

Paddock Wood Town Council

Matter 4 – Principle of Green Belt Release (Policy STR1, STR3, STR9 and STR10)

ISSUE 1 – Principle of Green Belt Release

Q1. Table 6 in the submission version Local Plan lists proposed changes to the Green Belt boundary. Are these all the boundary changes that would result from the adoption of the Plan?

PWTC Response:

1. No Comment.

Q2. What proportion of new housing proposed in the Plan would be on land currently designated as Green Belt?

PWTC Response:

2. No Comment.

Q3. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, paragraph 141 of the Framework states that strategic policy-making authorities should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for housing. This will be assessed through the examination and will consider whether the strategy:

- **Makes as much use as possible of suitable brownfield sites and underutilised land;**
- **Optimises the density of development, and**
- **Has been informed by discussions with neighbouring authorities about whether they can accommodate some of the identified need.**

How has the preparation of the Plan sought to make as much use as possible of suitable brownfield sites and optimise the density of development?

PWTC Response:

3. In order to answer these questions, the Council should have prepared a Green Belt Topic Paper so that it is clear to all how it has arrived at its conclusion of having exceptional circumstances. The unfortunately has not been prepared by the Council so one has to attempt to piece this information together by reviewing the

Development Strategy Topic Paper, Brownfield and Urban Land Topic Paper and the SHELAA. We have not had sufficient time to fully undertake this exercise however are obviously concerned about whether TWBC has prepared the evidence to determine that it has made as much use as possible of suitable brownfield sites and underutilised land and that it has optimised the density of development. This process and evidence are clearly critical to demonstrating exceptional circumstances in relation to Green Belt and also to the Sequential Test in relation to flood risk.

4. As we have set out in our Regulation 19 representations, we consider that TWBC's brownfield land potential has not been fully explored or evidenced. The brownfield land it includes for development in the Local Plan is mainly in Tunbridge Wells and this settlement along with the rest of the borough needs much further investigation for development opportunities including the opportunity for releasing more of its employment land for housing, particularly given that the Council is proposing to allocate nearly double the amount of employment land compared to the economic needs projections (with this economic evidence being based on unsound evidence as we set out in our response to Matter 2).
5. We also set out in our Regulation 19 representations that TWBC has not prepared evidence looking to optimise density on development sites with any rigor. For instance there are only 30 dwellings identified within Paddock Wood Town Centre despite it being well served by public transport. There are likely many other opportunities to increase development and densities in centres across the borough.
6. In our attempt to understand what the Council had done to make as much use of brownfield land and to optimise the density of development we did come across the following explanations that led to more questions than answers or evidence.
 - The Development Strategy Topic Paper¹ states that in response, and also in recognition of further initiatives by Government to make effective use of brownfield sites a comprehensive review has been undertaken to inform the Pre-Submission Local Plan.
 - According to the Council this work also reviewed whether site capacities were reflecting their context, including but not only existing built form but the potential for higher densities reflective of the location, to optimise the density of development². The Council then directs the reader to the outcome of this site capacity work in the 'Brownfield and Urban Land Topic Paper'. However, when one attempts to review this capacity work that supposedly looks to optimise the density of development it does not

¹ CD 3.126 Paragraph 6.48

² CD 3.126 Paragraph 6.49

appear, as far as we can see, in the 'Brownfield and Urban Land Topic Paper' which simply states that:

- *A review of brownfield sites now proposed for allocation shows that high densities are being proposed on all but two sites (on Land at Benenden Hospital.) While these sites have a relatively low density, this reflects the constraints and location of the site. There are regarded as appropriate densities in line with paragraph 122 of the NPPF.³*
- *The other proposed brownfield site allocations are achieving densities well above 30 dwellings per hectare with particularly high densities on sites in Royal Tunbridge Wells, showing the Pre-Submission Local Plan will seek to optimise the use of sites in the town centre and other accessible locations.⁴*

This clearly does not evidence or demonstrate that the Council has sought to optimise its densities and appears to only focus on previously developed land rather than all of its sites.

Having checked the SHELAA⁵ it does not mention the word 'optimise' and in terms of densities it has the following to say in relation to what densities were assumed and applied:

"The calculation is based on the developable site area only and, for a potential housing site, a standard yield of 30 dwellings per hectare applied to calculate a dwelling capacity for each site. If there is any departure from this approach, this is set out on the individual assessment sheet. It is recognised that for some sites, when considered in more detail, a higher or lower density may be appropriate to reflect the context of the site. The NPPF requires that LPAs set out their own approach to housing density to reflect local circumstances whilst also seeking to achieve more efficient use of land. A more refined density calculation has been used at a later stage in plan making to inform site allocation policies. This will take full account of the context of each site and its opportunities and constraints, such as location, surrounding character and environment."

It would appear that any departure from the standard yield of 30 dwellings per hectare is set out in the individual assessment sheet. It would be helpful for the Council to provide this information in a summary form so that the reader can understand what the departures were, for which sites and the justification.

³ CD 3.83 Paragraph 6.24

⁴ CD 3.83 Paragraph 6.25

⁵ CD 3.77 Paragraph 3.38

It is unclear from the SHELAA whether it applies a more refined density calculation “at a later stage in plan making” or was this done through some other process?

7. We note that Local Plan does not address the issue of ‘Exceptional Circumstances’ and instead refers the reader to the Development Strategy Topic Paper. It is not effective or appropriate for the Local Plan to simply conclude in its supporting text (see Paragraph 4.126 of the Local Plan) that the Council considers that it has exceptional circumstances and not even outline what the exceptional circumstances are in the Local Plan.
8. The exceptional circumstances that led to the Council’s conclusion that it can release land from the Green Belt should be detailed in Policy STR9 (Green Belt).

Q4. Can housing needs be met by optimising the use of previously developed land and buildings without requiring land to be released from the Green Belt?

PWTC Response:

9. Please see our response to Question 3 above.

Q5. Not all of Tunbridge Wells is within the Green Belt. Could the need for new housing and employment therefore be met by developing beyond the existing Green Belt boundary? If not, why not?

PWTC Response:

10. Please see our response to Question 3 above.

Q6. When drawing up or reviewing Green Belt boundaries, paragraph 142 of the Framework states that the need to promote sustainable patterns of development should be taken into account. How and where has the Council taken this into account?

PWTC Response:

11. No Comment.

Q7. Having decided to review the Green Belt boundary, how did the Council determine, at a strategic level, where alterations should be made in order to meet housing and employment needs?

PWTC Response:

12. No Comment.

ISSUE 2 – Green Belt Review Methodology

Q1. The *Green Belt Study Stage 1* identified 33 parcels and 10 broad areas for assessment at Stage 2. How were these areas defined and what were the boundaries based on?

PWTC Response:

13. No Comment.

Q2. The *Green Belt Study Stage 2* provides a more detailed and focused review of land parcels, assessed against the purposes of including land within the Green Belt in paragraph 138 of the Framework. How did the Council take the findings into account and use the evidence in the preparation of the Plan?

PWTC Response:

14. No Comment.

Q3. What was the purpose of the *Green Belt Study Stage 3*? Did it build upon the findings of the earlier studies, or, assess proposed site allocations?

PWTC Response:

15. No Comment.

Q4. Where the release of land from the Green Belt was found to have either high or very high levels of harm, how was this taken into account in the site selection process?

PWTC Response:

16. No Comment.

Q5. How was the potential for mitigation considered in the Green Belt studies? Was this considered on a consistent basis for all sites?

PWTC Response:

17. No Comment.

Q6. Paragraph 144 of the Framework states that if it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt.

Has the Council carried out an assessment of existing settlements 'washed-over' by the Green Belt? Are any changes proposed and/or necessary?

PWTC Response:

18. No Comment.

ISSUE 3 – Exceptional Circumstances

Q1. At a strategic level, do exceptional circumstances exist to alter the Green Belt boundary, having particular regard to paragraphs 140 – 143 of the Framework? If not, how could housing and employment needs be met in other ways?

PWTC Response:

19. Please see our responses above.

Q2. What is the justification for the new area of Green Belt proposed to the southwest of Paddock Wood? Do the exceptional circumstances exist necessary to justify this alteration to the Green Belt boundary?

PWTC Response:

20. PWTC is totally unaware of any proposals for a new area of Green Belt to replace the area that is being released. Whilst PWTC welcome any additional areas to prevent coalescence of settlements we cannot see that an area to the South West will substitute for this purpose the area that currently prevents the coalescence of the settlements of Five Oak Green and Paddock Wood. PWTC are puzzled by any decision to introduce an area of Green Belt to the southwest when that area already has the protection of being within the High Weald AONB. PWTC would also draw the Inspector's attention to the location of the Foal Hurst Wood Local nature Reserve to the South West of the town and would strongly object to any alteration in the status of that or of the adjacent land at Brick Kiln Wood which is currently protected in agreement with Berkley Homes who have developed a site adjacent to it.

21. We are unclear from the Policies Map and other maps included within the Local Plan such as Map 27 and Map 28 which new area of 'new' Green Belt is being referred to.

22. The Council's argument for why it considers exceptional circumstances exist to release Green Belt land at Capel and Paddock Wood the Council states the following in the Development Strategy Topic Paper⁶ however we could not locate where it states the case for a new area of Green Belt being proposed to the southwest of Paddock Wood. We clearly have comments to make on the Council's text below however understand that the Inspector is likely to want to cover that under a separate Matter.

⁶ CD 3.64 Paragraph 6.186

“In terms of these two sites themselves, there are additional site and development specific circumstances, which are considered to contribute to exceptional circumstances:

- *For land at Capel and Paddock Wood:*
 - *the land proposed to be released from the Green Belt here is part of a wider release of non-Green Belt land to deliver development in a sustainable location, around an existing settlement, with the potential to rejuvenate and revitalise the town centre: approximately 48% of the total area of land included for the comprehensive urban extension is currently designated as Green Belt;*
 - *through the comprehensive development of this site, and particularly the land to the west of Paddock Wood (i.e. that which would be released from the Green Belt), it has been identified through the Strategic Flood Risk Assessment that there is the potential for the flood mitigation required in association with this development to deliver “betterment” through reduced flood risk to existing areas of Paddock Wood and its surrounds. This requirement is specifically included in the policy, and is considered to make a significant contribution to the exceptional circumstances for the release of this land from the Green Belt;*
 - *Expansion of the town offers opportunities both within the new development and existing development to increase the use of alternative modes of transport (to cars) for local journeys, improve Green Infrastructure and taken together with land at Tudeley there are opportunities to provide significant new highway infrastructure and localised highways improvements”.*