

**TWBC Local Plan Examination - Matter 6 –
Strategic Sites (Policies STR/SS1, STR/SS2,
STR/SS3, STR/PW1 and STR/CA1)
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 6 (Strategic Sites (Policies STR/SS1, STR/SS2, STR/SS3, STR/PW1 and STR/CA1)) 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 6 – Strategic Sites (Policies STR/SS1, STR/SS2, STR/SS3, STR/PW1 and STR/CA1)

Issue 1 – Tudeley Village Size, Scale and Location of Development

Q1. What is the site area based on and how was the size of the allocation and number of new homes established?

2.1 No comments.

Q2. What alternatives to the size and scale of development proposed in the Plan has the Council considered?

2.2 As per our responses to other Matters, we consider that the Council has failed to considered all available (and reasonable) alternatives to growth at Tudeley Village. This is primarily manifested through concerns such as the disproportionately low levels of growth directed to key settlements such as RTW. In our submission, the Council should have sought to maximise the opportunities presented by sustainable settlements which can facilitate sustainable development early in the Plan period, rather than rely on a new settlement where concerns exist over the sustainability of the location in the short, medium and long term.

Q3. The submission version Policies Map for Tudeley Village shows land beyond the Limits to Built Development forming part of the allocation. What is the reason for this? Is all of the allocation proposed to be removed from the Green Belt?

2.3 Clarity on this matter is essential so that the full impact of the allocation is considered. If the answer to this question from the Council is 'yes' then it should ensure that all the evidence base documents accurately assess the proposed allocation.

Green Belt

Q4. The Green Belt Study Stage 2 report concluded that releasing land from the Green Belt between Tonbridge and Paddock Wood (Ref BA4) would cause a 'very high' level of harm to the Green Belt. In the Stage 3 Assessment, a harm rating of 'High' is given for Tudeley Village. What are the reasons for the different scores?

2.4 We agree that clarity is required as to the impact of development, however we also note that the Council has discounted areas from assessment through the SHELAA process where the impact on the AONB would be significantly less than that of Tudeley Village.

Q5. What would be the extent of the harm to the Green Belt if the boundaries were changed in this location as proposed? Are there any ways in which this harm could be minimised or mitigated?

2.5 No comments.

Q6. Where it has been concluded that it is necessary to release Green Belt land for development, paragraph 142 of the Framework states that Plans should set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.

How will this be achieved?

2.6 No comments.

Q7. When defining Green Belt boundaries, paragraph 143 of the Framework states that plans should, amongst other things, define boundaries clearly, using physical features that are readily recognisable and likely to be permanent. How does the Plan meet this requirement for Tudeley Village?

2.7 No comments.

Q8. Taking into account the answers provided under Matter 4, do the exceptional circumstances exist at site specific level to justify amending the Green Belt boundary in this location?

2.8 No comments.

Mix of Uses and Infrastructure Requirements

Q9. Is it clear to users of the Plan what is meant by the ‘provision of employment space’ and ‘community and leisure facilities’? What is expected of applications for planning permission?

2.9 In our submission, clarity over these matters is essential as it appears as though their delivery plays a fundamental role in supporting Tudeley Village. Vague references mean that the actual provision might not be of a form which supports the creation of a sustainable community.

Q10. Does the Plan support an appropriate mix of uses across the site to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities, as required by paragraph 106 of the Framework?

2.10 This question is of fundamental concern. As far as we are aware, Tudeley Village has never been proposed or envisaged as a self-contained settlement. Furthermore, there is no explanation as far as we can see, as to how the emerging settlement would be sustainable prior to, or if certain facilities are not provided or delayed.

2.11 As the location of Tudeley Village is fundamentally unsustainable in its current form, clarity on these matters is essential. Unless there is confidence that facilities and services will be provided to support new residents (or even new employment occupiers), then they will be occupying a location which would under normal circumstances be considered unsustainable.

2.12 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.

2.13 In our submission, the selection of Tudeley Village as a location for growth at the scale envisaged is contrary to strategic policies in the Local Plan, namely:

- Policy STR 6 – *“The transport and parking strategy is to: 1. Deliver future development in accessible locations, normally within, or in close proximity to, existing towns and villages across the borough, where it is of a scale which supports the necessary infrastructure and services to allow the community to function self sufficiently on a day-to-day basis”*
- Policy STR 6 – *“As such the strategy will: i. through the location of new development and the provision of active travel infrastructure, maximise the internalisation of trips within settlements, both from new and existing development, thereby reducing the impact on the highway network through new development”*

Q11. How will the phasing of development be controlled and is it clear to users of the Plan what new infrastructure will come forward and when? Is it necessary for such information to be contained in the Plan?

2.14 There is no clarity in the Local Plan Policy as to what infrastructure will be delivered and when. In this case these are fundamental questions and without the necessary confidence, the allocation of Tudeley Village runs the risk of supporting very significant levels of growth in an area which (without the necessary infrastructure) would otherwise be unsustainable.

Highways and Transport

Q12. What impacts will the cumulative level of growth proposed in the Plan have on the B2017 between Tudeley and Tonbridge?

2.15 No comments.

Q13. How will the impacts of development be mitigated along the B2017 up to and including the junction with the A26? Are the measures proposed deliverable and will they be effective?

2.16 No comments.

Q14. Are the projections regarding future transport patterns reliable and are the conclusions robust? Do they justify the proposed allocation Tudeley?

2.17 We refer to our other comments regarding the accessibility of this location.

Q15. How will connectivity with Tonbridge be provided for non-car modes of transport?

2.18 This matter forms part of Bellway’s fundamental concerns with the approach being pursued by the Council. On one hand the Council relies on the location of Tudeley Village relative to other locations, including Tonbridge. On the other hand, we can find nothing within the Policy which specifically seeks the provision of sustainable transport modes to those locations. The only such reference appears to be in 7(a) of the Policy, but that relates to encourage permeability within the site and which refers to walking and cycling links, including to locations such as Tonbridge. However in our submission, it would be an unrealistic proposition to suggest that walking and cycling is likely to represent a significant opportunity for sustainable travel to Tonbridge or elsewhere.

- 2.19 The lack of clarity regarding this issue is reinforced by paragraph 5.220 of the Submission draft Local Plan which states:

“Tudeley Village will develop around a highly legible, attractive, and accessible movement framework. A cohesive, walkable community will form around footpaths and routes designed to encourage pedestrian and bicycle movement over car use. The garden settlement will also establish a high degree of connectivity by walking and cycling to the surrounding villages, open countryside, and Tonbridge, Paddock Wood and Royal Tunbridge Wells town centres.”

- 2.20 As with the Policy itself, the focus seems to be on walking and cycling, not on the need for a broader and comprehensive public transport strategy.

- 2.21 To support our response, we note that the terms ‘public transport’ and ‘non-car modes’ do not seem to appear in the Policy. For a development of this scale, and in this location, it is highly concerning that the allocation is no subject to any requirement for a sophisticated public transport strategy which itself is phased to serve the emerging community.

- 2.22 We note that the Policy requires the proposals to:

“Secure developer contributions towards the strategic growth of this area and Land at Paddock Wood and east Capel, either in kind (normally land) and/or financial, as set out in the Strategic Sites Masterplanning and Infrastructure Study (February 2021) Strategic Infrastructure Framework November 2020 (or a version of this document as amended), to include:

a. highway improvements and mitigation measures, including:

i. on- and off-line works to the A228;

ii. new highway to bypass around Five Oak Green;

b. provision, improvements, and enhancement to cycle routes and cycle corridors;

c. primary and secondary education provision;

d. health and medical provision;

e. improvements and enhancement to sports and recreation provision, including children's and youth play space;

f. utility provision and upgrades;

g. other necessary mitigation measures which are directly related to the development and fairly and reasonably related in scale and kind”

- 2.23 Again, this replicates the approach taken elsewhere in the Local Plan that this scheme is to improve roads, (presumably to support the growth in car based travel resulting from the scheme), and the provision, improvements, and enhancement to cycle routes and cycle corridors.

Q16. What is the justification for the proposed link-road to the east of the allocated site, running from the B2017 to the proposed Colts Hill bypass?

2.24 No comments.

Q17. How will the link road be delivered and is it viable? Is it required for the strategic site at Tudeley alone, or, as a result of cumulative growth with sites at Paddock Wood and east Capel?

2.25 No comments.

Q18. Is the location of the proposed link road justified, taking into account land use constraints, flooding, the character and appearance of the area and proximity to the Capel Primary School?

2.26 No comments.

Q19. Is the evidence supporting the Plan reliable and robust? Does it take into account the indicative location of the proposed secondary school?

2.27 No comments.

Viability and Deliverability

Q20. Is it clear to decision-makers, developers and local communities what infrastructure will be delivered, by whom and when?

2.28 No. Policy STR/SS3 sets out numerous criteria and requirements for infrastructure, but no explanation as to when certain measures might be required. This has fundamental consequences for the delivery of a viable and sustainable development, especially in the period before infrastructure is provided (noting the lack of services and facilities at the existing settlement).

Q21. What is the justification for requiring a Supplementary Planning Document ('SPD')?

2.29 We assume that the purpose of the SPD will be to guide the development, however it should be recognised that the preparation of such documents is likely to prolong the period before which the scheme is delivered and so that should be factored in, for example, to the housing trajectory.

Q22. Based on the necessary infrastructure requirements, is the allocation viable?

2.30 Whilst we have not commented on the viability of the proposal generally, we note the lack of clarity over the provision of a railway station. If this is required, or there is a prospect that it might be, then it should be factored into all relevant assessments, including in relation to viability.

Landscape and Heritage

Q23. The AONB Setting Analysis Report identifies areas of 'high' and 'medium' sensitivity within the allocated site. In the area of high sensitivity, the Report states that development without mitigation is likely to harm the setting of the High Weald AONB. How is this reflected in the Plan? What potential impacts will the allocation have on the setting of the AONB?

2.31 No comment.

Q24. How will the allocation ensure visual and physical separation between Tudeley Village and Five Oak Green?

2.32 No comment.

Q25. What potential impacts will the proposed allocation have on the significance of designated heritage assets, having particular regard to the Grade I listed Church of All Saints' and Grade II listed buildings at Bank Farm and Lilley Farm? How have heritage assets been taken into account in the preparation of the Plan?

2.33 No comment.

Other Material Planning Considerations

Q26. Does any of the proposed allocation fall within areas at risk of flooding, taking into account all sources of flood risk and climate change?

2.34 No comment.

Q27. Map 32 of the submission version Local Plan shows a 'potential train station site' within the allocation. What is the latest position regarding the potential for a new station at Tudeley Village? Is it a requirement of the allocation?

2.35 It is clear from that 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. If the station is expected or required (or likely to be), then we submit that it should be considered in all evidence, including the Viability Assessment and Sustainability Appraisal.

Issue 2 – Five Oak Green

Q1. Policy STR/CA1 sets out the strategy for the Capel Parish. Criterion 3) states that approximately 2,060 dwellings will be accommodated on land at East Capel as part of the extension to Paddock Wood. Is it clear to users of the Plan which site this relates to?

2.36 No. In our submission, the terminology used by the Council in the draft Local Plan (such as referring to the Strategy for Paddock Wood and East Capel is particularly unclear.

2.37 It is curious that in contrast to those sections of the Plan which relate to Tudeley Village and Paddock Wood/East Capel, that there is no site boundary of indicative proposal shown.

2.38 Furthermore, we submit that there is no clarity to the reader as to whether this is part of Tudeley Village, or part of the Paddock Wood/East Capel allocation, or a site in its own right.

Q2. What are the 'compensatory improvements to the Green Belt, including measures to reduce flooding to particular areas of Five Oak Green'? How will they be delivered?

2.39 No comments.

Issue 3 – Paddock Wood and East Capel Size, Scale and Location of Development

Q1. What is the justification for having a single policy (Policy STR/SS1) for the different development parcels at Paddock Wood and East Capel? Is it necessary to have development requirements for each specific area?

2.40 No comments.

Q2. How was the size of each parcel determined and what alternatives to the scale of development proposed at Paddock Wood and East Capel did the Council consider?

2.41 No comments.

Q3. Is it clear to developers, decision-makers and local communities what scale and mix of uses are proposed on each parcel (including the amount of employment land)?

2.42 No, the policy provides no such explanation. Given the constraints to development (including the flood risk issues highlighted in this Statement), Bellway consider that this matter should be clarified. It is not only necessary to provide stakeholders with clarity, but confidence that the levels of growth can be accommodated is critical to the deliverability (and soundness) of the proposed allocation.

Green Belt

Q4. In the Green Belt Study Stage 1, how was parcel PW1 defined? Was land to the west of Paddock Wood, up to the A228 considered at this stage?

2.43 No comments.

Q5. In the Green Belt Study Stage 3, Map 2 identifies that releasing land to the west of Paddock Wood will cause 'moderate' harm nearest the existing settlement, with 'high' levels of harm on roughly the western half of the parcel nearest the A228. What are the reasons for this and how have the findings been taken into account in the preparation of the Plan?

2.44 No comments.

Q6. Where it has been concluded that it is necessary to release Green Belt land for development, paragraph 142 of the Framework states that Plans should set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. How will this be achieved?

2.45 No comments.

Q7. Taking into account the answers provided under Matter 4, do the exceptional circumstances exist at site specific level to justify amending the Green Belt boundary in this location? Flood Risk and Drainage Paragraph 4.11 of the Strategic Sites Topic Paper states that "...the starting point was to focus development using a proportionate application of the sequential test in flood risk terms i.e., the majority of residential development in flood zone 1, with some in flood zone 2 where there was confidence in site specific flood mitigation ensuring that was acceptable." Paragraph 4.14 then goes on to state that "A scenario was run with residential development in flood zone 1 only (Option 3). This provided fewer dwellings, 2,840, and was considered unnecessary in the context of planning guidance on locating development in appropriate flood zones."

2.46 It is clear from comparing Map 28 in the draft Local Plan with the Government's flood risk map for planning, that this assumed approach to locating development in flood zone 1, with some in zone 2 is not reflected in the proposals.

2.47 Comparing Map 28 with the Government's flood risk map for planning indicates that there are significant parts of the proposed development (built form) which are within one 2 or 3.

Q8. What is a 'proportionate application of the sequential test'? Is the allocation of land to the west of Paddock Wood consistent with paragraph 162 of the Framework, which states that 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?

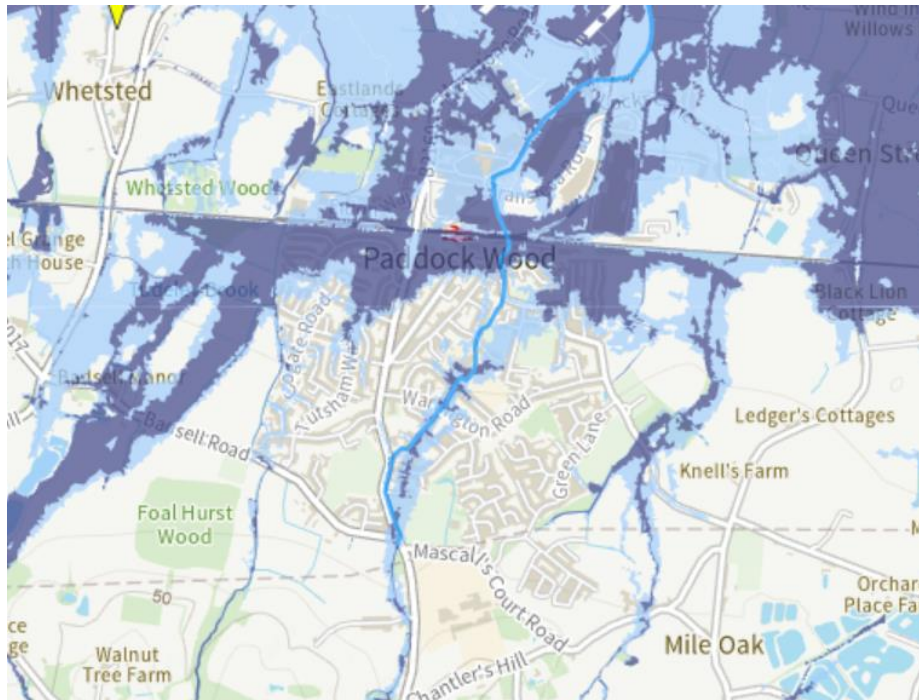
2.48 There is no 'proportional application of the sequential test'. The test should either be applied (where required), or not (where not required). However the application of the sequential test should not be delayed until after the Plan-making stage in order to avoid proper scrutiny of proposals for development in areas at risk of flooding.

2.49 As we explain in our Statements to this Examination, there are other reasonably available sites within the Borough which could accommodate development which are at a lower risk of flooding.

Q9. Can the parcel allocated to the east of Paddock Wood come forward without requiring residential development in areas at risk of flooding?

2.50 No. The image below is taken from the Government's flood risk map for planning. Comparing this with Map 28 of the Local Plan, it is clear that the area proposed to the east of Paddock Wood includes areas in both flood zone 2 and 3. However for the reason given in response to Q8, we consider that the same concerns apply to other aspects of the proposed allocation.

2.51 We consider that this is a fundamental concern given the availability of other sites and the significant extent to which this allocation will utilise areas at risk of flooding.



Q10. What is the justification for requiring a drainage strategy to be in place prior to the granting of planning permission 'unless exceptional circumstances arise'? What might these circumstances be? Is the policy sufficiently clear and is it effective?

2.52 No comments.

Mix of Uses and Infrastructure Requirements

Q11. How have the type and location of community uses been established? For example, what is the justification for the proposed sports hub (including a 25m swimming pool) and why is it in the location proposed?

2.53 No comments.

Q12. In the location envisaged, will the sports hub be accessible to existing and future residents of Paddock Wood by sustainable modes of transport?

2.54 No comments.

Q13. What is the justification for the inclusion and location of sites proposed for gypsy and traveller accommodation?

2.55 No comments.

Q14. Where will the proposed sheltered and extra care accommodation be located? For effectiveness, should this be set out in the Plan? Highways and Transport

2.56 No comments.

Q15. How will the north-south pedestrian and cycle link over the railway line be provided as part of the western parcel? Is it deliverable?

2.57 No comments.

Q16. How will the necessary financial contributions towards works to the A228 and the Five Oak Green bypass be calculated for each site and Tudeley Village (Policy STR/SS3)?

2.58

Q17. What will be the main point of access for the parcel to the east of Paddock Wood? How will pedestrian, cycle and vehicular accessibility to the rest of Paddock Wood (to the west) be achieved?

2.59

Landscape and Heritage

Q18. The AONB Setting Analysis Report identifies areas of 'very high', 'high' and 'medium' sensitivity within the allocated site boundary to the east of Paddock Wood. Very high is defined as likely to cause harm to the setting of the High Weald AONB which it may not be possible to mitigate against. What is the justification for including the parcel of land to the south of the site, where the Report recommends avoiding any development?

Q19. In the areas of 'high' and 'medium' sensitivity, what mitigation is required and are the requirements sufficiently clear to users of the Plan?

2.60

Q20. Will the proposed mitigation be effective? What potential impacts will the allocation as a whole have on the setting of the AONB?

2.61

Q21. What potential impacts will the proposed allocation have on the significance of designated heritage assets, having particular regard to the Grade II listed buildings at Badsell Manor Farmhouse, Mascalls Court, Mascalls Court Lane and Knell's Farm? How have heritage assets been taken into account in the preparation of the Plan?

2.62 No comments.

Other Matters

Q22. What is the justification for requiring each parcel to be delivered through the production of a SPD?

2.63 We assume that the purpose of the SPD will be to guide the development, however it should be recognised that the preparation of such documents is likely to prolong the period before which the scheme is delivered and so that should be factored in, for example, to the housing trajectory.

Turley Office
The Pinnacle
20 Tudor Road
Reading
RG1 1NH

T 0118 902 2830