

Paddock Wood Town Council
Matter 3 – The Strategy for Tudeley Village

ISSUE 1 – Location and Accessibility

Q1. How does the additional information produced since the Stage 2 hearings address the Inspector’s Initial Findings around the effects of the allocation on Tonbridge town centre and relevant ‘hotspots’ on the highway network? Could potential impacts be cost effectively mitigated to an acceptable degree and would the residual cumulative impacts be severe?

PWTC Response:

1. TWBC’s document - *Red, Amber, Green (RAG) Assessment Access and Movement (Stantec) dated March 2023*¹ made recommendations (in Section 2.3 of that report) to TWBC regarding the Inspector’s concerns raised in his Initial Findings Report yet it appears that TWBC has ignored the recommendations provided by Stantec which are set out below:

At the hearing for the Examination, TMBC claimed that the traffic modelling completed by Sweco demonstrated that Tonbridge town centre is congested and has limited capacity to cope with additional traffic. At the hearing, Sweco argued that TMBCs claim was without basis but none the less we believe this is why the comments relating to traffic and capacity in paragraph 22 of the findings have arisen.

It is understood that discussions have been had between TWBC, TMBC and KCC, which Stantec have not been party to, on the potential traffic impacts on Tonbridge town centre. Within these discussions, Stantec have been informed that TMBC expressed that they were not adequately satisfied that congestion will not be an issue in Tonbridge town centre. Stantec believe that if TMBC cannot be convinced that the TWBC Local Plan and the allocation of Tudeley Village will not have negative impacts on Tonbridge Town Centre then there is a real risk that additional modelling will need to be undertaken which could cause significant delay to the progression of the Examination process. It is understood that TMBC are currently preparing the baseline traffic model for their Local Plan, using the new Kent traffic model, but at the current time they have not provided any evidence that there would be a severe residual traffic impact on Tonbridge town centre. It is also unlikely this work will be completed within the timeframes for the TWBC Local Plan, meaning its use in relation to the TWBC Local Plan may be limited.

It is Stantec’s opinion that the TMBCs comment at the time of the EiP session was made with a ‘Predict and Provide’ approach to planning in mind rather than a ‘Vision and Validate’ and ‘Monitor and Manage’ approach. The Plan should be looking to promote sustainable travel ahead of any highway mitigation in accordance with the NPPF and the DfT Circular 01/22. The DfT Circular 01/22 was adopted in January 2023 and it is Stantec’s opinion, discussed with KCC who acknowledged the new Circular change, that comments relating to capacity and mitigation in Tonbridge town centre are now out of step with this Circular, which states that new development should be facilitating a reduction in the need to travel by private car and that alternative measures to reduce traffic impact should be considered before capacity enhancements.

Stantec would suggest it would be advantageous to introduce the DfT Circular 01/22 into the examination process as it could potentially help support the Local Plan strategic site allocations. Following conversations with Officers at TWBC, it has been suggested that a short Technical Note summarising any policy changes that have arisen since in the EiP last summer and the impact this would have on the approach to the Local Plan is produced. This would include the DfT Circular 01/22 and the appointment of Active Travel England as a statutory consultee to all major planning applications from June 2023.

In relation to responding to TMBC, it is suggested a meeting is held between TWBC, Stantec and Sweco to determine the best way forward. This could involve Sweco undertaking additional work. The additional work undertaken on cycling and public transport should also help to ease concerns relating to traffic and capacity, as it shows genuine alternatives to travel by private car will be available.

This concern has been classified as amber as the objections raised by TMBC in relation to TWBC Local Plan and the Tudeley village allocation will likely need additional evidence to be produced for the concern to be overcome, however it is judged that Circular 01/2022 corroborates the TWBC approach and will assist the process going forward.

¹ PS_039

2. Instead of taking the advice of its own consultants above, TWBC responds in its Development Strategy Topic Paper (PS_054) with the following which does not actually address the Inspector's questions and concerns:
- *“The view of the Council’s traffic consultants, as set out at the hearing sessions, is that congestion in Tonbridge town centre would not unduly suffer from the allocation of Tudeley Village. The impacts on Volume : Capacity Ratios (VCR) are small and, furthermore, these are prior to mitigations, which are identified as lowering the ratios in most cases, while the worst case, A26/B2260/A2014, junction is only a little over-capacity.”²*
 - *“A further point of note is that the establishment of Tudeley Village, which is expected to facilitate a reduction in the need to travel by private car, would be in accordance with the recent DfT Circular 01/22 ‘Strategic road network and the delivery of sustainable development’ (gov.uk1), which seeks to respond to climate change and net-zero ambitions by requiring consideration of sustainable transport options first, as well as a focus on locations that are or can be made sustainable”.³*
 - *“It is acknowledged that there are a number of existing congestion issues in Tonbridge town centre and limited opportunities to increase capacity. However, the impacts should be judged in the context of the NPPF, in terms of whether there would be a ‘severe’ residual traffic impact on Tonbridge town centre. The Council’s, and the promoters’, position has been that there is no substantive evidence that the effects would be severe, although TMBC argued that they may be, especially if the modal shift (discussed below) is not as anticipated”.⁴*
3. This is clearly a strategic cross boundary matter with Tonbridge and Malling BC yet there does not appear to be evidence provided by TWBC as to how it has engaged with TMBC on this matter. We have pointed out the failing of TWBC to set out its Duty to Cooperate activities throughout our representations since the Local Plan was submitted. This is particularly the case given that TWBC is now an authority claiming that it cannot meet its development needs due to constraints it has in the borough including AONB, Green Belt and importantly the new acknowledgement by TWBC of its severe flood risk constraints in and around Paddock Wood that seriously reduce its ability to plan for housing in this part of the borough as originally planned.

² PS_054 paragraph 3.31

³ PS_054 paragraph 3.32

⁴ PS_054 paragraph 3.33

Q2. What allowance has been made for modal shift to walking, cycling and use of public transport? Is the evidence supporting the Plan justified and does it demonstrate that the allocation could be made sound?

PWTC Response:

4. TWBC states that in light of the Inspector's uncertainty regarding modal shift, that *"the level of 10% shift has been further considered"* and justifies this 10% by saying that *"the scale of new cycling routes, together with greater clarity on improved bus services, coupled with the establishment of internal route (and services) in line with 'walkable neighbourhood' principles should give greater confidence that the envisaged 10% modal shift away from cars is achievable. At the same time, there will inevitably be some doubts about such an assumption until in infrastructure is in place"*⁵.
5. This does not provide the necessary justification by TWBC simply explaining that the scale of new cycling routes, greater clarity on improved bus services (in an area where bus services have been cut in recent years) and an establishment of an internal route (in line with walkable neighbourhood principles) should give greater confidence that 10% is achievable.

ISSUE 2 – Five Oak Green Bypass

Q1. The Council's position (as set out in paragraph 3.39 of Examination Document PS_054) is that "...the bypass would be necessary to accommodate the traffic generated by the new settlement, when developed alongside the major expansion of Paddock Wood." What evidence is there to demonstrate that the expansion of Paddock Wood would therefore remain acceptable without a bypass of Five Oak Green?

PWTC Response:

6. This does not appear to be present in the Council's documentation. The Council's evidence appears to suggest that whilst the FOGB is primarily intended to serve Tudeley Village, the development at Paddock Wood and East Capel would have the potential to cause traffic harm on the B2017 in the centre of Five Oak Green:

"Regarding justification, the Council's transport modelling showed that both the FOGB and the Colts Hill Bypass (CHB)/Improvement scheme would be needed to serve the combined strategic sites at Tudeley Village and via the strategic growth at Paddock Wood and east Capel. It also concludes that the FOGB is primarily intended to serve the Tudeley Village allocation, while still

⁵ PS_053 paragraph 3.37

noting that development of the Paddock Wood and east Capel sites would still have the potential to cause traffic harm on the B2017 in the centre of Five Oak Green.”⁶

7. TWBC also refers to the Tudeley Village promoters arguing *“that development at Paddock Wood contributes materially to the need for the FOG Bypass (and argue for cost sharing as a result). However, the same may be said of the need for A228 improvements.”⁷*
8. It is therefore clear from TWBC’s statements that this matter has not been concluded through evidence. Despite this, TWBC proceeds to update its Paddock Wood and East Capel Masterplanning and viability work without the FOGB as explained below.
9. TWBC’s Strategic Sites Masterplanning and Infrastructure Study (Paddock Wood follow-on-study)⁸ refers to the exclusion of the FOGB *“on the basis that it was primarily needed to support development at Tudeley Village”⁹*. The previous Scenario 2 infrastructure schedule excluded the Five Oak Green Bypass, on the basis that it was primarily needed to support development at Tudeley Village.
10. The Council’s Updated review of viability – Paddock Wood & East Capel only (December 2023)¹⁰ does not address the assumptions about the FOGB and simply relies on the updated the Masterplanning work (PS_046). The updated viability evidence excludes the FOGB from its assessment.
11. TWBC has clearly not evidenced that the expansion of Paddock Wood would be acceptable without the FOGB. Such evidence is awaited, and the Town Council would like the opportunity to review and comment on this evidence base as part of the Stage 3 Examination.

⁶ PS_053 paragraph 3.47

⁷ PS_053 paragraph 3.48

⁸ PS_046

⁹ PS_046 paragraph 2.29

¹⁰ PS_061a

Q2. Examination Document PS_039¹¹ considers the potential effects from the bypass and associated works on the setting of the High Weald AONB, the setting of designated heritage assets, landscape features and ecology, landscape character and historic landscape character and Public Rights of Way. How did the Council take this assessment into account in responding to the Inspector's Initial Findings and what are the reasons for now suggesting that the allocation is unsound?

PWTC Response:

12. PS_039 includes a number of recommendations and actions for TWBC in order for the effects of the bypass and associated to be more fully assessed and understood as this RAG Assessment is simply a desktop analysis. These are outlined below and it is unclear how these recommendations were considered by TWBC and whether this work was actually undertaken:

- *It is recommended that the Five Oak Green Bypass route alignment is revisited and reviewed against potential environmental effects, including those upon the setting of the High Weald Area of Outstanding Natural Beauty (HWAONB), and other landscape and visual receptors, to identify a route alignment which avoids adverse environmental effects as far as practicable, and which provides maximum opportunity for effective mitigation to reduce significant adverse effects.*
- *Relevant environmental topics, in addition to landscape and visual, which are recommended for the Preliminary Environmental Review and to inform the route alignment include: ecology / biodiversity, heritage, arboriculture and hydrology. It is recommended that a Preliminary Landscape and Visual Impact Assessment (LVIA), including Zone of Theoretical Visibility plan, and a Concept Environmental Mitigation Design are prepared, and which would provide evidence for the selection of the final Bypass alignment and demonstrate the potential for reduction of significant landscape and visual effects. Consideration of necessary structures that would be required, such as bridges, should also be part of the Preliminary.*
- *It is recommended that TWBC engage with KCC PROW to understand their view on the impact the Five Oak Green Bypass may have on the surrounding PROW network.*

¹¹ PS_039 Red, Amber, Green (RAG) Assessment – Access and Movement

Q3. Have further options been considered for the alignment of the route? Could the same transport infrastructure be provided in another way, for example?

PWTC Response:

13. See our response to Q2, as far as we are aware this work has not been undertaken.

Q4. In responding to the Inspector's Initial Findings, Examination Document PS_039 states that highway safety, noise and air quality concerns around Capel Primary School are valid and would require additional work to address them. Has this additional work been carried out?

14. It appears this work has not been carried out.

Q5. Is the Five Oak Green bypass and associated works justified in the location proposed having regard to the matters identified in the questions above? If not, does this mean that the allocation is unsound?

15. Until the identified work has been undertaken it is not possible to answer this question.

ISSUE 3 – Wider Infrastructure Provision

Q1. If the Plan is modified to delete Tudeley Village, can the necessary infrastructure be provided elsewhere? For example, the provision of sports and education facilities.

PWTC Response:

16. The Town Council would like to make the following points in relation to sports and education.

Sports Facilities

17. The Town Council's aspirations, as developed in collaboration with sports clubs and associations, was to see sports and leisure provision distributed around the town, retaining all existing sports facilities located to the south of the railway line and supplementing these with new outdoor sports provision at Eastlands to the north of the railway line. This would represent a balanced approach to distribution of facilities across Paddock Wood, the distribution of new development, and maximise proximity to sustainable travel means for residents and those travelling into Paddock Wood from further afield. This is reflected in the Paddock Wood Neighbourhood Plan. In addition, and as part of this approach, the Neighbourhood Plan also envisages improvements to the quality of facilities at the existing Putlands Leisure Centre.

18. Instead, the scale of Sports and Leisure provision now proposed has been scaled back from the submission version of the Local Plan and essentially now comprises (1) intensification of existing facilities plus (2) new outdoor sports pitches in the South-Western growth parcel.
19. The location of new outdoor sports to the west of Paddock Wood is outside of the Town Council administrative area, falling within Capel Parish. As noted during the Examination of the Local Plan, the Town Council is keen to take on the running and management of such a facility, but this would be precluded by the proposed location in Capel Parish and where the Parish has previously confirmed that they do not wish to have the burden of potentially having to manage such a facility. Based on this alone there is little logic to the proposed location of the sport facilities.

Education Facilities

20. The revised growth strategy now envisages a new secondary school being provided north of the railway line in the Town Council's preferred location for a new outdoor sports hub. The reasons given by David Lock to discount the sports hub in this location must equally apply to provision of a school, if not more so. There doesn't appear to have been any real testing or rationale for the location of the school nor the sports hub.
21. There has been no assessment of different options (nor engagement with the Town Council on these), with the locational requirements for the school essentially considered first and then the location of sports provision determined following this. The Town Council questions why alternatives have not been considered and assessed.
22. The Town Council considers other options to accommodate a new secondary school may exist outside of the Tunbridge Wells administrative boundary however these options have not been investigated by TWBC.

Q2. If Tudeley Village is deleted from the Plan, what highways infrastructure would be needed in Tudeley and along the B2017 from the remaining growth proposed around Paddock Wood? Is this deliverable and viable?

PWTC Response:

23. This has not been clarified by TWBC and the updated Masterplanning has not been justified in terms of infrastructure needs. The Infrastructure Delivery Plan (IDP) has not been updated so it is not even clear what infrastructure is needed, whether it

is deliverable (or when it will be delivered) or viable. These points are set out in more detail in our representations.

Q3. Without the allocation of Tudeley Village, can the Plan deliver the necessary wider upgrades the highway network, such as the Colts Hill Bypass?

PWTC Response:

24. We note that the 'Infrastructure Plan' (PS_046c) indicates that the Colts Hill Bypass is identified as a 'potential bypass' in the Key however the cost of this is factored into the viability work and appears to be confirmed by TWBC as being part of the delivery package. The Viability study assumes the cost of this to be £5.8 million which is one of the most expensive pieces of infrastructure in the viability assumptions. However, in the previous IDP the Colts Hill/A228 bypass is classified as a 'critical priority, medium timing, £30 million scheme funded solely by developer'. The costs of this scheme align with the Stage 2 Local Plan Viability Study (Appendix IIa), as appraisal one for Paddock Wood (with shared costs) and Tudeley (with shared costs) amount to £20 million (£11,040,000 and £8,960,000 respectively). It is worth noting that the Paddock Wood assumptions are based on all strategic allocations coming forward within Paddock Wood.

How is it that the cost of delivering the Colts Hill Bypass has gone from £30 million in the previous IDP / Viability study to £5.8 million in the Viability study?

Q4. Given the location of the proposed Colts Hill Bypass, do the issues identified above in respect of landscape character, the Green Belt and the AONB also apply? If so, is this part of the strategy also justified?

PWTC Response:

25. Of course, the issues identified above for the FOGB also apply to Colts Hill Bypass however they appear to be more understated in TWBC's Development Strategy Topic Paper and it is unclear as to whether these matters have been properly evidenced. We address these points below.

Green Belt

26. TWBC's Colts Hill Bypass Green Belt Assessment (September 2023) (PS_051) makes a number of conclusions on the harm of delivering the bypass and suggests potential mitigation and alternative on-line improvements. We set these out below.

Inappropriate Development and Harm to the Green Belt

- *It is concluded that the proposed bypass would constitute inappropriate development. Its introduction would result a loss of openness within the site itself and would conflict with purposes of the Green Belt. It would result in harm to Green Belt Purposes, specifically Purpose 3 (safeguarding the countryside from encroachment).*
- *The site makes a Strong contribution to safeguarding the countryside from encroachment.*
- *There would be a loss of openness in an area of open countryside that is strongly distinct from the urban area.*

Potential Mitigation Measures

- *Potential mitigation measures could include the introduction of locally characteristic woodland belts along the boundary of the site, to help further reduce the visual impact of the road infrastructure and traffic on adjacent Green Belt land.*
- *In addition, sufficient land take would allow the proposed embankments and cuttings to be designed to fit with the prevailing undulating landscape.*
- *These measures would also help to reduce any potential visual impact and would help to integrate development into the landscape, in accordance with the landscape strategy for Landscape Character Area (LCA) 13 'Paddock Wood / Five Oak Green Low Weald Farmland' of the TWB LCA (2017).*

Alternative on-line improvements

- *On-line improvements to the A228 are a potential alternative to the construction of the proposed bypass. The on-line improvements would, like the proposed bypass, extend between the existing junction of the A228 and B2017 to the north and the existing junction of the A228 and Alders Road/Crittenden Road to the south. Works would entail a three to four metre widening of the eastern side of the carriageway and associated removal of vegetation which currently exists along this boundary. Some of this lies within the curtilage of a number of properties and would need to be the subject of a Compulsory Purchase Order (CPO).*
- *The extent of change to the carriageway would be greater at the point of the junctions with Alders Road/Crittenden Road due to the change in levels and the requirement for embankments around the junctions.*
- *The Green Belt harm as a result of the alternative on-line improvements would be minimal. The changes would occur on the eastern edge of the Green Belt with the eastern carriageway of the A228 extending a small distance east beyond the current Green Belt boundary. Whilst there would be removal of some of the vegetation*

lining the eastern edge of the A228, which contributes to its function as a strong boundary feature, it is assumed that this would be replaced as part of the mitigation works. The A228 would therefore continue to form a strong Green Belt boundary in this location.

Landscape and AONB

27. TWBC's Red, Amber, Green (RAG) Assessment Landscape and Visual Colts Hill Bypass (PS_052) makes a number of recommendations and actions for TWBC in order to for the effects of the bypass and associated to be more fully assessed and understood as this RAG Assessment is simply a desktop analysis. These are outlined below, and it is unclear how these recommendations were considered by TWBC and whether this work was actually undertaken:

- *It is recommended that the northern section of the Colts Hill Bypass is reviewed against potential environmental effects, including those upon the setting of the High Weald Area of Outstanding Natural Beauty (HWAONB), and other landscape and visual receptors, to identify any potential adjustments to the route alignment which avoids adverse environmental effects as far as practicable, and which provides maximum opportunity for effective mitigation to reduce significant adverse effects.*
- *Relevant environmental topics, in addition to landscape and visual, which are recommended for the Preliminary Environmental Review and to inform the route alignment include: ecology / biodiversity, heritage, arboriculture and hydrology.*
- *It is recommended that a Preliminary Landscape and Visual Impact Assessment (LVIA), and a Concept Environmental Mitigation Design are prepared, and which would provide evidence for the selection of the final bypass alignment. Consideration of necessary structures that would be required, should also be part of the Preliminary Environmental Review.*
- *It is recommended that TWBC engage with KCC PROW to understand their view on the impact the Colts Hill Bypass may have on the directly affected PROW and surrounding PROW network.*

ISSUE 4 – Meeting Future Housing Needs

Q1. The Council’s suggested changes to the Plan include a commitment to an early review. Should the suggested early review of the Plan also include reference to Tudeley Village, either as a future development option or broad locations for growth?

PWTC Response:

28. It is difficult to understand how the suggested early review of the Plan could include Tudeley Village either as a future development option or a broad location for growth when there is no evidence to justify such an inclusion. This would be predetermining the outcome of the suggested early review which would be inappropriate.

ISSUE 5 – Exceptional Circumstances

Q1. Do the exceptional circumstances exist to alter the Green Belt boundary in this location, having regard to paragraphs 140 – 143 of the Framework?

29. No, exceptional circumstances do not exist to alter the Green Belt boundary at Tudeley Village and at Paddock Wood.

Q2. Are the Council’s suggested Main Modifications necessary to make the submitted Plan sound?

30. As TWBC has confirmed, there is not a final list of proposed modifications to the Local Plan and these have not been subject to Sustainability Appraisal.

31. It is not clear which ‘Main Modifications’ the Inspector is referring to. Are they the proposed modifications in relation to Tudeley Village only? Do these include references to Five Oak Green Bypass and Colts Hill Bypass? Without this clarification it is not possible to respond to this question.