

planning
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Response to Inspector's Issues & Questions: Matter 10 Response
on behalf of Axiom Developments Ltd

June 2022 JB/10953



Contents

1	INTRODUCTION	2
1.1	Purpose of this Statement.....	2
1.2	Background to the proposals at Colebrooke House.....	2
1.3	Timeline of previous discussions	2
1.4	Current position	3
2	MATTER 10: EMPLOYMENT, ECONOMIC DEVELOPMENT AND INFRASTRUCTURE.....	5
2.1	Introduction.....	5
2.2	Issues 1-2: Key Employment Areas and Employment Site Allocations	5
	The principle of safeguarding land at Colebrooke House for employment development	5
	Whether the site should be removed from the Green Belt.....	8
2.3	Conclusion	11
 APPENDICES		
1	Site Location plan	
2	Vision Document	

1 Introduction

1.1 Purpose of this Statement

1.1.1 This Statement has been prepared by DHA Planning on behalf of Axiom Developments Ltd in response to the Inspector's Questions on Matter 10. These representations relate to land at Colebrooke Park, which Axiom is promoting for employment-generating development.

1.1.2 Whilst there are no specific questions relating to Colebrooke Park in the Inspector's Matters, Issues & Questions, the Inspector has indicated in an earlier Examination Hearing Session that he wishes to address the issue of removing Colebrooke Park from the Green Belt within the Matter 10 session being held on 7th July. This Statement has been produced to assist the Inspector in this regard.

1.1.3 It should be read alongside our previous Regulation 19 representations.

1.2 Background to the proposals at Colebrooke House

1.2.1 Our client has been promoting land at Colebrooke House for a business park within an attractive parkland campus setting. The site was promoted via the original Call for Sites process in 2016 (site 101) and representations were made at the previous Reg 18 consultation. The site boundary is shown on the plan at **Appendix 1**, which in a change to that previously submitted now includes additional land at the access to the A21 Fairthorne Junction.

1.2.2 As a result of the recent A21 dualling, the site benefits from direct access onto the A21 via the Fairthorne junction. This gives it excellent access to the national road network, whilst also being well-located in relation to the existing employment areas along Longfield Road.

1.2.3 The 8.5ha site comprises a large 19th century residential property set in parkland grounds. Whilst being habitable, the property is currently in need of repairs following a period of under-investment. Its value as a residential property has been substantially affected as a result of the A21 dualling works.

1.2.4 There is a unique opportunity to provide employment-generating development which makes the most of the existing characteristics of the site. For example, this could take the form of a high-quality business park, or other employment-generating use set within an established parkland setting and based around the existing 19th century Colebrooke House.

1.3 Timeline of previous discussions

1.3.1 Axiom originally approached the Council in July 2015, prior to the A21 works being completed, with an initial idea to transform the property into a country house hotel and conference centre.

1.3.2 A meeting was held with the then Director of Planning and Head of Planning at which Axiom were given strong encouragement to instead pursue proposals

through the Local Plan for a high quality business park on the site, making the most of the site's location in relation to existing employment development and the new A21 works.

- 1.3.3 Further discussions took place with the Council over the next two years, and a Vision Document (**Appendix 2**) was developed showing how the site could be developed to create an attractive office campus, either for a single major employer or for multiple occupiers. This showed that the site was capable of accommodating a development of around 11,739sqm, including the sensitive conversion of the existing house.
- 1.3.4 As set out in the Vision Document, the proposal was for an attractive office campus (or similar employment-generating development) in an established parkland setting, enabling the existing house to be restored and converted. This was a very different proposal to the more general, large-scale employment development opportunity on the adjacent site promoted by U+I, which has since secured planning permission and is proposed for allocation in Policy AL/RTW17.
- 1.3.5 The Council was very concerned at the time at the significant loss of good quality office accommodation from Tunbridge Wells town centre because of the newly introduced office-to-residential permitted development rights. The Colebrooke House proposal would allow major employer(s) to set up a new office campus in a location which would be attractive to the market.
- 1.3.6 The site was submitted in the 2016 Call for Sites, and further representations were made at the Regulation 18 and 19 stages. Ecology, heritage and landscape studies were all undertaken which demonstrated that there were no impediments to development.
- 1.3.7 The site was proposed for allocation for 10,000sqm of employment development under Policy AL/RTW 13 of the Regulation 18 Local Plan. However, at that time the Council proposed to retain the site within the Green Belt, with the draft policy encouraging any future application to demonstrate very special circumstances. Axiom objected to its retention within the Green Belt noting that doing so when allocating it for development was unjustified, and would create uncertainty and hinder investment. It also went against the advice set out in the Council's own Green Belt studies (discussed further in section 2).
- 1.3.8 By the time the Regulation 19 Local Plan was published in 2021, Covid had created significant uncertainty in the office market, and planning permission had been granted for the adjacent U+I scheme at Longfield Road (AL/RTW17). It is understood that these were factors which led the Council to decide that rather than being specifically allocated at this time, the site should be removed from the Green Belt and designated as "safeguarded land" for future employment development.

1.4 Current position

- 1.4.1 Whilst the office market has been challenging over the last couple of years, Axiom continues to believe that the site's unique circumstances continue to make it an appropriate site for a business park in future.

- 1.4.2 Notwithstanding this, the site would also lend itself to other employment-generating uses, including the originally intended hotel and leisure uses.
- 1.4.3 Indeed, whilst the hotel market has also been difficult during Covid, Axiom has very recently been approached by two separate organisations expressing a strong interest in developing the site for hotel purposes. Whilst this has come too late to be included in previous Local Plan representations, and the proposals are at an early stage of being considered further, this serious interest does demonstrate the potential of the site to be developed for employment-generating purposes which would benefit the local economy.
- 1.4.4 Whilst the revived hotel interest is recent, this is consistent with our Reg.19 representation which noted at paragraph 1.5.44 that it is conceivable that the campus nature of the site could also be attractive to other forms of employment-generating uses, and therefore that we supported the flexibility to the employment uses associated with the safeguarding.

2 Matter 10: Employment, Economic Development and Infrastructure

2.1 Introduction

- 2.1.1 As noted above, the Inspector has not set out in the MIQs any questions directly relating to Colebrooke House, other than Q8 of Matter 3 Issue 2 which simply asked whether the Plan has identified areas of safeguarded land.
- 2.1.2 TWBC confirmed in its Statement that it considers the site has the potential to form the basis of a sensitive employment scheme which could be brought forward as part of a future Local Plan Review.
- 2.1.3 The Inspector indicated at the Matter 3 Hearing Session that he had concerns about the removal of the site from the Green Belt and wished to consider that matter further at the Matter 10 Hearing Session.
- 2.1.4 In our view, this is best discussed either in relation to Matter 10 Issue 1 Q4 (*Does the Plan help to create the conditions in which businesses can invest, expand and adapt as required by paragraph 81 of the Framework?*), or as an adjunct to the discussions on the neighbouring site AL/RTW17, or as a separate new item.

2.2 Issues 1-2: Key Employment Areas and Employment Site Allocations

The principle of safeguarding land at Colebrooke House for employment development

- 2.2.1 Whilst an allocation would always have been preferred, as set out in our Reg 19 representations, the Council's proposal to safeguard the land for future development is appropriate.
- 2.2.2 The SHELAA assessment noted that the site is located in a ward which has one of the highest levels of unemployment in the borough, is suitable for economic development uses and would act as a natural extension to support economic growth. It is considered to be a valuable opportunity for employment uses in the longer term.¹

Landscape effects

- 2.2.3 The **only reason** stated in the SHELAA for not allocating the site at the time was because the Local Plan already plans positively in employment land terms by providing over the minimum requirement in order to provide a range and choice of sites and premises.
- 2.2.4 Whilst the Council's Matter 3 Issue 2 statement also suggests that there are also landscape constraints,² and it is accepted that the site lies within the High Weald

¹ Core Document 3.77n Site 101

² TWLP/015 Paragraph 132

AONB, the Council's own evidence base confirms that the site is **"extremely well contained from its surroundings, with only boundary trees and fencing visible from publicly accessible viewpoints"** and that **"the enclosure of the site means that with the exception of the boundary woodland, the site has a limited contribution to the character and appearance of the wider landscape."**³

2.2.5 Indeed, the Council's landscape assessment concluded that:

*"With a positive and landscape-led approach to design, there is the opportunity to improve the management of features within the site, create new habitats and provide an attractive new campus style business park. This would allow a new evolution of the site as the proximity to the A21 means that its current use may be unsustainable in the long term. There are opportunities to benefit the local community through the development of the business park."*⁴

Providing a choice of sites

- 2.2.6 NPPF paragraph 82d requires planning policies *"to be flexible enough to accommodate needs not anticipated in the plan... and to enable a rapid response to changes in economic circumstances."*
- 2.2.7 Whilst residential developers and future occupiers benefit from a wide range of sites and locations, commercial developers and occupiers are often constrained to a much more limited range. If one or more large sites do not come forward as expected, or if allocated sites do not meet the commercial needs of potential occupiers (and indeed existing companies looking to expand locally), they can often find themselves without suitable options. As a result, they can either miss the opportunity to grow, by staying where they are, or they choose to relocate further afield. Rarely will they compromise by investing significant sums of money in sites which do not meet their needs.
- 2.2.8 This is recognised in the Council's Economic Development Strategy, which concludes amongst other things that a shortage of sites is a major constraint for local businesses and is a barrier to inward investment.
- 2.2.9 Whilst the permission and allocation at AL/RTW17 will, if developed as planned, provide opportunities for companies to invest and grow, the Council should not rely on a single site – indeed, NPPF paragraph 83 encourages variety in the scale and location of employment allocations.
- 2.2.10 Whilst it allows for office provision, AL/RTW17 is probably best suited to help meet the pressing need for manufacturing, storage and distribution uses. The opportunity at Colebrooke House (whether for a business park or a boutique hotel) would be very different in nature to that which would be provided at AL/RTW17.
- 2.2.11 For these reasons, we strongly support the Council's aim to provide a good choice of sites. Whilst an allocation in the current Local Plan would have been preferred, it is accepted that the very real opportunities for a business park at Colebrooke

³ Core Document 3.96b Site RTW13

⁴ Ibid.

House may be less immediate. However, as the last couple of years have taught us, circumstances can quickly change, and therefore the opportunity to enable development to come forward at Colebrooke House, in a properly planned way, should be left open and available in order for the Local Plan to be sufficiently flexible.

- 2.2.12 The Council are absolutely right to have ensured this flexibility by removing the site from the Green Belt to allow a future Plan review to accommodate employment-generating development at Colebrooke House as and when the right conditions arise.

The unique circumstances at Colebrooke House

- 2.2.13 As set out in greater detail in our Reg.19 representations, Colebrooke House is not an open green field on the edge of town – it is a self-contained, well-screened, partly previously-developed land parcel with a set of unique circumstances which make it suitable for the forms of development proposed. These include:

- Development would provide a secure future use for a non-designated heritage asset and its setting, which is attractive but in decline;
- Development would make best use of previously-developed land, in accordance with NPPF paragraph 85;
- The site enjoys its own, almost private access onto the A21, rather than via the busier Longfield Road junction;
- The site provides direct access to the Non-Motorised Route (NMR) between Pembury, Longfield Road and Tonbridge which was constructed as part of the A21 works to enhance pedestrian and cycle links locally. There is also a public right of way into the neighbouring AL/RTW17 site and the North Farm Industrial Estate beyond, which could be enhanced to provide a better link between the NMR and AL/RTW17;
- The site is barely visible from outside its boundaries. It is surrounded by well-established and mature trees which means that despite being adjacent to the busy A21, many people passing the site do not even realise that the existing house is there. The Landscape Study we submitted with our Regulation 18 representations confirms that if three storey buildings were developed on the site, these would not be visible from beyond the site boundaries.



The well-screened Colebrooke House site, which is completely invisible from the A21

Whether the site should be removed from the Green Belt

2.2.14 When taken in combination with the points noted above, the Council's evidence base strongly supports the case for removing Colebrooke House from the Green Belt as discussed further below.

Green Belt Study Conclusions

2.2.15 The table below summarises the conclusions of the Stages 2 and 3 Green Belt studies insofar as they relate to Colebrooke House and the neighbouring AL/RTW12 allocation, and the wider parcel considered at Stage 2 that both sites fall within.

Green Belt Purpose	Stage 2 Study (Wider parcel TW4) ⁵	Stage 3 Study (Colebrooke House)	Stage 3 Study (AL/RTW17) ⁶
Checking the unrestricted sprawl of large built up areas	Moderate	Relatively Strong	Relatively Strong
Preventing neighbouring towns merging into another	Weak/No contribution	Weak	Weak
Safeguarding the countryside from encroachment	Relatively Weak	Relatively Strong	Relatively Strong
Preserving the setting and special character of historic towns	Relatively Weak	Relatively Weak	Relatively Weak
Overall conclusion		Moderate	Moderate

⁵ Core Document 3.43b(v)

⁶ Listed as RTW12 in the Stage 3 report (Core Document 3.141)

- 2.2.16 It is not clear why the Stage 3 site specific assessments for both sites show a stronger purpose than for the Stage 2 wider parcel, and we disagree with those assessments. Nevertheless, it is clear that the Stage 3 assessment finds that Colebrooke House serves a similar purpose to the AL/RTW17 land.

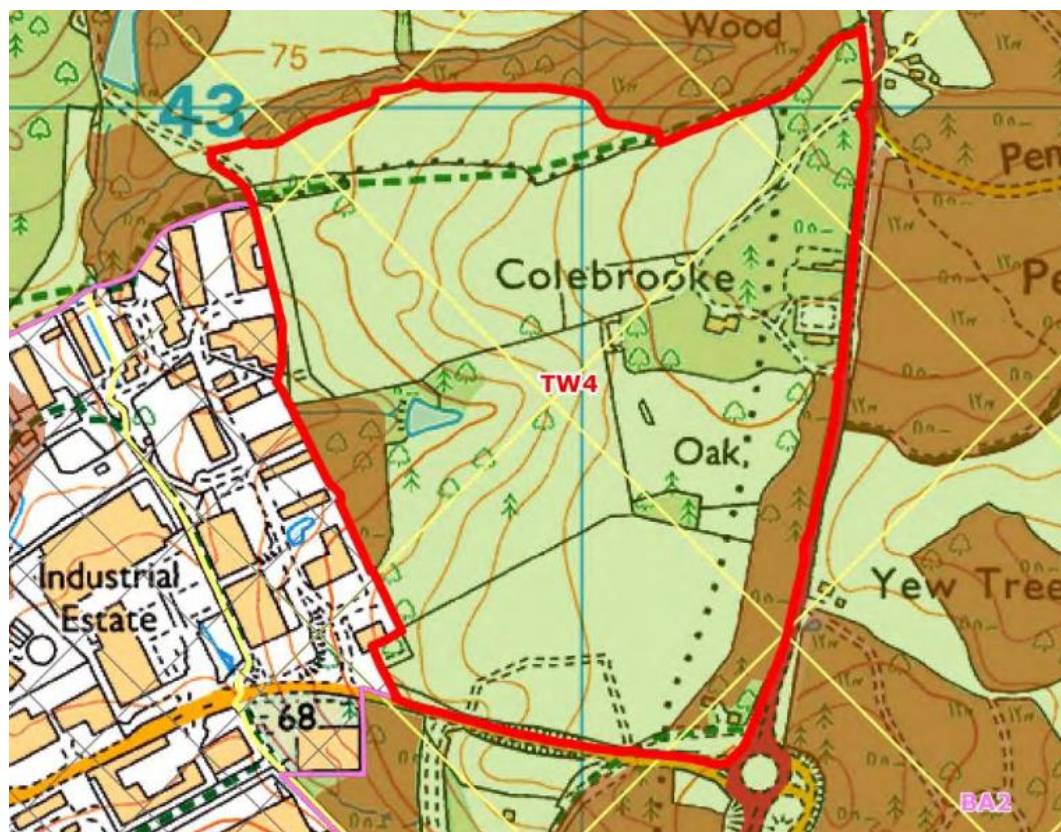


Figure 2.1: TW4 parcel considered at Green Belt Study Stage 2

NPPF Paragraph 143

- 2.2.17 NPPF paragraph 143 sets out considerations to be taken into account when reviewing Green Belt boundaries.
- 2.2.18 Paragraph 143(b) states that plans should not include land [within the Green Belt] which it is unnecessary to keep permanently open. For the reasons set out above, we consider that there is a realistic expectation of development taking place on this site in the foreseeable future, even if this follows a later plan review, and therefore it is not necessary to keep this site permanently open.
- 2.2.19 Paragraph 143(c) confirms that it is appropriate to safeguard land not allocated for development at the present time. This is the approach being correctly followed by the Council in the current circumstances.

2.2.20 Paragraph 143(e) states that authorities should be able to demonstrate that Green Belt boundaries should not need to be altered at the end of the plan period. Given the circumstances outlined above, the Council cannot do this. There is a realistic expectation that development will come forward on this site and if it is not released from the Green Belt now, there is a strong chance that the Green Belt boundary would need to be altered again next time, meaning this test is not passed.

2.2.21 Paragraph 143(f) requires Green Belt boundaries to be defined clearly, using physical features that are readily recognised and are likely to be permanent. The Council's Stage 3 Green Belt Study suggested that the whole of AL/RTW17 (to use the current numbering) and Colebrooke House, and the land between could all be removed from the Green Belt. It stated:

"Whilst AL/RTW12 [now AL/RTW17] will extend the urban area further east, the A228 and A21 and will form strong Green Belt boundaries to the south and east respectively. These strong boundary features will limit any potential impact on adjacent Green Belt land to the south and east."

Core Document 3.141 paragraph 4.12

2.2.22 It went on to say:

"Land to the east of AL/RTW12 [now AL/RTW17], outside of the neighbouring allocation AL/RTW13 [Colebrooke House], makes only a minimally stronger contribution to the Green Belt purposes, being likewise contained by the A21 and having no boundary features to create separation from the allocation. Any impact on this land will not therefore increase overall harm."

Core Document 3.141 paragraph 4.14

2.2.23 It is clear then that the Stage 3 study found that the A21 would make a stronger, permanent boundary and that an area of land similar to that shown in Figure 2.2 (provided by us within our Reg.18 representations) should be removed from the Green Belt.



Figure 2.2: Green Belt boundary (hatched yellow) as proposed by Axiom at Reg 18 stage

NPPF paragraph 142

- 2.2.24 This states that priority should be given to releasing sites which are previously developed. As discussed, part of the Colebrooke House site is previously developed land.
- 2.2.25 Paragraph 142 also states that the impact of removing land from the Green Belt should be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.
- 2.2.26 Paragraph 4.18 of the Stage 3 Green Belt Study recognises that such mitigation could include locally characteristic hedgerow and woodland planting on the site boundaries to help strengthen the new Green Belt boundary. There would also be the potential to strengthen cycle and pedestrian links between the A21 NMR and AL/RTW17 through the Colebrooke House site as discussed at paragraph 2.2.13 above.

2.3 Conclusion

- 2.3.1 For all of the above reasons, it is considered there is a strong case to continue to exclude Colebrooke Park from the Green Belt to enable future employment-generating development as proposed in the submission Local Plan.