

## **Response to Inspector's Matter 5: Site Selection Methodology**

### **Issue 1, Questions 1 and 7**

**Q1: How were different sites considered for inclusion as allocations? What process did the Council follow in deciding which sites to allocate?**

**Q7: Was the site selection process robust? Was an appropriate selection of potential sites assessed, and were appropriate criteria taken into account?**

#### Summary of Comments

1.1 It is Logistics UK's ('LUK') position in respect of the site selection methodology that:

- a. The process is unduly reliant on sites promoted by landowners/ developers and did not adequately seek to identify sites from other sources.
- b. Where sites were identified by officers and landowners approached directly, this was on land outside of settlement boundaries rather than within.
- c. It was pre-determined at a very early stage in the site selection process that greenfield land outside of settlement boundaries would be required. This appears to have resulted in limited further consideration being given to identifying additional brownfield sites within settlements.
- d. The methodology/ approach to identifying new sites was not revisited or expanded beyond Call-for-Sites/ developer/ landowner promotion to draw on the Council's own evidence documents/ databases and/ or new information.
- e. Neither was the methodology revisited in light of the significant changes in circumstances, including the coronavirus pandemic and impact on working practises, since the process commenced in 2016.
- f. The reliance on site promotion prejudiced the inclusion of suitable, available and deliverable sites owned by those not familiar with the plan-making process to the detriment of a sound and sustainable plan.
- g. Expanding the narrow scope of the site identification process, particularly to include existing employment sites outside of town/local centre or allocated employment areas, would have resulted in additional brownfield sites within settlements being considered thus reducing the need for the allocation of greenfield sites, release of land from the Green Belt for development and development within the AONB.

Response to Issues and Questions

- 2.1 The Tunbridge Wells Local Plan ('TWLP') includes over 60 site allocations that aim to deliver homes across the Plan period to meet the published housing requirement. Whilst others will no doubt query, *inter alia*, the robustness of the housing requirement and whether such allocations are sufficient to meet housing needs, this hearing statement is concerned with the process for the identification of potential development sites and subsequent allocations within the TWLP.
- 2.2 The methodology for identifying and assessing potential development sites is set out in the Strategic Housing and Economic Land Availability Assessment (January 2021: 'SHELAA') in Section 3.0. This confirms that the initial identification of sites was through Call-for-Sites exercises in 2016 and 2017 (paragraph 3.4). 'Broad locations' *outside* of settlements and in proximity to sites submitted through the 2016 Call-for-Sites were identified and landowners approached directly to ask if they wished to submit sites to the 2017 Call-for-Sites (paragraph 3.5).
- 2.3 The initial identification of sites appeared to rely solely on submissions from landowners/ developers and no other sources. For example, officers do not appear to have undertaken their own research or interrogated databases/ information including the brownfield register. The second stage involved direct contact with landowners in select areas but all appear to be outside of settlement boundaries. Would it not have been more appropriate to have identified 'broad locations' within which additional sites were sought *within* settlement boundaries in the first instance to ensure that development of under-utilised and previously developed (brownfield) land was prioritised (see NPPF paragraph 141) before assuming that development would be necessary outside of settlement boundaries? This is particularly important in an area such as Tunbridge Wells where large parts of the Borough fall within the Green Belt and/ or an Area of Outstanding Natural Beauty ('AONB').
- 2.4 The site selection process, that informs the TWLP, appeared to pre-determine the need for new development to be on land outside of settlements at a very early stage (i.e. after the 2016 Call-for-Sites). At no subsequent stage do officers appear to have revisited this assumption or the approach to identifying sites. Given the time that has passed since the Call-for-Sites (over four years since the 2017 exercise) it is inevitable that circumstances have changed and new evidence come to light that would warrant a review of the site selection methodology, revisiting of assumptions and/ or introduction/ consideration of new sites. Whilst additional sites appear to have been added to the SHELAA since 2017, the SHELAA advises that these were all 'submitted' (paragraph 3.11) which suggests that these all result from developer/ landowner promotion of sites rather than officers proactively seeking out additional, appropriate sites based on new/ updated evidence.
- 2.5 An example of new evidence is the 2018 Office Market Review. In early 2018 the Council's consultants published a review of office stock in Tunbridge Wells to inform whether protection ought to be put in place to prevent it from permitted development changes to residential (see Durlings' Office Market Review, February 2018). This resulted in over 20 Article 4 directions in 2019. Through this work, the Council would have had access to details of the office sites included within the Review and could have drawn upon this information to identify whether any were not deemed appropriate for an Article 4 direction and could have been included instead in the TWLP as residential site allocations. Sites outside of the town centre were not included in the Office Market Review or Article 4 directions. Officers should have reviewed these sites at that point, not least given that they are all brownfield and within built up areas/ settlement boundaries, and contacted landowners to understand their longer term aspirations/ requirements and whether these existing employment sites could come

forward for residential. A joined-up approach is essential to effective plan-making and it is concerning that there is a clear disconnect in this regard.

- 2.6 Added to this are the implications of the coronavirus pandemic on businesses and working practises which provide a further, significant, change in circumstance that necessitates a review of the site selection methodology in respect of existing employment sites. Strict adherence to a methodology developed some five years prior to the Plan being submitted for examination with no apparent review of the continued appropriateness of the methodology has resulted in suitable, sustainable development sites being excluded from consideration.
- 2.7 Our representations in this regard are exemplified by LUK's site: Hermes House, St John's Road. This is one such example of an existing employment site (LUK's headquarters) that was not included in the Office Market Review and is not covered by an Article 4 direction. It is assessed in the October 2021 SHELAA following submission of LUK's representations to the Submission Version TWLP. However, no sites assessed at this late stage were considered suitable for allocation. LUK was not contacted to expand upon its representations or provide further evidence as to the appropriateness/ viability of continued employment use on this site which makes it clear that officers were not looking to re-open the TWLP/ site allocations at that stage and that such assessment was pre-determined and at best not thorough/ robust.
- 2.8 It is LUK's view that Hermes House ought to have been considered for residential redevelopment through the site selection process at a much earlier stage when the TWLP was continuing to evolve. Hermes House is located within a predominantly residential area and outside of a town/ local centre. It has evolved over time to comprise a relatively large amount of office floorspace that would not likely be considered appropriate in this residential location based on current policies/ guidance. LUK has been considering relocating to more efficient office space in a more accessible and sustainable town centre location for some time. If officers had contacted LUK in the same way that they contacted landowners within the 'broad locations' outside of settlements, they would have been informed of LUK's long-term intentions and could have duly considered the potential of this site to accommodate residential development. This site is in Flood Zone 1 and does not contain any designated/ non-designated heritage assets, policy, landscape or ecological designations. The SHELAA identifies this site as unsuitable for allocation owing to its existing employment use which is deemed 'worthy of retention'. However, that use will cease, the market for its continued employment use is limited and the Council did not consider it worthy of protection by way of Article 4 direction. It is unclear as to the basis for the conclusion within the SHELAA and the evidence that informed it.
- 2.9 LUK is not a developer and would not have been aware of the Call-for-Sites exercises or the Council's brownfield register and the benefits of being included in these. The narrow scope of the methodology for identifying potential development/ redevelopment sites and the failure of officers to revisit this based on, inter alia, changing circumstances and/ or new evidence the Council procured, prejudices those not familiar with local plan-making but who have suitable, available and deliverable sites whose inclusion in the local plan would benefit local residents and the plan more generally by reducing the pressure to develop greenfield sites, release land from the Green Belt and/ or result in development within the AONB.
- 2.10 A robust review of small to medium sized sites within settlements and inclusion of these as allocations would provide greater fluidity in housing land supply to counter the risk of delays from the two strategic allocations, that together account for some 75% of the total housing requirement and represent a high-risk strategy in planning terms.

- 2.11 Without proper, proactive consideration of previously developed sites within settlement boundaries that are free from other constraints (heritage, flooding etc), the site selection process cannot be considered robust. Officers would have had a larger 'pool' of sites to assess if the methodology had been expanded/ evolved rather than rigidly adhered to. This could have resulted in additional allocations on brownfield land within settlements in line with the TWLP Development Strategy (draft Policies STR1 and STR3) and NPPF to reduce reliance on greenfield sites, land released from the Green Belt and within the AONB.

**BARTON WILLMORE, now STANTEC**  
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