the Council considers that it has met the Sequential Test and, in the event that the Exception Test is required, it also considers that it too would be passed in line with paragraph 164 of the NPPF.

Compliance with Paragraph 161 of the NPPF

120. The following sets out in detail how the Local Plan and the approach taken has complied with the criteria set out within Paragraph 161 of the NPPF and takes each criterion in turn.
121. With regard to the first of the criteria set out in Paragraph 161 of the NPPF (*applying the sequential test and then, if necessary, the exception test*), it is the Council's view that

the proposed allocations appropriately address the Sequential Test requirements set out in paragraph 162 of the NPPF as set out above. The Council considered the Sequential Test at the time of preparing its SHELAA [CD 3.77a](#)], and its SA [\[PS 013\]](#) and considered surface water flood risk as part of this exercise. Reasonable alternative available sites to the allocations at Paddock Wood/east Capel and Tudeley Village were considered. The assessment concluded that the two Strategic Sites as referred to above were deemed appropriate for further appraisal. With regard to considering flood risk, during this process outputs from the Level 1 SFRA [\[CD 3.105\]](#), which considered all sources of flooding, were used to support the assessment.

122. With regard to the second of the criteria set out in Paragraph 161 of the NPPF (*safeguarding land from development that is required, or likely to be required, for current or future flood management*), the updated flood predictions available from the Level 2 SFRA [\[CD 3.105\]](#) modelling enabled the placement of development to be proposed in low flood risk zones, thereby preserving land where water flows which will help enable future flood management plans to be brought forward.
123. With regard to the third of the criteria set out in Paragraph 161 of the NPPF (*using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management*), the Local Plan at paragraph 6.278 highlights that additional local capacity should be built into any new development, where possible. Additionally, paragraph 4.91 of the Local Plan goes further to state that in the case of the strategic sites at Paddock Wood and east Capel, it is expected that 'betterment' in flooding terms will be delivered to particular areas and should be largely funded by development.
124. It is also worth highlighting the approach being taken for Tudeley Village (as noted in the Council's response to Question 26, Matter 6, Issue 1 [TWLP/022]) where the Hadlow Estate has confirmed its intention to help facilitate betterment to the communities at Five Oak Green through strategic interventions it can provide on its land within the upstream catchment of the Alder Stream to help reduce flood risk downstream as part of the compensatory improvements to the remaining Green Belt, together with the potential to reduce flood risk through flood retention upstream of the link road which would essentially bypass Borough Green. Additionally, for Paddock

Wood and east Capel, it will be a condition of releasing part of the Green Belt for development that measures are put in place for the management of flood water that provides flood risk benefits to Paddock Wood that are beyond those that would typically be expected via the management of surface water runoff from the site. This is required through Part 13) of Policy STR/SS1 -The Strategy for Paddock Wood, including land at east Capel.

125. With regard to the fourth criterion set out in Paragraph 161 of the NPPF (*where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations*), while the Council is not actively seeking to relocate existing housing as part of the Local Plan, the planned infrastructure to provide betterment being sought in terms of flood risk through the Paddock Wood and east Capel and Tudeley Village allocations will help to manage current flood risk, and also future flood risk where without such intervention climate change effects would result in more frequent and more severe flood risk to the existing community.

Engagement

126. The Council has worked collaboratively with the Environment Agency (EA) and Kent County Council (KCC) as the Lead Local Flood Authority throughout the process of producing the SFRA [[CD 3.105](#)], the development strategy and the work in relation to the Strategic Sites. This collaboration is detailed within the Duty to Cooperate Statement for the Pre-Submission Local Plan, [[CD 3.68](#)] which provides a comprehensive record of engagement with the EA and KCC (as well as with other prescribed and other Duty to Cooperate Bodies), and includes signed Statements of Common Ground (SoCG).
127. Both the EA and KCC are satisfied with the approach and conclusions of the SFRA [[CD 3.105](#)] and the resultant strategy set out within the Local Plan. As referred to above, Statements of Common Ground have been prepared and signed with both of the above parties as part of the submission of the Local Plan. [[CD 3.132c\(v\)](#)] and [[PS 012](#)] respectively).
128. Of particular note, paragraph 4.3 (page 13) of the SoCG with the EA [[CD 3.132c\(v\)](#)] identifies that flood risk has been fully taken into account in selecting sites for allocation

in the Local Plan. On the same page, the fourth bullet point relates to the SHELAA, and it is set out that all sites promoted through the SHELAA were screened for their impact on a number of environmental and other designations, including in relation to environmental constraints, flood risk and drainage.

129. In terms of collaboration with KCC, Appendix 13, starting on page 211, provides a Duty to Cooperate record of engagement with KCC, followed at Appendix 17 by a signed SoCG – revised version February 2022 [[PS 012](#)].

Conclusion

130. It is considered that the Council has fully addressed the requirements of the NPPF and PPG. The Council has reviewed the changes to the NPPF (2021) and considered the implications with respect to how all sources of flooding have been appropriately addressed in the development strategy and the proposed allocations within the Local Plan.

Inspector's Question 8: [re. safeguarded land in relation to Green Belt]

Does the Plan identify any areas of safeguarded land, in between the urban area and the Green Belt in order to meet longer-term development needs stretching beyond the plan-period?

TWBC response to Question 8

Introduction

131. It is notable that the Green Belt around the proposed new settlement, Tudeley Village, is drawn to allow for expansion beyond the plan period, for approximately 700 further dwellings, to its target capacity of approximately 2,800 dwellings. Rather than be identified as “*safeguarded land*”, the provisional Limits to Built Development include all developable land for the full extent of eventual development. This satisfies the NPPF requirements, at paragraphs 140 and 143, that Green Belt boundaries should be defensible and endure beyond the plan period. It also provides scope for the forthcoming Supplementary Planning Documents (SPDs) to determine the layout of the new settlement, and for flexibility in the phasing and build-out rate of development having regard to prospective expansion.
132. As identified at paragraph 4.127 of the Submission Local Plan, land at Colebrooke House on the edge of Royal Tunbridge Wells is proposed to be taken out of the Green Belt. It was identified at Draft Local Plan stage [see [CD 3.9](#), Policy AL/RTW 13] for a campus-type business park based around conversion of the existing house. However, given the absence of a clear need for further business land at the present time, as well as landscape constraints, it is not justified. However, given that the main house has been vacant for a considerable time and could form the basis of a future (that is, beyond the current plan period) sensitive employment scheme, compatible with its AONB status, it is proposed to be removed from the Green Belt. The Local Plan makes clear that it is not allocated, and that development would only be permitted following a review of the Plan, in line with NPPF paragraph 143(d).
133. It should be highlighted that, rather than define new, longer-term Green Belt where none previously existed, the identification of areas of safeguarded land between the urban areas and the Green Belt for longer-term development would require the further de-

designation of existing Green Belt land. This is not considered necessary at this point, as it is unclear what future development needs may require and, critically, how a future spatial strategy would seek to meet those needs. Therefore, no other land is being removed from the Green Belt to be safeguarded for potential future development needs.

Appendices

Appendix 1: Distribution of Housing per Role and Function Settlement Group (as at 01 April 2021)

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|--------------|---|-----------------------|---|---|-------------------|------------------------------------|-------------------------------------|-----------------------|
| Group | Settlement | 2020/2021 Completions | Extant Planning Permissions as at 01 April 2021 | Mid-Point of Site Allocations (Excluding Extant Planning Permissions) | Windfall Estimate | Total Number of Dwellings in Group | Percentage in each Settlement Group | Number of Settlements |
| A | Royal Tunbridge Wells | 448 | 1033 | 1236 | 742 | 3459 | 25.7% | 1 |
| B | Southborough, Cranbrook, Paddock Wood and Hawkhurst | 127 | 1648 | 3886 | 404 | 6065 | 45.0% | 4 |
| C | Rusthall and Pembury | 9 | 85 | 364 | 71 | 529 | 3.9% | 2 |
| D | Goudhurst, Langton Green, Benenden, Brenchley and Horsmonden | 38 | 251 | 277 | 140 | 706 | 5.2% | 5 |
| E | Lamberhurst, Speldhurst, Sandhurst, Five Oak Green, Sissinghurst and Bidborough | 35 | 107 | 87 | 154 | 383 | 2.9% | 6 |
| F | Matfield and Frittenden | 28 | 76 | 41 | 37 | 182 | 1.4% | 2 |
| G | Kilndown and Iden Green (and Other Smaller Hamlets) | 3 | 43 | 0 | 0 | 46 | 0.3% | 2 |
| Other | Tudeley Village (Tudeley) | 0 | 0 | 2100 | 0 | 2100 | 15.6% | 1 |
| Total | | 688 | 3243 | 7991 | 1548 | 13470 | 100.0% | 23 |

Appendix 2: Corrected Table 12 of Appendix 4 of Development Strategy Topic Paper [[CD 3.64](#)]

| | | Table 12 Corrected (Upper-Points) | | Table 12 Corrected, But Using Mid-Points | |
|--|----------------------|-----------------------------------|---|--|---|
| Settlement | Allocation Reference | Capacity (Upper-Point) | Notes | Capacity (Mid-Point) | Notes |
| Royal Tunbridge Wells | RTW 16 | 0 | Spratsbrook proposed developable area not within AONB, so removed | 0 | |
| Cranbrook and Sissinghurst | CRS 1 | 180 | | 180 | |
| | CRS 2 | 45 | | 40 | Amended to mid-point |
| | CRS 3 | 204 | | 202 | Amended to mid-point |
| Hawkhurst | HA 1 | 42 | Actually net 42 (as includes demolition of a dwelling) | 42 | |
| | HA 2 | 25 | | 25 | |
| | HA 3 | 24 | | 24 | |
| | HA 4 | 79 | | 75 | Amended to mid-point |
| Benenden | BE 1 | 20 | | 19 | Amended to mid-point |
| | BE 2 | 25 | | 25 | |
| Brenchley and Matfield | BM 1 | 45 | | 45 | |
| | BM 2 | 15 | | 13 | Amended to mid-point |
| Goudhurst | GO 1 | 14 | | 14 | |
| | GO 2 | 11 | | 11 | |
| Lamberhurst | LA 1 | 30 | | 28 | Amended to mid-point |
| Pembury | PE 1 | 60 | | 55 | Amended to mid-point |
| | PE 2 | 80 | | 80 | |
| | PE 3 | 80 | | 80 | |
| | PE 4 | 25 | | 25 | |
| | PE 6 | 80 | C2 discount should have been applied to the upper range | 71 | Amended to mid-point, with C2 discount |
| | PE 7 | 35 | C2 discount should have been applied to the upper range | 35 | |
| Sandhurst | SA 1 | 15 | | 13 | Amended to mid-point |
| | SA 2 | 15 | | 13 | Amended to mid-point |
| Speldhurst | SP 1 | 12 | | 11 | Amended to mid-point |
| Total | | 1161 | Total should have been 1355 (rather than 1370); minus Spratsbrook, C2 discounts, and corrected HA 1, net figure is 1161 | 1126 | Corrected figure, with mid-points of allocations used instead |
| Total as a % of all Allocations (9381 upper; 9194 mid) | | 12.38% | 12.38% is the correct figure, with Spratsbrook removed and C2 discounts applied to individual allocations | 12.25% | Corrected figure, with mid-points of allocations used instead |

Appendix 3: Major/Non-major developments in the AONB

| Settlement | Allocation (AL) Reference | Major Site on individual basis | Major on cumulative basis |
|----------------------------|---------------------------|--------------------------------|-----------------------------|
| Royal Tunbridge Wells | RTW 17 | Yes | No |
| Cranbrook and Sissinghurst | CRS 1 | Yes | No |
| | CRS 2 | No | Yes |
| | CRS 3 | Yes | No |
| Hawkhurst | HA 1 | Yes | No |
| | HA 2 | No | No |
| | HA 3 | No | No |
| | HA 4 | Yes | No |
| Benenden | BE 1 | No | No |
| | BE 2 | No | No |
| Brenchley and Matfield | BM 1 | Yes | No |
| | BM 2 | No | No |
| Goudhurst | GO 1 | No | No |
| | GO 2 | No | No |
| Lamberhurst | LA 1 | No | No |
| Pembury | PE 1 | No | Yes |
| | PE 2 | No | Yes |
| | PE 3 | No | Yes |
| | PE 4 | No | No |
| | PE 6 | No | No |
| Sandhurst | SA 1 | No | No |
| | SA 2 | No | No |
| | SP 1 | No | No |
| Speldhurst | SP 1 | No | No |
| Total | 23 sites | 6 Major (Individual) | 4 Major (Cumulative) |

Appendix 4: Sites in the AONB consulted upon as part of the Draft Local Plan and subsequently excluded

| Settlement | DLP policy | Site | Use | Major |
|--------------|-----------------|------------------------------------|-------------|------------------------------|
| RTW | AL/RTW 13 | Land at Colebrook House | Employment | Yes |
| RTW | AL/RTW 18 | Land west of Eridge Road | Residential | Yes |
| Southborough | AL/SO 3 | Land at Mabledon and Nightingale | Residential | Yes |
| Cranbrook | AL/CRS 1 | Land adj. Wilsey Farm | Residential | No |
| Cranbrook | AL/CRS 2 | Big Side playing field | Residential | No |
| Cranbrook | AL/CRS 3 | Jaegers Field | Residential | No |
| Cranbrook | AL/CRS 5 | Land adj. Cranbrook Primary School | Residential | No |
| Cranbrook | AL/CRS 6 | Gate Farm | Residential | Yes |
| Cranbrook | AL/CRS 7 | Golford Road | Residential | Yes |
| Hawkhurst | AL/HA 1 | Land part of Golf Course | Residential | Yes |
| Hawkhurst | AL/HA 4 | Land at Fowlers Park ¹ | Residential | Yes |
| Gills Green | AL/HA 9 | Land at Santers Yard | Res/Empl | Yes ² |
| Matfield | AL/BM 2 | Matfield House | Residential | No |
| Matfield | AL/BM 3 | Ashes Plantation | Residential | No |
| Lamberhurst | AL/LA 2 | Misty Meadow | Residential | No |
| Pembury | AL/PE 6 | Land at Tunbridge Wells Hospital | Medical | Yes |
| Sandhurst | AL/SA 2 | Land adj. Old Orchard | Residential | No ³ |
| Speldhurst | AL/SP 2 | Land north of Langton House | Education | No |
| Total | 18 sites | | | 10 majors⁴ |

¹ Fowlers Park is considered discrete from the medical (non-residential) allocation at Land north of Birchfield Grove

² Note that AL/HA 8 was identified as 'major' in conjunction with AL/HA 9, but the latter's deletion from the PSLP means that AL/HA 8 (Land at Hawkhurst Station Business Park) is no longer 'major'

³ Deleted only due to pp for less than 10 dwellings

⁴ Includes the re-categorisation of AL/HA 8