

Examination of the Tunbridge Wells Borough Local Plan

Tunbridge Wells Borough Council Hearing Statement

Matter 10: Employment, Economic Development and Infrastructure (Policies STR5, ED1, ED2, ED3, ED4, ED5, ED6, ED7, ED8 and ED12) Issue 1: Key Employment Areas

Document Reference: TWLP/053



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Matter 10 – Employment, Economic Development and Infrastructure (Policies STR5, ED1, ED2, ED3, ED4, ED5, ED6, ED7, ED8, and ED12)

Issue 1 – Key Employment Areas

Inspector’s Question 1: [how are KEAs defined and are they based on up-to-date-evidence?]

What are the Key Employment Sites, how have they been defined and is their inclusion in the Plan justified by appropriate, up-to-date evidence?

TWBC response to Question 1

What are the Key Employment Sites?

1. On the assumption that this question relates to Key Employment Areas (not Key Employment Sites as stated), the Key Employment Areas (KEAs) are long established existing areas of employment and economic activity within the borough in well located sustainable locations with accessibility to the main highway/railway network. As set out in the Economic Development Topic Paper March 2021 (page 20 of [CD 3.84](#)), the identification of Key Employment Areas is a well-established policy approach to support and protect these main clusters of economic activity. They were originally defined within the Tunbridge Wells Core Strategy 2010 [[CD 3.118](#)] and prior to that as ‘Economic Development Areas’ within the Tunbridge Wells Local Plan 2006 (see Chapter 7 of [CD 3.120](#)).
2. Paragraph 10.27 on page 157 of the Economic Needs Study [[CD 3.87](#)] considers that the existing KEAs are well located and operating well and recommends that these areas are where future expanded provision should be directed. The Key Employment Areas are defined spatially within the Submission Local Plan as follows:
 - 1) Royal Tunbridge Wells Town Centre [[CD 3.129c\(v\)](#) [Inset Map 2](#)]:

- 2) Royal Tunbridge Wells/North Farm/Longfield Road area [[CD 3.129c\(ii\) Inset Map 1b](#)];
 - 3) Southborough High Brooms Industrial Area [[CD 3.129c\(ii\) Inset Map 1b](#)];
 - 4) Paddock Wood Eldon Way and Land West of Maidstone Road [[CD 3.129d\(i\) Inset Map 4](#)];
 - 5) Paddock Wood Transfesa Road East and West [[CD 3.129d\(i\) Inset Map 4](#)];
 - 6) Hawkurst Station Business Park at Gill's Green [[CD 3.129g\(ii\) Inset Map 16](#)];
 - 7) Capel Brook Farm [[CD 3.129e\(iii\) Inset Map 9](#)] .
3. The mix of uses appropriate within these areas is set out in Policy ED1: The Key Employment Areas on page 431 of the Submission Local Plan (SLP) [[CD 3.128](#)] and defined spatially on the Policies Maps listed above. Whilst this policy seeks the encouragement/retention of the more traditional 'B Class' employment uses within these areas, it also recognises that there is a mix of uses which make up these areas and contribute to employment and economic growth. This is particularly the case for the Longfield Road/North Farm and Southborough/High Brooms Key Employment Areas which provide a mix of uses, including retail (primarily bulky goods retailing) and leisure and other complementary uses.
4. Where allocations are proposed as extensions to the Key Employment Areas, the extent of the KEA has been re-drawn to reflect this, such as the KEA at the Hawkurst Station Business Park, Gill's Green in Hawkurst (see link to Inset Map 16 at number 6 in the list above, criterion 7 of Strategic Policy STR/HA1 on pages 201 and 202 of the SLP and proposed site allocation AL/HA7 on pages 213 to 215 of the SLP) and the KEA at Paddock Wood Transfesa Road East and West (see link and Inset Map 4 at number 5 in the list above and Strategic Policy STR/SS1 on pages 146 to 148 of the SLP) .

How are Key Employment Areas (KEAs) defined?

5. The KEAs are defined as areas, demarked with black lines and cross hatching on the interactive Policy Map [[CD 3.129t](#)], and where applicable, demarked as jagged/toothed

black lines on the Policy Inset Maps relating to the Submission Local Plan (see list of relevant maps and links above).

6. As referred to above, the KEA's have been defined, based on the previously defined spatial area as defined within the Core Strategy 2010 [CD 3.118], a reconsideration of these areas through the relevant evidence base, primarily the Economic Needs Study 2016 [CD 3.25] and also through monitoring of these areas by officers of the Council. They are defined by areas where there are a cluster of employment uses – primarily those traditional employment uses, but also a wider employment mix, taking into account the changes in the Use Classes order - Class E Commercial as well as appropriate leisure uses. This is reflected within Table 12 of Policy ED 1 – Key Employment Areas.

Is the inclusion of KEAs in the Plan justified by up-to-date evidence?

7. As referred to in the response to Questions 1 and 4 under Matter 2, Issue 3 (document reference TWLP/013), the Council's Economic Needs Study (ENS) [CD 3.87] was produced in 2016, following the detailed guidance and methodology as advocated within the PPG. It is considered that the Study is still robust in its assessment and findings (as set out in the response to Question 4 under Matter 2, Issue 3 (document reference TWLP/013), in that:
 - the industrial structure of the borough remains essentially the same;
 - the borough's relationship with surrounding areas and wider economic geographies and relationships remains the same;
 - key infrastructure is much the same as it was in 2016 following the improvements around the A21 at Royal Tunbridge Wells and the improvements around the Longfield/North Farm area.
8. In accordance with advice in the PPG, Section 9 of the ENS conducts a site assessment of existing key employment sites (see paragraph 9.23 of the ENS [CD 3.87]), existing employment allocations, and potential new sites. This includes the adequacy of the existing employment sites, the suitability of these and any other allocated employment land yet to be developed, and the identification of any potential new employment sites/locations to meet the future employment land needs. This

considers a range of sites and locations across the borough, including the existing Key Employment Areas, as defined within the Core Strategy, Site Allocations Local Plan and further defined within the Submission Local Plan.

9. As also highlighted in the response to Question 1 under Matter 2, Issue 3 (document reference [TWLP/013](#)), in response to changes in economic factors and circumstances, as well as a change to the Local Plan period, further work has been carried out by the Council in order to bring the ENS [[CD 3.87](#)] up to date and further forecast employment land needs for the Local Plan period to 2038. The scope of the further work is summarised in the response to Question 1 under Matter 2, Issue 3 (document reference TWLP/013), with key updates set out in the Economic Development Topic Paper [[CD 3.84](#)] March 2021, at paragraphs 4.7 to 4.15.
10. The KEAs have been assessed on a site-by-site basis in reviewing the Local Plan, primarily based on the evidence and advice set out in the ENS 2016, and in accordance with any relevant updates to it as set out above. Looking at each Key Employment Area in turn, their inclusion in the Submission Local Plan is considered to be justified by up-to-date evidence as follows:
 - 1) Royal Tunbridge Wells Town Centre
11. In recognition of its important role in providing a range of commercial uses and stimulating employment growth, particularly in relation to the office market and the service sector, Royal Tunbridge Wells Town Centre is designated as a KEA.
12. As set out in the response to Question 4 under Matter 2, Issue 3 ([TWLP/013](#)), in addition to the recognition of this KEA in its contribution to a wide range of employment generating uses in the ENS (see paragraph 9.54, page 147 of [CD 3.87](#)), a number of other evidence base documents deal with wider employment issues and uses, in particular the Tunbridge Wells Retail, Commercial Leisure and Town Centre Uses Study – February 2021 [[CD 3.86](#)], which incorporates an update to the previous Retail and Leisure Study 2017 [[CD 3.86a](#)] and Town Centre Office Market Review: Tunbridge Wells, 2018 [[CD 3.89](#)]. The 2021 study includes an ‘Office Market Review’ by local commercial agent, Durlings, and includes an assessment of the Royal Tunbridge Wells Town Centre office market – including the current position on the available space within the town centre, losses, gains and take up trends, as well as

consideration of supply in the wider area. The wider study also considers the changes to the Use Classes Order, in particular with regard to Commercial Use Class E. This updated work has informed the strategy set out in the Local Plan and in particular the strategy for Royal Tunbridge Wells Town Centre, which will be taken forward within the Royal Tunbridge Wells Town Centre Plan in accordance with Policy STR/RTW 2: The Strategy for Royal Tunbridge Wells Town Centre (see pages 78 to 82 of [CD 3.128](#)).

2) Royal Tunbridge Wells/North Farm/Longfield Road area

13. The ENS at paragraph 9.46 (see page 146 of [CD 3.87](#)), advises that the North Farm/Longfield KEA is a good employment area, and if expansion is possible, then strong demand is expected from all employment sectors across Classes B1 (now Class E), B2 and B8.
14. As set out in paragraphs 4.23 and 4.24 of the Economic Development Topic Paper (see page 21 of [CD 3.84](#)), proposed SLP site allocation AL/RTW 17: Land at Longfield Road, Royal Tunbridge Wells (see pages 115 to 117 of [CD 3.128](#)) is located to the immediate east of this KEA, and is allocated for the creation of a modern business park to provide approximately 80,000sqm (net) of employment floorspace, Class E, B2, and B8. The proposed allocation is an extension of the KEA in this location, and it is considered that it would bring about significant economic benefits to the borough and the wider local economy of west Kent.
15. The proposed site allocation has also been the subject of robust assessment in relation to its allocation and additionally, in respect of a planning application (under planning application 19/02267/OUT) submitted for the site. Outline planning permission for the development of up to 74,000 sqm employment floorspace for Use Classes E, B2 and B8 was granted in March 2021.

3) Southborough High Brooms Industrial Area

16. The ENS at paragraph 9.31 (see page 144 of [CD 3.87](#)), advises that this KEA is a good employment area. However, the opportunity for expansion is limited owing to the close proximity of existing residential properties surrounding the majority of the employment estate.

17. Therefore, no expansion of this KEA is proposed in the SLP, but it is noted that the majority of existing businesses/commercial units, which include a range of Class E uses, continue to thrive in this area and therefore its designated status as a KEA remains in the SLP.
- 4) Paddock Wood Eldon Way and Land West of Maidstone Road and
- 5) Paddock Wood Transfesa Road East and West
18. The ENS (see pages 146 and 147 of [CD 3.87](#)) confirms that further development as expansions of the KEAs in Paddock Wood would be appropriate to support expansion in this area and the growing population of the town of Paddock Wood and the wider area. The KEAs are recognised to have a strong employment location supporting a range of industries, offering scope for future expansion with good access to the existing road network. The SLP takes this recommendation forward and includes significant new land for a mix of employment uses on sites to the north and south of Lucks Lane and to the east of Transfesa Road as extensions of the existing Key Employment Area.
19. This proposal is set out under proposed Strategic Policy STR/SS1 of the SLP (pages 138 to 151 of [CD 3.128](#)),. Criterion 2(g) states:
- “The development strategy for Paddock Wood and east Capel is to:*
- 2. Provide for the expansion of Paddock Wood and east Capel, which will deliver the following, on the broad locations as identified at Map 28:*
- ...g. significant new land for a mix of employment uses on sites to the north and south of Lucks Lane, and to the east of Transfesa Road. These are Key Employment Areas and regard should be had to Policy ED 1. The new employment areas should include walkable links from the new neighbourhoods,”*
20. It is also noted that a small area to the north of the railway line is to be removed as a KEA in the SLP, as shown on the Policies Map [[CD 3.59d\(i\)](#)]. The reason for this is set out in paragraph 5.187; in summary to allow for the market to bring forward residential led mixed use schemes immediately to the north of the railway line over the Plan period, in response to the changing nature of the area as proposed through the

transformational expansion of Paddock Wood under Policy STR/SS1. Despite this small removal, the KEA in overall terms will be expanded.

21. The Council's response to Question 7, Matter 10 Issue 2 provides more detail on the justification for an extended KEA in this area.

6) Hawkhurst Station Business Park at Gill's Green

22. The Key Employment Area at Hawkhurst Station Business Park, Gill's Green lies to the north of Hawkhurst on Cranbrook Road and serves this rural part of the borough.

23. The ENS at paragraph 9.37 (see page 145 of [CD 3.87](#)), advises that this is a good rural employment site with potential for expansion to the south to accommodate additional B2 and B8 uses.

24. This area has been popular for businesses to locate and expand and therefore an area of undeveloped land is identified and allocated under Policy AL/HA7 (see pages 213 to 215 of [CD 3.128](#)) to the south of and as an extension to the existing KEA for further employment generating uses within use classes E, B2 and B8.

25. As set out in the Limits to Built Development (LBD) Topic Paper [[CD 3.82](#)] at paragraph 3.1, page 14 and pages 34 and 35, the review of LBD boundaries has resulted in the proposed removal of the existing LBD at Gill's Green, as this is an employment/economic area rather than a settlement. However, as above, it is retained as a KEA to allow for the retention, expansion, and/or redevelopment of employment provision in this location.

7) Capel Brook Farm

26. The ENS at paragraph 9.33 (see page 144 of [CD 3.87](#)) advises that this is a good employment site. However, the sensitive landscape in this area is considered to be a constraint to further expansion beyond the confines of the current site boundary. It is also adjacent to the boundary with Tonbridge & Malling borough. Therefore, this KEA is proposed to be retained, but with no proposed expansion in the SLP.

27. As above and as set out in the Limits to Built Development (LBD) Topic Paper [[CD 3.82](#)] at paragraph 3.1, page 14 and pages 24 and 25, the review of LBD boundaries for the Pre-Submission Local Plan has resulted in the proposed removal of the existing

LBD at Brook Farm in Capel parish, as this is an employment/economic area rather than a settlement. However, it is retained as a KEA to allow for the retention, expansion, and/or redevelopment of employment provision in this location.

Summary

28. In summary, in reviewing the Local Plan, the KEAs have been assessed on a site-by-site basis, primarily based on the evidence and advice set out in the ENS 2016, and in accordance with any relevant updates to it as set out above. It is therefore considered that their inclusion in the SLP is justified by appropriate, up-to-date evidence.

Inspector's Question 2: [are the KEA boundaries accurately drawn?]

Are the boundaries of the Key Employment Sites accurately shown on the submission version policies maps?

TWBC response to Question 2

29. As set out in the response to Matter 1, Issue 4, Question 7 [[TWLP/004](#)], 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.

30. As referred to above under Question 1, the Key Employment Areas are demarked as jagged/toothed black lines (as shown in the Map Legend – link below) on the relevant following Policy Inset Maps relating to the Submission Local Plan:

[3.129a Inset Map Legend](#)

[3.129b Policies Map](#)

[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](#)

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

[3.129g\(ii\) Inset Map 16 - Gill's Green](#)

31. It is noted that part of the KEA boundaries shown for the Royal Tunbridge Wells/North Farm/Longfield Road and Hawkhurst Station Business Park, Gill's Green are hidden by other mapping layers of designation on the respective Inset Maps. However, the Council considers that this can be easily rectified when the maps are next updated following the Local Plan Examination.
32. The Council has also now produced an 'interactive' Policies Map to support the Local Plan in light of the forthcoming proposals by central Government to 'digitalise' planning. An 'interactive' Policies Map, in line with the digital agenda, has been prepared to help present a comprehensive policy coverage [[CD 3.153](#)], showing KEA boundaries demarked by black lines with cross hatching; as well as a detailed schedule showing where existing policies and policy maps are being retained, amended or deleted [see [CD 3.129u](#)].
33. The KEA boundaries 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 accurate.
34. In summary, both electronic and paper versions of the Policies Maps were published alongside the Pre-Submission and Submission Local Plans and given the high standard of digitisation used in producing the maps, it is considered that the KEA boundaries are accurate (though any hidden areas of two of the KEA boundaries mentioned above will need to be uncovered when the maps are next updated following the Local Plan Examination).

Inspector's Question 3: [provision for development proposals outside of KEAs]

In locations not identified as Key Employment Sites, how would a decision-maker react to a development proposal for the expansion of an existing premises, or the provision of new employment buildings?

TWBC response to Question 3

35. On the assumption that this question relates to Key Employment Areas (not Key Employment Sites as stated), as set out in the response to Question 9 under Matter 3, Issue 3 (Limits to Built Development) [TWLP/016], Strategic Policy STR1: the Development Strategy (see Section 4, page 35 of the Submission Local Plan [[CD 3.128](#)] and pages 7 and 8 of the Limits to Built Development Topic Paper [[CD 3.82](#)]) is the starting point and overarching policy which sets the overall approach to be taken to development within and outside the Limits to Built Development (LBD).

36. 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”.

37. 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.”

38. Proposals for the expansion of an existing employment premises or the provision of new employment buildings within the LBD will be primarily considered against Submission Local Plan [[CD 3.128](#)] Strategic Policy STR2: Place Shaping and Design (see Section 4, pages 45 and 46) and Development Management Policy EN1: Sustainable Design (see Section 6, pages 323 to 331). These policies set out the requirements for all new development both inside and outside the LBD in respect of design, character and site context; highway safety and access; water/flooding issues; landscape, trees, and amenity; biodiversity; and residential amenity. Each proposal would be assessed on its merits against the relevant criteria. As well as design

considerations, any such proposal would need to be assessed in relation to other factors such as the type of employment and its associated level of activity, noise, contamination and impact on amenity and its accessibility to the road network and sustainable transport. Other development policies as set out at paragraph 24 below may also be applicable, depending on the type of employment use, its size, location, context and site constraints.

39. There are also a number of other Economic Development Policies in the SLP which make provision for the expansion of existing or the development of new employment buildings outside the KEAs such as those relating to retail, office and leisure uses. These include:

- Policy ED8: Town, Rural Service and Neighbourhood Centres, and Village Settlements Hierarchy (pages 449 to 452 of the SLP) – This policy seeks to ensure the long-term vitality and viability of the centres across the borough, and states that the Council will apply a ‘town centre and allocated site first’ approach to proposals for retail, leisure, and other main town centre uses. Development should be appropriate to the size and function of the centre within which it is to be located. Table 13 (on pages 451 and 452) sets out the defined centres hierarchy. As set out under Question 1 above, part of Royal Tunbridge Wells (RTW) town centre is designated as a KEA. Policy ED8 would apply to areas outside the RTW KEA and other town, rural service, neighbourhood and village centres across the borough which are not located within a KEA.
- Policy ED9: Defined Town and Rural Service Centres (pages 452 to 454) – This Policy makes provision for a wide range of development proposals within such centres, stating that:

“planning permission will be granted for development of a range of appropriate uses where they contribute to the vitality and viability of the centre and/or respond to changing needs/trends over the life of the Local Plan. The Council will seek to enhance the established character and diversity of centre uses and may resist the over-concentration of particular uses that would be detrimental to the character and function of an area, or to the vitality or viability of the centre. Development proposals

within the defined centres should be of an appropriate scale in accordance with its functional position in the retail hierarchy as set out in Policy ED 8.”

- Policy ED10: Sequential Test and Local Impact Test (pages 454 to 457) – As set out at paragraph 6.525 (page 454), the NPPF defines the main town centre uses as retail, leisure and entertainment, offices, arts, culture, and tourism, with the town centre as the first choice of location for these uses. Applicants will be expected to have demonstrably followed a sequential approach when selecting development sites for town centre uses. The approach to how this sequential test will be applied is set out in the first part of the policy - Sequential Test. While the second part of the policy - Local Impact Test, sets out the criteria for applications for development above specified local thresholds outside of the town and rural service centres, and which should be accompanied by an impact assessment:
- Policy ED11: Primary Shopping Areas and Retail Frontages (pages 456 and 457) - As set out at paragraph 6.528 of this policy, the SLP designates Primary Shopping Areas and retail frontages in Royal Tunbridge Wells, Southborough, Paddock Wood, Cranbrook, and Hawkhurst, and makes clear the range of uses to be permitted in such locations as part of a positive and flexible strategy for the future of the key centres within the borough, in accordance with the NPPF. These areas are intended primarily for Class E Commercial uses which support the function of the town centre. This policy makes provision for and sets out the relevant criteria and approach which should be applied in the submission of any such proposal (see the policy wording on pages 456 and 457).

40. For proposals outside the LBD (and outside of KEAs), there are policies within the SLP [\[CD 3.128\]](#) which make specific provision for rural employment as follows:

- Policy ED4: Rural Diversification (pages 438 to 440): As set out at paragraph 6.468 on page 438, this policy recognises that a range of business enterprises can prosper in the rural areas that may be within an agricultural holding but not be linked directly to the agricultural element of a farm. Such rural diversification schemes could include businesses directly related to the agricultural use, such as dairy and food production enterprises, woodland related activities, or other non-related enterprises such as leisure and tourism related uses, or niche businesses

operating from redundant buildings. This policy makes provision for and sets out the relevant criteria which should be applied for development that forms part of a farm diversification scheme, or otherwise helps maintain the viability of rural businesses engaged in sustainable land management (see the policy wording at pages 439 and 440).

- Policy ED5: Conversion of Rural Buildings outside the Limits to Built Development (pages 440 to 445): Under this policy, for proposals which fall outside permitted development, and as set out at paragraph 6.480 (bullet point 1 on page 441), in order to support the objective of promoting a stronger rural economy, priority will be given to the change of use or conversion of rural buildings for business, recreation, and tourism uses. This policy makes provision for and sets out the relevant criteria which should be applied in the submission of any such proposal (see the policy wording at pages 444 and 445).
- Policy ED6: Commercial and Private Recreational (including equestrian) Uses in the Countryside (pages 445 to 447): As set out at paragraph 6.491, this policy seeks to support appropriate types of rural business development, including those for commercial and private recreational uses in the countryside, such as equestrian uses (riding schools, livery uses, horse training), fisheries, climbing activities, and off-road cycling activities. It is recognised that in accordance with NPPF policy, that recreational uses can not only make an important contribution to the health and wellbeing of communities, but also to the rural economy. This policy makes provision for and sets out the relevant criteria which should be applied in the submission of any such proposal (see the policy wording on page 447).

41. Provision is also made in the SLP for employment relating to tourism across the borough. Paragraph 6.500 of the supporting text to ED7: Retention of, and improvements to existing, and the promotion of new, tourist accommodation and attractions (see pages 447 to 449 of the SLP), recognises that the tourism industry is considered to be significant to the borough and an important contributor to the local economy in both the urban and rural areas in terms of providing investment opportunities and generating employment. The second part of the policy - New, or improvements to, tourist accommodation and visitor attractions (see page 449) makes provision for new and/or the expansion of tourism related development proposals.

42. In addition to the above policies and any relevant policies in 'made' Neighbourhood Plans, depending on the type of employment use, its size, location, context and site constraints, proposals for the expansion of or new employment premises may also be considered using other SLP [[CD 3.128](#)] development management policies such as:

- EN2: Sustainable Design Standards (pages 331 and 332)
- EN3: Climate Change Mitigation and Adaptation (pages 333 to 337)
- EN5: Heritage Assets (pages 340 to 346)
- EN9: Biodiversity Net Gain (pages 355 to 358)
- EN12: Trees, Woodland, Hedges and Development (pages 364 to 367)
- EN19: Rural Landscape (pages 376 to 379)
- EN21: Air Quality (pages 382 to 384)
- EN25: Flood Risk (pages 390 to 392)
- EN26: Sustainable Drainage (pages 392 to 394)
- EN27: Noise (pages 395 to 397)
- EN28: Land Contamination (pages 397 to 399)
- TP1: Transport Assessments/Statements, Travel Plans, and Mitigation (pages 461 and 462)
- TP2: Transport Design and Accessibility (pages 462 to 464)
- TP3: Parking Standards (pages 464 to 470)

43. It is also expected that such development proposals would be assessed having regard to any guidance documents referred to under the above policies such as the list of guidance documents (both national and local) set out under paragraph 6.24 in the supporting text to Policy EN1: Sustainable Design (see page 325 of the SLP [CD 3.128](#)), where relevant.

Inspector's Question 4: [compliance with paragraph 81 of the NPPF]

Does the Plan help to create the conditions in which businesses can invest, expand and adapt as required by paragraph 81 of the Framework?

TWBC response to Question 4

44. Paragraph 81 of the NPPF states:

“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.”

45. In terms of how the Plan helps to create the conditions in which businesses can invest, expand and adapt as required by the NPPF, (with particular regard to “support(ing) economic growth and productivity, taking into account both local business needs and wider opportunities for development;” as well as “building on strengths, counter any weaknesses and addressing the challenges of the future”), the following sections/policies of the Submission Local Plan (SLP) are considered to be of relevance:

Section 2 of the SLP – Setting the Scene

46. Firstly, Section 2 on page 28 of the SLP [[CD 3.128](#)] sets out the borough context and the key issues, challenges and opportunities for the borough. This includes the local economy so that it can continue to be competitive and create a range of local job opportunities. Of particular note:

- It is recognised that current significant structural changes in retailing and town centres at the national level, as well as the 2020/2021 Covid-19 pandemic, give rise to uncertainty across the retail, business, and tourism sectors of the local economy and that a flexible approach may be needed in respect of uses within the town and other

designated centres, to ensure their long-term adaptability to changes in the economic climate, and retail and town centre trends over the plan period.

- Another issue is the lack of available land and premises, as well as an ageing stock of employment floorspace, including the significant loss of office floorspace to residential and other uses in recent years.
- In addition, it is recognised that while the area remains an attractive business location with good prospects for growth, opportunities need to be provided in both the urban and rural areas across the borough to actively facilitate future business growth and expansion, which in turn will create local job opportunities.

Section 3 – Strategic Objectives

47. In Section 3 of the SLP (pages 31 and 32), the Strategic Objectives provide a framework for assessing the overall coherence of the Local Plan and set out key principles to inform the development strategy and policy choices.

48. Strategic Objectives 6 seeks:

“To ensure good, safe access to jobs and services, with priority to active travel and public transport, as well as embracing new technology;”

49. And Strategic Objective 7 seeks:

“To ensure that the borough is vibrant, culturally rich, and economically buoyant;”

Section 4 – Strategic Policies

50. Strategic Policy STR1: The Development Strategy (pages 35 to 44 of the SLP), sets out the development needs for the borough, including employment needs and how this is sought to be achieved through the Local Plan. With regard to the section on Economic Needs, the following paragraphs are of particular note in terms of identifying existing strengths, addressing any weaknesses/concerns and allowing flexibility for the future:

Paragraphs 4.20 to 4.26 in the supporting text to the Policy STR1 summarise the findings of the Economic Needs Study 2016, as follows:

- Paragraph 4.20 – recommends that the Council should plan positively to facilitate economic growth and increase the choice of sites to meet demand through new allocations, ensuring that the needs of different sectors can be met over the plan period.
- Paragraph 4.21 - concludes that an appropriate target for future growth would be at least 14 hectares of new employment land (taking into account any residual capacity of existing employment allocations) in order to support the creation of new employment opportunities alongside the provision of new housing across the borough.
- Paragraph 4.25 - a range of employment land supply is envisaged - for offices, light manufacturing, general industry, and warehousing, as well as related use not in a specific use class and there is potential for the expansion of a number of key employment areas.
- Paragraph 4.26 - assumes that existing well-located employment land and premises be retained in that use.

Paragraph 4.27 refers to the Town Centre Office Market Review (2018) which was carried out to assess the position in relation to the office stock within Royal Tunbridge Wells Town Centre. This study recommends the implementation of a number of Article 4 Directions to protect existing valued office stock from change to residential through permitted development rights, which has now been taken forward.

Paragraphs 4.28 to 4.33 in the supporting text to the Policy STR1 summarise the findings of the Retail and Leisure Study (2017) Study 2016 and its update in 2020, the Tunbridge Wells Retail, Commercial Leisure and Town Centre Uses Study Update (RCLTCU Study 2021), as follows:

- Paragraph 4.28 - the Retail and Leisure Study (2017) assessed the quantitative and qualitative needs for retail and leisure over the plan period, taking account of planned housing growth, as well as the 'health' of the key centres within the borough.
- Paragraph 4.29 - this study has recently been updated, in 2020 as above, looking more widely at the borough's centres in terms of future uses and recognising

structural changes to the retail economy and the importance of other complementary town centre uses, such as leisure, culture, offices, and residential.

- Paragraph 4.31- the updated study also considers the office market in Royal Tunbridge Wells Town Centre as an update to the previous Town Centre Office Market Review (2018 above. This identifies a reduction in the total quantum of office space lost in Royal Tunbridge Wells Town Centre, indicating the Article 4 Directions have been successful. It recognises that most demand is for space under 500sqm and the demand for flexible workspace which may require the re-purposing of larger available offices.
- Paragraph 4.33 - the study also acknowledges the importance of cultural and leisure activities to support the mix of uses within town centres to ensure vibrant and resilient centres across the borough.

51. While the wording of Policy STR1 states:

“The Development Strategy

The broad development strategy for Tunbridge Wells borough over the period 2020-2038, as shown indicatively on the Key Diagram (Figure 5), is to ensure that a minimum of 12,204 dwellings and 14 hectares of employment (Use Classes B and E) land are developed, together with supporting infrastructure and services.

To achieve this, the Local Plan:

... 5. Provides for a prestigious new business park to the north of North

Farm/Kingstanding Way, Royal Tunbridge Wells, well connected to the improved A21;

6. Provides a framework for the preparation of a holistic Area Plan for Royal Tunbridge Wells Town Centre;”

Section 5 – Place Shaping Policies

52. The SLP [[CD 3.128](#)] also makes provision for employment opportunities, investment and economic adaptability through proposed strategic policies and site allocations in the Place Shaping Chapter, Section 5. Examples include:

Strategic Policies under Section 5

- Policy STR1/RTW1: The Strategy for Royal Tunbridge Wells (see pages 74 to 77 of the SLP) sets out the strategy for the unparished area of Royal Tunbridge Wells, including the following criteria in relation to employment:

4. Provide significant employment growth through the allocation of a new business park to be located at Land adjacent to Longfield Road (Policy AL/RTW 17) to deliver approximately 80,000sqm floorspace of new employment (Class E(g)(iii), B2 and B8);

5. Promote the retention, expansion, and intensification where relevant of existing employment premises and support leisure uses within the Key Employment Areas;

6. Develop a strategy for the Town Centre to provide the framework for the development of a future Town Centre Area Plan to ensure the long-term vitality and viability of the centre over the plan period;

7. Provide for a number of mixed-use developments to deliver a range of uses providing employment as well as private and public services and facilities across the town;

- Policy STR/RTW2: Royal Tunbridge Wells Town Centre (see pages 78 to 82 of the SLP) sets out the vision and approach for the town centre over the plan period, including the following criteria:

“2. A mix of town centre uses to provide commercial, employment, cultural, and residential development to sustain the town’s future vitality and viability.

Schemes should provide a balanced mix towards meeting the requirements for town centre uses and housing delivery, whilst respecting and enhancing the town’s distinct heritage and cultural assets;

6. The provision of enhanced leisure, tourism, and cultural facilities to enable a prosperous and thriving town centre, attractive to residents and visitors;

7. Retention of appropriate office space and reconfiguration/repurposing of new space to enable modern and sustainable ways of working throughout the plan period to ensure the economic prosperity of the town centre;”

- Policy STR/CRS1 The Strategy for Cranbrook and Sissinghurst parish (pages 178 and 179 of the SLP) sets out the strategy for this parish, including the following criterion 6 which:

“Seeks to retain land and buildings currently used for non-residential uses within the centres of Cranbrook and Sissinghurst for employment-generating and community uses.”

Site allocation policies in Section 5

53. The following table sets out the proposed site allocations under Section 5 of the SLP which include employment uses.

Table 1: Proposed site allocations in the Submission Local Plan relevant to employment

SLP Site Allocation	Proposal Description	Current/planning status
Policy AL/RTW 1 Former Cinema Site, Mount Pleasant Road (see pages 82 to 84 of the SLP)	Allocated for mixed use development to include approximately 100 residential dwellings, uses falling within Commercial Use Class E (a - shops), (b - restaurants), (c - financial services, professional services and other services), (e - medical or health services), (g(i) - offices), and sui generis uses to include a cinema and cafés or drinking establishment	An EIA Screening opinion was recently submitted indicating that the development will include approximately 165 apartments and approximately 800sqm of commercial floorspace. It was confirmed on 1 June 2022 that an EIA was not required. The site promoters are currently in discussion with the Council on taking this site forward for development.
Policy AL/RTW2 Land at the Auction House,	Allocated for a mix of town centre uses and could comprise a mix of Class E	Recent permission granted under 21/01487/FULL - ground floor of the building is

SLP Site Allocation	Proposal Description	Current/planning status
Linden Park Road (see pages 84 to 86 of the SLP)	Uses: commercial (a), shops, (b) restaurants, (c, i, ii, iii), financial services, professional and other services, sui generis uses, and residential (as part of a mixed-use scheme).	now in Class E Commercial use, but confirmed as an interim use. The site agent has confirmed (May 2022) that the medium-term ambition is to redevelop the site for a mixed use of residential (apartments) and small office suites. A number of feasibility options are currently being explored.
Policy AL/RTW14 Land at Tunbridge Wells Garden Centre (see pages 108 to 110 of the SLP)	Allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing.	The site promoters have confirmed that the allocation of the site under Policy AL/RTW 14 is supported by the company (Blue Diamond) and consider that the proposed uses can be accommodated alongside the existing garden centre operation.
Policy AL/RTW17 Land adjacent to Longfield Road, referred to under Question 1 above, (see pages 115 to 117 of the SLP)	Allocated for Use Class E Commercial uses to provide approximately 80,000sqm (net) office (E(g)(iii)), General Industrial (B2), and Storage and Distribution (B8) to be provided in the form of a business park.	Outline planning permission granted (September 2020) for the development of up to 74,000 sqm of employment floorspace for use classes E, B2 and B8. Reserved Matters Pre-application discussions are underway for part of the site for B8 use and access

SLP Site Allocation	Proposal Description	Current/planning status
		road for a known major local employer.
Policy AL/SO2 Land at Mabledon House (pages 133 to 135 of the SLP)	Allocated for the development of a luxury hotel up to a maximum of 200 rooms and leisure development with spa and conference facilities, set within a restored historic park and garden and wider attractive landscape	The site is being actively promoted by the agent through the Local Plan process.
Policy STR/SS1 The Strategy for Paddock Wood, including land at east Capel, referred to under Question 1 above (see page 146 of the SLP)	Includes significant new land for a mix of employment uses on sites to the north and south of Lucks Lane, and to the east of Transfesa Road	Land East of Maidstone Road - Preparation of a planning application is at an advanced stage and due to be submitted in early summer 2022 for 20,000 sqm employment floorspace on the southern part of this site (Swatlands Farm, to south of Lucks Lane) and a Planning Performance Agreement is in place. Land East of Transfesa Road - Site is being actively promoted by the agent through the Local Plan and as part of the Strategic Sites Working Group and has input to the Paddock Wood Masterplan document.
Policy STR/SS2 The Strategy for	Includes a mix of town centre uses to provide commercial,	Being actively promoted by the agent through the Local Plan

SLP Site Allocation	Proposal Description	Current/planning status
Paddock Wood Town Centre (see page 154)	leisure, residential, and employment uses (to include a flexible workspace of around 150-200sqm) to sustain the town's future vitality and viability.	and as part of the Strategic Sites Working Group and has input to the Paddock Wood Masterplan document
Policy STR/HA1 The Strategy for Hawkhurst parish (see pages 201 and 202 of the SLP)	Seeks to safeguard the Hawkhurst Station Business Centre Key Employment Area at Gill's Green referred to under Question 1 above, including its extension (as provided for by Policies AL/HA 6 and AL/HA 7) for future employment (Class E, B2, B8) use in accordance with Policy ED1	This is being actively promoted by the landowner/developer through the Local Plan process

Section 6 – Development Management Policies

54. Section 6 of the SLP, sets out the Council's approach to employment and economic development (see pages 431 and 432) including the following development management policies:

- Policy ED1: The Key Employment Areas (KEAs) (pages 431 to 433 of the SLP). As set out under Question 1 above, this policy designates areas for the provision of employment uses to serve the borough, including retention of existing, and proposals for new, employment provision within the KEAs.
- Policy ED2: Retention of Existing Employment Sites and Buildings (pages 434 and 435 of the SLP) recognises greater flexibility for the change of use of buildings allowed under recent revisions to the Use Classes Order. However, where planning permission is required, the retention and protection of existing

employment sites and buildings is a key policy aim of the Local Plan. Policy ED2 therefore seeks to retain existing employment sites and buildings within existing or alternative employment-generating uses subject to using detailed criteria, including location and suitability.

This policy also makes provision for mixed use schemes where the redevelopment of employment buildings/sites for mixed use may be permitted where it would facilitate the regeneration of the site to meet the needs of modern business more effectively.

55. As set out in more detail under Question 3 above, there are other economic development policies which also add to the diversity of economic development and employment offer – specifically within the rural areas. These include:

- Policy ED4: Rural Diversification (pages 438 to 440 of the SLP) which promotes development and diversification of agricultural and other land based rural businesses;
- Policy ED5: Conversion of Rural Buildings outside the Limits to Built Development (pages 440 to 445) promotes the retention and conversion of existing agricultural buildings in the countryside for business, recreation and tourism uses; and
- Policy ED6: Commercial and Private Recreational (including equestrian) Uses in the Countryside (pages 445 to 447) – which seeks to support appropriate types of rural business development, including those for commercial and private recreational uses in the countryside, such as equestrian uses.

56. Provision is also made in the SLP for employment relating to tourism across the borough. Policy ED7: Retention of, and improvements to existing, and the promotion of new, tourist accommodation and attractions (see pages 447 to 449 of the SLP), recognises that the tourism industry is considered to be significant to the borough and an important contributor to the local economy in both the urban and rural areas in terms of providing investment opportunities and generating employment. The second part of the policy - New, or improvements to, tourist accommodation and visitor attractions (see page 449) makes provision for new and/or the expansion of tourism related development proposals.

57. As set out in more detail under Question 3 above, there are also a number of other Economic Development Policies in the SLP which make provision for the expansion/adaptation of existing or the development of new employment buildings such as those relating to retail, office and leisure uses. These include:

- Policy ED8: Town, Rural Service and Neighbourhood Centres, and Village Settlements Hierarchy (pages 449 to 452 of the SLP) – which seeks to ensure the long-term vitality and viability of the retail centres across the borough.
- Policy ED9: Defined Town and Rural Service Centres (pages 452 to 454) – This Policy makes provision for a wide range of development proposals within such centres.
- Policy ED10: Sequential Test and Local Impact Test (pages 454 to 457) – As set out at paragraph 6.525 (page 454), the NPPF defines the main town centre uses as retail, leisure and entertainment, offices, arts, culture, and tourism, with the town centre as the first choice of location for these uses. Applicants will be expected to have demonstrably followed a sequential approach when selecting development sites for town centre uses.
- Policy ED11: Primary Shopping Areas and Retail Frontages (pages 456 and 457) - the SLP designates Primary Shopping Areas and retail frontages in Royal Tunbridge Wells, Southborough, Paddock Wood, Cranbrook, and Hawkhurst, and makes clear the range of uses to be permitted in such locations as part of a positive and flexible strategy for the future of the key centres within the borough, in accordance with the NPPF.

58. In addition, Policy ED3: Digital Communications and Fibre to the Premises (FTTP) (pages 436 to 438 of the SLP) seeks to support and promote the expansion of electronic and digital communication networks across the borough, including next generation mobile technology, which plays an important role in achieving sustainable economic growth.

Summary

59. In summary, there are a wide range of objectives, policies and allocations across the SLP which seek to make provision for a diverse range of employment and economic investment opportunities in both the urban and rural areas of the borough. This

includes the expansion, adaption and modernisation of existing business premises. It is therefore considered that the Plan does help to create the conditions in which businesses can invest, expand and adapt as required by paragraph 81 of the NPPF.