

**TWBC Local Plan Examination - Matter 3 –
Spatial Strategy and Distribution of
Development (Policy STR1, STR3, STR9 and
STR10)**

Statement on behalf of Bellway

May 2022

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David Murray-Cox
david.murray-cox@turley.co.uk

Client
Bellway Homes Limited

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1. Introduction

- 1.1 This Statement provides a response on behalf of Bellway to Matter 3 (Spatial Strategy and Distribution of Development (Policy STR1, STR3, STR9 and STR10)) of the Examination into the Tunbridge Wells Borough Local Plan.
- 1.2 Bellway has a legal interest in the land to the north and south of High Woods Lane (Mouseden Farm) on the eastern edge of the built up area of Tunbridge Wells/Hawkenbury which it is promoting for residential led development. The site is separated by High Woods Lane. The area south of High Woods Lane is currently in agricultural use and bordered to the east by woodland, to the south by existing sports uses and to the west by existing residential development. The area north of High Woods Lane is also within agricultural use, with further agricultural uses/woodland to the east and an indoor bowls club and allotments to the west.
- 1.3 The draft Policies Map indicates that the southern part of the land (south of High Woods Lane) is to be designated under Policy AL/RTW19 for new and enhanced sport and recreation provision as part of a new stadia sports hub. The northern part of the land promoted by Bellway is not subject to any other proposed allocations. The draft Policies Map appears to indicate that both parts of the site will continue to be located within the Green Belt and AONB.
- 1.4 The southern part of the land promoted by Bellway (i.e. the land south of High Woods Lane) is subject to a planning permission for recreational uses. That application was submitted by the Borough Council, despite it having no interest in the land. In contrast, Bellway has a legal interest in the land and is promoting this area, as part of a wider site, for residential development. Bellway would be willing to work with the Borough Council to explore opportunities for bringing forward the approved recreational facilities in the area, which residential development on the site could help deliver.

2. Response Matter 3 – Spatial Strategy and Distribution of Development (Policy STR1, STR3, STR9 and STR10)

Issue 1 – Spatial Strategy

Q1. Does the submission version Local Plan contain a settlement hierarchy in the same way as the adopted Core Strategy (2010) does?

- 2.1 The only 'hierarchy' appears to be in Policy ED 8 but which seems to relate to town (and others) centre, rather than the 'settlement hierarchy' per-se.
- 2.2 We would strongly encourage that a settlement hierarchy should be included in the Plan in order to assist all parties to the planning system in properly understanding the role, function and sustainability of each settlement.
- 2.3 Once / if the hierarchy is established, the LPA should provide evidence to demonstrate how the Local Plan is an appropriate response, rather than unrelated, to that hierarchy.

Q2. The Settlement Role and Function Study Update scores settlements and groups them together between A and G. Is the methodology used robust and are the outcomes accurate?

Q3. What is the purpose of the Settlement Role and Function Study Update? How has it informed the Plan?

- 2.4 On the basis that 'The Settlement Role and Function Study Update' (CD3.72) identifies Royal Tunbridge Wells in category A settlement and concludes that it is "the main urban settlement of the borough" (and does not review that conclusion), we do not add any further comment.
- 2.5 Ultimately, Bellway agree that Royal Tunbridge Wells would, on any reasonable assessment, be identified as the most sustainable location within the Borough. However as set out in our Statements, that is then inconsistent with the approach taken to site identification and allocation.
- 2.6 On one hand 'The Settlement Role and Function Study Update' (CD3.72) document is clear in that it explains how the authors concluded that Royal Tunbridge Wells is "the main urban settlement of the borough" (and does not review that conclusion).
- 2.7 However Table 6 of the document also explains how Royal Tunbridge Wells and Southborough are jointly considered as the main urban area. Other aspects of the document however seem to consider Southborough in isolation. As a consequence, it is not possible to distil, from that document, the relative sustainability of Royal Tunbridge Wells itself and in isolation.
- 2.8 Policy STR/RTW 1 of the Submission draft Local Plan sets 'The Strategy for Royal Tunbridge Wells' and indicates that approximately 1,416 – 1,536 new dwellings will be delivered at the town on allocated sites, with additional housing potentially delivered through the redevelopment and intensification of allocated sites and other windfall

development inside the defined Limits to Built Development (although the amount of additional housing is unquantified).

- 2.9 Notably Tunbridge Wells is expected to accommodate significantly fewer dwellings than Tudeley Village during the Plan period despite the clear and obvious disparity between the two settlements/areas. Fundamentally, Tunbridge Wells is a sustainable location for growth now, Tudeley Village is not and will never be in a position where it exhibits the same overall sustainability credentials as Tunbridge Wells.
- 2.10 Overall we note that the quantum of development directed to Tunbridge Wells is disproportionately low compared to the levels of development expected to be provided at other, less sustainable, settlements within the Borough. This is despite the availability of sites at Tunbridge Wells which have been assessed as being suitable, sustainable and logical.
- 2.11 The following table shows our calculations as to the level of growth directed to each settlement or Parish based on table 9 of the Council’s ‘Housing Supply and Trajectory Topic Paper for Pre-Submission Local Plan’ (February 2021) (CD3.74A):

Settlement/Parish	Total Dwellings during the Plan period
Royal Tunbridge Wells	1245
Southborough	26
Paddock Wood (including east Capel)	3,673
Capel (i.e. Tudeley Village)	2,100
Cranbrook & Sissinghurst	244
Hawkhurst	99
Benenden	91
Brenchley and Matfield	58
Frittenden	28
Goudhurst	0
Horsemonden	230
Lamberhurst	28
Pembury	294
Rusthall	15
Sandhurst	26

- 2.12 The table above supports our assertion that the Local Plan directs a disproportionately low level of growth to RTW. The Local Plan and the evidence base could not be clearer that this is the most sustainable settlement in the Borough, yet the level of growth directed to RTW is less than a third of that directed to Paddock Wood (including east Capel).
- 2.13 This analysis also demonstrates that the Local Plan is premised on an approach which directs significant levels of new housing towards demonstrably less sustainable locations and settlements.

Q4. The Development Strategy in Policy STR1 supports the “...major, transformational expansion of Paddock Wood (including land at east Capel)...”. At a strategic level, what are the reasons for promoting significant new development at Paddock Wood? Is this justified?

- 2.14 To inform our response to this question, we reviewed the Council’s ‘Development Strategy Topic Paper – revised October 2021’ (CD3.126).
- 2.15 In section 6 of that document, the ‘Land at Paddock Wood (including land in east Capel) and at Tudeley is considered. Paragraph 6.82 lists the benefits identified by the Council as:
- “a) Both locations relate to the A228, where improvements are planned, while it is also likely that further transport investment would support growth in both areas.*
- b) Paddock Wood is an established employment centre with growth potential, while Tudeley would be well located in relation to both it and Tonbridge, a few miles to the west.*
- c) Green Belt impacts in both cases need careful scrutiny, not least as Tudeley would be wholly within the Green Belt and could impact on the setting of the High Weald AONB, while the growth of Paddock Wood could also encroach into the Green Belt and, potentially, impact on the setting of the AONB to the south.*
- d) Flood risk is a further issue, as it is recognised that land to the west of Paddock Wood, in Capel parish, has flooding constraints which would need to be properly considered.”*
- 2.16 In relation to point A, the Council appears to suggest that a key opportunity of these locations is their access to the road network and therefore car based travel. Point A also refers to improvements being ‘likely’, but that implies they are not certain. We do not consider that these represent the basis of transformational expansion.
- 2.17 Point B of the Council’s assessment refers to Paddock Wood being an established growth location growth potential, while Tudeley would be well located in relation to both it and Tonbridge, a few miles to the west. We do not consider that these represent the basis of transformational change and in fact are misguided as the same principles apply to higher order settlements, such as RTW.

- 2.18 Neither of points C and D present the case for transformational expansion.
- 2.19 Paragraph 6.83 of CD3.126 refers to Paddock Wood as *“an established town with a broad range of existing services and facilities (see Role and Function Study, 2021). A substantial level of growth could support and provide an opportunity to enhance this provision.”* Again, we do not see how that supports the case for transformational expansion.
- 2.20 In addition, we had regard to the ‘The Settlement Role and Function Study Update’ (CD3.72) and again were unable to find any explanation as to why transformational growth such as that envisaged in the Local Plan at Paddock Wood is justified. Paragraph 3.15 of CD3.72 does state that *“The closure of shops being particularly evident for Five Oak Green, Frittenden, Matfield, and Paddock Wood”*, but that is not cited as a reason for transformational change being required.
- 2.21 On behalf of Bellway, we submit that the Council appears to claim that (via Policy STR 1) the basis for such strategic scale of growth is that it provides the opportunity for transformational expansion. Yet, as far as we can establish, the LPA has not provided any explanation as to what (at any level), the reasons for that being necessary (or why it would achieve the stated aim). Furthermore, the claim that this scale of growth may be transformational should be taken with a significant degree of caution as to achieve those stated aims, the development trajectory must be capable of delivering as expected.
- 2.22 The Council’s claim of transformational expansion should be seen in the context that it proposes significantly greater development at Paddock Wood (and even more so when considered in light of the fact that Tudeley Village sits to the west).
- 2.23 We can find no justification for the levels of growth proposed at Paddock Wood.

Q5. The Development Strategy also supports the “...creation of a new garden settlement: Tudeley Village...”. What were the reasons for pursuing a new, standalone settlement, rather than the expansion of existing towns and villages? Is this justified?

- 2.24 In section 6 of the Development Strategy Topic Paper – revised October 2021’ (CD3.126) the ‘Land at Paddock Wood (including land in east Capel) and at Tudeley is considered (these are the same as listed in our response to Q4).
- 2.25 We have already set out concerns regarding the extent to which these points represent ‘benefits’ in relation to growth at Paddock Wood, but the same principles apply to growth at Tudeley.
- 2.26 Fundamentally, there is no explanation as to why the Council has elected to pursue a new settlement at Tudeley Village in favour of the expansion of existing towns and villages. In fact document CD3.126 appears to present the pursuit of a new settlement at Tudeley Village as ‘a given’ with no explanation, before then proceeding to consider the growth options.
- 2.27 As for the Local Plan itself, section 5 (paragraph 5.211 onwards), seeks to justify the proposal, but much of the commentary relates to the ability of the site to

accommodate development, rather than the merits of doing so. However for the reasons we explain, those merits which are relied upon are flawed.

- 2.28 This development is to be focused on the very small settlement of Tudeley where the existing settlement comprises a small number of dwellings with very limited facilities. This view is reinforced by the text in the draft Local Plan. Although the railway line runs between the site of the proposed garden settlement, Tudeley is not served by a railway station and the nearest stations are at Tonbridge (approximately 4km to the west or Paddock Wood (approximately 7.4km to the east).
- 2.29 The Policy does not include any requirements for the garden settlement to provide a new railway station, despite the text at 5.221 of the draft Local Plan which refers to the 'opportunity' for the provision of a station. The Council notes that the station would not be provided during the Plan-period (thus resulting in a very significant amount of housing where residents have to travel elsewhere to access rail services before it is delivered), but the terminology used implies that it might not be delivered at all. The fact that the station may never be delivered then causes further concern as it is clear from document CD3.126 (paragraph 6.98) that there is the prospect of significant growth being proposed beyond the Plan-period.
- 2.30 On the basis of this policy context and the description of Tudeley in the draft Local Plan, our interpretation is that the area would, in normal circumstances, be considered to be a wholly unsustainable location for the scale of growth envisaged in the emerging Local Plan. There are very little facilities or employment opportunities in the area and the existing public transport opportunities are limited. The Council's approach appears to be that the garden settlement itself may deliver employment uses and facilities and that links to other settlements will be provided.
- 2.31 Bellway contend that the steps required to make Tudeley Village a sustainable location for the scale of growth envisaged are significant. The Council cannot have certainty that employment uses will be forthcoming in a manner which reflects housing delivery or that those uses will be sustained in this inaccessible area over the longer term. Whilst the Council seeks to ensure that the allocation supports the use of public transport opportunities to other settlements, it is highly likely that the garden settlement itself will continue to generate a significant level of trips by car to other locations.
- 2.32 It is clear that there are other, alternative options (such as the land at Mouseden Farm) which are capable of providing new homes in areas which are closer to a range of existing services and facilities which can be enhanced and can facilitate access via public transport, walking and cycling.

Q6. Paragraph 4.45 of the submitted Plan states that Royal Tunbridge Wells is surrounded by the High Weald AONB, except for areas to the west and the north. What options has the Council therefore looked at for new development to the west and the north of the town? Why were they discounted in favour of a standalone new settlement (which also requires land to be removed from the Green Belt)?

- 2.33 In our submission, as the main and most sustainable settlement in the Borough, and the consequences that this has for locating development close to existing services and

facilities (including public transport services), Bellway content that the Council should explore all directions of growth at RTW.

- 2.34 The fact that areas around the existing urban area might be within the Green Belt and / or the AONB cannot be a justifiable reason for excluding those directions (such as east/south) from consideration or for new allocation when the Council proposes that other areas in the Borough covered by the same designation are to accommodate growth.
- 2.35 In our submission, this reinforces the view that the Council has arbitrarily limited the extent of its assessment and consideration in favour of those proposals which are supported.

Q7. The Development Strategy Topic Paper refers to constraints to such as the Green Belt, the High Weald AONB and areas of flood risk. Which areas of the Borough are not constrained by flooding and/or the Green Belt and AONB? Why could housing needs not be met in these areas?

- 2.36 Given the extent of development required, and the relationship of the main and most sustainable settlements in the Borough to the AONB, we agree with the Council that land would need to be removed from the Green Belt, and development be accommodated within the AONB.

Q8. Could housing needs be met in a way that did not require land to be removed from the Green Belt and/or require development in the AONB?

- 2.37 Given the extent of development required, and the relationship of the main and most sustainable settlements in the Borough to the AONB, we agree with the Council that land would need to be removed from the Green Belt, and development be accommodated within the AONB.

Q9. Do policies relating to the Green Belt, the High Weald AONB and/or flood risk provide a strong reason for restricting the scale, type and distribution of development in Tunbridge Wells?

- 2.38 Section 6 of the Council's 'Development Strategy Topic Paper – revised October 2021' (CD3.126) considers 'exceptional circumstances' for locating development in the AONB. It is clear that in relation to the need for development and enclaves implications, the reasons set out in table 3 could contribute towards exceptional circumstances. The table then considers the cost of and scope for developing outside the AONB or meeting needs in some other way. In relation to RTW, the table set out that:

“Similarly, while the main urban area of Royal Tunbridge Wells/Southborough, and Pembury are excluded from the AONB, both have developed virtually up to the AONB; hence, further growth of these very sustainable settlements would also almost certainly be in the AONB.”

- 2.39 However it is clear from the Council's 'Development Strategy Topic Paper – revised October 2021' (CD3.126) at paragraph 6.171 that the Council continues to consider that there are exceptional circumstances for development in the AONB as it states:

“While some ‘major’ developments are proposed, the review of both national AONB policy and the defining characteristics of the High Weald AONB, in addition to individual

site circumstances has led the Council to reject options put forward for strategic growth of the scale of a new settlement in the High Weald AONB. This is elaborated upon in Part G in relation to locations for strategic growth.”

- 2.40 In light of the nature of the Borough, Bellway consider that the Green Belt and AONB do not provide a strong reason for restricting the scale, type and distribution of development in Tunbridge Wells Borough. To take an alternative approach represents a significant risk that the levels of growth required (and needed to help address matters such as affordability) would not be achievable.

Issue 2 – Distribution of Development

Q1. 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?

- 2.41 The manner in which the Council has distributed development is unclear. We have already established concerns regarding the relationship between the Settlement Role and Function Study and the distribution of development.
- 2.42 The Study appears to identify the relative sustainability of settlements, noting RTW in category A. The categorisation of settlements does not appear, on the face of it, to have been a significant factor in selecting sites for development.
- 2.43 Section 6 of the Council’s ‘Development Strategy Topic Paper – revised October 2021’ (CD3.126) considers ‘exceptional circumstances’ for locating development in the AONB. It is clear that in relation to the need for development and enclaves implications, the reasons set out in table 3 could contribute towards exceptional circumstances. The table then considers the cost of and scope for developing outside the AONB or meeting needs in some other way. In relation to RTW, the table set out that:

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- 2.44 However it is clear from the Council’s ‘Development Strategy Topic Paper – revised October 2021’ (CD3.126) at paragraph 6.171 that the Council continues to consider that there are exceptional circumstances for development in the AONB as it states:

“While some ‘major’ developments are proposed, the review of both national AONB policy and the defining characteristics of the High Weald AONB, in addition to individual site circumstances has led the Council to reject options put forward for strategic growth of the scale of a new settlement in the High Weald AONB. This is elaborated upon in Part G in relation to locations for strategic growth.”

Q2. 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?

2.45 We note that the quantum of development directed to Tunbridge Wells is disproportionately low compared to the levels of development expected to be provided at other, less sustainable, settlements within the Borough. This is despite the availability of sites at Tunbridge Wells which have been assessed as being suitable, sustainable and logical. In response to this question we refer to the table provided

Q3. 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?

2.46 No. A significant quantum of the growth expected during the Plan-period is proposed at Tudeley Village which is an unsustainable location for growth. There is no railway station and the prospect of one being delivered is highly uncertain. The Council relies on this site being between Paddock Wood and Tonbridge, however in our submission that, and the scale of growth envisaged, is likely to result in a car based development of significant scale.

2.47 In addition, it is clear that the Council has directed growth to settlements which are demonstrably less sustainable than others, whilst having seemingly discounted options at those sustainable places for reasons such as the sites being in the Green Belt /AONB (and yet proposes development within areas subject to those designations).

Q4. 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?

2.48 Policy STR/SS 1 refers to the development of approximately 3,490-3,590 houses (although we assume this means 'dwellings') at Paddock Wood (including East Capel), however this should be seen alongside other allocations directed to Paddock Wood.

2.49 Paragraph 6.86 of the Council's 'Development Strategy Topic Paper – revised October 2021' (CD3.126) refers to various options for the scale of growth at Paddock Wood, but not to the merits or disadvantages of these. We understand that the Council relies on options which use land currently designated as Green Belt (reflecting the overall conclusion that exceptional circumstances exist). However what is not clear is how the Council calculated that the level of development could be accommodated in a sustainable manner. For example, whilst CD3.66 includes a Strategic Sites Masterplanning and Infrastructure Study, that document does not appear to include any masterplanning analysis as to the capacity of specific sites.

Q5. 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?

2.50 On the basis of our previous answers, we consider that the level of growth directed to RTW is disproportionately low compared to that which is directed to other, demonstrably less sustainable settlements.

Q6. 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?

2.51 No comments.

Q7. 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.

2.52 No comments.

Q8. 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?

2.53 No comment

Turley Office
The Pinnacle
20 Tudor Road
Reading
RG1 1NH

T 0118 902 2830