

Benenden Neighbourhood Development Plan Regulation 16 consultation 30 October to 11 December 2020

Response Report

Comment Number	Please state which part of the Benenden Neighbourhood Plan (or supporting documents) this response relates to.	Comments	If the appointed Examiner determines that a hearing is necessary, do you wish to attend?	Would you like to be notified of the Council's decision regarding the outcome of the Benenden Neighbourhood Plan under Regulation 19?	Name/Organisation	Agent's name (if applicable):
BE_1	Benenden NDP	Test submission – <i>test at beginning of consultation to ensure consultation portal is in working order.</i>			TWBC	
BE_2	The proposed destruction of the Tuberculosis Sanatorium	<p>The sanatorium is one of the few surviving examples of TB sanatoria in England. While drugs were to play a part in the conquest of TB, the principal way in which the spread of the disease was curbed and eventually almost eliminated from the indigenous urban population was by isolation of sufferers in rural sanatoria.</p> <p>As a doctor and a historian of health care (and particularly our legacy of buildings), I believe this is an important building in the history of health care and should be preserved for future generations to be able to see and learn about this important step in improving the health of the nation.</p>	No	Yes	Professor Sir Nick Black	
BE_3	The development of housing	There is a beautiful set of historical buildings making up what was a TB sanatorium. These should not be destroyed but used and converted to housing.	No	Yes	Nicola Bielicki	
BE_4	Benenden Royal Tuberculosis Sanatorium	<p>Please Don't destroy the Benenden Royal Sanatorium, but convert it into handsome houses!</p> <p>Please save the Benenden Royal Tuberculosis Sanatorium from demolition! This beautiful building, dating from 1907, is a tribute to the United Kingdom's history of excellence in healthcare.</p> <p>This imposing and historic building would be ideal for sensitive conversion into handsome terraced houses. It is steeped in history and must be saved for the nation, as a reminder of our wonderful system of healthcare which has been pioneered in Great Britain over many years.</p> <p>Demolition is not acceptable here. This is an historic building with royal patronage.</p> <p>To convert this building into terraced houses is far more environmentally friendly, because it uses the existing foundations of the buildings, and certain structures can be retained, reused, readapted, and made good, for future use by occupants. Unique and historic design features can be retained, as a reminder of its history and heritage. This would appeal to new occupants, as retention of existing historic features in any building is always attractive to prospective purchasers.</p>			Sylvia Browning	

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		<p>Demolition is NOT acceptable. It is extremely damaging to the environment, and should not even be a consideration for this site. Demolition would mean that these unique buildings would be lost for ever. Once demolition has taken place, the buildings can never be brought back.</p> <p>In this year, when corona virus has devastated the world, it is even more important to retain this historic building, which represents our struggle against, and our victory over, deadly diseases and viruses.</p> <p>PLEASE retain this sanatorium and convert it into handsome terraced houses, as a tribute to all who have struggled against corona virus pandemic in this devastating year.</p> <p>Have we learnt nothing about saving historic buildings and our environment? Please see what Marcus Binney and Ptolemy Dean have said -</p> <p>Marcus Binney, executive president of SAVE Britain's Heritage says: "This is a prime candidate for converting the existing building into new houses with wonderful views across open countryside. We are appealing to the Secretary of State for Culture to list the Sanatorium on the basis that the historical importance of this royal commission was not understood."</p> <p>Ptolemy Dean, architect, SAVE committee member and Surveyor of the Fabric of Westminster Abbey, says: "The generous embrace of this healthy and deliberately restorative building, looking over beautiful Wealden countryside, remains as fresh and uplifting now as when it was originally conceived. Conversion into attractive and interesting houses will perpetuate this innovative approach.</p>				
BE_5	Benenden Neighbourhood Development Plan	<p>We support and agree with the most recent plan.</p> <p>It has been well thought out and the use of brownfield sites wherever possible is to be commended. The developments are fairly distributed one either side of the village and two at Benenden Hospital.</p> <p>We are delighted with the outcome.</p>			Christopher and Janine Dunkley	
BE_6	2.9.3.1	The old Benenden Hospital buildings ought to be refurbished, with a strong presumption against demolition. They are heritage assets, and could make handsome housing. Such a unique building is irreplaceable, and it would be extremely wasteful to demolish it.	No		David Yates	
BE_7	The Royal Sanatorium	SAVE Britain's Heritage have developed proposals to retain this historic, attractive and potentially useful building within the context of plans to redevelop this site. Retaining the sanatorium has the potential to make the overall development more attractive, interesting and saleable. If this building is demolished its history and architectural distinction will be lost forever. In addition there are costs to the environment which cannot be ignored. This proposed action is irresponsible.	No	Yes	Caroline Walker	

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BE_8	Benenden Sanatorium, Goddards Green Road, (East End), BENENDEN, CRANBROOK, Kent, TN17 4AX. (Site 424/LS40B - Goddards Green Road, East End per Benenden Neighbourhood Development Plan 2020 – 2036 (Sept 2020)).	<p>I support the 'Save Britain's Heritage' proposal to convert the existing arced buildings into houses, rather than demolishing them and rebuilding. The existing building is of historical value and would be very elegant when restored. The buildings are two storey, which is what is recommended for that site. Conversion would also save the waste material caused by demolition and the materials required for rebuilding. Please refer to the pdf accompanying this form.</p> <p>Mobile 'phone signals and broadband – Page 106 of the Benenden Neighbourhood Development Plan 2020 – 2036 (Sept 2020) deals with the plans for Benenden Hospital next to the site, which would cover this site. It appears that there is a need to strengthen the mobile 'phone signal in that area, which also would benefit the hospital.</p> <p>Transport links – There is a need to provide a periodic direct bus link from / to Staplehurst railway station and the site and hospital. This should co-ordinate with some train times as much as possible.</p> <p>See Supporting document: SAVE Benenden Sanatorium Slides</p>	No	Yes	Mr. Stuart Froment.	
BE_9	Benenden Neighbourhood development plan 2020-203: Regulation 15 Submission 424/LS40b Section 2.8	The failure to acknowledge in the plan the need to preserve and conserve the important architecturally and historically valuable Royal Santatorium Hospital buildings. No mention is made, and instead a full scale redevelopment appears to be favoured. Listing and the input of Historic England is evidently required here. From all points of view, preservation and improvement to the main buildings is far preferred to demolition and environmentally expensive redevelopment.	No	No	Professor Caroline Malone	
BE_10		<p>I do not agree with Benenden Hospital being demolished. This historic building must be saved and added to the local listing register. The developers have plenty of land to build on, to demolish this historic building is just greed, Also it is not environmentally right to destroy it as demolition uses far more energy and waste than conversion. Please reject this plan.</p> <p>Please convert some of the hospital buildings</p> <p>Further Buildings and Sites at East End Redundant farm buildings, an old school house and chapel are all understood to be included in the Hospital Trust's ambitions for redeveloping redundant buildings on the Hospital estate. Any further housing, office or other development would need to conform to BNDP and TWBC Local Plan policy requirements and would be subject to agreement of a Masterplan before any development across the site can commence. 2.9.3 Sites 424/LS40b Land at Benenden Hospital, South of Goddards Green Road, East End — South East Quadrant (SEQ)</p>	Yes	Yes	Martin Austin	

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BE_11	Introduction, section 2, Individual site assessments HSA3, LEA9 and TAI &2	<p>Part 2 of the NDP is defective for the following reasons: (further reasons by others will also be relied upon)</p> <ol style="list-style-type: none"> 1. It is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 — relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. 2. The adoption of the proposed LBD does not accord with development on the ground. It is an artificial construct which has been manipulated by including areas previously outside it (site LS16). Also, there is extensive development along the road to Cranbrook and Swattenden, west of the cross roads. This developed area has been artificially excluded with the object and effect of putting site 222, which is otherwise deemed suitable, outside the LBD. 3. Site 222 is shown to be suitable, available and achievable, and can support 17 to 18 dwellings. The reason given for its rejection is based on a misrepresentation. It is said that on the west side of Iden Green Road there are currently no buildings. This is false. There is a long row of houses along the side of the road, some occupied by local councillors. 4. The plan disregards previous representations, including legal objections, without giving any reason for rejecting them. The reasoned objections previously given should be read with this document. Paragraph 2.1.4. misrepresents the result of consultation. There was a significant objection to the brownfield sites at the East End, which has been ignored (approximately 10% of the local voting- aged population objected - 127 signed to object to the parish plan March 2019 and 129 signed to object to TW Local Plan October 2019) 5. Site LS4 is said to be unsuitable, although it is a brownfield site. The reasons given for its rejection as a site far housing apply to the plan's preferred sites of LS41 and 424. Such double standards are inappropriate. 6. Site 424/40b already has unused permission for 24 houses. It is a complete non-sequitur to state that an increase of 100% is justifiable. If the Local Wildlife Sites (LWS) are excluded, see LEA9, there is no room for such an increase. Paragraph 2.9.31. says that development would only be on the foot print of existing buildings but no attempt has been made to calculate the area of such buildings and to consider whether the site can actually support 46 to 49 new The architect's plan — not reproduced — goes well beyond the footprints. 7. Para 2.9.3.3 sets out the constraints to development — these are overridden. Note that figure 24 in paragraph 2.8 page 15 refers to facilities to be provided. Since the site is up for sale, any obligation placed on the hospital cannot be enforced (see items enumerated under expected contributions to be required, page 64, some of which are off site). These are not lawful planning matters - conditions apply to the land, not to the current owners. 8. 2.9.4.1: LS41 contains 18 dwellings already and the proposal to add 22 -25 dwellings while excluding the wildlife site shown in LEA9 leaves only the area covered by the existing 18 houses. This cannot be achieved without demolishing the existing 18 houses so to say that the plan supports refurbishment or re-development of the existing 18 dwellings is 	Yes	Yes	Heidi Brigitte Hawley	

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		<p>disingenuous. If they are re-furbished. the other 22 — 25 houses have nowhere to go. Thus what we have here is actually a proposai far 40 — 43 new houses.</p> <p>9. 2.9.4.3 sets out the same constrains as apply to site 424, and again, they are ignored. The same consideration applies to expected contributions to this site as to site 424, see paragraph 7 above. When one adds in these requirements for a children's playground, a cafe, a shop, a nursery school and for parking, there is no room left for houses. No calculations have been attempted to show the area required for such facilities.</p> <p>10. It is plain that the desire to create a new settlement of up to 92 new dwelling (including the existing permissions and the 18 existing dwellings) it is unsustainable. No amount of convoluted manipulation can overcome the obvious constraints. That these sites are well outside the LBD is ignored and this fact is omitted from site assessments. No account is taken of the objections based on counsel's opinion (q.v.) that these sites do not pass the primary filter for inclusion.</p> <p>11. Paragraph 2.7.2 places great store on the assessments carried out by the High Weald AONB unit disclosed in HSA4. There is no assessment shown in relation to the East End. However the authors of the Plan were or should have been aware that the AONB unit had analysed and objected to this proposal when it was repeated in the Tunbridge Wells Local Plan (DLP-3458). This analysis has not been taken into account, or even mentioned.</p> <p>12. TA1 and 2: TA2 — the proposed cycle path is illusory and fails to meet the objections set out in TA1.No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>13. The “vision” on page 9 in relation to housing supply requires development to be sustainable. The sites at the East End are demonstrated in the detailed analysis as not sustainable. The Plan is therefore self-contradictory. Reference is made to NPPF paragraph 84 on page 12 at paragraph 9. The two sites in question fail to meet these criteria.</p> <p>14. Policy BD1 properly states the object as being to “protect and enhance heritage assets and their settings”. The requirement for 46 to 49 new dwellings involves the demolition of architecturally unique and historically important 1906 early modernist sanatorium on Site 424/40b which was designed by the winner of King Edward VII’s competition for a new avant garde sanatorium for England (see Save Britain’s Heritage request for listing). This building should be retained.</p>				
BE_12	Part 2; Supporting Document HSA4;	<p>1. Supporting Document HSA4 “High Weald AONB Advice on Benenden Neighbourhood Plan Sites” gives advice on some of sites but not the sites proposed for most houses. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41, although these sites are in a bubble bulging into the AONB.</p> <p>2. Inconsistent application of brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee) and others out (158 and 222)</p>	Yes	Yes	Colin Inwood	Hazel Strouts

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		<p>3. Inconsistent application of policy on sustainability. Sites 437 and LS8 Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, a church, a community centre and a regular bus service are ruled out, but sites LS41 and 424/LS40b, which have none of these amenities and which are twice as far from the village, are ruled in. Also arguing on page 67 that development should take place in a rural area to achieve sustainability, yet advocating sites which are unsustainable (LS41 and 424/LS40b)</p> <p>4. Inconsistent application of policy T1 Car-free connectivity. Sites 222 and 158 where residents could easily walk to school and to shops are ruled out, while sites LS41 and 424/LS40b which are at least two miles distant from the village, are ruled in. And by ruling sites LS8 and 437 in Iden Green out, although there is an existing paved footpath to the village while sites LS41 and 424.40b, with no link, are ruled in.</p> <p>5. Inconsistent application of policy T2 on improving road safety. Site LS4 onto the Cranbrook Road, ruled in although the adjacent site of LS22 is ruled out. Also in HSE1-5, proposing the development of LS22 at a later date as a way of blocking development of site 158. This would mean two exits onto New Pond Road instead of one. Also ruling that an entrance onto New Pond Road from LS16 would contribute "to traffic calming on New Pond Road and at the Benenden crossroads." (SSP2), while adjacent site LS22 is rejected because of "speed of traffic on New Pond Road".</p> <p>6. Inconsistent method of allocating the numbers of houses at LS41 where a small site currently almost entirely taken up with its existing 18 dwellings, is proposed as a suitable for a further 24 dwellings (SSP4).</p> <p>7. Inconsistent application of Policy LE7 to protect habitats adjacent to development. Site 424/40b (SSP3) 25 houses are proposed on top of the existing permission for 24 (unbuilt). According to the hospital architect's plans (SSP3) these will not be limited to existing footprints and will extend over LWSites</p> <p>8. Policy BD1 properly states the object as being to "protect and enhance heritage assets and their settings". The requirement for 46 to 49 new dwellings involves the demolition of the architecturally unique and historically important 1906 early modernist sanatorium on Site 424/40b. It was designed by the winner of King Edward VII's competition for a new avant garde sanatorium for England (see Save Britain's Heritage request for listing). This building should be retained.</p> <p>9. Manipulation of the LBD to include Site LS16 (Uphill) but to exclude site 158 (previously favoured by TWBC for site of new primary school and in 2000 voted by the village as the preferred site for that school) and to exclude 222. An LBD not yet approved is relied on in the draft Plan.</p> <p>10. Inconsistent application of Policy LE1 to protect and enhance the countryside by advocating most development outside the LBD both actual and proposed.</p> <p>11. Advocates affordable housing while most houses are proposed for a site 2 miles out (LS41 and 424/40b) where a car would be essential (page 12)</p>				

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BE_13	Introduction, section 2, Individual site assessments HSA3, LEA9 and TA1&2	<p>Part 2 of the NDP is defective for the following reasons: (further reasons by others will also be relied upon)</p> <ol style="list-style-type: none"> 1. It is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. 2. The adoption of the proposed LBD does not accord with development on the ground. It is an artificial construct which has been manipulated by including areas previously outside it (site LS16). Also, there is extensive development along the road to Cranbrook and Swattenden, west of the cross roads. This developed area has been artificially excluded with the object and effect of putting site 222, which is otherwise deemed suitable, outside the LBD. 3. Site 222 is shown to be suitable, available and achievable, and can support 17 to 18 dwellings. The reason given for its rejection is based on a misrepresentation. It is said that on the west side of Iden Green Road there are currently no buildings. This is false. There is a long row of houses along the side of the road, some occupied by local councillors. 4. The plan disregards previous representations, including legal objections, without giving any reason for rejecting them. The reasoned objections previously given should be read with this document. Paragraph 2.1.4. misrepresents the result of consultation. There was a significant objection to the brownfield sites at the East End, which has been ignored (approximately 10% of the local voting-aged population objected - 127 signed to object to the parish plan March 2019 and 129 signed to object to TW Local Plan October 2019) 5. Site LS4 is said to be unsuitable, although it is a brownfield site. The reasons given for its rejection as a site for housing apply to the plan's preferred sites of LS41 and 424. Such double standards are inappropriate. 6. Site 424/40b already has unused permission for 24 houses. It is a complete non-sequitur to state that an increase of 100% is justifiable. If the Local Wildlife Sites (LWS) are excluded, see LEA9, there is no room for such an increase. Paragraph 2.9.31. says that development would only be on the foot print of existing buildings but no attempt has been made to calculate the area of such buildings and to consider whether the site can actually support 46 to 49 new dwellings. The architect's plan – not reproduced – goes well beyond the footprints. 7. Para 2.9.3.3 sets out the constraints to development – these are overridden. Note that figure 24 in paragraph 2.8 page 15 refers to facilities to be provided. Since the site is up for sale, any obligation placed on the hospital cannot be enforced (see items enumerated under expected contributions to be required, page 64, some of which are off site). These are not lawful planning matters - conditions apply to the land, not to the current owners. 8. 2.9.4.1: LS41 contains 18 dwellings already and the proposal to add 22 -25 dwellings while excluding the wildlife site shown in LEA9 leaves only the area covered by the existing 18 houses. This cannot be achieved without demolishing the existing 18 houses so to say that the plan supports refurbishment or re-development of the existing 18 dwellings is 	Yes	Yes	Alex Simcox	Hazel Strouts, who will be instructing Counsel

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		<p>disingenuous. If they are re-furbished, the other 22 – 25 houses have nowhere to go. Thus what we have here is actually a proposal for 40 – 43 new houses.</p> <p>9. 2.9.4.3 sets out the same constraints as apply to site 424, and again, they are ignored. The same consideration applies to expected contributions to this site as to site 424, see paragraph 7 above. When one adds in these requirements for a children's playground, a café, a shop, a nursery school and for parking, there is no room left for houses. No calculations have been attempted to show the area required for such facilities.</p> <p>10. It is plain that the desire to create a new settlement of up to 92 new dwellings (including the existing permissions and the 18 existing dwellings) is unsustainable. No amount of convoluted manipulation can overcome the obvious constraints. That these sites are well outside the LBD is ignored and this fact is omitted from site assessments. No account is taken of the objections based on counsel's opinion (q.v.) that these sites do not pass the primary filter for inclusion.</p> <p>11. Paragraph 2.7.2 places great store on the assessments carried out by the High Weald AONB unit disclosed in HSA4. There is no assessment shown in relation to the East End. However the authors of the Plan were or should have been aware that the AONB unit had analysed and objected to this proposal when it was repeated in the Tunbridge Wells Local Plan (DLP-3458). This analysis has not been taken into account, or even mentioned.</p> <p>12. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>13. The “vision” on page 9 in relation to housing supply requires development to be sustainable. The sites at the East End are demonstrated in the detailed analysis as not sustainable. The Plan is therefore self-contradictory. Reference is made to NPPF paragraph 84 on page 12 at paragraph 9. The two sites in question fail to meet these criteria.</p> <p>14. Policy BD1 properly states the object as being to “protect and enhance heritage assets and their settings”. The requirement for 46 to 49 new dwellings involves the demolition of architecturally unique and historically important 1906 early modernist sanatorium on Site 424/40b which was designed by the winner of King Edward VII's competition for a new avant garde sanatorium for England (see Save Britain's Heritage request for listing). This building should be retained.</p>				
BE_14	Demolition and redevelopment of Royal Sanatorium, Benenden	<p>I object to the plans to demolish and redevelop the site to provide 49 new homes. I strongly support proposals by SAVE (Save Britain's Heritage, of which I am a member) to sensitively convert the historic and culturally important building for residential use, as has been successfully done in the case of other Edward VII hospitals in the region. Crucially this could fulfil the aims of Conservation and Green practice, as well as retaining the present landscape.</p>	Yes	Yes	Robert John Pankhurst	

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		I have added interest in that my ancestors lived in the area (Cranbrook and Benenden) for 300 years.				
BE_15	Introduction, section 2, Individual site assessments HSA3, LEA9 and TA1&2	<p>Part 2 of the NDP is defective for the following reasons:</p> <ol style="list-style-type: none"> 1. It is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. 2. The adoption of the proposed LBD does not accord with development on the ground. It is an artificial construct which has been manipulated by including areas previously outside it (site LS16). Also, there is extensive development along the road to Cranbrook and Swattenden, west of the cross roads. This developed area has been artificially excluded with the object and effect of putting site 222, which is otherwise deemed suitable, outside the LBD. 3. Site 222 is shown to be suitable, available and achievable, and can support 17 to 18 dwellings. The reason given for its rejection is based on a misrepresentation. It is said that on the west side of Iden Green Road there are currently no buildings. This is false. There is a long row of houses along the side of the road, some occupied by local councillors. 4. The plan disregards previous representations, including legal objections, without giving any reason for rejecting them. The reasoned objections previously given should be read with this document. Paragraph 2.1.4. misrepresents the result of consultation. There was a significant objection to the brownfield sites at the East End, which has been ignored (approximately 10% of the local voting-aged population objected - 127 signed to object to the parish plan March 2019 and 129 signed to object to TW Local Plan October 2019) 5. Site LS4 is said to be unsuitable, although it is a brownfield site. The reasons given for its rejection as a site for housing apply to the plan's preferred sites of LS41 and 424. Such double standards are inappropriate. 6. Site 424/40b already has unused permission for 24 houses. It is a complete non-sequitur to state that an increase of 100% is justifiable. If the Local Wildlife Sites (LWS) are excluded, see LEA9, there is no room for such an increase. Paragraph 2.9.31. says that development would only be on the foot print of existing buildings but no attempt has been made to calculate the area of such buildings and to consider whether the site can actually support 46 to 49 new dwellings. The architect's plan – not reproduced – goes well beyond the footprints. 7. Para 2.9.3.3 sets out the constraints to development – these are overridden. Note that figure 24 in paragraph 2.8 page 15 refers to facilities to be provided. Since the site is up for sale, any obligation placed on the hospital cannot be enforced (see items enumerated under expected contributions to be required, page 64, some of which are off site). These are not lawful planning matters - conditions apply to the land, not to the current owners. 8. 2.9.4.1: LS41 contains 18 dwellings already and the proposal to add 22 -25 dwellings while excluding the wildlife site shown in LEA9 leaves only the area covered by the existing 18 	Yes	Yes	Sam Andrews	Hazel Strouts, who will be instructing Counsel

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		<p>houses. This cannot be achieved without demolishing the existing 18 houses so to say that the plan supports refurbishment or re-development of the existing 18 dwellings is disingenuous. If they are re-furbished, the other 22 – 25 houses have nowhere to go. Thus what we have here is actually a proposal for 40 – 43 new houses.</p> <p>9. 2.9.4.3 sets out the same constraints as apply to site 424, and again, they are ignored. The same consideration applies to expected contributions to this site as to site 424, see paragraph 7 above. When one adds in these requirements for a children's playground, a café, a shop, a nursery school and for parking, there is no room left for houses. No calculations have been attempted to show the area required for such facilities.</p> <p>10. It is plain that the desire to create a new settlement of up to 92 new dwellings (including the existing permissions and the 18 existing dwellings) is unsustainable. No amount of convoluted manipulation can overcome the obvious constraints. That these sites are well outside the LBD is ignored and this fact is omitted from site assessments. No account is taken of the objections based on counsel's opinion (q.v.) that these sites do not pass the primary filter for inclusion.</p> <p>11. Paragraph 2.7.2 places great store on the assessments carried out by the High Weald AONB unit disclosed in HSA4. There is no assessment shown in relation to the East End. However the authors of the Plan were or should have been aware that the AONB unit had analysed and objected to this proposal when it was repeated in the Tunbridge Wells Local Plan (DLP-3458). This analysis has not been taken into account, or even mentioned.</p> <p>12. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>13. The “vision” on page 9 in relation to housing supply requires development to be sustainable. The sites at the East End are demonstrated in the detailed analysis as not sustainable. The Plan is therefore self-contradictory. Reference is made to NPPF paragraph 84 on page 12 at paragraph 9. The two sites in question fail to meet these criteria.</p> <p>14. Policy BD1 properly states the object as being to “protect and enhance heritage assets and their settings”. The requirement for 46 to 49 new dwellings involves the demolition of architecturally unique and historically important 1906 early modernist sanatorium on Site 424/40b which was designed by the winner of King Edward VII's competition for a new avant garde sanatorium for England (see Save Britain's Heritage request for listing). This building should be retained.</p>				
BE_16	Part 2; Supporting Document HSA4	<p>1. Supporting Document HSA4 “High Weald AONB Advice on Benenden Neighbourhood Plan Sites” gives advice on some of sites but not the sites proposed for most houses. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41, although these sites are in a bubble bulging into the AONB.</p>	Yes	Yes	Christina Andrews	Hazel Strouts, who will be instructing Counsel

Comment Number	Please state which part of the Benenden Neighbourhood Plan (or supporting documents) this response relates to.	Comments	If the appointed Examiner determines that a hearing is necessary, do you wish to attend?	Would you like to be notified of the Council's decision regarding the outcome of the Benenden Neighbourhood Plan under Regulation 19?	Name/Organisation	Agent's name (if applicable):
		<p>2. Inconsistent application of brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee) and others out (158 and 222)</p> <p>3. Inconsistent application of policy on sustainability. Sites 437 and LS8 Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, a church, a community centre and a regular bus service are ruled out, but sites LS41and 424/LS40b, which have none of these amenities and which are twice as far from the village, are ruled in. Also arguing on page 67 that development should take place in a rural area to achieve sustainability, yet advocating sites which are unsustainable (LS41 and 424/LS40b)</p> <p>4. Inconsistent application of policy T1 Car-free connectivity. Sites 222 and 158 where residents could easily walk to school and to shops are ruled out, while sites LS41 and 424/LS40b which are at least two miles distant from the village, are ruled in. And by ruling sites LS8 and 437 in Iden Green out, although there is an existing paved footpath to the village while sites LS41 and 424.40b, with no link, are ruled in.</p> <p>5. Inconsistent application of policy T2 on improving road safety. Site LS4 onto the Cranbrook Road, ruled in although the adjacent site of LS22 is ruled out. Also in HSE1-5, proposing the development of LS22 at a later date as a way of blocking development of site 158. This would mean two exits onto New Pond Road instead of one. Also ruling that an entrance onto New Pond Road from LS16 would contribute “to traffic calming on New Pond Road and at the Benenden crossroads.” (SSP2), while adjacent site LS22 is fejected because of “speed of traffic on New Pond Road”.</p> <p>6. Inconsistent method of allocating the numbers of houses at LS41 where a small site currently almost entirely taken up with its existing 18 dwellings, is proposed as a suitable for a further 24 dwellings (SSP4).</p> <p>7. Inconsistent application of Policy LE7 to protect habitats adjacent to development. Site 424/40b (SSP3) 25 houses are proposed on top of the existing permission for 24 (unbuilt). According to the hospital architect’s plans (SSP3) these will not be limited to existing footprints and will extend over LWSites</p> <p>8. Policy BD1 properly states the object as being to “protect and enhance heritage assets and their settings”. The requirement for 46 to 49 new dwellings involves the demolition of the architecturally unique and historically important 1906 early modernist sanatorium on Site 424/40b. It was designed by the winner of King Edward VII’s competition for a new avant-garde sanatorium for England (see Save Britain’s Heritage request for listing).This building should be retained.</p>				

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		<p>9. Manipulation of the LBD to include Site LS16 (Uphill) but to exclude site 158 (previously favoured by TWBC for site of new primary school and in 2000 voted by the village as the preferred site for that school) and to exclude 222. An LBD not yet approved is relied on in the draft Plan.</p> <p>10. Inconsistent application of Policy LE1 to protect and enhance the countryside by advocating most development outside the LBD both actual and proposed.</p> <p>11. Advocates affordable housing while most houses are proposed for a site two miles out (LS41 and 424/40b) where a car would be essential (page 12)</p>				
BE_17	Part 2; Supporting Document HSA4	<p>1. Supporting Document HSA4 “High Weald AONB Advice on Benenden Neighbourhood Plan Sites” gives advice on some of sites but not the sites proposed for most houses. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41, although these sites are in a bubble bulging into the AONB.</p> <p>2. Inconsistent application of brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee) and others out (158 and 222)</p> <p>3. Inconsistent application of policy on sustainability. Sites 437 and LS8 Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, a church, a community centre and a regular bus service are ruled out, but sites LS41and 424/LS40b, which have none of these amenities and which are twice as far from the village, are ruled in. Also arguing on page 67 that development should take place in a rural area to achieve sustainability, yet advocating sites which are unsustainable (LS41 and 424/LS40b)</p> <p>4. Inconsistent application of policy T1 Car-free connectivity. Sites 222 and 158 where residents could easily walk to school and to shops are ruled out, while sites LS41 and 424/LS40b which are at least two miles distant from the village, are ruled in. And by ruling sites LS8 and 437 in Iden Green out, although there is an existing paved footpath to the village while sites LS41 and 424.40b, with no link, are ruled in.</p> <p>5. Inconsistent application of policy T2 on improving road safety. Site LS4 onto the Cranbrook Road, ruled in although the adjacent site of LS22 is ruled out. Also in HSE1-5, proposing the development of LS22 at a later date as a way of blocking development of site 158. This would mean two exits onto New Pond Road instead of one. Also ruling that an entrance onto New Pond Road from LS16 would contribute “to traffic calming on New Pond Road and at the Benenden crossroads.” (SSP2), while adjacent site LS22 is fejected because of “speed of traffic on New Pond Road”.</p>	Yes	Yes	Wilfred Andrews	Hazel Strouts

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		<p>6. Inconsistent method of allocating the numbers of houses at LS41 where a small site currently almost entirely taken up with its existing 18 dwellings, is proposed as a suitable for a further 24 dwellings (SSP4).</p> <p>7. Inconsistent application of Policy LE7 to protect habitats adjacent to development. Site 424/40b (SSP3) 25 houses are proposed on top of the existing permission for 24 (unbuilt). According to the hospital architect's plans (SSP3) these will not be limited to existing footprints and will extend over LWSites</p> <p>8. Policy BD1 properly states the object as being to "protect and enhance heritage assets and their settings". The requirement for 46 to 49 new dwellings involves the demolition of the architecturally unique and historically important 1906 early modernist sanatorium on Site 424/40b. It was designed by the winner of King Edward VII's competition for a new avant-garde sanatorium for England (see Save Britain's Heritage request for listing). This building should be retained.</p> <p>9. Manipulation of the LBD to include Site LS16 (Uphill) but to exclude site 158 (previously favoured by TWBC for site of new primary school and in 2000 voted by the village as the preferred site for that school) and to exclude 222. An LBD not yet approved is relied on in the draft Plan.</p> <p>10. Inconsistent application of Policy LE1 to protect and enhance the countryside by advocating most development outside the LBD both actual and proposed.</p> <p>11. Advocates affordable housing while most houses are proposed for a site 2 miles out (LS41 and 424/40b) where a car would be essential (page 12)</p>				
BE_18	Introduction, section 2, Individual site assessments HSA3, LEA9 and TA1&2	<p>Part 2 of the NDP is defective for the following reasons:</p> <ol style="list-style-type: none"> 1. It is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. 2. The adoption of the proposed LBD does not accord with development on the ground. It is an artificial construct which has been manipulated by including areas previously outside it (site LS16). Also, there is extensive development along the road to Cranbrook and Swattenden, west of the cross roads. This developed area has been artificially excluded with the object and effect of putting site 222, which is otherwise deemed suitable, outside the LBD. 3. Site 222 is shown to be suitable, available and achievable, and can support 17 to 18 dwellings. The reason given for its rejection is based on a misrepresentation. It is said that on the west side of Iden Green Road there are currently no buildings. This is false. There is a long row of houses along the side of the road, some occupied by local councillors. 	Yes	Yes	Constance Andrews	Hazel Strouts

Comment Number	Please state which part of the Benenden Neighbourhood Plan (or supporting documents) this response relates to.	Comments	If the appointed Examiner determines that a hearing is necessary, do you wish to attend?	Would you like to be notified of the Council's decision regarding the outcome of the Benenden Neighbourhood Plan under Regulation 19?	Name/Organisation	Agent's name (if applicable):
		<p>4. The plan disregards previous representations, including legal objections, without giving any reason for rejecting them. The reasoned objections previously given should be read with this document. Paragraph 2.1.4. misrepresents the result of consultation. There was a significant objection to the brownfield sites at the East End, which has been ignored (approximately 10% of the local voting-aged population objected - 127 signed to object to the parish plan March 2019 and 129 signed to object to TW Local Plan October 2019)</p> <p>5. Site LS4 is said to be unsuitable, although it is a brownfield site. The reasons given for its rejection as a site for housing apply to the plan's preferred sites of LS41 and 424. Such double standards are inappropriate.</p> <p>6. Site 424/40b already has unused permission for 24 houses. It is a complete non-sequitur to state that an increase of 100% is justifiable. If the Local Wildlife Sites (LWS) are excluded, see LEA9, there is no room for such an increase. Paragraph 2.9.31. says that development would only be on the foot print of existing buildings but no attempt has been made to calculate the area of such buildings and to consider whether the site can actually support 46 to 49 new dwellings. The architect's plan – not reproduced – goes well beyond the footprints.</p> <p>7. Para 2.9.3.3 sets out the constraints to development – these are overridden. Note that figure 24 in paragraph 2.8 page 15 refers to facilities to be provided. Since the site is up for sale, any obligation placed on the hospital cannot be enforced (see items enumerated under expected contributions to be required, page 64, some of which are off site). These are not lawful planning matters - conditions apply to the land, not to the current owners.</p> <p>8. 2.9.4.1: LS41 contains 18 dwellings already and the proposal to add 22 -25 dwellings while excluding the wildlife site shown in LEA9 leaves only the area covered by the existing 18 houses. This cannot be achieved without demolishing the existing 18 houses so to say that the plan supports refurbishment or re-development of the existing 18 dwellings is disingenuous. If they are re-furbished, the other 22 – 25 houses have nowhere to go. Thus what we have here is actually a proposal for 40 – 43 new houses.</p> <p>9. 2.9.4.3 sets out the same constraints as apply to site 424, and again, they are ignored. The same consideration applies to expected contributions to this site as to site 424, see paragraph 7 above. When one adds in these requirements for a children's playground, a café, a shop, a nursery school and for parking, there is no room left for houses. No calculations have been attempted to show the area required for such facilities.</p> <p>10. It is plain that the desire to create a new settlement of up to 92 new dwellings (including the existing permissions and the 18 existing dwellings) is unsustainable. No amount of convoluted manipulation can overcome the obvious constraints. That these sites are well outside the LBD is ignored and this fact is omitted from site assessments. No account is taken of the objections based on counsel's opinion (q.v.) that these sites do not pass the primary filter for inclusion.</p> <p>11. Paragraph 2.7.2 places great store on the assessments carried out by the High Weald AONB unit disclosed in HSA4. There is no assessment shown in relation to the East End. However the authors of the Plan were or should have been aware that the AONB unit</p>				

Comment Number	Please state which part of the Benenden Neighbourhood Plan (or supporting documents) this response relates to.	Comments	If the appointed Examiner determines that a hearing is necessary, do you wish to attend?	Would you like to be notified of the Council's decision regarding the outcome of the Benenden Neighbourhood Plan under Regulation 19?	Name/Organisation	Agent's name (if applicable):
		<p>had analysed and objected to this proposal when it was repeated in the Tunbridge Wells Local Plan (DLP-3458). This analysis has not been taken into account, or even mentioned.</p> <p>12. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>13. The “vision” on page 9 in relation to housing supply requires development to be sustainable. The sites at the East End are demonstrated in the detailed analysis as not sustainable. The Plan is therefore self-contradictory. Reference is made to NPPF paragraph 84 on page 12 at paragraph 9. The two sites in question fail to meet these criteria.</p> <p>14. Policy BD1 properly states the object as being to “protect and enhance heritage assets and their settings”. The requirement for 46 to 49 new dwellings involves the demolition of architecturally unique and historically important 1906 early modernist sanatorium on Site 424/40b which was designed by the winner of King Edward VII’s competition for a new avant-garde sanatorium for England (see Save Britain’s Heritage request for listing). This building should be retained.</p>				
BE_19	Introduction, section 2, Individual site assessments HSA3, LEA9 and TA1&2	<p>Part 2 of the NDP is defective for the following reasons: (further reasons by others will also be relied upon)</p> <ol style="list-style-type: none"> 1. It is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. 2. The adoption of the proposed LBD does not accord with development on the ground. It is an artificial construct which has been manipulated by including areas previously outside it (site LS16). Also, there is extensive development along the road to Cranbrook and Swattenden, west of the cross roads. This developed area has been artificially excluded with the object and effect of putting site 222, which is otherwise deemed suitable, outside the LBD. 3. Site 222 is shown to be suitable, available and achievable, and can support 17 to 18 dwellings. The reason given for its rejection is based on a misrepresentation. It is said that on the west side of Iden Green Road there are currently no buildings. This is false. There is a long row of houses along the side of the road, some occupied by local councillors. 4. The plan disregards previous representations, including legal objections, without giving any reason for rejecting them. The reasoned objections previously given should be read with this document. Paragraph 2.1.4. misrepresents the result of consultation. There was a significant objection to the brownfield sites at the East End, which has been ignored (approximately 10% of the local voting-aged population objected - 127 signed to object to the parish plan March 2019 and 129 signed to object to TW Local Plan October 2019) 	Yes	Yes	William Bernard Phillips	Hazel Strouts who will be instructing Counsel

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		<p>5. Site LS4 is said to be unsuitable, although it is a brownfield site. The reasons given for its rejection as a site for housing apply equally to the plan's preferred sites of LS41 and 424. Such double standards are inappropriate.</p> <p>6. Site 424/40b already has unused permission for 24 houses. It is a complete non-sequitur to state that an increase of 100% is justifiable. If the Local Wildlife Sites (LWS) are excluded, see LEA9, there is no room for such an increase. Paragraph 2.9.31. says that development would only be on the foot print of existing buildings but no attempt has been made to calculate the area of such buildings and to consider whether the site can actually support 46 to 49 new dwellings. The architect's plan – not reproduced – goes well beyond the footprints.</p> <p>7. Para 2.9.3.3 sets out the constraints to development – these are overridden. Note that figure 24 in paragraph 2.8 page 15 refers to facilities to be provided. Since the site is up for sale, any obligation placed on the hospital cannot be enforced (see items enumerated under expected contributions to be required, page 64, some of which are off site). These are not lawful planning matters - conditions apply to the land, not to the current owners.</p> <p>8. 9.4.1: LS41 contains 18 dwellings already and the proposal to add 22 -25 dwellings while excluding the wildlife site shown in LEA9 leaves only the area covered by the existing 18 houses. This cannot be achieved without demolishing the existing 18 houses, so to say that the plan supports refurbishment or re-development of the existing 18 dwellings is disingenuous. If they are re-furbished, the other 22 – 25 houses have nowhere to go. Thus what we have here is actually a proposal for 40 – 43 new houses.</p> <p>9. 9.4.3 sets out the same constraints on site LS41 as apply to site 424, and again, they are ignored. The same consideration applies to expected contributions to this site as to site 424, see paragraph 7 above. When one adds in the requirements for a children's playground, a café, a shop, a nursery school and for parking, there is no room left for houses. No calculations have been attempted to show the area required for such facilities.</p> <p>10. It is plain that the desire to create a new settlement over 2 miles from the main village of up to 92 new dwellings (including the existing permissions and the 18 existing dwellings) is unsustainable. No amount of convoluted manipulation can overcome the obvious constraints. That these sites are well outside the LBD is ignored and this fact is omitted from the site assessments. No account is taken of the objections based on counsel's opinion (q.v.) that these sites do not pass the primary filter for inclusion.</p> <p>11. Paragraph 2.7.2 places great store on the assessments carried out by the High Weald AONB unit disclosed in HSA4. There is no assessment shown in relation to the East End. However the authors of the Plan were or should have been aware that the AONB unit had analysed and objected to this proposal when it was repeated in the Tunbridge Wells Local Plan (DLP-3458). This analysis has not been taken into account, or even mentioned.</p> <p>12. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p>				

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		<p>13. The “vision” on page 9 in relation to housing supply requires development to be sustainable. The sites at the East End are demonstrated in the detailed analysis as not sustainable. The Plan is therefore self-contradictory. Reference is made to NPPF paragraph 84 on page 12 at paragraph 9. The two sites in question fail to meet these criteria.</p> <p>14. Policy BD1 properly states the object as being to “protect and enhance heritage assets and their settings”. The requirement for 46 to 49 new dwellings involves the demolition of the 1906 early modernist sanatorium on Site 424/40b which was designed by the winner of King Edward VII’s competition for a new avant garde sanatorium for England (see Save Britain’s Heritage request for listing for this building)</p>				
BE_20	Part 2; Supporting Document HSA4;	<ol style="list-style-type: none"> Document HSA4 “High Weald AONB Advice on Benenden Neighbourhood Plan Sites” gives advice on some sites but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although most new development is proposed for these sites. High Weald AONB objects to sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). Sustainability policy (See page 9 “Vision” “to support...sustainable housing” and Policy BD8 “All new development must be constructed to be sustainable”) Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, a church, a community centre and a regular bus service yet these sites are ruled out but sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum on two sites (see attached TWBC Benenden Primary School Site Allocation January 2006). Site 158 was, in that referendum, chosen by the village as the preferred site. <i>Up till July 2018, TWBC planned up to 174 houses on the site.</i> Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. The LBD is ignored by Policies SSP3 and SSP4 which puts its value into question. Policy T2 on improving road safety. Site LS16 on the New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New 	Yes	Yes	Hazel Strouts	Hazel Strouts. We wish to be represented by Counsel

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		<p>Pond Road". Also, HSA3 proposes development of LS22 at a later date as a way of blocking development of site 158. Development staggered over time would mean two exits onto New Pond Road instead of one. Also, LS4 (Hams Travel) is ruled out because of a dangerous exit onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in (photo attached of accident there on Nov 20,2020)</p> <p>7. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by existing 18 dwellings. Where would the extra 24, at the same density, go? Also bear in mind Policy BD4 Landscaping "existing mature trees should be retained."</p> <p>8. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses, on top of the existing permission for 24 (unbuilt), to be built, according to the hospital architect's plans, over Local Wildlife Sites (see attached Clagues' – the hospital architects - plan for housing on site 424/40b)</p> <p>9. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>10. Policy BD1: need to "protect and enhance heritage assets and their settings", yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII's competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain's Heritage campaign.</p> <p>11. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>12. Plan advocates affordable housing (page 12) while proposing most development at a site over 2 miles out (LS41 and 424/40b, Policies SSP3 &4) where two cars would be essential for a family with both parents working.</p> <p>13. On 4 April, 2019, 127 local residents calling themselves "Friends of the East End (FOEE) presented a petition protesting the NDP;</p> <p>On 31 October, 2019, 164 FOEE members protested again; and</p> <p>On 11 November 2019, a further 167 FOEE people protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Both in relation to the NDP and the Local Plan, Counsel presented his opinion (see attached)</p>				

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		<p>14. I am acting as agent for the Friends of the East End, a group opposing the BNDP. We are hoping our Counsel, through our agent, will be invited to put forward our case before the Independent Examiner.</p> <p>See supporting documents:</p>				
BE_21	The plan in its entirety.	<p>We are responding to the plan under regulation 15 sent to persons affected by the 1st draft prepared in the Spring of 2019. Both myself and my wife wish to support the plan and take this opportunity to to thank Nicola Thomas as Chairman of the Parish Council together with Paul Tolhurst for their dedication to this task in accurately addressing the views of the majority of parishioners.</p> <p><i>[TWBC: also received by email on 23/11, the following]:</i></p> <p>My wife and I are writing to feed back our response to the regulation 15 plan which you have sent to us as an interested party.</p> <p>We both fully support this revised plan which quite rightly provides for the required number of new homes to be located on largely brownfield sites leaving the AONB in its present form, largely untouched. We thank the P.C. for its hard work on the villages behalf in producing this document Benenden is indeed a very special place.</p>	No	Yes	Derek Catlin and Mary Catlin.	
BE_22	<p>The main issue is that the plan quite clearly suggest that the houses are to be built in an inappropriate position.</p> <p>The other issue is that those producing the Plan have clearly ignored most of the concerns voiced.</p>	<p>The main issue is that the plan quite clearly suggest that the houses are to be built in an inappropriate position.</p> <p>The other issue is that those producing the Plan have clearly ignored most of the concerns voiced.</p> <p>Regrettably, the Plan makes inappropriate assumptions and is extremely naïve in many places.</p> <p>Although we cannot see, and we are not affected by, the proposed Hospital site housing, our extensive experience of living in Goddard's Green Road makes us an important and independent judge of the siting aspects of the Plan.</p> <p>Basically, access from the Hospital site to Benenden village is dangerous. This site is wholly inappropriate and there are many alternative suitable sites.</p>	Yes	Yes	Colin J W Czapiewski	

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		<p>The roads are very narrow, include long distances with single file traffic with few passing places, and there are no footpaths. There is no street lighting.</p> <p>We have lived in our current house along Goddard's Green Road for more than 28 years and we have always discouraged our children strongly from walking or cycling to Benenden, owing to the danger. This is especially so in winter or in darkness.</p> <p>Anyone living in the district can quite clearly see that the proposals of the Plan for off road cycle ways are impracticable in practice.</p> <p>The proposed bus service is not feasible. There has been little demand for bus services along Goddard's Green Road in the past, and the paucity of passengers on the proposed service will result in the service soon being withdrawn.</p> <p>Parking near the village shop is very difficult now, especially for those of us with disabilities, so with a substantial number of people having to drive to the village from the proposed Hospital site, as it is too far to walk, this will become far worse.</p> <p>Sites within walking distance of Benenden village centre are far more sensible and practical.</p> <p>There are many brownfield sites close to Benenden village that are far more suitable that have not been properly considered in the planning process.</p>				
BE_23	Introduction, section 2, Individual site assessments HSA3, LEA9 and TA1&2	<p>Part 2 of the NDP is defective for the following reasons: (further reasons by others will also be relied upon)</p> <ol style="list-style-type: none"> 1. It is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. 2. The adoption of the proposed LBD does not accord with development on the ground. It is an artificial construct which has been manipulated by including areas previously outside it (site LS16). Also, there is extensive development along the road to Cranbrook and Swattenden, west of the cross roads. This developed area has been artificially excluded with the object and effect of putting site 222, which is otherwise deemed suitable, outside the LBD. 3. Site 222 is shown to be suitable, available and achievable, and can support 17 to 18 dwellings. The reason given for its rejection is based on a misrepresentation. It is said that on the west side of Iden Green Road there are currently no buildings. This is false. There is a long row of houses along the side of the road, some occupied by local councillors. 	Yes	Yes	Robert Jackson	Hazel Strouts

Comment Number	Please state which part of the Benenden Neighbourhood Plan (or supporting documents) this response relates to.	Comments	If the appointed Examiner determines that a hearing is necessary, do you wish to attend?	Would you like to be notified of the Council's decision regarding the outcome of the Benenden Neighbourhood Plan under Regulation 19?	Name/Organisation	Agent's name (if applicable):
		<p>4. The plan disregards previous representations, including legal objections, without giving any reason for rejecting them. The reasoned objections previously given should be read with this document. Paragraph 2.1.4. misrepresents the result of consultation. There was a significant objection to the brownfield sites at the East End, which has been ignored (approximately 10% of the local voting-aged population objected - 127 signed to object to the parish plan March 2019 and 129 signed to object to TW Local Plan October 2019)</p> <p>5. Site LS4 is said to be unsuitable, although it is a brownfield site. The reasons given for its rejection as a site for housing apply equally to the plan's preferred sites of LS41 and 424. Such double standards are inappropriate.</p> <p>6. Site 424/40b already has unused permission for 24 houses. It is a complete non-sequitur to state that an increase of 100% is justifiable. If the Local Wildlife Sites (LWS) are excluded, see LEA9, there is no room for such an increase. Paragraph 2.9.31. says that development would only be on the foot print of existing buildings but no attempt has been made to calculate the area of such buildings and to consider whether the site can actually support 46 to 49 new dwellings. The architect's plan – not reproduced – goes well beyond the footprints.</p> <p>7. Para 2.9.3.3 sets out the constraints to development – these are overridden. Note that figure 24 in paragraph 2.8 page 15 refers to facilities to be provided. Since the site is up for sale, any obligation placed on the hospital cannot be enforced (see items enumerated under expected contributions to be required, page 64, some of which are off site). These are not lawful planning matters - conditions apply to the land, not to the current owners.</p> <p>8. 9.4.1: LS41 contains 18 dwellings already and the proposal to add 22 -25 dwellings while excluding the wildlife site shown in LEA9 leaves only the area covered by the existing 18 houses. This cannot be achieved without demolishing the existing 18 houses, so to say that the plan supports refurbishment or re-development of the existing 18 dwellings is disingenuous. If they are re-furbished, the other 22 – 25 houses have nowhere to go. Thus what we have here is actually a proposal for 40 – 43 new houses.</p> <p>9. 9.4.3 sets out the same constraints on site LS41 as apply to site 424, and again, they are ignored. The same consideration applies to expected contributions to this site as to site 424, see paragraph 7 above. When one adds in the requirements for a children's playground, a café, a shop, a nursery school and for parking, there is no room left for houses. No calculations have been attempted to show the area required for such facilities.</p> <p>10. It is plain that the desire to create a new settlement over 2 miles from the main village of up to 92 new dwellings (including the existing permissions and the 18 existing dwellings) is unsustainable. No amount of convoluted manipulation can overcome the obvious constraints. That these sites are well outside the LBD is ignored and this fact is omitted from the site assessments. No account is taken of the objections based on counsel's opinion (q.v.) that these sites do not pass the primary filter for inclusion.</p> <p>11. Paragraph 2.7.2 places great store on the assessments carried out by the High Weald AONB unit disclosed in HSA4. There is no assessment shown in relation to the East End. However the authors of the Plan were or should have been aware that the AONB unit</p>				

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		<p>had analysed and objected to this proposal when it was repeated in the Tunbridge Wells Local Plan (DLP-3458). This analysis has not been taken into account, or even mentioned.</p> <p>12. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>13. The “vision” on page 9 in relation to housing supply requires development to be sustainable. The sites at the East End are demonstrated in the detailed analysis as not sustainable. The Plan is therefore self-contradictory. Reference is made to NPPF paragraph 84 on page 12 at paragraph 9. The two sites in question fail to meet these criteria.</p> <p>14. Policy BD1 properly states the object as being to “protect and enhance heritage assets and their settings”. The requirement for 46 to 49 new dwellings involves the demolition of the 1906 early modernist sanatorium on Site 424/40b which was designed by the winner of King Edward VII’s competition for a new avant garde sanatorium for England (see Save Britain’s Heritage request for listing for this building)</p>				
BE_24	Introduction, section 2, Individual site assessments HSA3, LEA9 and TA1&2	<p>Part 2 of the NDP is defective for the following reasons: (further reasons by others will also be relied upon)</p> <ol style="list-style-type: none"> 1. It is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. 2. The adoption of the proposed LBD does not accord with development on the ground. It is an artificial construct which has been manipulated by including areas previously outside it (site LS16). Also, there is extensive development along the road to Cranbrook and Swattenden, west of the cross roads. This developed area has been artificially excluded with the object and effect of putting site 222, which is otherwise deemed suitable, outside the LBD. 3. Site 222 is shown to be suitable, available and achievable, and can support 17 to 18 dwellings. The reason given for its rejection is based on a misrepresentation. It is said that on the west side of Iden Green Road there are currently no buildings. This is false. There is a long row of houses along the side of the road, some occupied by local councillors. 4. The plan disregards previous representations, including legal objections, without giving any reason for rejecting them. The reasoned objections previously given should be read with this document. Paragraph 2.1.4. misrepresents the result of consultation. There was a significant objection to the brownfield sites at the East End, which has been ignored (approximately 10% of the local voting-aged population objected - 127 signed to object to the parish plan March 2019 and 129 signed to object to TW Local Plan October 2019) 	Yes	Yes	Carolyn Jackson	Hazel Strouts

Comment Number	Please state which part of the Benenden Neighbourhood Plan (or supporting documents) this response relates to.	Comments	If the appointed Examiner determines that a hearing is necessary, do you wish to attend?	Would you like to be notified of the Council's decision regarding the outcome of the Benenden Neighbourhood Plan under Regulation 19?	Name/Organisation	Agent's name (if applicable):
		<p>5. Site LS4 is said to be unsuitable, although it is a brownfield site. The reasons given for its rejection as a site for housing apply equally to the plan's preferred sites of LS41 and 424. Such double standards are inappropriate.</p> <p>6. Site 424/40b already has unused permission for 24 houses. It is a complete non-sequitur to state that an increase of 100% is justifiable. If the Local Wildlife Sites (LWS) are excluded, see LEA9, there is no room for such an increase. Paragraph 2.9.31. says that development would only be on the foot print of existing buildings but no attempt has been made to calculate the area of such buildings and to consider whether the site can actually support 46 to 49 new dwellings. The architect's plan – not reproduced – goes well beyond the footprints.</p> <p>7. Para 2.9.3.3 sets out the constraints to development – these are overridden. Note that figure 24 in paragraph 2.8 page 15 refers to facilities to be provided. Since the site is up for sale, any obligation placed on the hospital cannot be enforced (see items enumerated under expected contributions to be required, page 64, some of which are off site). These are not lawful planning matters - conditions apply to the land, not to the current owners.</p> <p>8. 9.4.1: LS41 contains 18 dwellings already and the proposal to add 22 -25 dwellings while excluding the wildlife site shown in LEA9 leaves only the area covered by the existing 18 houses. This cannot be achieved without demolishing the existing 18 houses, so to say that the plan supports refurbishment or re-development of the existing 18 dwellings is disingenuous. If they are re-furbished, the other 22 – 25 houses have nowhere to go. Thus what we have here is actually a proposal for 40 – 43 new houses.</p> <p>9. 9.4.3 sets out the same constraints on site LS41 as apply to site 424, and again, they are ignored. The same consideration applies to expected contributions to this site as to site 424, see paragraph 7 above. When one adds in the requirements for a children's playground, a café, a shop, a nursery school and for parking, there is no room left for houses. No calculations have been attempted to show the area required for such facilities.</p> <p>10. It is plain that the desire to create a new settlement over 2 miles from the main village of up to 92 new dwellings (including the existing permissions and the 18 existing dwellings) is unsustainable. No amount of convoluted manipulation can overcome the obvious constraints. That these sites are well outside the LBD is ignored and this fact is omitted from the site assessments. No account is taken of the objections based on counsel's opinion (q.v.) that these sites do not pass the primary filter for inclusion.</p> <p>11. Paragraph 2.7.2 places great store on the assessments carried out by the High Weald AONB unit disclosed in HSA4. There is no assessment shown in relation to the East End. However the authors of the Plan were or should have been aware that the AONB unit had analysed and objected to this proposal when it was repeated in the Tunbridge Wells Local Plan (DLP-3458). This analysis has not been taken into account, or even mentioned.</p> <p>12. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p>				

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		<p>13. The “vision” on page 9 in relation to housing supply requires development to be sustainable. The sites at the East End are demonstrated in the detailed analysis as not sustainable. The Plan is therefore self-contradictory. Reference is made to NPPF paragraph 84 on page 12 at paragraph 9. The two sites in question fail to meet these criteria.</p> <p>14. Policy BD1 properly states the object as being to “protect and enhance heritage assets and their settings”. The requirement for 46 to 49 new dwellings involves the demolition of the 1906 early modernist sanatorium on Site 424/40b which was designed by the winner of King Edward VII’s competition for a new avant garde sanatorium for England (see Save Britain’s Heritage request for listing for this building)</p>				
BE_25	Introduction, section 2, Individual site assessments HSA3, LEA9 and TA1&2	<p>Part 2 of the NDP is defective for the following reasons: (further reasons by others will also be relied upon)</p> <ol style="list-style-type: none"> 1. It is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. 2. The adoption of the proposed LBD does not accord with development on the ground. It is an artificial construct which has been manipulated by including areas previously outside it (site LS16). Also, there is extensive development along the road to Cranbrook and Swattenden, west of the cross roads. This developed area has been artificially excluded with the object and effect of putting site 222, which is otherwise deemed suitable, outside the LBD. 3. Site 222 is shown to be suitable, available and achievable, and can support 17 to 18 dwellings. The reason given for its rejection is based on a misrepresentation. It is said that on the west side of Iden Green Road there are currently no buildings. This is false. There is a long row of houses along the side of the road, some occupied by local councillors. 4. The plan disregards previous representations, including legal objections, without giving any reason for rejecting them. The reasoned objections previously given should be read with this document. Paragraph 2.1.4. misrepresents the result of consultation. There was a significant objection to the brownfield sites at the East End, which has been ignored (approximately 10% of the local voting-aged population objected - 127 signed to object to the parish plan March 2019 and 129 signed to object to TW Local Plan October 2019) 5. Site LS4 is said to be unsuitable, although it is a brownfield site. The reasons given for its rejection as a site for housing apply equally to the plan’s preferred sites of LS41 and 424. Such double standards are inappropriate. 6. Site 424/40b already has unused permission for 24 houses. It is a complete non-sequitur to state that an increase of 100% is justifiable. If the Local Wildlife Sites (LWS) are excluded, see LEA9, there is no room for such an increase. Paragraph 2.9.31. says that development would only be on the foot print of existing buildings but no attempt has been made to 	Yes	Yes	Norman Arthur Kenneth Heath	Hazel Strouts

Comment Number	Please state which part of the Benenden Neighbourhood Plan (or supporting documents) this response relates to.	Comments	If the appointed Examiner determines that a hearing is necessary, do you wish to attend?	Would you like to be notified of the Council's decision regarding the outcome of the Benenden Neighbourhood Plan under Regulation 19?	Name/Organisation	Agent's name (if applicable):
		<p>calculate the area of such buildings and to consider whether the site can actually support 46 to 49 new dwellings. The architect's plan – not reproduced – goes well beyond the footprints.</p> <p>7. Para 2.9.3.3 sets out the constraints to development – these are overridden. Note that figure 24 in paragraph 2.8 page 15 refers to facilities to be provided. Since the site is up for sale, any obligation placed on the hospital cannot be enforced (see items enumerated under expected contributions to be required, page 64, some of which are off site). These are not lawful planning matters - conditions apply to the land, not to the current owners.</p> <p>8. 2.9.4.1: LS41 contains 18 dwellings already and the proposal to add 22 -25 dwellings while excluding the wildlife site shown in LEA9 leaves only the area covered by the existing 18 houses. This cannot be achieved without demolishing the existing 18 houses, so to say that the plan supports refurbishment or re-development of the existing 18 dwellings is disingenuous. If they are re-furbished, the other 22 – 25 houses have nowhere to go. Thus what we have here is actually a proposal for 40 – 43 new houses.</p> <p>9. 2.9.4.3 sets out the same constraints on site LS41 as apply to site 424, and again, they are ignored. The same consideration applies to expected contributions to this site as to site 424, see paragraph 7 above. When one adds in the requirements for a children's playground, a café, a shop, a nursery school and for parking, there is no room left for houses. No calculations have been attempted to show the area required for such facilities.</p> <p>10. It is plain that the desire to create a new settlement over 2 miles from the main village of up to 92 new dwellings (including the existing permissions and the 18 existing dwellings) is unsustainable. No amount of convoluted manipulation can overcome the obvious constraints. That these sites are well outside the LBD is ignored and this fact is omitted from the site assessments. No account is taken of the objections based on counsel's opinion (q.v.) that these sites do not pass the primary filter for inclusion.</p> <p>11. Paragraph 2.7.2 places great store on the assessments carried out by the High Weald AONB unit disclosed in HSA4. There is no assessment shown in relation to the East End. However the authors of the Plan were or should have been aware that the AONB unit had analysed and objected to this proposal when it was repeated in the Tunbridge Wells Local Plan (DLP-3458). This analysis has not been taken into account, or even mentioned.</p> <p>12. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>13. The “vision” on page 9 in relation to housing supply requires development to be sustainable. The sites at the East End are demonstrated in the detailed analysis as not sustainable. The Plan is therefore self-contradictory. Reference is made to NPPF paragraph 84 on page 12 at paragraph 9. The two sites in question fail to meet these criteria.</p> <p>14. Policy BD1 properly states the object as being to “protect and enhance heritage assets and their settings”. The requirement for 46 to 49 new dwellings involves the demolition of the 1906 early modernist sanatorium on Site 424/40b which was designed by the winner of</p>				

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		King Edward VII's competition for a new avant garde sanatorium for England (see Save Britain's Heritage request for listing for this building)				
BE_26	Part 2: Supporting Document HSA4	<ol style="list-style-type: none"> 1. Document HSA4 "High Weald AONB Advice on Benenden Neighbourhood Plan Sites" gives advice on some sites but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although most new development is proposed for these sites. High Weald AONB objects to sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. 2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). 3. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, a church, a community centre and a regular bus service yet these sites are ruled out but sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in. 4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum on two sites. Site 158 was, in that referendum, chosen by the village as the preferred site. <i>Up till July 2018, TWBC planned up to 174 houses on the site.</i> 5. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. The LBD is ignored by Policies SSP3 and SSP4 which puts its value into question. 6. Policy T2 on improving road safety. Site LS16 on the New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the "speed of traffic on New Pond Road". Also, HSA3 proposes development of LS22 at a later date as a way of blocking development of site 158. Development staggered over time would mean two exits onto New Pond Road instead of one. Also, LS4 (Hams Travel) is ruled out because of a 'dangerous exit' onto Cranbrook Road, but two sites at the hospital on Goddard's Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. 7. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by existing 18 dwellings. 	Yes	Yes	Amanda Petch	Hazel Strouts

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		<p>Where would the extra 24, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.”</p> <p>8. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses, on top of the existing permission for 24 (unbuilt), to be built, according to the hospital architect’s plans, over Local Wildlife Sites (see attached Clagues’ – the hospital architects - plan for housing on site 424/40b)</p> <p>9. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of Greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>10. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII’s competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain’s Heritage campaign.</p> <p>11. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>12. Plan advocates affordable housing (page 12) while proposing most development at a site over 2 miles out (LS41 and 424/40b, Policies SSP3 & 4) where two cars would be essential for a family with both parents working.</p> <p>13. A local group opposing BNP plans for a <i>quasi</i> new village at the hospital have formed a group called Friends of the East End (FOE). On 4 April, 2019, 127 FOE supporters presented a petition protesting the NDP; on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP.</p> <p>14. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_27	Part 2: Supporting Document HSA4	<p>1. Document HSA4 “High Weald AONB Advice on Benenden Neighbourhood Plan Sites” gives advice on some sites but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although most new development is proposed for these sites. High Weald AONB objects to sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments.</p> <p>2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above).</p> <p>3. Sustainability policy (See page 9 “Vision” “to support...sustainable housing” and Policy BD8 “All new development must be constructed to be sustainable”) Sites 437 and LS8 are</p>	Yes	Yes	Robert Petch	Hazel Strouts

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		<p>in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, a church, a community centre and a regular bus service yet these sites are ruled out but sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in.</p> <p>4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum on two sites. Site 158 was, in that referendum, chosen by the village as the preferred site. <i>Up till July 2018, TWBC planned up to 174 houses on the site.</i></p> <p>5. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. The LBD is ignored by Policies SSP3 and SSP4 which puts its value into question.</p> <p>6. Policy T2 on improving road safety. Site LS16 on the New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes development of LS22 at a later date as a way of blocking development of site 158. Development staggered over time would mean two exits onto New Pond Road instead of one. Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddard’s Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in.</p> <p>7. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by existing 18 dwellings. Where would the extra 24, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.”</p> <p>8. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses, on top of the existing permission for 24 (unbuilt), to be built, according to the hospital architect’s plans, over Local Wildlife Sites (see attached Clagues’ – the hospital architects - plan for housing on site 424/40b)</p> <p>9. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of Greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>10. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII’s competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain’s Heritage campaign.</p> <p>11. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p>				

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		<p>12. Plan advocates affordable housing (page 12) while proposing most development at a site over 2 miles out (LS41 and 424/40b, Policies SSP3 &4) where two cars would be essential for a family with both parents working.</p> <p>13. A local group opposing BNP plans for a <i>quasi</i> new village at the hospital have formed a group called Friends of the East End (FOE). On 4 April, 2019, 127 FOE supporters presented a petition protesting the NDP; on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP.</p> <p>14. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_28	Part 2; Supporting Document HSA4	<p>1. Supporting Document HSA4 “High Weald AONB Advice on Benenden Neighbourhood Plan Sites” gives advice on some of sites but not the sites proposed for most houses. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41, although these sites are in a bubble bulging into the AONB.</p> <p>2. Inconsistent application of brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy - ruling some greenfield sites in (277 Feoffee) and others out (158 and 222)</p> <p>3. Inconsistent application of policy on sustainability. Sites 437 and LS8 Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, a church, a community centre and a regular bus service are ruled out, but sites LS41 and 424/LS40b, which have none of these amenities and which are twice as far from the village, are ruled in. Also arguing on page 67 that development should take place in a rural area to achieve sustainability, yet advocating sites which are unsustainable (LS41 and 424/LS40b)</p> <p>4. Inconsistent application of policy T1 Car-free connectivity. Sites 222 and 158 where residents could easily walk to school and to shops are ruled out, while sites LS41 and 424/LS40b which are at least two miles distant from the village, are ruled in. And by ruling sites LS8 and 437 in Iden Green out, although there is an existing paved footpath to the village while sites LS41 and 424.40b, with no link, are ruled in.</p> <p>5. Inconsistent application of policy T2 on improving road safety. Site LS4 onto the Cranbrook Road, ruled in although the adjacent site of LS22 is ruled out. Also in HSE15, proposing the development of LS22 at a later date as a way of blocking development of site 158. This would mean two exits onto New Pond Road instead of one. Also ruling that an entrance onto New Pond Road from LS16 would contribute "to traffic calming on New Pond Road and at the Benenden crossroads." (SSP2), while adjacent site LS22 is rejected because of "speed of traffic on New Pond Road".</p>	Yes	Yes	Derek William East	Hazel Strouts

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		<p>6. Inconsistent method of allocating the numbers of houses at LS41 where a small site currently almost entirely taken up with its existing 18 dwellings, is proposed as a suitable for a further 24 dwellings (SSP4).</p> <p>7. Inconsistent application of Policy LE7 to protect habitats adjacent to development. Site 424/40b (SSP3) 25 houses are proposed on top of the existing permission for 24 (unbuilt). According to the hospital architect's plans (SSP3) these will not be limited to existing footprints and will extend over LWSites</p> <p>8. Policy BD1 properly states the object as being to "protect and enhance heritage assets and their settings". The requirement for 46 to 49 new dwellings involves the demolition of the architecturally unique and historically important 1906 early modernist sanatorium on Site 424/40b. It was designed by the winner of King Edward VII's competition for a new avant garde sanatorium for England (see Save Britain's Heritage request for listing). This building should be retained.</p> <p>9. Manipulation of the LBD to include Site LS16 (Uphill) but to exclude site 158 (previously favoured by TWBC for site of new primary school and in 2000 voted by the village as the preferred site for that school) and to exclude An LBD not yet approved is relied on in the draft Plan.</p> <p>10. Inconsistent application of Policy LE1 to protect and enhance the countryside by advocating most development outside the LBD both actual and proposed.</p> <p>11. Advocates affordable housing while most houses are proposed for a site 2 miles out (LS41 and 424/40b) where a car would be essential (page 12)</p>				
BE_29	Part 2; Supporting Document HSA4	<p>1. Document HSA4 "High Weald AONB Advice on Benenden Neighbourhood Plan Sites" gives advice on some sites in the parish, but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although most new development is proposed for these sites. High Weald AONB objects to sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments.</p> <p>2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above).</p> <p>3. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in.</p>	Yes	Yes	Mr Robert Callander	Hazel Strouts

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		<p>4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum on two sites. Site 158 was, in that referendum, chosen by the village as the preferred site. <i>Up till July 2018, TWBC planned up to 174 houses on the site.</i></p> <p>5. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course.</p> <p>6. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. The LBD is ignored by Policies SSP3 and SSP4 which puts its value into question.</p> <p>7. Policy T2 on improving road safety. Site LS16 on the New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes the development of LS22 at a later date as a way of blocking development of site 158 which is right behind it. If this were to happen, there would be two exits close together onto New Pond Road which would surely be more dangerous than one. Proposing to develop anywhere simply to block development elsewhere is not a proper planning reason. Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. There was a serious accident at those cross roads on November 20, 2020. Biddenden Parish Clerk has written on behalf of the parish of Biddenden to strongly oppose the plan largely on traffic issues. She has written to Benenden parish council about their plan and received an acknowledgment but no reply. Biddenden presents its objections at https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments – their objection is DLP_650.</p> <p>8. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by existing 18 dwellings. Where would the extra 25, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.” The plan talks of ‘redeveloping’ the existing 18 dwellings by which they mean demolition and building new dwellings, so the number of dwellings proposed at this site is not 25, but 18 plus 25 i.e. 43.</p> <p>9. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses, on top of the existing permission for 24 (unbuilt), to be built, according to the hospital architect’s plans, over Local Wildlife Sites (see Clagues’ – the hospital architects - plan for housing on site 424/40b)</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled</p>				

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		<p>out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII's competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain's Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site over 2 miles out (LS41 and 424/40b, Policies SSP3 & 4) where two cars would be essential for a family with both parents working.</p> <p>14. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>15. A local group called 'The Friends of the East End' (FOE) opposes these plans for a <i>quasi</i>-new village at the hospital. On 4 April, 2019, 127 FOE supporters presented a petition protesting the NDP; on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored. Our views, as the views of the parish of Biddenden, have not been taken into account. Those who wrote letters were never informed of the Consultation over Regulation 16 and many of those with email, were never contacted either.</p> <p>16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_30	<p>Site Specific Policy (SSP3)</p> <p>Land at Benenden Hospital, South of Goddards Green Road, East End — South East Quadrant (SEQ) (ISA reference: Site 424 and LS40b)</p>	<p>The sanitarium buildings are of great historical significance and it seems inexcusable to consider knocking them down and replacing them with new housing. I understand there are longstanding problems with Concrete Cancer which may make conversion difficult but surely not impossible. I worked I in the wards between 1966 and 2003 and feel it would be a great tragedy to lose yet another part of the history of health provision in this country.</p> <p>the Late Mervyn Quinlan Researched and was part of the history of the hospital and I believe the treasured memories and artifacts he collected are in the care of the society after the museum was closed. This building is in the realm of the De la Warr Pavilion and should be used to provide characterful housing in keeping with the surrounding</p>	Yes	Yes	Mrs Erica Williams	

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BE_31	Part 2; Supporting Document HSA4	<ol style="list-style-type: none"> Supporting Document HSA4 “High Weald AONB Advice on Benenden Neighbourhood Plan Sites” gives advice on some of sites but not the sites proposed for most houses. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41, although these sites are in a bubble bulging into the AONB. Inconsistent application of brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy - ruling some greenfield sites in (277 Feoffee) and others out (158 and 222) Inconsistent application of policy on sustainability. Sites 437 and LS8 Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, a church, a community centre and a regular bus service are ruled out, but sites LS41and 424/LS40b, which have none of these amenities and which are twice as far from the village, are ruled in. Also arguing on page 67 that development should take place in a rural area to achieve sustainability, yet advocating sites which are unsustainable (LS41 and 424/LS40b) Inconsistent application of policy T1 Car-free connectivity. Sites 222 and 158 where residents could easily walk to school and to shops are ruled out, while sites LS41 and 424/LS40b which are at least two miles distant from the village, are ruled in. And by ruling sites LS8 and 437 in Iden Green out, although there is an existing paved footpath to the village while sites LS41 and 424.40b, with no link, are ruled in. Inconsistent application of policy T2 on improving road safety. Site LS4 onto the Cranbrook Road, ruled in although the adjacent site of LS22 is ruled out. Also in HSE15, proposing the development of LS22 at a later date as a way of blocking development of site 158. This would mean two exits onto New Pond Road instead of one. Also ruling that an entrance onto New Pond Road from LS16 would contribute "to traffic calming on New Pond Road and at the Benenden crossroads." (SSP2), while adjacent site LS22 is rejected because of "speed of traffic on New Pond Road". Inconsistent method of allocating the numbers of houses at LS41 where a small site currently almost entirely taken up with its existing 18 dwellings, is proposed as a suitable for a further 24 dwellings (SSP4). Inconsistent application of Policy LE7 to protect habitats adjacent to development. Site 424/40b (SSP3) 25 houses are proposed on top of the existing permission for 24 (unbuilt). According to the hospital architect's plans (SSP3) these will not be limited to existing footprints and will extend over LWSites Claiming that "the principal aim is to protect and enhance the beauty of the parish" and, Policy BD1 to "protect and enhance heritage assets and their settings", yet endorsing the destruction of the 1902 early modernist sanatorium on Site 424/40b which was designed by the winner of King Edward VII's competition for a new avant garde sanatorium for England (see Save Britain's Heritage request for listing this building) 	Yes	Yes	Miss Nina Bromley	Hazel Strouts and Euan Burrows

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		<p>9. Manipulation of the LBD to include Site LS16 (Uphill) but to exclude site 158 (previously favoured by TWBC for site of new primary school and in 2000 voted by the village as the preferred site for that school) and to exclude An LBD not yet approved is relied on in the draft Plan.</p> <p>10. Inconsistent application of Policy LE1 to protect and enhance the countryside by advocating most development outside the LBD both actual and proposed.</p> <p>11. Advocates affordable housing while most houses are proposed for a site 2 miles out (LS41 and 424/40b) where a car would be essential (page 12)</p>				
BE_32	Benenden Neighbourhood Plan	<p>This is a most disreputable suggestion by the Parish planners to accommodate only 36 houses in Benenden village and expect the remaining 65 all to be put up at East End where there is no infrastructure.</p> <p>If the village is forced to expand, it should do so from the centre where all the facilities are. This is natural.</p> <p>With sympathetic planning, it must surely be possible to situate houses parallel to the village streets on site number 158 with access off New Pond road. It would seem logical to extend a new development from New Pond road right the way across to the recent housing in Vere Meadows. All human settlements accrue from the middle in this way.</p> <p>If the old hospital building at East End were then converted instead of being demolished, this might produce an additional 25 outlying houses without overloading the environment and meet the target.</p>			Christopher Neve	
BE_33	Benenden NDP	We write in support of the Benenden Village Plan, now submitted for your consideration.			Chris and Mary Parkinson	
BE_34	Introduction, section 2, Individual site assessments HSA3, LEA9 and TA1&2	<p>Part 2 of the NDP is defective for the following reasons: (further reasons by others will also be relied upon)</p> <ol style="list-style-type: none"> 1. It is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. 2. The adoption of the proposed LBD does not accord with development on the ground. It is an artificial construct which has been manipulated by including areas previously outside it (site LS16). Also, there is extensive development along the road to Cranbrook and Swattenden, west of the cross-roads. This developed area has been artificially excluded with the object and effect of putting site 222, which is otherwise deemed suitable, outside the LBD. 	Yes	Yes	Anne Ludlow	Anne Ludlow

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		<p>3. Site 222 is shown to be suitable, available and achievable, and can support 17 to 18 dwellings. The reason given for its rejection is based on a misrepresentation. It is said that on the west side of Iden Green Road there are currently no buildings. This is false. There is a long row of houses along the side of the road, some occupied by local councilors.</p> <p>4. The plan disregards previous representations, including legal objections, without giving any reason for rejecting them. The reasoned objections previously given should be read with this document. Paragraph 2.1.4. misrepresents the result of consultation. There was a significant objection to the brownfield sites at the East End, which has been ignored (approximately 10% of the local voting-aged population objected - 127 signed to object to the parish plan March 2019 and 129 signed to object to TW Local Plan October 2019)</p> <p>5. Site LS4 is said to be unsuitable, although it is a brownfield site. The reasons given for its rejection as a site for housing apply equally to the plan's preferred sites of LS41 and 424. Such double standards are inappropriate.</p> <p>6. Site 424/40b already has unused permission for 24 houses. It is a complete non-sequitur to state that an increase of 100% is justifiable. If the Local Wildlife Sites (LWS) are excluded, see LEA9, there is no room for such an increase. Paragraph 2.9.31. says that development would only be on the foot print of existing buildings but no attempt has been made to calculate the area of such buildings and to consider whether the site can actually support 46 to 49 new dwellings. The architect's plan – not reproduced – goes well beyond the footprints.</p> <p>7. Para 2.9.3.3 sets out the constraints to development – these are overridden. Note that figure 24 in paragraph 2.8 page 15 refers to facilities to be provided. Since the site is up for sale, any obligation placed on the hospital cannot be enforced (see items enumerated under expected contributions to be required, page 64, some of which are off site). These are not lawful planning matters - conditions apply to the land, not to the current owners.</p> <p>8. 2.9.4.1: LS41 contains 18 dwellings already and the proposal to add 22 -25 dwellings while excluding the wildlife site shown in LEA9 leaves only the area covered by the existing 18 houses. This cannot be achieved without demolishing the existing 18 houses, so to say that the plan supports refurbishment or re-development of the existing 18 dwellings is disingenuous. If they are re-furbished, the other 22 – 25 houses have nowhere to go. Thus what we have here is actually a proposal for 40 – 43 new houses.</p> <p>9. 2.9.4.3 sets out the same constraints on site LS41 as apply to site 424, and again, they are ignored. The same consideration applies to expected contributions to this site as to site 424, see paragraph 7 above. When one adds in the requirements for a children's playground, a café, a shop, a nursery school and for parking, there is no room left for houses. No calculations have been attempted to show the area required for such facilities.</p> <p>10. It is plain that the desire to create a new settlement over 2 miles from the main village of up to 92 new dwellings (including the existing permissions and the 18 existing dwellings) is unsustainable. No amount of convoluted manipulation can overcome the obvious constraints. That these sites are well outside the LBD is ignored and this fact is omitted from the site assessments. No account is taken of the objections based on counsel's opinion (q.v.) that these sites do not pass the primary filter for inclusion.</p>				

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		<p>11. Paragraph 2.7.2 places great store on the assessments carried out by the High Weald AONB unit disclosed in HSA4. There is no assessment shown in relation to the East End. However the authors of the Plan were or should have been aware that the AONB unit had analysed and objected to this proposal when it was repeated in the Tunbridge Wells Local Plan (DLP-3458). This analysis has not been taken into account, or even mentioned.</p> <p>12. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>13. The “vision” on page 9 in relation to housing supply requires development to be sustainable. The sites at the East End are demonstrated in the detailed analysis as not sustainable. The Plan is therefore self-contradictory. Reference is made to NPPF paragraph 84 on page 12 at paragraph 9. The two sites in question fail to meet these criteria.</p> <p>14. Policy BD1 properly states the object as being to “protect and enhance heritage assets and their settings”. The requirement for 46 to 49 new dwellings involves the demolition of the 1906 early modernist sanatorium on Site 424/40b which was designed by the winner of King Edward VII’s competition for a new avant garde sanatorium for England (see Save Britain’s Heritage request for listing for this building)</p>				
BE_35	Part 2; Supporting Document HSA4;	<p>1. Document HSA4 “High Weald AONB Advice on Benenden Neighbourhood Plan Sites” gives advice on some sites but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although most new development is proposed for these sites. High Weald AONB objects to sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments.</p> <p>2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above).</p> <p>3. Sustainability policy (See page 9 “Vision” “to support...sustainable housing” and Policy BD8 “All new development must be constructed to be sustainable”) Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, a church, a community centre and a regular bus service yet these sites are ruled out but sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in.</p> <p>4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC</p>	Yes	Yes	Anne Ludlow	Anne Ludlow

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		<p>considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum on two sites. Site 158 was, in that referendum, chosen by the village as the preferred site. <i>Up till July 2018, TWBC planned up to 174 houses on the site.</i></p> <p>5. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. The LBD is ignored by Policies SSP3 and SSP4 which puts its value into question.</p> <p>6. Policy T2 on improving road safety. Site LS16 on the New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes development of LS22 at a later date as a way of blocking development of site 158. Development staggered over time would mean two exits onto New Pond Road instead of one. Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in.</p> <p>7. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by existing 18 dwellings. Where would the extra 24, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.”</p> <p>8. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses, on top of the existing permission for 24 (unbuilt), to be built, according to the hospital architect’s plans, over Local Wildlife Sites (see attached Clagues’ – the hospital architects - plan for housing on site 424/40b)</p> <p>9. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>10. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII’s competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain’s Heritage campaign.</p> <p>11. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>12. Plan advocates affordable housing (page 12) while proposing most development at a site over 2 miles out (LS41 and 424/40b, Policies SSP3 & 4) where two cars would be essential for a family with both parents working.</p> <p>13. A local group opposing BNP plans for a <i>quasi</i> new village at the hospital have formed a group called Friends of the East End (FOE). On 4 April, 2019, 127 FOE supporters presented a petition protesting the NDP; on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP.</p>				

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		14. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.				
BE_36	Introduction, section 2, Individual site assessments HSA3, LEA9 and TA1&2	<p>Part 2 of the NDP is defective for the following reasons: (further reasons by others will also be relied upon)</p> <ol style="list-style-type: none"> 1. It is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due 2. The adoption of the proposed LBD does not accord with development on the ground. It is an artificial construct which has been manipulated by including areas previously outside it (site LS16). Also, there is extensive development along the road to Cranbrook and Swattenden, west of the cross roads. This developed area has been artificially excluded with the object and effect of putting site 222, which is otherwise deemed suitable, outside the 3. Site 222 is shown to be suitable, available and achievable, and can support 17 to 18 dwellings. The reason given for its rejection is based on a misrepresentation. It is said that on the west side of Iden Green Road there are currently no buildings. This is false. There is a long row of houses along the side of the road, some occupied by local 4. The plan disregards previous representations, including legal objections, without giving any reason for rejecting them. The reasoned objections previously given should be read with this document. Paragraph 2.1.4. misrepresents the result of consultation. There was a significant objection to the brownfield sites at the East End, which has been ignored (approximately 10% of the local voting- aged population objected - 127 signed to object to the parish plan March 2019 and 129 signed to object to TW Local Plan October 2019) 5. Site LS4 is said to be unsuitable, although it is a brownfield site. The reasons given for its rejection as a site for housing apply equally to the plan's preferred sites of LS41 and 424. Such double standards are 6. Site 424/40b already has unused permission for 24 houses. It is a complete non-sequitur to state that an increase of 100% is justifiable. If the Local Wildlife Sites (LWS) are excluded, see LEA9, there is no room for such an increase. Paragraph 2.9.31. says that development would only be on the foot print of existing buildings but no attempt has been made to calculate the area of such buildings and to consider whether the site can actually support 46 to 49 new dwellings. The architect's plan – not reproduced – goes well beyond the 7. Para 2.9.3.3 sets out the constraints to development – these are overridden. Note that figure 24 in paragraph 2.8 page 15 refers to facilities to be provided. Since the site is up for sale, any obligation placed on the hospital cannot be enforced (see items enumerated under expected contributions to be required, page 64, some of which are off site). These are not lawful planning matters - conditions apply to the land, not to the current 	Yes	Yes	Grahame Ludlow	Grahame Ludlow

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		<p>8. 9.4.1: LS41 contains 18 dwellings already and the proposal to add 22 -25 dwellings while excluding the wildlife site shown in LEA9 leaves only the area covered by the existing 18 houses. This cannot be achieved without demolishing the existing 18 houses, so to say that the plan supports refurbishment or re-development of the existing 18 dwellings is disingenuous. If they are re-furbished, the other 22 – 25 houses have nowhere to go. Thus what we have here is actually a proposal for 40 – 43 new houses.</p> <p>9. 9.4.3 sets out the same constraints on site LS41 as apply to site 424, and again, they are ignored. The same consideration applies to expected contributions to this site as to site 424, see paragraph 7 above. When one adds in the requirements for a children's playground, a café, a shop, a nursery school and for parking, there is no room left for houses. No calculations have been attempted to show the area required for such facilities.</p> <p>10. It is plain that the desire to create a new settlement over 2 miles from the main village of up to 92 new dwellings (including the existing permissions and the 18 existing dwellings) is unsustainable. No amount of convoluted manipulation can overcome the obvious constraints. That these sites are well outside the LBD is ignored and this fact is omitted from the site assessments. No account is taken of the objections based on counsel's opinion (q.v.) that these sites do not pass the primary filter for inclusion.</p> <p>11. Paragraph 2.7.2 places great store on the assessments carried out by the High Weald AONB unit disclosed in HSA4. There is no assessment shown in relation to the East End. However the authors of the Plan were or should have been aware that the AONB unit had analysed and objected to this proposal when it was repeated in the Tunbridge Wells Local Plan (DLP-3458). This analysis has not been taken into account, or even</p> <p>12. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>13. The “vision” on page 9 in relation to housing supply requires development to be sustainable. The sites at the East End are demonstrated in the detailed analysis as not sustainable. The Plan is therefore self-contradictory. Reference is made to NPPF paragraph 84 on page 12 at paragraph The two sites in question fail to meet these criteria.</p> <p>14. Policy BD1 properly states the object as being to “protect and enhance heritage assets and their settings”. The requirement for 46 to 49 new dwellings involves the demolition of the 1906 early modernist sanatorium on Site 424/40b which was designed by the winner of King Edward VII's competition for a new avant garde sanatorium for England (see Save Britain's Heritage request for listing for this building)</p>				
BE_37	Part 2; Supporting Document HSA4;	<p>1. Document HSA4 “High Weald AONB Advice on Benenden Neighbourhood Plan Sites” gives advice on some sites but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although most new development is proposed for these sites. High Weald AONB objects to</p>	Yes	Yes	Grahame Ludlow	Grahame Ludlow

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		<p>sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments.</p> <p>2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above).</p> <p>3. Sustainability policy (See page 9 “Vision” “to support...sustainable housing” and Policy BD8 “All new development must be constructed to be sustainable”) Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, a church, a community centre and a regular bus service yet these sites are ruled out but sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in.</p> <p>4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum on two sites. Site 158 was, in that referendum, chosen by the village as the preferred site. <i>Up till July 2018, TWBC planned up to 174 houses on the site.</i></p> <p>5. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. The LBD is ignored by Policies SSP3 and SSP4 which puts its value into question.</p> <p>6. Policy T2 on improving road safety. Site LS16 on the New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes development of LS22 at a later date as a way of blocking development of site 158. Development staggered over time would mean two exits onto New Pond Road instead of one. Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in.</p> <p>7. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by existing 18 dwellings. Where would the extra 24, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.”</p> <p>8. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses, on top of the existing permission for 24 (unbuilt), to be built, according to the hospital architect’s plans, over Local Wildlife Sites (see attached Clagues’ – the hospital architects - plan for housing on site 424/40b)</p> <p>9. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>10. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site</p>				

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		<p>424/40b, designed by the winner of King Edward VII's competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain's Heritage campaign.</p> <p>11. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>12. Plan advocates affordable housing (page 12) while proposing most development at a site over 2 miles out (LS41 and 424/40b, Policies SSP3 & 4) where two cars would be essential for a family with both parents working.</p> <p>13. A local group opposing BNP plans for a <i>quasi</i> new village at the hospital have formed a group called Friends of the East End (FOE). On 4 April, 2019, 127 FOE supporters presented a petition protesting the NDP; on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP.</p> <p>14. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_38	All of it.	<p>I fully support the plan which represents by far the best compromise available.</p> <p>There will be objections from NIMBYs but even though my own property will be impacted by part of the developments I have no objections.</p> <p>In my view the BNDP team have done a brilliant job.</p>	Yes	Yes	James H D Newman	N/A
BE_39	The whole Benenden Neighbourhood Plan as submitted	<p>The whole document as submitted covers in comprehensive detail the areas of 'Landscape and the Environment', 'Housing and Supply', 'Design and Build Environment', 'Business and the Local Economy', 'Transport and Infrastructure', taking account that in any future development Brownfield sites should take precedence over Greenfield sites which should be protected as part of Benenden's unique assets.</p> <p>We fully support the Benenden NDP which has been well written and presented.</p>	Yes	Yes	Mr R & Mrs L Mills	
BE_40	Benenden NDP	<p>I would like to register my whole hearted support for the plan as submitted.</p> <p>While there will always be objections by NIMBY's the plan is bay far the best compromise available even though part of it will impact on my own property.</p>			Capt. James Newman	
BE_41	Part 2; Supporting Document HSA4	<p>Para 1. Document HSA4 High Weald AONB Advice on Benenden Neighbourhood Plan Sites: this does <u>not</u> give advice on the sites proposed for most of the houses, although it does give advice on some of the sites. The High Weald AONB was never asked to give advice on Sites 424/LS40b or LS41 despite both these sites being not just immediately adjacent to but actually bulging into the AONB.</p>	Yes	Yes	Catriona Prynne	Hazel Strouts

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		<p>Para 2. The brownfield site policy has not been applied consistently across the Benenden NDP. The Benenden Hospital sites (LS41 and 424/LS40b) are ruled in for development while the Hams Travel site (LS4) and the Little Weavers, Iden Green site (LS21) are ruled out with no explanation as to motive. Neither has the greenfield site policy been applied consistently: 277 Feoffee is to be developed but sites 158 and 222 are apparently not acceptable for development.</p> <p>Para 3. Sustainability was a lynch pin in the original NDP documents – see page 67. Again there is a very inconsistent approach to applying such considerations. Sites in Iden Green (437 and LS8) where there is a tarmacked footpath to Benenden village, a nursery school, a pub/restaurant, a church, a community centre and a regular bus service are dismissed. Yet sites LS41 and 424/LS40b, which have NOT ONE of the above amenities and are much further from the village, are apparently suitable.</p> <p>Para 4. In the NDP much was made of policy T1 car free connectivity. Sites 222 and 158 are within easy walking distance of the primary school, shops, church and pub. They were ruled out from any development. Similarly, the Iden Green sites LS41 and 424/LS40b are linked to the village by a tarmacked footpath but are ruled out from any development. The Benenden Hospital sites (LS41 and 424/40b) which are a long walk, with no direct footpath and no pavement until within yards of the village, are ruled in for development.</p> <p>Para 5. There is inconsistency in the allocation of the number of houses at LS41 where a small site already filled with 18 existing dwellings is proposed as a suitable site for a further 24 dwellings (SSP4)</p> <p>Para 6. There is an inconsistent application of policy LE7 to protect habitats adjacent to development. At site 424/40b (SSP3) 25 extra houses are proposed on top of the existing permission for 24 (as yet unbuilt) dwellings. According to the plans (SSP3) these will not be limited to existing footprints and will extend over LW sites.</p> <p>Para 7. Policy BD1 states the object as being to protect and enhance heritage assets and their settings. The requirement for 46 to 49 new dwellings will involve the demolition of the architecturally unique and significant 1906 early modernist sanatorium on site 424/40b. It was the winner of King Edward VII's competition for an innovative sanatorium for England (see Save Britain's Heritage request for listing). This building should be retained for historical, cultural and aesthetic reasons.</p> <p>Para 8. The LBD has been shamelessly manipulated to include site LS16 (Uphill) but to exclude site 158, which was originally put forward by TWBC as a site for the new primary school and voted in favour of by the village – only to have the vote ignored, and to exclude site 222. The LBD is not yet approved but is being relied on in the draft NDP.</p>				

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		<p>Para 9. Policy LE1 to protect and enhance the countryside by advocating most development outside the LBD both actual and proposed has been inconsistently applied.</p> <p>Para10. The NDP advocates affordable housing but most of the proposed dwellings are planned to go on sites (LS41 and L424/40b) 2 miles out of the village centre where, realistically, cars would be the predominant mode of transport.</p>				
BE_42	Part 2; Supporting Document HSA4	<p>I have attached a response highlighting why I believe the proposal to build an increased number of houses in the East End of Benenden, is ill considered.</p> <p>It is clear there are many options to build within the actual village or closer to the village, any of which would minimise traffic movements and environmental impact when compared to siting an increased number of houses (more than permission was originally granted for) in the East End.</p> <p>It is quite clear that all the facilities needed to sustain village life such as a Primary school, Village hall, Post office, Shops, Church and Public house with restaurant, already exist in Benenden village and so I have to conclude the reasoning behind creating a quasi-new village (East End) is flawed.</p> <ol style="list-style-type: none"> 1. On page 48, para 2.7.2. the plan states that the High Weald AONB's "assessment is considered a key supporting document" yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. The plan never mentions these objections. 2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). 3. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in. 4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes 	Yes	Yes	Ian McConnachie	Hazel Strouts

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		<p>to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum which presented a choice between two sites. Site 158 was, in that referendum, chosen by the village but in the end, the school was built elsewhere and TWBC planned up to 174 houses, instead of a school, on 158.</p> <p>5. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course.</p> <p>6. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. How can you justify something on the grounds of a decision not yet made? The LBD is ignored by Policies SSP3 and SSP4, which propose most development as far beyond the LBD as it is possible to go while still remaining within the parish of Benenden. This makes the value of an LBD questionable.</p> <p>7. Policy T2 on improving road safety. Site LS16 on New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes the development of LS22 at a later date as a way of blocking development of site 158 which is right behind it. If this were to happen, there would be two exits close together onto New Pond Road which would surely be more dangerous than one. Further, proposing to develop LS22 simply to block development at 158 is not a proper planning reason. (See HSA3 page 529 “Should the Parish decide to pursue a policy of smaller scattered sites, it might be advantageous to consider developing only the smaller, western part of the site nearest New Pond Road (<i>i.e. LS22</i>) with containment to control any proposals for an easterly expansion at a future date (<i>i.e. site 158</i>).” Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. There was a serious accident at those cross roads on November 20, 2020. Biddenden Parish Clerk has written on behalf of the parish of Biddenden to strongly oppose the plan largely on traffic issues. She has received an acknowledgment but no reply. Biddenden presents its strong objections at https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments – their objection is DLP_650.</p> <p>8. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by the existing 18 dwellings. Where would the extra 25, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.” The plan talks of ‘redeveloping’ the existing 18 dwellings which must mean demolition and the building of new dwellings for there is no room otherwise for 25 new dwellings. This means that the number of new dwellings proposed at this site is not 25, but 18 plus 25 i.e. 43.</p> <p>9. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses which comes on top of an existing permission for</p>				

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		<p>24. The 49 new dwellings proposed at this site are to be built, according to architectural plans presented to the village earlier this year, all over existing Local Wildlife Sites. The hospital's architects are Clagues.</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII's competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain's Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site well over 2 miles outside the village (LS41 and 424/40b, Policies SSP3 & 4), where two cars would be essential for a family with both parents working. This is inconsistent. Such sites are also ill-advised for older people who prefer to be able to walk to shops and bus stops.</p> <p>14. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is well over 2 miles away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>15. A local group called 'The Friends of the East End' (FOE) opposes these plans for a <i>quasi</i>-new village at the unsustainable hospital sites. We feel planning is being carried out back to front by proposing to build the houses first in the hope that the infrastructure will follow. On 4 April, 2019, 127 FOE supporters presented a number of petitions protesting the NDP: on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored, as have the views of the parish of Biddenden. Residents who wrote letters were never informed of the Consultation over Regulation 16 and even many of those who have email, were never contacted.</p> <p>16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_43	Part 2; Supporting Document HSA4	<p>1. Document HSA4 “High Weald AONB Advice on Benenden Neighbourhood Plan Sites” gives advice on some sites in the parish, but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although most new development is proposed for these sites.</p>	Yes	Yes	Edward Stevenson-Rouse	Hazel Strouts

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		<p>High Weald AONB objects to sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments.</p> <p>2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above).</p> <p>3. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in.</p> <p>4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum on two sites. Site 158 was, in that referendum, chosen by the village as the preferred site. Up till July 2018, TWBC planned up to 174 houses on the site.</p> <p>5. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course.</p> <p>6. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. The LBD is ignored by Policies SSP3 and SSP4 which puts its value into question.</p> <p>7. Policy T2 on improving road safety. Site LS16 on the New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the "speed of traffic on New Pond Road". Also, HSA3 proposes the development of LS22 at a later date as a way of blocking development of site 158 which is right behind it. If this were to happen, there would be two exits close together onto New Pond Road which would surely be more dangerous than one. Proposing to develop anywhere simply to block development elsewhere is not a proper planning reason. Also, LS4 (Hams Travel) is ruled out because of a 'dangerous exit' onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. There was a serious accident at those cross roads on November 20, 2020. Biddenden Parish Clerk has written on behalf of the parish of Biddenden to strongly oppose the plan largely on traffic issues. She has written to Benenden parish council about their plan and received an acknowledgment but no reply. Biddenden presents its strong objections at</p>				

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		<p>https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments – their objection is DLP_650.</p> <p>8. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by the existing 18 dwellings. Where would the extra 25, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.” The plan talks of ‘redeveloping’ the existing 18 dwellings by which they mean demolition and building new dwellings, so the number of dwellings proposed at this site is not 25, but 18 plus 25 i.e. 43.</p> <p>9. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses, on top of the existing permission for 24 (unbuilt), to be built, according to the hospital architect’s plans, over Local Wildlife Sites (see Clagues’ – the hospital architects - plan for housing on site 424/40b)</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII’s competition for an avant garde sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain’s Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site over 2 miles out (LS41 and 424/40b, Policies SSP3 &4) where two cars would be essential for a family with both parents working.</p> <p>14. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>15. A local group called ‘The Friends of the East End’ (FOE) opposes these plans for a quasi-new village at the hospital. On 4 April, 2019, 127 FOE supporters presented a petition protesting the NDP; on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored. Our views, as the views of the parish of Biddenden, have not been taken into account. Those who wrote letters were never informed of the Consultation over Regulation 16 and many of those with email, were never contacted either.</p> <p>16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				

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BE_44	Housing Supply and Site Allocation . HSA1-5 .	After many years of meetings , presentations and consultations , I think the result is the right mix of sites that satisfactorily meets the wishes of the majority in Benenden . Government planning policy strongly encourages the use of brownfield sites rather than using green belt areas . Using derelict brownfield sites ahead of open countryside must always be the right thing to do . It is hugely important that the village of Benenden maintains its character and setting , which makes it such a beautiful place .	No	Yes	Adrian Betts	
BE_45	Ref:- LS16 "Uphill site"	I am in support of the Benenden NDP in general, however I believe it would be prudent to place a "ransom" strip to the rear of the site to prevent any future development running away across the north side of the village. This in turn could connect all the way across to Walkhurst lane, which would be a long term disaster for the village.	Yes	Yes	Simon Raw	
BE_46	Introduction, section 2, Individual site assessments HSA3, LEA9 and TAI &2	1. It is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 — relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. 2. The adoption of the proposed LBD does not accord with development on the ground. It is an artificial construct which has been manipulated by including areas previously outside it (site LS16). Also, there is extensive development along the road to Cranbrook and Swattenden, West of the cross roads. This developed area has been artificially excluded with the object and effect of putting site 222, which is otherwise deemed suitable, outside the LBD. 3. Site 222 is shown to be suitable, available and achievable, and can support 17 to 18 dwellings. The reason given for its rejection is based on a misrepresentation. It is said that on the west side of Iden Green Road there are currently no buildings. This is false. There is a long row of houses along the side of the road, some occupied by local councillors. 4. The plan disregards previous representations, including legal objections, without giving any reason for rejecting them. The reasoned objections previously given should be read with this document. Paragraph 2.1.4. misrepresents the result of consultation. There was a significant objection to the brownfield sites at the East End, which has been ignored (approximately 10% of the local voting- aged population objected - 127 signed to object to the parish plan March 2019 and 129 signed to object to TW Local Plan October 2019) 5. Site LS4 is said to be unsuitable, although it is a brownfield site. The reasons given for its rejection as a site for housing apply equally to the plan's preferred sites of LS41 and 424. Such double standards are inappropriate. 6. Site 424/40b already has unused permission for 24 houses. It is a complete non-sequitur to	Yes	Yes	Paul R Chapman	Hazel Strouts

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		<p>state that an increase of 100% is justifiable. If the Local Wildlife Sites (LWS) are excluded, see LEA9, there is no room for such an increase. Paragraph 2.9.31. says that development would only be on the foot print of existing buildings but no attempt has been made to calculate the area of such buildings and to consider whether the site can actually support 46 to 49 new dwellings. The architect's plan — not reproduced — goes well beyond the footprints.</p> <p>7. Para 2.9.3.3 sets out the constraints to development — these are overridden. Note that figure 24 in paragraph 2.8 page 15 refers to facilities to be provided. Since the site is up for sale, any obligation placed on the hospital cannot be enforced (see items enumerated under expected contributions to be required, page 64, some of which are oP site). These are not lawful planning matters - conditions apply to the land, not to the current owners.</p> <p>8. 2.9.4.1: LS41 contains 18 dwellings already and the proposal to add 22 -25 dwellings while excluding the wildlife site shown in LEA9 leaves only the area covered by the existing 18 houses. This cannot be achieved without demolishing the existing 18 houses, so to say that the plan supports refurbishment or re-development of the existing 18 dwellings is disingenuous. If they are re-furbished, the other 22 —25 houses have nowhere to go. Thus what we have here is actually a proposal for 40 — 43 new houses.</p> <p>9. 2.9.4.3 sets out the same constraints on site LS41 as apply to site 424, and again, they are ignored. The same consideration applies to expected contributions to this site as to site 424, see paragraph 7 above. When one adds in the requirements for a children's playground, a cafe, a shop, a nursery school and for parking, there is no room left for houses. No calculations have been attempted to show the area required for such facilities.</p> <p>10. It is plain that the desire to create a new settlement over 2 miles from the main village of up to 92 new dwellings (including the existing permissions and the 18 existing dwellings) is unsustainable. No amount of convoluted manipulation can overcome the obvious constraints. That these sites are well outside the LBD is ignored and this fact is omitted from the site assessments. No account is taken of the objections based on counsel's opinion (q.v.) that these sites do not pass the primary filter for inclusion.</p> <p>11. Paragraph 2.7.2 places great store on the assessments carried out by the High Weald AONB unit disclosed in HSA4. There is no assessment shown in relation to the East End. However the authors of the Plan were or should have been aware that the AONB unit had analysed and objected to this proposal when it was repeated in the Tunbridge Wells Local Plan (DLF'-3458). This analysis has not been taken into account, or even mentioned.</p> <p>12. TA1 and 2: TA2 — the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them. Nor does it follow that the owners of the land, over which the</p>				

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		<p>cycle track would go, would give permission.</p> <p>13. The "vision" on page 9 in relation to housing supply requires development to be sustainable. The sites at the East End are demonstrated in the detailed analysis as not sustainable. The Plan is therefore self-contradictory. Reference is made to NPPF paragraph 84 on page 12 at paragraph 9. The two sites in question fail to meet these criteria.</p> <p>14. Policy BD1 properly states the object as being to "protect and enhance heritage assets and their settings". The requirement for 46 to 49 new dwellings involves the demolition of the 1906 early modernist sanatorium on Site 424/40b which was designed by the winner of King Edward VII's competition for a new avant garde sanatorium for England (see Save Britain's Heritage request for listing for this building).</p>				
BE_47	HSA; BD1; BD2; BD7; BD8; BE1; BE2; BE4; T1; T2; T3; T4; HS1; HS2; HS6; SSP2; SSP3; SSP4; SEA1; LEA1; LEA8; LEA9; IA5; IA6; IA7; HSA2; HSA3; HSA4; HSA5; BEA1; TA1; TA2	<ol style="list-style-type: none"> On page 48, para 2.7.2. the plan states that the High Weald AONB's "assessment is considered a key supporting document" yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. The plan never mentions these objections. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). See SEA1. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum which presented a choice between two sites. Site 158 was, in that referendum, chosen by the village but in the end, the school was built elsewhere and TWBC planned up to 174 houses, instead of a school, on 158. 	Yes	Yes	Hazel Strouts	Hazel Strouts

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		<p>5. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course.</p> <p>6. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. How can you justify something on the grounds of a decision not yet made? The LBD is ignored by Policies SSP3 and SSP4, which propose most development as far beyond the LBD as it is possible to go while still remaining within the parish of Benenden. This makes the value of an LBD questionable.</p> <p>7. Policy T2 on improving road safety. Site LS16 on New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes the development of LS22 at a later date as a way of blocking development of site 158 which is right behind it. If this were to happen, there would be two exits close together onto New Pond Road which would surely be more dangerous than one. Further, proposing to develop LS22 simply to block development at 158 is not a proper planning reason. (See HSA3 page 529 “Should the Parish decide to pursue a policy of smaller scattered sites, it might be advantageous to consider developing only the smaller, western part of the site nearest New Pond Road (<i>i.e. LS22</i>) with containment to control any proposals for an easterly expansion at a future date (<i>i.e. site 158</i>).” Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. There was a serious accident at those cross roads on November 20, 2020. Biddenden Parish Clerk has written on behalf of the parish of Biddenden to strongly oppose the plan largely on traffic issues. She has received an acknowledgment but no reply. Biddenden presents its strong objections at https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments – their objection is DLP_650.</p> <p>8. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by the existing 18 dwellings. Where would the extra 25, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.” The plan talks of ‘redeveloping’ the existing 18 dwellings which must mean demolition and the building of new dwellings for there is no room otherwise for 25 new dwellings. This means that the number of new dwellings proposed at this site is not 25, but 18 plus 25 i.e. 43.</p> <p>9. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses which comes on top of an existing permission for 24. The 49 new dwellings proposed at this site are to be built, according to architectural plans presented to the village earlier this year, all over existing Local Wildlife Sites. The hospital’s architects are Clagues.</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled</p>				

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		<p>out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII’s competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain’s Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site well over 2 miles outside the village (LS41 and 424/40b, Policies SSP3 &4), where two cars would be essential for a family with both parents working. This is inconsistent. Such sites are also ill-advised for older people who prefer to be able to walk to shops and bus stops.</p> <p>14. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is well over 2 miles away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>15. A local group called ‘The Friends of the East End’ (FOE) opposes these plans for a <i>quasi</i>-new village at the unsustainable hospital sites. We feel planning is being carried out back to front by proposing to build the houses first in the hope that the infrastructure will follow. On 4 April, 2019, 127 FOE supporters presented a number of petitions protesting the NDP: on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored, as have the views of the parish of Biddenden. Residents who wrote letters were never informed of the Consultation over Regulation 16 and even many of those who have email, were never contacted.</p> <p>16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_48	Part 2; Supporting Document HSA4	<p>I write to object to the Benenden Neighbourhood Development Plan for the reasons set out in my attachment to this email.</p> <p>I especially object that:</p> <p>1) you propose to allow the destruction of an architecturally unique and historically important Benenden building - the 1906 Sanatorium Building; and</p> <p>2) that the plan to build over 80% of new-building in Benenden parish, is proposed in the East End. Benenden parish consists of three hamlets (Iden Green, Benenden village, and the East End).</p>	Yes	Yes	William MacPherson	Hazel Strouts

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		<p>Those representing the larger hamlets dominate the proposing committee, and the population of those hamlets dwarfs the population of the East End. It defies logic or fairness that they should be able to vote to outsource their development to the smallest community, and thereby triple it in scale.</p> <p>I hope this Plan will be reviewed and changed.</p> <ol style="list-style-type: none"> 1. Document HSA4 “High Weald AONB Advice on Benenden Neighbourhood Plan Sites” gives advice on some sites but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although most new development is proposed for these sites. High Weald AONB objects to sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. 2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). 3. Sustainability policy (See page 9 “Vision” “to support...sustainable housing” and Policy BD8 “All new development must be constructed to be sustainable”) Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, a church, a community centre and a regular bus service yet these sites are ruled out but sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in. 4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum on two sites. Site 158 was, in that referendum, chosen by the village as the preferred site. <i>Up till July 2018, TWBC planned up to 174 houses on the site.</i> 5. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. The LBD is ignored by Policies SSP3 and SSP4 which puts its value into question. 6. Policy T2 on improving road safety. Site LS16 on the New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes development of LS22 at a later date as a way of blocking development of site 158. Development staggered over time would mean two exits onto New Pond Road instead of one. Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. 				

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		<p>7. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by existing 18 dwellings. Where would the extra 24, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.”</p> <p>8. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses, on top of the existing permission for 24 (unbuilt), to be built, according to the hospital architect’s plans, over Local Wildlife Sites (see attached Clagues’ – the hospital architects - plan for housing on site 424/40b)</p> <p>9. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>10. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII’s competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain’s Heritage campaign.</p> <p>11. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>12. Plan advocates affordable housing (page 12) while proposing most development at a site over 2 miles out (LS41 and 424/40b, Policies SSP3 & 4) where two cars would be essential for a family with both parents working.</p> <p>13. A local group opposing BNP plans for a <i>quasi</i> new village at the hospital have formed a group called Friends of the East End (FOE). On 4 April, 2019, 127 FOE supporters presented a petition protesting the NDP; on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP.</p> <p>14. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_49	Part 2; Supporting Document HSA4	<p>1. Document HSA4 “High Weald AONB Advice on Benenden Neighbourhood Plan Sites” gives advice on some sites in the parish, but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although most new development is proposed for these sites. High Weald AONB objects to sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments.</p> <p>2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above).</p>	Yes	Yes	Marion Stevenson-Rouse	Hazel Strouts

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		<p>3. Sustainability policy (See page 9 “Vision” “to support...sustainable housing” and Policy BD8 “All new development must be constructed to be sustainable”) Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children’s playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in.</p> <p>4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum on two sites. Site 158 was, in that referendum, chosen by the village as the preferred site. <i>Up till July 2018, TWBC planned up to 174 houses on the site.</i></p> <p>5. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course.</p> <p>6. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. The LBD is ignored by Policies SSP3 and SSP4 which puts its value into question.</p> <p>7. Policy T2 on improving road safety. Site LS16 on the New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes the development of LS22 at a later date as a way of blocking development of site 158 which is right behind it. If this were to happen, there would be two exits close together onto New Pond Road which would surely be more dangerous than one. Proposing to develop anywhere simply to block development elsewhere is not a proper planning reason. Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. There was a serious accident at those cross roads on November 20, 2020. Biddenden Parish Clerk has written on behalf of the parish of Biddenden to strongly oppose the plan largely on traffic issues. She has written to Benenden parish council about their plan and received an acknowledgment but no reply. Biddenden presents its strong objections at https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments – their objection is DLP_650.</p> <p>8. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by the existing 18 dwellings. Where would the extra 25, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.” The plan talks of ‘redeveloping’</p>				

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		<p>the existing 18 dwellings by which they mean demolition and building new dwellings, so the number of dwellings proposed at this site is not 25, but 18 plus 25 i.e. 43.</p> <p>9. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses, on top of the existing permission for 24 (unbuilt), to be built, according to the hospital architect's plans, over Local Wildlife Sites (see Clagues' – the hospital architects - plan for housing on site 424/40b)</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII's competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain's Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site over 2 miles out (LS41 and 424/40b, Policies SSP3 & 4) where two cars would be essential for a family with both parents working.</p> <p>14. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>15. A local group called 'The Friends of the East End' (FOE) opposes these plans for a <i>quasi</i>-new village at the hospital. On 4 April, 2019, 127 FOE supporters presented a petition protesting the NDP; on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored. Our views, as the views of the parish of Biddenden, have not been taken into account. Those who wrote letters were never informed of the Consultation over Regulation 16 and many of those with email, were never contacted either.</p> <p>16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_50	Overall response to Benenden NDP	<p>In my view the Benenden NDP protects the rural feel of the parish whilst enabling managed growth and development to future-proof the village and encourage multi-generational living.</p> <p>The plan compromises with its plans for development for housing and makes good use of existing brownfield sites outside the conservation area and the AONB. I support the Plan's view that the</p>	No	Yes	Amanda Glubb	N/A

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		other proposed sites for development within the village are neither suitable nor appropriate as they would involve significant building on greenfield sites within the AONB. The current abandoned Benenden Hospital properties are an eyesore and, given that planning permission for demolition of the Sanatorium and building of 24 houses at the hospital was granted by TWBC back in 2013, the proposals within the Benenden NDP seem both timely and eminently suitable solutions.				
BE_51	Proposed demolition of Royal Sanatorium built for Post Office Workers.	The Council has allocated the historic site of the former Royal Sanatorium for the construction of 49 new homes, referring to the historic sanatorium as a 'redundant hospital building'. I object to this proposal which threatens to destroy a history structure and one which has significant historical, architectural and social historical importance. Instead I fully support SAVE's alternate proposals to convert the former Sanatorium into high quality housing.	No	Yes	Michael Wright	
BE_52	2: Housing Supply and Site Allocation – Whole Section	<p>Please find my Response form attached below in FULL SUPPORT of the Benenden Neighbourhood Development Plan.</p> <p>I express my support for the whole Benenden Neighbourhood Development Plan and trust the sensible approach that has been carefully considered by the villagers be adopted.</p> <p>Of great concern is the supply of land for housing and I consider the design, density and siting of new housing is key to the preservation of the villages character whilst also meeting the needs of villagers from different societal groups. The density of housing is so important, particularly within the High Weald AONB. I consider the BNDP addresses these issues very well.</p> <p>The four sites identified are well positioned to protect the village views. Most importantly, two of them are on brown field sites which must be prioritised over the green field options that are so important for the rural character of the village. These brown field sites in East End would benefit so much from redevelopment of the otherwise redundant and unattractive buildings. In any case, permissions for these areas were granted some years ago so their inclusion in the plan should not even need debating. These sites are a 'gift' and many other villages will not have the benefit of such sites.</p> <p>The proposal for Alms Houses within the extended village development area fulfils a great need and the designs and access to the centre of the village are excellent and should be applauded.</p>	Yes	Yes	Timothy D Maw	
BE_53	The proposed Benenden hospital site	This proposed site is not viable. Residents would travel to Benenden and would naturally feel part of Benenden. However, the journey to Benenden is only suitable by car as there are no footpaths, or other means of getting to Benenden village. The alternative options proposed in the plan are not durable and would clearly not work. There are no shops at the Hospital, as the various centres there have all closed though lack of use.	Yes	Yes	Linda E Czapiewski	

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		<p>The journey to Benenden is along narrow roads, often with one way traffic with passing places (eg Walkhurst Road). Those proposing the plan clearly do not understand this part of Benenden or the dangers of the roads.</p> <p>As the school sites project showed, there are plenty of far more suitable sites within walking distance on the village.</p> <p>We have lived in Goddard's Green Road for nearly 30 years, but we are not directly affected by any development at the Hospital site, but I feel that building more houses there is storing up a lot of problems for the future.</p>				
BE_54	Part 2: Supporting Document HSA4	<ol style="list-style-type: none"> 1. Document HSA4 "High Weald AONB Advice on Benenden Neighbourhood Plan Sites" gives advice on some sites but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although most new development is proposed for these sites. High Weald AONB objects to sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. 2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). 3. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, a church, a community centre and a regular bus service yet these sites are ruled out but sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in. 4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum on two sites. Site 158 was, in that referendum, chosen by the village as the preferred site. <i>Up till July 2018, TWBC planned up to 174 houses on the site.</i> 5. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. The LBD is ignored by Policies SSP3 and SSP4 which puts its value into question. 6. Policy T2 on improving road safety. Site LS16 on the New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the "speed of traffic on New Pond Road". Also, HSA3 proposes development of LS22 at a later date as a way of 	Yes	Yes	Mrs Carol Ann Redfern	

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		<p>blocking development of site 158. Development staggered over time would mean two exits onto New Pond Road instead of one. Also, LS4 (Hams Travel) is ruled out because of a 'dangerous exit' onto Cranbrook Road, but two sites at the hospital on Goddard's Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in.</p> <p>7. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by existing 18 dwellings. Where would the extra 24, at the same density, go? Also bear in mind Policy BD4 Landscaping "existing mature trees should be retained."</p> <p>8. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses, on top of the existing permission for 24 (unbuilt), to be built, according to the hospital architect's plans, over Local Wildlife Sites (see attached Clagues' – the hospital architects - plan for housing on site 424/40b)</p> <p>9. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of Greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>10. Policy BD1: need to "protect and enhance heritage assets and their settings", yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII's competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain's Heritage campaign.</p> <p>11. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>12. Plan advocates affordable housing (page 12) while proposing most development at a site over 2 miles out (LS41 and 424/40b, Policies SSP3 & 4) where two cars would be essential for a family with both parents working.</p> <p>13. A local group opposing BNP plans for a <i>quasi</i> new village at the hospital have formed a group called Friends of the East End (FOE). On 4 April, 2019, 127 FOE supporters presented a petition protesting the NDP; on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP.</p> <p>14. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_55	Part 2: Supporting Document HSA4	<p>1. On page 48, para 2.7.2. the plan states that the High Weald AONB's "assessment is considered a key supporting document" yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458,</p>	Yes	Yes	Mr Graham David Redfern	

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		<p>https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. The plan never mentions these objections.</p> <ol style="list-style-type: none"> Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). Sustainability policy (See page 9 "Vision" "to support ...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum which presented a choice between two sites. Site 158 was, in that referendum, chosen by the village but in the end, the school was built elsewhere and TWBC planned up to 174 houses, instead of a school, on 158. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. How can you justify something on the grounds of a decision not yet made? The LBD is ignored by Policies SSP3 and SSP4, which propose most development as far beyond the LBD as it is possible to go while still remaining within the parish of Benenden. This makes the value of an LBD questionable. Policy T2 on improving road safety. Site LS16 on New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes the development of LS22 at a later date as a way of blocking development of site 158 which is right behind it. If this were to happen, there would be two exits close together onto New Pond Road which would surely be more dangerous than one. Further, proposing to develop LS22 simply to block development at 158 is not a proper planning reason. (See HSA page 529 "Should the Parish decide to pursue a policy of smaller scattered sites, it might be advantageous to consider developing only the smaller, western part of the site nearest New Pond Road (<i>i.e. LS22</i>) with containment to control any proposals for an easterly expansion at a future date (<i>i.e. site 158</i>).” Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two 				

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		<p>sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. There was a serious accident at those cross roads on November 20, 2020. Biddenden Parish Clerk has written on behalf of the parish of Biddenden to strongly oppose the plan largely on traffic issues. She has received an acknowledgment but no reply. Biddenden presents its strong objections at https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments – their objection is DLP_650.</p> <p>8. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by the existing 18 dwellings. Where would the extra 25, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.” The plan talks of ‘redeveloping’ the existing 18 dwellings which must mean demolition and the building of new dwellings for there is no room otherwise for 25 new dwellings. This means that the number of new dwellings proposed at this site is not 25, but 18 plus 25 i.e. 43.</p> <p>9. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses which comes on top of an existing permission for 24. The 49 new dwellings proposed at this site are to be built, according to architectural plans presented to the village earlier this year, all over existing Local Wildlife Sites. The hospital’s architects are Clagues.</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out. Inconsistent application of greenfield site policy - ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII’s competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain’s Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site well over 2 miles outside the village (LS41 and 424/40b, Policies SSP3 & 4), where two cars would be essential for a family with both parents working. This is inconsistent. Such sites are also ill-advised for older people who prefer to be able to walk to shops and bus stops.</p> <p>14. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is well over 2 miles away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p>				

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		<p>15. A local group called 'The Friends of the East End' (FOE) opposes these plans for a <i>quasi</i>-new village at the unsustainable hospital sites. We feel planning is being carried out back to front by proposing to build the houses first in the hope that the infrastructure will follow. On 4 April, 2019, 127 FOE supporters presented a number of petitions protesting the NDP: on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored, as have the views of the parish of Biddenden. Residents who wrote letters were never informed of the Consultation over Regulation 16 and even many of those who have email, were never contacted.</p> <p>16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_56		<p>1. On page 48, para 2.7.2. the plan states that the High Weald AONB's "assessment is considered a key supporting document" yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. The plan never mentions these objections.</p> <p>2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). See SEA1.</p> <p>3. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in.</p> <p>4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum which presented a choice between two sites. Site 158 was, in that referendum, chosen by the village but in the end, the school was built elsewhere and TWBC planned up to 174 houses, instead of a school, on 158.</p>	Yes	Yes	Charles Colin Honnywill	Hazel Strouts

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		<p>5. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course.</p> <p>6. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. How can you justify something on the grounds of a decision not yet made? The LBD is ignored by Policies SSP3 and SSP4, which propose most development as far beyond the LBD as it is possible to go while still remaining within the parish of Benenden. This makes the value of an LBD questionable.</p> <p>7. Policy T2 on improving road safety. Site LS16 on New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes the development of LS22 at a later date as a way of blocking development of site 158 which is right behind it. If this were to happen, there would be two exits close together onto New Pond Road which would surely be more dangerous than one. Further, proposing to develop LS22 simply to block development at 158 is not a proper planning reason. (See HSA3 page 529 “Should the Parish decide to pursue a policy of smaller scattered sites, it might be advantageous to consider developing only the smaller, western part of the site nearest New Pond Road (<i>i.e. LS22</i>) with containment to control any proposals for an easterly expansion at a future date (<i>i.e. site 158</i>).” Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. There was a serious accident at those cross roads on November 20, 2020. Biddenden Parish Clerk has written on behalf of the parish of Biddenden to strongly oppose the plan largely on traffic issues. She has received an acknowledgment but no reply. Biddenden presents its strong objections at https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments – their objection is DLP_650.</p> <p>8. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by the existing 18 dwellings. Where would the extra 25, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.” The plan talks of ‘redeveloping’ the existing 18 dwellings which must mean demolition and the building of new dwellings for there is no room otherwise for 25 new dwellings. This means that the number of new dwellings proposed at this site is not 25, but 18 plus 25 i.e. 43.</p> <p>9. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses which comes on top of an existing permission for 24. The 49 new dwellings proposed at this site are to be built, according to architectural plans presented to the village earlier this year, all over existing Local Wildlife Sites. The hospital’s architects are Clagues.</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled</p>				

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		<p>out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII’s competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain’s Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site well over 2 miles outside the village (LS41 and 424/40b, Policies SSP3 & 4), where two cars would be essential for a family with both parents working. This is inconsistent. Such sites are also ill-advised for older people who prefer to be able to walk to shops and bus stops.</p> <p>14. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is well over 2 miles away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>15. A local group called ‘The Friends of the East End’ (FOE) opposes these plans for a <i>quasi</i>-new village at the unsustainable hospital sites. We feel planning is being carried out back to front by proposing to build the houses first in the hope that the infrastructure will follow. On 4 April, 2019, 127 FOE supporters presented a number of petitions protesting the NDP: on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored, as have the views of the parish of Biddenden. Residents who wrote letters were never informed of the Consultation over Regulation 16 and even many of those who have email, were never contacted.</p> <p>16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_57	IA1, IA2, IA7, SEA, LEA8, LEA9, HCA1	<p>1.The Strategic Environmental Assessment should have been developed concurrently with the neighbourhood planning process and should have informed that process from the beginning. Government guidelines on strategic environmental assessment state that “Sustainability appraisal is integral to the preparation and development of a local plan or sustainable development strategy, to identify how sustainable development is being addressed, so work should start at the same time that work starts on developing the plan.”</p> <p>https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal (Paragraph: 006 Reference ID: 11-006-20140306 Revision date: 06 03 2014)</p>	Yes	Yes	Hazel Strouts	Hazel Strouts

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		<p>This was not done in the case of the Benenden NDP.</p> <ul style="list-style-type: none"> The Informal Rough Draft Benenden Plan was published in January 2019 and the final site allocation is more or less identical to this, except for the addition of an extra 5 houses at the hospital. The January 2019 Informal Rough Draft allocates as housing sites: <ol style="list-style-type: none"> Hospital site south of Goddards Green Road: 25 houses plus the current unused permission for 24 (total = new dwellings 49); Hospital site north of Goddards Green Road: 20 houses plus redevelopment of existing 18 (total = 38). Total new dwellings at the hospital = 87. Feoffee on Walkhurst 20-25 Uphill 15-20 The AECOM SEA1, which has reviewed only 8 sites was first published in August 2019 following the TWBC Strategic Environmental Assessment Screening Final Report which is preparatory to the SEA and was produced in May 2019. I was on the Steering Committee between December 2017 and July 2018. During my time on the Steering Committee, there was no SEA. In July 2018, I attended a Steering Committee meeting when TWBC's plan for 174 houses at the 158 Greenacres site was discussed. On July 19th 2018, following that meeting, a small, self-selected Benenden NDP-associated group met with TWBC officers and argued against development on Site 158 and for more houses at the hospital. This argument was made without the benefit of an SEA and appears to show inherent bias. <p>2. “Neighbourhood Plans can be developed before, after or in parallel with a Local Plan but the law requires that they must be in general compliance with the strategic policies in the adopted Local Plan for the area.”</p> <p>https://www.emcouncils.gov.uk/write/Local-Plans-and-Neighbourhood-Planning-Colin-Wilkinson.pdf</p> <p>but the BNP Reg 16 runs contrary to Local Plan Strategic Policy STR1 by attempting to constrain the delivery of housing in Benenden village in the future.</p> <ul style="list-style-type: none"> TWBC minutes of the July 2018 meeting indicate a degree of tension: “At times the workshop was emotive but this did not deter from the positive approach of providing a forum for discussion between TWBC officers and representatives from the NDP group.” After that meeting, TWBC appeared to drop the idea of development at Greenacres, 				

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		<p>though they left open a small window of opportunity by advocating, in the TW Local Plan, that LS16 Uphill be developed leaving room for an entrance road for development at 158 Greenacres at a later date - see TWBC Draft Local Plan Reg 18 Policy AL/BE2 Uphill "The layout, including hard and soft landscaping, to be designed so as not to prejudice the future provision of a suitable vehicular access with appropriate visibility splay(s) to the land located to the north (158), which may be allocated for development as part of a future local plan."</p> <ul style="list-style-type: none"> The Reg 16 plan negates the TW draft LP by proposing no vehicular access through Site LS16 and presenting the small western part of 158 as a separate site, namely Site LS22. LS22 is on New Pond Road and if this, as well as LS16, is developed without access to the rest of 158, then the major part of site 158 is lost to development - see HSA3 Individual Site Assessments, page 529 - "Should the Parish decide to pursue a policy of smaller scattered sites, it might be advantageous to consider developing only the smaller, western part of the site (158) nearest New Pond Road, with containment to control any proposals for an easterly expansion at a future date." Introducing multiple entrances onto New Pond Road is reckless. The waste of a large area of unused development land is also reckless and binds the hands of TWBC in the future. The proposal underlines the inherent bias of the Benenden NDP against development in the village. <p>3. The BNP Reg 16's chief proposal is contrary to the LP's Strategic Policy STR2 which states there is a "presumption in favour of sustainable development". By choosing the two hospital sites, the BNP makes 'brownfield' over-ride sustainability. In doing so, it disregards the SEA1 report and the view of the AONB.</p> <ul style="list-style-type: none"> SEA1 states in relation to the hospital sites (LS41 and 424/40b) that "The site is located at Benenden Hospital/East End, which has few amenities. As such, the location has poor accessibility to day-to-day services and facilities, and residents would need to travel some distance via private car for such amenities. In terms of public transport links, services are limited to a twice weekly bus service. However, Kent County Council is proposing to introduce a 'Hopper' Bus service that will run twice a day between Iden Green, Benenden, East End and Tenterden." <p>In between the first and last editions of the SEA, that 'Hopper' bus service was introduced, languished, and died the death. The East End is the most rural area in the parish. That's why the isolation hospital was built there. There is no hamlet, as in Iden Green - no pub, school or community centre so the East End cannot support any such service. True, since BHS took over the sanatorium, the hospital is now the biggest employer in the parish but, to the best of my knowledge, only one of those employees lives in the village. Everyone else, plus the patients (and</p>				

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		<p>it is almost uniquely an out-patient hospital) drives in daily. The hospital is an isolated brownfield entity within this highly rural part of the parish.</p> <ul style="list-style-type: none"> The Reg 16 plan states that “The High Weald AONB Unit has carried out a separate assessment of the sites within the Benenden AONB (see Supporting Document HSA4). Their conclusions underscore the importance of the rural landscape in Benenden and the need to protect it as much as possible by restricting development to previously developed land or sites outside the AONB. Their assessment is considered a key supporting document.” It does not state that the HW AONB was never asked to give a view on either of the two hospital sites. True, the hospital is outside the AONB but it lies in a bubble or balloon bulging into the AONB. What happens there seriously impacts the AONB, as is argued by the HW AONB in their comments on the Local Plan. See DLP_3458 High Weald AONB Unit – Object (TWBC reg 18 draft LP- comments). “The Section 85 ‘duty of regard’ requires all relevant authorities to have regard to the purpose of AONBs when coming to decisions or carrying out their activities relating to, or affecting land within these areas. The PPG says of AONBs ‘Land within the setting of these areas often makes an important contribution to maintaining their natural beauty, and where poorly located or designed, development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account’ (Paragraph: 042 Reference ID: 8-042-20190721, revised 21 07 2019). <p>Impacts will not just be confined to the visual or physical effects such as on habitats or watercourses connecting the AONB with its surroundings, but will also add to the visitor numbers using the AONB and the traffic travelling through it, affecting the sense of naturalness, remoteness, tranquility and dark skies.</p> <p>The redundant hospital building, an example of early British Modernism, provides an important contribution to the cultural history of the High Weald. It embodies the ambition of the 1949 National Parks and Access to the Countryside Act, under which AONBs are designated, which was to provide a natural health service to mirror the National Health Service created one year previously. Funded by the union movement, Benenden Sanatorium was built for postal workers suffering from tuberculosis. It occupies a rural location with clean air and long views over typical High Weald countryside.</p> <p>This site includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network.</p> <p>In our view the development at Benenden Hospital will have a significant effect on the</p>				

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		<p>setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan.”</p> <ul style="list-style-type: none"> The Reg 16 BNDP makes no mention of the HW AONB's objections. Its reliance on their views is plainly misconceived. <p>4. The neighbourhood planning process should proceed step by step, improving as it progresses. The BNP has been rigid since the beginning when it allocated the sites in January 2019 and those allocations were not evidence-based. The HW AONB Unit and the SEA1 report have expressed views since then which have been ignored. In the case of some sites, neither of these sources were consulted. Virtually all changes in conditions since that original rough draft have been ignored.</p> <ul style="list-style-type: none"> LEA8 and LEA9 are attached to the Reg 16 Plan as support documents, but there is no mention of the plans (see attachment) presented on 17 Feb 220 to the village, by the hospital's architects, Clagues. These show houses built all over the LWS as if the LWS did not exist. Developers are supposed to fund a participatory design process, but at this meeting the village was presented with a <i>fait accompli</i>. Once again, the process is not proceeding in the correct order. Reg 16 talks about “repurposing the existing tennis courts” for the use of the local community but it fails to mention that Savills, acting on behalf of the Benenden Healthcare Society (BHS), has requested in comment DLP_4956 3.14 of TWBC draft Local Plan, that “the requirement to incorporate the tennis courts and retain the sports pavilion is removed.” Savills also asks to fell some trees and reduce the buffer zone from 60 to 30 m. <p>5. Historic England says (in DLP_4556 TW draft LP) that it expected “the allocation of sites following on from this Strategic Policy (Policy STR/BE1) to be subject to appropriately robust and detailed heritage impact assessment prior to the allocations being adopted”. But the Reg 16 plan has made no heritage impact assessments of the hospital sites. This opens up the possibility for serious losses in terms of historic sites.</p> <ul style="list-style-type: none"> Ancient tracks are often associated with ridges and the ridge on which the hospital stands is no exception. It is higher, dryer land and easier to travel than the wet valleys. A Roman road runs close by, more or less parallel to the ridge. It still has, in parts, its original hard slag surface with ancient wheel ruts still visible. It was used even in pre-Roman times for removing slag from Wealden iron sites and carrying it, in the case of the Romans, to a large Romano British settlement south of Ashford. Later, in the Middle Ages, Goddards Green Road became one of two main drove roads leading to the dens of Benenden (see www.benenden.com/history/benweb2006). With such a background, it is no surprise that a 				

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		<p>monument (one which was not cited in the HCA1 list of listed buildings and monuments), detail SMR Number /Hob UID, is a Bronze Age Palstave found at TQ 83 NW 8/417605 i.e. at the hospital site. The NPPF pp 184-202 seeks to protect and enhance the historic environment. Where are the protections required by Historic England? Where is the impact assessment in relation to the hospital sites?</p> <ul style="list-style-type: none"> The plan makes no reference to SaveBritain's campaign to save the 1906 sanatorium's (see attachment) early-modern crescent-shaped building. True, the campaign was only launched in November 2020, but the importance of the building was already known. An article on the importance of this very early example of a functional building was published in September 2019 in the Royal Institute of British Architects' Journal https://www.ribaj.com/buildings/bauhaus-centenary-benenden-sanatorium-augustus-william-west-hazel-strouts and a second was carried locally in The Cranbrook Journal, also in September 2019. It was mentioned in submissions on the TWBC draft Reg 18 Local Plan. A building, which merits a SaveBritain Campaign also merits mention by planners aiming to develop the site where that building stands. <p>6. The Government is aware of the need to ensure that neighbourhood planning is as inclusive as possible. The goal is not to impose the views of one section of the community on another - see</p> <p>https://www.local.gov.uk/pas/pas-topics/neighbourhood-plans/neighbourhood-planning-fags</p> <p>This is not the path taken by the BNDP.</p> <p>The view of the BNDP is stated in 6. Plan Review Process, "Vision Statement" p.9. that the parish council promises "to protect valued environmental assets and support Benenden's peaceful, rural way of life. Recognising that the parish of Benenden is one of the most unspoilt parts of the High Weald AONB, the policies will enable villagers and visitors to continue to enjoy the countryside.."</p> <p>The statement seems to ignore the existence of Benenden parishioners who live outside the AONB and underlines the view implied by Benenden Parish Council's website (www.benendenparishcouncil.org) which states that the parish council's mission is to serve the people of the village of Benenden and of Iden Green. There is no mention of the East End. The East End, although it has activity within it at the hospital site, is otherwise (and it takes up about one third of the total parish land area), arguably, the most rural and one of the most beautiful parts of the parish. It is so far from the centre that the centre appears to know little of it.</p>				

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		<ul style="list-style-type: none"> • Biddenden Parish Council has written several times objecting to the plan. The parish clerk has received acknowledgment of her letters but no reply. There has been no discussion with Biddenden Council. • Benenden's East End is closer to the centre of Biddenden village than to the centre of Benenden. The 92 new dwellings proposed at the two hospital sites will have a dramatic effect on Biddenden. Planning regulations allow for the extension of referendums where the effect of the proposed development extends beyond the administrative area making the plan. An extension of the referendum area to include Biddenden is requested if the plan is otherwise accepted. • The Friends of the East End (FOE) have been ignored in the same way. Two petitions, one with 127 (i) and one with 164 (ii) signatures, plus names and addresses, have been submitted by the FOE, along with many individual submissions, some hand written and including one from Counsel (iii). There has been no attempt to deal with FOE concerns, no invitation for an article in the Parish Magazine matching the long articles offered on an almost monthly basis to the chair of the NDP. All we have achieved are a few letters. • In July 2019, seven FOEs wrote a letter to the parish magazine about the numbers of houses planned (iv). It was published alongside a response from the chair of the BNDP. His letter began (addressing the editor), "Thanks for the chance to correct the figures in the letter"! As if the FOE were clearly in the wrong, and that was that. • In the January 2020 Parish Magazine, the chairman of the NDP wrote a 626 word article (v) saying he had received 'input' on the NDP from 5 landowners, 2 developers, 14 statutory bodies, 22 residents of Benenden village, 31 residents from the East End and 6 from Iden Green. He failed to mention the people who taken the trouble to sign petitions. 127 signed the first and 164 signed the second. To protest, seven of our members wrote to the editor who allowed us not an equivalent article but only 250 words which (without consulting the authors), he edited to remove its impact. Our letter had begun "There was a serious error in last month's parish magazine..." (vi) The editor printed "In last month's magazine it was reported that only 31 residents from the East End provided input..."(vii) He also, as before, simultaneously published a response from the NDP chairman who failed to apologise for his error. • The Parish Magazine is cited in the Consultation Statement as if it were a vehicle for information from all sides of the argument. It is not. On 11th March 2019, the editor, husband of the chair of the parish council, wrote "I'm of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to uninformed 				

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		<p>views that fly in the face of TWBC policy and advocate direct and pointless confrontation with TWBC, thereby running the risk of having the entire Benenden NDP thrown back in our faces. The ensuing chaos hardly bears thinking about. At least it seems the opinions now being afforded most weight are those of people who have worked hard for two years to understand the issues and come up with a coherent way forward.”(viii) Such a response was surely designed to close down discussion, not open it up.</p> <ul style="list-style-type: none"> • The IA1 Consultation Statement suggests (page 11) that only one person wrote to the Parish Magazine in February 2020 and that the subject was in relation to a legal document. In fact, the letter came from seven East End residents and was about the misleading article in the January edition. • The IA1 Consultation Statement (6.10.3) distorts a meeting held in the Memorial Hall on 11th October 2020. A Borough Councillor who does not live in the village, a friend of ours who was serving for the first time, phoned my husband and myself to say that the chairman of the NDP, whom I believe she had never met before, had asked her to a meeting in his house on the village green. He said he wanted to brief her on the BNDP. Expressing some discomfort especially at the idea of a meeting in a private house, she asked us to accompany her and said she wanted “neutral territory”. We agreed and I booked the Memorial Hall (which is also on the village green), for her. The councillor, with myself and my husband, sat on one side of the table while the chair of the parish council and the chair of the NDP sat on the other. There was no “NDP team” present. Neither my husband nor I spoke because the two opposite us were there to brief the new Borough Councillor. We were observers. We had been invited only as such and only by the Borough Councillor. • In the latest Regulation 16 round of consultations, although all FOE members had put down their names and addresses on the petitions, many of us, including those who had sent hand-written letters, were not informed of the start of the Reg 16 consultation. Two key figures who were not informed were the man responsible for Counsel’s opinion and myself. My husband received an email and I waited for mine but it never arrived. • On 10th November 2020, I asked TWBC for more time (ix) because many of us had not been informed in time and, further, the consultation was taking place during lock down and, after Dec 2, we were under Tier 3 restrictions. In spite of this, we were given no extra time but instead, I received an extremely lengthy reply from a planning officer which ended the conversation (x, xi, xii). • On December 1st, we found TWBC had published on line only the front and back pages of SEA1. No one had checked it until I pointed out the omission of its contents (xiii). I wrote to 				

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		<p>TWBC and the situation was corrected, but again, we were offered no extra time although there were now only 10 days left till the deadline (xiv).</p> <ul style="list-style-type: none"> Supporting documents were also difficult to access and the route to them was incorrect (xiii). We went to https://www.tunbridgewells.gov.uk/planning/planning-policy/neighbourhood-plans/benenden. <p>We clicked on Benenden Neighbourhood Development Plan (submission plan)</p> <p>and then scrolled down to the table of contents to "Supporting Documents (listed below available to view online at: www.benendenneighbourhoodplan.org)". But the documents are not at that site. The directions were incorrect (xv) We had to go back to the TWBC site and dig around diligently until we found them. We pointed this out to TWBC but we were simply told the documents were available.</p> <p>7. Project Fear</p> <p>In the December 2020 Parish Magazine page 5 we read, "The Government is proposing changes to the planning system to make it easier for developers to develop, especially in the South East of England. It is also proposing an increase in housing allocation for Tunbridge Wells Borough from 14,776 new dwellings to about 18,000 in the next 16 years. . . if parishioners don't vote in favour of our plan in the parish referendum next May, we will be at the mercy of Government imposition of numbers, so a vote in favour of our plan will at least give the Parish Council more say in how development is managed." This is nonsense. The Government will not be prevented from changing the rules, nor the numbers required, because of the existence of a neighbourhood plan. The article is an attempt to frighten residents into supporting a plan which proposes back-to-front and upside down development - development which starts with site allocation and then moves on to environmental assessment; development which plans buildings on the rural parish perimeter, instead of consolidating the existing core settlement.</p> <ul style="list-style-type: none"> Text of petition Text of petition Counsel's text July 2019 Parish Magazine (PM) letter re numbers of houses Jan 2020 PM chairman's article Our response 30 Jan 2020 (PM) Our letter as printed and chairman's comment February 2020 (PM) 11 March 2019 PM editor's email 10 Nov 2020 email to TWBC re consultation period 11 Nov 2020 TWBC reply 13 Nov 2020 our response to above 				

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		<ul style="list-style-type: none"> 16 Nov 2020 TWBC final response 1 Dec 2020 to TWBC re late information about consultation and inaccessibility of documents online 12 Dec TWBC's response 12 Dec our response <p><i>other references:</i> (a) Clagues' Feb 22, 2020 plan of what development at the hospital site south of Goddards Green Road could look like</p> <p>(b)SaveBritains' press release 16 Nov. 2020 on the 1906 sanatorium</p> <p>16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p> <p>TWBC: see attachments BE_57a-s</p>				
BE_58	Demolition of Benenden Sanatorium	<p>I was very concerned to learn of the plans to demolish this building. As a child my father worked at Benenden Hospital and I grew up knowing the building and the site it was part of as something very special, both architecturally, and because of it's setting. Simply a unique example of early 20th century design in a location that enhances it.</p> <p>To designate it as a redundant hospital building is very wrong, it should perhaps be Grade 2 listed by now. At the very least I call for it to be saved and converted into dwellings, ideal for retirement being on two levels, and with land nearby both beautiful and suitable for allotments to improve amenity. It might equally be ideal as starter homes for younger people.</p> <p>I call on Tunbridge Wells Borough Council and Benenden Parish Council to amend the draft Neighbourhood Development Plan to acknowledge the Edwardian Sanatorium as a non-designated heritage asset of huge national significance that must be retained and converted as part of their site allocation for housing at the hospital site. Local people in the hamlet of East End where the hospital is situated have also strongly objected, as have many former employees of the Hospital.</p> <p>As a business the Hospital owners do have the right to redevelop the redundant parts of the former hospital site, but there could be no greater tribute to the former historic role of this building with its links to the royal family, than to preserve it in context. Many of the later buildings on the redundant site could give way to new build housing needs, but this building must be preserved at all costs. It is in relatively sound condition, and I myself was a patient there only as recently as</p>	Yes	Yes	Daniel John Turner	

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		2012 when it once again impressed me with its subtle beauty and grace, arcing around the landscape it arguably is now part of, and must not be removed from.				
BE_59	Sites at east End, in particular SSP3 (land south of Goddard's Green Road)	I am sensitive to the objections to demolition of the hospital building, but have come to agree with the proposals in the NDP, on three grounds - because redevelopment of a brownfield site is preferable to further loss of greenfield, because permission to demolish the building has already been sought and granted, and because the proposed development has the scale, if the NDP proposals are effected, to enable sustainable improvement to the quality of life for residents of East End and therefore of the Parish as a whole.	No	Yes	David Harmsworth	
BE_60	<p>1) LIMITS TO BUILT DEVELOPMENT (BNP pages 13-16 and other areas)</p> <p>2) PROTECTION OF THE; AONB, ANCIENT WOODLANDS, GILLS & OTHER HABITATS (mentioned throughout)</p> <p>3) VIEWS (25-31)</p>	<p>1) LIMITS TO BUILT DEVELOPMENT (BNDP pages 13-16, plus mentioned throughout incl. the Benenden Village Sites reviews sections)</p> <p>The Parish has amended the historic LBD for this new BNDP. It is important to make this a firm boundary limit that will be adhered to. Straying beyond this new boundary will only result in a further gradual creep into the very areas the Parish wants to protect; the AONB, Ancient Woodlands, Gills, other natural habitats and biodiversity.</p> <p>A 'limit' by definition is exactly that.</p> <p>2) PROTECTION OF THE; AONB, ANCIENT WOODLANDS, GILLS & OTHER HABITATS (BNDP subjects mentioned throughout)</p> <p>The Parish is within the AONB and within it we have all these special landscape areas and habitats officially recognised for protection and conservation, not to mention the associated biodiversity that thrives as a result. The Parish recognises the importance of the protection and conservation. The LBD is presumably drawn up to consider this and should be enforced.</p> <p>The site at Feoffee Cottages in the Plan as an example makes reference to it being within the AONB landscape, which also includes an Ancient Woodland and Gill. A proposal for a 50m buffer zone from the protected Ancient Woodland boundary edge is imperative if the plan to develop the land is successful. It needs to be borne in mind that the valley running down on the north and south side to the Ancient Woodland and Gill are an integral part of its landscape, the habitat and biodiversity. The land contours leading to the formation and character of those areas and ground water still feeding down into these creating natural habitats, supporting biodiversity and maintaining the Ancient Woodland and Gill existence.</p> <p>3) VIEWS (BNDP pages 25-31)</p> <p>It is important to protect local landscapes and habitats, whether a 'view' of it is seen from publically accessible vantage points or not. Why is there so much focus on public viewpoints locally? A view is only part of that story and only skin deep.</p>	No	Yes	Donnella Frost	

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		<p>These 'views', seen or unseen from public vantage points, are all habitats supporting biodiversity, the reason why they exist.</p> <p>Furthermore 'views' can open up as the seasons change too. Many more visible than recorded.</p>				
BE_61	This response refers to many parts of the document	<p>In general the plan is confusing and difficult to read, constantly using abbreviations and site references rather than plain English and site names. There are randomly applied principals and no consistency in assessing the various implications of the proposals throughout the document. I would ask you the council to read the document in its entirety as there are too many inaccuracies to list here. Thank you.</p> <p>1) Document HSA4 High Weald AONB advice on Benenden Neighbourhood plan Sites. Advice is given on some sites but not all. The High Weald ANOB was never asked to advise on site 424/LS40b or on site LS41 although they hugely impact the ANOB due to such high density build proposals in plain sight on its boundary. Note High Weald ANOB objects to the sites 424/LS40b (objection 3458) refer to the following link https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments.</p> <p>2) Site LS22 was previously referred to as part of 158 and is still referred to as such in some areas of this document but is also now defined as a new site ref LS22. New sites (LS22 and LS4) and some previous sites have not been fully evaluated . All sites in the plan should undergo exactly the same evaluation criteria for impact analysis.</p> <p>3) Sustainability Policy (policy BD8 and Vision) Iden Green sites</p> <p>437 /LS8 provide access to the village via paved footpaths and two-lane roads where use of the nurser/primary school, pub, cafe,shops, restaurant, church, community centre and bus stop are all available. Sites 424/LS40b and LS41 (the hospital)are completely rural sites and offer no amenities at all.</p> <p>Direct access to the Village from the hospital is approximately 1 hour by foot over footpaths crossing pasture land not suitable during wet winter conditions or via single track roads with blind bends. These roads are not suitable for busses, mini busses or coaches. Therefore, access to the village school and other facilities will result in increased car, cycle and foot traffic on these dangerously unsuitable roads. Without easy access to the village the occupants of the new dwellings will not be able to utilise the village facilities integrate socially with their own community or add to the financial/development prospects of the village.</p> <p>4) Proposed new limit to Build Development. This boundary seems to change its interpretation and where it lies many times throughout the document depending on the outcome the authors require</p>	Yes	Yes	Anne Edwards	Hazel Strouts

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		<p>for each proposal. Notably in 2018 Tunbridge wells borough council sanctioned 174 houses on site 158 and considered sites 158 and 222 suitable for a new village school yet both are now discounted as development sites. Why such a dramatic change?</p> <p>5) Policies SSP3 and SSP4 totally ignore the Limit to build boundary. Is this because it does not actually exist and is used randomly where it suits various proposals.</p> <p>6) Policy T2 improving road safety. This element of planning is of supreme importance yet appears to be applied randomly throughout the document. Sites 424/LS40b and LS41 (the Hospital) open directly onto a Goddards Green road a very short distance from The Castletons Oak crossroads. This is a renowned accident blackspot the latest incident being a severe car crash on 20th November 2020. Traveling to the towns of Cranbrook, Tenterden Ashford and Maidstone or stations at Staplehurst or Headcorn (i.e. most journeys) would all involve using this dangerous junction. However other sites have been ruled out on road safety grounds that do not compare with this junction in terms of its dangers or the frequency of accidents. For example, LS4 (Hams travel) is ruled out due to a dangerous exit onto Cranbrook?</p> <p>Site LS16 on the New Pond road appears acceptable yet the adjacent site LS22 is ruled out due to the speed of traffic on the same New Pond road! Having ruled out LS22 the report then uses the future development of this site (LS22) to block 158. What is going on here?</p> <p>Could we have clear thinking and consistency throughout the document.</p> <p>7) Policy HS6 Housing Density. This policy states density should reflect local levels. Housing density in Benenden is 10dph (10 houses per hectare) why then is the proposal for 22 houses per hectare double the current level on sites LS41 424/LS40b (the Hospital). Please note all sites in this document are part of Benenden.</p> <p>Planning permission was previously granted on the Hospital sites for 24 units (the most allowed at the time, complying to the density policy) therefore it must be assumed once built the council decrees these sites to be at full density capacity. This is manipulation of the regulations overcoming development issues by submitting multiple plans for the same site.</p> <p>8) Policy LE7 proposes to protect natural habitats adjacent to developments. The proposed increase in usage at sites 424/40b (the hospital) results in building on key rare plant and local wildlife areas, despite an assertion in policy BD4 landscaping that "existing mature trees should be maintained." It is also important to note it will be impossible to maintain "adequate barriers" around key areas of local nature another stated aim of the policy at the new higher density levels. Please refer to the hospital architects plans for this site.</p>				

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		<p>9) Brownfield site policy. The document randomly applies the use of brownfield sites, LS4 (Hams Travel) and LS21 (Little Weavers) have been discounted despite both being Brownfield sites yet sites LS41 and 424/LS40b are included, why? It should also be taken into account that permission to build the current hospital was granted with the condition that the previous building would be taken down, thus keeping the building footprint on the site at the original level. This was never done which results in the future build footprint being far in excess of that thought appropriate by the council previously. Please bear in mind despite being a brownfield site the Hospital is in an open rural setting bordering an ANOB. Therefore, the size, spread and destruction of natural areas home to wildlife rare plants etc directly affect the views and ambiance of the ANOB.</p> <p>10) Policy BD1 protect and enhance heritage assets and their settings. This is at odds with policy SSP3 which endorses the destruction of the old sanatorium building on site 424/40b (the Hospital.) Save Britain's Heritage are currently campaigning to save this building and convert it to houses in a suitable manner in sympathy with its rural surroundings. I have included herewith a quote from their website.</p> <p>Marcus Binney, executive president of SAVE Britain's Heritage says: "This is a prime candidate for converting the existing building into new houses with wonderful views across open countryside. We are appealing to the Secretary of State for Culture to list the Sanatorium on the basis that the historical importance of this royal commission was not understood."</p> <p>11) Policy LE1 protect and enhance the countryside. Again, Policy SSP3/4 is at odds with this proposing to place most new developments in rural isolated settings. Local estate agents advise there is little/no demand for small to medium size rural properties (although high end properties maintain interest) mainly due to the obvious difficulties of rural life. Alleviating these difficulties would require further disruption to the countryside.</p> <p>12) Page 12 of this plan advocates affordable housing. However, most of the proposed development is on two isolated rural sites (the hospital 424/40b and LS41) over 2 miles from the village amenities. Having no immediate access to basic facilities (shops schools, transport links etc.) make these sites an unsuitable place to locate affordable housing. Doing so would create ongoing financial needs for less affluent families (maintaining cars/use of taxis) and social problems for both the young and old</p> <p>13) Greenfield site policy. This has been applied inconsistently throughout the document and again appears to have been used primarily to support the authors preferences. For example, 227 ruled in whilst 158 and 222 were ruled out.</p> <p>14) In view of the above points, I would endorse the call for the friends of the East End to be allowed to present their case to the Independent Examiner.</p>				

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BE_62	This response refers to many parts of the document	<p>In general, the plan is confusing and difficult to read, constantly using abbreviations and site references rather than plain English and site names. There are randomly applied principals and no consistency in assessing the various implications of the proposals throughout the document. I would ask you the council to read the document in its entirety as there are too many inaccuracies to list here. Thank you.</p> <p>1) Document HSA4 High Weald AONB advice on Benenden Neighbourhood plan Sites. Advice is given on some sites but not all. The High Weald ANOB was never asked to advise on site 424/LS40b or on site LS41 although they hugely impact the ANOB due to such high density build proposals in plain sight on its boundary. Note High Weald ANOB objects to the sites 424/LS40b (objection 3458) refer to the following link https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments.</p> <p>2) Site LS22 was previously referred to as part of 158 and is still referred to as such in some areas of this document but is also now defined as a new site ref LS22. New sites (LS22 and LS4) and some previous sites have not been fully evaluated . All sites in the plan should undergo exactly the same evaluation criteria for impact analysis.</p> <p>3) Sustainability Policy (policy BD8 and Vision) Iden Green sites</p> <p>437 /LS8 provide access to the village via paved footpaths and two-lane roads where use of the nurser/primary school, pub, cafe,shops, restaurant, church, community centre and bus stop are all available. Sites 424/LS40b and LS41 (the hospital)are completely rural sites and offer no amenities at all.</p> <p>Direct access to the Village from the hospital is approximately 1 hour by foot over footpaths crossing pasture land not suitable during wet winter conditions or via single track roads with blind bends. These roads are not suitable for busses, mini busses or coaches. Therefore, access to the village school and other facilities will result in increased car, cycle and foot traffic on these dangerously unsuitable roads. Without easy access to the village the occupants of the new dwellings will not be able to utilise the village facilities integrate socially with their own community or add to the financial/development prospects of the village.</p> <p>4) Proposed new limit to Build Development. This boundary seems to change its interpretation and where it lies many times throughout the document depending on the outcome the authors require for each proposal. Notably in 2018 Tunbridge wells borough council sanctioned 174 houses on site 158 and considered sites 158 and 222 suitable for a new village school yet both are now discounted as development sites. Why such a dramatic change?</p>	Yes	Yes	Christopher Edwards	Hazel Strouts

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BE_63	Developments at East End, Benenden	<p>See the attached documents [<i>TWBC: copied below</i>]</p> <p><i>Letter from Biddenden PC to Benenden NDP dated 7 December 2020:</i></p>	Yes	Yes	Biddenden Parish Council	

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		<p>I am writing on behalf of Biddenden Parish Council regarding the response to the Benenden Neighbourhood Plan regulation 16 consultation and to put on record Biddenden Parish Council's objection to the development at East End, Benenden.</p> <p>Biddenden is the neighbouring parish to Benenden and Biddenden Parish Council has tried to engage in this process from the beginning, but with no response to the Parish Council's concerns. Previous correspondence is attached to this letter.</p> <p>The Parish Council's main concern relates to the building of approximately 92 dwellings at East End, Benenden. The effect of this development will have a knock-on effect in Biddenden and the Parish Council believes that Biddenden should be included within the consultation and consideration of this plan. The fact is that such development will cause an increase in several hundred cars travelling in and around Biddenden, which is closer to the development than Benenden village. In fact the Biddenden boundary is in Mockbeggar Lane. In order to get to a train station, cars will need to travel through Biddenden to either Headcorn Station or Staplehurst Station for commuting purposes. The roads will be used for travel to Tenterden, Biddenden, Maidstone, Cranbrook, Tunbridge Wells as well as surrounding villages.</p> <p>There are existing issues at the Castletons Oak junction/crossroads which is an accident spot. There have been three accidents there in the last two weeks. Despite road marking changes made by KCC the accidents have continued, and yet no consideration appears to have given to these important safety issues. The matter is known about and as the "Constraints" section on page 49 of the Regulation 14 consultation document states, the Castletons Oak crossroads is a narrow and dangerous crossroads." KCC is currently looking at the junction again due to these accidents.</p> <p>The traffic at the Castletons Oak junction goes across Cranbrook Road into Benenden Road to Woolpack Corner. From there it goes left into Biddenden or right to High Halden, Tenterden or Ashford, including the corner of Bishopsdale etc. This is all within Biddenden. Benenden Road is already a busy and fast road with a 60 mph speed limit. Complaints are frequently received about the speed limit needing to be reduced, not least because Benenden Road is mainly residential and is likely to become an overly busy rat run for the 92 dwellings, increasing the volume of traffic being dispersed onto Biddenden's roads. Benenden Road is not suitable for cars travelling at over 40 mph and it is not a wide road, but does have very large tractors/farm vehicles travelling on it. The road has hidden driveways leading onto it, as well as farm entrances etc and is not suitable for an increase in speeding traffic.</p> <p>Biddenden Parish Council feels that the Castleton's Oak junction and Benenden Road must be a material consideration before either Tunbridge Wells Borough Council or Kent County Council agree to the inclusion of up to 92 additional homes at Benenden Hospital East End.</p>				

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		<p><i>Letter from Biddenden Parish Council to NDP Feedback dated 13 September 2019:</i></p> <p>I have been asked to reply to you regarding the Benenden Neighbourhood Plan Regulation 14 consultation on behalf of Biddenden Parish Council.</p> <p>You will recall that when the Benenden Neighbourhood Plan was first published that Biddenden Parish Council wrote a letter to the Chairman objecting to the developments on the hospital site. No formal reply from the Chairman was received and it is noted that the hospital site remains in the plan. For this reason, a copy of this letter will be sent to Tunbridge Wells Borough Council and a copy of the first letter is attached for ease of reference.</p> <p>As the "Constraints" section on page 49 of the Regulation 14 consultation document states, the Castletons Oak crossroads is a narrow and dangerous crossroads. The accident record on this crossroads is poor and two accidents have recently taken place. The increase in traffic that would arise from such development on the hospital site trying to reach the station in Headcorn or driving to amenities in Biddenden, would make this crossroads even more dangerous than it currently is and compromises public safety.</p> <p>With the increase in housing on the hospital site, there will also be an increase in traffic on the Benenden Road. This road has a speed limit of 60 mph, which is not suitable for a road with a good deal of housing, hidden driveways and a school on it. Parishioners in Biddenden have already reported issues with speeding of vehicles and tractors alike. The traffic is already reasonably heavy. An increase in traffic will also have a knock-on effect in Biddenden which is possibly closer, or at least as close, than Benenden Village.</p> <p>It is for these reasons that Biddenden Parish Council object to the development of the hospital site.</p> <p><i>Letter from Biddenden Parish Council to Cllr Thomas, Benenden Parish Council dated 25 April 2019:</i></p> <p>Biddenden Parish Council has been sent a copy of the draft Benenden Neighbourhood Plan and has noted the proposed development at East End. The parish council has discussed these developments and does have concerns about how the developments will affect Biddenden.</p> <p>1. Castletons Oak Crossroads Castleton's Oak crossroads has been a discussion point for many years in Biddenden. It is a dangerous crossing and several different methods have been tried over the years, without success, to slow the traffic down and prevent accidents. The parish council believes that the increase in traffic using this junction will be detrimental and dangerous, and if the proposed developments go ahead then Benenden parish council should be aware of their impact upon the local roads and, indeed, the impact on a neighbouring village as Biddenden is possibly closer to the developments than Benenden village centre given the boundary is up Mockbeggar</p>				

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		<p>Lane.</p> <p>2. Woolpack Corner/Benenden Road</p> <p>This is another dangerous corner in Biddenden which will be the recipient of increased traffic from the new developments. This road connects Cranbrook Road to Tenterden Road and provides a cut through to Headcorn and the station. It does get a high volume of traffic and these developments will exacerbate the problems already experienced there.</p> <p>Biddenden Parish Council asks that when working on the Benenden Neighbourhood Plan consideration is given to these issues. They may not affect the centre of Bendenden or the majority of Benenden's residents, but they will impact upon Biddenden as the traffic flowing through will be increased and these two areas, in particular, are not capable of withstanding large traffic increases if safety is compromised.</p>				
BE_64	HSA; BD1; BD2; BD7; BD8; BE1; BE2; BE4; T1; T2; T3; T4; HS1; HS2; HS6; SSP2; SSP3; SSP4; SEA1; LEA1; LEA8; LEA9; IA5; IA6; IA7; HSA2; HSA3; HSA4; HSA5; BEA1; TA1; TA2	<p>1. On page 48, para 2.7.2. the plan states that the High Weald AONB's "assessment is considered a key supporting document" yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. The plan never mentions these objections.</p> <p>2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). See SEA1.</p> <p>3. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in.</p> <p>4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum which presented a choice between two sites. Site 158 was, in that referendum, chosen by the village but in the end, the school was built elsewhere and TWBC planned up to 174 houses, instead of a school, on 158.</p>	Yes	Yes	Maureen Willson-Holmes	Hazel Strouts

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		<p>5. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course.</p> <p>6. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. How can you justify something on the grounds of a decision not yet made? The LBD is ignored by Policies SSP3 and SSP4, which propose most development as far beyond the LBD as it is possible to go while still remaining within the parish of Benenden. This makes the value of an LBD questionable.</p> <p>7. Policy T2 on improving road safety. Site LS16 on New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes the development of LS22 at a later date as a way of blocking development of site 158 which is right behind it. If this were to happen, there would be two exits close together onto New Pond Road which would surely be more dangerous than one. Further, proposing to develop LS22 simply to block development at 158 is not a proper planning reason. (See HSA3 page 529 “Should the Parish decide to pursue a policy of smaller scattered sites, it might be advantageous to consider developing only the smaller, western part of the site nearest New Pond Road (<i>i.e. LS22</i>) with containment to control any proposals for an easterly expansion at a future date (<i>i.e. site 158</i>).”</p> <p>Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. There was a serious accident at those cross roads on November 20, 2020. Biddenden Parish Clerk has written on behalf of the parish of Biddenden to strongly oppose the plan largely on traffic issues. She has received an acknowledgment but no reply. Biddenden presents its strong objections at https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments – their objection is DLP_650.</p> <p>As Landowners on Walkhurst Road, Gooddards Green Road end, the additional traffic with the new location of Benenden Primary school has resulted in Walkhurst Road being used as a ‘rat-run’ or cut through to avoid Benenden High Street at key collection and drop off times. This has resulted in many near accidents and congestion on Walkhurst Road. The inevitable increase of traffic with large development sites being included in this Development plan rather than smaller sites more equally distributed in the parish do not represent the neighbourhoods’ best interests. Many others sites have been rejected as being considered to having ‘dangerous exits’. The entirety of Walkhurst road now represents a danger zone and in no way improves road safety.</p> <p>8. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by the existing 18 dwellings. Where would the extra 25, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.” The plan talks of ‘redeveloping’</p>				

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		<p>the existing 18 dwellings which must mean demolition and the building of new dwellings for there is no room otherwise for 25 new dwellings. This means that the number of new dwellings proposed at this site is not 25, but 18 plus 25 i.e. 43.</p> <p>9. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses which comes on top of an existing permission for 24. The 49 new dwellings proposed at this site are to be built, according to architectural plans presented to the village earlier this year, all over existing Local Wildlife Sites. The hospital's architects are Clagues.</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII's competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain's Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site well over 2 miles outside the village (LS41 and 424/40b, Policies SSP3 & 4), where two cars would be essential for a family with both parents working. This is inconsistent. Such sites are also ill-advised for older people who prefer to be able to walk to shops and bus stops.</p> <p>14. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is well over 2 miles away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>15. A local group called 'The Friends of the East End' (FOE) opposes these plans for a <i>quasi</i>-new village at the unsustainable hospital sites. We feel planning is being carried out back to front by proposing to build the houses first in the hope that the infrastructure will follow. On 4 April, 2019, 127 FOE supporters presented a number of petitions protesting the NDP: on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored, as have the views of the parish of Biddenden. Residents who wrote letters were never informed of the Consultation over Regulation 16 and even many of those who have email, were never contacted.</p>				

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		16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.				
BE_65	<p>My submission relates to the following:</p> <p>TW Local Plan Policy STR1</p> <p>Strategic Environmental Assessment (SEA) p 317</p> <p>HSA3 (Individual Site Assessments) p 525-529</p> <p>TWBC Draft Local Plan Reg 18 Policy AL/BE2</p>	<p>I am sending this submission in on behalf of the owners of Site 158 (excluding the owners of the western part of the site which adjoins New Pond Road. ie what is now known as site LS 22)</p> <p>I originally put in a submission when the NP was being drafted and include a copy of that submission since many of my comments were not fully dealt with in the response of the NP steering committee to my submission.</p> <p>BNP Reg 16 is attempting to constrain the delivery of housing in Benenden village by minimising the number of houses allowed in the village and instead locating them outside the village, especially at Benenden hospital . This is contrary to Local Plan Strategic Policy STR1 and is not justifiable on sustainability grounds.</p> <p>Back in 2006 site 158 was considered good enough to be a possible site for a new primary school and also for 174 houses. In fact the residents thought it was the best site for the school but in the event another site was chosen. The site is situated near the centre of the village and so would enable residents to walk to shops, the school, local pubs and the church. The draft NP said that 'the sustainability credentials of the site are high' There would be no need for an extra car and carbon emissions would be reduced, thus helping supporting the Borough Council's commitment to make the District carbon neutral by 2030. Pedestrian access is already available to the site. In the BNDP environmental report (Strategic Environmental Assessment), on page 317 this site comes out as having a likely positive effect in terms of population and community, health and wellbeing and transport, all important considerations.</p> <p>In another supporting document HSA3 Individual Site Assessment (pages 525 to 529), it states that the site is suitable for a modest development, and that the site is achievable (see later for access issues), and reiterates that the sustainability credentials of the site are high. Also that 'development on this site could offer the opportunity for a sensitively designed scheme that could potentially be integrated into the existing village centre'</p> <p>In their section in which the NP committee respond to comments originally made about this site, they state that</p> <p>'this site does not have wildlife significance and is not easily visible nor generally accessible' (P 38)</p> <p>In terms of the number of houses that could be built on the site, the owners are happy to reduce it from the original suggestion of 174 to around 50, and that the focus should be on affordable</p>	Yes	Yes	Gerald Peter Conyngham	

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		<p>houses, available to local people, and meeting the needs of elderly people and people with disabilities.</p> <p>Access to the site (apart from pedestrian access) would need to come from New Pond Road. Since there is uncertainty about access via Site LS 22 as originally planned, it is important that access is kept open via site LS 16 (Uphill) as stated in the Tunbridge Wells local plan as follow:</p> <p>TWBC Draft Local Plan Reg 18 Policy AL/BE2. 'The layout including hard and soft landscaping, to be designed so as not to prejudice the future provision of a suitable vehicular access with appropriate visibility splays to the land located to the north (158) which may be allocated for development as part of a future local plan' In the Reg 16 plan, it is argued that this statement should be taken out. We would argue for its retention .</p> <p>This statement also shows that in the opinion of planners at TWBC, site 158 is still considered an appropriate site for housing, so why not include it now in the sites for housing, rather than building what is in effect a new conurbation in the Benenden hospital area.</p> <p>If site LS22 on New Pond Road is developed as a separate site, as argued in Reg 16, then unless there is access via the Uphill site, the major part of site 158 is lost to development , which is clearly not the wish of TW planners (see above).</p> <p>Reg 16 outlines 'Limits to built development'. The way this was done suggests that sites were chosen first and then a line drawn round them to exclude other sites. Thus it appears that the line is somewhat arbitrary in excluding appropriate sites such as site 158</p> <p>Summary of submission.</p> <p>As the owners of site 158, we believe that a sensitively designed development could take place there which is in line with the Borough's policy of reducing carbon emissions and preventing ribbon development or development in random sites in rural parts of the parish eg Benenden hospital area. Any development on site 158 would take account of the concerns of local people and be carried out in full consultation.</p> <p><i>Supporting document: Regulation 14 Objections to Benenden Neighbourhood Plan dated 27 October 2020:</i></p> <p>I am writing with comments about the draft Neighbourhood Plan, especially in relation to plot 158. Within the plan, plot 158 has been placed outside the Limits to Built Development. We think this is the wrong decision for the following reasons:</p>				

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		<ul style="list-style-type: none"> This site was considered as a possible site for the new primary school and later TWBC officers considered it as a possible site for 174 houses. Yet now it has been dropped as a place for development. In the draft Neighbourhood Plan, it states that 'the sustainability credentials of this site are high'. We are open minded about the number of houses that might be built on the site and do not have any particular number in mind at this time. We would be happy with a more modest development than 174. We would want a high proportion to be affordable, be open to local people, and meet the needs of elderly people and people with disabilities. And to be built in ways which fit into the local environment in terms of building design. <p>We would seek a developer who could meet these criteria.</p> <ul style="list-style-type: none"> In relation to Limits to Built Development it appears that sites were chosen first and then a line drawn round them to exclude other sites. Thus it appears that the line is somewhat arbitrary. The site lies at the heart of the village and building here would prevent ribbon development or development in random sites in the rural parts of the parish. In that sense it would preserve the rural nature of the parish in making it less necessary to build houses outside the parish. It is a very good site from the point of view of sustainability and reducing pollution. People living there could walk to the village school, village shops, church and local meetings. There is no need for an extra car and the extra carbon emissions which would be a consequence of people living 3 miles from the heart of the village. Pedestrian access is already available to the site. It doesn't make good planning sense to plan a large development at the East End and leave the village centre for development at some later time. It goes against the environmental interests of everyone. Using brownfield sites is said to be a priority yet the plan being proposed eats into the countryside since travel links, and the pollution associated with them, would be needed between the new settlement at the East End and the village. We believe that sustainability should be considered as the primary goal. In the comments on the original Neighbourhood Plan It was agreed that site 158 is not a site of particular wildlife significance. And it is not highly visible, thus reducing its attractiveness as a green field site. It does not block views and is discreetly hidden behind the Street, as are the current recent developments at St George's Close. 				

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		<ul style="list-style-type: none"> . Development here supports the Borough Council's recent commitment to make the District carbon neutral by 2030. As far as access is concerned, we have noted the sentence in the piece about site 16 as follows: 'The layout, including hard and soft landscaping, to be designed so as not to prejudice the future provision of a suitable vehicular access with appropriate visibility splay(s) to the land located to the north, which may be allocated for development as part of a future Local Plan.'" Site 158 is the land to the North. 				
BE_66	Entire Plan	<ol style="list-style-type: none"> 1. Priority to protect the rural feel of those parts of the Parish within the High Weald AONB and the two separate Conservation Areas designed to protect historic settlements and their setting within the AONB. 2. Recognition that some housing growth is needed and indeed wanted within the Parish, particularly affordable housing. 3. Strong support for the four allocated sites, two within the revised Limits to Built Development of Benenden village (one of which is for almshouses) and two on brownfield land outside the AONB. 4. Opposition to development on greenfield sites within the AONB when brownfield sites are available....as endorsed by the NPPF, CPRE and AONB. 5. Noted that English Heritage has not Listed Benenden Hospital as it has been too altered over time. 6. Noted that permission for the demolition of the Benenden Sanitorium and the erection of 24 dwellings was granted by TWBC at Planning Committee in 2013 ref 12/03130/EIAMJ. This pre-dates the NDP. 	No	Yes	Alastair C M Pringle FRICS	
BE_67	HSA; BD1; BD2; BD7; BD8; BE1; BE2; BE4; T1; T2; T3; T4; HS1; HS2; HS6; SSP2; SSP3; SSP4; SEA1; LEA1; LEA8; LEA9; IA5; IA6; IA7; HSA2; HSA3; HSA4; HSA5; BEA1; TA1; TA2	<ol style="list-style-type: none"> 1. On page 48, para 2.7.2. the plan states that the High Weald AONB's "assessment is considered a key supporting document" yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. The plan never mentions these objections. 2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). See SEA1. 3. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a 	Yes	Yes	Garry Thomas Holmes	Hazel Strouts

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		<p>pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in.</p> <p>4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum which presented a choice between two sites. Site 158 was, in that referendum, chosen by the village but in the end, the school was built elsewhere and TWBC planned up to 174 houses, instead of a school, on 158.</p> <p>5. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course.</p> <p>6. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. How can you justify something on the grounds of a decision not yet made? The LBD is ignored by Policies SSP3 and SSP4, which propose most development as far beyond the LBD as it is possible to go while still remaining within the parish of Benenden. This makes the value of an LBD questionable.</p> <p>7. Policy T2 on improving road safety. Site LS16 on New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes the development of LS22 at a later date as a way of blocking development of site 158 which is right behind it. If this were to happen, there would be two exits close together onto New Pond Road which would surely be more dangerous than one. Further, proposing to develop LS22 simply to block development at 158 is not a proper planning reason. (See HSA3 page 529 “Should the Parish decide to pursue a policy of smaller scattered sites, it might be advantageous to consider developing only the smaller, western part of the site nearest New Pond Road (<i>i.e. LS22</i>) with containment to control any proposals for an easterly expansion at a future date (<i>i.e. site 158</i>).”</p> <p>Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. There was a serious accident at those cross roads on November 20, 2020. Biddenden Parish Clerk has written on behalf of the parish of Biddenden to strongly oppose the plan largely on traffic issues. She has received an acknowledgment but no reply. Biddenden presents its strong objections at https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments – their objection is DLP_650.</p> <p>As Landowners on Walkhurst Road, Gooddards Green Road end, the additional traffic with the new location of Benenden Primary school has resulted in Walkhurst Road being used as a ‘rat-run’</p>				

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		<p>or cut through to avoid Benenden High Street at key collection and drop off times. This has resulted in many near accidents and congestion on Walkhurst Road, which is a narrow single lane road. The inevitable increase of traffic with large development sites being included in this Development plan rather than smaller sites more equally distributed in the parish do not represent the neighbourhoods' best interests. Many others sites have been rejected as being considered to having 'dangerous exits'. The entirety of Walkhurst road now represents a danger zone and in no way improves road safety.</p> <p>8. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by the existing 18 dwellings. Where would the extra 25, at the same density, go? Also bear in mind Policy BD4 Landscaping "existing mature trees should be retained." The plan talks of 'redeveloping' the existing 18 dwellings which must mean demolition and the building of new dwellings for there is no room otherwise for 25 new dwellings. This means that the number of new dwellings proposed at this site is not 25, but 18 plus 25 i.e. 43.</p> <p>9. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses which comes on top of an existing permission for 24. The 49 new dwellings proposed at this site are to be built, according to architectural plans presented to the village earlier this year, all over existing Local Wildlife Sites. The hospital's architects are Clagues.</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to "protect and enhance heritage assets and their settings", yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII's competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain's Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site well over 2 miles outside the village (LS41 and 424/40b, Policies SSP3 & 4), where two cars would be essential for a family with both parents working. This is inconsistent. Such sites are also ill-advised for older people who prefer to be able to walk to shops and bus stops.</p> <p>14. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is well</p>				

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		<p>over 2 miles away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>15. A local group called 'The Friends of the East End' (FOE) opposes these plans for a <i>quasi</i>-new village at the unsustainable hospital sites. We feel planning is being carried out back to front by proposing to build the houses first in the hope that the infrastructure will follow. On 4 April, 2019, 127 FOE supporters presented a number of petitions protesting the NDP: on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored, as have the views of the parish of Biddenden. Residents who wrote letters were never informed of the Consultation over Regulation 16 and even many of those who have email, were never contacted.</p> <p>16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_68	<p>Section 1. Page 24.</p> <p>Section 2.8. Page 49.</p> <p>Section 2.9.3.3. Page 61.</p> <p>Section 2.9.4. Page 65-69</p> <p>Section 4.7. Page 92</p> <p>Section 5.1.2. Page 100.</p>	<p>Section 1. Page 24. The Benenden Neighbourhood Development Plan (BNDP) takes the High Weald AONB and Local Wildlife Sites (LWS) as its starting points to safeguard but then does not apply this laudable thinking consistently when it comes to the sites designated at East End (see 2.9.3.3. Page 61).</p> <p>2.8. Page 49. The BNDP supports the building in East End of a total of 74 new houses. 24 already have building permission. The BNDP suggests another 50. Elsewhere in the parish the plans are more small scale.</p> <p>2.9.3.3. Page 61. I live locally and travel by car on Goddards Green Road daily for school runs (in Hawkhurst) and to use Benenden village facilities. Goddards Green Road is, in my experience, dangerous. It is too narrow for the current traffic. It is very easy to slip off the road when encountering traffic coming the other way. I cannot see how it could sustain the inevitable significant increase in traffic necessary to sustain the proposed 74 households at East End.</p> <p>Section 2.9.4. Page 65-69. Mockbeggar Lane is used by the family of patients of Benenden Hospital to provide a mud free walk. It is used by horse riders and cyclists also, who recognise that it is less dangerous than the main roads such as Goddards Green Road or Cranbrook Road. There are often families with children and dogs walking there coming in and out of various forests paths. It would be essential to work with Biddenden Parish to ensure that this lane can be retained for tourism and residential purposes. I would suggest it should be "residential access only for cars", so that it remains safe for pedestrians, horses and cycling.</p>	Yes	Yes	Mrs Christine Chantal Emilie Burrows	Mrs Hazel Strouts

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		<p>Section 4.7. Page 92. Policy BE6. "The BNDP will support the retention and conversion of existing agricultural, rural, or other buildings, for business, recreation and tourism uses." Yet, BNDP plans to destroy the 1906 Sanatorium which is the subject of a national campaign by SAVE BRITAIN's HERITAGE. I strongly support the plans put forward by SAVE BRITAIN'S HERITAGE.</p> <p>5.1.2. In order to make the East End viable, one would have to widen Goddards Green Road significantly (for cars), build a safe cycle path (for bicycles) and ensure regular bus services. There are currently no facilities at East End. There is only an old tennis court which is in a terrible state. Essentially, one has to drive to access the post office, village shop, village hall, tennis courts in Iden Green, nurseries and schools, work etc. It is difficult to see how the East-End sites promote policy T1 of Car-free Connectivity. Even cycling to Benenden village from East End would require quite an effort not at all accessible to anyone with a fragile health. It is quite a distance! At the moment, I would not allow my fit, rugby playing, 15 year old son to cycle there. The roads are simply too dangerous. This would mean a very isolated community at East-End, utterly reliant on car-journeys.</p>				
BE_69	<p>Section 1. Page 24.</p> <p>Section 2.8. Page 49.</p> <p>Section 2.9.3.3. Page 61.</p> <p>Section 2.9.4. Page 65-69</p> <p>Section 4.7. Page 92</p> <p>Section 5.1.2. Page 100.</p>	<p>Section 1. Page 24. The Benenden Neighbourhood Development Plan (BNDP) takes the High Weald AONB and Local Wildlife Sites (LWS) as its starting points to safeguard but then does not apply this laudable thinking consistently when it comes to the sites designated at East End (see 2.9.3.3. Page 61).</p> <p>2.8. Page 49. The BNDP supports the building in East End of a total of 74 new houses. 24 already have building permission. The BNDP suggests another 50. Elsewhere in the parish the plans are more small scale.</p> <p>2.9.3.3. Page 61. I live locally and travel by car on Goddards Green Road daily for school runs (in Hawkhurst) and to use Benenden village facilities. Goddards Green Road is, in my experience, dangerous. It is too narrow for the current traffic. It is very easy to slip off the road when encountering traffic coming the other way. I cannot see how it could sustain the inevitable significant increase in traffic necessary to sustain the proposed 74 households at East End.</p> <p>Section 2.9.4. Page 65-69. Mockbeggar Lane is used by the family of patients of Benenden Hospital to provide a mud free walk. It is used by horse riders and cyclists also, who recognise that it is less dangerous than the main roads such as Goddards Green Road or Cranbrook Road. There are often families with children and dogs walking there coming in and out of various forests paths. It would be essential to work with Biddenden Parish to ensure that this lane can be retained for tourism and residential purposes. I would suggest it should be "residential access only for cars", so that it remains safe for pedestrians, horses and cycling.</p> <p>Section 4.7. Page 92. Policy BE6. "The BNDP will support the retention and conversion of existing agricultural, rural, or other buildings, for business, recreation and tourism uses." Yet, BNDP plans</p>	Yes	Yes	Mrs Christine Chantal Emilie Burrows	Mrs Hazel Strouts

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		<p>to destroy the 1906 Sanatorium which is the subject of a national campaign by SAVE BRITAIN'S HERITAGE. I strongly support the plans put forward by SAVE BRITAIN'S HERITAGE.</p> <p>5.1.2. In order to make the East End viable, one would have to widen Goddards Green Road significantly (for cars), build a safe cycle path (for bicycles) and ensure regular bus services. There are currently no facilities at East End. There is only an old tennis court which is in a terrible state. Essentially, one has to drive to access the post office, village shop, village hall, tennis courts in Iden Green, nurseries and schools, work etc. It is difficult to see how the East-End sites promote policy T1 of Car-free Connectivity. Even cycling to Benenden village from East End would require quite an effort not at all accessible to anyone with a fragile health. It is quite a distance! At the moment, I would not allow my fit, rugby playing, 15 year old son to cycle there. The roads are simply too dangerous. This would mean a very isolated community at East-End, utterly reliant on car-journeys.</p>				
BE_70	Overall Benenden Neighbourhood Plan	<p>Since you will have received many critical responses in this consultation period, I think it important that at least one long term Benenden resident (over 65 years living in the Parish), states my full and total support for the Plan. People tend not to bother if they are satisfied; so you are very likely to gain the impression, from critical responses, that they are in a majority. This is definitely not the case, and many Benenden residents are as pleased as I am, with the hard work of the Plan Committee and its outcome. Please don't change a word of it; and I look forward to voting for it.</p>			John Lebon	
BE_71	Benenden Parish and Limits to Built Development (LBD) p13-16	<p>The Old Manor House has always been part of the village of Benenden. There would appear to be no reason the parish considered worth stating to change this.</p> <p>All discussions and versions of the new local plan as it has developed, have included the Manor and there have been no calls from parishioners to remove it.</p> <p>The adopted LBD for Benenden includes the Old Manor House. The new proposal removes the Old Manor House. In so doing, the new LBD does not accurately reflect Benenden village, in that the Manor is a key feature of the village. For example, there was a request made that the trees which blocked the Manor House from view be cut back to enhance the aesthetics of the village. The trees were cut back so that people visiting or living in the village can see the Manor.</p> <p>There is no explanation or justification given for this major change in the boundary of the village. Can an explanation be sought? The wording in the plan suggests that this change is being promoted by TWBC: 'The emerging TWBC Draft Local Plan 2019(9) ... redraws the LBD tightly around Benenden village only.' Not being familiar with the processes, can clarification be added as to whether this is the TWBC plan or Neighbourhood Plan?</p> <p>The LBD is put in place to guide development and must be respected. Again, not being familiar with processes, should the plans for development not be presented in line with the official LBD and</p>	Yes	Yes	Dr Valerie Mortimer	

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		then be changed if and when development is put in place, so that it does in fact represent local built development?				
BE_72	Site Specific Policy 1 (SSP1) Land adjacent to Feoffee Cottages, Walkhurst Road, Benenden	<p>Thank you for your email below, inviting Southern Water to comment on the Submission Benenden Neighbourhood Plan. We note from the Consultation Statement that our previous comments submitted on 7/10/19 in response to the Regulation 14 consultation, were not included. We therefore reiterate our previous comments within the attached response form.</p> <p>We look forward to being kept informed of the progress of the Plan.</p> <p>Southern Water is the statutory wastewater undertaker for the parish of Benenden. The Neighbourhood Development Plan (NDP) identifies land adjacent to Feoffee Cottages for 23-25 dwellings. Southern Water undertook a preliminary assessment of the impact that additional foul flows from the proposed development will have on the existing public sewer network. However, our comments submitted on the Regulation 14 consultation have not been taken into account in this version of the Plan.</p> <p>The initial study indicated that there is an increased risk of flooding unless network reinforcement is provided by Southern Water in advance of the occupation of development. This is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of development is phased to align with the delivery of sewerage infrastructure, in order to mitigate the increased risk of flooding. Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and planning conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure.</p> <p>Paragraph 28 of the NPPF establishes that communities can set out detailed non-strategic policies that can include the provision of infrastructure at a local level. Paragraph 45 of the NPPG also directs that <i>'Infrastructure is needed to support development and ensure that a neighbourhood can grow in a sustainable way. The following may be important considerations for a qualifying body to consider when addressing infrastructure in a neighbourhood plan: * what additional infrastructure may be needed to enable development proposed in a neighbourhood plan to be delivered in a sustainable way..'</i></p> <p>Without the requisite policy provision, the Benenden NDP does not meet the basic conditions necessary for a NDP, namely to: have regard to national policies and advice contained in guidance issued by the Secretary of State and contribute to sustainable development.</p> <p>Our proposed policy provision would give early warning to developers to ensure that drainage is considered during the determination of any planning application and ultimately ensure delivery of the requisite local infrastructure by way of a planning condition. If development is occupied in</p>	No	Yes	Southern Water	

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		<p>advance of network reinforcement, then the system would become overloaded, leading to pollution of the environment. This situation would be contrary to paragraph 170(e) of the NPPF, which requires planning system to prevent both new and existing development from contributing to pollution.</p> <p>Proposed amendment</p> <p>Accordingly, to ensure the Benenden Neighbourhood Plan meets the basic conditions necessary for a NDP, namely to have regard to national policy, we propose the following criterion is added to SSP1:</p> <p><i>Proposals shall:</i></p> <p>...</p> <p>11. <u>Ensure occupation of the development is phased to align with the delivery of sewerage network reinforcement, in liaison with the service provider</u></p>				
BE_73	Site Specific Policy 2 (SSP2) Uphill, New Pond Road, Benenden	<p>Thank you for your email below, inviting Southern Water to comment on the Submission Benenden Neighbourhood Plan. We note from the Consultation Statement that our previous comments submitted on 7/10/19 in response to the Regulation 14 consultation, were not included. We therefore reiterate our previous comments within the attached response form.</p> <p>We look forward to being kept informed of the progress of the Plan.</p> <p>Southern Water is the statutory wastewater undertaker for the parish of Benenden. The Neighbourhood Development Plan (NDP) identifies Uphill, New Pond Road, Benenden for 18-20 dwellings. Southern Water undertook a preliminary assessment of the impact that additional foul flows from the proposed development will have on the existing public sewer network. However, our comments submitted on the Regulation 14 consultation have not been taken into account in this version of the Plan.</p> <p>The initial study indicated that there is an increased risk of flooding unless network reinforcement is provided by Southern Water in advance of the occupation of development. This is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of development is phased to align with the delivery of sewerage infrastructure, in order to mitigate the increased risk of flooding. Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and</p>	No	Yes	Southern Water	

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		<p>planning conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure.</p> <p>Paragraph 28 of the NPPF establishes that communities can set out detailed non-strategic policies that can include the provision of infrastructure at a local level. Paragraph 45 of the NPPG also directs that '<i>Infrastructure is needed to support development and ensure that a neighbourhood can grow in a sustainable way. The following may be important considerations for a qualifying body to consider when addressing infrastructure in a neighbourhood plan: * what additional infrastructure may be needed to enable development proposed in a neighbourhood plan to be delivered in a sustainable way..</i>'.</p> <p>Without the requisite policy provision, the Benenden NDP does not meet the basic conditions necessary for a NDP, namely to: have regard to national policies and advice contained in guidance issued by the Secretary of State and contribute to sustainable development.</p> <p>Our proposed policy provision would give early warning to developers to ensure that drainage is considered during the determination of any planning application and ultimately ensure delivery of the requisite local infrastructure by way of a planning condition. If development is occupied in advance of network reinforcement, then the system would become overloaded, leading to pollution of the environment. This situation would be contrary to paragraph 170(e) of the NPPF, which requires planning system to prevent both new and existing development from contributing to pollution.</p> <p>Proposed amendment</p> <p>Accordingly, to ensure the Benenden Neighbourhood Plan meets the basic conditions necessary for a NDP, namely to have regard to national policy, we propose the following criterion is added to SSP2:</p> <p><i>Proposals shall:</i></p> <p>...</p> <p>14. <u>Ensure occupation of the development is phased to align with the delivery of sewerage network reinforcement, in liaison with the service provider</u></p>				
BE_74	Site Specific Policy 3 (SSP3) Land at Benenden Hospital, South of	Thank you for your email below, inviting Southern Water to comment on the Submission Benenden Neighbourhood Plan. We note from the Consultation Statement that our previous comments	No	Yes	Southern Water	

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	Goddards Green Road, East End — South East Quadrant	<p>submitted on 7/10/19 in response to the Regulation 14 consultation, were not included. We therefore reiterate our previous comments within the attached response form.</p> <p>We look forward to being kept informed of the progress of the Plan.</p> <p>Southern Water is the statutory wastewater undertaker for the parish of Benenden. The Neighbourhood Development Plan (NDP) identifies Land at Benenden Hospital, South East Quadrant for 22-25 dwellings. Southern Water undertook a preliminary assessment of the impact that additional foul flows from the proposed development will have on the existing public sewer network. However, our comments submitted on the Regulation 14 consultation have not been taken into account in this version of the Plan.</p> <p>The initial study indicated that there is an increased risk of flooding unless network reinforcement is provided by Southern Water in advance of the occupation of development. This is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of development is phased to align with the delivery of sewerage infrastructure, in order to mitigate the increased risk of flooding. Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and planning conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure.</p> <p>Paragraph 28 of the NPPF establishes that communities can set out detailed non-strategic policies that can include the provision of infrastructure at a local level. Paragraph 45 of the NPPG also directs that <i>'Infrastructure is needed to support development and ensure that a neighbourhood can grow in a sustainable way. The following may be important considerations for a qualifying body to consider when addressing infrastructure in a neighbourhood plan: * what additional infrastructure may be needed to enable development proposed in a neighbourhood plan to be delivered in a sustainable way..'</i></p> <p>Without the requisite policy provision, the Benenden NDP does not meet the basic conditions necessary for a NDP, namely to: have regard to national policies and advice contained in guidance issued by the Secretary of State and contribute to sustainable development.</p> <p>Our proposed policy provision would give early warning to developers to ensure that drainage is considered during the determination of any planning application and ultimately ensure delivery of the requisite local infrastructure by way of a planning condition. If development is occupied in advance of network reinforcement, then the system would become overloaded, leading to pollution of the environment. This situation would be contrary to paragraph 170(e) of the NPPF, which requires planning system to prevent both new and existing development from contributing to pollution.</p>				

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		<p>We also take this opportunity to point out that there is a pumping station and associated infrastructure located within the Site South of Goddards Green Road. This needs to be taken into account when designing any proposed development. A 15 metre gap would be required between any housing development and the pumping station, as well as easements for the existing underground infrastructure, which may affect the site layout. This easement should be clear of all proposed buildings and substantial tree planting.</p> <p>Proposed amendments</p> <p>Accordingly, to ensure the Benenden Neighbourhood Plan meets the basic conditions necessary for a NDP, namely to have regard to national policy, we propose the following criteria are added to SSP3:</p> <p><i>Proposals shall:</i></p> <p>...</p> <p>15. <u>Ensure occupation of the development is phased to align with the delivery of sewerage network reinforcement, in liaison with the service provider</u></p> <p>16. <u>Plan layout to ensure future access to the existing sewerage infrastructure for maintenance and upsizing purposes.</u></p> <p>17. <u>Provide an adequate gap between the pumping station and development to help prevent any unacceptable impact from noise and/or vibration.</u></p>				
BE_75	Site Specific Policy 4 (SSP4) Land at Benenden Hospital, North of Goddards Green Road, East End — North East Quadrant	<p>Thank you for your email below, inviting Southern Water to comment on the Submission Benenden Neighbourhood Plan. We note from the Consultation Statement that our previous comments submitted on 7/10/19 in response to the Regulation 14 consultation, were not included. We therefore reiterate our previous comments within the attached response form.</p> <p>We look forward to being kept informed of the progress of the Plan.</p> <p>Southern Water is the statutory wastewater undertaker for the parish of Benenden. The Neighbourhood Development Plan (NDP) identifies Land at Benenden Hospital, North East Quadrant for 22-25 dwellings. Southern Water undertook a preliminary assessment of the impact that additional foul flows from the proposed development will have on the existing public sewer network. However, our comments submitted on the Regulation 14 consultation have not been taken into account in this version of the Plan.</p> <p>The initial study indicated that there is an increased risk of flooding unless network reinforcement is provided by Southern Water in advance of the occupation of development. This is not a</p>	No	Yes	Southern Water	

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		<p>constraint to development provided that planning policy and subsequent conditions ensure that occupation of development is phased to align with the delivery of sewerage infrastructure, in order to mitigate the increased risk of flooding. Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and planning conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure.</p> <p>Paragraph 28 of the NPPF establishes that communities can set out detailed non-strategic policies that can include the provision of infrastructure at a local level. Paragraph 45 of the NPPG also directs that <i>'Infrastructure is needed to support development and ensure that a neighbourhood can grow in a sustainable way. The following may be important considerations for a qualifying body to consider when addressing infrastructure in a neighbourhood plan: * what additional infrastructure may be needed to enable development proposed in a neighbourhood plan to be delivered in a sustainable way..'</i></p> <p>Without the requisite policy provision, the Benenden NDP does not meet the basic conditions necessary for a NDP, namely to: have regard to national policies and advice contained in guidance issued by the Secretary of State and contribute to sustainable development.</p> <p>Our proposed policy provision would give early warning to developers to ensure that drainage is considered during the determination of any planning application and ultimately ensure delivery of the requisite local infrastructure by way of a planning condition. If development is occupied in advance of network reinforcement, then the system would become overloaded, leading to pollution of the environment. This situation would be contrary to paragraph 170(e) of the NPPF, which requires planning system to prevent both new and existing development from contributing to pollution.</p> <p>Proposed amendment</p> <p>Accordingly, to ensure the Benenden Neighbourhood Plan meets the basic conditions necessary for a NDP, namely to have regard to national policy, we propose the following criterion is added to SSP4:</p> <p><i>Proposals shall:</i></p> <p>...</p> <p>14. <u>Ensure occupation of the development is phased to align with the delivery of sewerage network reinforcement, in liaison with the service provider</u></p>				

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BE_76	Site 158, Benenden, Kent	<p>I believe the above site (the apple orchard) is ideal for new housing as it is walking distance to Benenden village and the shops, pubs, school and church, so wouldn't increase traffic in the area.</p> <p>Pedestrian access is already available to the site.</p> <p>The draft NP said that 'the sustainability credentials of the site are high'. There would be no need for an extra car and carbon emissions would be reduced, thus helping supporting the Borough Council's commitment to make the District carbon neutral by 2030.</p>			Danny Lenox-Conyngham	
BE_77	This response refers to many parts of the document	<p>In general, the plan is confusing and difficult to read, constantly using abbreviations and site references rather than plain English and site names. There are randomly applied principals and no consistency in assessing the various implications of the proposals throughout the document. I would ask you the council to read the document in its entirety as there are too many problems to list here. Thank you.</p> <p>This response refers to many parts of the document</p> <p>1) Document HSA4 High Weald AONB advice on Benenden Neighbourhood plan Sites. Advice is given on some sites but not all. The High Weald ANOB was never asked to advise on site 424/LS40b or on site LS41 although they hugely impact the ANOB due to such high density build proposals in plain sight on its boundary. Note High Weald ANOB objects to the sites 424/LS40b (objection 3458) refer to the following link https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments.</p> <p>2) Site LS22 was previously referred to as part of 158 and is still referred to as such in some areas of this document but is also now defined as a new site ref LS22. New sites (LS22 and LS4) and some previous sites have not been fully evaluated . All sites in the plan should undergo exactly the same evaluation criteria for impact analysis.</p> <p>3) Sustainability Policy (policy BD8 and Vision) Iden Green sites</p> <p>437 /LS8 provide access to the village via paved footpaths and two-lane roads where use of the nurser/primary school, pub, cafe,shops, restaurant, church, community centre and bus stop are all available. Sites 424/LS40b and LS41 (the hospital)are completely rural sites and offer no amenities at all.</p> <p>Direct access to the Village from the hospital is approximately 1 hour by foot over footpaths crossing pasture land not suitable during wet winter conditions or via single track roads with blind bends. These roads are not suitable for busses, mini busses or coaches. Therefore, access to the village school and other facilities will result in increased car, cycle and foot traffic on these dangerously unsuitable roads. Without easy access to the village the occupants of the new</p>	Yes	Yes	Georgia Edwards	Hazel Strouts

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		<p>dwelling will not be able to utilise the village facilities integrate socially with their own community or add to the financial/development prospects of the village.</p> <p>4) Proposed new limit to Build Development. This boundary seems to change its interpretation and where it lies many times throughout the document depending on the outcome the authors require for each proposal. Notably in 2018 Tunbridge wells borough council sanctioned 174 houses on site 158 and considered sites 158 and 222 suitable for a new village school yet both are now discounted as development sites. Why such a dramatic change?</p> <p>5) Policies SSP3 and SSP4 totally ignore the Limit to build boundary. Is this because it does not actually exist and is used randomly where it suits various proposals.</p> <p>6) Policy T2 improving road safety. This element of planning is of supreme importance yet appears to be applied randomly throughout the document. Sites 424/LS40b and LS41 (the Hospital) open directly onto a Goddards Green road a very short distance from The Castletons Oak crossroads. This is a renowned accident blackspot the latest incident being a severe car crash on 20th November 2020. Traveling to the towns of Cranbrook, Tenterden Ashford and Maidstone or stations at Staplehurst or Headcorn (i.e. most journeys) would all involve using this dangerous junction. However other sites have been ruled out on road safety grounds that do not compare with this junction in terms of its dangers or the frequency of accidents. For example, LS4 (Hams travel) is ruled out due to a dangerous exit onto Cranbrook?</p> <p>Site LS16 on the New Pond road appears acceptable yet the adjacent site LS22 is ruled out due to the speed of traffic on the same New Pond road! Having ruled out LS22 the report then uses the future development of this site (LS22) to block 158. What is going on here?</p> <p>Could we have clear thinking and consistency throughout the document.</p> <p>7) Policy HS6 Housing Density. This policy states density should reflect local levels. Housing density in Benenden is 10dph (10 houses per hectare) why then is the proposal for 22 houses per hectare double the current level on sites LS41 424/LS40b (the Hospital). Please note all sites in this document are part of Benenden.</p> <p>Planning permission was previously granted on the Hospital sites for 24 units (the most allowed at the time, complying to the density policy) therefore it must be assumed once built the council decrees these sites to be at full density capacity. This is manipulation of the regulations overcoming development issues by submitting multiple plans for the same site.</p> <p>8) Policy LE7 proposes to protect natural habitats adjacent to developments. The proposed increase in usage at sites 424/40b (the hospital) results in building on key rare plant and local wildlife areas, despite an assertion in policy BD4 landscaping that "existing mature trees should be</p>				

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		<p>maintained.” It is also important to note it will be impossible to maintain “adequate barriers” around key areas of local nature another stated aim of the policy at the new higher density levels. Please refer to the hospital architects plans for this site.</p> <p>9) Brownfield site policy. The document randomly applies the use of brownfield sites, LS4 (Hams Travel) and LS21 (Little Weavers) have been discounted despite both being Brownfield sites yet sites LS41 and 424/LS40b are included, why? It should also be taken into account that permission to build the current hospital was granted with the condition that the previous building would be taken down, thus keeping the building footprint on the site at the original level. This was never done which results in the future build footprint being far in excess of that thought appropriate by the council previously. Please bear in mind despite being a brownfield site the Hospital is in an open rural setting bordering an ANOB. Therefore, the size, spread and destruction of natural areas home to wildlife rare plants etc directly affect the views and ambiance of the ANOB.</p> <p>10) Policy BD1 protect and enhance heritage assets and their settings. This is at odds with policy SSP3 which endorses the destruction of the old sanatorium building on site 424/40b (the Hospital.) Save Britain's Heritage are currently campaigning to save this building and convert it to houses in a suitable manner in sympathy with its rural surroundings. I have included herewith a quote from their website.</p> <p>Marcus Binney, executive president of SAVE Britain’s Heritage says: “This is a prime candidate for converting the existing building into new houses with wonderful views across open countryside. We are appealing to the Secretary of State for Culture to list the Sanatorium on the basis that the historical importance of this royal commission was not understood.”</p> <p>11) Policy LE1 protect and enhance the countryside. Again, Policy SSP3/4 is at odds with this proposing to place most new developments in rural isolated settings. Local estate agents advise there is little/no demand for small to medium size rural properties (although high end properties maintain interest) mainly due to the obvious difficulties of rural life. Alleviating these difficulties would require further disruption to the countryside.</p> <p>12) Page 12 of this plan advocates affordable housing. However, most of the proposed development is on two isolated rural sites (the hospital 424/40b and LS41) over 2 miles from the village amenities. Having no immediate access to basic facilities (shops schools, transport links etc.) make these sites an unsuitable place to locate affordable housing. Doing so would create ongoing financial needs for less affluent families (maintaining cars/use of taxis) and social problems for both the young and old</p>				

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		<p>13) Greenfield site policy. This has been applied inconsistently throughout the document and again appears to have been used primarily to support the authors preferences. For example, 227 ruled in whilst 158 and 222 were ruled out.</p> <p>14) In view of the above points, I would endorse the call for the friends of the East End to be allowed to present their case to the Independent Examiner.</p>				
BE_78	Section 2.8 Page 49	I would like to support the proposal by SAVE to amend the Neighbourhood Development Plan to preserve the existing Historical buildings by way of converting them to provide new housing rather than demolish and replace with new buildings along with the environmental issues this will cause.	No	Yes	Andrew Sills	
BE_79	This response refers to many parts of the document	<p>In general, the plan is confusing and difficult to read, constantly using abbreviations and site references rather than plain English and site names. There are randomly applied principals and no consistency in assessing the various implications of the proposals throughout the document. I would ask you the council to read the document in its entirety as there are too many inaccuracies to list here. Thank you.</p> <p>This response refers to many parts of the document</p> <p>1) Document HSA4 High Weald AONB advice on Benenden Neighbourhood plan Sites. Advice is given on some sites but not all. The High Weald ANOB was never asked to advise on site 424/LS40b or on site LS41 although they hugely impact the ANOB due to such high density build proposals in plain sight on its boundary. Note High Weald ANOB objects to the sites 424/LS40b (objection 3458) refer to the following link https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments.</p> <p>2) Site LS22 was previously referred to as part of 158 and is still referred to as such in some areas of this document but is also now defined as a new site ref LS22. New sites (LS22 and LS4) and some previous sites have not been fully evaluated . All sites in the plan should undergo exactly the same evaluation criteria for impact analysis.</p> <p>3) Sustainability Policy (policy BD8 and Vision) Iden Green sites</p> <p>437 /LS8 provide access to the village via paved footpaths and two-lane roads where use of the nurser/primary school, pub, cafe,shops, restaurant, church, community centre and bus stop are all available. Sites 424/LS40b and LS41 (the hospital)are completely rural sites and offer no amenities at all.</p> <p>Direct access to the Village from the hospital is approximately 1 hour by foot over footpaths crossing pasture land not suitable during wet winter conditions or via single track roads with blind bends. These roads are not suitable for busses, mini busses or coaches. Therefore, access to the village school and other facilities will result in increased car, cycle and foot traffic on these</p>	Yes	Yes	Daniel Edwards	Hazel Strouts

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		<p>dangerously unsuitable roads. Without easy access to the village the occupants of the new dwellings will not be able to utilise the village facilities integrate socially with their own community or add to the financial/development prospects of the village</p> <p>4) Proposed new limit to Build Development. This boundary seems to change its interpretation and where it lies many times throughout the document depending on the outcome the authors require for each proposal. Notably in 2018 Tunbridge wells borough council sanctioned 174 houses on site 158 and considered sites 158 and 222 suitable for a new village school yet both are now discounted as development sites. Why such a dramatic change?</p> <p>5) Policies SSP3 and SSP4 totally ignore the Limit to build boundary. Is this because it does not actually exist and is used randomly where it suits various proposals.</p> <p>6) Policy T2 improving road safety. This element of planning is of supreme importance yet appears to be applied randomly throughout the document. Sites 424/LS40b and LS41 (the Hospital) open directly onto a Goddards Green road a very short distance from The Castletons Oak crossroads. This is a renowned accident blackspot the latest incident being a severe car crash on 20th November 2020. Traveling to the towns of Cranbrook, Tenterden Ashford and Maidstone or stations at Staplehurst or Headcorn (i.e. most journeys) would all involve using this dangerous junction. However other sites have been ruled out on road safety grounds that do not compare with this junction in terms of its dangers or the frequency of accidents. For example, LS4 (Hams travel) is ruled out due to a dangerous exit onto Cranbrook?</p> <p>Site LS16 on the New Pond road appears acceptable yet the adjacent site LS22 is ruled out due to the speed of traffic on the same New Pond road! Having ruled out LS22 the report then uses the future development of this site (LS22) to block 158. What is going on here?</p> <p>Could we have clear thinking and consistency throughout the document.</p> <p>7) Policy HS6 Housing Density. This policy states density should reflect local levels. Housing density in Benenden is 10dph (10 houses per hectare) why then is the proposal for 22 houses per hectare double the current level on sites LS41 424/LS40b (the Hospital). Please note all sites in this document are part of Benenden.</p> <p>Planning permission was previously granted on the Hospital sites for 24 units (the most allowed at the time, complying to the density policy) therefore it must be assumed once built the council decrees these sites to be at full density capacity. This is manipulation of the regulations overcoming development issues by submitting multiple plans for the same site.</p> <p>8) Policy LE7 proposes to protect natural habitats adjacent to developments. The proposed increase in usage at sites 424/40b (the hospital) results in building on key rare plant and local</p>				

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		<p>wildlife areas, despite an assertion in policy BD4 landscaping that “existing mature trees should be maintained.” It is also important to note it will be impossible to maintain “adequate barriers” around key areas of local nature another stated aim of the policy at the new higher density levels. Please refer to the hospital architects plans for this site.</p> <p>9) Brownfield site policy. The document randomly applies the use of brownfield sites, LS4 (Hams Travel) and LS21 (Little Weavers) have been discounted despite both being Brownfield sites yet sites LS41 and 424/LS40b are included, why? It should also be taken into account that permission to build the current hospital was granted with the condition that the previous building would be taken down, thus keeping the building footprint on the site at the original level. This was never done which results in the future build footprint being far in excess of that thought appropriate by the council previously. Please bear in mind despite being a brownfield site the Hospital is in an open rural setting bordering an ANOB. Therefore, the size, spread and destruction of natural areas home to wildlife rare plants etc directly affect the views and ambiance of the ANOB.</p> <p>10) Policy BD1 protect and enhance heritage assets and their settings. This is at odds with policy SSP3 which endorses the destruction of the old sanatorium building on site 424/40b (the Hospital.) Save Britain's Heritage are currently campaigning to save this building and convert it to houses in a suitable manner in sympathy with its rural surroundings. I have included herewith a quote from their website.</p> <p>Marcus Binney, executive president of SAVE Britain’s Heritage says: “This is a prime candidate for converting the existing building into new houses with wonderful views across open countryside. We are appealing to the Secretary of State for Culture to list the Sanatorium on the basis that the historical importance of this royal commission was not understood.”</p> <p>11) Policy LE1 protect and enhance the countryside. Again, Policy SSP3/4 is at odds with this proposing to place most new developments in rural isolated settings. Local estate agents advise there is little/no demand for small to medium size rural properties (although high end properties maintain interest) mainly due to the obvious difficulties of rural life. Alleviating these difficulties would require further disruption to the countryside.</p> <p>12) Page 12 of this plan advocates affordable housing. However, most of the proposed development is on two isolated rural sites (the hospital 424/40b and LS41) over 2 miles from the village amenities. Having no immediate access to basic facilities (shops schools, transport links etc.) make these sites an unsuitable place to locate affordable housing. Doing so would create ongoing financial needs for less affluent families (maintaining cars/use of taxis) and social problems for both the young and old</p>				

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		<p>13) Greenfield site policy. This has been applied inconsistently throughout the document and again appears to have been used primarily to support the authors preferences. For example, 227 ruled in whilst 158 and 222 were ruled out.</p> <p>14) In view of the above points, I would endorse the call for the friends of the East End to be allowed to present their case to the Independent Examiner.</p>				
BE_80	Table of contents; IA 3,4 and 5; SEA1	<ol style="list-style-type: none"> The documents posted on the Tunbridge Wells website are the only practical means available to the public to ascertain the full extent of the reasoning behind the Plan. Although the Table of Contents states that the supporting documents are “(listed below available to view online at: benendenneighbourhoodplan.org)” in fact they are not available on the Benenden website at all. This is misleading and causes unnecessary extra work in tracing them. Documents IA 1 to 7 do not appear as such on the Tunbridge Wells website, this nomenclature can only be discerned once a particular document has been downloaded. Of these documents, items 3, 4 and 5 are missing. We as members of the public affected by the Plan have no means of seeing relevant material, and it is now only 2 days until the end of the consultation period. Document SEA 1 was posted on a Tunbridge Wells website, not the main one, containing only the front and back pages; the contents of the document were missing until this omission was pointed out on 1 December 2020. The Regulations require that details of the Plan proposal be publicised on the website of the local planning authority, Reg 16(a)(i). They must also allow not less than 6 weeks from the date on which the plan proposal is first publicised, Reg 16(a)(v). There has been a complete failure to comply with the law in these respects. 	Yes	Yes	William Bernard Phillips	Hazel Strouts who will be instructing Counsel
BE_81	1. General document	<ol style="list-style-type: none"> We fully support the specific policies that are designed to limit the overall outward development of Benenden village and seek to retain the character of this ancient village.. The overriding priority is that we should protect the character and rural feel of the parish and environs (which the AONB and both conservation areas are meant to protect). That is why people choose to live in this village. In this respect the considerations and policies in relation to the Weald AONB, Local Green Spaces and the newly drawn Limits to Built Development are fully supported We fully support the current selection of the 4 sites, as it is in line with and supports the adopted policies and aims to reduce the impact on the village character as much as possible. 		Yes	Rolf Bakker & Corinne Corbett-Thompson	

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		<p>4. We recognise there is need for additional housing in the area, particularly affordable housing. We therefore fully support the allocated two sites (with one site destined for Almshouses) within the newly drawn Limits to Built Development.</p> <p>5. It goes without saying that existing brown field sites should be selected as a strong priority over new green field sites; in fact building on greenfield sites should be opposed altogether in an AONB when brownfield sites are available. As such we fully support the selection of two sites at East End which are brownfield sites and which are also outside the AONB.</p> <p>6. We fully support this Benenden NDP for approval.</p>				
BE_82	Foreward, p.5; Introduction, pp.8, 10, 11: SEA1, pp 332-347: Introduction pp.12, 13 and 14-16; The Historic Context of Benenden Parish, generally and Policies LE1 & LE7; Housing Supply and Site Allocation, pp.43, 44 and 45. including HSA3 and Policies HS1, HS2 and HS6. New Housing Site Allocations pp.48 and 55 to 69 inclusive, including Policies SSP2, SSP3 and SSP4 and IA1 pp.112-148: IA3, 4 and 5.	<p>Foreward, p.5, sixth paragraph , second sentence – “growing and sustaining our community facilities” would be best served by a balanced approach to development site locations across the parish, not by concentrating them in one, the East End, where the Hospital sites make up 70% of the whole while lacking any community facilities and with little prospect of developing any.</p> <p>Introduction, p.8, the concentration at the East End mentioned above conflicts with the sixth and tenth Aspirations listed as bullet points and Vision point iii).</p> <p>Introduction, p.10, again, the unbalanced nature of the chosen East End sites mentioned above conflicts with the second bullet point in being unlikely to support the facilities listed and runs counter to those expressed in the sixth, seventh (safe environments, when attempting to access facilities in the village centre) and last (more likely to cause additional traffic on unsuitable lanes) while the penultimate point seems to have over-ridden the others.</p> <p>Introduction, p.11, point 2 cites offers of 22 sites, open-ended, in theory at least. Of these, the Plan only mentions the four selected for development – Policies SSP1 to 4, the remainder being discarded without mention of their merits, presumably on the strength of SEA1 and HSA3 referred to below. Point 3 indicates that the BNDP and Parish Council went further than many in allocating specific sites “to better deliver the aspirations for control expressed by the parish” – a highly questionable and possibly subjective judgement. Point 5 notes the merit of using previously developed “brownfield” sites, citing NPPF para.172 and the Parish’s “clear preference” for such sites. The two selected East End sites LS41 and 424/LS40b clearly have previous development while site 16, Uphill, only fits the definition because it has an existing single dwelling, thus illustrating the wide spectrum of sites which can be so described. Many of the discarded sites, even if nominally “greenfield”, can be seen to have other beneficial attributes. It appears that in the BNDP’s view, being a “brownfield” site over-rides all other considerations. Again see SEA1 below. Point 6 emphasises protecting AONBs, while noting that 98% on the parish lies within one, making it virtually impossible to avoid – even the East End sites impinge upon it.</p>	Yes	Yes	Herbert Boxall	

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		<p>SEA1 pp332-334 assesses the question of greenfield vs brownfield sites using eight criteria, followed by an assessment of eight “reasonable alternatives for site allocations” on pp 335-347 apparently giving equal weight to the criteria as summarized in Table 4.10 thus leading to selection of the four allocated sites. I contend that this approach is flawed in failing to include a consideration of balance across the settlements in the parish, especially in citing Iden Green as lacking any amenities (except for the nursery school) when in fact it has several – the recreation field, the tennis courts, the hall, a farm shop and a pub/restaurant. A development in Iden Green would use these as well as the wider range easily and safely reached in Benenden itself, thus enhancing their viability and offering the prospect of encouraging more. This is in contrast to the East End, which has no such amenities. Site LS8 is immediately adjacent to all but the farm shop and the pub/restaurant, which are close at hand. See also Housing Supply and Site Allocation below.</p> <p>Introduction, p.12, points 7 and 8 both support the Plan’s allocation of sites with more than 10 dwellings for two specific reasons. Many of the rejected sites would meet this criterion. Point 9 notes the allocation of two sites (LS41 and 424/LS40b at The East End) as complying with NPPF para.84 and cites “specific policies designed to improve long term sustainability” which are questioned below under SSPs 3 & 4. Point 10 notes that two sites (16 & 277) are within the Benenden Limits of Built Development (LBD), while tellingly saying that the LBD has been revised to incorporate them. As the LBD for the other long-established settlement, at Iden Green, is to be removed under TWBC’s Draft LP (see below), the possibility of selecting a site or sites there seems to be ruled out at a stroke, despite their other merits.</p> <p>Introduction, p.13, the section on LBDs notes that development sites may be admissible under certain circumstances while the TWBC DLP 2019 omits the existing Iden Green LBD altogether. It is contended that this is perverse if used to exclude sites there, when other benefits may over-ride the prohibition.</p> <p>Introduction, pp.14 - 16. The two plans Figs.1 and 3 for Benenden show the redrawing to include the two sites 277 & 16, which seems designed to support a conclusion already reached, while that for Iden Green, now to be abandoned, was so tightly drawn as to rule out any further development; even modest infilling. It is contended that this is inappropriately restrictive.</p> <p>The Historic Context of Benenden Parish generally provides an interesting account of the origins of the historic settlements of Benenden and Iden Green, suggesting that both are worthy of enhanced sustainability by limited development, more so than the East End, which was fragmentary before the 20th century arrival of “The Sanatorium”, now Benenden Hospital. The lack of any approved sites in Iden Green militates against that enhanced sustainability there.</p> <p>Policies LE1 and LE7 seem to be violated by the Plan’s inclusion of sites LS41 and 424/LS40b.</p>				

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		<p>Housing Supply and Site Allocation, p.43, paragraph below bullet points, given the 98% coverage of the parish by AONB, effectively rules out development on most of the sites originally offered and negates any development of those at Iden Green in particular, although adding a modest development there would support the local amenities such as the farm shop, the Congregational Church, The Woodcock pub/restaurant, the Pavilion hall and the Recreation Ground/Tennis Courts. Site LS8, being adjacent to the church and the recreation ground, would be well placed to furnish that additional support., with room for 22 to 25 dwellings including 8 or 9 affordable units. Such a development at Iden Green would have the benefit of a shorter and safer route via footpaths, largely away from traffic through the Hilly Fields and Beadle Platt to the main village facilities at Benenden such as the school and general store, in direct contrast to the East End's further distance and narrow lanes. Sensitively designed, its impact upon the AONB and Conservation Area would be minimal, limited by the shielding of established hedges and, for much of its periphery, by existing dwellings. The assessment of the site in HSA3 pp. 39 to 41 contains a number of minor errors, viz, the small pond is often dry and supports little if any wildlife and the 1991 traffic concern was resolved with Kent County Highways, while any extra traffic from development would be more likely to travel North toward Benenden than South via the crossroads toward Sandhurst. A small parcel of land was gifted to the Congregational Church in 1999 and more could be made available if needed. HSA3 is plainly erroneous in saying that Iden Green has no amenities – see list above. It concludes that the site “could provide an opportunity for a small development” albeit qualified, partly in error. Selecting site LS8 would go some way towards a better balance across the parish, in line with Policies HS2 & HS6 and to redressing the skewed dominance of the Hospital sites at the East End called into question above (Foreward, p.5), replacing the number of units lost by the removal of one of those sites and thus maintaining compliance with clause 2.1.2 on p.43. This implies removal of one of the Hospital Sites Refs.424 or LS41 from Policy HS1 on p.44 (see below). The emphasis upon maximizing use of “brownfield” sites of clause 2.1.4 has been taken too far in site selection.</p> <p>New Housing Site Allocations, p.48 again dismisses the discarded sites without assessment. My concerns regarding site LS16, Uphill – pp 55-59, SSP2, relate to its egress into the very fast traffic along New Pond Road and the lack of a safe pedestrian route into the village. Proposals to address these potential hazards are endorsed. Regarding the sites at East End, pp.59-69 I support the objections set out in IA1 pp 112 to148, Refs. 43 to 73 in particular Ref. 47 put forward by Hazel Strouts and over 160 others in a petition, cogently argued, against Policies SSP3 for site 424/LS40b and SSP4 for site LS41. The case against LS41 on grounds of inadequate space for the numbers of dwellings seems incontrovertible and should rule it out irrespective of other considerations. Significant road hazards, notably the Castleton's Oak cross-roads, would adversely affect new residents on these sites. Also, the suggested cycle path to the main village is illusory.</p>				

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		<p>IA3, 4 and 5 of the Plan's listed Supporting Documents do not seem to be available on the TWBC's website. As they are not, no comments can be put forward.</p> <p>In conclusion, while the foregoing points are a layman's imperfect efforts to address several hundred pages of often repetitive evidence and opinion, the two key points in contention are simple.</p> <p>First, should one criterion, viz brownfield over greenfield, be paramount over all other considerations, in particular the extreme lack of balance with 70% site allocation at the East End, the remainder in Benenden and none at Iden Green, thus depriving the latter of an opportunity to grow modestly and thrive? I respectfully submit that it should not.</p> <p>Second, following upon the first, that site LS8 at Iden Green would be well suited to redress that imbalance to the benefit of local amenities and thus of the local community, with minimal adverse impact upon the Conservation Area and the very large AONB and so should be included as an allocated site in place of one of 424/LS40b or LS41.</p>				
BE_83	Royal Sanatorium for Post Office workers, East End	<p>The Royal Sanatorium for Post Office workers range of buildings is eminently suitable for subtle enhancement to modern dwellings, retaining the external structure. It has been described as a 'redundant hospital building' which brings to mind a shoddy structure rather than the award-winning historic hospital created in a time known as the White Plague, dealing with Tuberculosis. It is ironic that in a time of plague in the 21st century, a developer wishes to destroy an earlier response to just such a situation, and one that is a heritage asset of national significance.</p> <p>In terms of pollution, it is a given that renovation is far less challenging than demolition and new builds. In the light of Climate Change, this face should not be overlooked.</p>	No	Yes	Gwenneth Bransby-Zachary	
BE_84	General	<p>Introduction</p> <p>We refer to the above Regulation 16 Neighbourhood Plan ("NP") consultation document and write on behalf of our client, Millwood Designer Homes, setting out a number of comments upon the policies and proposals contained therein.</p> <p>As set out in our earlier representations upon the 'Rough Draft' NP consultation in April 2019 together with the Draft NP consultation in October 2019, our client, a Kent-based developer of long standing repute for high quality residential schemes, has a controlling interest in land to the west of Iden Green Road, and south of Cranbrook Road (Site Ref: 222), which is not proposed as a housing allocation. Accordingly, our representations are seeking an allocation of the land for approximately 28 dwellings. Details are set out below.</p>	Yes	Yes	Millwood Designer Homes	Woolf Bond Planning

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		<p>As an overarching comment, and general observation, Millwood Designer Homes is supportive of the plan-led approach to place-making and this includes in relation to neighbourhood planning.</p> <p>We generally commend the Steering Group's endeavours and collaborative approach to preparing the NP, and offer our comments on a positive basis in order assist the NP Team in preparing a Plan that is fit for purpose having regard to satisfying the basic conditions.</p> <p>We note that the NP as drafted proposes to allocate four sites for housing (Policy HSA1 refers), of which only two are located at Benenden, comprising (i) Land adjacent to Feoffee Cottage; and (ii) Uphill, New Farm, Road.</p> <p>We remain of the view that allocating Land west of Iden Green Road for housing would assist in delivering additional new housing on a sustainably located site to support the village, and will provide new public open space and secure a future for the pond, thus improving its contribution to the Conservation Area.</p> <p>This will meet the objectives and aspirations for the NP area. In particular, it is:</p> <ol style="list-style-type: none"> 1. Sustainable (grows the village rather than a remoter outpost of it) 2. Deliverable (provision of services of water and electricity already in place) 3. Logical (location in the heart of, and accessibility by foot to, the village; the logical location facilitates inclusiveness and the promotion of community through the new green space) <p>It also delivers on small-scale development, affordability and quality as set out by the NPG:</p> <p><i>'To support development, wherever possible locally-led, to meet local needs with a mix of well-designed, high quality, sustainable and affordable housing that enhances the existing built and natural environment.'</i></p> <p>Millwood Designer Homes Ltd are a local developer that has won awards for its high quality scheme designs. They remain committed to working with the Steering Group in order to deliver a NP that secures the best development for the village, identifying the most appropriate locations for growth for existing and future residents of the Parish.</p> <p>It is in this spirit of cooperation that we set out our comments which are intended to assist in the ongoing preparation of the NP.</p>				

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		<p>Accompanying particulars comprise as follows:</p> <p>Site Location Plan No. P318/LP/1001</p> <ul style="list-style-type: none"> Figure 3 – Landscape Strategy 				
BE_85	Assessment of the Neighbourhood Plan against the Basic Conditions	<p>General</p> <p>In terms of assessing the appropriateness of the consultation draft Neighbourhood Plan (“NP”), it must meet the “Basic Conditions” set out in Law [paragraph 8[2] of Schedule 4B of the Town and Country Planning Act 1990].</p> <p>In order to meet the Basic Conditions, the NP must:</p> <ul style="list-style-type: none"> Have regard to national policy advice contained in guidance issued by the Secretary of State; Contribute to the achievement of sustainable development; Be in general conformity with the strategic policies of the development plan for the area; and Be compatible with EU <p>As set out in the National Planning Practice Guidance¹ (“PPG”), Neighbourhood Plans can come forward before an up to date Local Plan (as would be the case here in so far as Tunbridge Wells is only at the early stages of preparing its replacement Local Plan).</p> <p>In this context, the PPG sets out helpful guidance as follows²:</p> <p><i>“Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its Local Plan.</i></p> <p><i>A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the <u>basic condition</u>. Although a draft Neighbourhood Plan or Order is not tested against the policies in an emerging Local Plan the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, <u>up-to-date housing needs evidence</u> is</i></p>	Yes	Yes	Millwood Designer Homes	Woolf Bond Planning

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		<p><i>relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.</i></p> <p><u>Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:</u></p> <p><i>The emerging neighbourhood plan The emerging Local plan</i></p> <p><i>The adopted development plan</i></p> <p>with appropriate regard to national policy and guidance.”</p> <p>The above approach includes the need to ensure that the NP has regard to the policies in the adopted development plan. This is particularly relevant in the case of the preparation of the Benenden Parish NP. It also allows for NPs to be prepared having regard to emerging Local Plans. However, and in relation to the latter, as set out at paragraph 29 of the NPPF, NPs should not promote less development than set out in strategic policies for the area. Moreover, and as made clear at paragraph 48 of the NPPF, whilst LPAs may give weight to relevant policies in emerging plans the amount of weight to be applied will depend on the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given).</p> <p>¹ Paragraph: 009 Reference ID: 41-009-20160211 refers.</p> <p>² ibid</p> <p>The NP frequently references the emerging Tunbridge Wells Borough Local Plan (“TWBLP”) and the suggestions for Benenden contained therein. This includes the inclusion of the suggested revised settlement boundary for Benenden at Figure 2 on page 30 of the NP. This is not the settlement boundary in the adopted Development Plan, rather, it is a proposed change as part of the Regulation 18 draft TWBLP. It carries only limited weight. The actual boundary and extent of site allocations will not be determined until after the TWBCLP Examination is complete and the TWBCLP is adopted.</p> <p>However, and importantly, the emerging TWBLP is only at the Regulation 18 stage. As such, the policies and proposals contained therein are yet to be tested at Examination. Accordingly, the weight to be attached to the TWBCLP is limited. Accordingly, the Authors of the NP must allow for the TWBCLP process to be complete before relying upon the policies and proposals in that document.</p>				

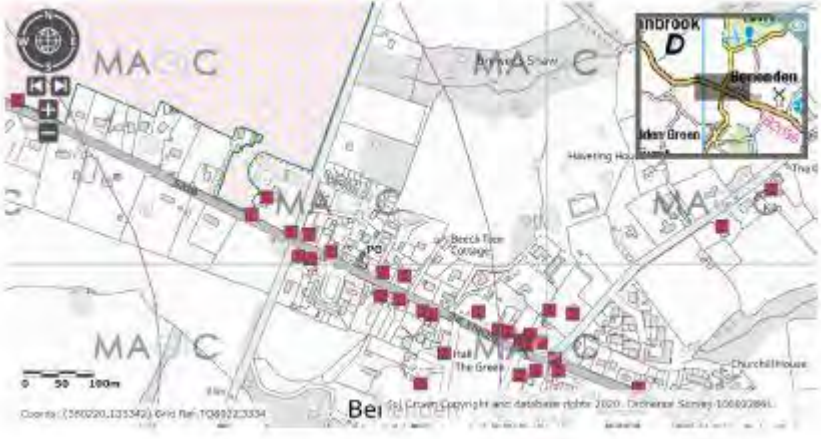
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		<p>For example, the draft TWBCLP includes suggested changes to the settlement boundary for Benenden and also suggests certain site allocations. However, the NP then refers to these suggested changes as if they were part of the Development Plan. They are not. They remain to be assessed through the plan making context having regard to the tests of soundness at paragraph 35 of the NPPF.</p> <p>Furthermore, although within the NPPF section with respect of determining applications, the guidance in paragraph 48 regarding the weight attributable to policies in an emerging Local Plan would also be applicable. Since a Proposed Submission version of the TWBLP is not expected until March/April 2021³, there is no indication of the extent of any unresolved objections to its emerging policies together with the Inspector's assessment of their consistency with National Policy. This further indicates that limited weight should be attributed to approaches in the draft TWBCLP published in 2019, especially as this was an early step in its preparation.</p> <p>On the basis of the foregoing, it follows that an emerging NP must be consistent with the development plan. As such, the emerging NP will need to be in general conformity with the strategic policies of the development plan for the area.</p> <p>In terms of the actual quantum of development to be met at Benenden, this can only reasonably be determined through the TWBCLP process, which will need to have regard to the sustainability appraisal process, including an assessment of the role of Benenden in the overall settlement hierarchy and its function in relation to the overarching spatial strategy.</p> <p>Tunbridge Wells Council is in the early stages of preparing a new Local Plan and the Council consulted on the Draft Local Plan (Regulation 18) from 20 September to 1 November 2019. As indicated above, Tunbridge Wells Council anticipates consulting on a draft submission Plan in March/April 2021 (June 2020 Local Development Scheme). Formal submission is anticipated for July 2021 with its examination in November 2021. Adoption is then envisaged for June 2022.</p> <p>With the preparation of the TWBCLP significantly behind that of the Draft NP, this is a further indication of the importance of ensuring consistency with the adopted Strategic Policies of the Local Plan rather than those of the emerging Plan, especially as they could be subject to significant changes through the preparation and examination stages.</p> <p>³ https://www.tunbridgewells.gov.uk/planning/planning-policy/local-plan/local-plan-comments</p> <p>The current draft Plan (2019) accepts the Standard Method housing requirement for the Borough of 13,560 dwellings 2016 – 2036, with an annual requirement of 678 per year. This represents a significant increase on the current Borough requirement of 300dpa.</p>				

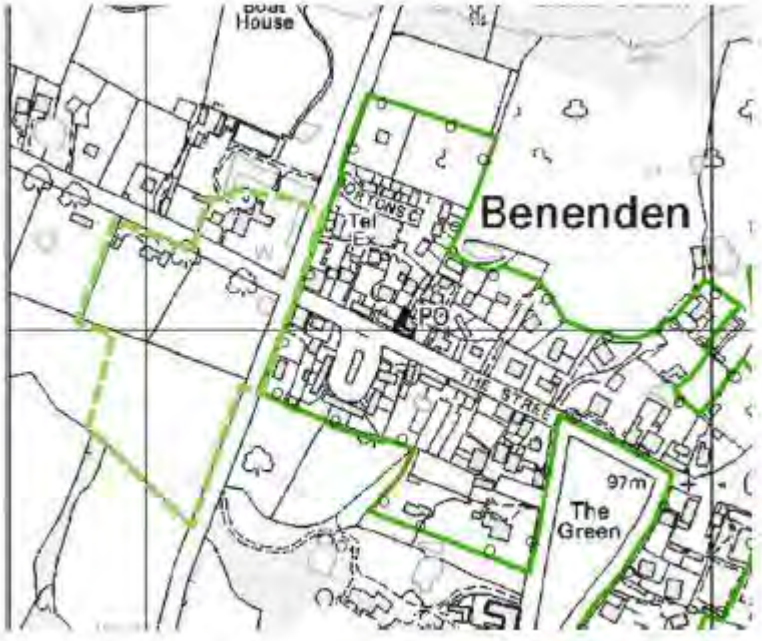
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		<p>It therefore follows that additional housing sites will be required at each of the Borough's settlements in order for the increased housing need to be met. Benenden will need to play its role in helping to provide for sustainable growth patterns.</p> <p>The NPPF advocates identifying a sufficient range and mix of sites to ensure flexibility and deliverability within the planning system of homes to meet a variety of needs.</p> <p>It is understood that the Feoffee Cottages site is to be developed as almshouses for local needs, which whilst supported, will not contribute towards the need for additional general market homes. In turn, additional housing will help to support the local economic and social function of Benenden village.</p> <p>If the NP plans for too few dwellings it could find it is out of date soon after it is 'made', which position would of course be subject to the outcome of the Local Plan Review process.</p> <p>On the basis of the foregoing, any locally derived need figure to be met within the Parish of Benenden will be a function of the total requirement to be met across the District. It is expected this will be in excess of the figure currently in the Draft NP.</p>				
BE_86	Housing Supply and Site Allocation (Policy HS1)	<p>General</p> <p>Our comments are intended to assist the NP Team in preparing a Plan that satisfies the basic conditions (see above).</p> <p>We comment as follows:</p> <ul style="list-style-type: none"> The amount of housing to be met during the plan period is yet to be As such, Benenden's role in the overall settlement hierarchy and spatial approach to meeting development needs during the plan period is yet to be confirmed. Moreover, given the amount of housing currently planned to be met during the TWBCLP period (some 13,560 dwellings as a minimum), the 4 sites identified under Policy HS1 fail to provide for the most sustainable development options. Land at west of Iden Green Road should be allocated as an additional site for housing and/or in preference to the sites currently proposed. The site assessment in relation to the site at Iden Green Road comments that the Parish has decided to adopted a 'previously developed land first' approach. However this is clearly not the approach which has been followed with the two allocated sites within Benenden, 	Yes	Yes	Millwood Designer Homes	Woolf Bond Planning

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		<p>the Feoffee Cottages site is currently undeveloped land, and the New Hill Road site is partly PDL as it contains one house, however the garden land to the rear is not previously developed land (in accordance with the definition in the NPPF).</p> <ul style="list-style-type: none"> We question the merits of providing for additional housing allocations at East End on the basis that they are not as sustainable as providing for growth at The sites at East End are located well outside the village boundary and are unlikely to support the function of the village. If the Parish is taking a greenfield land approach, as it appears to be doing so in this iteration of the Plan, it would be prudent to consider what additional benefits particular housing sites can bring about in addition to the provision of housing. It is in this context that we continue to promote land west of Iden Green Road as a housing allocation (see below). <p>Land West of Iden Green Road, Benenden (Site Ref: 222)</p> <p><u>General</u></p> <p>The Site is edged red on Plan P318/LP/1001 and extends to approximately 2.5ha.</p> <p>See site location plan</p> <p>We have undertaken a thorough assessment of the character of the site and surrounding area and consider that it affords a sustainable development opportunity for approximately 28 dwellings, to include the creation of a larger publicly accessible area of green space and reinstatement of the pond in the north east corner of the site.</p> <p>We consider this would enhance the public realm and would enabling a high-quality scheme for a small number of dwellings to be located within walking distance from local services and facilities, helping to further sustain and support local businesses.</p> <p>It is noted that the site has been assessed in the supporting Individual Site Assessments, as having capacity for 17-18 dwellings. This figure has been derived from a density calculation and net developable area based on an unknown multiplier.</p> <p>This is contrary to the approach taken in the NPPF with regards to balancing density which respects the character and form of development in the area, and making the most efficient use of land in order to deliver the homes that the country needs. We therefore challenge the Parish</p>				

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		<p>Council's calculation of capacity for this site and assert that the site is capable of delivering approximately 28 homes on the basis of Millwood's own site capacity work.</p> <p>The potential to provide for the development of the site has been considered in relation to heritage, landscape and ecology, which matters can be summarised as follows:</p> <ul style="list-style-type: none"> • Development of the site for housing and a large publicly accessible area of green space provides an opportunity to enhance the appearance of part of the Conservation Area through the creation of an attractive and sensitively designed residential extension to the village. • A scheme can also be designed in relation to the desirability of preserving the setting of the listed buildings considered to be affected and the special character and appearance of the Benenden Conservation Area. • Figure 3 has been prepared following a detailed review of the landscape character of the site and surrounding area and enables the retention of substantial trees on the site, most notably the lime trees along the frontage. • A suite of ecological surveys was undertaken across the site throughout spring and summer 2018, including an Extended Phase 1 Habitat survey, bat surveys, reptile surveys and great crested newt surveys. • The majority of the site comprises semi-improved grassland of limited ecological value. Several semi-mature trees, principally oak, are present in and around the site. These have some ecological value, offer potential bat roosting opportunities, as well as sites for nesting birds. • The pond on the northern boundary is relatively small and although it contains water, is becoming choked with sediment and It also contains a large area of the highly invasive New Zealand pygmy weed. • There are ample opportunities within the site to provide ecological enhancement measures. These will need to include improvements for the slow worm population as well as improvement to the newt pond – possibly dredging it out and removing the pygmy weed. • The Parish has highlighted in their assessment of the site, the potential benefit of developing this site is enhancing the pond, which would have not only an ecological benefit, but would improve the Conservation Area, thus positively supporting the local heritage These benefits are unique to this site in being able to deliver environmental 				

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		<p>benefits in addition to the social and economic benefits brought about through the provision of new housing.</p> <p>In addition, and for the avoidance of doubt, if the land were to be allocated for housing (and planning permission subsequently granted), it is <u>not</u> our client's intention to promote and/or seek development of the western land parcel beyond Site 222 in future years as a phase II development.</p> <p>Rather, that land is to be retained by the owners for recreation and amenity use. With that in mind, and in order to demonstrate our commitment to that approach, our client would be willing to sign an undertaking to that effect; to include, should the Parish require further comfort, transferring a strip of land to the Parish Council's ownership in order to prevent any future access being created to serve development of that land for housing.</p> <p>Overall, we consider that the Site affords a sustainable location in helping to meet identified housing needs and should be identified as a housing allocation in the final NP.</p>				
BE_87	Landscape and Heritage (inc Local Green Space Policy LE3)	<p>We note the suggested inclusion of the northern part of the Site west of Iden Green Road as an important green space and we continue to be willing to engage with the NP Team in order to realise an appropriate vision for this land. This is illustrated on page 5 of the Local Green Space Assessments (LEA6) accompanying the draft NP and figure 18 preceding policy LE3 which lists the site as New Pond Corner.</p> <p>One such approach could be to allocate the land to the south for housing in order to provide an integrated form of development. The northern part of the Site could thus be transferred to the Parish Council's control as part of any s106 agreement funded through the grant of planning permission. The land is currently in private ownership and securing its future as publicly accessible open space could be realised as part of a sensitively designed housing scheme which would enable the land to become an integral part of the public realm.</p> <p>Again, we welcome the opportunity to discuss matters with you as part of the ongoing plan making process. In the absence of the allocation of the southern part of the site for housing as indicated in this submission, we would object to its inclusion within Local Green Space designation pursuant to policy LE3.</p> <p>Our objection to the sites inclusion in policy LE3 is through recognition that it is privately owned and does not have public access. Furthermore, the NP has been prepared on the basis of the settlement boundaries in the emerging rather than adopted Local Plan. The adopted Plan (as</p>	Yes	Yes	Millwood Designer Homes	Woolf Bond Planning

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		<p>indicated in fig 1) includes the land north of the site within the current settlement boundary – the Old Manor House which also lies within the Conservation Area.</p> <p>The adjoining Old Manor Farm lies beyond the current settlement boundary and includes the extent of the Registered Park and Garden (as indicated on Magic as shown below (yellow diamonds on pink background)).</p>  <p>Therefore, although the NP Group's assessment of the land west of Iden Green Road refers to its relationship to the Old Manor House, it is not considered that this applies. Instead, our view is that the historic park and garden to the north of the Old Manor House has greater historic significance. This approach reflects that in the Conservation Area assessment prepared by Tunbridge Wells Borough Council.</p> <p>Consequently, we do not consider that the site should be included within a Local Green Space designation.</p>				
BE_88	Summary and Suggested Changes	<p>Paragraph 29 of the NPPF states that the neighbourhood plan making process should be aligned with the strategic needs and priorities of the wider local area. It is further added that NPs must be in general conformity with the strategic policies of the Local Plan and that they should not promote less development than set out in the Local Plan or undermine its strategic policies.</p> <p>In this context we propose the following changes to Policy HS1:</p> <ul style="list-style-type: none"> Land at west of Iden Green Road should be allocated as an additional site for housing and/or in preference to the sites currently proposed. It should also be included within the 	Yes	Yes	Millwood Designer Homes	Woolf Bond Planning

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		<p>settlement boundary (alongside the retention of the Old Manor House) – the revision to the settlement boundary is shown</p>  <p>Additionally we consider that the land west of Iden Gren Road should be omitted from the Local Green Space designation under policy LE1, unless the allocation of the site under policy HS1 is included in the document. The extent of the Local Green Space should be revised to only relate to the northern part of the site as indicated above.</p> <p>We welcome an opportunity to work collaboratively with the NP Team alongside the Council in relation to the form and content of the NP and would be pleased to assist where necessary, including in relation to the sharing of technical information for land to the west of Iden Green Road.</p> <p>Should hearings be arranged for the examination of the Draft NP, we wish to attend to further explain why the land west of Iden Green Road should be included as a housing allocation, thereby providing greater flexibility to meet the area's housing needs.</p> <p>Please do not hesitate to contact the writer should you wish to discuss any matter(s) arising.</p>				

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BE_89	HSA; BD1; BD2; BD7; BD8; BE1; BE2; BE4; T1; T2; T3; T4; HS1; HS2; HS6; SSP2; SSP3; SSP4; SEA1; LEA1; LEA8; LEA9; IA5; IA6; IA7; HSA2; HSA3; HSA4; HSA5; BEA1; TA1; TA2	<ol style="list-style-type: none"> On page 48, para 2.7.2. the plan states that the High Weald AONB's "assessment is considered a key supporting document" yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. The plan never mentions these objections. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). See SEA1. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum which presented a choice between two sites. Site 158 was, in that referendum, chosen by the village but in the end, the school was built elsewhere and TWBC planned up to 174 houses, instead of a school, on 158. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. How can you justify something on the grounds of a decision not yet made? The LBD is ignored by Policies SSP3 and SSP4, which propose most development as far beyond the LBD as it is possible to go while still remaining within the parish of Benenden. This makes the value of an LBD questionable. Policy T2 on improving road safety. Site LS16 on New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the "speed of traffic on New Pond Road". Also, HSA3 proposes the development of LS22 at a later date as a way of blocking development of site 158 which is right behind it. If this were to happen, there would be two exits close together onto New Pond Road which would surely be more dangerous than 	Yes	Yes	Gillian Elizabeth Latter	Hazel Strouts

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		<p>one. Further, proposing to develop LS22 simply to block development at 158 is not a proper planning reason. (See HSA3 page 529 "Should the Parish decide to pursue a policy of smaller scattered sites, it might be advantageous to consider developing only the smaller, western part of the site nearest New Pond Road (<i>i.e.</i> LS22) with containment to control any proposals for an easterly expansion at a future date (<i>i.e.</i> <i>site 158</i>).” Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. There was a serious accident at those cross roads on November 20, 2020. Biddenden Parish Clerk has written on behalf of the parish of Biddenden to strongly oppose the plan largely on traffic issues. She has received an acknowledgment but no reply. Biddenden presents its strong objections at https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments – their objection is DLP_650.</p> <p>8. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by the existing 18 dwellings. Where would the extra 25, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.” The plan talks of ‘redeveloping’ the existing 18 dwellings which must mean demolition and the building of new dwellings for there is no room otherwise for 25 new dwellings. This means that the number of new dwellings proposed at this site is not 25, but 18 plus 25 i.e. 43.</p> <p>9. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses which comes on top of an existing permission for 24. The 49 new dwellings proposed at this site are to be built, according to architectural plans presented to the village earlier this year, all over existing Local Wildlife Sites. The hospital’s architects are Clagues.</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII’s competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain’s Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site well over 2 miles outside the village (LS41 and 424/40b, Policies SSP3 &4), where two cars would be essential for a family with both parents working. This is inconsistent. Such sites are also ill-advised for older people who prefer to be able to walk to shops and bus stops.</p>				

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		<p>14. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is well over 2 miles away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>15. A local group called 'The Friends of the East End' (FOE) opposes these plans for a <i>quasi</i>-new village at the unsustainable hospital sites. We feel planning is being carried out back to front by proposing to build the houses first in the hope that the infrastructure will follow. On 4 April, 2019, 127 FOE supporters presented a number of petitions protesting the NDP: on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored, as have the views of the parish of Biddenden. Residents who wrote letters were never informed of the Consultation over Regulation 16 and even many of those who have email, were never contacted.</p> <p>16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_90	HSA; BD1; BD2; BD7; BD8; BE1; BE2; BE4; T1; T2; T3; T4; HS1; HS2; HS6; SSP2; SSP3; SSP4; SEA1; LEA1; LEA8; LEA9; IA5; IA6; IA7; HSA2; HSA3; HSA4; HSA5; BEA1; TA1; TA2	<ol style="list-style-type: none"> On page 48, para 2.7.2. the plan states that the High Weald AONB's "assessment is considered a key supporting document" yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. The plan never mentions these objections. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). See SEA1. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC 	Yes	Yes	John Sebastian Winny	Hazel Strouts

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		<p>plans presented to the village earlier this year, all over existing Local Wildlife Sites. The hospital's architects are Clagues.</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII's competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain's Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site well over 2 miles outside the village (LS41 and 424/40b, Policies SSP3 & 4), where two cars would be essential for a family with both parents working. This is inconsistent. Such sites are also ill-advised for older people who prefer to be able to walk to shops and bus stops.</p> <p>14. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is well over 2 miles away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>15. A local group called 'The Friends of the East End' (FOE) opposes these plans for a <i>quasi</i>-new village at the unsustainable hospital sites. We feel planning is being carried out back to front by proposing to build the houses first in the hope that the infrastructure will follow. On 4 April, 2019, 127 FOE supporters presented a number of petitions protesting the NDP: on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored, as have the views of the parish of Biddenden. Residents who wrote letters were never informed of the Consultation over Regulation 16 and even many of those who have email, were never contacted.</p> <p>16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_91	Part 2; Supporting Document HSA4	I believe that such a large development, so far from the amenities Benenden village itself offers, would be a huge imposition on this part of the rural parish, especially the traffic generated on the inadequate roads, incl. Castleton Oak crossroads.	Yes	Yes	(Mrs) Arianwen Catherine Cardwell Neve	Hazel Strouts

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BE_92	Regulation 15 consultation	<p>Supportive</p> <p>As a resident of Benenden, I would like to register my strong support of our Neighbourhood Development Plan. I am aware of the careful consideration, painstaking work and tremendous effort involved in the Plan's creation that democratically captures the wishes of villagers to protect the character of our historic, rural village, and to sustain the vital guardianship of our Area of Outstanding Natural Beauty (AONB) in rural Kent while enabling future housing development in the village by defining sites for development, enabling our parish to play its rightful part in the country's significant and increasing housing needs.</p> <p>The authors of the Plan have achieved a commendable balance and the four sites proposed of Uphill LS16; Feoffee 277; Hospital South 424 and Hospital North LS41 together provide appropriate sites for the necessary future provision for housing development. My concern is primarily to protect the character of our historic village in its precious rural position in Kent's Area of Outstanding Natural Beauty. To that end, development within the parish initially should be on brown field sites and this is reflected in the provision in the Plan of the brown field sites at Hospital South and Hospital North. Development of these sites also has the important advantage of both being outside the AONB and thereby protecting it.</p> <p>I am concerned by the timing of the campaign to protect the Sanatorium on the Hospital site, which was not in evidence at the time permission was granted for its demolition several years ago, but has arisen only recently. Its timing suggests an attempt to undermine the Neighbourhood Development Plan and its objective of managing future development in the village to protect and minimise the affect on the AONB and villagers' reasonable wishes to target available brown field sites for development initially.</p> <p>I am reassured that the findings of the High Weald AONB unit's separate assessment of the available sites, concluded the rural landscape's importance and need for its protection by restricting development to previously developed land or sites outside the AONB. This aim can be achieved in three of the four sites proposed by the Plan. This has also been directed by the National Planning Policy Framework (NPPF), para 117 seeks the use as much as possible of previously developed brown field land. The only exception the NPPF makes for this is if it adversely affects local employment, and this exception is not achieved here thus the brown field sites should take priority also under this provision.</p> <p>Although my prime concern is the protection of the AONB, I appreciate that the Plan has recommended the Feoff site, which lies within the AONB. I am satisfied that the objective of extending the provision of alms houses for use by villagers in perpetuity by developing on this site is of significant benefit to the village to justify the need for development within the AONB, especially as a defined area for development has been proposed.</p>	Yes	Yes	Polly Jane Hardwick	

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		I am encouraged that by formalising the BNDP the village will be able to achieve well managed growth in the future for its housing needs while protecting, as far as possible, our rural parish and AONB we have guardianship over. I am extremely grateful for the dedicated work undertaken by my fellow villagers in formulating the Plan on our community's behalf.				
BE_93	HSA; BD1; BD2; BD7; BD8; BE1; BE2; BE4; T1; T2; T3; T4; HS1; HS2; HS6; SSP2; SSP3; SSP4; SEA1; LEA1; LEA8; LEA9; IA5; IA6; IA7; HSA2; HSA3; HSA4; HSA5; BEA1; TA1; TA2	<ol style="list-style-type: none"> On page 48, para 2.7.2. the plan states that the High Weald AONB's "assessment is considered a key supporting document" yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. The plan never mentions these objections. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). See SEA1. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum which presented a choice between two sites. Site 158 was, in that referendum, chosen by the village but in the end, the school was built elsewhere and TWBC planned up to 174 houses, instead of a school, on 158. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. How can you justify something on the grounds of a decision not yet made? The LBD is ignored by Policies SSP3 and SSP4, which propose most development as far beyond the LBD as it is possible to go while still remaining within the parish of Benenden. This makes the value of an LBD questionable. 	Yes	Yes	Steve Clarke	Hazel Strouts

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BE_94	HSA; BD1; BD2; BD7; BD8; BE1; BE2; BE4; T1; T2; T3; T4; HS1; HS2; HS6; SSP2; SSP3; SSP4; SEA1; LEA1; LEA8; LEA9; IA5; IA6; IA7; HSA2; HSA3; HSA4; HSA5; BEA1; TA1; TA2	<p>1. On page 48, para 2.7.2. the plan states that the High Weald AONB's "assessment is considered a key supporting document" yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. The plan never mentions these objections.</p> <p>2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). See SEA1.</p> <p>3. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in.</p>	Yes	Yes	John Collingwood	Hazel Strouts

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		<p>4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum which presented a choice between two sites. Site 158 was, in that referendum, chosen by the village but in the end, the school was built elsewhere and TWBC planned up to 174 houses, instead of a school, on 158.</p> <p>5. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course.</p> <p>6. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. How can you justify something on the grounds of a decision not yet made? The LBD is ignored by Policies SSP3 and SSP4, which propose most development as far beyond the LBD as it is possible to go while still remaining within the parish of Benenden. This makes the value of an LBD questionable.</p> <p>7. Policy T2 on improving road safety. Site LS16 on New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes the development of LS22 at a later date as a way of blocking development of site 158 which is right behind it. If this were to happen, there would be two exits close together onto New Pond Road which would surely be more dangerous than one. Further, proposing to develop LS22 simply to block development at 158 is not a proper planning reason. (See HSA3 page 529 “Should the Parish decide to pursue a policy of smaller scattered sites, it might be advantageous to consider developing only the smaller, western part of the site nearest New Pond Road (<i>i.e.</i> LS22) with containment to control any proposals for an easterly expansion at a future date (<i>i.e.</i> site 158).”</p> <p>Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. There was a serious accident at those cross roads on November 20, 2020. Biddenden Parish Clerk has written on behalf of the parish of Biddenden to strongly oppose the plan largely on traffic issues. She has received an acknowledgment but no reply. Biddenden presents its strong objections at https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments – their objection is DLP_650.</p> <p>8. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by the existing 18 dwellings. Where would the extra 25, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.” The plan talks of ‘redeveloping’ the existing 18 dwellings which must mean demolition and the building of new dwellings for there</p>				

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		<p>is no room otherwise for 25 new dwellings. This means that the number of new dwellings proposed at this site is not 25, but 18 plus 25 i.e. 43.</p> <p>9. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses which comes on top of an existing permission for 24. The 49 new dwellings proposed at this site are to be built, according to architectural plans presented to the village earlier this year, all over existing Local Wildlife Sites. The hospital's architects are Clagues.</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII's competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain's Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site well over 2 miles outside the village (LS41 and 424/40b, Policies SSP3 & 4), where two cars would be essential for a family with both parents working. This is inconsistent. Such sites are also ill-advised for older people who prefer to be able to walk to shops and bus stops.</p> <p>14. 14.TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is well over 2 miles away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>15. A local group called 'The Friends of the East End' (FOE) opposes these plans for a <i>quasi</i>-new village at the unsustainable hospital sites. We feel planning is being carried out back to front by proposing to build the houses first in the hope that the infrastructure will follow. On 4 April, 2019, 127 FOE supporters presented a number of petitions protesting the NDP: on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored, as have the views of the parish of Biddenden. Residents who wrote letters were never informed of the Consultation over Regulation 16 and even many of those who have email, were never contacted.</p> <p>16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				

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BE_95	HSA; BD1; BD2; BD7; BD8; BE1; BE2; BE4; T1; T2; T3; T4; HS1; HS2; HS6; SSP2; SSP3; SSP4; SEA1; LEA1; LEA8; LEA9; IA5; IA6; IA7; HSA2; HSA3; HSA4; HSA5; BEA1; TA1; TA2	<p>We live at [TWBC: full address redacted], Stepneyford Lane, Benenden and have been concerned about the proposed Benenden development plans at the Benenden hospital site. As such we have detailed below a response to the submission.</p> <ol style="list-style-type: none"> 1. On page 48, para 2.7.2. the plan states that the High Weald AONB's "assessment is considered a key supporting document" yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. The plan never mentions these objections. 2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). See SEA1. 3. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in. 4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum which presented a choice between two sites. Site 158 was, in that referendum, chosen by the village but in the end, the school was built elsewhere and TWBC planned up to 174 houses, instead of a school, on 158. 5. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. 6. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. How can you justify something on the grounds of a decision not yet made? The LBD is ignored by Policies SSP3 and SSP4, which propose most development as far beyond the LBD as it is possible to go while still remaining within the parish of Benenden. This makes the value of an LBD questionable. 7. Policy T2 on improving road safety. Site LS16 on New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the "speed of traffic on New Pond Road". Also, HSA3 proposes the development of LS22 at a later date as a way of blocking 	Yes	Yes	Andrew & Sophia Wadsworth	Hazel Strouts

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BE_96	Benenden Neighbourhood Development Plan – Regulation 16	<p>Thank you for your consultation on the above dated 29 October 2020.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.</p> <p>Natural England does not have any specific comments on the Benenden Neighbourhood Development Plan.</p>			Consultations Team, Natural England	
BE_97	Policy LE3 Local Green Spaces (LGS). Specifically, the designation of Hilly Fields as a Local Green Space	<p>These comments constitute an objection to the designation of the Land known as Hilly Fields as Local Green Space. The reasons are set out below.</p> <p><u>NPPF and TWBC Local Green Space Designation Methodology</u></p> <p>Paragraph 100 of the NPPF states that:</p> <p>100. The Local Green Space designation should only be used where the green space is:</p>	Yes	Yes	Mr David Barnes and Mrs Ann Barnes	Mr Lee May, Brachers LLP

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		<p>101. a) in reasonably close proximity to the community it serves;</p> <p>102. b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</p> <p>103. c) local in character and is not an extensive tract of land.</p> <p>All three of these requirements must be met before a site can be considered suitable for designation.</p> <p>The Council has produced 5 Criteria for assessing Local Green Space, namely:</p> <ol style="list-style-type: none"> 1. Land is not subject of a planning permission for development; 2. The space is not allocated or proposed for development in the Local Plan; 3. The space is not an extensive tract of land and is local in character; 4. The space is within close proximity of the community it serves; and 5. The space is demonstrably special to the local community and holds particular local significance <p>If any of these criteria are breached, then the site should not be allocated.</p> <p>Having regard to the NPPF and the Council's criteria we would comment as follows.</p> <p>1. <u>NPPF paragraph 100(a) and TWBC Criteria 4</u></p> <p>The Land does not serve any given community. As such it would be incorrect to say that it is proximate to a "community which it serves". Whilst it is acknowledged that there is a footpath which runs across the land the public does not have a right of access to the remainder of the field, as such there is no meaningful public right of access to the Land.</p> <p>At its closest point the Land is located approximately 250m to the south of the main road through Benenden. Our clients' part of the Land is a further 50m to the south. There are numerous other sites which have been identified in the Council's draft allocation which are closer to the village and which are more accessible.</p> <p>2. <u>NPPF paragraph 100(b) and TWBC Criteria 5</u></p> <p>It is noted that the Council's stated reason for this criterion being satisfied is as follows:</p> <p>"This area is a large open space accessible by a public right of way. This area is privately owned but is used by the village for informal recreational activities (such as walking, dog walking, etc.)."</p>				

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		<p>This is incorrect. As indicated above, there is no right of public access to the Land and any use of the land for informal recreational activity is unauthorised.</p> <p>There is a footpath across the field, but this does not authorise access to the Land itself. In the consultation document at page 8 the existence of this footpath is identified as the reason for satisfying criterion 5. However, this footpath does not set the land apart from the many fields across the district which are similarly bordered or crossed by public footpaths.</p> <p>The Land is also subject to a Farm Business Tenancy it is used for grazing livestock, currently sheep, but has previously been used for grazing cattle and horses. Any use of the land for informal recreational activity which might be taking place is not authorised. Indeed, additional use for dog walking would be detrimental to the lawful agricultural use of the land.</p> <p>The stated reason does not justify designation. It seems to be predicated on the assumption that designation as a Local Green Space will facilitate access for walking or dog walking. However, designation does not bring with it any rights of access, as your letter of 29 July 2019 clearly states.</p> <p>In paragraph 3.11 of the Local Green Space Designation Methodology the Council has set out sub-criteria for Criterion 5. Addressing each of these in turn we would comment as follows:</p> <ul style="list-style-type: none"> (i) The site is not visible from the existing townscape or settlement and therefore does not contribute to its visual attractiveness. We are not aware that the land is mentioned in any relevant assessment nor that it contains any particular points of interest or historic buildings, nor that it is referred to in literature or art. (ii) There are no historic buildings or landscape features on the Land. Nor, so far as we are aware has it played an important role in history . . . etc. (iii) The site is not used for playing sport. In contrast there are other sites in the Council's proposal locally which do meet this criterion. The public does not have access to the land beyond the footpath. (iv) The site is not particularly tranquil as it is adjacent to Mr and Mrs Barnes residential curtilage including a garden and tennis court. (v) The land it not particularly rich in wildlife as it is actively farmed. <p>3. <u>NPPF paragraph 100(c) and TWBC Criteria 3.</u></p> <p>When considering each of the sites under consideration in the Benenden area it is apparent that AS_40 (Hilly Fields) is the furthest from the village and juts out into the open countryside. As such</p>				

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		<p>it is the least local in character. There is nothing to particularly distinguish it from any other farm land in the vicinity which might justify its designation as Local Green Space.</p> <p><u>Conclusion</u></p> <p>For the above reasons we consider that none of the factors set out in paragraph 100 of the NPPF have been satisfied with regard to site AS_40 (Hilly Fields). We also consider that the site fails to meet Criteria 3, 4 and 5 of the Council's own Designation Methodology.</p> <p>As indicated above, if the site fails to meet any one of the criteria then it should not be considered suitable for designation. Given that it fails to meet any of the criteria in the NPPF and three of the five criteria in the Council's own policy it should not be taken forward for designation.</p> <p>Accordingly, we request that the site is not designated as Local Green Open Space.</p>				
BE_98	Four current allocated development sites	Totally agree with proposed sites	No	Yes	Rob Todd	
BE_99	Site Specific Policy 3 Site North of Goddards Green Road, East End; Site South of Goddards Green Road, East End	<p>Dear Sirs</p> <p>I wish to object to the planning allocations proposed for the Benenden Hospital Site.</p> <p>I am a solicitor and local resident of 8 years standing living within a mile of the development. I write in a personal capacity. We also own or part own three fields, used for grazing sheep that are moved on hoof along Mockbeggar Lane.</p> <p>The grounds for objection were set out in more detail in the objections sent in response to the draft BNP and TWBC Plan under my name.</p> <p>In summary:</p> <ul style="list-style-type: none"> This is a significant residential development being implemented on a piecemeal basis in an obviously unsustainable site. It is essential that the existing, proposed and potential future allocations are assessed on a comprehensive basis, including through examination by an independent officer. The site presents a clear conflict with sustainability principles, both in terms of location, scale and complete absence of necessary supporting infrastructure. As such, it is advanced in direct contravention of local and national planning policy. 	Yes	Yes	Euan M Burrows	

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		<ul style="list-style-type: none"> The amelioration measures proposed are obviously incapable of remedying the associated impacts. In particular, the site is not close in local planning terms to Benenden, and is as close or nearly as close to the larger village/towns of, respectively, Biddenden, Cranbrook and Tenterden, which will act as more significant draws of car trips. A proposed bus link to Benenden, even if used, will be irrelevant to the increased car use involving trips to schools, shops, post offices and other facilities in Cranbrook, Tenterden and Biddenden. The allocation will not meet, and will largely leave unmet, the actual planning need identified for Benenden following the neighbourhood consultation conducted for that purpose. This identified need was for smaller dwellings with good including pedestrian access to village facilities. As such, a housing development in this unsuitable site serves little to no local planning benefit. The rational is as a commercial project to maximise commercial benefit from residential redevelopment on green field and former medical facilities owned by Benenden Hospital. Finally, the allocation would forever alter the character of what is a rural area abutted by an AONB. To date the hospital site has coexisted within that rural setting, which has remained largely unchanged since the hospital was constructed; indeed, the rural fresh air was the original rational for Benenden as TB recuperation facility. A significant housing estate of some 100 dwellings (the exact numbers as could be contemplated remain vague) would be fundamentally out of character, and change the character forever, of this rural area <p>For the reasons above I request that this matter is considered by way of an independent examination.</p> <p>It is both my intention and that of my neighbours' to instruct representation to appear at such an examination.</p> <p>See supporting documents</p>				
BE_100	General comment	<p>CPRE supports the Parish Council's decision to allocate sites, and the careful, logical and environmentally sound approach it has adopted in doing so.</p> <p>As the Plan notes, CPRE would have preferred to see a somewhat higher density of smaller housing, in order to reduce the need for precious countryside to be lost to development elsewhere in the AONB. A greater number of smaller market homes and affordable homes could, we think, perhaps be appropriate at East End, to accommodate people working at the hospital, thus enabling active travel and reducing the likelihood of out-commuting along the narrow</p>	Yes	Yes	CPRE	

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		<p>lanes. However, we recognise the strong local desire for new development to be comparable with adjoining density, and as the Plan provides for sufficient housing to meet the requirements of the draft Local Plan for the parish, we shall not object on this count.</p> <p>Although the policies are generally clear and well drafted, some of the policy wording (particularly the use of the word “should”) could perhaps be reviewed to make it even more precise and effective. The guidance from Locality on policy writing https://neighbourhoodplanning.org/toolkits-and-guidance/write-planning-policies-neighbourhood-plan might assist with this.</p>				
BE_101	<p>1 Foreword (P5)</p> <p>2 Strategic Approach (P10-12)</p> <p>3 Benenden Parish and Limits to Build Development (P13-16)</p> <p>4 Policy LE2 Distinctive Views (P31)</p> <p>5 Transport and Infrastructure (P95-106)</p> <p>6 Supporting Document HS4</p> <p>7 Supporting Document HS3</p>	<p>1. Foreword (P5)</p> <p>1.1 The foreword of the Neighbourhood Development Plan 2020 - 2036 Regulation 15 Submission dated September 2020 (paragraph 2) states that the Plan enabled “<i>the village</i> to have an active role in influencing growth in the parish”. Whilst I support the principle of neighbourhood planning, this is clearly a plan developed by the village with the benefit of financial support and professional advice, not by the parish as a whole. The residents of the East End area have had no representation in the production of this plan. Like many residents of East End, I am not plugged in to village networks . When I was eventually made aware of the Regulation 14 consultation by a neighbour in 2019, I took the trouble to obtain a copy of the document (not easy until late in the consultation period) and submitted comments, including details of factual inaccuracies. More than 120 residents of East End also submitted objections. However, little seems to have changed in the Regulation 15 submission and inaccuracies also remain. Our overriding impression is that the agenda of the group has been to keep development out of the village and ‘dump’ it all on the fringes of the parish in a rural area around 2½ miles away from the village and its facilities.</p> <p>2. Strategic Approach (P10-12)</p> <p>2.1 Point 4 identifies that many approved development sites suffer from ‘mission creep’. Initial permission is granted for a modest development on part of a site which does not have clear boundaries. As a result, subsequent applications to extend the development onto adjacent land may prove difficult for parish councils or Local Planning Authorities to resist. The BNDP states that it gives greater weight to sites with clearly defined boundaries and assumes that any allocated site will be fully built out at a density in line with the appropriate site-specific policy. The proposed sites in East End are absolutely an example of ‘mission creep’.</p> <p>The hospital was allowed to build its new wing and associated car parks on undeveloped land, and in fact during construction a paddock on the opposite side of Goddards Green Road was hard-surfaced to provide contractors car parking and has never been reinstated, despite the hospital telling local residents at a meeting that it would be. It has now become permanent car parking and will now undoubtedly be presented as brownfield in future. This creeping appropriation of undeveloped land and corresponding release of previously developed land is apparently now being rewarded by allocating it for housing development. The South side was given planning</p>	Yes	Yes	Judith Marks	

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		<p>permission for 24 houses at the time the new wing was approved; under the new BNDP this is increased to 46-49, and in February 2020 we attended a presentation which proposed to increase the size of the site and again increase the number of units yet again. In addition, land to the North side is proposed to be allocated, and it appears the Hospital continue to put forward further blocks of land for development. If this is not 'mission creep', I don't know what is.</p> <p>2.2 Point 5 The BNDP states that it gives greater weight to previously developed or 'brownfield' sites, provided development will not adversely impact on local employment . However, a number of smaller previously developed sites were rejected while the East End sites, which are not typical brownfield in that they contain substantial areas of open space and Local Wildlife sites and are highly visible from the AONB, were allocated for substantial housing development.</p> <p>2.3 Point 6 The BNDP particularly supports the development of sites which are outside the AONB as long as any detrimental effect on the environment, the landscape and recreational opportunities can be moderated.</p> <p>2.3.1 Benenden Hospital and the proposed development sites at East End lie along the ridgeway and watershed between the Rother and the Medway. As such they occupy an elevated position and are highly visible from within the AONB. In fact the boundary of the AONB appears to have been drawn round the Hospital site so it impacts the views in many directions. The Hospital and its extensive car parks are already highly lit at night, despite apparent representations from the Parish. Further development on the watershed will intrude even more into the views from within the AONB, counter to the AONB Management Plan, which the Borough Council has adopted.</p> <p>2.3.2 Document HSA4 "High Weald AONB Advice on Benenden Neighbourhood Plan Sites" gives advice on some sites but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although most new development is proposed for these sites. High Weald AONB objects to sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. "In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation and this issue has not been properly considered by the Plan".</p> <p>2.4 Point 9 The BNDP allocates 2 sites on 'brownfield' land beyond existing settlements. The Plan states that each site has specific policies designed to improve long term sustainability. I have read carefully through SSP3 (P62-65), which is then repeated in SSP4, and make the following comments:</p> <p>2.4.1 There are no community services or facilities currently in East End around which to base a new settlement, as the BNDP states.</p>				

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		<p>2.4.2 Supporting Document TA2 outlines the proposed 'active travel link' which is supposed to enhance the sustainability of development at East End, but the document itself identifies that the geography does not lend itself to this "link", currently a cross-country footpath and a 1 hour walk. The proposed cycle route between East End and the village including the existing footpath from Green Lane to Walkhurst Lane is around 3 miles, and the route crosses three steep-sided valleys. It would not improve connectivity in any practical way and tarring or otherwise hard surfacing the existing footpath where it passes along the old green lane through undeveloped woodland and farmland would be detrimental to the landscape and environment within the AONB. If it were feasible to develop such a route it would be purely for recreational use and would do nothing to encourage a 'one-village' feeling. That is just wishful thinking and tries to mask the fact that the proposed satellite village is more than 2½ miles from Benenden village. The Draft Local Plan 2019 stated that there was good potential to improve connectivity to Benenden. I am unaware if there are other schemes under consideration, but this unrealistic proposal does not represent good potential.</p> <p>2.4.3 The proposal to reduce the speed limit to 20mph through East End to improve road safety and mitigate the impact of large increases in vehicle movement could equally be applied to the other sites where road safety was identified as a constraint to housing development, eg LS4 and LS18.</p> <p>2.4.4. I understand that use of the tennis courts at East End by residents is already a Section 106 condition of the extant planning permission for 24 houses on Site 424, although the Hospital is now canvassing to have this condition removed. In addition the Local Wildlife Sites (which include the old cricket pitch) are not to be included in areas for sport and recreational use. I cannot see where the proposed area for sport and recreational use and children's play area required as a condition for development on the North side are to be sited.</p> <p>2.4.5 It is unrealistic to propose that a viable cafe/retail outlet could be run at East End even if premises are 'provided'. The current shop in Benenden village, which has a larger population, is able to stay open only because of support from Benenden School and the work of volunteers.</p> <p>2.4.6 The existing chapel (St Margaret's) is tiny. While I understand the Church Council may be willing to allow it to be used as a community space, it could only be sufficient for a meeting room, and would not be suitable for events or a pre-school or play group as proposed in SSP3/4.</p> <p>2.4.7 I question whether any developer would be willing to provide a minibus for the use of Benenden Primary School and provide funding to maintain and run the minibus service to/from Benenden village/Primary School to serve school times thus reducing traffic and improving sustainability. From occupation of 50% of the residential units covered by SSP3 (46-49 units) for 10 years from commencement. This policy assumes that approval will be given for all the proposed</p>				

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		<p>development at East End (46-49 units on the South side and 18 + 22-25 units on the North side, giving a maximum total of 92 units). I also question whether this condition could be enforceable.</p> <p>2.4.8 The KCC Hopper Bus trial (which also served Benenden village and Iden Green): There is no reference to this at the time of writing (December 2020) on the KCC Rural Transport Initiatives web pages and I can only suppose it sank without trace.</p> <p>3. Benenden Parish & Limits to Built Development (LBD) (P13-16)</p> <p>3.1 The proposed Limits to Built Development around Benenden appear to have been simply redrawn to accommodate the preferred sites. It would therefore be possible to extend them to encompass other highly feasible sites in the village which would be close to and support services and improve the sustainability of the village. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Development in East End will do little to enhance or maintain the vitality of Benenden or support services there.</p> <p>3.2 The Strategy proposes that the LBD at Iden Green is removed “as the settlement has limited key facilities and bus services, making it unsustainable in this context”. Iden Green has considerably more facilities than East End and is only 1 mile from additional services in Benenden village with an established hard-surfaced footpath, whereas East End is almost 3 miles from the village. If development in Iden Green is unsustainable, surely development in East End is even more so</p> <p>3.3. East End is not a discrete settlement and therefore does not have an LBD because there should be no major development away from existing settlements. East End has always been a scattered collection of farms and houses rather than a discrete village or hamlet, and any clustering has been due to Benenden Hospital building a small amount of its own staff housing. On the other hand, Benenden village and Iden Green are already distinct settlements and have been defined as conservation areas, whereas East End is not a distinct settlement and therefore remains as part of the wider landscape.</p> <p>3.4 At the time of the last conservation area review in 2005, the wider landscape setting remained outside the boundary of the conservation area as “it is currently protected through Local Plan policies and other designations, particularly the High Weald Area of Outstanding Natural Beauty” (Benenden and Iden Green Conservation Areas Appraisal 2005, 1.15). It appears that any protection from Local Plan policies is proposed to be removed from the wider landscape setting.</p> <p>3.5 Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. The LBD is ignored by Policies SSP3 and SSP4 which puts its value into question.</p>				

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		<p>3.6 I would like to draw attention to the planning policies that have applied in our neighbouring parish of Biddenden. The village centre is picturesque, and new housing has been developed behind the largely older houses that line the main roads. There has been no development of new settlements in an equally rural parish, and the new housing allocations within the village have not spoiled its character and have added to its sustainability and vitality. In Benenden, there is opportunity for highly sustainable development in the same way behind the ribbon development along the main roads. Why then is the proposed LBD drawn so tightly as to strangle any sustainable development and essentially 'freeze' the village?</p> <p>4. Policy LE2 Distinctive Views (P31)</p> <p>4.1 The views identified in Fig 10 and 11 are representative of the wonderful views all across the parish but they are only a subjective selection and not the only ones that should be protected.</p> <p>4.2 As stated in 2.3.1, Benenden Hospital was built on the ridgeway and watershed between the Rother and the Medway partly because of those views. As such the hospital and the proposed development occupy an elevated position and are highly visible from within the AONB. In fact the boundary of the AONB appears to have been drawn round the Hospital site so it impacts the views in many directions. The Hospital and its extensive car parks are already highly lit at night, despite apparent representations from the Parish. Further development on the watershed will intrude even more into the views from within the AONB, counter to the AONB Management Plan, which the Borough Council has adopted.</p> <p>5. Site LS41 Land at Benenden Hospital, North of Goddards Green Road, East End — North East Quadrant (NEQ) (P65)</p> <p>5.1 This Plan supports refurbishment or redevelopment of the existing 18 dwellings and the building of an additional 22-25 dwellings, giving a building density of no more than 22 dwellings per hectare</p> <p>5.2 I would support the refurbishment of the 18 semi-detached houses in Wood Lane and along Goddards Green Road, which the hospital no longer requires for its own staff, and suggest they be offered for sale individually as affordable housing to local people, who could refurbish them themselves. Alternatively, they could be offered to a housing association for refurbishment. These houses may be outdated and no longer required to meet the Hospital's accommodation needs, but their current dilapidation is overstated. Rather than standing empty and eventually being demolished to make way for new housing, these empty homes could meet an immediate housing need and the Hospital could realise immediate benefit from their sale. One of the key issues for villages highlighted in the Core Strategy is to meet local needs for affordable housing.</p>				

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		<p>5.3 I have examined the plan and description of Site LS41 as shown in the Neighbourhood Plan, and I am unable to see where the 22-25 additional dwellings would fit. The tennis courts are currently part of a Section 106 agreement (see 2.4.4 above), but also appear to be earmarked as a children's play area, so at present they have been allocated twice. If the proposal is that the extra 22-25 units would be situated on the existing staff car park, that is still not sufficient space. The remainder of the site is a Local Wildlife site and should be protected. Furthermore I passed the car park this morning and it was completely full. If this development were to go ahead as proposed in the BNDP, the hospital would undoubtedly identify a need for increased car parking and hard surface yet another part of their greenfield estate, thus encroaching further into the landscape.</p> <p>6. Transport and Infrastructure (P95-106)</p> <p>6.1 It is stated that Benenden Hospital offers an ATM and café which are available for use by residents. The Hospital may provide these for its customers (patients and visitors) although I have been told that this is actually a coffee machine, but they have never been advertised as open to residents, and as a local resident I was not aware they were available to me.</p> <p>6.2 The proposed 'active travel link' between the village and East End is not feasible or realistic (see 2.4.2), even without landowners specifically refusing to consent to construction of a cycleway through their property.</p> <p>6.3 The photographic "evidence" presented in the BNDP is highly selective. The pictures of congestion in The Street, Benenden (P105-106) were taken during construction of the new primary school when there were temporary traffic lights. The pictures of the Castleton's Oak blackspot (P100) show no traffic at all. In fact, despite the traffic calming measures shown the cottage in the photograph recently had a car embedded in the front of it and serious accidents continue.</p> <p>6.4 BNDP have consistently ignored the concerns of Biddenden Parish Council regarding the potential increase of traffic at Castleton's Oak, and have not even replied to their representations.</p> <p>7. Supporting Document HS4 High Weald AONB Site Assessments</p> <p>7.1 Document HSA4 "High Weald AONB Advice on Benenden Neighbourhood Plan Sites" gives advice on some sites but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although most new development is proposed for these sites. High Weald AONB objects to sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments.</p> <p>7.2 Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the</p>				

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		<p>HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above).</p> <p>8. Supporting Document HS3 Individual Site Assessments</p> <p>8.1 Sustainability: Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, a church, a community centre and a regular bus service yet these sites are ruled out as unsustainable but sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in.</p> <p>8.2 The proposed LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where BNDP hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum on two sites. Site 158 was, in that referendum, chosen by the village as the preferred site. Up till July 2018, TWBC planned up to 174 houses on the site.</p> <p>8.3 Policy T2 on improving road safety. Site LS16 on the New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes development of LS22 at a later date as a way of blocking development of site 158. Development staggered over time would mean two exits onto New Pond Road instead of one. Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in.</p> <p>8.4 Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by existing 18 dwellings. Where would the extra 24, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.”</p> <p>8.5 Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses, on top of the existing permission for 24 (unbuilt), to be built, according to the hospital architect’s plans, over Local Wildlife Sites (see attached Clagues’ – the hospital architects - plan for housing on site 424/40b)</p> <p>8.6 Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), LS21 (Little Weavers Iden Green) and LS18 (Pullington Farm) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p>				

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		<p>8.7 Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII’s competition for an avant garde sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain’s Heritage campaign.</p> <p>8.8 Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>8.9 Affordable housing: BNDP advocates affordable housing (page 12) while proposing most development at a site (LS41 and 424/40b, Policies SSP3 &4) over 2 miles from the village and the school, where two cars would be essential for a family with both parents working.</p> <p>9. Friends of the East End (FOE) This is a local group opposing BNDP plans for a quasi new village at Benenden Hospital. On 4 April 2019, 127 FOE supporters presented a petition protesting the NDP; on 31 October 2019, 164 FOE members protested again; and on 11 November 2019, 167 FOE supporters protested against the Benenden section of the Local Plan, which largely echoes the Benenden NDP. I completely support their aims and objectives in getting the voice of parish residents outside the village heard and their wish to be invited to appear before the Independent Examiner.</p> <p>See supporting document</p>				
BE_102	Policy LE5 Trees, Woodland and Hedgerow	<p>Recommend that Policy LE5 is amended to:</p> <p>“There will be a presumption in favour of the retention and enhancement of existing trees, woodland and hedgerow cover on site and the restoration of lost trees, woodland and hedgerows. Existing individual trees, or groups of trees, that contribute positively to the area shall be retained. Any new tree or hedgerow establishment should avoid damaging valued areas such as species-rich grassland or medieval fields and should be of native locally sourced plants. Any proposed new landscaping, and any existing landscaping to be retained, shall include adequate capacity for future tree growth, where appropriate. New development including buildings and hard surfacing shall be located at sufficient distance to existing or new trees and hedgerows to avoid damaging their health or future capacity for growth”.</p>	Yes	Yes	High Weald AONB Unit	
BE_103	Policies HS1, SSP3 and SSP4 Benenden Hospital	Policy HS1 allocates two sites at Benenden Hospital: Hospital South for 22-25 units (in addition to the 24 units already granted planning permission but not yet implemented) and Hospital North for 22-25 units. Policies SSP3 and 4 provide the site-specific criteria for these two allocations.	Yes	Yes	High Weald AONB Unit	

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		<p>Whilst the site lies outside of the AONB, it is adjacent to the boundary and makes a significant contribution to its setting. Section 85 of the Countryside and Rights of Way Act 2000 requires local authorities to have regard to 'the purpose of conserving and enhancing the natural beauty of AONBs' in making decisions that affect the designated area.</p> <p>The Planning Practice Guidance on development in the setting of AONBs says "Land within the setting of these areas often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account".</p> <p>The High Weald AONB Unit objects to the allocation of these two sites for the following reasons:</p> <ul style="list-style-type: none"> • The redundant hospital building, an example of early British Modernism, provides an important contribution to the cultural history of the High Weald. It embodies the ambition of the 1949 National Parks and Access to the Countryside Act, under which AONBs are designated, which was to provide a natural health service to mirror the National Health Service created one year previously. Funded by the union movement, Benenden Sanatorium was built for postal workers suffering from tuberculosis. It occupies a rural location with clean air and long views over typical High Weald countryside. • This site includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network. • In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation and this issue has not been properly considered by the Plan. 				
BE_104	Policy LE1 Protect and Enhance the Countryside	The provisions in this policy are supported, but it should be noted that the requirement in a) should not just apply to the countryside. The AONB also covers the part of the parish within the 'limits to built development' and the same requirement for development to conserve and enhance the AONB applies. It would be better to extract this clause and have it as a separate AONB and its setting policy that applies to the whole parish.	Yes	Yes	High Weald AONB Unit	
BE_105	Proposal: Benenden Neighbourhood Plan	Each water company is legally required to prepare a Water Resources Management Plan (WRMP) every five years. South East Water published our WRMP19 in August 2019. This plan sets out how we intend to maintain the balance between increasing demand for water and available supplies over the next 60 years up to 2080. The plan takes into account planned housing growth as well as the potential impact of climate change and includes our ambitious water efficiency programme. For more information please visit our website:			South East Water	

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		<p>https://corporate.southeastwater.co.uk/about-us/our-plans/water-resources-management-plan-2019/</p> <p>In South East Water's most recent business plan we have committed to play an active role regionally in relation to the impact of housing growth on water. We will develop a policy together with local stakeholders – appreciating the balance of supplying water, the need for society to ensure environmentally sustainable future water resources, and also the ongoing support of the south east region and its economic development. South East Water aims to respond to 100 per cent of all national, local and regional authority consultations and seeks to co-operate and maintain a good working relationship with local planning authorities in its area and to provide the support they need with regards to the provision of water supply infrastructure. Please see our business plan:</p> <p>https://corporate.southeastwater.co.uk/media/2901/sew_five_year_business_plan_2020-2025.pdf</p> <p>We are also committed partners in the Water Resources in the South East (WRSE) Group that works for the collective good of customers and the environment in the wider south east region and are nationally represented in the Water UK water resources long-term planning framework.</p> <p>Our aim of reducing demand requires the use of new approaches and technology. Although there is some uncertainty on the level of savings that can be achieved we are seeing a development of new technologies and we are committed to reduce personal water usage and leakage levels in order to be more sustainable for next generations.</p> <p>Our preferred plan for the period 2020 to 2025 includes a mix of demand management initiatives such as leakage reductions and an ambitious water efficiency programme.</p> <p>During the period 2025 to 2045 we will continue our demand management initiatives to achieve further leakage and water efficiency savings.</p> <p>South East Water have now reviewed the Neighbourhood Plan and would like to comment that:</p> <p>South East Water consider that it is important and agree with Benenden Parish Council and Tunbridge Wells Borough Council on the points raised as part of the Neighbourhood Plan objectives and would like to add that water efficiency could also be promoted to existing buildings and new buildings, either residential or non-residential across the Council.</p> <p>South East Water recommend the need of a mandatory housing standards for water use which would support water efficiency on new buildings and promote the collaboration between Benenden Parish Council, Tunbridge Wells Borough Council and developers. We suggest this could be</p>				

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		<p>incorporated within Policy BD8 as the Council already asks for new developments to be constructed including measures to help conserve water.</p> <p>South East Water will work with local authorities and developers to ensure that any necessary infrastructure reinforcement is delivered ahead of the occupation of development. Where there are infrastructure constraints, it is important not to under estimate the time required to deliver necessary infrastructure.</p> <p>South East Water would like to reiterate that our primary concern is the water that we abstract and treat for public supply purposes and ensuring that the surface and groundwater abstracted does not fall below the tolerances of our water treatment works or the drinking water standards set by our regulators.</p> <p>South East Water would like to be kept updated with any developments relating to Benenden Neighbourhood Plan and we have noted above a number of areas where we welcome an opportunity to meet and discuss with the Council. We look forward to working with Benenden Parish Council and Tunbridge Wells Borough Council to ensure that drinking water supplies remain protected in the area in the future.</p>				
BE_106	Responses in Question 1a refer to a number of different parts of the Benenden Neighbourhood Plan	<p>Introduction (Page 9 BNP, penultimate paragraph)</p> <p><i>'after the Neighbourhood Plan is made and Tunbridge Wells have adopted a CIL Policy (proposed 2021), the Parish Council will receive 25% of CIL contributions by right and may use such funds to complete the projects set out within the BNP'</i></p> <p>TWBC is continuing to use s106 for the time being, but will review whether to introduce a CIL after the Local Plan has progressed. LDS prepared June 2020 provides further background for whether CIL will be introduced https://www.tunbridgewells.gov.uk/_data/assets/pdf_file/0005/343715/Local-Development-Scheme_June-2020.pdf, Page 17 <i>'Not adopted. No decision has been made on this matter, with the focus being on taking the Local Plan through to its next stage. The matter will be reviewed as the Local Plan moves towards the Pre-Submission version. If a decision is made to move towards CIL, then a timetable for the relevant stages of this will be provided.'</i></p> <p>In undertaking this review, regard will be had to the Government's proposals in Planning for the Future White Paper to remove CIL and Section 106 agreements and instead to introduce an Infrastructure Levy, and further announcements from Government in relation to this.</p> <p>Benenden Limits to Built Development (page 16)</p>	Yes	Yes	Tunbridge Wells Borough Council	

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		<p>The proposed LBD (Figure 3, page 16 of the Benenden NDP) reflects the proposed LBD boundaries in the draft Regulation 19 Pre-Submission Version of the TWBC Local Plan with one exception. This exception relates to Feoffee Cottages (AL/BE 2 in the Draft TWBC Local Plan), where the LBD has been amended to reflect the landscape buffer proposed as part of the current planning application 19/00822.</p> <p><i>Note: TWBC Pre-Submission Local Plan - it is not proposed to include a LBD for Iden Green (TWBC Local Plan 2006 LBD boundaries for Iden Green to be deleted)</i></p> <p>Policy LE3 Local Green Spaces (LGS) (page 33)</p> <p>During the preparation of the TWBC Local Plan, planning officers have on a number of occasions consulted with Benenden Parish Council and the Neighbourhood Plan Group before the Regulation 18 consultation on the Local Plan in September – November 2019.</p> <p>TWBC has consulting again with these groups at the beginning of December 2020 prior to the publication of the Regulation 19 Pre-Submission Local Plan.</p> <p>Information sent by TWBC as part of this process:</p> <ul style="list-style-type: none"> extract for the revised Local Green Space Assessment Document (for Regulation 19) and individual site plans for Benenden Parish. This extract includes information on the revised Local Green Space proposals for the parish and the revised TWBC Local Green Space Designation Methodology document <p>Comments are requested from the Parish Council on the revised proposals for Benenden parish and/or revised methodology.</p> <p>Attachments to these representations, 2 pdfs:</p> <ul style="list-style-type: none"> ‘Benenden – LGS Assessment’ – table showing the assessments carried out by TWBC to identify LGS designations proposed to be included in the TWBC Pre-Submission Local Plan Plans for each of the LGS designations <p>It has been requested that responses to the LGS consultation are submitted to TWBC by Wednesday 16th December with any comment on the revised proposals for the parish and/or revised methodology so that officers are able to re-review any proposals. This could include comments on any factual inaccuracies that need to be amended or whether the TWBC assessment of a site is considered to be incorrect.</p>				

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		<p>The outcome of this process for Benenden parish will be provided to the Independent Examiner prior to the examination of the Benenden Neighbourhood Plan.</p> <p>Chapter 2 Housing Supply and Site Allocation <i>(page 41 onwards)</i></p> <p>All Site Allocation policies in the Draft TWBC Local Plan are broadly in line with the site allocation policies in the Benenden NP.</p> <p>SSP1 Land adjacent to Feoffee Cottages, Walkhurst Road <i>(page 53)</i></p> <p>Note: the site is subject to a planning application 19/00822 (Resolution to grant permission made by the Planning Committee on 9 September 2020, awaiting completion of a S106 agreement as at 2nd December 2020).</p> <p>The application is made on a 'hybrid' basis; part of the application seeks full planning approval for 12 new almshouses, associated access, parking, landscaping and an attenuation basin. The rest is an outline application for 13 new market dwellings with all matters reserved except access. The intention is that the 13 market dwellings would act as a funding mechanism for the 12 new almshouses.</p> <p>Ref TWBC Draft Local Plan Policy AL/BE 3 (and ref AL/BE 2 in Pre-Submission Local Plan)</p> <p>Policy SSP2 Uphill, New Pond Road <i>(page 57)</i></p> <p>Ref TWBC Draft Local Plan Policy AL/BE 2 (and ref AL/BE 1 in Pre-Submission Local Plan)</p> <p>Policy SSP3 Land at Benenden Hospital, South Goddards Green Road <i>(page 62)</i></p> <p>Ref TWBC Draft Local Plan Policy forms part of AL/BE 4 (and ref AL/BE 3 in Pre-Submission Local Plan)</p> <ul style="list-style-type: none"> • Site area in the TWBC Pre-Submission Local Plan is likely to be a smaller area, not including the area of open space within the southern part of the site indicated by the BNP Policy SSP3 • It is likely that the following policy criterion will be included in the TWCP Pre-Submission Local Plan Policy AL/BE 3 				

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		<p><i>'Proposals to include an assessment of the feasibility for retaining the Garland Wing as part of the redevelopment of the site, that could include refurbishment and conversion of this building to provide separate residential units'</i></p> <p>Policy SSP4 Land at Benenden Hospital, North Goddards Green Road (page 65)</p> <p>Ref TWBC Draft Local Plan Policy forms part of AL/BE 4 (and ref AL/BE 4 in Pre-Submission Local Plan)</p> <ul style="list-style-type: none"> Site area in TWBC Pre-Submission Local Plan is likely to be a smaller area, not including the area of open space within the northern part of the site, east of the garage block included within BNP Policy SSP4. <p>Policy BD1 General Design Policy (page 73)</p> <p>Suggest that the policy wording expand on different heritage assets, particularly mentioning non-designated, or local heritage assets, and include reference to archaeology.</p> <p>Suggest that the first bullet point be amended to read 'have regard to local distinctiveness as identified in guidance such as the High Weald Design Guide', and also list the supporting documents in the policy wording itself as well as in BD2.</p> <p>Policy BD2 General Appearance (page 74)</p> <p>Suggest that 'bulk' be replaced with 'massing'.</p> <p>(f) – this may cause confusion – as long as the chimneys are properly constructed they could house a stove flue rather than actually being a working chimney?</p> <p>Policy BD8 Materials and Technology (page 80)</p> <ol style="list-style-type: none"> c) Conservation areas are heritage assets so they don't need to be specifically mentioned unless it's felt it's absolutely needed for clarity. Would it read better to replace the 'to' with 'will'? <p>Policy BE1 Rural Industries (page 84)</p> <p>Worth explaining what some of these terms mean as they are not explained in the supporting text: 'regenerative agriculture' and 'wilding'?</p>				

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		<p>Policy BE3 Retaining Existing Commercial Areas (page 88)</p> <p>(for info) Ref draft Local Plan Policy ED2 Retention of existing employment sites and buildings: includes information about requirements for proactively marketing the site, and the process that needs to be gone through to demonstrate that this has been carried out effectively.</p> <p>Policy BE4 Shops and Public Houses (page 90)</p> <p>(for info) Ref draft Local Plan Policy ED12 Retention of local services and facilities within defined Neighbourhood and Village Centres.</p> <p>Where wording refers to 'retail or public houses' : this is a bit narrow, could include wider range of commercial uses, and also including restaurants/cafes.</p> <p>Policy BE7 Encouraging the Right Future Business (page 93)</p> <p>This policy doesn't really reflect the supporting text which talks about supporting sporting and craft business etc. Policy refers to 'designated commercial areas' – this needs to be clarified.</p> <p>Policy T3 Community Cohesion and Recreational Facilities (page 102)</p> <p>Uncertainty about what this policy is trying to achieve. For some issues it is requiring developers to 'contribute' towards provision and others 'support provision' – further clarity required</p> <p>Policy T5 Infrastructure, Broadband and Mobile (page 103)</p> <p>Similar to comments to Policy T3 –need to specify what is meant by 'amenities'</p> <p>Climate Change</p> <p>Benenden Neighbourhood Plan has been prepared with reference to saved policies in the Tunbridge Wells Borough Council Local Plan 2006, the Tunbridge Wells Core Strategy Development Plan Document 2010, the Tunbridge Wells Borough Council Site Allocations Local Plan, and the Draft Local Plan as published for Regulation 18 Consultation September 2019.</p> <p>The Draft Local Plan did not include a strategic policy for Climate Change. Tunbridge Wells Borough Council declared its recognition of global climate and biodiversity emergencies and its ambition to make the entire borough carbon neutral by 2030 in July 2019 (see Full Council 17 July 2019, Item FC29/19). The Pre-submission Local Plan, that will be available for viewing on the borough Council's website from New Year's Eve 2020 when it will be appended to the report</p>				

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		<p>being presented to the Planning and Transportation Cabinet Advisory Board on 11 January 2021 as the Pre-Submission Local Plan enters the Committee cycle ahead of publication in March 2021, includes a strategic policy for Climate Change.</p> <p>General Comments</p> <ul style="list-style-type: none"> All references to 'Local Plan' in the Neighbourhood Plan should clarify that this is the TWBC Local Plan, it's full title, and the date it was prepared TWBC Local Plan – during the preparation of the Benenden Neighbourhood Plan, TWBC have been preparing a new Local Plan. The draft Benenden Neighbourhood Plan now being consulted upon under Regulation 16 October/December 2020 has been prepared with reference to the TWBC Local Plan 2006, Core Strategy 2012, Site Allocations Local Plan 2016 and the draft TWBC Local Plan consulted through Regulation 18, September/November 2018. It should be noted that the Pre-Submission Local Plan is due to be consulted upon during March/April 2021, the document becoming available for public inspection on 31st December 2020. <p>The Benenden Neighbourhood Plan Basic Conditions Statement sets out how the draft Benenden Neighbourhood Plan compares with the TWBC Development Plan (the documents listed above up to, and including, the Regulation 18 Draft Local Plan)</p> <ul style="list-style-type: none"> References to Evidence Base in the Benenden Neighbourhood Plan: clarity is required about who has prepared the document – the neighbourhood plan group or TWBC (as part of developing the evidence base to support the preparation of the TWBC Local Plan) Clarity about the title of all evidence base documents referred to in the Benenden Neighbourhood Plan: this could be set out in a glossary (to include any shortened title referred to in the text). Titles of evidence base documents prepared by TWBC should be as set out in the relevant TWBC Local Plan webpages <p>Presentation</p> <ul style="list-style-type: none"> It would be helpful to have a list or table of individual policies at the front of the plan: Policy Number, Policy Name and page number 				
BE_107	IA1, IA2, IA3, IA4, IA5, IA6, IA7(SEA Final Report), HSA3.	<p>This submission is in addition to that which I sent in on 6 December 2020.</p> <ol style="list-style-type: none"> The documents posted on the Tunbridge Wells website are the only practical means available to the public to ascertain the full extent of the reasoning behind the Plan. Although the Table of Contents states that the supporting documents are “(listed below available to view online at: www.benendenneighbourhoodplan.org)” in fact they are not 	Yes	Yes	Hazel Strouts	Hazel Strouts

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		<p>available on the Benenden website at all. This is misleading and causes unnecessary extra work in tracing them.</p> <p>3. Documents IA 1 to 7 do not appear as such on the Tunbridge Wells website, this nomenclature can only be discerned once a particular document has been downloaded. Of these documents, items 3, 4 and 5 were missing. Of these 3 and 4 were only posted on line on December 10th as a result a letter from myself to TWBC (dated Dec 8th attached). We as members of the public affected by the Plan had no means of seeing relevant material.</p> <p>4. The information on the website did not accord with the regulations because three items referred to in the BNP were missing. They formed part of that document and should have been disclosed with it, for any document referred to in the Plan is part of it. One of those items, IA5, TWBC Statement of Common Ground is still missing although the Health Check (IA3) under 'Content', 3rd bullet says it "would be a useful addition to the evidence base prior to formal submission for Examination." (see TWBC argument in their responding email dated Dec 9th attached).</p> <p>5. These omissions came on top of the publication of Document SEA 1 (posted on a Tunbridge Wells website and not on the main BNDP one), with only the front and back pages visible. This was rectified as a result of our pointing it out, on 1 December 2020.</p> <p>6. The Regulations require that details of the Plan proposal be publicised on the website of the local planning authority, Reg. 16(a)(i). They must also allow not less than 6 weeks from the date on which the plan proposal is first publicised, Reg. 16(a)(v). There has been a complete failure to comply with the law in these respects.</p> <p>Here follow representations on the BDNP made largely in the light of the recently released documents. Although this examination of the BNDP relates strictly to the NP, development at the hospital sites is planned, according to Savills (who acted for the Benenden Healthcare Society - BHS) on land allocated in the Local Plan and not only that allocated in the BNDP. This links the BNDP with the TWLP. The two plans are similar with two main differences, one of these relates to the development of Site 158 Greenacres and the second relates to the hospital sites. Under the TWLP almost twice as much land at the hospital site is proposed for development as in the BNDP (see attached map and see TWLP Comments DLP_4956 para 3.6, the BHS "intends to bring forward development on the two sites identified through the BNP and within the boundary identified in the Tunbridge Wells Local Plan."</p> <p>For this reason, we need to turn to the TWLP comments section in reviewing the Regulation 16 Plan.</p> <p>1. In the BNDP Equality Impact Assessment (IA4), SSP3 and SSP4 (the hospital sites) are said to provide a positive impact for groups suffering from housing poverty yet the BHS is seeking a lower provision than 35% for affordable housing (see DLP_4956 of the TWLP Comments, para 3.24) for its sites. This suggests that Intelligent Plans and</p>				

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		<p>Examinations' comments have been made without cross-referencing to the TWLP Comments.</p> <p>2. The BNDP Basic Conditions Statement (IA2) requires BHS to provide funding to maintain and run a minibus service to/from Benenden primary school. This is inconsistent with Savills statement in para 3.46 and 3.47 (TWLP Comments DLP_4956) requesting lower demands for funding.</p> <p>3. The BNDP Basic Conditions Statement refers to the Kent County Council Hopper Bus as if it had survived its trial period. It has not. Further, this condition is inconsistent with the hospital's statement that "The Society is not a transport provider" (para 3.20 TWLP Comments DLP_4956).</p> <p>4. The BNDP Basic Conditions Statement requests that the Society open its café to the public and create a local shop yet the Society argues against this, see 3.18 and 3.19 (TWLP Comments DLP_4956). Further, such a condition could not be imposed.</p> <p>5. The BNDP Basic Conditions states "BE6: Redevelopment of Redundant Buildings: the BNDP will support the retention and conversion of existing agricultural, rural or other buildings, for business, recreation and tourism uses". The term "redundant" is used only in the title, while the text of the policy itself refers to "existing agricultural, rural or other buildings". This broadens the subject insupportably (the policy, in this form, was never referred for public discussion) and is ambivalent.</p> <p>6. Criticisms made in the Health Check IA3 include limited reference in the Plan to sustainable development and to a lack of evidence-based argument (see 'Content', 1st bullet and 'Process', 3rd bullet). The BNDP Regulation 16 proposal has failed to respond to this. In the view of both the SEA1 and the High Weald AONB objections on the grounds of the unsustainability of the hospital site, this is perhaps understandable but inexcusable - see SEA 1 "The site is located at Benenden Hospital/East End, which has few amenities." and TWLP DLP_4956.</p> <p>7. Under 1.8, 'Process' section, IA3 states that "the SEA Statement includes summary responses from key stakeholders . . . and there are no indications to reach a contrary conclusion to the Statement's findings". The AONB is a stakeholder and its findings on the main sites (all at the hospital) are not printed and were in fact never requested. Similarly, another stakeholder, Historic England says (in DLP_4556 TW draft LP) that it expects "the allocation of sites .. to be subject to appropriately robust and detailed heritage impact assessment prior to the allocations being adopted" and this has not been done. As for Natural England, where is the evidence that they were consulted on BHS' plans for the hospital sites?</p> <p>8. The Habitats Regulation Assessment IA6 aims "to assess whether this Neighbourhood Plan would, alone or in combination with other plans and policies, cause any likely</p>				

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		<p>significant effects on European sites” but nowhere in the BNDP is there any assessment of British habitat classification. To the best of my knowledge, the Kent Wildlife Trust was neither informed of the plans nor consulted. While declaring its intention to preserve the LWS, on both hospital sites, the BHS proposes building large numbers of houses but has not presented any plans to show how these building plans would fit into the space allocated at the sites without damaging the habitat nor has BNDP requested such plans. Since the BHS is working on the area of land up for development under the TWLP, and not merely on the much smaller site put up under the BNDP, the Regulation 16 Plan offers neither the public nor statutory bodies the possibility of assessing the real situation on site. All that has been made public are the building plans (attached) for the southern site. These were presented to the public on Feb 17, 2020 in Benenden village hall, and they show no respect for the LWS.</p> <p>Attachments:</p> <ul style="list-style-type: none"> • My email to TWBC Dec 8, 2020 • TWBC response Dec 9,2020 • TWLP Hospital Development Site • Hospital architects plans for houses on 424/LS40b (SSP3) 				
BE_108	Supporting Document HSA4	<p>I am extremely concerned that the number of new houses proposed for the sites at Benenden Hospital will effectively create a new village, but without any of the infrastructure that is currently available within the village of Benenden. Because of the distance between this site and the village centre, where the primary school and the shop are situated, and the lack of a regular and frequent bus service, the only way for these new “Benenden Residents” to access village amenities, will be by car. The number of houses proposed on these sites will generate more traffic than the existing road system will be able to cope with.</p> <p>TA1 and TA2 – Suggesting that a cycle path between these new houses and Benenden Village centre will address these issues is simply not credible. How many families with more than one young child will be able or prepared to travel the approximately 4 Km each way twice a day to access the school? Also, elderly or disabled people would be unable to access the village in this way.</p> <p>However a more major concern for me is that any traffic generated from these new houses, that wishes to travel either to Tenterden (for the closest supermarkets/GP surgery etc) or north towards</p>	Yes	Yes	Mrs Jennifer Suthers	

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		<p>Maidstone will have to pass through the notoriously dangerous crossroads – known as Castletons Oak Crossroads. This is where the Benenden Road crosses the Cranbrook/Tenterden Road. I have lived along the road from this crossroads for nearly 30 years, and there are regularly serious accidents here – in fact there were two recently within a matter of weeks, and this is despite Ashford Borough Council colouring the road red to alert traffic to the danger. Having had my car hit at these crossroads, despite being stationary, and behind the lines coming from the Biddenden direction, I am constantly aware of the danger here. The house on the corner has been hit numerous times, as it was in the latest accident.</p> <p>Another concern about the amount of traffic that will be generated by the substantial number of new homes proposed concerns the single track lanes that run from the hospital site towards the road between Rolvenden and Benenden. These would also struggle to cope with the likely increase in car journeys.</p>				
BE_109	BDNP - Reg. 15 Submission.	<p>We make this representation to encourage the Parish to further consider inclusion of the site to the north of LS16, being the Paddock. This would expand site LS16 and so provide a much more attractive development, more in keeping with the traditions of Benenden. We have laid out our points in support of this below along with some general comments on the plan.</p> <p><u>Arguments to expand site LS16 (in size NOT number of houses):</u></p> <p><u>Access:</u></p> <p>Safe access will still be unlikely to be achieved given that access for site LS16 is unsuitable and the trees will have been lost for no purpose. The LS16 site is just below the brow of a steep rise which approaches a renowned, dangerous cross-roads (if this could be in any way improved anywhere in the plan then I think we would all appreciate that!). The visibility is further reduced by a hump in the road when looking towards the crossroads. This prevents a full view of on-coming traffic. Further to this, the entrance to Hortons Close is completely concealed creating a further hazard, this can be seen in the pictures below. In order to provide safe access, we hope that the Parish will consider including the site to the north into the plan. We have visually displayed the Paddock's visibility for you below:</p> <p><u>Views from the access that could be provided by the site to the north of LS16:</u></p> <p>These following pictures are taken standing at the current entrance to the Paddock. These show how much visibility the access here shows and how improved it is from the access achieved from site LS16. This would provide a safe access for a modest development.</p>	Yes	Yes	Charlotte and Helen Mortimer	

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		<p>Please see the attached document.</p> <p>Furthermore, Kent Design technical manual 2.3.3.2 requires 90m spacing of junctions on the same side of a main road. Therefore, this is likely to become an issue at planning application level and would be better dealt with now by expanding the site rather than risk delays or the possibility that the site is never delivered because it is not feasible.</p> <p>Finally, with access further down New Pond Road, the 30 mph zone could be moved even further back along the road which would benefit the village by making the crossroads safer.</p> <p><u>Aesthetics:</u></p> <p>There are many reasons for this plot to be expanded. The most important being that Benenden will be more likely to benefit from a beautifully designed, modest development providing a maximum of 20 houses on this plot. If the site is expanded it will be in a much better position to provide public space, greenery, gardens, allotments and home working space instead of becoming a cramped, urbanised development. The picture of the proposed site below demonstrates this.</p> <p>Please see the attached document.</p> <p>This is how LS16 will look with the proposed number of houses. We imagine that this would not be appealing to the Parishioners of Benenden. There is no public space or greenery. The trees have been removed from the site and lost. The area looks cramped and not in keeping with Benenden's beauty or housing densities. With the inclusion of the Paddock, the development could look like this:</p> <p>Please see the attached document.</p> <p>This provides for green spaces, private large gardens, and plenty of open space and parking. Furthermore, it would allow the tree row which currently blocks LS16 from site to remain which would prevent the view being significantly affected when approaching the village along New Pond Road.</p> <p><u>Footpath:</u></p> <p>We think that the call for a 'rural' public footpath along New Pond Road is fantastic and long overdue. If possible, we feel the Parish should look to extend this further to reach the cottages which abut the Roman Catholic Church on New Pond Road or even all the way to Hempstead,</p>				

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		<p>although we understand that may not be feasible. Firstly, this will provide a safe way for residents, who currently walk on the road with children, to reach the village centre. It could also lead to increased footfall through the village shop if people feel they can “pop” to the café. It would be fabulous if the path reached Hempstead and we feel this could really increase Benenden’s appeal for family day trips if they could park in Hempstead and walk to the Village for lunch (or snacks). It would also provide a way for residents to make better use to the forest. Both my sister and I run in Hempstead and feel it would be great not to have to get in the car to get there.</p> <p><u>Views:</u></p> <p>We fully agree that views should be as protected as possible – the view as you leave Benenden towards Iden Green is truly beautiful. Looking at the development of site LS16 the view on the approach from New Pond Road could be better preserved if LS16 retains the current wall of trees which would block a development from sight. This can only be safely achieved if the site is expanded to the North, i.e. the Paddock. If the site is not expanded then the developers will have to remove the entire frontage in order to attempt to gain safe access and enough space for the proposed density of houses. The extension of LS16 into the north site would not affect any views which have been specifically listed in the plan on pages 27 or 28. It would also help to protect the view when approaching the village along New Pond Road. Any development on the Paddock would be shielded by the woodland which currently abuts the site and then the development on LS16 would be shielded from sight due to the complete frontage of trees currently in situ.</p> <p><u>Environment:</u></p> <p>The Paddock does not affect or come close to any highly protected green spaces as listed on page 33.</p> <p>The Paddock does not affect any Public Rights of Way listed at page 34.</p> <p>By extending the size of LS16, many more opportunities arise in terms of the development plan for the plot. One option would be that there would be space for allotments within the development. If these were offered to both current and the new residents it should help integration and the sense of village life and community.</p> <p>The LS16 is currently covered by around 50% in trees. On page 36 of your plan it states that there is a presumption in favour of preserving trees. However, to build 18 – 20 houses, all trees on the plot would need to be felled. The aim should not be to build over these trees but to have a</p>				

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		<p>development big enough to build around the trees and preserve the environment of the plot. If the site is expanded, this can be achieved.</p> <p>You have noted that Site LS16 is well screened. Should the site be developed this will no longer be the case as in order to provide suitable visibility for access the trees lining the road will likely require removal. Therefore, we argue that the site should be expanded to the Paddock land neighbouring this site, which has been put forward, to be included within the plan.</p> <p><u>Dwelling size and Density:</u></p> <p>We agree that there needs to be a good variety of properties in Benenden which includes smaller units as prescribed in the proposed plan. We might suggest that the smaller units are encouraged to be designed with access for elderly people in mind. This is because the likely demographic of potential purchasers of smaller dwellings in Benenden will likely be of an older generation. Bungalows are currently in higher demand and perhaps developers could be encouraged through the plan to provide attractive bungalows for elderly citizens in the new developments.</p> <p>You mention that the BNDP has argued for development to be kept at an appropriate density. However, looking at the recommended number of dwellings on each site this is unlikely to happen. You show that the average density per hectare in Benenden is 10. Looking at Hortons Close, there are 13 houses on the same size site as LS16. This is already at a density of 17 dph. The proposed plan goes much further and puts 20 houses on the same sized site and so contravenes the density requirements. Given there is already insufficient space on the site for the designated houses there will be no room for environmentally friendly preservation areas or public spaces. It will not look like a village development.</p> <p><u>We note that there is an indicative plan for the Alms Houses which shows that the houses fit and leave green space and parking. Why has no indicative plan for site LS16 been provided?</u></p> <p>The more we are able to reduce the dph of the developments, the better development we are going to be able to provide the village with.</p> <p>It is noted under Constraints for site LS16 that the development is to be “contained within the existing site boundaries”. This need not be a constraint as the abutting site to the North has been put forward for consideration in the local plan and would make a good extension of site LS16 to allow for a more considerate development. The development will be better able to protect the landscape and natural environment of site LS16 if it is expanded to include the Paddock to the</p>				

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		<p>North of the site. This is because the dwellings will be able to better spaced further apart and more land can be used as green space.</p> <p><u>Future Planning:</u></p> <p>Previously the plan imposed a condition that development of LS16 must not impact the future developability of the land to the North of the site, being the Paddock. This was at point 8 of Policy AL/BE 2 and stated; “The layout, including hard and soft landscaping, to be designed so as not to prejudice the future provision of a suitable vehicular access with appropriate visibility splay(s) to the land located to the north”. <u>Why has this been removed?</u></p> <p>It is noted that the TWBC Local Plan 2006 adopted LBD did not provide a sufficient five-year supply of residential housing. Therefore, such a suitable site should be protected for future use and the condition should remain in the plan. <u>Please reinstate the condition as originally included.</u></p> <p>There will likely be the need for development again in the future. It may not be for 50 years but we should ensure that this plan takes that into account and in no way prevents sustainable, suitable future development. <u>Please reinstate the condition originally included.</u> It does not affect your current plan to include this condition and leave some protection for the Paddock.</p> <p><u>Limit to Built Development:</u></p> <p>The proposed LBD has excluded our home, Old Manor House. The Old Manor House was part of the original Benenden settlement and its history dates back close to a 1000 years when it was a fortified dwelling with full moat, most of which remains. It seems strange to remove a property which was previously adopted as part of Benenden’s built development in 2006. <u>How is it no longer part of the built development?</u></p> <p>Furthermore, the property was included in the original draft and we find it hard to believe that representations were made by parishioners that they wanted the LBD amended to remove our Property.</p> <p><u>Transport:</u></p> <p>We support the prioritisation of transport and infrastructure. As a young person who grew up in Benenden the public transport was and is very lacking. If we were better connected this may draw</p>				

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		<p>more families into Benenden because their children could have a rural raising but be connected to more towns and therefore activities and sports et cetera.</p> <p><u>Conclusion:</u></p> <p>We wholly support site LS16 being adopted. However, we feel that at the current proposed density there is insufficient land to meet this in a sympathetic manner to the village. A more suitable development can be provided to the village by expanding the site to the north to include the Paddock. This extends the size of the site and allows the opportunity to create a beautiful, high quality development that Benenden can be proud of. It will be well shielded and have a limited impact on the village outlook.</p> <p>Most importantly though, safe access can only be provided if the site to the north is included to ensure long, clear visibility splays.</p> <p>See images from full representation</p>				
BE_110	<p>1 Foreword (P5)</p> <p>2 Strategic Approach (P10-12)</p> <p>3 Benenden Parish and Limits to Build Development (P13-16)</p> <p>4 Policy LE2 Distinctive Views (P31)</p> <p>5 Transport and Infrastructure (P95-106)</p> <p>6 Supporting Document HS4</p> <p>7 Supporting Document HS3</p>	<p>1. Foreword (P5)</p> <p>1.1 The foreword of the Neighbourhood Development Plan 2020 - 2036 Regulation 15 Submission dated September 2020 (paragraph 2) states that the Plan enabled “<i>the village</i> to have an active role in influencing growth in the parish”. Whilst I support the principle of neighbourhood planning, this is clearly a plan developed by the village with the benefit of financial support and professional advice, not by the parish as a whole. The residents of the East End area have had no representation in the production of this plan. Like many residents of East End, I am not plugged in to village networks . When I was eventually made aware of the Regulation 14 consultation by a neighbour in 2019, I took the trouble to obtain a copy of the document (not easy until late in the consultation period) and submitted comments, including details of factual inaccuracies. More than 120 residents of East End also submitted objections. However, little seems to have changed in the Regulation 15 submission and inaccuracies also remain. The unavoidable impression is that the agenda of the group has been centred on the village itself at the expense, in many cases, of the parish as a whole.</p> <p>2. Strategic Approach (P10-12)</p> <p>2.1 Point 4 identifies that many approved development sites suffer from ‘mission creep’. Initial permission is granted for a modest development on part of a site which does not have clear boundaries. As a result, subsequent applications to extend the development onto adjacent land may prove difficult for parish councils or Local Planning Authorities to resist. The BNDP states that it gives greater weight to sites with clearly defined boundaries and assumes that any allocated site</p>	Yes	Yes	Andrew Marks	

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		<p>will be fully built out at a density in line with the appropriate site-specific policy. The proposed sites in East End are absolutely an example of 'mission creep'.</p> <p>The hospital was allowed to build its new wing and associated car parks on undeveloped land, and in fact during construction a paddock on the opposite side of Goddards Green Road was hard-surfaced to provide contractors car parking and has never been reinstated, despite the hospital telling local residents at a meeting that it would be. It has now become permanent car parking and will now undoubtedly be presented as brownfield in future. This creeping appropriation of undeveloped land and corresponding release of previously developed land is apparently now being rewarded by allocating it for housing development. The South side was given planning permission for 24 houses at the time the new wing was approved; under the new BNDP this is increased to 46-49, and in February 2020 we attended a presentation which proposed to increase the size of the site and again increase the number of units yet again. In addition, land to the North side is proposed to be allocated, and it appears the Hospital continue to put forward further blocks of land for development. If this is not 'mission creep', I don't know what is.</p> <p>2.2 Point 5 The BNDP states that it gives greater weight to previously developed or 'brownfield' sites, provided development will not adversely impact on local employment. However, a number of smaller previously developed sites were rejected while the East End sites, which are not typical brownfield in that they contain substantial areas of open space and Local Wildlife sites and are highly visible from the AONB, were allocated for substantial housing development.</p> <p>2.3 Point 6 The BNDP particularly supports the development of sites which are outside the AONB as long as any detrimental effect on the environment, the landscape and recreational opportunities can be moderated. The proposals put forward contradict this statement.</p> <p>2.3.1 Benenden Hospital and the proposed development sites at East End lie along the ridgeway and watershed between the Rother and the Medway. As such they occupy an elevated position and are highly visible from within the AONB. In fact the boundary of the AONB appears to have been drawn round the Hospital site so it impacts the views in many directions. The Hospital and its extensive car parks are already highly lit at night, despite apparent representations from the Parish. Further development on the watershed will intrude even more into the views from within the AONB, counter to the AONB Management Plan, which the Borough Council has adopted.</p> <p>2.3.2 Document HSA4 "High Weald AONB Advice on Benenden Neighbourhood Plan Sites" gives advice on some sites but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although most new development is proposed for these sites. High Weald AONB objects to sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. It states; "In our view the development at Benenden</p>				

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		<p>Hospital will have a significant effect on the setting of the AONB and the purposes of its designation and this issue has not been properly considered by the Plan”.</p> <p>2.4 Point 9 The BNDP allocates 2 sites on ‘brownfield’ land beyond existing settlements. The Plan states that each site has specific policies designed to improve long term sustainability. I have read carefully through SSP3 (P62-65), which is then repeated in SSP4, and make the following comments:</p> <p>2.4.1 There are no community services or facilities currently in East End around which to base a new settlement, as the BNDP states.</p> <p>2.4.2 Supporting Document TA2 outlines the proposed ‘active travel link’ which is supposed to enhance the sustainability of development at East End, but the document itself identifies that the geography does not lend itself to this “link”, currently a cross-country footpath and a 1 hour walk. The proposed cycle route between East End and the village including the existing footpath from Green Lane to Walkhurst Lane is around 3 miles, and the route crosses three steep-sided valleys. It would not improve connectivity in any practical way and tarring or otherwise hard surfacing the existing footpath where it passes along the old green lane through undeveloped woodland and farmland would be detrimental to the landscape and environment within the AONB. If it were feasible to develop such a route it would be purely for recreational use and would do nothing to encourage a ‘one-village’ feeling. That is just wishful thinking and tries to mask the fact that the proposed satellite village is more than 2½ miles from Benenden village. The Draft Local Plan 2019 stated that there was good potential to improve connectivity to Benenden. I am unaware if there are other schemes under consideration, but this unrealistic proposal does not represent good potential.</p> <p>2.4.3 The proposal to reduce the speed limit to 20mph through East End to improve road safety and mitigate the impact of large increases in vehicle movement could equally be applied to the other sites where road safety was identified as a constraint to housing development, eg LS4 and LS18.</p> <p>2.4.4 I understand that use of the tennis courts at East End by residents is already a Section 106 condition of the extant planning permission for 24 houses on Site 424, although the Hospital is now canvassing to have this condition removed. In addition the Local Wildlife Sites (which include the old cricket pitch) are not to be included in areas for sport and recreational use. I cannot see where the proposed area for sport and recreational use and children’s play area required as a condition for development on the North side are to be sited.</p> <p>2.4.5 It is unrealistic to propose that a viable cafe/retail outlet could be run at East End even if premises are ‘provided’. The current shop in Benenden village, which has a larger population, is able to stay open only because of support from Benenden School and the work of volunteers.</p>				

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		<p>Previously, at Benenden hospital, a shop and other facilities of which the local community derived a benefit, were removed by the Hospital management; presumably because they were not sustainable.</p> <p>2.4.6 The existing chapel (St Margaret's) is tiny. While I understand the Church Council may be willing to allow it to be used as a community space, it could only be sufficient for a meeting room, and would not be suitable for events or a pre-school or play group as proposed in SSP3/4.</p> <p>2.4.7 I question whether any developer would be willing to provide a minibus for the use of Benenden Primary School and provide funding to maintain and run the minibus service to/from Benenden village/Primary School to serve school times thus reducing traffic and improving sustainability. From occupation of 50% of the residential units covered by SSP3 (46-49 units) for 10 years from commencement. This policy assumes that approval will be given for all the proposed development at East End (46-49 units on the South side and 18 + 22-25 units on the North side, giving a maximum total of 92 units). I also question whether this condition could be enforceable.</p> <p>2.4.8 The KCC Hopper Bus trial (which also served Benenden village and Iden Green): There is no reference to this at the time of writing (December 2020) on the KCC Rural Transport Initiatives web pages and I can only suppose it sank without trace.</p> <p>3. Benenden Parish & Limits to Built Development (LBD) (P13-16)</p> <p>3.1 The proposed Limits to Built Development around Benenden appear to have been simply redrawn to accommodate the preferred sites (One of the reasons for my comment in para. 1.1 above). It would therefore be possible to extend them to encompass other highly feasible sites in the village which would be close to and support services and improve the sustainability of the village. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Development in East End will do little to enhance or maintain the vitality of Benenden or support services there.</p> <p>3.2 The Strategy proposes that the LBD at Iden Green is removed "as the settlement has limited key facilities and bus services, making it unsustainable in this context". Iden Green has considerably more facilities than East End and is only 1 mile from additional services in Benenden village with an established hard-surfaced footpath, whereas East End is almost 3 miles from the village. If development in Iden Green is unsustainable, surely development in East End is even more so.</p> <p>3.3 East End is not a discrete settlement and therefore does not have an LBD because there should be no major development away from existing settlements. East End has always been a scattered collection of farms and houses rather than a discrete village or hamlet, and any clustering has been due to Benenden Hospital building a small amount of its own staff</p>				

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		<p>housing. On the other hand, Benenden village and Iden Green are already distinct settlements and have been defined as conservation areas, whereas East End is not a distinct settlement and therefore remains as part of the wider landscape.</p> <p>3.4 At the time of the last conservation area review in 2005, the wider landscape setting remained outside the boundary of the conservation area as “it is currently protected through Local Plan policies and other designations, particularly the High Weald Area of Outstanding Natural Beauty” (Benenden and Iden Green Conservation Areas Appraisal 2005, 1.15). It appears that any protection from Local Plan policies is proposed to be removed from the wider landscape setting.</p> <p>3.5 Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. The LBD is ignored by Policies SSP3 and SSP4 which puts its value into question.</p> <p>3.6 I would like to draw attention to the planning policies that have applied in our neighbouring parish of Biddenden. The village centre is picturesque, and new housing has been developed behind the largely older houses that line the main roads. There has been no development of new settlements in an equally rural parish, and the new housing allocations within the village have not spoiled its character and have added to its sustainability and vitality. In Benenden, there is opportunity for highly sustainable development in the same way behind the ribbon development along the main roads. Why then is the proposed LBD drawn so tightly as to strangle any sustainable development and essentially ‘freeze’ the village?</p> <p>4. Policy LE2 Distinctive Views (P31)</p> <p>4.1 The views identified in Fig 10 and 11 are representative of the wonderful views all across the parish but they are only a subjective selection and not the only ones that should be protected.</p> <p>4.2 As stated in 2.3.1, Benenden Hospital was built on the ridgeway and watershed between the Rother and the Medway partly because of those views. As such the hospital and the proposed development occupy an elevated position and are highly visible from within the AONB. In fact the boundary of the AONB appears to have been drawn round the Hospital site so it impacts the views in many directions. The Hospital and its extensive car parks are already highly lit at night, despite apparent representations from the Parish. Further development on the watershed will intrude even more into the views from within the AONB, counter to the AONB Management Plan, which the Borough Council has adopted.</p> <p>5. Site LS41 Land at Benenden Hospital, North of Goddards Green Road, East End — North East Quadrant (NEQ) (P65)</p>				

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		<p>5.1 This Plan supports refurbishment or redevelopment of the existing 18 dwellings and the building of an additional 22-25 dwellings, giving a building density of no more than 22 dwellings per hectare</p> <p>5.2 I would support the refurbishment of the 18 semi-detached houses in Wood Lane and along Goddards Green Road, which the hospital no longer requires for its own staff, and suggest they be offered for sale individually as affordable housing to local people, who could refurbish them themselves. Alternatively, they could be offered to a housing association for refurbishment. These houses may be outdated and no longer required to meet the Hospital's accommodation needs, but their current dilapidation is overstated. Rather than standing empty and eventually being demolished to make way for new housing, these empty homes could meet an immediate housing need and the Hospital could realise immediate benefit from their sale. One of the key issues for villages highlighted in the Core Strategy is to meet local needs for affordable housing.</p> <p>5.3 I have examined the plan and description of Site LS41 as shown in the Neighbourhood Plan, and I am unable to see where the 22-25 additional dwellings would fit. The tennis courts are currently part of a Section 106 agreement (see 2.4.4 above), but also appear to be earmarked as a children's play area, so at present they have been allocated twice. If the proposal is that the extra 22-25 units would be situated on the existing staff car park, that is still not sufficient space. The remainder of the site is a Local Wildlife site and should be protected. Furthermore I passed the car park this morning and it was completely full. If this development were to go ahead as proposed in the BNDP, the hospital would undoubtedly identify a need for increased car parking and hard surface yet another part of their greenfield estate, thus encroaching further into the landscape.</p> <p>6. Transport and Infrastructure (P95-106)</p> <p>6.1 It is stated that Benenden Hospital offers an ATM and café which are available for use by residents. The Hospital may provide these for its customers (patients and visitors) although I have been told that this is actually a coffee machine, but they have never been advertised as open to residents, and as a local resident I was not aware they were available to me.</p> <p>6.2 The proposed 'active travel link' between the village and East End is not feasible or realistic (see 2.4.2), even without landowners specifically refusing to consent to construction of a cycleway through their property.</p> <p>6.3 The photographic "evidence" presented in the BNDP is highly selective. The pictures of congestion in The Street, Benenden (P105-106) were taken during construction of the new primary school when there were temporary traffic lights. The pictures of the Castleton's Oak blackspot (P100) show no traffic at all. In fact, despite the traffic calming measures shown the cottage in the photograph recently had a car embedded in the front of it and serious accidents continue. The</p>				

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		<p>accident records of the crossroads at Benenden village and the Castleton's Oak speak for themselves.</p> <p>6.4 BNDP have consistently ignored the concerns of Biddenden Parish Council regarding the potential increase of traffic at Castleton's Oak, and have not even replied to their representations.</p> <p>7. Supporting Document HS4 High Weald AONB Site Assessment</p> <p>7.1 Document HSA4 "High Weald AONB Advice on Benenden Neighbourhood Plan Sites" gives advice on some sites but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although most new development is proposed for these sites. High Weald AONB objects to sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments.</p> <p>7.2 Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above).</p> <p>8. Supporting Document HS3 Individual Site Assessments</p> <p>8.1 Sustainability: Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, a church, a community centre and a regular bus service yet these sites are ruled out as unsustainable but sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in.</p> <p>8.2 The proposed LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where BNDP hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum on two sites. Site 158 was, in that referendum, chosen by the village as the preferred site. Up till July 2018, TWBC planned up to 174 houses on the site.</p> <p>8.3 Policy T2 on improving road safety. Site LS16 on the New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the "speed of traffic on New Pond Road". Also, HSA3 proposes development of LS22 at a later date as a way of blocking development of site 158. Development staggered over time would mean two exits onto New Pond Road instead of one. Also, LS4 (Hams Travel) is ruled out because of a 'dangerous exit' onto Cranbrook Road, but two</p>				

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		<p>sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in.</p> <p>8.4 Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by existing 18 dwellings. Where would the extra 24, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.”</p> <p>8.5 Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses, on top of the existing permission for 24 (unbuilt), to be built, according to the hospital architect’s plans, over Local Wildlife Sites (see attached Clagues’ – the hospital architects - plan for housing on site 424/40b)</p> <p>8.6 Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), LS21 (Little Weavers Iden Green) and LS18 (Pullington Farm) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>8.7 Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII’s competition for an avant garde sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain’s Heritage campaign which merits consideration. Among its advantages is the fact that, unlike some of the new hospital buildings, it would present a relatively unchanged aspect from the AONB. Previous suggestions retaining the character of this asset have been ignored.</p> <p>8.8 Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>8.9 Affordable housing: BNDP advocates affordable housing (page 12) while proposing most development at a site (LS41 and 424/40b, Policies SSP3 &4) over 2 miles from the village and the school, where two cars would be essential for a family with both parents working.</p> <p>9. Friends of the East End (FOE) This is a local group opposing BNDP plans for a quasi new village at Benenden Hospital. On 4 April 2019, 127 FOE supporters presented a petition protesting the NDP; on 31 October 2019, 164 FOE members protested again; and on 11 November 2019, 167 FOE supporters protested against the Benenden section of the Local Plan, which largely echoes the Benenden NDP. I completely support their aims and objectives in getting the voice of parish residents outside the village heard and their wish to be invited to appear before the Independent Examiner.</p>				

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BE_111	<ul style="list-style-type: none"> • Section 2.7.2 Site Assessments made by the AONB Unit – p48 • Sites at East End, Benenden – p59 • Section 2.9.3 - Sites 424/LS40b – p60 • References to the Benenden Sanatorium throughout the document 	<p>We wish to draw attention to a serious omission in the draft Neighbourhood Development Plan (NDP) concerning the 1906 Sanatorium which, in our view, is a building of strong historical interest as a Royal commission by Edward VII, as well as being of considerable architectural merit.</p> <p>Whilst the Secretary of State did not to include the Sanatorium on the National Heritage List for England (April 2020), Historic England's Report did conclude that the building is "<i>clearly of local historic interest</i>" and as such, the NDP should recognise the building as a <i>non-designated heritage asset</i>. The Report can be found here.</p> <p>Further, we have concerns that comments from the High Weald AONB Unit have not been incorporated into the draft NDP. The Unit objected to the proposed site allocation at Benenden Hospital in the Draft TWBC Local Development Plan in November 2019. They note: '<i>The redundant hospital building, an example of early British Modernism, provides an important contribution to the cultural history of the High Weald. It embodies the ambition of the 1949 National Parks and Access to the Countryside Act, under which AONBs are designated, which was to provide a natural health service to mirror the National Health Service created one year previously. Funded by the union movement, Benenden Sanatorium was built for postal workers suffering from tuberculosis. It occupies a rural location with clean air and long views over typical High Weald countryside.</i>' and conclude that '<i>In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation and this issue has not been properly considered by the Plan.</i>'</p> <p>The High Weald AONB Unit comments to the Tunbridge Wells maybe found here.</p> <p>The NDP should therefore accord with the draft Local Plan and acknowledge the local cultural and historic significance of the Sanatorium and the desirability of retaining this building in order to protect the High Weald AONB, particularly in:</p> <ol style="list-style-type: none"> 1. Section 2.7.2 Site Assessments made by the AONB Unit 2. Section 2.9.3 Sites 424/LS40b, site allocation details for the Benenden Hospital South East Quadrant site. <p>SAVE also considers that the draft NDP proposals for 49 homes are in conflict with the policies in Tunbridge Wells Local Plan, which are to support modest-scale housing development to meet local needs with a mix of well-designed, high quality, sustainable and affordable housing.</p> <p>On our own initiative, SAVE has had discussions with developers City & Country following their very successful adaptation and conversion of Benenden's sister Sanatorium at Midhurst in 2015. SAVE has produced a viable and sustainable retention scheme for the Sanatorium site, which</p>	Yes	Yes	Benedict Oakley	

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		<p>would conserve the hospital building, with the previously approved 24 new houses built behind (planning permission reference: 12/03130/EIAMJ, 30th May 2013).</p> <p>The SAVE proposal also accords with an aspiration set out in the NDP supporting development “<i>only on the footprint of the existing buildings.</i>” This demonstrates that a heritage led housing scheme retaining the Sanatorium can provide a return to the developer, while protecting the AONB and meeting the objectives of the plan. Details of this alternative scheme maybe found here.</p> <p>We therefore request that the NDP is amended to acknowledge the significance of the Sanatorium and the desirability of retaining this building.</p> <p>Finally, the sanatorium building is c.9500m², which if demolished would have a huge carbon cost. Supporting a development of this nature would be at odds with Tunbridge Wells Council’s declaration of a climate emergency on 17th July 2019.</p> <p>Recommended amendments to the draft NDP:</p> <table><tr><td>Section 2.7.2 Site Assessments made by the AONB Unit</td><td>p48</td><td>Append the second sentence to include: <i>..., and retain key non designated heritage assets that contribute to the established character of the AONB, such as the Benenden Sanatorium.</i></td></tr><tr><td>Sites at East End, Benenden</td><td>p59</td><td>Additional sentence to the first paragraph: <i>The site contains two heritage assets – the grade II Lister Building, and the 1906 Sanatorium Building, a locally significant non-designated heritage asset.</i></td></tr><tr><td>Sites at East End, Benenden</td><td>p60</td><td>Additional dot point to the justification for a masterplan: <i>Heritage assets are protected and enhanced</i></td></tr><tr><td>2.9.3.1 Reasoned Justification</td><td>p60 p61</td><td>Second sentence:</td></tr></table>	Section 2.7.2 Site Assessments made by the AONB Unit	p48	Append the second sentence to include: <i>..., and retain key non designated heritage assets that contribute to the established character of the AONB, such as the Benenden Sanatorium.</i>	Sites at East End, Benenden	p59	Additional sentence to the first paragraph: <i>The site contains two heritage assets – the grade II Lister Building, and the 1906 Sanatorium Building, a locally significant non-designated heritage asset.</i>	Sites at East End, Benenden	p60	Additional dot point to the justification for a masterplan: <i>Heritage assets are protected and enhanced</i>	2.9.3.1 Reasoned Justification	p60 p61	Second sentence:				
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BE_112		Duplicate of BE_109 [submitted online and by email]			Yes	Yes	Charlotte and Helen Mortimer									
BE_113	Site Specific Policy 3 Site Specific Policy 4 Transport and Infrastructure – Policies T1 – T5	The Benenden Healthcare Society are broadly supportive of the Neighbourhood Plan. Please see the accompanying Representation document for further details. <i>Representation copied below but see full representation attached for site plan</i> 1. Introduction			Yes	Yes	The Benenden Healthcare Society	Savills Planning								

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	Please see accompanying Representation Document	<p>1.1. These representations are provided on behalf of the Benenden Healthcare Society (hereinafter referred to as the Society) in response to the Benenden Neighbourhood Plan Regulation 16 Consultation which closes at 17:00 on the 11th December 2020.</p> <p>1.2. These representations follow previous representations made to the Regulation 14 Consultation on the Benenden Neighbourhood Plan by the Society in October 2019. The Society has also made representations to the Tunbridge Wells Local Plan Regulation 18 Consultation in November 2019.</p> <p>1.3. The Society owns approximately 236 acres of land within the Neighbourhood Plan Area, surrounding the Benenden Hospital at East End.</p> <p>1.4. As acknowledged in the Submission Neighbourhood Plan, the largely rural Parish consists of three main settlements, Benenden, Iden Green and East End, with East End being dominated by the Hospital.</p> <p>1.5. Benenden Hospital is the largest complex of buildings and the largest employer in the Parish. As a result any development at Benenden Hospital is integral to the Neighbourhood Plan and therefore the Society has a keen interest in its progress.</p> <p>1.6. The Society welcomes the opportunity to provide comments on the Submission Neighbourhood Plan and looks forward to continuing to work with the Neighbourhood Plan Steering Group during examination of the Plan.</p> <p>2. The Sites</p> <p>2.1. The Society put forward three sites for residential development through the Neighbourhood Plan. These consist of the North East Quadrant, a 3.7 hectare site to the north of Goddard's Green Road, the South East Quadrant, a 4.2 hectare site to the south of Goddard Green Road and Clevelands, a former agricultural site to the east of Green Lane comprising a number of former agricultural buildings.</p> <p>2.2. It is noted that the Neighbourhood Plan does not allocate Clevelands for development and therefore these representations will focus on the North East and South East Quadrants, which have been allocated in the draft Neighbourhood Plan for residential development.</p> <p>South East Quadrant</p> <p>2.3. The South East Quadrant comprises an area of approximately 4.2 ha, bordered to the north by Benenden Road / Goddard's Green Road, to the west by Green Lane and to the south and east</p>				

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		<p>by open parkland and then agricultural land. It is occupied by a number of hospital buildings and therefore constitutes previously developed land.</p> <p>2.4. The South East Quadrant falls just outside of the High Weald Area of Outstanding Natural Beauty (AONB) which extends to the south, east and west, abutting the site boundary to the south. It is located entirely within Flood Zone One, which means there is a low risk of flooding on the site.</p> <p>2.5. The South East Quadrant does not contain any heritage assets, although the Benenden Chest Hospital Lister Wing Building, which is situated to the west, across Green Lane, is Grade II Listed (UID: 1203809).</p> <p>North East Quadrant</p> <p>2.6. The North East Quadrant comprises an area of approximately 3.71 ha, bordered to the south by Benenden Road / Goddard's Green Road, to the north and east by Mockbeggar Lane and to the west by the Benenden Hospital.</p> <p>2.7. It falls just outside of the High Weald AONB, the designation of which ends to the west of the site, following the boundary of the wider Benenden Hospital site. It is also located entirely within Flood Zone 1 and therefore has a low chance of flooding.</p> <p>2.8. The North East Quadrant does not contain any heritage assets. It consists of 18 existing residential units, two tennis courts, a car parking area and a cricket pitch which is unused and which forms part of a Local Wildlife Site (LWS).</p> <p>3. Representations to the Benenden Neighbourhood Plan</p> <p>3.1. The Submission Neighbourhood Plan allocates four sites for residential development which will provide approximately 90 additional homes within the Neighbourhood Plan area. Both the South East Quadrant and the North East Quadrant are allocated for residential development in the Neighbourhood Plan for a combined total of between 44- 50 additional residential units (above the 24 dwellings already consented on the South East Quadrant through planning permission reference: 12/03130).</p> <p>3.2. This equates to more than half of the Neighbourhood Plan housing allocations and therefore it is clear that the allocation of land for residential development at Benenden Hospital is vital to the development strategy put forward in the Benenden Neighbourhood Plan.</p> <p>3.3. The sites are referred to in the plan as site 424 – Hospital South (the South East Quadrant) and site LS41 Hospital North (the North East Quadrant) and are allocated for development of between 22 and 25 additional homes each (44 - 50 additional dwellings in total). The Society</p>				

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		<p>welcomes the allocation of the two sites for housing development and takes this opportunity to reaffirm the availability of the sites for residential development.</p> <p>3.4. As the Neighbourhood Plan Steering Group will be aware, the Regulation 18 version of the Tunbridge Wells Local Plan (TWLP), which the Society also provided representations to, similarly allocates this land at Benenden Hospital for residential development.</p> <p>3.5. The TWLP allocates the two sites for 66 – 72 new residential units. However, this takes into account the extant permission at the South East Quadrant. Unfortunately, the TWLP mistakenly identifies the extant permission at the South East Quadrant as providing 22 units. As correctly identified by the draft Benenden Neighbourhood Plan, the South East Quadrant has planning permission (Ref. 12/03130) for 24 dwellings not 22.</p> <p>3.6. It is understood that the intention in the TWLP was to also allocate the two sites for a total of 44- 50 new residential units, as per the Benenden Neighbourhood Plan. Representations seeking to correct this error and clarify that the TWLP should allocate the two sites for 68-74 dwellings (accounting for the extant permission for 24 dwellings at the South East Quadrant and not 22) were made to the Regulation 18 consultation on the TWLP in November 2019.</p> <p>3.7. Unlike the Neighbourhood Plan, the TWLP does not split the site into two components, it simply provides a broad location for development encompassing the entire hospital site, however, anticipating that the error in the TWLP will be corrected in the next iteration of the Local Plan, the two allocations align in terms of proposed unit numbers.</p> <p>3.8. It is the intention of the Society to bring forward development on the two sites identified through the Neighbourhood Plan, which lie within the broad allocation in the TWLP. The Society welcomes the consistent approach to unit numbers, and the allocation of both parcels of land through the Benenden Neighbourhood Plan and the TWLP.</p> <p>3.9. The Society have been in discussions with both the Neighbourhood Plan Steering Group and Tunbridge Wells Borough Council (TWBC) regarding the development of land at the hospital and have previously had positive pre-application discussion with TMBC regarding the development of the South East Quadrant. The Society also held a positive public consultation event on the 17th February 2020 regarding the future development of the South East Quadrant.</p> <p>3.10. The progress to date in relation to the South East Quadrant provides support for the allocations, demonstrating that the site is available and can be brought forward for the proposed quantum of development. As the North East Quadrant does not benefit from an extant permission, it is currently the intention of the Society to progress proposals on this parcel of land once either</p>				

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		<p>the Neighbourhood Plan, or the TWLP has been adopted and the allocation is confirmed through an adopted policy.</p> <p>3.11. In addition to the allocation of the two sites identified above through the Submission Benenden Neighbourhood Plan, the Neighbourhood Plan also seeks to create two site specific policies relating to the two development sites, which are considered overleaf.</p> <ul style="list-style-type: none"> • <i>Site Specific Policy 3 (SS3): Land at Benenden Hospital, South of Goddard's Green Road, East End - South East Quadrant (SEQ) (ISA reference: site 424 and LS40b), and</i> • <i>Site Specific Policy 4 (SS4): Land at Benenden Hospital, North of Goddard's Green Road, East End - North East Quadrant (NEQ) (ISA reference: site LS41).</i> <p>4. Site Specific Policy 3 – South East Quadrant</p> <p>4.1. Site Specific Policy 3 requires a masterplan for the future development of the Hospital Estate to be prepared in order to ensure that a well-designed and functional space is brought forward through the proposals. The policy specifies that the South East Quadrant will be the first phase of development to be built out prior to the commencement of other phases.</p> <p>4.2. The Society does not object to the proposed phasing of development which is consistent with the Society's intention to progress the development on the South East Quadrant prior to beginning development on the North East Quadrant.</p> <p>4.3. The policy also includes 14 key requirements for the development of the two sites. These 14 requirements are reproduced below alongside the Society's comments in relation to each.</p> <ol style="list-style-type: none"> 1. <i>Provide a residential development of an additional 22-25 C3 dwellings, with affordable housing in accordance with TWBC policy and a mix of type and size integrated throughout the development to help meet locally identified needs (see Policy HS2).</i> <p>4.4. The Society broadly supports this requirement.</p> <p>4.5. However it is requested that the text is expanded to clarify that it may not be appropriate to provide affordable housing on site in this instance, in which case a contribution towards off site provision could be acceptable provided it is justified.</p> <ol style="list-style-type: none"> 2. <i>Ensure that design, scale, massing and overall density create a sense of place and focus to the residential communities and reflect the character and rural nature of the East End area adjacent to the AONB, whilst acknowledging the scale of adjacent hospital buildings.</i> 				

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		<p><i>Density must not exceed 22 dph (See Reasoned Justification para. 2.9.4.1). Building heights should generally be restricted to two storeys.</i></p> <p>4.6. The Society supports this requirement and will seek to ensure that an appropriate and high standard of design is provided through any development at the hospital site which does not exceed the stated density of 22 dph across the site.</p> <p>3. <i>Include the provision of adequate parking facilities to avoid on-street parking both within and beyond the development. Reference should be made to the Design and the Built Environment chapter para. 3.6 and Policy BD6 for determining the quantity of vehicle parking spaces in the context of a generally high reliance on private cars in this area. If provided, garages will not count towards the required quantity of parking spaces. Dwellings to be provided with electric car-charging facilities.</i></p> <p>4.7. The Society is satisfied that appropriate parking provision can be provided on site with the proposed dwellings when the detailed design work for the final site layout is progressed.</p> <p>4. <i>Have close regard to the design and materials requirements specified in the Benenden Neighbourhood Plan under the Design and the Built Environment chapter and the policies contained therein.</i></p> <p>4.8. The Society does not raise any concerns with this requirement and would seek to ensure that the proposed materials and design reflect that present in the immediate area as well as the wider parish, to ensure an appropriate appearance to the development is achieved.</p> <p>5. <i>Provide private garden space and/or shared semi-private spaces, all enclosure to be appropriately planted and screened with native hedging species to protect the occupiers privacy (see policy BD4).</i></p> <p>4.9. The Society supports this requirement.</p> <p>6. <i>Regard to be given to existing hedgerows and mature trees on site (see Policy LE5), with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and landscape and visual impact assessment (see TWBC DLP Policy EN14: Trees, Woodlands, Hedges, and Development and criterion 3 of TWBC DLP Policy EN1: Design and other development management criteria).</i></p> <p>4.10. The Society are aware that the South East Quadrant contains a number of mature trees of high amenity value and will seek to protect and retain these wherever possible. The Society can</p>				

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		<p>confirm that proposals would be informed and supported by an arboricultural survey and Landscape and Visual Impact Assessment (LVIA) and therefore fully supports this requirement.</p> <p><i>7. Reflect existing trees and hedges on the site, and the complex topography (particularly within the southern part of the site) (see criteria 1 and 3 of TWBC DLP Policy EN1: Design and other development management criteria).</i></p> <p>4.11. The Society fully supports this requirement.</p> <p><i>8. Ensure the Local Wildlife Sites (LWS) be conserved and protected in accordance with national and local planning policy and in line with the guidelines laid out in Policy LE7.</i></p> <p>4.12. Policy LE7 requires a buffer of 50m to Local Wildlife Sites (LWS) in most circumstances, and a buffer of no less than 15m except where physical restrictions make this unfeasible. The Society questions whether it is appropriate to apply a blanket buffer to all LWS given that LWS can be designated for a variety of reasons, some of which are more sensitive to development than others. The Society is aware that the draft allocated sites contain part of the LWS but does require flexibility on how this is treated, particularly in respect of development within SEQ. Indeed discussions are already underway with Kent Wildlife Trust (KWT) on this specific point.</p> <p>4.13. The Society will seek to ensure that the development proposals result in no net harm to the relevant LWS as a whole. To this end a Management Plan for the protection and retention of the majority of the LWS will be included as part of the future development of the sites. This will be devised in collaboration with the KWT. In light of this the Society considers Policy LE7, and the reference to such in requirement 8 is unnecessarily restrictive.</p> <p>4.14. The Society request that the reference to policy LE7 is deleted from this requirement.</p> <p><i>9. Ensure the LWSs be conserved and enhanced as wildlife sites with a management plan (Policy LE8) adopted to achieve this, and the sites are not to be used for recreational purposes.</i></p> <p>4.15. As set out above, the Society will ensure that an appropriate Management Plan for the protection and retention of the majority of the LWS to ensure that as a whole it is conserved and enhanced, will be prepared in collaboration with the Kent Wildlife Trust. As such the Society does not object to this requirement.</p> <p><i>10. In order to reduce the amount of construction traffic using local roads, where possible the disposal of earth spoil generated by construction works should be redistributed on the</i></p>				

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		<p><i>wider site in landscape remodelling. Provision of a Construction Management Plan must accompany any planning application.</i></p> <p>4.16. The Society supports the disposal of earth spoil generated by works on the wider site. The Society also supports the provision of a Construction Management Plan (CMP), however this is more commonly required as a pre-commencement condition following the grant of planning permission rather than as a submission document.</p> <p>4.17. To this end the Society request that the text is altered to state that provision of a CMP will be required as a pre-commencement condition attached to any planning permission granted on the site.</p> <p><i>11. The Construction Management Plan should address how to minimise the impact of construction work on existing flora and fauna, valuable micro-habitats in roadside verges, bands and ditches, in particular retaining the hedging which borders the site/mature trees on the site (see Policies LE5 & LE6).</i></p> <p>4.18. The Society question the necessity of this requirement. It is likely that a CMP will be required as a pre-commencement condition when planning permission for the site is granted. Any retained trees or hedges within the site will be required to be protected through the permission, likely through arboricultural protection measures / landscaping conditions. As such it would not be necessary to duplicate this protection through the CMP as well.</p> <p>4.19. The Society has no objection to detailing how flora and fauna outside of the site will be protected through the CMP, although this is a standard requirement of a CMP and therefore does not need to be repeated through policy.</p> <p>4.20. Although the Society does not object to the aims of this requirement, it is not considered necessary and therefore the Society requests that it is removed from the policy.</p> <p><i>12. Any planning application shall include a Traffic Impact Study detailing expected growth in traffic volumes and the mitigations required for road and pedestrian safety.</i></p> <p>4.21. The Society does not object to this requirement, but a Transport Statement or Assessment will in any event be a mandatory submission document with the planning application, given the scale of the proposals.</p> <p><i>13. The parish is a dark skies area and any proposals for the outdoor lighting of new developments must comply with policy BD5.</i></p>				

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		<p>4.22. The Society supports this requirement.</p> <p>14. <i>Development on this site is to be built-out before construction work can commence on the North East Quadrant (Site LS41). The use of Castleton Oak Crossroads or Golford Crossroads by construction traffic is problematic as demonstrated by the number of accidents that occur at these locations. Phasing of the development will ease this problem.</i></p> <p>4.23. The Society does not object to the proposed phasing of development which is consistent with the Society's intention to progress the development on the South East Quadrant prior to beginning development on the North East Quadrant.</p> <p>4.24. Policy SS3 also sets out contributions towards 8 items will be required as part of the proposals in order to mitigate their impact and provide sustainability enhancements. The Society have no objection in principle to providing proportionate contributions towards these projects, however the Society are aware that, in addition to the infrastructure requirements set out below, the site will also be subject to a number of obligations (play space, libraries, education, highways etc) through the adopted Tunbridge Wells Local Plan / emerging Tunbridge Wells Local Plan.</p> <p>4.25. These obligations will result in additional costs associated with the development of the site. In addition, the site is previously developed land with a considerable amount of built form which requires demolition and ground remediation, as such this is typically more costly to develop than greenfield land.</p> <p>4.26. Whilst the Society will strive to provide all of the obligations sought through the Neighbourhood Plan and the adopted or emerging Tunbridge Wells Local Plan, it is incumbent upon the Plan makers to ensure that allocated sites are viable and policies are realistic and deliverable. This is set out in the Planning Policy Guidance (PPG) (Viability and Plan Making) which states that (Paragraph: 002 Reference ID: 10-002-20190509):</p> <p><i>"Viability assessments should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan.</i></p> <p><i>It is the responsibility of plan makers in collaboration with the local community, developers and other stakeholders, to create realistic, deliverable policies".</i></p> <p>4.27. As such, the Society request that clauses should be built into these required contributions to clarify that contributions will be proportionate to the development and subject to viability testing.</p>				

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		<p>4.28. The specific contributions set out in policy SS3 and the Society's comments in relation to each are provided below.</p> <p><i>i. Provision of an active travel link between the site and Benenden village (see BNDP Supporting Document TA2 and Policies T1, T2 & T5).</i></p> <p>4.29. The Society has no objection to providing a proportionate financial contribution towards the active travel link, subject to viability.</p> <p><i>ii. The reduction of the existing 30mph speed limit through East End to 20mph.</i></p> <p>4.30. The Society express concern that this requirement would need to be discussed and agreed with Kent County Council (KCC) before any contributions towards it could be agreed. It is unclear whether KCC would support such a proposal.</p> <p>4.31. It is suggested that this requirement is either removed from the policy or supporting evidence demonstrating KCC's support for the proposal is provided in support of the Neighbourhood Plan prior to its submission.</p> <p><i>iii. Include an area for sport and recreational use by the local community and a children's play area, in part repurposing the existing tennis courts located in the North East Quadrant.</i></p> <p>4.32. This requirement appears to relate to the North East Quadrant and therefore should not be included in policy SS3 which relates to the South East Quadrant.</p> <p>4.33. The Society request that this requirement is removed from the policy.</p> <p><i>iv. The means to secure the public use of the cafe at the hospital from occupation of 50% of the residential units until premises are provided through development of LS41 (NEQ).</i></p> <p>4.34. The Society does not own or manage the café, this is operated by Benenden Hospital Trust who lease the operational hospital site from the Society. As such it is not possible for the Society to commit to this provision, but a separate coffee shop could be incorporated into the masterplan for the NEQ next to the play area if specifically required.</p> <p><i>v. Provide a community space for events and to provide amenities such as a pre-school or play group. An appropriate building might be the existing old chapel building to the west of the site.</i></p>				

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		<p>4.35. The Society express concern that this requirement relates to land outside of the site and therefore cannot be agreed through a planning application at the site. However the Society would not object to providing a proportionate contribution towards such as space.</p> <p>4.36. The Society therefore request that this requirement is re-worded to clarify that a proportionate contribution towards a community space is required and not the provision of the space itself. The Society also request that reference to the old chapel building is removed.</p> <p><i>vi. Provide a minibus for the use of Benenden Primary School and provide funding to maintain and run the minibus service to/from Benenden village/Primary School to serve school times thus reducing traffic and improving sustainability. From occupation of 50% of the residential units for 10 years from commencement.</i></p> <p>4.37. The Society object to the requirement to physically supply a mini-bus due the practicalities and ongoing management issues around doing so, but do not object to providing a proportionate contribution towards such provision.</p> <p>4.38. The Society request removing the reference to specifically supplying a mini-bus from the policy and suggest that provision of a proportionate contribution towards mini-bus provision is provided instead, subject to viability testing.</p> <p><i>vii. Promote and support the Kent County Council Hopper Bus trial and other DRT initiatives. It is intended to serve the growing community in proximity to the Hospital in order to aid connectivity with larger conurbations, such as Tenterden, for the purposes of work, leisure and health.</i></p> <p>4.39. The Society does not object to this requirement provided any contributions are proportionate.</p> <p><i>viii. Any further contributions identified through the pre-application and planning application process.</i></p> <p>4.40. The Society anticipate additional contributions as set out earlier in this section and therefore have no objection to this requirement. The Society does however wish to reiterate that contributions will need to be proportionate in order to ensure that the site is not rendered unviable through an overall requirement for excessive infrastructure contributions.</p> <p>5. Site Specific Policy 4</p> <p>5.1. Site Specific Policy 4 (SS4) requires a masterplan for the future development of the Hospital Estate to be prepared in order to ensure that a well-designed and functional space is brought</p>				

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		<p>forward through the proposals. The policy specifies that the North East Quadrant will not be brought forward until the development of the South East Quadrants has been built out.</p> <p>5.2. The Society does not object to the proposed phasing of development which is consistent with the Society's intention to progress the development on the South East Quadrant prior to beginning development on the North East Quadrant.</p> <p>5.3. Policy SS4 also includes 13 key requirements for the development of the two sites. These 13 requirements are reproduced below alongside the Society's comments in relation to each.</p> <ol style="list-style-type: none"> 1. <i>Provide a residential development of 22-25 C3 dwellings, with affordable housing in accordance with TWBC policy and a mix of type and size integrated throughout the development to help meet locally identified needs (see Policy HS2).</i> <p>5.4. The Society broadly supports this requirement.</p> <p>5.5. However it is requested that the text is expanded to clarify that it may not be appropriate to provide affordable housing on site in this instance, in which case a contribution towards off site provision could be accepted provided it is justified.</p> <ol style="list-style-type: none"> 2. <i>Ensure that design, scale, massing and overall density create a sense of place and focus to the residential communities and reflect the character and rural nature of the East End area adjacent to the AONB, whilst acknowledging the scale of adjacent hospital buildings. Density must not exceed 22 dph (See Reasoned Justification para. 2.9.4.1). Building heights should generally be restricted to two storeys.</i> <p>5.6. The Society supports this requirement and will seek to ensure that an appropriate and high standard of design is provided through any development at the hospital site which does not exceed the stated density of 22 dph across the site.</p> <ol style="list-style-type: none"> 3. <i>Include the provision of adequate parking facilities to avoid on-street parking both within and beyond the development. Reference should be made to the Design and the Built Environment chapter para. 3.6 and Policy BD6 for determining the quantity of vehicle parking spaces in the context of a generally high reliance on private cars in this area. If provided, garages will not count towards the required quantity of parking spaces. Dwellings to be provided with electric car-charging facilities.</i> <p>5.7. The Society is satisfied that appropriate parking provision can be provided on site with the proposed dwellings when the detailed design work for the final site layout is progressed.</p>				

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		<p>4. <i>Have close regard to the design and materials requirements specified in the Benenden Neighbourhood Plan under the Design and the Built Environment chapter and the policies contained therein.</i></p> <p>5.8. The Society does not raise any concerns with this requirement and would seek to ensure that the proposed materials and design reflect that present in the immediate area as well as the wider parish, to ensure an appropriate appearance to the development is achieved.</p> <p>5. <i>Provide private garden space and/or shared semi-private spaces, all enclosure to be appropriately planted and screened with native hedging species to protect the occupiers privacy (see policy BD4).</i></p> <p>5.9. The Society supports this requirement.</p> <p>6. <i>Regard to be given to existing hedgerows and mature trees on site (see Policy LE5), with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and landscape and visual impact assessment (see TWBC DLP Policy EN14: Trees, Woodlands, Hedges, and Development and criterion 3 of TWBC DLP Policy EN1: Design and other development management criteria).</i></p> <p>5.10. The Society supports this requirement and will ensure that any proposals are drawn up sensitively with regard to trees and hedgerows.</p> <p>7. <i>In order to reduce the amount of construction traffic using local roads, where possible the disposal of earth spoil generated by construction works should be redistributed on the wider site in landscape remodelling. Provision of a Construction Management Plan must accompany any planning application.</i></p> <p>5.11. The Society supports the disposal of earth spoil generated by works on the wider site. The Society also supports the provision of a Construction Management Plan (CMP), however this is more commonly required as a pre-commencement condition following the grant of planning permission rather than as a submission document.</p> <p>5.12. To this end the Society request that the text is altered to state that provision of a CMP will be required as a pre-commencement condition attached to any planning permission granted at the site.</p> <p>8. <i>The Construction Management Plan should address how to minimise the impact of construction work on existing flora and fauna, valuable micro-habitats in roadside verges,</i></p>				

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		<p><i>bands and ditches, in particular retaining the hedging which borders the site/mature trees on the site (see Policies LE5 & LE6).</i></p> <p>5.13. The Society do not object to this requirement, however its necessity is questioned. It is likely that a CMP will be required as a pre-commencement condition when planning permission for the site is granted. Any retained trees or hedges within the site will be required to be protected through the permission, likely through arboricultural protection measures / landscaping conditions. As such it would not be necessary to further protect them through the CMP as well. The society has no objection to detailing how flora and fauna outside of the site will be protected through the CMP, although this is a standard requirement of a CMP and therefore does not need to be repeated through policy.</p> <p>5.14. Although the Society do not object to the aims of this requirement, it is not considered necessary and therefore the Society requests that it is removed from the policy.</p> <p>9. <i>Any planning application shall include a Traffic Impact Study detailing expected growth in traffic volumes and the mitigations required for road and pedestrian safety.</i></p> <p>5.15. The Society does not object to this requirement, but a Transport Statement will be required with the planning application in any event, due to the scale of the proposals.</p> <p>10. <i>The parish is a dark skies area and any proposals for the outdoor lighting of new developments must comply with policy BD5.</i></p> <p>5.16. The Society supports this requirement.</p> <p>11. <i>Development on this site can only commence once construction is complete on the SEQ site.</i></p> <p><i>Require a minimum of 25% of the new-build houses to have a purpose- designed designated working/office space to enable home working thus aiding sustainability.</i></p> <p>5.17. The Society does not object to the proposed phasing of development which is consistent with the Society's intention to progress the development on the South East Quadrant prior to beginning development on the North East Quadrant.</p> <p>12. <i>Ensure the Local Wildlife Sites (LWS) be conserved and protected in accordance with national and local planning policy and in line with the guidelines laid out in Policy LE7.</i></p> <p>5.18. Policy LE7 requires a buffer of 50m to LWS in most circumstances, and a buffer of no less than 15m except where physical restrictions make this unfeasible. The Society questions whether</p>				

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		<p>it is appropriate to apply a blanket buffer to all LWS given that LWS can be designated for a variety of reasons, some of which are more sensitive to development than others. The Society is aware that the draft allocated sites contain part of the LWS but does require flexibility on how this is treated.</p> <p>5.19. The Society can confirm that appropriate action will be taken to ensure that no net harm is caused to the relevant LWS as a whole. To this end a Management Plan for the protection and retention of the majority of the LWS will be included as part of the future development of the sites. This will be devised in collaboration with the KWT. In light of this the Society considers Policy LE7, and the reference to such in requirement 12 is unnecessarily restrictive.</p> <p>5.20. The Society request that the reference to policy LE7 is deleted from this requirement.</p> <p><i>13. Ensure the LWSs be conserved and enhanced as wildlife sites with a management plan (Policy LE8) adopted to achieve this, and the sites are not to be used for recreational purposes.</i></p> <p>5.21. As set out above, the Society will ensure that an appropriate Management Plan for the protection and retention of the majority of the LWS to ensure that as a whole it is conserved and enhanced will be prepared in collaboration with the Kent Wildlife Trust. As such the Society does not object to this requirement.</p> <p>5.22. Policy SS4 also sets out contributions towards 8 items will be required as part of the proposals in order to mitigate their impact and provide sustainability enhancements. As set out in Section 4 in relation to Policy SS3 previously, the Society have no objection in principle to providing proportionate contributions towards these projects, however the Society request that mechanisms are built into the policy to ensure that excessive contributions do not render the development of the site unviable.</p> <p>5.23. As such, the Society request that clauses should be built into these required contributions to clarify that contributions will be proportionate to the development and subject to viability.</p> <p>5.24. The contributions set out in policy SS4 and the Society's comments in relation to each are provided below.</p> <p><i>i. Provision of an active travel link between the site and Benenden village (see BNDP Supporting Document TA2 and Policies T1, T2 & T5).</i></p>				

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		<p>5.25. The Society has no objection to providing a proportionate contribution towards the active travel link, subject to viability.</p> <p><i>ii. The reduction of the existing 30mph speed limit through East End to 20mph.</i></p> <p>5.26. The Society express concern that this requirement would need to be discussed and agreed with Kent County Council (KCC) before any contributions towards it could be agreed. It is unclear whether KCC would support such a proposal.</p> <p>5.27. It is suggested that this requirement is either removed from the policy or supporting evidence demonstrating KCC's support for the proposal is provided in support of the Neighbourhood Plan prior to its submission.</p> <p><i>iii. Include an area for sport and recreational use by the local community and a children's play area, in part repurposing the existing tennis courts located in the North East Quadrant.</i></p> <p>5.28. This Society does not object to this requirement and will seek to provide these elements as part of the redevelopment of the North East Quadrant.</p> <p><i>iv. The means to secure the public use of the cafe at the hospital from occupation of 50% of the residential units until premises are provided through development of LS41 (NEQ).</i></p> <p>5.29. This requirement appears to be included in this draft policy error as it seems to relate to the South East Quadrant and not the North East Quadrant.</p> <p>5.30. It is requested that this requirement is removed from the policy.</p> <p><i>v. Provide a community space for events and to provide amenities such as a pre-school or play group. An appropriate building might be the existing old chapel building to the west of the site.</i></p> <p>5.31. The Society express concern that this requirement relates to land outside of the site and therefore cannot be agreed through a planning application at the site. The Society would not object to providing a proportionate contribution towards such as space, or indeed to a requirement to masterplan this facility into the development scheme for NEQ itself.</p> <p>5.32. The Society therefore request that this requirement is re-worded to clarify that a proportionate contribution towards such as space is required and not the off-site provision of the space itself. The Society also request that reference to the old chapel building is removed.</p>				

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		<p><i>vi. Provide a minibus for the use of Benenden Primary School and provide funding to maintain and run the minibus service to/from Benenden village/Primary School to serve school times thus reducing traffic and improving sustainability. From occupation of 50% of the residential units for 10 years from commencement.</i></p> <p>5.33. The Society raise concerns with the requirement to supply a mini-bus and the practicalities around doing so, although the Society do not object to providing a proportionate contribution towards such provision.</p> <p>5.34. The Society request removing the reference to specifically supplying a mini-bus from the policy and suggest that provision of a proportionate contribution towards mini-bus provision is provided instead.</p> <p><i>vii. Promote and support the Kent County Council Hopper Bus trial and other DRT initiatives. It is intended to serve the growing community in proximity to the Hospital in order to aid connectivity with larger conurbations, such as Tenterden, for the purposes of work, leisure and health.</i></p> <p>5.35. The Society do not object to this requirement provided any contributions are proportionate.</p> <p><i>viii. Any further contributions identified through the pre-application and planning application process.</i></p> <p>5.36. The Society anticipate additional contributions as set out previously and therefore have no objection to this requirement. The Society does however wish to reiterate that contributions will need to be proportionate in order to ensure that the site is not rendered unviable through excessive developer contributions.</p> <p>6. Transport and Infrastructure</p> <p>6.1. The Neighbourhood Plan also contains 5 policies (T1 – T5) which require specific infrastructure contributions to be made by development schemes, these are in addition to (or in some instances in duplicate to) the contributions required through policies SS3 and SS4.</p> <p>6.2. The Society have set out their concerns regarding viability previously in these representations and therefore they will not be repeated here, other than to reiterate that additional flexibility should be built into policies T1 – T5 through a clause linking the obligations to viability testing which will ensure that the development of the two sites are viable and achievable meaning the sites can be brought forward for development.</p>				

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		<p>6.3. The Society request that a mechanism is built into Policies T1- T5 to allow for a reduced contribution, where fully justified by robust viability evidence.</p> <p>6.4. Policies T1 – T5 are reproduced below, along with the Society’s comments in relation to each policy.</p> <p><u>Policy T1 – Car Free Connectivity.</u></p> <p><i>Any new housing or commercial developments which receive planning permission will be expected to contribute to projects identified by the parish, where appropriate, to create ‘all-weather routes’, where cyclists and pedestrians can move around the parish safely on new or existing public rights of way, subject to meeting relevant national policy or legislative requirements.</i></p> <p>6.5. The project identified for car free connectivity referred to in draft policy T1 is provided on page 104 and Figure 5 of the draft Neighbourhood Plan. Figure 5 is reproduced below.</p> <p><i>[for figure 5 see full representation attached]</i></p> <p>6.6. The project consists of a Cycle / Footway between East End and Benenden, which would start at Benenden Road / Goddard’s Green Road, at the centre of the Hospital site and would travel southwards down Green Lane towards Benenden. The project highlights that this would require the designation of a ‘quiet lane’ status on Green Lane. The Society has no objection in principle to providing a proportionate contribution towards the Car Free Connectivity project as per the requirements of draft policy T1 but would request that the policy wording is altered to link any required contributions to viability testing.</p> <p>6.7. The Society suggest that the clause, “subject to viability considerations” is added to the end of Policy T1.</p> <p><u>Policy T2 – Improving road safety and the impact of traffic</u></p> <p><i>Proposals for any new housing or commercial development will be required to demonstrate that road access to and from developments provides safe access to, and transit past, new housing: this may include slowing the flow of traffic. Such design features must be in keeping with the rural nature of the parish.</i></p> <p><i>The provision of appropriate footways to facilitate safe access to amenities is set out in the Site Specific Policies (see Housing Supply Chapter 2) relevant to the allocated sites.</i></p> <p><i>Developers will be required, where appropriate, to submit traffic impact studies, at planning application stage, through a Transport Assessment. Where a negative impact on non-motorised</i></p>				

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		<p><i>users is identified, developers will be required to provide, or contribute towards, appropriate mitigation measures.</i></p> <p>6.8. The Society has no objection in principle to the requirements of Policy T2 and as required by National Planning Policy will provide safe access to all proposed residential units, as well as striving to ensure that traffic flows are slowed around the proposed access points. A Transport Assessment or Statement will accompany any application at the South East or North East Quadrants.</p> <p><u>Policy T3 - Community Cohesion and Recreational Facilities</u></p> <p><i>Proposals for any new housing or commercial development will be required to contribute to parish projects designed to improve provision for children's play areas in all three main settlements within the parish. Developers will also be required to support projects designed to meet the health and well-being needs of residents such as easily accessed healthcare facilities, a shop & café and a community hub.</i></p> <p>6.9. The Society also has no objection to providing a contribution towards the provision of children's play space in principle but would highlight that contributions towards play space are already sought via S106 contributions in accordance with the adopted Tunbridge Wells Local Plan and will be required through the emerging Tunbridge Wells Local Plan. It appears as though Policy T3 may be duplicating requirements at the Borough level.</p> <p>6.10. The Society wish to clarify that the contributions required by Policy T3 would not be in addition to those required for children's place space at the Borough level.</p> <p>6.11. The Society suggest that draft Policy T4 is reworded to read "Proposals for new housing developments should strive to contribute to parish projects designed to improve provision for children's play areas in all three main settlements within the parish where possible. Developers should also strive to support projects designed to meet the health and well-being needs of residents where possible".</p> <p><u>Policy T4: Renewable Energy and Low-Emission Technology</u></p> <p><i>Proposals for any new housing or commercial development must provide all new properties with a minimum of 1 electric car-charging point and also contribute to projects designed to reduce the impact of pollution emitted by cars, in the following ways:</i></p> <ul style="list-style-type: none"> • <i>Supplying and supporting a minibus for the Primary School</i> • <i>Encouraging walking/cycling by providing safe paths</i> 				

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		<ul style="list-style-type: none"> Planting native hedging (see Policies BD4 & LE9) to screen new developments from the roadway and passing traffic and to be designed to shield the public from air pollution <p>Developers will also be expected to contribute to projects that will provide pay-as-you-go electric car-charging points for visitors to the parish in accessible places, such as Benenden Village Hall car park, Iden Green Pavilion car park, and Benenden Hospital car parks.</p> <p>Developers will ensure that all new properties are provided with a minimum of 1 electric car charging point and will contribute to projects designed to reduce the impact of pollution emitted by cars such as supplying and supporting a mini-bus for the Primary School, encouraging walking/cycling by providing safe paths and planting native hedging (see also Policies HD4 and LE9) to screen new developments from the roadway and passing traffic and will be designed to shield the public from air pollution. Developers will also be expected to provide additional electric car-charging points for visitors to the parish in publicly accessible places such as Benenden Village Hall car park, Iden Green Pavilion car park, and Benenden Hospital car parks.</p> <p>6.12. The Society supports the efforts of the Neighbourhood Plan Steering Group to reduce the impact on climate change and the environment and support the principle of the policy. However, the Society are concerned that the requirements of draft Policy 45 are too onerous and could negatively affect the viability of residential development sites within the Parish. This is particularly true when it is considered that the emerging Tunbridge Wells Local Plan contains a suite of policies that seek to reduce the impact of proposals upon climate change (draft Policies EN1 – EN5).</p> <p>6.13. In addition, the Society would raise concerns with the requirement to supply a mini-bus and the practicalities around doing so, although the Society do not object to providing a proportionate contribution towards such provision. The Society request removing the reference to specifically supplying a mini-bus from the policy.</p> <p>6.14. As a result the Society believe that flexibility should be built into policy T4 to ensure that the viability of development sites is not impacted by overly onerous requirements.</p> <p>6.15. The Society consider that draft Policy T4 should be reworded to remove the requirement to “supply a mini-bus for the primary school”.</p> <p>In addition the last paragraph should be re-worded to read:</p> <p>“Developers will aim to provide 1 electric car charging point per dwelling and will endeavour to contribute to projects designed to reduce the impact of pollution emitted by cars such as providing a payment towards a mini-bus for the Primary School, encouraging walking/cycling by providing safe paths and planting native hedging (see also Policies HD4</p>				

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		<p><i>and LE9) to screen new developments from the roadway and passing traffic and will be designed to shield the public from air pollution. Developers will also be expected to provide additional electric car-charging points for visitors to the parish in publicly accessible places such as Benenden Village Hall car park, Iden Green Pavilion car park, and Benenden Hospital car parks, where this does not adversely affect the viability of the proposed development”.</i></p> <p><u>Policy T5: Infrastructure, Broadband and Mobile</u></p> <p><i>Proposals for any new housing or commercial development will be required to contribute to appropriate new amenities, new infrastructure and public transport provision as agreed with the Parish, Borough and County Councils in order to improve connectivity within the parish and with the wider community. Specifically, developers will contribute to parish projects designed to enhance broadband speed and also to enable the centre of East End to be connected to superfast broadband.</i></p> <p>6.16. The Society has no objection to Policy T5 in principle and would be willing to provide a commensurate contribution towards superfast broadband as part of the development of the North East and South East Quadrants.</p> <p>7. Conclusions</p> <p>7.1. The Society are supportive of the allocation of sites 424 – Hospital South and site LS41 Hospital North for development of between 22 and 25 additional homes each (44 - 50 additional dwellings in total), and hereby confirm the availability of this land for development.</p> <p>7.2. The Society are also broadly supportive of Site Specific Policy 3 and the various policy requirements, with the exception of requirements 1, 3, 8 and 10 which the Society do not object to in principal but consider should be altered as set out in these representations. In addition, the Society consider that requirement 11 is unnecessary and therefore should be removed.</p> <p>7.3. Furthermore, the Society are broadly supportive of the requirement to provide contributions to infrastructure projects as set out in Policy SS3, although the Society does request that some of the contributions are re-worded or removed where not appropriate, particular concerns are raised with requirements ii, v and vi. In addition, the Society request that contribution iii is removed from the policy as it does not relate to the South East Quadrant.</p> <p>7.4. In relation to Site Specific Policy 4, the Society are also broadly supportive of the policy and the various requirements and contributions required. However the Society do request that requirements 1, 3, 7 and 12 are altered as set out in these representations. Furthermore, the Society consider that requirement 12 should be removed from the policy. In addition, whilst the</p>				

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		<p>Society do not object to the developer contributions as set out in the policy in principle, it is considered that contributions ii, v and vi are altered and contribution iv is removed from the policy as it does not relate to the North East Quadrant.</p> <p>7.5. The Society also broadly support the contribution requirements set out in policies T1 – T5, although the Society does request that policies T1, T2, T3 and T4 are altered to provide more flexibility and to clarify that the contributions are subject to viability considerations.</p> <p>7.6. We trust that these representations are of assistance to the Examiner. The Society would be happy to assist the examiner further as required.</p> <p>7.7. Overall these Neighbourhood Plan policies need to be in conformity with the adopted development plan for the Borough and national planning policy to pass the basic conditions required of Neighbourhood Plans.</p> <p>7.8. The Society remain very grateful to the Neighbourhood Plan Steering Group for their hard work on the Submission Neighbourhood Plan and look forward to continuing the positive working relationship which has been established.</p> <p>See site plan</p>				
BE_114	HSA1-5 HOUSING SUPPLY AND SITE ALLOCATION	<p>I write in support of the Benenden village plan, as it is the best way to protect our village for the future.</p> <ul style="list-style-type: none"> • It's vital to protect the rural feel of the parish inside the High Weald AONB with two separate conservation areas designed to protect historic settlements and their setting within the AONB. • The NDP is for development of four sites - two are inside the revised Limits to Build Development of Benenden Village, of which one is for Alms Houses. The other two are outside the AONB on brownfield land within the Benenden Hospital campus. • The other sites up for development within the village would involve significant building on greenfield sites within the AONB ahead of the brownfield sites that have been put forward within the NDP. 	No	Yes	Alexandra betts	
BE_115	HSA1-5 HOUSING SUPPLY AND SITE ALLOCATION	<p>I support the Benenden Neighbourhood Plan and their development site allocation . I understand that houses must be built but it is now more important than ever that we look after our environment . Building on brownfield sites must always be better than digging up and destroying green fields in areas of Outstanding Natural Beauty . Once a field has been built on it is gone forever . Previous generations have not looked after our environment and climate change has become a real worry to</p>	No	Yes	William betts	

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		me . Green fields are required for wildlife habitat and of course natural drainage . Our future must be protected .				
BE_116	OFFICIAL	<p>Thank you for the providing the opportunity to assist in the preparation of your Neighbourhood Development Plan for Benenden 2020-2036. Network Rail actively welcomes the opportunity to work with stakeholders in providing for their communities and advancing sustainability. In this instance, given the function of our organisation, we will focus our comments on sustainable transport and relevant schemes underway within the Network Rail Kent and Sussex Strategic Planning team (Network Rail K&S SP).</p> <p>Network Rail Infrastructure Limited (Network Rail) is the owner and operator of the rail network in Great Britain and is responsible for its safe operation, maintenance, renewal and enhancement for the benefit of passengers and freight users. The strategic planning function is responsible for planning for the future development of Britain's railway system so that the needs of passengers and freight customers are balanced to support economic and sustainable growth. In the Southern Region, long-term strategic objectives include alleviating overcrowding and accommodating growth on the rail network; improving connectivity; and supporting decarbonisation and modal shift.</p> <p>Network Rail K&S SP is actively working with local stakeholders on the concept of the 'First & Last Mile', looking at how users and potential users can better access the railway in Network Rail's Southern Region. The study focuses on the interaction of bus, cycle and road infrastructures with the rail network to assess how best the rail and wider transport system may fit together in the future. This would provide better first and last mile connectivity for customers, support an integrated transport network, and encourage modal shift from road to the cleaner transport provided by rail. In this regard, we support wholeheartedly any plans to increase connectivity between the cycling, bus, and rail infrastructures. Network Rail K&S SP additionally welcomes consideration paid in the plan to reducing car usage, and would welcome the opportunity to work with the Council in developing safer, more sustainable transport and driving modal shift from road to rail.</p>			Network Rail South East Southern Region	
BE_117	Benenden Neighbourhood Plan	<p>Thank you for your notification dated 29 October 2020, inviting Highways England to comment on the Benenden Parish Neighbourhood Development Plan (BNDP) Regulation 16 Consultation, seeking responses no later than 11 December 2020.</p> <p>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. We will therefore be concerned with proposals and policies that have the potential to impact the safe and efficient operation of the SRN. In the case of Benenden our focus will be on any impact to the A21 corridor. We are aware of congestion</p>			Highways England	

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		<p>on the SRN at Flimwell junction, and on local roads surrounding including at Hawkhurst junction on A229.</p> <p>Highways England have reviewed the BNDP which sets out planning policies to promote and control new development in the parish. The Tunbridge Wells Borough Council (TWBC) Draft Local Plan outlines a clear housing strategy for Benenden in Policy STR/BE 1 which includes the allocation of 119-129 dwellings and identifies the delivery of this allocation through four sites (Policy AL/BE 1-4).</p> <p>The TWLP identifies four sites in Benenden Parish:</p> <ol style="list-style-type: none"> 1. Policy AL/BE 1 for 12 dwellings – Land at Walkhurst Road (SHELAA reference: Site 35) 2. Policy AL/BE 2 for 18-20 dwellings - Land adjacent to New Pond Road (known as Uphill) (SHELAA reference: Late Site 16) 3. Policy AL/BE 3 for 23-25 dwellings – Feoffee Cottages and land, Walkhurst Road (SHELAA reference: Site 277) 4. Policy AL/BE 4 for 66-72 dwellings – Land at Benenden Hospital (SHELAA reference: Site 424 and Late Site 41). <p>Highways England note that as the Tunbridge Wells Draft Local Plan is not yet adopted, and therefore changes may still be made to the housing quantum and allocation of sites within the Benenden Parish. The BNDP includes information about housing delivery in the parish within Policy HS1 Site Allocation and Number of New Dwellings. Highways England note that BNDP Policy HS1 is aligned with the TWBC Policies AL/BE 1-4. It outlines the delivery of 90 additional dwellings across four sites (Uphill, Feoffee, Hospital South and Hospital North) in addition to the two existing planning consents in Walkhurst Road and at Benenden Hospital – South Site, which brings the total housing delivery over the plan period to 131.</p> <p>Highways England does not have any objections to the Benenden Neighbourhood Development Plan. However, if proposed new housing sites come forward or the quantum of development in Benenden Parish significantly exceeds the 119-129 allocation up to 2037, then we will wish to be consulted and may require an assessment of the cumulative impact upon the A21 corridor. We look to Tunbridge Wells Borough Council to assess and mitigate any impacts of development in its Local Plan to 2037, including housing to be provided through neighbourhood plans, upon the SRN.</p>				
BE_118	Benenden Neighbourhood Plan Policy SSP2 and SSP4	Thank you for consulting Historic England on the submission version of the Benenden Neighbourhood Plan. History England are the government's advisor on planning for the Historic Environment, including the conservation of heritage assets and champion good design in historic places. As such we limit our review of neighbourhood plans to areas that fall within our			Historic England	

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		<p>remit and silence on other areas should to be treated as agreement or consent. We hope the following comments are of assistance to the examiner.</p> <p>The plan appears to have been prepared with careful consideration for the historic environment and its effects thereon. In particular we note the careful wording of the allocation of land at Feoffee Cottages, which would affect the settings of the listed cottages and conservation area and the public benefit of almshouse accommodation secured in perpetuity. However, we would question whether Policy SSP1 provides sufficient certainty of the ownership model for the housing to be provided to ensure that this is provided in perpetuity, given the various options for provision of 'affordable housing'. In this case we would look to see the ownership transferred to a suitable management organisation to ensure, for example, that it isn't sold as 'affordable' or privately owned 'affordable rented' accommodation. We comment on this only in respect of the potential residual harm to the heritage assets that the provision of this element of the development is considered to justify.</p> <p>Policy SSP2. At bullet point 7, it should be identified within the policy that the results of archaeological investigation should inform the design of development, where appropriate to enable the preservation of important remains of archaeological interest 'in situ' or, where their importance does not merit preservation, to ensure that an appropriate record is made prior to their loss as a result of development.</p> <p>With regard to Policy SSP4 Land North of Goddards Green Road. The present housing on the site constitutes considerable embodied carbon, the demolition and replacement of which for development of a similar use, albeit at higher density, would have dubious credentials as 'sustainable'. The characteristics of architecture and uniformity of scale and materials, with buildings now coming into their seventh decade, suggests this area already has a distinct sense of place, reflective of the post-war austerity era, that may now even be considered to be of historic interest. To reduce use of materials, develop and established sense of place and, indeed, reduce the need for vehicle movements to the site during development, we recommend that the allocation policies includes a requirement for applicants to explore the potential for extension and adaptation of the existing building stock, before any consideration should be given to their whole-scale demolition and replacement. We feel this is needed to achieve the promotion of sustainable development and to ensure internal consistency within the plan, specifically with Policy BD2.e. We note that this has not been identified as a potential point of conflict in the SEA Environmental Report.</p> <p>We hope these comments are of assistance to the examiner but would be pleased to answer any queries that arise from them.</p>				
BE_119	HSA; BD1; BD2; BD7; BD8; BE1; BE2; BE4; T1; T2; T3; T4; HS1;	<p>1. Document HSA4 "High Weald AONB Advice on Benenden Neighbourhood Plan Sites" gives advice on some sites in the parish, but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble</p>	Yes	Yes	Joanna Pope	Hazel Strouts

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	HS2; HS6; SSP2; SSP3; SSP4; SEA1; LEA1; LEAB; LEA9; IA& IA6; IA7; HSA2; HSA3;HSA4;HSA6;BEA1;TA1;TA2	<p>bulging into the AONB and although most new development is proposed for these sites. High Weald AONB objects to sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments.</p> <p>2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above).</p> <p>3. Sustainability policy (See page 9 “Vision” “to support...sustainable housing” and Policy BD8 “All new development must be constructed to be sustainable”) Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children’s playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in.</p> <p>4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum on two sites. Site 158 was, in that referendum, chosen by the village as the preferred site. <i>Up till July 2018, TWBC planned up to 174 houses on the site.</i></p> <p>5. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course.</p> <p>6. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. The LBD is ignored by Policies SSP3 and SSP4 which puts its value into question.</p> <p>7. Policy T2 on improving road safety. Site LS16 on the New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes the development of LS22 at a later date as a way of blocking development of site 158 which is right behind it. If this were to happen, there would be two exits close together onto New Pond Road which would surely be more dangerous than one. Proposing to develop anywhere simply to block development elsewhere is not a proper planning reason. Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. There was a serious accident at those cross roads on November 20, 2020. Biddenden Parish Clerk has written on behalf of the parish of Biddenden to strongly oppose the plan largely on traffic issues. She has written to Benenden parish council about their plan and received an</p>				

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		<p>acknowledgment but no reply. Biddenden presents its objections at https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments – their objection is DLP_650.</p> <p>8. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by existing 18 dwellings. Where would the extra 25, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.” The plan talks of ‘redeveloping’ the existing 18 dwellings by which they mean demolition and building new dwellings, so the number of dwellings proposed at this site is not 25, but 18 plus 25 i.e. 43.</p> <p>9. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses, on top of the existing permission for 24 (unbuilt), to be built, according to the hospital architect’s plans, over Local Wildlife Sites (see Clagues’ – the hospital architects - plan for housing on site 424/40b)</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII’s competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain’s Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site over 2 miles out (LS41 and 424/40b, Policies SSP3 &4) where two cars would be essential for a family with both parents working.</p> <p>14. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>15. A local group called ‘The Friends of the East End’ (FOE) opposes these plans for a <i>quasi</i>-new village at the hospital. On 4 April, 2019, 127 FOE supporters presented a petition protesting the NDP; on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored. Our views, as the views of the parish of Biddenden, have not been taken into account. Those who wrote letters were never informed of the Consultation over Regulation 16 and many of those with email, were never contacted either.</p>				

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		16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.				
BE_120	Benenden Parish Neighbourhood Development Plan 2020-2036	<p>Thank you for consulting Kent County Council (KCC) on the Benenden Neighbourhood Plan, in accordance with the Neighbourhood Planning (General) Regulations 2012.</p> <p>The County Council has reviewed the Neighbourhood Plan and for ease of reference, has provided comments structured under the chapter headings and policies used within the Neighbourhood Plan.</p> <p>Introducing Benenden Neighbourhood Development Plan</p> <p><i>The Historic Context of Benenden Parish</i></p> <p>Heritage Conservation: The introduction to the Neighbourhood Plan describes in detail the extent and importance of Benenden's heritage and the role it has played in shaping the Parish. The County Council therefore recommends that the Neighbourhood Plan should include policies for conserving and enhancing this heritage. The Neighbourhood Plan provides an opportunity for the Parish Council to describe how Benenden's heritage can contribute to achieving the Vision for the area. This could be by helping to integrate new development into the existing area, by ensuring that new build contributes to existing historic character and by emphasising the role of the historic environment as a contributor to the 'historic beauty' that the plan wants to preserve. Heritage also has a significant role to play in the health and well-being of residents and visitors.</p> <p>The role of the historic environment is at best indirectly mentioned in some of the draft policies, but unless there is a specific historic environment policy, it will be easy for the historic character to be eroded as its needs are disregarded in favour of other issues for which formal policies have been developed.</p> <p>The text mentions the Roman roads that cross Benenden and the settlement at Hemsted, but there are numerous other Roman sites in the parish. These include a paved Roman ford near Stream Farm and iron working sites at Spring Wood, Benenden School and Flight Wood. The Benenden school site may have also comprised a small roadside settlement</p> <p>Chapter 1 Landscape and the Environment</p> <p><i>The policies – Landscape</i></p> <p>Heritage Conservation: The text rightly notes the historic nature of the landscape and some of its components in the form of field boundaries, footpaths and routeways. The County Council</p>			Kent County Council	

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		<p>recommends reference to the Historic Landscape Characterisation (HLC) for Tunbridge Wells Borough that was developed by the Borough Council in 2017¹. The HLC examined the Borough's landscape in detail and is an important tool for helping developers and planners assess the impact of their proposals. An assessment of their proposals against the HLC should be a requirement for preparing development proposals in rural areas.</p> <p>The text does not specifically mention development within farmsteads, but it is likely that development proposals of this type will come forward. It should be noted that much of Kent has historically had a dispersed settlement pattern. Development between villages and hamlets and among farm buildings would in many places be consistent with the historic character of those areas. Historic England, KCC and Kent's AONB teams have published guidance on historic farmsteads in Kent that considers how rural development proposals can be assessed for whether they are consistent with existing character².</p> <p><i>Policy LE1 Protect and Enhance the Countryside</i></p> <p>Biodiversity: The phrase "where possible" should be removed from the last section of the policy, as mandatory biodiversity net-gain is already required by national planning policy and developers will soon be required to demonstrate <i>measurable</i> net-gain. As such, ecological enhancement must be included in all developments.</p> <p>Sport and Recreation: The County Council recommends consideration of Government and Sport England strategies for sport, which are focussed on tackling inactivity and supporting under-represented groups to be active. The County Council would also recommend consideration is given to Sport England planning guidance and local data around activity³.</p> <p>¹ https://beta.tunbridgewells.gov.uk/local-plan/evidence/resources/environment-and-landscape/historic-landscape-characterisation-2017</p> <p>² http://www.highweald.org/look-after/buildings/farmsteads-and-hamlets.html</p> <p>³ https://www.sportengland.org/facilities-planning/planning-for-sport/playing-fields-policy/</p> <p>https://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/</p> <p>https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/playing-pitch-strategy-guidance/</p> <p>https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/facilities-planning-model/https://www.sportengland.org/facilities-planning/active-design/</p>				

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		<p>Whilst it seems there is adequate provision for sport and recreation - the County Council recommends further consideration as to how the Neighbourhood Plan can support connections between community facilities - limiting car usage where possible.</p> <p>The County Council would also draw attention to Sport England surveys: “Active Lives Adult”, which is published twice a year (and replaced the “Active People” Survey) and the “Active Lives Children and Young People”, published annually. Both surveys provide a unique and comprehensive view of how people are getting active, and can be focused at local authority level. The latest adult report is available⁴ and data can be explored and filtered⁵. A summary of the “Active Lives Children and Young People” report is also available⁶.</p> <p>The latest figures indicate that inactivity significantly impacts on an individual’s physical and mental health, as well as social and community development. Therefore, the Neighbourhood Plan should seek to ensure the provision of a mix of formal and informal areas/spaces (indoor and out) where people can be active, including walking and cycling routes, open spaces and water based activity, as appropriate.</p> <p>Public Rights of Way (PRoW): The Neighbourhood Plan’s use of the wording ‘Public Rights of Way’ instead of ‘Footpaths’ is welcomed, as this would encompass the different classifications of PRoW.</p> <p><i>Policy LE4 Public Rights of Way (PRoW)</i></p> <p>PRoW: KCC welcomes the fact that the Parish Council has addressed KCC’s previous comments and included a specific PRoW policy within the revised Neighbourhood Plan. The inclusion of a PRoW Policy is strongly supported. The reference to the Rights of Way Improvement Plan within the supporting text is also welcomed. As a minor comment, KCC requests that policy text is revised to help protect and improve the PRoW network. Suggested wording is:</p> <p><i>“New development must preserve existing PRoW, rerouted where appropriate. Where new housing or commercial development affects an existing PRoW, it must be preserved, enhanced and maintained. New PRoW should be created, where appropriate, to increase connectivity for non-motorised users. Funding to be provided by CIL/Section 106 contributions. Planning applications that would adversely affect the existing PRoW network will not be permitted.”</i></p> <p>Within the supporting text for this PRoW section, it is requested that additional text is inserted into the plan, stipulating that:</p> <p><i>“applicants for new developments should engage with the KCC PROW and Access Service at the earliest opportunity. This would allow the County Council to review proposals for access improvements and consider appropriate developer contributions for PRoW network</i></p>				

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		<p><i>enhancements, which would ensure there are sustainable transport choices available that provide realistic alternatives to short distance car journeys. Planning applications should also highlight existing PRow on their plans, showing how paths will be positively accommodated within new development sites”.</i></p> <p>4 https://www.sportengland.org/activelivesapr20</p> <p>5 Active Lives Online tool</p> <p>6 https://www.sportengland.org/news/active-lives-children-and-young-people-survey-academic-year-201819-report-published</p> <p>Policy LE5 Trees, Woodland and Hedgerow</p> <p>Biodiversity: The first part of this policy compliments the ‘mitigation hierarchy’ (British Standard 42020), which obliges developers to maintain habitats on-site. However, KCC recommends that the mitigation hierarchy is specifically referenced.</p> <p>Hedgerows are vital in limiting habitat fragmentation and, as such, KCC recommends that ‘habitat/ecological connectivity’ should be incorporated into this policy. Ideally, there should be no artificial barrier/a break in continuous vegetated areas. Ensuring ‘green corridors’ are included compliments other policies within this plan, such as policy LE7.</p> <p><i>Policy LE6 Ecological and Arboricultural Site Surveys</i></p> <p>Biodiversity: The County Council is generally supportive of this policy – however would raise a query regarding the last sentence. With the impending mandatory <i>measurable</i> biodiversity net-gain, habitat creation in <i>addition</i> to habitat retention is likely to be major feature of large developments going forward. For example, encouraging developers to create wildflower meadow grassland (unlikely to be present in the first place as this is a rare habitat) will be vital in restoring biodiversity and, therefore, improving ecosystem services (agricultural output in this case).</p> <p><i>Policy LE7 Protection of Habitats Adjacent to Development / Policy LE8 On-going Environmental Maintenance</i></p> <p>Biodiversity: The County Council supports these two policies. It is useful to reference Local Wildlife Sites, which have been listed within the plan, as well as Ancient Woodland.</p> <p><i>Policy LE9 Features to Encourage Wildlife.</i></p>				

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		<p>Biodiversity: Ideally, a development's landscaping should include <i>native</i> species only, to provide habitat opportunity for invertebrates, which are the faunal basis for all ecosystems. Non-native plants rarely support invertebrate communities. Implementing native species-only landscaping (especially native wildflower meadow) is the most significant measure a developer can take to enhance biodiversity. Therefore, KCC is supportive of this policy, which specifically references the inclusion of <i>native</i> species and wildflowers.</p> <p>However, KCC highlights that with mandatory biodiversity net-gain expected to be embedded in legislation, developers will have to <i>measurably</i> enhance biodiversity. As such, KCC advises that the policy wording be strengthened to reflect this, with an example being: "<i>Development proposals resulting in a negative impact on biodiversity will not be supported unless clear biodiversity gains can be demonstrated. Biodiversity net gain should be determined by applying the Defra's Biodiversity Metric 2.0 calculator.</i>"</p> <p>Minerals and waste: The County Council, as Minerals and Waste Planning Authority, recommends reference to minerals (land-won) and minerals/waste infrastructure safeguarding as set out by the policies (CSM 5, CSM 7 and CSW 16) of the adopted (and recently partially reviewed) Kent Minerals and Waste Local Plan 2013-30. This is an omission, as the area has the following safeguarded land-won minerals:</p> <p>Superficial deposits - Sub-Alluvial River Terrace (sands and gravels)</p> <p>Crustal deposits - Sandstone Tunbridge Wells Sand Formation and Ashdown Formation (sandstone)</p> <p>There is no safeguarded waste management infrastructure within the Neighbourhood Plan area.</p> <p>The 'Housing Supply and Trajectory Topic Paper for Draft Local Plan-Regulation 18 Consultation, 29 May 2020' that supports the Tunbridge Wells Borough Council's draft Local Plan 2019 suggests that the four proposed allocations in the Neighbourhood Plan are in addition to those listed in this supporting document to the draft Local Plan.</p> <p>Two sites (LS16 and 277) are not coincident with any of the above safeguarded minerals detailed in the Plan area. Proposed sites LS41 and 424/LS40b are coincident with the sandstone-Tunbridge Wells Sand Formation. The Neighbourhood Plan must consider the safeguarding implications of these minerals for these proposed sites and a Minerals Assessment for these proposed sites will be required. If these sites are to be considered by the Local Plan, it could be reasonable to assume this mineral safeguarding matter is to be deferred to the Local Plan. However, the supporting evidence from the Neighbourhood Plan appears to demonstrate that this is not the case.</p>				

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		<p>The mineral in question is a massive crustal unit that occurs very significantly over the entire Tunbridge Wells Borough area. The County Council's Kent Minerals and Waste Local Plan - Safeguarding Supplementary Planning Document, which is currently being revised, provides detail on this mineral which has been used as a local building stone in the past⁷.</p> <p>⁷ https://kccconsultations.inconsult.uk/consult.ti/MineralsandWasteSPD/consultationHome</p> <p>The County Council acknowledges that proposed sites LS41 and 424/LS40b are likely to have little to no impact on the possible future supply of this mineral in Kent. However, for completeness, the Neighbourhood Plan should identify this constraint and provide necessary evidence that an exemption from the presumption to safeguard is justified (using the appropriate exemption criteria of Policy DM 7: Safeguarding Mineral Resources of the KMWLP 2013-30).</p> <p>Chapter 3 Design and the Built Environment</p> <p><i>Policy BD2 General Appearance</i></p> <p>Heritage Conservation: The draft policy states that materials should be used that are similar in appearance to those used in Beneden's historic buildings. The County Council is generally supportive of this requirement but would note that this may be dependent on such materials being available in the form of building stone, tiles etc. KCC would recommend that a further text should be added to state that development proposals will not be accepted that lead to the destruction of natural resources needed as traditional building materials.</p> <p>Chapter 5 Transport and Infrastructure</p> <p><i>Policy T2 Improving road safety and the impact of traffic</i></p> <p>PRoW: It is noted that this policy has been strengthened following previous KCC commentary, requesting that developers submit traffic impact studies in support of their applications and contribute towards mitigation measures where negative impacts on Non-Motorised Users (NMU) are identified. This revised text is welcomed.</p> <p><i>Policy T4 Renewable Energy and Low-emission Technology</i></p> <p>Sustainable Business and Communities: The County Council welcomes consideration of climate change within the Neighbourhood Plan and the need for renewable energy and low emissions technology.</p> <p>The Energy and Low Emissions Strategy (ELES) outlines Kent and Medway's ambition to reduce greenhouse gas emissions to net-zero emissions by 2050. Taking an evidence based approach, it</p>				

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		<p>identifies a pathway to reduce greenhouse gas emissions, eliminate poor air quality, reduce fuel poverty, and promote the development of an affordable, clean and secure energy supply for this county. The County Council encourages the inclusion of the ELES within the Neighbourhood Plan.</p> <p>The County Council recommends reference to the KCC target of net-zero greenhouse gas emissions by 2050 as set out in the ELES. The Neighbourhood Plan should seek to commit to this target.</p> <p>KCC would welcome continued engagement as the Neighbourhood Plan progresses. If you require any further information or clarification on any matters raised above, please do not hesitate to contact me.</p>				
BE_121	Part 2; Supporting Document HSA4;	<p>Our family is deeply troubled over the plan to build so many homes in our small neighborhood. We believe that it will adversely affect the lives of those who live here, with added congestion and pressure on what are limited local resources.</p> <p>Our area is a small collection of homes in a very rural location. There is no transportation whatsoever, and none even in walking distance at all. There are no shops, no cafes, no restaurants and even very few post boxes. The internet is non-existent, and the quotation from the government's contractors was that it would not be feasible at all to extend broadband to our area.</p> <p>How is this the ideal location for 92 more houses? So far away from the center of town, with roads that are impossible to walk down?</p> <p>Please see our attached responses as well, including evidence of a near-fatal accident at an intersection that will be greatly affected by these new houses, and please do consider this application.</p> <ol style="list-style-type: none"> 1. Document HSA4 "High Weald AONB Advice on Benenden Neighbourhood Plan Sites" gives advice on some sites but not all. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although most new development is proposed for these sites. High Weald AONB objects to sites 424/LS40b and to LS41, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. 2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). 3. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, a 	Yes	Yes	Elizabeth and Michael Shapiro	Hazel Strouts

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		<p>church, a community centre and a regular bus service yet these sites are ruled out but sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in.</p> <p>4. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum on two sites. Site 158 was, in that referendum, chosen by the village as the preferred site. <i>Up till July 2018, TWBC planned up to 174 houses on the site.</i></p> <p>5. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. The LBD is ignored by Policies SSP3 and SSP4 which puts its value into question.</p> <p>6. Policy T2 on improving road safety. Site LS16 on the New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes development of LS22 at a later date as a way of blocking development of site 158. Development staggered over time would mean two exits onto New Pond Road instead of one. Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in.</p> <p>7. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by existing 18 dwellings. Where would the extra 24, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.”</p> <p>8. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses, on top of the existing permission for 24 (unbuilt), to be built, according to the hospital architect’s plans, over Local Wildlife Sites (see attached Clagues’ – the hospital architects - plan for housing on site 424/40b)</p> <p>9. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>10. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII’s competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain’s Heritage campaign.</p> <p>11. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>12. Plan advocates affordable housing (page 12) while proposing most development at a site over 2 miles out (LS41 and 424/40b, Policies SSP3 &4) where two cars would be essential for a family with both parents working.</p>				

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		<p>13. A local group opposing BNP plans for a <i>quasi</i> new village at the hospital have formed a group called Friends of the East End (FOE). On 4 April, 2019, 127 FOE supporters presented a petition protesting the NDP; on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP.</p> <p>14. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p> <p>See attached photograph</p>				
BE_122	Introduction, section 2, Individual site assessments HSA3, LEA9 and TA1&2	<p>Our family is deeply troubled over the plan to build so many homes in our small neighborhood. We believe that it will adversely affect the lives of those who live here, with added congestion and pressure on what are limited local resources.</p> <p>Our area is a small collection of homes in a very rural location. There is no transportation whatsoever, and none even in walking distance at all. There are no shops, no cafes, no restaurants and even very few post boxes. The internet is non-existent, and the quotation from the government's contractors was that it would not be feasible at all to extend broadband to our area.</p> <p>How is this the ideal location for 92 more houses? So far away from the center of town, with roads that are impossible to walk down?</p> <p>Please see our attached responses as well, including evidence of a near-fatal accident at an intersection that will be greatly affected by these new houses, and please do consider this application.</p> <p>Part 2 of the NDP is defective for the following reasons: (further reasons by others will also be relied upon)</p> <ol style="list-style-type: none"> 1. It is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. 2. The adoption of the proposed LBD does not accord with development on the ground. It is an artificial construct which has been manipulated by including areas previously outside it (site LS16). Also, there is extensive development along the road to Cranbrook and Swattenden, west of the cross roads. This developed area has been artificially excluded 	Yes	Yes	Elizabeth and Michael Shapiro	Hazel Strouts

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		<p>with the object and effect of putting site 222, which is otherwise deemed suitable, outside the LBD.</p> <p>3. Site 222 is shown to be suitable, available and achievable, and can support 17 to 18 dwellings. The reason given for its rejection is based on a misrepresentation. It is said that on the west side of Iden Green Road there are currently no buildings. This is false. There is a long row of houses along the side of the road, some occupied by local councillors.</p> <p>4. The plan disregards previous representations, including legal objections, without giving any reason for rejecting them. The reasoned objections previously given should be read with this document. Paragraph 2.1.4. misrepresents the result of consultation. There was a significant objection to the brownfield sites at the East End, which has been ignored (approximately 10% of the local voting-aged population objected - 127 signed to object to the parish plan March 2019 and 129 signed to object to TW Local Plan October 2019)</p> <p>5. Site LS4 is said to be unsuitable, although it is a brownfield site. The reasons given for its rejection as a site for housing apply equally to the plan's preferred sites of LS41 and 424. Such double standards are inappropriate.</p> <p>6. Site 424/40b already has unused permission for 24 houses. It is a complete non-sequitur to state that an increase of 100% is justifiable. If the Local Wildlife Sites (LWS) are excluded, see LEA9, there is no room for such an increase. Paragraph 2.9.31. says that development would only be on the foot print of existing buildings but no attempt has been made to calculate the area of such buildings and to consider whether the site can actually support 46 to 49 new dwellings. The architect's plan – not reproduced – goes well beyond the footprints.</p> <p>7. Para 2.9.3.3 sets out the constraints to development – these are overridden. Note that figure 24 in paragraph 2.8 page 15 refers to facilities to be provided. Since the site is up for sale, any obligation placed on the hospital cannot be enforced (see items enumerated under expected contributions to be required, page 64, some of which are off site). These are not lawful planning matters - conditions apply to the land, not to the current owners.</p> <p>8. 9.4.1: LS41 contains 18 dwellings already and the proposal to add 22 -25 dwellings while excluding the wildlife site shown in LEA9 leaves only the area covered by the existing 18 houses. This cannot be achieved without demolishing the existing 18 houses, so to say that the plan supports refurbishment or re-development of the existing 18 dwellings is disingenuous. If they are re-furbished, the other 22 – 25 houses have nowhere to go. Thus what we have here is actually a proposal for 40 – 43 new houses.</p> <p>9. 9.4.3 sets out the same constraints on site LS41 as apply to site 424, and again, they are ignored. The same consideration applies to expected contributions to this site as to site</p>				

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		<p>424, see paragraph 7 above. When one adds in the requirements for a children's playground, a café, a shop, a nursery school and for parking, there is no room left for houses. No calculations have been attempted to show the area required for such facilities.</p> <p>10. It is plain that the desire to create a new settlement over 2 miles from the main village of up to 92 new dwellings (including the existing permissions and the 18 existing dwellings) is unsustainable. No amount of convoluted manipulation can overcome the obvious constraints. That these sites are well outside the LBD is ignored and this fact is omitted from the site assessments. No account is taken of the objections based on counsel's opinion (q.v.) that these sites do not pass the primary filter for inclusion.</p> <p>11. Paragraph 2.7.2 places great store on the assessments carried out by the High Weald AONB unit disclosed in HSA4. There is no assessment shown in relation to the East End. However the authors of the Plan were or should have been aware that the AONB unit had analysed and objected to this proposal when it was repeated in the Tunbridge Wells Local Plan (DLP-3458). This analysis has not been taken into account, or even mentioned.</p> <p>12. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is 4 plus kilometres away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>13. The “vision” on page 9 in relation to housing supply requires development to be sustainable. The sites at the East End are demonstrated in the detailed analysis as not sustainable. The Plan is therefore self-contradictory. Reference is made to NPPF paragraph 84 on page 12 at paragraph 9. The two sites in question fail to meet these criteria.</p> <p>14. Policy BD1 properly states the object as being to “protect and enhance heritage assets and their settings”. The requirement for 46 to 49 new dwellings involves the demolition of the 1906 early modernist sanatorium on Site 424/40b which was designed by the winner of King Edward VII's competition for a new avant garde sanatorium for England (see Save Britain's Heritage request for listing for this building)</p>				
BE_123	The whole plan.	<p>We are writing in support of the Benenden Neighbourhood Development Plan.</p> <p>Our village is a rural community set within the AONB with two conservation areas. While we understand that there should be a reasonable supply of additional housing being built moving forwards to meet the needs of the community, we do not feel that this should be created at the expense of the green spaces around us that are so crucial to the character of the village.</p>	No	No	Stuart and Olivia Collier.	

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		<p>This is where we feel the NDP manages to strike a good balance by identifying brownfield sites with potential for development rather than putting more pressure on the countryside and our environment.</p> <p>The plan has clearly been well thought through with a significant amount of work going into assessing the available sites by the teams of volunteers undertaking what is a difficult and time-consuming task.</p> <p>In situations such as these, there is never going to be a perfect solution but we feel this approach makes best use of the sites available to provide future housing for the village and wider community, while striving to keep the impact on the AONB, conservation areas and countryside to a minimum.</p>				
BE_124	See attached letter dated 11 December 2020 from Gerard Conway to Mr. Paul Tolhurst, Benenden Neighbourhood Development Chair, c/o Tunbridge Wells Borough Council	<p>See attached letter dated 11 December 2020 from Gerard Conway to Mr. Paul Tolhurst, Benenden Neighbourhood Development Chair, c/o Tunbridge Wells Borough Council. The letter is fully referenced.</p> <p><i>[TWBC: letter copied below]:</i></p> <p>Thank you for the opportunity to comment on the above submission.</p> <p>1. INTRODUCTION</p> <p>Much hard work has gone into the Regulation 16 Benenden Neighbourhood Development Plan ("BNDP"). It is ambitious, given that it seeks to cover more than just housing. Notwithstanding this, the Tunbridge Wells Borough Council Draft Local Plan¹ ('TWBC DLP') has now emerged. It includes localised policies for Benenden, as well as a broad suite of well developed planning policies. It also includes the same housing allocations as those in the BNDP. In my past representations on the BNDP, I expressed concerns on a number of areas. Despite some changes, they unfortunately remain unaddressed. Were the BNDP to not be amended for them, I believe that planning harm could result. Accordingly, I set out below further evidence, observations and recommendations for the BNDP.</p> <p>¹ Draft Local Plan Regulation 18 Consultation Draft 20 September to 1 November 2019</p> <p>2. LANDSCAPE AND THE ENVIRONMENT</p> <p>2.1 EVIDENCE BASE</p> <p>Panoramic view PV4² looks west from Stepnyeford Lane. At present PV4's southern boundary lies at the intersection of Stepneyford Lane and footpath WC352. However, between this point and</p>	Yes	Yes	Gerard Patrick Conway	

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		<p>Stepneyford Lane's intersection with the B2086 Rolvenden Road to its south, there are attractive views towards Beacon Hill. Beacon Hill is thought to have been the location of a beacon between the 14th and 17th centuries and is a listed monument (HER reference TQ83SW7) (see Appendix 1). The area is surrounded by an attractive cluster of listed properties, including a former windmill (see Appendix 2). The current assessment for PV4 does not acknowledge that National Cycle Route 18 runs east along the Rolvenden Road, and north up to Stepneyford Lane. The High Weald Country Tour also travels along the Rolvenden Road from Benenden to Rolvenden³. The south end of Stepneyford Lane is therefore of considerable amenity value to countryside users.</p> <p>² See BNDP Supporting Documents pages 435 to 436; See Regulation 15 Submission page 28</p> <p>Recommendation: PV4's southern boundary should therefore be extended south to the intersection of Stepneyford Lane and the Rolvenden Road (B2086).</p> <p>N.B. The above recommendation was made in relation to the Regulation 14 Consultation. As a result, the BNDP accepted that an "Amendment to NDP required"⁴. However, this has in fact not been reflected in the current Regulation 16 BNDP and should now be.</p> <p>2.2 POLICY LE1 - PROTECT AND ENHANCE THE COUNTRYSIDE (PAGE 26)</p> <p>LE1(d) states that a given proposal must "<i>protect and, where possible, enhance</i>" [my emphasis]. The obligation placed on a local planning authority under s.84(4) of the Countryside and Rights of Way Act 2000 is to "<i>take all such action as appears to them expedient for the accomplishment of the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty</i>". Consequently, the wording of LE1(d) should be amended to read "<i>protect and enhance</i>", thereby deleting the caveat "<i>where possible</i>".</p> <p>Recommendation: Limb (d) of LE1 should be amended to remove the caveat "where possible".</p> <p>LE1(e) appears to undermine the intentions of the rest of this policy as it seems to suggest that by attempting to integrate a proposal into the landscape, it can be made acceptable. One could infer from this that almost any proposal could be made acceptable with large amounts of hard landscaping. However, hard landscaping may itself represent an alien intrusion into the landscape and thus not conserve and enhance the High Weald AONB.</p> <p>Recommendation: Limb (e) of LE1 should be deleted in its entirety.</p> <p>3. HOUSING SUPPLY AND SITE ALLOCATION</p>				

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		<p>3.1 POLICY PREAMBLE</p> <p>Paragraph 2.1.4⁵ notes that priority will be given to brownfield sites and Previously Developed Land ('PDL'). However, it does not define what PDL is. Paragraph 2.1.8⁶, goes on to state that <i>"equal weight is given to both the built environment and the rural environment in this Neighbourhood Plan"</i>. In the absence of a sequential approach to development in the BNDP area, the failure to define PDL has significant ramifications for sporadic development, particularly regarding policies HS4 and HS5.</p> <p>To place this into context, the TWBC DLP notably defines PDL as <i>"Land that is, or was, occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. This Previously Developed Land (PDL) excludes: land occupied by agricultural or forestry buildings; land developed for minerals extraction or waste disposal where provision for restoration has been made; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of structures have blended into the landscape."</i></p> <p>³ See Regulation 15 BNDP submission page 23</p> <p>⁴ See BNDP Supporting Documents page 66</p> <p>⁵ See Reg 15 BNDP Submission page 43</p> <p>⁶ See Reg 15 BNDP Submission page 44</p> <p>Recommendation: the BNDP should adopt the definition of PDL set out in the TWBC DLP</p> <p>3.2 POLICY HS4 – LIVE/WORK UNITS (PAGE46)</p> <p>3.2.1 Evidence base</p> <p>Against the problematic policy context for live/work units, the apparent demand for them seems negligible. The vast majority of requirements for working from home are provided by carve outs that permit home working in units designated as having C3 residential use. Based on the information received in preparation for the Business Survey, there were 878⁷ employees coming into the parish for work. However, of these a significant proportion (718 or 82%) worked for Benenden School or Benenden Hospital and were thus unlikely to require a live/work unit. This leaves a universe of 160 people, who might potentially be interested in a live/work unit. However, based on the employee survey, of those who came into the parish, only 40%⁸ were either extremely interested, very interested or somewhat interest in living in the parish. Furthermore, only</p>				

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		<p>3%⁹ were interested in a live/work unit. No other evidence or analysis is presented elsewhere, including in HSA1 to HSA4¹⁰, in support of the concept of and demand for live/work units.</p> <p>The consequent implied demand for live/work units amounts to c. 2 units¹¹. Even, then this is likely to overstate the case, due to various factors, such as survey respondents not being aware of the likely constraint of planning conditions that would apply to such a unit. These are likely to include (1) the requirement for both the live and the work elements of the unit to be used by the same occupant and</p> <p>(2) the restriction of the use of the work element to just that (as opposed to some use that is incidental to residential use, such as a garage). Furthermore, the likelihood of a work/live unit meeting the specific requirements of a given occupant in terms of living (e.g. number of beds) and working space (e.g. size) for such a limited pool of demand seems unlikely.</p> <p>Observation : the evidence base does not support the need for HS4</p> <p><i>3.2.2 Policy context</i></p> <p>HS4 allows live/work units both in and outside the LBD. <u>As regards development outside the LBD</u>, TWBC DLP policy H10 is relevant, being based on PPS7, Annex A¹². Its aim is to limit sporadic residential development in rural locations. This is also reflected in NPPF paragraph 79. H10 hinges on tests, which need to be met, including whether: it is essential for the proper functioning of the enterprise; no other suitable accommodation is available; the size and scale of the dwelling is appropriate; the business to which the proposed dwelling relates is established/financially sound; and the proposal would not harm the landscape. In the case of proposals for work/live units outside the LBD, the tests of H10/PPS7, Annex A must therefore be met. Consequently, as regards proposals outside the LBD, BNDP HS4 appears to conflict with TWBC DLP policy H10 (see Appendix 3).</p> <p>Observation : for development outside the LBD, HS4 appears to conflict with the TWBC DLP</p> <p>¹⁰ See BNDP Supporting Documents pages 495 to 586⁷ See BNDP Supporting Documents page 669 ⁸ See BNDP Supporting Documents page 670 ⁹ See BNDP Supporting Documents page 670</p> <p>¹¹ 3% of 40% of 160 employees</p> <p>¹² PPS 7, Annex A: 'Agricultural, Forestry and Other Occupational Dwellings'</p> <p><i>3.2.3 Conversion of appropriate rural buildings</i></p>				

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		<p>Policy HS4 permits the conversion of “<i>appropriate rural buildings</i>” to live/work units without any clarification of ‘appropriateness’. HS4 is furthermore not explicitly subject to the policies of the TWBC Local Plan. Analysis of these by reference to the TWBC DLP shows that without qualification/ clarification, HS4:</p> <ul style="list-style-type: none"> • May cause the loss of existing employment sites and buildings, contrary to ED2 (see Appendix 4) • Compromise the use of land for farming or result in the need of further buildings, contrary to ED5 (see Appendix 5). The issue here essentially relates to the possible abuse of permitted development rights to construct agricultural buildings, which is more clearly articulated in the TWBC Local Plan 2006 (see Appendix 6); and • May encourage attempts to convert unsuitable buildings, contrary to ED5 (see Appendix 5). <p>Observation : Without clarification of ‘appropriateness’ HS4 may encourage the conversion of inappropriate rural buildings</p> <p><i>3.2.4 Proposed use class</i></p> <p>The BNDP states in paragraph 2.4.1 (page 46) that work / live units are a “...<i>composite Class E/Class C use and enjoy permitted development rights under Part 3 Class E of the General Permitted Development Order, allowing the work element to be extinguished by the live element...</i>”. If the use is mixed, then a ‘<i>sui generis</i>’ use class applies to live/work units as confirmed by TWBC¹³. This has implications for the permitted development rights, which may be restricted for a ‘<i>sui generis</i>’ use.</p> <p>Observation : development under HS4 may not benefit from permitted development rights</p> <p><i>3.2.5 Impact of development on character, amenity, tranquillity and on highways</i></p> <p>If, however, as the BNDP currently suggests, part of a mixed use live/work development falls into ‘Class E’, the implications of this need to be understood. This class was only introduced on 1 September 2020. Consequently, the proposal for live/work units to benefit from this use class has not been subject to prior consultation in the BNDP process. Its implications may therefore not have been properly understood by consultees. Class E combines all the former use classes A1(shops)/A2(financial and professional services)/A3(restaurants and cafés), B1(business – office; research and development; industrial processes), D1(a-b) (provision of medical or health services, not including residential use / crèche, day nursey or day centre) and ‘indoor sport’ from D2(e). A copy of the uses permitted under Class E is attached as Appendix 7. Switching between the variety of uses in this class will be permitted without the need to apply for planning permission after 31 July 2021. Clearly each of the permitted uses has significant implications for the environment,</p>				

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		<p>including visual impacts and noise. They also have implications for highways safety resulting from new accesses or increased traffic volume.</p> <p>Observation : HS4 may lead to adverse impacts on character, amenity, tranquillity and on highways</p> <p><i>3.2.6. Interrelationship of policy HS4 with other policies in the BNDP</i></p> <p>Whereas other policies in the BNDP clarify that development proposals will be subject to / not conflict with all the policies in the BNDP (e.g. HS5, BE2) and in some cases the TWBC DLP, policy HS4 omits any</p> <p>¹³ Email from Gwenda Bradley of TWBC, Senior Planning Officer (Policy), to Gerard Conway dated 9/12/2020</p> <p>such a requirement. It only appears to be explicitly subject to one other policy in the BNDP (T5). This is surprising as although HS4 is included as a housing supply policy, it clearly also contains proposals for business premises. There is considerable scope for proposals under HS4 to have adverse environmental effects, such as noise and vibration. Adverse visual impacts and highways safety considerations may also arise.</p> <p>Even if HS4 were qualified by other policies in the BNDP (inter alia), it should be noted that BE7 (see page 93) of the BNDP states under (b) that “<i>The BNDP...will support appropriate types of new business development provided that the proposal causes a low environmental impact and generates low volumes of traffic on the narrow lane infrastructure</i>”. [my emphasis]. Consequently, it is unclear whether HS4 is subject to BE7, given that HS4 is included in the ‘Housing’ as opposed to the ‘Business’ chapter of the BNDP. HS4 could thus be argued to not constitute ‘<i>new business development</i>’.</p> <p>By the same token, policy BD2 (see page 15 of the BNDP) applies different standards of design to ‘residential’ and ‘non-residential development’. It is unclear whether development under policy HS4 will be considered to be ‘residential’ or ‘non-residential’ for the purpose of policy BD2.</p> <p>Observation : HS4 should be subject to all the policies in the BNDP / TWBC DLP</p> <p><i>3.2.7 Conditions and planning enforcement</i></p> <p>The condition proposed in paragraph 2.4.1 of the BNDP (see Page 46) does not address what split between the work / live elements is likely to be acceptable. There is not even any directional statement. Consequently, proposals such as 20% work / 80% residential may come forward. Equally policy HS4 could be abused to establish 100% work units. In this regard, paragraph 2.4.1</p>				

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		<p>of BNDP (see page 46) states that it would only condition against the conversion of the work element to the residential element, <u>but not vice versa</u>. The condition needs to specify the exact split between live/work space.</p> <p>Paragraph 2.4.1 does not consider what other conditions are likely to be required, such as the obvious need to tie the use of the work element to the live element. This is necessary to prevent subletting of one part of the development. Equally, the work element must actually be used for that as opposed to some other purpose (e.g. garage). Such conditions attached to live/work units may be hard to enforce, leading to a need for enforcement action, which may not be forthcoming from the LPA, leading to planning harm.</p> <p>Observation: the conditioning currently anticipated for HS4 leaves the concession open to abuse</p> <p><i>3.2.8 Summary on HS4</i></p> <p>Policy HS4:</p> <ul style="list-style-type: none"> • Is unsupported by the evidence base presented by the BNDP; • May be contrary to the planning policy of the TWBC DLP; • May encourage the conversion of inappropriate rural buildings; and • Risks encouraging development with adverse impacts on the environment and <p>Recommendation : there is no evidential or policy support for HS4 and it should be deleted</p> <p>4. DESIGN AND THE BUILT ENVIRONMENT</p> <p>4.1 POLICY BD1 – GENERAL DESIGN POLICY (PAGE 73)</p> <p>The BNDP acknowledges on Pages 18 to 19 that the parish has a significant number of designated and non-designated heritage assets, including listed buildings.</p> <p>Paragraph 185 of the NPPF states that “...<i>plans should set out a positive strategy for the conservation and enjoyment of the historic environment...</i>”. Paragraph 194 of the NPPF states that “<i>any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, <u>or from development within its setting</u>), should require clear and convincing justification.</i>” [My emphasis]. Despite this, the BNDP does not appear to contain an effective policy to conserve and enhance heritage assets, <u>including their settings</u>.</p> <p>Policies SSP1 (Pages 53 to 54) and SSP2 (Pages 57 to 59) consider the impact of proposals on neighbouring heritage assets for these sites only. Policy BD1 (Page 73) appears to only relate to</p>				

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		<p>how a proposal's design affects that of the heritage asset, to which it relates. However, a heritage asset's setting may also be adversely affected by other factors. For example, it could also be impaired by development on neighbouring land, such as a change of use or a massing of built form on that land.</p> <p>The BNDP supports new housing and business development across the plan area. Such development could affect the setting of heritage assets. Accordingly, the BNDP should contain an explicit policy to protect and enhance heritage assets in line with TWBC DLP EN7 (see Appendix 8). This policy should not be limited to matters of design only. The policy should also appear under the landscape and environment policies for the avoidance of doubt.</p> <p>Recommendation : A general policy to protect and enhance heritage assets and their settings should be included under the Landscape and Environment Policies in chapter 1 of the BNDP</p> <p>4.2 POLICY BD2 – GENERAL DESIGN POLICY (PAGE 74 to 75)</p> <p>As above, it is unclear how this policy applies to HS4.</p> <p>5. BUSINESS AND THE LOCAL ECONOMY</p> <p>5.1 EVIDENCE BASE</p> <p>The BNDP does not summarise the key characteristics of employment in the plan area, which are that:</p> <ul style="list-style-type: none"> • There are 1,874¹⁴ people living in the parish, of which only 101 live and work in the parish¹⁵ (c.5% of Benenden's population); and • 78% of employees in the Parish work at just two sites (Benenden School and Benenden Hospital)¹⁶; <p>Of the 1,000 or so people, who work in the BNDP area, 979 work for 12 employers¹⁷, leaving 21¹⁸ or so employees. If it is assumed that these 21 employees all work as sole traders, a maximum of 33</p> <p>¹⁴ See BNDP supporting documents page 495 ¹⁵ See BNDP Supporting documents page 669 ¹⁶ See BNDP Supporting documents page 669 ¹⁷ See BNDP Supporting documents page 669 ¹⁸ 1,000 less 979</p>				

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		<p>business is implied for the plan area. However, there were 59 respondents to the Business Survey¹⁹, of whom 20²⁰ (i.e. 34%) were not employers, implying 39 as opposed to 33 trading businesses²¹. As for the twenty or so respondents²², who were not employers, their responses may have been interested by land development opportunities. For example, one response states “<i>Am happy to have phone mast or any type of mast installed on my farm land. Have land for housing</i>”²³.</p> <p>5.2 POLICY PREAMBLE</p> <p>Paragraph 4.2.1 (page 84) states that it “<i>is the intention of all of the policies to complement the High Weald AONB Management Plan 2019-24 Objective S1, which is to reconnect settlements, residents and their supporting economic activity with the surrounding countryside</i>”. In the first place, not all business development is likely to be situated outside the LBD. Indeed, some policies in the BNDP specifically refer to development inside the LBD. In addition, a small part of the parish is located outside the High Weald AONB. Second, whilst S1 is conducive to business development in the High Weald AONB, it is not clear why, nor is it accepted that the BNDP should give specific weight to S1 alone, given that the High Weald AONB Management Plan has 22 separate objectives. Development in the High Weald AONB thus needs to satisfy all of the Management Plan’s objectives, inter alia.</p> <p>5.3 POLICY BE1 RURAL INDUSTRIES (PAGE 84)</p> <p>BE1 implies that all proposals will be in the High Weald AONB, which may not be the case. Furthermore, it suggests that they will only have to comply with the High Weald AONB Management Plan. However, there are a considerable number of other policy considerations for proposals relating to rural industries. They may, for example, have adverse environmental impacts. Equally, they may well affect issues such as air quality and drainage. As a result, proposals under BE1 should not only satisfy the BNDP’s other policies, but also those of the TWBC LP (as this contains a broader range of policies than those appearing in the BNDP). In this regard, it is baffling why BE1 is not subject to the BNDP’s other policies, but BE2 is. Furthermore, if BE1 is made subject to the other policies of the BNDP, there would not be any need to state in BE1 that the proposal needs to accord with the High Weald AONB Management plan. This is because any proposal that would come forward in the High Weald AONB, would be subject to BNDP policy LE1. This states in its limb (a) that proposals must have regard to the High Weald AONB Management Plan.</p> <p>Recommendation : BE1 should be made subject to the other policies of the BNDP and TWBC LP</p> <p>5.4 POLICY BE6 REDEVELOPMENT OF REDUNDANT BUILDINGS (PAGE 92)</p>				

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		<p>This policy currently permits unfettered conversion of a wide range of agricultural, rural and other buildings for various uses without considering 'appropriateness'. The policy is not specifically subject to the other policies of the BNDP nor of the TWBC DLP. There is thus a risk that proposals under it:</p> <ul style="list-style-type: none"> • May cause the loss of existing employment sites, contrary to TWBC DLP ED2 (see Appendix 4) • Compromise the use of land for farming or result in the need of further buildings, contrary to TWBC DLP ED5 (see Appendix 5). The issue here essentially relates to the possible abuse of <p>¹⁹ See BNDP Supporting documents pages 674 to 692</p> <p>²⁰ See BNDP supporting documents page 676</p> <p>²¹ 59 less 20</p> <p>²² See BNDP supporting documents pages 674 to 692</p> <p>permitted development rights to construct agricultural buildings, which is more clearly articulated in the TWBC Local Plan 2006²⁴;</p> <ul style="list-style-type: none"> • May lead to the conversion of unsuitable buildings, contrary to TWBC DLP ED5 (see Appendix 5); • May result in unsuitable uses that are harmful to the character, amenity, tranquillity and highways safety of the area, contrary to TWBC DLP ED5 (see Appendix 5). <p>Recommendation : BE6 should be made subject to the other policies of the BNDP and TWBC LP</p> <p>It appears from the description in paragraph 4.8.1 (page 92) of the BNDP that a range of uses may arise from conversions of existing buildings. Some of these may fall into Class E of the Use Class Order (as revised) (see Appendix 7). Given the ability to switch between the uses in Class E without applying for planning permission, it may be necessary to restrict by condition certain of the subcategories within Class E. Adverse impacts on the character, amenity, tranquillity and highways safety of the area may otherwise result.</p> <p>Recommendation : BNDP should recognise the possible need to restrict uses under Class E</p>				

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		<p>5.5 PROJECTS</p> <p>The infrastructure chapter already includes a project to improve broadband in East End (see page 106). This appears to be duplicated on page 93 of the business chapter, which shows a project to improve broadband and mobile signal. There does not appear to be a need for competing initiatives.</p> <p>6. TRANSPORT AND INFRASTRUCTURE</p> <p>The following observations concern references to mobile telecommunications in paragraphs 5.6, 5.6.1 to 5.6.4 on pages 102 and 103 of the BNDP. In addition, the BNDP contains further comments on mobile telecommunications on page 97. As a general observation, mobile telecommunications is a complex and evolving area (both in terms of technology and policy). Planning considerations are also likely to extend beyond the boundaries of single parish. A neighbourhood plan may therefore not be an appropriate policy tool for dealing with it.</p> <p>6.1 EVIDENCE BASE</p> <p>The main evidence presented by the BNDP in relation to mobile telecommunications is based on the Business Survey²⁵ (as opposed to the Employee Survey). Respondents included parties interested in hosting masts on their land²⁶. It appears that c.34%²⁷ of respondents had no employees. The Business Survey indicates that respondents were spread throughout the plan area²⁸, although this clearly does not represent the pattern of distribution of employees. 83%²⁹ of respondents stated that they suffered from problems with mobile phone signals, although the survey does not clarify their type and severity.</p> <p>The survey may thus give a skewed picture of mobile coverage. A more representative analysis would be to consider the main concentrations of employees and dwellings. In this regard, 78% of all</p> <p>²⁴ See paragraph 7.84 of the TWBC LP 2006</p> <p>²⁵ See BNDP Supporting Documents pages 674 to 692</p> <p>²⁶ See BNDP Supporting Documents page 692</p> <p>²⁷ See BNDP Supporting Documents page 676; 20 out of 59 respondents were not employers</p> <p>²⁸ See BNDP Supporting Documents page 676</p>				

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		<p>²⁹ See BNDP Supporting Documents page 684</p> <p>employees³⁰ work at two sites (Benenden School and Benenden Hospital). The latter is situated in East End, which is one of the main settlement areas along with Benenden Village and Iden Green. Ofcom mobile coverage information for these main settlement and employment areas is attached as Appendix 9. It shows that mobile connectivity appears to be acceptable in them. In other more isolated parts of the plan area, coverage may not be economically viable or possible (e.g. due to terrain).</p> <p>Observation : the BNDP's evidence base appears to give a skewed impression of mobile connectivity</p> <p>6.2 VISUAL IMPACT</p> <p>The BNDP states that new facilities should be camouflaged to minimise their adverse visual impact. In its response to a recent consultation³¹, the National Association of Areas of Outstanding Natural Beauty stated that <i>"The experience of some AONB Partnerships/Conservation Boards suggests that statements in the consultation and in the NPPF about equipment being 'sympathetically designed and camouflaged' have not always been carried through in practice...We therefore have concerns that operators will not seek to minimise visual impacts in the ways suggested in the consultation document. In protected landscapes, because previous codes have been less than effective, it is important that the Codes of Practice are strengthened to address the issues that we have raised..."</i></p> <p>Observation : the BNDP does not acknowledge that mobile infrastructure has adverse visual impacts</p> <p>6.3 HEALTH IMPLICATIONS</p> <p>Base stations transmit and receive radio waves to connect the users of mobile phones and other devices to mobile communications networks. As non-ionising radiation, these waves can affect health but only at significant levels of exposure. The ICNIRP³² guidelines set minimum exclusion zones from which the general public should be excluded. However, for 5G equipment these exclusion zones <u>are significantly larger than for 4G</u> and can extend to neighbouring land or buildings. A detailed note on the health, liability and planning implications of this by the Central Association of Agricultural Valuers (CAAV) is attached as Appendix 10. It should also be noted that 5G may make some existing mast locations unviable it, if they are close to existing buildings. It may also have implications for planned development, to the extent that base stations are or will be situated in or close to that development.</p>				

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		<p>Observation : the BNDP does not acknowledge the health risks of exposure to non-ionising radiation</p> <p>6.4 FIXED LINE BROADBAND</p> <p>The alternative is to rely on fixed line broadband. As per BNDP paragraph 5.6.3, the Ofcom target for broadband is for every household and business to have <i>'the right to request a broadband service capable of a download speed of at least 10 megabits (Mb), and an upload speed of at least 1 megabit (Mb).'</i>' The Government's target is for 95% of premises to have access to superfast broadband.</p> <p>Other than Benenden Hospital/ East End, delivery of fixed line broadband currently considerably exceeds the above target (see Appendix 11) in the main settlement and employment areas. However, the BNDP dismissed fixed line broadband as a viable alternative to mobile telecommunications</p> <p>³⁰ See BNDP Supporting Documents Page 669; Benenden School/Hospital employ 787 out of 1,000 workers ³¹ DCMS consultation "Proposed reforms to permitted development rights to support the deployment of 5G and extend mobile coverage", August 2019</p> <p>³² International Commission on Non-Ionising Radiation Protection</p> <p>because <i>"use of land lines and internet connectivity are only a partial solution as text messaging is becoming a major tool for Government, banks and other service providers to connect with customers"</i>³³.</p> <p><i>This position is based on an incomplete understanding of available technology. SMS's may well be used by business to communicate, but that does not obviate the ability of fixed line broadband connections to deliver them through WiFi connections in the home or work place (see Appendix 12). WiFi Calling enabled handsets are standard today. Services provided by BT³⁴, EE, Three, ID Mobile, O³⁵ Sky and Vodafone³⁶ all support WiFi calling. The first four also support SMS by WiFi.</i></p> <p>Observation : the BNDP should acknowledge that WiFi can substitute mobile telecommunications</p> <p>6.5 POLICY CONTEXT</p> <p>Mobile telecommunications infrastructure has an adverse visual impact, making it incompatible with the AONB's landscape, conservation areas and listed buildings. This has been borne out in</p>				

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		<p>applications (and appeals) for masts in the parish that have been refused / dismissed for this reason³⁷.</p> <p>This needs to be considered against NPPF Paragraph 117, which states: <i>“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues”</i>.</p> <p>Recommendation: the BNDP should recognise in the policy preamble to T5 that (1) mobile telecommunications infrastructure can have adverse visual impacts on landscape, heritage assets and conservation areas and (2) the plan area consequently has limited capacity to accommodate it</p> <p>Against this, Paragraph 112 of the NPPF states <i>“Policies...should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution)”</i>. The NPPF is clear that full fibre connections should be prioritised, whose visual impact is also likely to be significantly lower.</p> <p>Policy ED3 of the TWBC DLP, reflects this by stating <i>“all residential developments over five dwellings and employment proposals of 500m2 or more (including through conversion) will enable Fibre to the Premises (‘FTTP’)...For schemes under these thresholds, the Council’s expectation is that provision for FTTP will be achieved, where practical...where it can be demonstrated that FTTP is not practical, then other non-Next Generation Access technologies, including wired and wireless infrastructure, providing all-inclusive internet access speeds of 24Mbps, should be delivered wherever practical...”</i>.</p> <p>Recommendation : Prioritisation of FTTP should be reflected in the policy preamble to T5</p> <p>Paragraph 116 of the NPPF specifies that proposals for additions to existing masts and for new masts will not exceed International Commission guidelines on non-ionising radiation protection. Accordingly, due to the nature of 5G it may not be possible to use existing masts, buildings and other structures for 5G as Paragraph 113 of the NPPF suggests.</p> <p>³³ See BDNP Supporting Documents page 49</p> <p>³⁴ Also includes Virgin Mobile and Asda Mobile</p> <p>³⁵ Also includes Tesco Mobile and Lycamobile</p> <p>³⁶ Also includes Lebara Mobile and TalkTalk Mobile</p>				

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		<p>³⁷ TW/96/00829, TW/03/01348, TW/03/02203 and TW/04/00616</p> <p>Paragraph 6.430 of the TWBC DLP states <i>“Proposals should also adhere to current government advice on the health effects of exposure to radio waves. Certificates of compliance with guidance laid out in the International Commission on Non-Ionizing Radiation Protection should be submitted with all applications, including applications for prior approval. The outcome of any pre-submission consultation where a mast is to be installed near a school or college should also be submitted...”</i></p> <p>Recommendation : TWBC DLP Paragraph 6.430 should be reflected in the policy preamble to T5</p> <p>Consequently, against the NPPF’s and TWBC DLP’s prioritisation of FTTP, there is no requirement for the BNDP to impose conditions on development in relation to 5G as it seeks to do in Paragraph 5.6.4 (see page 103). Given the above comments in relation to emissions from non-ionising radiation from 5G equipment, it is possible that such requirements may restrict the delivery of housing, if exclusion zones result. It should also be noted that broadband speeds at SSP1 and SSP2 already exceed 24Mbps.</p> <p>Recommendation : The final sentence of BNDP Paragraph 5.6.4, which reads: <i>“They will be required to install boosters at each site to improve mobile phone reception and enable 5G connectivity”</i> should be replaced with <i>“They will be required, where possible, to install Fibre to the Premises (‘FTTP’). Where it can be demonstrated that FTTP is not practical, then other non-Next Generation Access technologies, including wired and wireless infrastructure, providing all-inclusive internet access speeds of 24Mbps, should be delivered wherever practical”</i></p> <p>7. OTHER</p> <p>A list of projects appears at the end of each of the BNDP chapters³⁸. The purpose and administration of projects and who (Parish Council/ interest groups/ developers) will conduct them on an impartial basis is unclear. There is a clear risk that such projects may be subject to conflicts of interest, leading to outputs that have not been objectively considered. Some of the projects suggest that costs will be incurred, but it is unclear who will pay for this cost and whether that funding will be provided on a basis that does not influence the objectivity of the project’s conclusions.</p> <p>Recommendation: The project sections of each of the chapters should be removed as the approval of the policies in the BNDP should not be taken as implied approval of the projects themselves.</p>				

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		<p>8. CONCLUSION</p> <p>In light of the potential for planning harm to arise from the BNDP, I would be grateful if further careful consideration could be given to the above observations and recommendations.</p> <p>[see supporting documents attached].</p>				
BE_125	HSA; BD1; BD2; BD7; BD8; BE1; BE2; BE4; T1; T2; T3; T4; HS1; HS2; HS6; SSP2; SSP3; SSP4; SEA1; LEA1; LEA8; LEA9; IA5; IA6; IA7; HSA2; HSA3; HSA4; HSA5; BEA1; TA1; TA2	<ol style="list-style-type: none"> On page 48, para 2.7.2. the plan states that the High Weald AONB's "assessment is considered a key supporting document" yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. The plan never mentions these objections. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). See SEA1. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum which presented a choice between two sites. Site 158 was, in that referendum, chosen by the village but in the end, the school was built elsewhere and TWBC planned up to 174 houses, instead of a school, on 158. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. 	Y	Y	Tracy Robinson	Hazel Strouts

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		<p>6. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. How can you justify something on the grounds of a decision not yet made? The LBD is ignored by Policies SSP3 and SSP4, which propose most development as far beyond the LBD as it is possible to go while still remaining within the parish of Benenden. This makes the value of an LBD questionable.</p> <p>7. Policy T2 on improving road safety. Site LS16 on New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes the development of LS22 at a later date as a way of blocking development of site 158 which is right behind it. If this were to happen, there would be two exits close together onto New Pond Road which would surely be more dangerous than one. Further, proposing to develop LS22 simply to block development at 158 is not a proper planning reason. (See HSA3 page 529 “Should the Parish decide to pursue a policy of smaller scattered sites, it might be advantageous to consider developing only the smaller, western part of the site nearest New Pond Road (<i>i.e. LS22</i>) with containment to control any proposals for an easterly expansion at a future date (<i>i.e. site 158</i>).” Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. There was a serious accident at those cross roads on November 20, 2020. Biddenden Parish Clerk has written on behalf of the parish of Biddenden to strongly oppose the plan largely on traffic issues. She has received an acknowledgment but no reply. Biddenden presents its strong objections at https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments – their objection is DLP_650.</p> <p>8. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by the existing 18 dwellings. Where would the extra 25, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.” The plan talks of ‘redeveloping’ the existing 18 dwellings which must mean demolition and the building of new dwellings for there is no room otherwise for 25 new dwellings. This means that the number of new dwellings proposed at this site is not 25, but 18 plus 25 i.e. 43.</p> <p>9. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses which comes on top of an existing permission for 24. The 49 new dwellings proposed at this site are to be built, according to architectural plans presented to the village earlier this year, all over existing Local Wildlife Sites. The hospital’s architects are Clagues.</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII’s competition for an <i>avant</i></p>				

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		<p><i>garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain's Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site well over 2 miles outside the village (LS41 and 424/40b, Policies SSP3 &4), where two cars would be essential for a family with both parents working. This is inconsistent. Such sites are also ill-advised for older people who prefer to be able to walk to shops and bus stops.</p> <p>14. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is well over 2 miles away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>15. A local group called 'The Friends of the East End' (FOE) opposes these plans for a <i>quasi</i>-new village at the unsustainable hospital sites. We feel planning is being carried out back to front by proposing to build the houses first in the hope that the infrastructure will follow. On 4 April, 2019, 127 FOE supporters presented a number of petitions protesting the NDP: on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored, as have the views of the parish of Biddenden. Residents who wrote letters were never informed of the Consultation over Regulation 16 and even many of those who have email, were never contacted.</p> <p>16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_126	HSA; BD1; BD2; BD7; BD8; BE1; BE2; BE4; T1; T2; T3; T4; HS1; HS2; HS6; SSP2; SSP3; SSP4; SEA1; LEA1; LEA8; LEA9; IA5; IA6; IA7; HSA2; HSA3; HSA4; HSA5; BEA1; TA1; TA2	<p>1. On page 48, para 2.7.2. the plan states that the High Weald AONB's "assessment is considered a key supporting document" yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. The plan never mentions these objections.</p> <p>2. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). See SEA1.</p> <p>3. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are</p>	Y	Y	Michaela Chudy	Hazel Strouts

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		<p>Where would the extra 25, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.” The plan talks of ‘redeveloping’ the existing 18 dwellings which must mean demolition and the building of new dwellings for there is no room otherwise for 25 new dwellings. This means that the number of new dwellings proposed at this site is not 25, but 18 plus 25 i.e. 43.</p> <p>9. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses which comes on top of an existing permission for 24. The 49 new dwellings proposed at this site are to be built, according to architectural plans presented to the village earlier this year, all over existing Local Wildlife Sites. The hospital’s architects are Clagues.</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII’s competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain’s Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site well over 2 miles outside the village (LS41 and 424/40b, Policies SSP3 & 4), where two cars would be essential for a family with both parents working. This is inconsistent. Such sites are also ill-advised for older people who prefer to be able to walk to shops and bus stops.</p> <p>14. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is well over 2 miles away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>15. A local group called ‘The Friends of the East End’ (FOE) opposes these plans for a <i>quasi</i>-new village at the unsustainable hospital sites. We feel planning is being carried out back to front by proposing to build the houses first in the hope that the infrastructure will follow. On 4 April, 2019, 127 FOE supporters presented a number of petitions protesting the NDP: on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored, as have the views of the parish of Biddenden. Residents who wrote letters were never informed of the Consultation over Regulation 16 and even many of those who have email, were never contacted.</p>				

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BE_127	HSA; BD1; BD2; BD7; BD8; BE1; BE2; BE4; T1; T2; T3; T4; HS1; HS2; HS6; SSP2; SSP3; SSP4; SEA1; LEA1; LEA8; LEA9; IA5; IA6; IA7; HSA2; HSA3; HSA4; HSA5; BEA1; TA1; TA2	<ol style="list-style-type: none"> On page 48, para 2.7.2. the plan states that the High Weald AONB's "assessment is considered a key supporting document" yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. The plan never mentions these objections. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). See SEA1. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum which presented a choice between two sites. Site 158 was, in that referendum, chosen by the village but in the end, the school was built elsewhere and TWBC planned up to 174 houses, instead of a school, on 158. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. How can you justify something on the grounds of a decision not yet made? The LBD is ignored by Policies SSP3 and SSP4, which propose most development as far beyond the LBD as it is possible to go while still remaining within the parish of Benenden. This makes the value of an LBD questionable. 	Y	Y	Mrs S Mills	Hazel Strouts

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BE_130	HSA; BD1; BD2; BD7; BD8; BE1; BE2; BE4; T1; T2; T3; T4; HS1; HS2; HS6; SSP2; SSP3; SSP4; SEA1; LEA1; LEA8; LEA9; IA5; IA6; IA7; HSA2; HSA3; HSA4; HSA5; BEA1; TA1; TA2	<ol style="list-style-type: none"> On page 48, para 2.7.2. the plan states that the High Weald AONB's "assessment is considered a key supporting document" yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458, https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments. The plan never mentions these objections. Site LS22 was formerly addressed as part of 158 and is currently addressed twice, on its own and as part of 158. LS22 and LS4, are both new sites and have not been assessed as such by the HW AONB, nor undergone a Strategic Environmental Assessment, nor reviewed in other capacities, as have the other sites except for 424/LS40b and LS41 (see above). See SEA1. Sustainability policy (See page 9 "Vision" "to support...sustainable housing" and Policy BD8 "All new development must be constructed to be sustainable") Sites 437 and LS8 are in Iden Green where there is a paved footpath to the village, a nursery school, a pub/restaurant, community tennis courts, a children's playground, a church, a community centre and a regular bus service, and these sites are ruled out. But sites LS41 and 424/LS40b, (Policy SSP3&4) which have none of these amenities and are twice as far from the village, are ruled in. Proposed new Limit to Built Development (LBD) – the LBD is manipulated to include Site LS16 (Uphill, Policy SSP2) but to exclude sites 222 and 158 (HSA3). The northern edge of the proposed LBD therefore fits loosely round areas where Benenden Plan hopes to build, but tightly round others, where it hopes to exclude building. In 2006, TWBC 	Y	Y	Miss T Talbot & Mr Ashley Duncan-Page	Hazel Strouts

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		<p>considered both 158 and 222 as possible sites for the new village primary school and 158 made it to the final referendum which presented a choice between two sites. Site 158 was, in that referendum, chosen by the village but in the end, the school was built elsewhere and TWBC planned up to 174 houses, instead of a school, on 158.</p> <p>5. The plan is based on the false assumption that the draft TW Local Plan and the proposal to adopt the CIL policy are done deeds, when, in fact, they have not been adopted, see introduction page 9 penultimate paragraph for example, and page 13 – relating to the Limit to Built Development (LBD), and may be modified or rejected in due course.</p> <p>6. Site allocations are randomly justified on the basis of a proposed LBD i.e. one which does not yet exist. How can you justify something on the grounds of a decision not yet made? The LBD is ignored by Policies SSP3 and SSP4, which propose most development as far beyond the LBD as it is possible to go while still remaining within the parish of Benenden. This makes the value of an LBD questionable.</p> <p>7. Policy T2 on improving road safety. Site LS16 on New Pond Road is ruled in, although the adjacent site of LS22 is ruled out because of the “speed of traffic on New Pond Road”. Also, HSA3 proposes the development of LS22 at a later date as a way of blocking development of site 158 which is right behind it. If this were to happen, there would be two exits close together onto New Pond Road which would surely be more dangerous than one. Further, proposing to develop LS22 simply to block development at 158 is not a proper planning reason. (See HSA3 page 529 “Should the Parish decide to pursue a policy of smaller scattered sites, it might be advantageous to consider developing only the smaller, western part of the site nearest New Pond Road (<i>i.e. LS22</i>) with containment to control any proposals for an easterly expansion at a future date (<i>i.e. site 158</i>).” Also, LS4 (Hams Travel) is ruled out because of a ‘dangerous exit’ onto Cranbrook Road, but two sites at the hospital on Goddards Green Road (which leads to an accident blackspot at Castletons Oak) are ruled in. There was a serious accident at those cross roads on November 20, 2020. Biddenden Parish Clerk has written on behalf of the parish of Biddenden to strongly oppose the plan largely on traffic issues. She has received an acknowledgment but no reply. Biddenden presents its strong objections at https://www.tunbridgewells.gov.uk/planning-policy/local-plan/local-plan-comments – their objection is DLP_650.</p> <p>8. Policy HS6 Housing Density: new housing density is to reflect existing local density yet LS41 (Policy SSP4) is a site currently almost entirely taken up by the existing 18 dwellings. Where would the extra 25, at the same density, go? Also bear in mind Policy BD4 Landscaping “existing mature trees should be retained.” The plan talks of ‘redeveloping’ the existing 18 dwellings which must mean demolition and the building of new dwellings for there is no room otherwise for 25 new dwellings. This means that the number of new dwellings proposed at this site is not 25, but 18 plus 25 i.e. 43.</p> <p>9. Policy LE7 proposes to protect habitats adjacent to development yet Policy SSP3 for Site 424/40b, proposes 25 new houses which comes on top of an existing permission for 24. The 49 new dwellings proposed at this site are to be built, according to architectural</p>				

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		<p>plans presented to the village earlier this year, all over existing Local Wildlife Sites. The hospital's architects are Clagues.</p> <p>10. Brownfield site policy - some brownfield sites are ruled in, such as LS41 and 424/LS40b, while others such as LS4 (Hams Travel), and LS21 (Little Weavers Iden Green) are ruled out. Inconsistent application of greenfield site policy – ruling some greenfield sites in (277 Feoffee SSP1) while others (158 and 222) are ruled out.</p> <p>11. Policy BD1: need to “protect and enhance heritage assets and their settings”, yet Policy SSP3 endorses the destruction of the 1906 early modernist sanatorium on Site 424/40b, designed by the winner of King Edward VII's competition for an <i>avant garde</i> sanatorium (isolation hospital) for England. This building is of national importance and should be retained. It is currently the subject of a Save Britain's Heritage campaign.</p> <p>12. Policy LE1 (to protect and enhance the countryside) is negated by Policies SSP3 and 4 which propose to place most new building outside the LBD in a rural, isolated setting</p> <p>13. Plan advocates affordable housing (page 12) while proposing most development at a site well over 2 miles outside the village (LS41 and 424/40b, Policies SSP3 & 4), where two cars would be essential for a family with both parents working. This is inconsistent. Such sites are also ill-advised for older people who prefer to be able to walk to shops and bus stops.</p> <p>14. TA1 and 2: TA2 – the proposed cycle path is illusory and fails to meet the objections set out in TA1. No amount of sleight of hand can produce a viable connection with the village which is well over 2 miles away. Such a path could not be used by older, less fit or disabled residents and therefore discriminates against them.</p> <p>15. A local group called 'The Friends of the East End' (FOE) opposes these plans for a <i>quasi</i>-new village at the unsustainable hospital sites. We feel planning is being carried out back to front by proposing to build the houses first in the hope that the infrastructure will follow. On 4 April, 2019, 127 FOE supporters presented a number of petitions protesting the NDP: on 31 October, 2019, 164 FOE members protested again; and on 11 November 2019, a further 167 FOE supporters protested against the Benenden section of the Local Plan which largely echoes the Benenden NDP. Our arguments, including those written by Counsel, have been ignored, as have the views of the parish of Biddenden. Residents who wrote letters were never informed of the Consultation over Regulation 16 and even many of those who have email, were never contacted.</p> <p>16. Friends of the East End are hoping to be invited to put forward our case before the Independent Examiner.</p>				
BE_131	HSA; BD1; BD2; BD7; BD8; BE1; BE2; BE4; T1; T2; T3; T4; HS1; HS2; HS6; SSP2; SSP3; SSP4; SEA1; LEA1; LEA8; LEA9; IA5;	<p>1. On page 48, para 2.7.2. the plan states that the High Weald AONB's “assessment is considered a key supporting document” yet in document HSA4 the High Weald AONB gives advice on some sites in the parish, but not those sites where most housing is planned. The High Weald AONB was never asked to advise on Site 424/LS40b nor on Site LS41 although these sites are in a bubble bulging into the AONB and although the High Weald AONB objects to them, see objection 3458,</p>	Y	Y	Beverley Best	Hazel Strouts

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BE_132	Received on 18/12/20	<p>We apologise for the delay in replying. As I am sure you understand, due to the current situation with Covid 19 we are</p> <p>We always recommend an objective is included to protect and enhance the environment. Indicators should relate to the environmental constraints in your local area. This may include flood risk, water quality, biodiversity.</p> <p>Together with Natural England, English Heritage and the Forestry Commission we have published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans. (copy attached). There is a useful check list in this document.</p> <p>We also recommend your Neighbourhood Plan takes account of relevant TWBC's policies, plans and strategies including Strategic Flood Risk Assessment, flood risk strategies (https://www.gov.uk/government/collections/flood-risk-management-current-schemes-and-strategies), and the South East River Basin Management Plan (https://www.gov.uk/government/publications/south-east-river-basin-management-plan).</p> <p><i>[see supporting document - Neighbourhood Planning for the Environment - available at https://neighbourhoodplanning.org/toolkits-and-guidance/consider-environment-neighbourhood-plans/</i></p>			Environment Agency	
BE_133		<p>Since Covid we need great architecture to remind us of how buildings help recovery for the seriously ill. What a time to consider losing this gem!</p>			Veronica Hughes	