

Tunbridge Wells Borough Local Plan Examination

Hearing Statement prepared on behalf of Hadlow Estate

Matter 4 - The Strategy for Paddock Wood

Issue 2 - Education Provision

Q1. What is the projected requirement for primary and secondary school education as a result of the suggested changes to the Plan?

Secondary School Education

As a result of the suggested changes to the Plan, Document PS_054 (Development Strategy Addendum) states:

“The estimated pupil yield from the aforementioned housing scenario would result in there being a demand for an additional 490 pupils to be accommodated in the secondary school education system locally.” (Paragraph 4.38)

Document PS_054 goes on to advise:

“KCC have confirmed that a yield of 490 pupils is equivalent to 3.27 FE.” (Paragraph 4.39)

Document PS_046 (Paddock Wood Strategic Sites Master Planning Addendum) states at Table 8 ‘Infrastructure Schedule’, that the secondary school requirement is 4FE:

No	Infrastructure Item	Site / Off Site	When?
	Strategic Transport		
	4FE Contribution towards new secondary school (on site)	Off Site	Medium

However, Document PS_054 suggests that the 4FE requirement should be further refined:

“There is some further consideration to the calculation on pupil yield which will be further reduced based on the quantity of smaller dwelling units (flats and 1 bedroom properties) that will be delivered as part of any future development. Hence the need is anticipated to be a full 3 FE of additional secondary school provision, which has been confirmed by the Education Authority.”

This refinement of the projected pupil requirements has not been properly evidenced and is clearly not justified. At the plan-making stage it is highly unlikely that the mix of units can be anticipated with any degree of accuracy. There is no evidence to suggest that the strategic allocations at Paddock Wood will accommodate a greater percentage of flats and 1-bedroom properties than would typically be the case for a greenfield, suburban location, and indeed such an approach is very unlikely to create mixed and balanced communities. On the basis of the information provided, the revised strategy will generate a need for 4 FE of additional secondary school provision.

Q2. How will the needs for secondary school education be met? Will this be through the expansion of Mascalls Academy and/or provision of a new school? What evidence has been produced which considers the merits of each option?

The Council itself concedes that a strategy for the provision of additional secondary school capacity has not been finalised as part of the revised development strategy. Instead, two options are floated, namely:

- 3FE extension of Mascalls Academy to 12FE; or
- New 4FE secondary school to the northwest of Paddock Wood

The absence of a clear strategy for meeting secondary school education provision clearly and fundamentally undermines the soundness of the revised strategy. The absence of a clear strategy for meeting secondary school education provision has only arisen because of the decision not to proceed with the strategic allocation at Tudeley Garden Village (TGV), which included the delivery of a secondary school to meet the demand generated across both Paddock Wood and TGV. The revised development strategy has no such solution for something that is fundamental to any sustainable development and any sustainable sound plan.

It is clear that only very limited and obviously insufficient consideration has been given to the ‘merits’ of each option by the Council. These limited assessments are set out in Document PS_046 (Paddock Wood Strategic Sites Master Planning Addendum) and Document PS_054 (Development Strategy Addendum). The evidence set out in Document PS_046 and PS_054 identifies several fundamental uncertainties, which remain unresolved at this stage.

With regard to the extension of Mascalls Academy, it is noted that:

- The strategy only seeks to provide for 3FE, not the 4FE which is required (see response to Question 1 above). As explained above, the reduced pupil projection based on a notional housing mix is not justified nor sound based on the evidence available at the plan-making stage. Moreover, such a notional housing mix will be further undermining the meeting of the identified housing needs for the Council’s area.
- Document PS_054 (paragraph 4.42) confirms what is obvious, namely that a 12FE would be a very large school, and the operational implications of such an option and its feasibility have not yet been explored in the required detail.
- Document PS_046 notes that: *“It is likely that this would entail construction of an entirely new school on expansion land, and then the demolition of older buildings once this is complete. This would need substantial capital funding to complete.”* (paragraph 3.4). No viability or feasibility evidence of what would be an entirely new (12FE) school has been produced.
- Document PS_054 confirms that the feasibility of the extension to Mascalls Academy in planning terms has not been explored, specifically with regard to traffic and travel, but also landscape and visual impacts given its proximity to the AONB. This is fundamentally unsound.

In light of these outstanding issues, the Council’s hearing statement on Matter 3, Issue 3 (para 9), confirms that, although the Academy Trust has agreed to enter into discussions concerning “potential

opportunities” to modernise the school, the feasibility of any such measures has not been demonstrated and is still being explored.

In summary, at this stage there is no evidence that this is a deliverable and effective solution to the requirement for secondary school provision as a result of the revised strategy. The current proposals are speculative and this does not provide a proper basis for a sound revised Local Plan. It is unsustainable and unsound for a matter of such fundamental importance not to be properly evidenced for a Plan of this kind. This is a direct consequence of the unsound removal of TGV and can be remedied by reinstating TGV as a strategic allocation.

With regard to the option for a new secondary school north-west of Paddock Wood, the evidence confirms that there are at least two significant issues which have not been addressed:

- The proposed school would need to be 4FE with scope to expand to 6FE beyond the plan period. Document PS_054 states at paragraph 4.50 that: *“In this scenario, the 3 FE growth needed from growth at PWeC would be met by developer contributions and the remaining funding gap up to 4 FE would be met by the Education Authority...(and)...central government funding”*. However, no evidence is provided of the LEA or central government having any funding streams available to meet such a shortfall. To have any confidence that this option is deliverable, this funding would need to be confirmed to be available.
- The proposed secondary school site is partially within Flood Zone 2. Document PS_046 notes: *“The initial feasibility study indicates that the site would need minor remodelling to raise some land out of the modelled Flood Zone 2 (plus uplift).”* (Paragraph 3.12). The implications of this remodelling are not known at this stage, and it has not been confirmed that this is feasible or viable nor have any of the consequences of such remodelling been addressed, let alone the sustainability in principle of such remodelling works.

In summary, the assessment of the ‘merits’ of each option is superficial (to say the least) and fundamentally unsound. There is no evidence at this stage that either of the secondary school options now being proposed following the deletion of TGV are deliverable or effective. This is unacceptable in light of the legal requirements for a Plan of this kind and in any event unsound.

These issues arise as a direct consequence of the unjustified proposal to remove TGV, rendering the plan unsound.

Moreover, it is clearly unsatisfactory for the infrastructure requirements for the reduced allocation at Paddock Wood to be considered in isolation, in circumstances where the Council has been unable to identify any alternative solution to meeting future housing needs for year 11 onwards of the Plan, other than at TGV. In the absence of any reasonable alternative, it seems inevitable that this need will have to be met at TGV. The wider infrastructure provision required to meet the needs for the whole of the plan period should therefore be considered now (or, failing that, immediately following adoption of the Plan).

The unsoundness of the revised Plan can be remedied by reinstating TGV as a strategic allocation. Alternatively, and without prejudice to the above, the Inspector is asked (i) to pause the plan process to allow any remaining shortcomings in the evidence base to support the TGV allocation to be addressed by the Council, in order to reinstate TGV and render the plan sound; or (ii) failing that, to require the Council to undertake an immediate review, focused upon growth at TGV, to ensure that future infrastructure requirements for the whole area are identified and planned for at the outset.

Q3. What is the justification for safeguarding an area of land for a secondary school to the northwest of Paddock Wood? Is the site developable for the type and size of school envisaged?

The Proposed modification to Policy SS/STR 1(A) - North Western Parcel Requirements includes a requirement for *“Safeguarding of land for 4FE secondary school that has land available to expand to 6FE should it be required.”* The effect of this policy is that land for 6FE secondary must be safeguarded.

It is important to emphasise that the revised development strategy itself does *not* generate the need for a 6FE secondary school on its own. As set out in Q1 the revised development strategy generates the need for 4FE of secondary school provision. However, Document PS_054 confirms that 6 FE is the minimum size secondary school that KCC would deliver (paragraph 4.50).

Therefore, the safeguarded secondary school land is being explicitly justified on the basis that *“a 4 FE Secondary School can be delivered, and then expanded at a later date from further growth anticipated beyond the 10-year period into a 6 FE”*.

However, given that growth beyond the 10-year period is unknown without the allocation of TGV (or at the very least a direction that future growth should be focussed on TGV), there can be no certainty at this stage that a 6FE secondary school at NW Paddock Wood would ever be in the correct location to meet demand generated from housing growth beyond the 10-year period. As a consequence, there is no certainty that a 6FE secondary school at NW Paddock Wood would provide a sustainable and financially viable long-term solution and this approach is therefore misconceived.

As explained above, this approach is inherently unsound – it is only required because of the proposed deletion of TGV, which included the delivery of a 6FE secondary school to meet the demand generated across both the Paddock Wood and TGV strategic allocations.

Q4. How and when will the proposed secondary school be provided? Who will fund and deliver the project and is this sufficiently clear to users of the Plan?

The answers to these questions are obviously unknown but would need to be known for the revised Plan to be sound. There is no robust or reliable evidence as to how and when the proposed secondary school requirements would be provided. Moreover, as noted in our response to Q2 and Q3 above, there are a number of basic and significant uncertainties around the deliverability of both putative options floated by the Council for secondary school provision in the revised strategy.

Critically, there is basic and significant uncertainty and a lack of robust or reliable evidence in respect of the funding of both options:

- With regard to the expansion of Mascalls Academy, Document PS_046 notes: *“It is likely that this would entail construction of an entirely new school on expansion land, and then the demolition of older buildings once this is complete. This would need substantial capital funding to complete.”* (paragraph 3.4). The viability and feasibility of this has not yet been explored let alone evidenced.
- With regard to the new school option, Document PS_054 confirms at paragraph 4.50 that: *“In this scenario, the 3 FE growth needed from growth at PWeC would be met by developer contributions and the remaining funding gap up to 4 FE would be met by the Education Authority...(and)...central government funding”*. Again, as identified, the viability and feasibility of such funding has not been explored let alone evidenced.

On the basis of these statements, there can be no confidence that the secondary school will be properly funded and delivered and it has not been evidenced, and this renders the sustainability and viability of the Paddock Wood allocations and the revised strategy inherently unsound. In contrast, the allocation of TGV would secure a new secondary school in an appropriate location with appropriate facilities, clarity on funding and delivery. The unsoundness of the secondary school strategy has only occurred as a result of the unjustified removal of TGV at this stage and can be remedied by reinstating TGV as a strategic allocation.

Issue 4 – Highways Infrastructure

Q1. What effect would the suggested deletion of the Five Oak Green Bypass have on the distribution of traffic across the highway network? Does the growth around Paddock Wood require additional highways mitigation not previously identified?

Our response to this question is split into two parts:

First, what effect would the suggested deletion of the Five Oak Green Bypass have on the distribution of traffic across the highway network?

The additional modelling evidence base presented to address the removal of TGV (and consequently the Five Oak Green (FOG) bypass)^{1,2,3,4,5} does not provide a comparison to demonstrate the residual impacts on traffic distribution as a result of the main modifications proposed. Therefore, it is not possible to quantify the net impacts of the removal of the FOG bypass properly and soundly.

However, on assessment of the link capacity evidence presented in support of the most recent modelling submission⁶ it is noted that, with the removal of the FOG bypass, flows on the B2017 through Five Oak Green increase significantly due to the allocations in the area. These increases are detailed below:

Scenario	AM		PM	
	Eastbound	Westbound	Eastbound	Westbound
2038 Ref Case	455	615	644	405
2038 Local Plan Modal Shift	509	898	832	481
Net Difference	+54	+283	+188	+76

Further figures with respect to the B2017 corridor are presented later in this document, when considering junction mitigation for the A26 / B2017 Tudeley Road (Somershill Roundabout) roundabout junction. Table 5 of Document PS_059 refers to residual impacts of the main modifications Local Plan for each arm of the junction. A summary of the Passenger Car Unit (PCU) flows on the B2017 Tudeley Road arm based on this table are provided below:

Scenario	AM	PM
2038 Ref Case	931	461
2038 Local Plan Modal Shift	1,066	512
Net Difference	+135	+51

Vehicles arriving at this junction would represent movements travelling westbound on the B2017 at Five Oak Green. Based on the above, it appears that a material number of vehicles are somehow ‘lost’

¹ PS_047 TW Stage 1 Technical Note Review of Strategic Model Methodology and Set Up for Local Plan (August 2023)

² PS_048 TW Local Plan Stage 2 Reporting (August 2023)

³ PS_049 TW Local Plan Stage 3 Modal Shift Impact Report (September 2023)

⁴ PS_059 Tunbridge Wells Local Plan Stage 3 Part 2 Outcomes (November 2023)

⁵ TWLP_123 Appendix 1 SWECO Strategic Transport Assessment (April 2024)

⁶ PS_059 Tunbridge Wells Local Plan Stage 3 Part 2 Outcomes (November 2023), Page 6

when travelling from Five Oak Green towards the junction during the AM peak, although no proper reason for this is provided, given the limited number of routes off the B2017 generally in this area.

Overall, there is a lack of robust and reliable evidence presented at this time which sufficiently identifies the distributional changes and residual impacts of the deletion of the FOG bypass and the evidence that has been provided is flawed and would require further explanation.

Turning now to the second part of the question:

Secondly, does the growth around Paddock Wood require additional highways mitigation not previously identified?

It is noted that during the June 2024 hearings with respect to Matter 3, the Inspector asked for a summary table of traffic impacts to be provided to allow for ease of comparison. At the time of writing this is not yet available: once available it will need to be reviewed prior to the Matter 4 hearing.

The Hadlow Estate reserves the right to comment further at the hearing once the additional evidence has been reviewed along with the response of Tunbridge Wells Borough Council.

Focusing on the ‘hotspot’ analysis presented⁵, the following junctions are noted within the vicinity of Paddock Wood and the B2017:

- Junction 8 – A26 / B2017 Tudeley Road roundabout (Somerhill Roundabout)
- Junction 12 – A228 / B2160 Maidstone Road (Hop Farm Roundabout)
- Junction 13 – A228 / B2017 (Badsell Roundabout)
- Junction 14 – A228 / Alders Road / Crittenden Road staggered junction
- Junction 88 – B2017 / Hartlake Road priority junction

It is noted that physical interventions are now being identified by way of mitigation at Junctions 8, 12 and 13, resulting in capacity improvements, which aligns with previous evidence provided. Improvements to Junction 14 are proposed as part of the Colts Hill Bypass. We comment on Junction 88 in our hearing statement on Matter 7 (item 1).

Additionally, the Colts Hill bypass continues to be required for Paddock Wood, as was identified as part of the original Strategic Sites Masterplanning and Infrastructure Study⁷ (this is considered further in response to Question 2, below).

In its hearing statement in respect of Matter 3,⁸ Tunbridge Wells now emphasises the need for Paddock Wood to provide traffic control / calming through Five Oak Green village following the deletion of the FOG bypass. This is further emphasised by Kent County Council (KCC) in its hearing statement⁹ as a result of the link capacity assessments presented for the B2017, which indicate the B2017 reaching / nearing capacity in several directions during the peaks⁶, with KCC recommending:

“that schemes to relieve traffic pressures on the B2017 are brought forward and included in the design for the Colts Hill Bypass and the Badsell Roundabout improvement scheme. Additionally, the route should be included in the Monitor and Manage Strategy to review capacity and safety⁹.”

⁷ 3.66 Strategic Sites Masterplanning and Infrastructure Study (February 2021)

⁸ TWLP_124 Matter 3 Issue 2 Five Oak Green Bypass

⁹ REP-1352139-001 KCC Examination Written Statement Stage 3 Matter 2 and 3 Hearing Statement

Mitigation measures through Five Oak Green have clearly become increasingly important as a result of the removal of the FOG bypass and the Paddock Wood allocation would inevitably have to provide appropriate mitigation to address the impacts on this route but no such mitigation has been identified or assessed. Such mitigation may have impacts on the redistribution of traffic and impacts elsewhere on the network which would also need to be assessed. Insufficient and unreliable information has been provided to explain how these impacts would be mitigated under the revised strategy and the plan is not therefore properly justified. As above, this unsoundness arises as a result of the misconceived deletion of TGV.

Q2. Is the Colts Hill Bypass required as a result of the growth proposed around Paddock Wood? How will it be funded and delivered?

Throughout the Local Plan process the Colts Hill bypass has formed an integral part of the mitigation strategy for Paddock Wood, having been identified as part of the Infrastructure Delivery Plan (IDP)¹⁰ and Strategic Sites Masterplanning and Infrastructure Study⁷. The Colts Hill Bypass also allowed for a connection to the FOG bypass, and it is essential that this is retained in any future design.

Following the Matter 3 hearing session concerning ‘The Strategy for Tudeley Village’, it is understood that the Council’s position is that Colts Hill bypass will be funded via developer contributions, with some monies having already been collected via contributions for the improvement works at the A228 / B2017 (Badsell) roundabout. Whilst the Council indicated that the area for the Colts Hill bypass had been ‘safeguarded’ for a number of years, during the course of the discussions as part of the Matter 3 hearing session, it was apparent that the deliverability and associated costing for the bypass remains uncertain and the necessary evidence to demonstrate this has not been provided.

It was also confirmed that, as with the FOG bypass, delivery of the Colts Hill bypass would be dependent upon the exercise of CPO powers¹¹. This was further confirmed as part of the Development Strategy Topic Paper Addendum¹². Given this, it is unclear why the RAG assessment for Colts Hill¹³ focuses solely on landscape and visual impacts, when it is clear that issues relating to deliverability, as raised in the FOG RAG assessment,¹⁴ also remain to be addressed and have not been evidenced to date.

Moreover, it appears that a different and inconsistent approach to considering the deliverability of the Colts Hill bypass has been adopted, when compared with the approach to the FOG bypass (as to which the Estate’s legal rights are fully reserved). In particular, very limited additional evidence in respect of the landscape and visual impacts of the Colts Hill bypass, amounting to no more than a preliminary zone of theoretical visibility analysis, has been provided by the Council and treated as sufficient to determine that these impacts can be mitigated to an acceptable degree yet the same approach has not been adopted to the FOG bypass. By contrast, the Council has abandoned its entire spatial strategy focused on the two strategic sites on the basis of the high level, preliminary appraisal in the RAG assessment concerning the FOG bypass. As was suggested in the Matter 3 hearings, if the very limited additional work carried out in respect of the Colts Hill bypass is deemed sufficient to satisfy the Inspector as to its deliverability, the same exercise could and should readily be undertaken now to address any residual concerns raised in respect of the FOG bypass.

Moreover, as highlighted in the Estate’s hearing statement on Matter 3, Issue 3, Question 3¹⁵, the costings for the Colts Hill bypass appear to have been materially revised in the most recent viability assessment¹⁶, reducing from £20,000,000 to £7,250,000, for a scheme which does not appear to have materially altered in scope from that previously proposed.

¹⁰ CD 3.142 Infrastructure Delivery Plan (October 2021)

¹¹ See, also, PS_054 Local Plan Development Strategy Topic Paper Addendum (January 2024), Paragraph 3.50

¹² PS_054 Local Plan Development Strategy Topic Paper Addendum (January 2024), Paragraph 3.50

¹³ PS_050 RAG Assessment Access and Movement Colts Hill Bypass

¹⁴ PS_039 RAG Assessment Access and Movement Five Oak Green Bypass

¹⁵ REP-24748-003 Turnberry obo Hadlow Estate Stage 3 Matter 3 Hearing Statement

¹⁶ PS_061b Appendix I – Development Appraisal Assumptions Overview – Tables 1 and 1a

When this issue was raised as part of the hearing sessions for Matter 3, Stantec indicated that the revised costing exercise was based on other similar infrastructure schemes, with additional information to be provided to substantiate this figure. If this additional evidence is submitted with sufficient time prior to the Matter 4 hearing, this will be reviewed accordingly and the Estate will comment further as necessary at the hearing or subsequently.

Q3. What effect will the proposed Colts Hill Bypass have on the setting of the High Weald AONB, landscape character and heritage assets? How have these factors been considered as part of the preparation of the Plan?

As part of the evidence base, a RAG assessment has been produced by Stantec with respect to the Colts Hill bypass¹², with a further green belt study also produced¹⁷.

Within the Colts Hill RAG assessment, Stantec consider only Landscape and Visual impacts, designating these as 'Amber'. The assessment identifies the potential for "significant landscape and visual effects which could remain after mitigation" and "significant adverse effects upon the setting of the HWAONB". Based on the evidence presented within the RAG assessment for impacts to the AONB, landscape character and heritage assets, Stantec make the following recommendations / actions:

"It is recommended that the northern section of the Colts Hill Bypass is reviewed against potential environmental effects, including those upon the setting of the High Weald Area of Outstanding Natural Beauty (HWAONB), and other landscape and visual receptors, to identify any potential adjustments to the route alignment which avoids adverse environmental effects as far as practicable, and which provides maximum opportunity for effective mitigation to reduce significant adverse effects.

Relevant environmental topics, in addition to landscape and visual, which are recommended for the Preliminary Environmental Review and to inform the route alignment include: ecology / biodiversity, heritage, arboriculture and hydrology.

It is recommended that a Preliminary Landscape and Visual Impact Assessment (LVIA), and a Concept Environmental Mitigation Design are prepared, and which would provide evidence for the selection of the final bypass alignment. Consideration of necessary structures that would be required, should also be part of the Preliminary Environmental Review.

It is recommended that TWBC engage with KCC PROW to understand their view on the impact the Colts Hill Bypass may have on the directly affected PROW and surrounding PROW network."

At the current time, the evidence base does not contain any of the recommended reports noted by Stantec in this regard, with only Zone of Theoretical Visibility drawings having been provided alongside the Green Belt report. Based on the evidence presented, however, the Council assert that mitigation is feasible for the bypass with respect to AONB, landscape and heritage considerations.

On review of the associated RAG report for the FOG bypass, it is noted that the recommendations / actions suggested by Stantec are almost exactly the same, with Stantec noting the need for consideration of route alignment, as well as further work in the form of a preliminary LVIA and Concept Environmental Mitigation Design.

However, for the FOG bypass, the RAG assessment categorises this element as 'Red', as opposed to the 'Amber' recommendation for Colts Hill. This is inherently inconsistent, unjustified and unsound in principle. Within the evidence base for the two bypasses proposed it appears that the only material difference when assessing the two proposals is the provision of Zone of Theoretical Visibility drawings and a short Green Belt assessment. If this level of additional evidence is considered sufficient to determine the suitability of the Colts Hill bypass, it must necessarily be sufficient for the FOG bypass.

¹⁷ PS_051 Colts Hill Bypass Green Belt Assessment (September 2023)

No justification or proper explanation has been provided as to why this work has not also been progressed in respect of the FOG bypass and this approach is unsound as well as contrary to the legal requirements for the Plan in terms of the sustainability appraisal and generally in terms of consistency.

It should also be noted that neither of the bypass options have been included as part of the AONB Setting Analysis Report.

Despite very similar recommendations and actions being outlined by Stantec, as detailed above, it appears that a fundamentally different approach to the Colts Hill bypass has been undertaken when compared with the FOG bypass. On the basis of the approach adopted in respect of Colts Hill, the only work required to satisfy the Council that any landscape and visual impacts from the FOG bypass could be mitigated to an acceptable degree would have been a preliminary zone of theoretical visibility, which is a high level, desktop study.

Moreover, it is clear that any impacts are indeed capable of being mitigated through further detailed consideration of the route alignment, as with the Colts Hill bypass, given that only an indicative route is proposed at this stage.

More generally, and as stated as part of the Hadlow Estate's hearing statement for Matter 3, Issue 2, Question 2, the acceptability of both bypasses must be considered having regard to the following:

- Neither bypass is *within* the AONB. There are no exceptional circumstances required to justify providing this infrastructure in this location/ these locations. Rather, national policy requires that development within the setting of the AONB should be sensitively located and designed to avoid or minimise adverse impacts. With respect to the FOG bypass, these requirements are capable of being protected by an appropriately worded policy and controlled through the development management process.
- Similarly, NPPF paragraph 155 confirms that "local transport infrastructure which can demonstrate a requirement for a Green Belt location" is not inappropriate development in the Green Belt.

Q4. What is the justification for suggesting the removal of the Five Oak Green Bypass from the Plan, but not the Colts Hill Bypass?

Within the evidence base, the FOG bypass has been outlined as being a requirement for Tudeley and/or the combined Tudeley and Paddock Wood scenario; however, in the Paddock Wood-only scenario, no FOG bypass has been included⁷. Simply put, in the eyes of the Council it is being asserted that without Tudeley Garden Village there is no need for the FOG bypass. Similarly, as part of the same evidence base, the Colts Hill bypass has always been seen as an integral part of the allocations at Paddock Wood, which remains following the main modifications.

This strategy is also confirmed by the Council within their Local Plan Development Strategy Topic Paper Addendum, at Paragraph 3.47.

Based on the revised transport evidence base produced by SWECO, the Council maintain that the impacts of Paddock Wood on the B2017 corridor are not sufficiently significant to warrant the development of a bypass¹⁸. This approach and assertion is not based on any proper analysis of the evidence.

As detailed in our response to Question 2 above, based on the link capacity, basic concerns were raised by KCC within their hearing statement, emphasising the need for traffic control within Five Oak Green as a result of the Paddock Wood allocations. As such, with the removal of the FOG bypass, further robust and reliable evidence is necessary to demonstrate the delivery and viability and acceptability of mitigation options for Five Oak Green village and this evidence has not been provided let alone tested.

¹⁸ PS_059 Tunbridge Wells Local Plan Stage 3 Part 2 Outcomes (November 2023), Page 7

Q5. In what ways does the evidence base rely on modal shift when considering likely future impacts on the highway network? Is the Plan justified by appropriate supporting evidence?

The modelling presented in support of the Local Plan has always included an allowance for modal shift, with associated physical mitigation measures being identified as required thereafter. This approach is in line with the adopted Department for Transport Circular 01/2022, which places active and sustainable transport modes at the forefront of transport planning.

Therefore, modal shift has been consistently applied as part of the evidence base as a form of highways mitigation, as detailed in Markides Associates response to the Inspector's Initial Findings¹⁹ and Turnberry's hearing statement for Matter 3¹⁴. As demonstrated within these documents, it is considered that with Tudeley in place, meaningful modal shift opportunities are present and have been well evidenced as part of the Local Plan evidence base.

Within the latest round of modelling³, a low (4%) and high (9%) modal shift assumption was considered with the high level of modal shift broadly aligning with the approach and assumptions to date (although from the evidence presented, it is unclear why the low modal shift assumption was considered necessary).

It is noted that during the Matter 3 hearings, SWECO clarified that further modal shift information was to be submitted as part of the evidence base (which may offer information regarding the "low" scenario). If this is provided prior to the Matter 4 hearings in sufficient time, this will be reviewed, with the Hadlow Estate reserving the right to comment further on this issue as part of the hearing session or subsequently.

However, with respect to the most recent evidence base, questions remain as to the draw of trips from Paddock Wood to Tonbridge (which remain material as shown in Document PS_048, Page 13) and the ability of the strategy proposed to sustainably accommodate these trips.

This issue was considered in the Hadlow Estate's hearing statement for Matter 3 under Issue 3, Question 1¹⁴. As explained, as a result of the revised strategy, sustainable and active transport measures on the B2017 corridor have all but been removed, with the revised bus strategy showing the most economically viable options (Options 5 and 5a), providing 15-minute services between the main towns but not along the B2017 corridor between Tonbridge and Paddock Wood²⁰. For people wishing to access Tonbridge without a car, they will be dependent upon the existing train service, with access to the train station depending on either walking and cycling, or a new Paddock Wood circular bus service.

As explained in the previous hearing statement, the bespoke 'figure of eight' bus service starts and finishes at Paddock Wood Station. The service is proposed to run every 20 minutes with a total circular journey time of 25 minutes to reach the station²¹.

However, there are a number of fundamental concerns with this proposed bespoke service:

- The service has not been demonstrated to be financially viable, with only one option (Option 1a) being self-funding by the end of the plan period at a 10% mode share.

¹⁹ PIFC_173 Turnberry obo Hadlow Estate Appendix 6 – Transport Technical Note Final V2

²⁰ PS_040 Tunbridge Wells Public Transport Feasibility Study Review (October 2023)

²¹ PS_041 Paddock Wood Bus Service Options (October 2023)

- The service will operate within a walkable / cyclable distance of the Town Centre competing with those transport modes (which are much lower cost) and so undermining the viability of providing such a bus service, thus reducing the likely mode share.
- The evidence presented was not clear as to whether the full 10% mode share is assumed for the bespoke service, whereas in reality a proportion of the patronage will use other buses, further limiting viability.
- Public transport trips to the main centre at Tonbridge are much less likely to take place where a direct service is not available as there are inherent cost and journey time penalties associated with using a combination of both bus and rail to complete the journey. This is in direct contrast to the proposals at Tudeley Village, where a direct, frequent bus service with a journey of less than 4.0km (travel time of under 15 minutes) at a lower cost is proposed.

With respect to active travel considerations, it is noted that no improvements are now indicated along the B2017 corridor as a result of the removal of Tudeley²².

Given the above, it is considered that the evidence base does not suitably address connectivity matters between Tonbridge and Paddock Wood for active and sustainable transport trips, despite a large draw of movements being indicated. This may have further implications for capacity testing. There is a basic lack of evidence and the approach is unsound.

²² PS_060 Paddock Wood and east Capel Access and Movement Report (November 2023)

Q6. Is it sufficiently clear to users of the Plan what strategic highways improvements will be needed as a result of the growth proposed around Paddock Wood, where and when? Is the Plan (as suggested to be modified) justified and effective in this regard?

As part of the recent evidence base, no update to the Infrastructure Delivery Plan (IDP) has been completed, with the most recent version of the IDP being dated October 2021¹⁰. This does not reflect the main modifications now proposed. This is flawed.

Without an update to this document, it has not been identified what measures are required to support the proposed growth at Paddock Wood.

In terms of timescales, the original evidence base provided information regarding deliverability for each of the highways elements⁷ (for both Tudeley and Paddock Wood) based on short-, medium- and long-term needs. No corresponding update appears to be available at this time.

Some additional information has been provided regarding timescales / trigger points for delivery, with SWECO indicating the need for the Colts Hill bypass at approximately 2,000 dwellings at Paddock Wood²³ and some further guidance regarding CPO timescales within the Council's Development Strategy Topic Paper Addendum (Paragraph 3.50). This information is at this stage, however, clearly not sufficiently comprehensive.

A detailed update is required from the Council, with respect to the highways improvements necessary to support the modified Local Plan, to provide consistency and clarity to all regarding infrastructure needs and timescales for delivery. As with the matters discussed above, these evidential shortcomings have only arisen due to the unsound proposal to delete TGV. Without TGV, the plan is neither justified nor effective in this regard.

²³ PS_059 Tunbridge Wells Local Plan Stage 3 Part 2 Outcomes (November 2023), Page 7

Issue 5 – Viability and Infrastructure Provision

Q1. Has the Infrastructure Delivery Plan ('IDP') been updated to reflect the suggested changes to the Plan?

As noted above, the Infrastructure Delivery Plan has *not* been updated to reflect the suggested changes to the Plan.

The absence of an up-to-date IDP is indicative of the critical shortcomings arising from the suggested changes to the Plan: namely, that, as a consequence of the unsound removal of TGV, the revised Plan is unable to facilitate an effective strategy for the delivery of infrastructure.

The SLP set out a robust development strategy for the delivery of necessary growth over the full extent of the Plan period. This included a comprehensive package of interlocking infrastructure to support the strategic growth at Paddock Wood and TGV jointly. The key elements of this interlocking infrastructure delivery strategy comprised:

- a sustainable travel strategy in the Paddock Wood/Tonbridge corridor, facilitating modal shift.
- a highway improvement strategy, mitigating the impact of traffic generation and facilitating the creation of the sustainable travel corridor and thereby modal shift.
- a strategy for secondary education provision, including the delivery of a new secondary school at TGV.

Given the interlocking nature of this infrastructure strategy the unsound removal of TGV has fundamentally undermined the ability of the plan effectively to deliver this necessary infrastructure.

Specifically, the removal of TGV has fundamentally compromised:

- the sustainable travel strategy, which no longer provides enhanced sustainable travel opportunities along the Paddock Wood/Tonbridge corridor, critically undermining the potential for modal shift.
- the highway improvement strategy, notably removing any improvements to the B2017 corridor.
- the secondary education strategy, which is now uncertain both in terms of feasibility and its ability to meet need across the plan period.

Given the critical infrastructure delivery issues arising from the suggested changes to the Plan, it is perhaps unsurprising that the Council has been unable to prepare an effective updated Infrastructure Delivery Plan.

In the absence of an updated IDP the suggested changes to the Plan are ineffective and are unsound.

Q2. What evidence is there to demonstrate that the necessary infrastructure requirements can be delivered over the plan period? Is the Plan viable?

There is insufficient evidence to demonstrate that the necessary infrastructure requirements can be delivered over the plan period for three reasons:

- First, the suggested changes to the Plan are not supported by an effective Infrastructure Delivery Plan, as noted in response to Q1 above.
- Secondly, whilst the supporting evidence base does identify *some* infrastructure improvements, there is significant uncertainty and a basic lack of evidence that the improvements identified are sufficient to effectively support and mitigate the impacts of the revised development strategy. Specifically, there is uncertainty and a basic lack of evidence in respect of:
 - o The sustainable travel strategy, which no longer provides enhanced sustainable travel opportunities along the Paddock Wood/Tonbridge corridor, critically undermining the potential for modal shift.
 - o The highway improvement strategy, which notably removes any improvements to the B2017 corridor.
 - o The secondary education strategy, which now comprises two undeliverable options, which will demonstrably fail to meet the demand generated by the level of growth proposed.
- Thirdly, there is a lack of clarity and a basic lack of evidence concerning the cost and viability of the infrastructure improvements that have been identified:
 - o As discussed above, the Colts Hill Bypass appears to be fundamentally the same scheme as proposed previously. However, the cost has been reduced from £20,000,000 to £7,250,000. There is no proper evidence to demonstrate how this reduction in cost has arisen.
 - o There is significant lack of clarity and lack of evidence concerning the cost of both secondary school options identified. See response to Issue 2.

Given the absence of evidence which demonstrates that the necessary infrastructure requirements can be delivered over the plan period, the suggested changes to the Plan are ineffective and are unsound.

The unsoundness of the revised Plan can be remedied by reinstating TGV as a strategic allocation. Alternatively, and without prejudice to the above, the Inspector is asked (i) to pause the plan process to allow any remaining shortcomings in the evidence base to support the TGV allocation to be addressed by the Council, in order to reinstate TGV and render the plan sound; or (ii) failing that, to require the Council to undertake an immediate review, focused upon growth at TGV, to ensure that future infrastructure requirements for the whole area are identified and planned for at the outset.