

Examination of the Tunbridge Wells
Borough Local Plan

**Tunbridge Wells Borough Council
Hearing Statement**

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

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Contents

Inspector’s Question 1: [definition of development].....	3
TWBC response to Question 1	3
Inspector’s Question 2: [map presentation of LBD changes]	7
TWBC response to Question 2.....	7
Inspector’s Question 3: [justification for exclusion of non-developable areas for site allocations].....	10
TWBC response to Question 3.....	10
Inspector’s Question 4: [appropriateness of approach of defining LBDs for site allocations] .	12
TWBC response to Question 4.....	12
Inspector’s Question 5: [provisional LBDs]	14
TWBC response to Question 5.....	14
Inspector’s Question 6: [evidence and analysis of boundary changes].....	16
TWBC response to Question 6.....	16
Inspector’s Question 7: [removal of heritage assets and recreation areas from LBD].....	18
TWBC response to Question 7	18
Inspector’s Question 8: [removal of LBD boundaries at Iden Green and Kilndown].....	20
TWBC response to Question 8.....	20
Inspector’s Question 9: [consideration of applications inside and outside of LBD]	22
TWBC response to Question 9.....	22
Inspector’s Question 10: [rural fringe sites].....	24
TWBC response to Question 10.....	24

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

Issue 3 – Limits to Built Development

Inspector's Question 1: [definition of development]

How have the Limits to Built Development been defined? What are they based on and are they accurate?

TWBC response to Question 1

How are Limits to Built Development defined/background?

1. Limits to Built Development (LBDs) are demarked as bold red lines (with provisional LBD boundaries marked as red dashed lines), on the interactive Policies Map [[CD 3.129t](#)], and on all the Policies Map Inset Maps relating to the Submission Local Plan (CDs 3.129c to 3.129s – see full list and links under Question 2 below). These lines are drawn around settlements and differentiate the main built-up areas of the settlement and areas of countryside beyond.
2. In terms of the background to LBDs, this is set out in the Limits to Built Development Topic Paper [[CD 3.82](#)] at paragraphs 1.3 to 1.5, pages 1 and 2. It can be seen that the definition of LBDs is an established policy tool that has been in use locally for over 30 years, the principle of LBDs having been brought forward and included in the Tunbridge Wells 2006 Local Plan [[CD 3.20](#)] and the Tunbridge Wells Site Allocations Local Plan (SALP) 2016 [[CD 3.119](#) and Inset Maps 3.119 a to l].
3. The purpose of this designation/policy approach is to:
 - help focus growth to sustainable settlements and locations;
 - prevent sprawl and encroachment of built form into the open countryside; and

- provide both certainty and clarity to residents, landowners, developers, and other interested parties on where new development would generally be acceptable in principle.
4. The only revisions made to the existing LBDs in the Tunbridge Wells Site Allocations Local Plan 2016 were to include site allocations on the edge of settlements and the two separate LBDs at Hawkhurst (Highgate and The Moor) were joined together. A review of LBD boundaries for all settlements across the borough was not undertaken at this time.
 5. The existing LBDs, as defined in the adopted 2016 SALP and the saved 2006 Local Plan, have been reviewed to take account of the need for further development across the borough, the Council's proposed growth strategy and proposed site allocations, as well as both recent developments and extant planning permissions for development on the edge of settlements, essentially to ensure that LBD boundaries are logical and reflect what is on the ground.
 6. The LBDs have been reviewed as the Local Plan has emerged after each stage of consultation. The early Issues and Options consultation in 2017 involved consultation only on the principles of LBDs, while the LBD boundaries were reviewed and amended at the Regulation 18 Draft Local Plan and Regulation 19 Pre-Submission Local Plan Stages, based on the methodology below.

What are they based on?

7. The LBD review was based on the methodology initially set out in the first Limits to Built Development Topic Paper in August 2019 [[CD 3.21](#)], which was published to support the Draft Local Plan 2019, using the principles set out at pages 4 and 5 and criteria at pages 5 to 7.
8. The Limits to Built Development Topic Paper was subsequently updated in February 2021 [[CD 3.82](#)] to support the Pre-Submission Local Plan 2021. The principles on pages 9 and 10 remain unchanged, with some minor tweaking of the wording of the criteria on pages 11 to 13, to provide clarity.
9. Other changes in the presentation of LBDs in the Topic Paper between the Regulation 18 Draft Local Plan and Regulation 19 Pre-Submission Local Plan stages include:

- The incorporation of Draft Local Plan (DLP) Strategic Policy STR10: Limits to Built Development into the Pre-Submission Local Plan Strategic Policy STR1: The Development Strategy, following comments received to the Draft Local Plan Regulation 18 consultation (see from paragraph 1.22, page 5 to paragraph 1.26, page 7 of [CD 3.82](#) for further detail);
- The DLP and 2019 Limits to Built Development Topic Paper included a further LBD at Sissinghurst, around the existing built development to the west of the settlement and incorporating proposed DLP residential allocations (see first amendment note on page 66 and Map 31.1 on page 68 of [CD 3.21](#) for further detail). However, this was removed following the DLP consultation and the removal of proposed site allocations in the western part of Sissinghurst (see Figure 23 on page 83 of [CD 3.82](#));
- The inclusion of a further/separate LBD at Lamberhurst; established around existing built development to the south of the settlement at The Down (see Map Reference 7 on page 53 and Figure 14 on page 54 of [CD 3.82](#));
- The addition of maps showing provisional LBDs for Strategic Site STR/SS1 at Paddock Wood (and land at east Capel) (see Map Reference 1 on page 60 and Figure 17 on page 62 of [CD 3.82](#)) and Strategic Site STR/SS3 at Tudeley Village (see Map Reference 1 on page 86 and Figure 25 on page 87 of [CD 3.82](#));
- The incorporation of proposed site allocation AL/CR3 Turnden Farm, Hartley Road, Cranbrook (see Map Reference 1 on page 26 and Figure 5 on page 29 of [CD 3.82](#));
- The incorporation of proposed site allocation AL/FR1 land at Cranbrook Road, Frittenden (see Map Reference 5 on page 32 and Figure 7 on page 33 of [CD 3.82](#)).

How the methodology was used

10. The principles and criteria set out in the methodology were consistently applied in establishing new, or revising existing, LBD boundaries at all settlements. The information collated was also considered by TWBC Planning Officers with local geographical and planning knowledge before the revised boundaries were drawn.
11. The principles (see pages 4 and 5 of [CD 3.21](#) and pages 9 and 10 of [CD 3.82](#)) were used to define the LBDs and the criteria listed in Table 1 (see pages 5-7 of [CD 3.21](#) and pages 11 to 13 of [CD 3.82](#)) define what should or should not be included in the LBD.

Are they accurate?

12. The LBDs are considered to be highly accurate. They are digitised using the Geographical Information System (GIS) software used by the Council, Esri's ArcGIS Pro, which enables drawing at any scale using the most up-to-date mapping provided by the Ordnance Survey (vector) Master Map which uses the British National Grid map projection. This ensures that every feature (point, line or polygon) drawn is highly accurately, with tools within GIS enabling features to 'snap' to existing and logical boundary features where possible and/or in accordance with the Council's methodology. In addition, aerial photographs, Google Maps and Street View were also used as aides when applying the principles and criteria set out in the above Limits to Built Development Topic Paper 2021 [[CD 3.82](#)], to ensure maximum accuracy.

Inspector's Question 2: [map presentation of LBD changes]

Do the submission version policies maps adequately show the changes to the Limits to Built Development that would arise from the adoption of the Plan?

TWBC response to Question 2

13. As set out in the response to Matter 1, Issue 4 [[TWLP/004](#)], Question 7, paragraph 1.4 of the Submission Local Plan [[CD 3.128](#)] sets out that all policies will replace the 'saved' policies of the Tunbridge Wells Borough Local Plan 2006, the Tunbridge Wells Borough Core Strategy 2010 [[CD 3.118](#)], and the Site Allocations Local Plan 2016 [[CD 3.119](#)]; this includes any Policy/Inset Maps relating to these existing plans. Therefore, it is clearly set out in the Plan that all policies including the spatial extents of those policies are to be replaced by the new Local Plan upon adoption.
14. As mentioned in the first paragraph under Question 1 above, the LBD boundaries are demarked as bold red lines (or dashed red lines for provisional LBDs) on the Policy Inset Maps of the Submission Local Plan, as below:

[3.129a Inset Map Legend](#)

[3.129b Policies Map](#)

[3.129c\(i\) Inset Map 1a - Royal Tunbridge Wells \(NW\)](#)

[3.129c\(ii\) Inset Map 1b - Royal Tunbridge Wells \(NE\)](#)

[3.129c\(iii\) Inset Map 1c - Royal Tunbridge Wells \(SW\)](#)

[3.129c\(iv\) Inset Map 1d - Royal Tunbridge Wells \(SE\)](#)

[3.129c\(v\) Inset Map 2 - Royal Tunbridge Wells Town Centre](#)

[3.129c\(vi\) Inset Map 3 - Southborough](#)

[3.129d\(i\) Inset Map 4 - Paddock Wood](#)

[3.129d\(ii\) Inset Map 5 - Paddock Wood TC](#)

[3.129d\(iii\) Inset Map 6 - Paddock Wood G and T](#)

[3.129e\(i\) Inset Map 7 - Five Oak Green](#)

[3.129e\(ii\) Inset Map 8 - Tudeley Village](#)

[3.129e\(iii\) Inset Map 9 - Brook Farm](#)

[3.129f\(i\) Inset Map 10 - Cranbrook](#)

[3.129f\(ii\) Inset Map 11 - Cranbrook TC](#)

[3.129f\(iii\) Inset Map 12 - Sissinghurst](#)

[3.129f\(iv\) Inset Map 13 - Sissinghurst Castle](#)

[3.129f\(v\) Inset Map 14 - Cranbrook G and T](#)

[3.129g\(i\) Inset Map 15 - Hawkhurst](#)

[3.129g\(ii\) Inset Map 16 - Gill's Green](#)
[3.129h\(i\) Inset Map 17 - Benenden](#)
[3.129h\(ii\) Inset Map 18 - Benenden Hospital](#)
[3.129i Inset Map 19 - Bidborough](#)
[3.129j\(i\) Inset Map 20 - Brenchley](#)
[3.129j\(ii\) Inset Map 21 - Matfield](#)
[3.129j\(iii\) Inset Map 22 - Brenchley G and T 1](#)
[3.129j\(iv\) Inset Map 23 - Brenchley G and T 2](#)
[3.129k Inset Map 24 - Frittenden](#)
[3.129l Inset Map 25 - Goudhurst](#)
[3.129m\(i\) Inset Map 26 - Horsmonden](#)
[3.129m\(ii\) Inset Map 27 - Horsmonden G and T](#)
[3.129n Inset Map 28 - Lamberhurst](#)
[3.129o Inset Map 29 - Pembury](#)
[3.129p Inset Map 30 - Rusthall](#)
[3.129q Inset Map 31 - Sandhurst](#)
[3.129r Inset Map 32 - Speldhurst](#)
[3.129s Inset Map 33 - Langton Green](#)

15. While these Inset Maps show the proposed LBDs, they do not show the actual changes between the existing and proposed LBD boundaries. However, it is considered that the Limits to Built Development Topic Paper 2021 [[CD 3.82](#)] clearly shows the changes to LBDs which would arise from the adoption of the Plan. This Topic Paper was published alongside the Pre-Submission Local Plan [[CD 3.58](#)] for its consultation in March-June 2021. From page 16 onwards, there is a map and explanation of any proposed changes for each settlement showing the existing adopted LBD boundary in the Local Plan 2006 and/or Site Allocations Local Plan 2016 (illustrated by a green line) and the proposed new LBD boundary for the Pre-Submission Local Plan (illustrated by a red dotted line). The LBD boundaries proposed for the Regulation 18 Draft Local Plan at the time were similarly set out in the previous Limits to Built Development Topic Paper 2019 [[CD 3.21](#)].
16. The Council has also now produced an 'interactive' Policies Map to support the Local Plan, in light of the Government's proposals to 'digitalise' planning. This helps to present a comprehensive policy coverage [[PS 010](#)] – again showing LBD boundaries demarked by red lines (and provisional LBD boundaries as dashed red lines), as well as a detailed

schedule showing where existing policies and policy maps are being retained, amended or deleted [see [CD 3.129u](#)].

17. In summary, both electronic and paper versions of the Policies Map were published alongside the Pre-Submission and Submission Local Plans and the proposed changes to LBDs are clearly shown and explained in the Limits to Built Development Topic Paper, and therefore the Council is satisfied that the changes to LBD boundaries that would arise from the adoption of the Plan are clearly shown. It is not considered necessary for the changes to be identified.

Inspector's Question 3: [justification for exclusion of non-developable areas for site allocations]

Where new site allocations are concerned, the Limits to Built Development Topic Paper states that only the developable areas have been included. Landscape buffers, open space and outdoor recreation areas have been excluded from the Limits to Built Development. What is the justification for this?

TWBC response to Question 3

18. Criterion III in Table 1 on page 11 of the Limits to Built Development Topic Paper 2021 [CD 3.82] states that, for new site allocations, including those which require land to be released from the Green Belt as listed in Table 6 on pages 67 and 68 of the Submission Local Plan [CD 3.128], in most cases the developable area only will be included in the LBD, while landscape buffers which form part of the allocation (apart from those which run along a road frontage), open space and outdoor recreation grounds are excluded. The main reason for this is that it is considered inappropriate to have development in these locations and that their open status, particularly in the case of open space and outdoor recreation, and character and setting in the wider landscape, should be protected. This is in line with criteria (c), (d) and (e) on page 11 of the Topic Paper, where any changes to LBD boundaries should not have an adverse impact on landscape character, any designated areas of national/local landscape importance and should not result in harm to the character, appearance or setting of the settlement.
19. Examples of proposed site allocations where the landscape buffer/open space on the edge of the site and settlement have been excluded from the LBD include Policies AL/CR1, CR2 and CR3 [CD 3.129f(i)], AL/HA4 [CD 3.129g(i)], and sites including proposed Green Belt release - AL/RTW14 and AL/RTW16 [CD 3.129c (iii)], for which the LBD boundaries are carefully drawn to only include the developable area of the proposed site allocation – such as for residential, employment or community buildings. This is based on an assessment of the site and its relationship with its surroundings in terms of its character, form and setting. The justification for setting boundaries and limiting the LBD within such site allocations is that not only will this assist in containing built development and providing clear limits on where development is considered to be appropriate (within the LBD) and inappropriate (outside the LBD) but will also allow

space for appropriate landscaping (and in some cases the retention and protection of existing trees) where built form meets the wider countryside. This will protect the wider visual impact of new development on the surrounding rural landscape.

20. In addition, and as outlined in the response to Question 6 below, the new Green Belt boundaries, where they are contiguous with the LBD, are consistent with NPPF 143 (f) in that they define boundaries clearly, using physical features that are readily recognisable and likely to be permanent, i.e. they follow recognisable features on the ground.
21. A different approach has been taken for the proposed strategic site allocations at Paddock Wood and land at east Capel (proposed strategic site allocation Policy STR/SS1 [CD 3.128, page 138]) and the new garden settlement at Tudeley Village (proposed strategic site allocation Policy STR/SS3 [CD 3.128, page 154]), which both include areas to be released from the Green Belt. Given the high-level approach to masterplanning, it is considered that there is not sufficient evidence to fully define the LBDs for these site allocations at this stage. Therefore, a 'Provisional' LBD has been drawn (as indicated by the red dashed lines at CD 3.59d(i) – Inset Map 4 Paddock Wood and CD 3.59f – Inset Map 8 Tudeley Village). In both cases, allowance is made for sufficient landscaping along the edge, outside of the LBD; and where there are known areas where development would be resisted, such as Ancient Woodland or where a strong landscape buffer is required to mitigate harm to the setting of the Green Belt or to create a strong Green Belt edge, these are also excluded from the LBD. These 'Provisional' LBD boundaries are explained in more detail in the response to Question 5 below.
22. In summary, the LBD for allocation sites, including those which are subject to Green Belt release, has been drawn following the principles set out within the Limits to Built Development Topic Paper [CD 3.82] and areas of landscape have purposely not been included within the LBD to ensure their retention so that they contribute to landscape, visual and ecological mitigation and/or amenity uses.

Inspector's Question 4: [appropriateness of approach of defining LBDs for site allocations]

When taking into account that the detailed design and layout of a site allocation will be determined at the planning application stage, will the approach to defining Limits to Built Development be effective?

TWBC response to Question 4

23. The detailed design and layout of a site will be determined at the application stage, and therefore it may not be known what the full extent of any proposed developable area and/or landscape buffers will be until a planning application is submitted.
24. Notwithstanding the above, it is considered that the approach to defining LBD boundaries, as set out in the Limits to Built Development Topic Paper 2021 [\[CD 3.82\]](#), and the Policies Map Inset Maps supporting the Submission Local Plan (as listed above under Question 2) will be effective. They will help to set parameters and guidance for any proposed layout, showing where to contain and focus the built element of the development (i.e. within the LBD boundary) and identify where any open/landscape areas on the edge of it should be kept free from development (generally outside the LBD).
25. The developable areas and landscape buffers shown on the maps are based on an initial assessment of the site and its relationship with its surroundings so they are approximate, and it is anticipated that these may be amended slightly at the review of the Local Plan once a development scheme has been drawn up in more detail. This is relayed in paragraph 3.3 on page 14 of the Limits to Built Development Topic Paper 2021 which states:
- “It is noted that the precise alignment of LBDs around development allocations may need to be refined as the Local Plan progresses and more detailed layout and design work is undertaken. If there is a need to further refine LBD boundaries around allocation sites as a result of more detailed work (e.g. through the planning application process), then this will be undertaken at the five year review of the Local Plan, in line with the NPPF.”*
26. By setting these parameters it will ensure that the built element of any development proposal will relate more to the built form and character of the settlement and by

designating landscape buffers outside of the LBD boundaries, where land uses of a more rural/open aspect are normally expected, this will allow space for appropriate landscaping and/or the retention of existing trees, in the interests of protecting the wider visual impact of new development on the surrounding rural landscape.

27. A different approach has been taken for the proposed strategic site allocations at Paddock Wood and land at east Capel (proposed strategic site allocation Policy STR/SS1 [CD 3.128, page 138]) and the new garden settlement at Tudeley Village (proposed strategic site allocation Policy STR/SS3 [CD 3.128, page 154]), as given the high-level approach to masterplanning, with an emphasis on phasing of development, it is considered that there is not sufficient evidence to fully define the LBDs for these site allocations at this stage. Therefore, 'Provisional' LBD boundaries are shown for these sites, as explained in more detail in the response to Question 5 below.

Inspector's Question 5: [provisional LBDs]

What are the 'Provisional Limits to Built Development' as shown on the Submission Local Plan Inset Map Legend? Which sites/areas do they relate to? Are they justified and effective?

TWBC response to Question 5

28. The 'Provisional Limits to Built Development' only relate to the proposed strategic site allocations at Paddock Wood and land at east Capel (proposed strategic site allocation Policy STR/SS1 [CD 3.128 page 138]) and the new garden settlement at Tudeley Village (proposed strategic site allocation Policy STR/SS3 [CD 3.128, page 154]).
29. As set out in the Strategic Sites Topic Paper 2021 [CD 3.67] at paragraphs 8.21 to 8.24, pages 36 and 37, it is considered appropriate that both these strategic site allocations should have defined LBDs in a similar manner to the other settlements within the Plan. However, given the high-level approach to masterplanning at the Local Plan stage, informed through consideration of the Strategic Sites Masterplanning and Infrastructure Study [CD 3.66], with an emphasis on phasing of development, it is considered that there is not sufficient evidence to fully define the LBDs for these site allocations at this point. Therefore, 'Provisional' LBD boundaries are shown for these sites (as indicated by the red dashed lines at CD 3.59d(i) – Inset Map 4 Paddock Wood and CD 3.59f – Inset Map 8 Tudeley Village).
30. These Provisional LBDs are intended to provide a policy area to be used as a framework for the provision of the extended built-up area of the settlement at Paddock Wood, including land at east Capel, and for the new garden settlement at Tudeley over the plan period and will be gradually defined through the masterplanning process, and confirmed through the five-year review of the Local Plan.
31. The Provisional LBD proposed for Paddock Wood and east Capel [CD 3.59d(i)] assumes a 20-metre buffer from the edge of the allocation in the most part to allow for sufficient landscaping.
32. A more distinct Provisional LBD is proposed for Tudeley Village [CD 3.59f], where the masterplanning is further progressed, which follows the broad location of the allocation for this strategic settlement but has allowed for some appropriate offsets from road and

other boundaries to allow for landscape buffers. In addition, in both cases, there are known areas where development would be resisted, such as Ancient Woodland or where a strong landscape buffer is required to mitigate harm to the setting of the Green Belt; or to create a strong Green Belt edge (see [CD 3.67](#) paragraphs 8.21 to 8.24, pages 36 and 37). These areas are therefore excluded from the LBD.

33. In summary, given the masterplanning process, which will involve phased development and further work to be undertaken, it is considered that the provisional LBDs will not only provide a policy area to be used as a framework for the progression of the strategic sites, but will also allow some flexibility for further detail to be considered and agreed at the more detailed planning application stage and for the LBDs to become more definitive as the masterplanning for these sites progresses, over the plan period. For these reasons the use of Provisional LBDs is considered to be justified and effective. Following the grant of outline planning permissions, the LBDs for each settlement will be agreed and fixed through the five-year review of the Local Plan.

Inspector's Question 6: [evidence and analysis of boundary changes]

Where boundary changes are proposed as part of the submission version Local Plan, are they justified by appropriate evidence and analysis?

TWBC response to Question 6

34. The LBDs have been reviewed as the Local Plan has emerged after each stage of consultation from the early Issues and Options consultation in 2017 through to the Pre-Submission Local Plan 2021. As mentioned under Question 1 above, the LBD review was based on the methodology initially set out in the first Limits to Built Development Topic Paper in August 2019 [\[CD 3.21\]](#), which was published to support the Draft Local Plan 2019, using the principles at pages 4 and 5 and criteria at pages 5 to 7. The Topic Paper was subsequently updated (the Limits to Built Development Topic Paper February 2021 [\[CD 3.82\]](#)) to support the Pre-Submission Local Plan 2021. The principles on pages 9 and 10 remain unchanged, with some minor tweaking of the wording of the criteria on pages 11 to 13, to provide clarity.
35. The LBD boundaries were carefully reviewed and analysed on a settlement-by-settlement and site-by-site basis, consistently applying the principles and criteria referred to above. Care was taken to ensure that the LBD boundaries are logical, normally following physical features, e.g., roads and field boundaries, although there may be instances where it was appropriate to cut across property curtilages to ensure that local character and/or amenities are protected. In addition, and as set out in the response to Question 1 above, the boundaries have been reviewed to take account of the need for further development across the borough, the Council's proposed growth strategy and proposed site allocations, as well as of both recent developments and extant planning permissions for development on the edge of settlements, essentially to ensure that LBD boundaries are logical and reflect what is on the ground.
36. In some cases, advice was sought from specialist officers when reviewing the boundaries, such as when considering the impact on heritage assets with important landscape settings or the impact on the AONB and the rural landscape. In addition, the boundaries were also considered by other TWBC Planning Officers with local geographical and planning knowledge before the revised LBD boundaries were drawn.

37. In Section 4 (page 15) of the 2021 Limits to Built Development Topic Paper [\[CD 3.82\]](#), there is a map for each settlement (based in alphabetical order) showing both the existing adopted LBD boundary in the Local Plan 2006 and/or Site Allocations Local Plan 2016 (illustrated by a green line) and the proposed new LBD boundary for the Pre-Submission Local Plan (illustrated by a red dashed line). The LBD boundaries proposed for the Regulation 18 Draft Local Plan can be viewed in the previous 2019 Limits to Built Development Topic Paper [\[CD 3.21\]](#). Further details of changes/differences between the two Topic Papers are listed under Question 1 above.
38. Each change to the LBD is numbered on the relevant map in Section 4 (page 21 onwards) of the 2021 Topic Paper and corresponds with the Map Reference on the associated amendment list/table for that settlement. This table includes an explanation and justification of how and why the amendments have been made (or why no changes are proposed in some cases), based on the principles and criteria referred to above. In the Principles and Criteria column of the table of proposed changes, the numbers refer to the principles set out on pages 9 and 10 and the letters and roman numerals refer to the list of criteria set out at 11 and 13 of the 2021 Topic Paper.
39. It should be noted that other evidence studies relating to the assessment of proposed site allocations may also have influenced changes to the LBD boundaries, particularly in relation to the suitability of sites for allocation.
40. In summary, given the careful review of the LBDs on a settlement-by-settlement basis, based on the consistent application of the principles and criteria under the LBD review methodology; and the justification and explanation of these changes in the tables and maps presented in Section 4 of the Limits to Built Development Topic Paper, the proposed changes to LBD boundaries as part of the submission version Local Plan are considered to be justified by appropriate evidence and analysis.

Inspector's Question 7: [removal of heritage assets and recreation areas from LBD]

What is the justification for removing heritage assets and recreation areas from the Limits to Built Developments? Is this consistent with the principles set out in Core Document 3.82, which states that Limits to Built Development are policy lines drawn around the main built-up area of settlements?

TWBC response to Question 7

41. The criteria in Table 1, on page 12 of the Limits to Built Development Topic Paper 2021 [[CD 3.82](#)], exclude the following land uses/types from inclusion in the LBD boundary, unless integrated within the built up area:

- X. Village Greens, recreation grounds etc. on the edge of a settlement
- XII. Places of worships/churches, cemeteries, and churchyards
- XIV. Heritage assets with important landscape settings

42. The reason these buildings/land use types have been excluded is because they are open in aspect, located on the edge of a settlement and/or generally relate more to the open character of the countryside beyond the settlement than its built form (see criterion (e) on page 11 of the Topic Paper). In the case of a heritage asset such as a listed building in spacious grounds or an historic park and garden, the exclusion of such areas from the LBD will protect their important wider landscape setting when viewed from the edge of the settlement.

43. The above criteria are also consistent with other principles set out on page 10 of the Limits to Built Development Topic Paper:

“2) Land inside the LBD will generally be substantially developed – including buildings, roads (excluding roads on the edge), etc.

3) The main land uses outside the LBD will generally comprise of or be used for agriculture, woodland, lakes/ponds, outdoor sports, and leisure, unless surrounded by other development.”

44. In summary, the exclusion of such uses which are more open in aspect and located on the edge of settlements is considered to be justified in terms of protecting the character and appearance of the settlement when viewed in the wider landscape, as well as conserving the intrinsic value and locally distinctive character of the countryside beyond.

Inspector's Question 8: [removal of LBD boundaries at Iden Green and Kilndown]

What is the justification for the removal of the settlement boundaries at Iden Green and Kilndown? Is this justified and is it consistent with the principles of Limits to Built Development which seek to draw lines around the main built-up areas of settlements?

TWBC response to Question 8

45. Principle 1, as set out under paragraph 7.5 on page 4 of the Limits to Built Development Topic Paper 2019 [CD 3.21], states “*that LBDs are policy lines drawn around the 'main' built up area of a sustainable settlement*”. The Settlement Role and Function Study [CD 3.27] and its Update in 2021 [CD 3.133], which provide assistance in assessing the sustainability of existing settlements across the borough, found that Iden Green and Kilndown have a very low level of services and facilities such that they do not constitute sustainable settlements.
46. Following the identification of key services (such as a convenience shop, post office and school) and non-key services (such as a village hall or library), as set out on pages 14 and 15 of the Settlement Role and Function Study [CD 3.133], a scoring method was used to evaluate the level of service provision for each settlement with a LBD in the borough. This is set out at pages 16 to 21 of the Study. The findings show that larger settlements tend to score more highly across the range of sustainability indicators identified in terms of the level of provision of services and facilities, with smaller settlements generally scoring lower (see page 22). Based on the scores and evidence collected in the updated Study [CD 3.133, page 22], a table of settlement groupings (see page 24) was collated. These groupings give an indication of the level of sustainability and appropriateness of these settlements to accommodate further growth in terms of access they provide to services and facilities that support their sustainability.
47. As mentioned above, Iden Green and Kilndown have limited services and facilities. For example, neither settlement has a school or a convenience store/post office (with the exception of a Wednesday/Saturday morning shop at the Quarry Centre (community hall) in Kilndown) and both have very limited bus services (one bus journey a week for Iden Green and two bus journeys a week for Kilndown).

48. Given this, and the resultant low scoring for these settlements (see scoring table for Iden Green at Appendix 1, pages 48 and 49 of the Study, and for Kilndown at Appendix 1, pages 50 and 51), and together forming Group G at the bottom of the table of proposed settlement groupings, their LBDs are proposed to be removed as these settlements are considered to be unsustainable and therefore unsuitable for further development in this context.
49. It is noted that both Iden Green and Kilndown are located in parishes with recently 'made' (as of 23 February 2022) Neighbourhood Development Plans, the Benenden Neighbourhood Plan [[PS 014](#)], and the Goudhurst Neighbourhood Development Plan [[PS 015](#)] respectively.
50. The Benenden Neighbourhood Plan refers to the deletion of the Iden Green LBD in the emerging Tunbridge Wells Local Plan (see paragraph 21, page 13 of [PS 014](#)).
51. Likewise, the Goudhurst Neighbourhood Plan refers to and confirms that the Neighbourhood Plan supports the removal of the LBD at Kilndown in the Tunbridge Wells emerging Local Plan (see paragraph 88, page 33 of [PS 015](#)).
52. Within the defined Neighbourhood Areas (i.e. Benenden parish and Goudhurst parish), the respective Neighbourhood Plans form part of the Development Plan under which planning applications are assessed.
53. It is also noted that no objection was made to the removal of the LBDs at these settlements by either of their respective Neighbourhood Plan Groups or Parish Councils at either of the TWBC Local Plan Regulation 18 and 19 consultations.
54. In summary, the Council considers that the removal of the LBDs at Iden Green and Kilndown is justified given their very limited number of services and facilities, making them unsustainable locations/options for further growth and development, contrary to principle 1 of the Limits to Built Development Topic Paper (see page 10 of [CD 3.82](#)).

Inspector's Question 9: [consideration of applications inside and outside of LBD]

Is it clear to decision-makers, developers and local communities how planning applications will be considered for development proposals both within, and outside, Limits to Built Development?

TWBC response to Question 9

55. Yes, it is clear how planning applications will be considered both within and outside of the LBD through a number of policies, firstly Policy STR 1.
56. Strategic Policy STR1: the Development Strategy, in Section 4 of the Submission Local Plan, (see page 35 of [CD 3.128](#)) is the overarching policy which sets the overall approach to be taken to development both within and outside LBDs.
57. Criterion 2 of this policy:
- “Looks to focus new development within the Limits to Built Development of settlements, as defined on the Policies Map, where proposals accord with other relevant policies of this Plan”;*
- While criterion 9:
- “Normally limits development in the countryside (being defined as that outside the Limits to Built Development) to that which accords with specific policies of this Plan and/or that for which a rural location is fully demonstrated to be necessary.”*
58. This is based on the similar approach taken to that in the existing 2006 Tunbridge Wells Local Plan for LBDs (Chapter 3, pages 3.8 and 3.9) [[CD 3.120](#)], which seeks to focus development in sustainable locations, and is a well-established and understood policy tool in dealing with planning applications.
59. There are also other development management policies in Section 6 of the Submission Local Plan [[CD 3.128](#)] which clarify the approach to be taken for proposals within and/or outside the LBD, such as:
- Policy H10: Replacement Dwellings outside the Limits to Built Development (page 420)

- Policy H11: Residential Extensions, Alterations, Outbuildings, and Annexes (page 422)
- Policy H12: Extensions to Residential Curtilages (domestic gardens) outside the Limits to Built Development (page 428), and
- Policy ED5: Conversion of Rural Buildings outside the Limits to Built Development (page 440)

60. In summary, the Council considers that Strategic Policy STR1 and development management policies within the Local Plan such as those outlined above, make clear provision for the approach to be taken for development proposals both within and outside the LBD boundaries for decision-makers, developers, and local communities.

Inspector's Question 10: [rural fringe sites]

Table 7 in the submission version Local Plan lists nine sites that are identified as part of the 'Rural Fringe'. What is the status of these sites and how will they be defined in the Plan? What is the justification for not including them within the Limits to Built Development?

TWBC response to Question 10

61. As explained at paragraph 4.132, page 69 of the Submission Local Plan [[CD 3.128](#)], the existing Site Allocations Local Plan 2016 (SALP) [[CD 3.119](#)] identified nine sites as long-term land reserves (see Chapter 4 page 60 and Policy AL/GB 4 on page 66 of the SALP) and these are referred to as Rural Fringe sites in the SALP. These are sites that were removed from the Green Belt in order to be able to provide a land reserve to meet the future development requirements of the borough.
62. As shown (crossed hatched in blue) on the SALP Green Belt and Rural Fringe Proposals Map [[CD 3.119f](#)], all of these areas are located outside of the LBD in the SALP.
63. These sites no longer have a 'Rural Fringe' status in the SLP. Some of the sites are now proposed to fall under a different policy designation, such as open space, sport and recreation (Policy OSSR1). In fact, some of the sites are now included in the LBD, where considered appropriate, as set out in the explanatory list below.
64. It is anticipated that any future proposals for development on the educational or recreational sites, which do not have a policy designation and continue to be located outside the LBD in the SLP, will be assessed against the relevant policies in the SLP, with regard being had to the need to ensure that there remains sufficient educational and recreational infrastructure in Royal Tunbridge Wells and Rusthall.
65. It is considered that Table 7 and paragraph 4.132 above it, which explain the evolution of the rural fringe sites, are no longer relevant and can be omitted from the SLP.
66. The following list provides a justification/explanation as to why these sites have or have not been included in the LBD in the Submission Local Plan, having regard to the principles and criteria set out under the LBD boundary review methodology in the Limits to Built Development Topic Paper 2021 [[CD 3.82](#)]:

- 1) Grange Road, Rusthall (allotments) – This site is designated as open space, sport and recreation (Policy OSSR1) and is located outside the LBD as shown on Inset Map 30 [[CD 3.129p](#)]. The LBD boundaries drawn in relation to this site accord with principle 3 on page 10 and criterion X on page 12 of [CD 3.82](#).
- 2) Bishops Down Primary School – the school’s buildings are currently located in the LBD with the playing pitches/recreation areas beyond located outside the LBD in the Site Allocations Local Plan 2016 [see [CD 3.119d](#)]. The same is proposed in the SLP, as shown on Inset Map 1c [[CD 3.129c \(iii\)](#)]. The LBD boundaries drawn in relation to this site accord with principles 2 and 3 on page 10 and criterion XX (ii) on page 13 of [CD 3.82](#).
- 3) Rose Hill School – the school’s buildings are currently located in the LBD with the playing pitches/recreation areas beyond located outside the LBD in the Site Allocations Local Plan 2016 [see [CD 3.119d](#)]. The same is proposed in the SLP, as shown on Inset Map 1c [[CD 3.129c \(iii\)](#)]. The LBD boundaries drawn in relation to this site accord with principles 2 and 3 on page 10 and criterion XX (ii) on page 13 of [CD 3.82](#).
- 4) Bennett Memorial School – The school buildings, which are set in spacious grounds, including recreation grounds/sports pitches, are detached from the edge of the settlement. Therefore, as for the SALP, this site is shown to be located outside of the LBD on Inset Map 1c [[CD 3.129c \(iii\)](#)]. The LBD boundaries drawn in relation to this site accord with principle 3 on page 10 and criteria VI and X on page 12 of [CD 3.82](#).
- 5) Culverden Stadium – This is SLP site allocation AL/RTW 20: for up to 30 dwellings. The developable area (shown orange) has been incorporated into the LBD and the landscape buffer (shown green) is excluded from the LBD as shown on Inset Map 1a [[CD 3.129c \(i\)](#)]. The LBD boundaries drawn for this allocation accord with principle 2 on page 10 and criteria (a) to (g) and III on page 11 (and see Map reference note 14 on page 70 and Figure 19 on page 24) of [CD 3.82](#).
- 6) Land north of 56 Culverden Down – this site has planning permission for eight dwellings permitted under planning application 19/01801/OUT (a series of recent applications for reserved matters have also been submitted and approved for most of the plots). This application site has been incorporated into the LBD in the SLP, as

shown on Inset Map 1a [[CD 3.129c \(i\)](#)]. The LBD boundaries drawn for this allocation accord with principle 2 on page 10 and criteria (a) to (g) and I on page 11 (and see Map reference note 14 on page 70 and Figure 19 on page 24) of [CD 3.82](#).

- 7) St John's Recreation Ground, Broomhill and Reynolds Lane Pastures and adjoining small parcel of land – as shown on Inset Map 1a [[CD 3.129c \(i\)](#)], these sites are located outside the LBD in the SLP and designated for open space, sport and recreation (Policy OSSR1) and a Local Wildlife Site (Policy EN10). There is also a small triangular parcel of land adjoining the western edge of the Pastures, with no policy designation, which was formerly in industrial use but is now in residential use following the implementation of planning permissions 18/03165/FULL and 20/02309/FULL. The LBD boundaries drawn in relation to these sites accord with principle 3 on page 10 and criteria II and X on pages 11 and 12 (and see Map reference note 10 on page 69 and Figure 19 on page 24) of [CD 3.82](#).
- 8) School playing fields to the south of St John's Leisure Centre – the Leisure Centre buildings and car parking areas are currently located inside the LBD in the Site Allocations Local Plan 2016, with the school playing pitches to the south located outside the LBD (see [CD 3.119d](#)) and are retained as such in the SLP (see Inset Map 1a [[CD 3.129c \(i\)](#)]). The LBD boundaries drawn in relation to this site accord with principles 2 and 3 on page 10 and criterion XX (ii) on page 13 of [CD 3.82](#).
- 9) Land at the North Farm landfill site, North Farm Lane – This site is shown to be located outside of the LBD in the SLP as site allocation AL/RTW18, as it is allocated for renewable or sustainable energy, sport, recreation, or leisure uses (shown in dark green on map) on Inset Map 1b [[CD 3.129c \(ii\)](#)]. The LBD boundaries drawn in relation to this site accord with principle 3 on page 10 and criterion X on page 12 (and see Map Reference note 4 on page 68 and Figure 19 on page 24) of [CD 3.82](#).