

Examination of the Tunbridge Wells  
Borough Local Plan

**Tunbridge Wells Borough Council**  
**Hearing Statement**

**Matter 3: The Strategy for Tudeley  
Village**  
**Issue 5: Exceptional Circumstances**

**Document Reference: TWLP/127**



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# Matter 3 – The Strategy for Tudeley Village

## Issue 5 – Exceptional Circumstances

### Inspector’s Question 1: [re. Exceptional Circumstances]

**Do the exceptional circumstances exist to alter the Green Belt boundary in this location, having regard to paragraphs 140 – 143 of the Framework?**

### **TWBC response to Question 1**

#### **Introduction**

1. The National Planning Policy Framework (NPPF Sept 2023) paragraphs 140 -142 set out that Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development through a variety of means, including ultimately the promotion of sustainable patterns of development, the use of previously developed land in the Green Belt and the use of improvements to offset any loss. The NPPF paragraph 143 sets out six criteria to be considered in defining green belt boundaries.
2. The Initial Findings letters states that ‘When considering the level of acknowledged harm to the Green Belt that would occur, combined with the significance of the issues raised, I find that exceptional circumstances have not been demonstrated to justify removing the site from the Green Belt’ (Paragraph 37)

#### **Consideration**

3. The Submission Local Plan (SLP) [[CD 3.128 table 7](#)] sets where the Green Belt boundary will be changed for development purposes, which is supported by the Development Strategy Topic Paper [[CD 3.126](#) Section I 6.172 onwards].

4. The response to the Stage 2 Hearings Matter 4 Issue 1 Q7 [\[TWLP\\_018\]](#) states ‘The need to review Green Belt boundaries stems principally from the identified scale of housing need for the borough, together with the existing pattern of development and the designation of a substantial area (69%) of the borough as an Area of Outstanding Natural Beauty (as well as a significant part of the borough being in the Green Belt).’
5. Insofar as it relates to the general approach to growth in the SLP the Council considered that there is a strong justification to meet development need by changing the boundaries of the Green Belt where it meets the exceptional circumstances tests.
6. The Development Strategy Topic Paper Addendum [\[PS\\_054\]](#) sets out that ‘the Inspector does not say that he has considered all the matters and finds the proposal for a new settlement at Tudeley Village unacceptable in planning terms. Rather, he identifies a number of areas where he is not satisfied that the evidence provided is sufficient to justify the proposal in the context of the needs for “exceptional circumstances” for development in the Green Belt, especially given that the development is assessed as resulting in ‘High’ harm to it. Furthermore the topic paper addendum goes into detail as to how the Council has sought to resolve matters of concern raised in the Initial Findings.
7. In regard to site allocation STR/SS 3 the Strategy for Tudeley Village implications of alternative strategies have been considered, particularly in regard to the implications on housing supply. From a housing land supply perspective, it is considered that the plan is capable of adoption without the Tudeley Village allocation in it subject to the condition that the plan is subject of an early review, and subject to the Main Modifications that have so far been identified.

## Conclusion

8. It is noted, firstly, that the Inspector has not concluded that the proposal for a new settlement at Tudeley Village is inevitably unsound; rather, the submitted Local Plan is not sound due to a number of uncertainties that mean that the exceptional circumstances test is not met.
9. Ultimately after careful consideration it is considered that some matters raised in the Initial Findings cannot at this stage be resolved satisfactorily in a timely manner to meet the exceptional circumstances as required by paragraphs 140 – 143 of the NPPF.

## Inspector's Question 2: [re. Main Modifications]

**Are the Council's suggested Main Modifications necessary to make the submitted Plan sound?**

### **TWBC response to Question 2**

#### **Introduction**

10. The Development Strategy Topic Paper Addendum [\[PS\\_054\]](#) provides the Council's review of the Initial Findings [\[ID\\_012\]](#) and how it has sought to resolve the matters of principal that have been raised. It sets out in the Appendices a number of proposed modifications to the Submission Local Plan that the Council considers are necessary to make the Plan sound. The Council has also published a Summary of Proposed Modifications to the Development Strategy, following Inspector's Initial Findings Letter [\[PS\\_063\]](#).

#### **Consideration**

11. Development Strategy Topic Paper Addendum sets out the issues raised which are unlikely to be able to be overcome without significant additional work being undertaken that would require a pause of the Examination in Public resulting in a significant delay to its adoption, or its withdrawal entirely.
12. The ambition of the Council from the outset has been for the Plan to meet the full Objectively Assessed Need by a preparing a thorough and detailed set of evidence to support its Submission Local Plan.
13. The NPPF requires that planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability, and that policies should identify a) specific, deliverable sites for years one to five of the plan period, and b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan. In its response to Matter 8 Issue 2 'Five year Housing Land Supply' the Council sets out how the Plan will meet the five year requirement by specific site identification and allocation, and in its response to Matter 8 Issue 1 'Housing Requirements and Meeting Housing Needs' Question 4, how the Plan identifies specific developable sites for years 6 - 10.

14. In its response to Matter 3 Issue 3 Question 3 'Proposed Strategy for an Early Review', the Council explains its justification for an early review. The Council's response to Matter 3 Issue 4 Meeting 'Future Housing Needs' the Council has accepted that it is inevitable that as part of the Local Plan review the Council will need to evaluate the area of Tudeley further as an option to form part of its growth strategy in the future, alongside any other reasonable alternatives as they come forward through the local plan review process.
15. Nevertheless, in the published Summary of Proposed Modifications to the Development Strategy the Council has sought to identify the necessary Main Modifications to the Plan in order to make it sound, including the removal of the Tudeley Village site allocation STR/SS 3.

## Conclusion

16. Consequently, the proposed changes set out in the Development Strategy Topic Paper Addendum, and the Summary of Proposed Modifications to the Development Strategy are considered necessary to make the Submission Local Plan sound.