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EXAMINATION STATEMENT  
MATTER 04 AND 05

*Matter 04 – Principle of Green Belt Release*  
*Matter 05 – Site Selection Methodology*

Tunbridge Wells Local Plan

Representations on behalf of  
Dandara South-East Ltd

May 2022

**EXAMINATION STATEMENT – MATTER 04 AND 05**

*MATTER 04 – PRINCIPLE OF GREEN BELT RELEASE  
MATTER 05 – SITE SELECTION METHODOLOGY*

**TUNBRIDGE WELLS LOCAL PLAN**

**REPRESENTATIONS ON BEHALF OF:  
DANDARA SOUTH-EAST LTD**

**MAY 2022**

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## 1.0 INTRODUCTION

1.1 This Statement has been prepared by Barton Willmore LLP now Stantec on behalf of Dandara South-East Ltd. Barton Willmore is acting on behalf of Dandara regarding its land interest at "Land west of Eridge Road and Spratsbrook Farm", Tunbridge Wells – an allocated site of approx. 120 dwellings (Policy AL/RTW16) in the emerging Tunbridge Wells Local Plan.

1.2 Dandara broadly supports the Local Plan and is submitting other Matter Statements to the examination, as prepared by CBRE. This Matter Statement focuses on the "Principle of Green Belt Release" and "Site Selection Methodology" elements to the Local Plan, and its conclusions are summarised as follows:

- It is evident that "exceptional circumstances" exist in respect of Green Belt releases identified in the Local Plan.
- Our client's site at Spratsbrook Farm provides one such release and the nature and extent of harm to the Green Belt at the site can be categorised as "low-moderate". Weighing this against the acuteness of housing need and the inherent constraints on land supply/availability, it is evident that exceptional circumstances exist for Green Belt Release to occur in the Local Plan at Spratsbrook Farm.
- In terms of site selection criteria, the decision to allocate sites has been appropriately drawn from the wider round of evidence base documents.

## 2.0 RESPONSE TO MATTER 04: PRINCIPLE OF GREEN BELT RELEASE

### QUESTIONS

#### Issue 1 – Principle of Green Belt Release

*Q.5 Not all of Tunbridge Wells is within the Green Belt. Could the need for new housing and employment therefore be met by developing land beyond the existing Green Belt boundary?*

#### Issue 3 – Exceptional Circumstances

*Q.1 At a strategic level, do exceptional circumstances exist to alter the Green Belt boundary, having particular regard to paragraphs 140 – 143 of the Framework? If not, how could housing and employment needs be met in another way?*

2.1 The answers to these questions are related and are thus set out below.

2.2 The NPPF (para 141) requires that “exceptional circumstances” be evidenced and justified through the preparation of Local Plans. For exceptional circumstances to be established, all other reasonable options for meeting the need for development will need to be demonstrated. This will be assessed through the examination of the strategic policies and whether the strategy makes as much use as possible of suitable brownfield and underutilised land and optimises the density of development in towns and other locations well served by public transport.

2.3 Equally relevant is the *Calverton Judgment (Calverton Parish Council v. Nottingham City Council, CO/4846/20014)*<sup>1</sup> and the factors to be considered in demonstrating exceptional circumstances as set out therein are namely:

- a) The acuteness/intensity of the objectively assessed need;
- b) The inherent constraints on supply/availability of land, prima facie suitable for sustainable development;
- c) The consequent difficulties in achieving sustainable development without impinging on Green Belt;

<sup>1</sup> [https://www.london.gov.uk/sites/default/files/ad\\_22\\_calverton\\_judgement.pdf](https://www.london.gov.uk/sites/default/files/ad_22_calverton_judgement.pdf)

- d) The nature and extent of the harm to this Green Belt; and
- e) The extent to which the Green Belt may be ameliorated.

*Acuteness/intensity of the objectively assessed need:*

- 2.4 The Local Plan seeks to meet the Government's "capped" Standard Method for new homes (678dpa) over an 18-year Plan period (2020 – 2038) – this entails a need for 12,204 units. As set out in our Matter 02 Statement, this should increase to 14,634 units (813dpa) allowing for a 20% buffer having regard to potential unmet needs (from adjacent authorities) as well as redressing affordability issues in the Borough.
- 2.5 This is a significant amount of development not recently witnessed in TWBC – the previous 2010 Core Strategy requirement related to 300dpa in the Borough. This housing need backdrop provides a compelling case for "exceptional circumstances" applying to the Local Plan.

*The inherent constraints on supply/availability of land, prima facie suitable for sustainable development and the consequent difficulties in achieving sustainable development without impinging on Green Belt:*

- 2.6 Up to 75% of the Tunbridge Wells Borough area comprises land use constraints. This includes 22% Green Belt and c. 70% AONB (High Weald).
- 2.7 As addressed in our Matter 03 Statement, only 2no. small settlements sit outside Green Belt or AONB. These are Frittenden and Horsmonden. Options for growth at these settlements were tested at the Regulation 18 stages of the Local Plan and were discounted for reasons relating to the rural character/nature of the settlements including a lack of suitable highways infrastructure.
- 2.8 The main/most sustainable settlements in TWBC (i.e., Tunbridge Wells/Southborough, Paddock Wood, Hawkhurst and Cranbrook) are broadly surrounded by or washed over by Green Belt and/or AONB. Strategic development will therefore inevitably need to occur in such areas to meet the acute needs identified above.
- 2.9 At Tunbridge Wells, the spatial strategy for the Town proposes the delivery of 18no. allocated sites amounting to 1,416 – 1,536no. dwellings. These largely occur on brownfield/previously developed sites (10 sites) in the Town, as well as greenfield sites (5 sites) inset within the urban area/outside the Green Belt.

- 2.10 The Local Plan has fully explored the ability of the urban areas to accommodate growth - this includes the allocation of 18no. sites in Tunbridge Wells town. These allocations occur predominantly on brownfield sites as well as "infill" greenfield sites. It is furthermore noted that the town is constrained by conservation areas as well as highways considerations in some areas.
- 2.11 Only 3no. Green Belt releases occur at Tunbridge Wells - Spratsbrook Farm, Caenwood Farm, and Tunbridge Wells Garden Centre. This is considered a proportionate extent of Green Belt release and these sites will contribute to the sustainable development and vitality of the town.

*The nature and extent of the harm to this Green Belt and the extent to which the Green Belt may be ameliorated.*

- 2.12 It will be for TWBC to demonstrate the nature and extend of the harm at Green Belt releases across the Borough including at Tudeley, Paddock Wood and Pembury.
- 2.13 We note that our client's site at Spratsbrook Farm performs a "low-moderate" function towards the purposes of the Green Belt and this will be addressed further in our Matter 07 Statement. Equally the proposals will include compensatory measures in the Green Belt by providing land suitable for amenity/recreation space by virtue of natural green space.
- 2.14 The nature and extent of harm at the site can thus be categorised as "low-moderate". Weighing this against the acuteness of need and the inherent constraints on land supply/availability, it is evident that exceptional circumstances exist for Green Belt Release to occur in the Local Plan at Spratsbrook Farm.

***Summary***

- 2.15 It is evident that exceptional circumstances exist in respect of Green Belt releases identified in the Local Plan.
- 2.16 Our client's site at Spratsbrook Farm provides one such release and the nature and extent of harm at the site can be categorised as "low-moderate". Weighing this against the acuteness of need and the inherent constraints on land supply/availability, it is evident that exceptional circumstances exist for Green Belt Release to occur in the Local Plan.

### 3.0 RESPONSE TO MATTER 05: SITE SELECTION METHODOLOGY

#### QUESTIONS

##### **Issue 1 – Site Selection Methodology**

*Q.3 In deciding to allocate sites for development, how did the Council take into account the effects of development on, inter-alia:*

- Landscape Character, including the High Weald AONB and its setting;*  
*and*
- Heritage Assets.*

- 3.1 The decision to allocate sites has been drawn from the wider round of evidence base studies. This includes work on, *inter-alia*, the Landscape Visual Impact Assessment as well as the AONB Setting Analysis Report.
- 3.2 We do not seek to recite the entire evidence base here. However, as an example, the allocation at Spratsbrook Farm has been informed by the LVIA process. As a result of this work, the western site parcel is proposed to be retained as open space/natural green space owing to the sensitivity of the parcel in the AONB. Furthermore, this parcel is within the setting of the High Rocks Scheduled Ancient Monument and the setting of this can be preserved through the sensitive provision of natural green space at the site. These aspects will be addressed further in our Matter 07 Statement.