

EXAMINATION OF THE TUNBRIDGE WELLS BOROUGH LOCAL PLAN

EXAMINATION STATEMENT ON BEHALF OF B.YOND STRATEGIC LIMITED

*Stage 3 EiP Hearing Sessions
Matter 5 – The Strategy for Hawkhurst*

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*Matter 5 – The Strategy for Hawkhurst
28 May 2024*

1.0 Introduction

- 1.1 This Examination Statement provides a response on behalf of B.Yond Strategic Limited (previously known as Rydon Homes Limited), to those Questions raised by the Inspector (dated 03 May 2024), relating to the Strategy for the Hawkhurst housing allocation in the Tunbridge Wells Borough Local Plan ("the Plan") and its supporting evidence base.
- 1.2 This Statement has been prepared by Neame Sutton Limited on behalf of B.Yond Strategic Limited ("B.Yond").

2.0 Matter 5 – The Strategy for Hawkhurst

Issue 1 – Land North of Birchfield Grove – Policy AL/HA5

Q1. What is the justification for the suggested changes to Policy AL/HA5? Why are they necessary for soundness?

- 2.1 B.Yond is pleased to see the amendments to Policy AL/HA5 which follow the positive resolution of the Planning Committee to grant permission (subject to S106) on land at Hawkhurst under planning reference: 22/02664/HYBRID. The amendments to Policy AL/HA5 ensure the delivery of two pieces of infrastructure required for Hawkhurst as identified in the Infrastructure Delivery Plan, namely land for a new medical centre and land for the expansion of Hawkhurst Primary School.
- 2.2 The amendments also include a country park and housing to meet other identified infrastructure needs for the Borough as a whole.
- 2.3 As discussed with the Inspector during the Stage 2 Hearings, the land for the allocation of the school and Medical Centre can only be purchased, and therefore delivered, in the event that residential development is included, pursuant to the legal agreement with the landowners. The ransom strip is also resolved with B.Yond Homes responsible for this

land too. Given the site is now allocated to include residential development, it can now also deliver the school and Medical Centre.

- 2.4 In addition, the Hawkhurst Allocation provides housing within the Local Plan in the circumstance where other allocated sites have been removed (such as Tudeley Village) during the examination stage of the Local Plan.

Q2. Is the allocation, as suggested to be modified, justified and consistent with national planning policy, having particular regard to the effect of development on the highway network and the High Weald AONB?

- 2.5 This allocation has the benefit of a higher level of scrutiny than would normally be considered at a local plan allocation stage as it has been the subject of Planning Application under reference: 22/02664/HYBRID, which has a resolution to grant pending the completion of a S106 Agreement. Detailed highways modelling has been provided both for this allocation and the planning application, which has demonstrated that the capacity of the junctions in and around Hawkhurst are not significantly affected by the allocation, this was tested cumulatively with granted planning permissions and Draft Local Plan allocations. The Local Highways Authority (Kent County Council) is a statutory consultee and were approached for comment through the determination of the planning application and is in agreement with the appropriate mitigation measures, planning conditions and legal agreement relating to the highway network. These upgrades and alterations to the highway network would result in development which will also provide wider benefit to the existing residents of Birchfield Grove and Hawkhurst as a whole.
- 2.6 Again, in respect of landscape considerations the Inspector can be reassured that during the determination of the planning application on the land, now shown as the allocation, a detailed assessment (LVIA) of the landscape character and impact was undertaken as part of the planning application. This clearly showed the application has minimal impact on the wider AONB and this correlates with the evidence put forward in the Landscape Appraisal by Hankinson Duckett Associates for the purposes of the allocation. It is important to highlight that the allocation replicates the application and therefore the impacts of development on the land have been fully tested.

Q3. Land north of Birchfield Grove was identified for residential development in an earlier iteration of the Plan but was subsequently removed ahead of the Regulation 19 version. At the Stage 2 hearing sessions the Council's position was that residential development on the site would not be justified. What are the reasons for the Council's change in position and where is this evidenced?

2.7 Tunbridge Wells Borough Council submitted its Local Plan for independent Examination on 1 November 2021.

2.8 Following the stalling of the examination of the Local Plan, an application was submitted on 31 August 2022 under Planning Application reference: 22/02664/HYBRID. The application now has a resolution to permit subject the completion of a S106 Agreement following a Planning Committee meeting on the 08 November 2023. The Council has also re-considered its allocations as a whole, and proposes to remove Tudeley Village along with a number of other amendments. The Plan would therefore now result in a deficit against the minimum LHN. The allocation of residential development on this site in line with the resolution to grant consent for the planning application will assist the Council with housing delivery in this location.

2.9 For the Inspector's information the planning application (Ref: 22/02664/HYBRID) provides the following:

- 70 residential dwellings, ranging in size from 1 to 5 bedroom;
- 40% affordable housing
- A new two storey medical centre, comprising up to 1,150 sqm (GIA) of Class E floorspace and associated parking and landscaping;
- 0.3 hectares of land for the expansion of Hawkhurst Church of England Primary School to ensure the growth of the school complies with the area guidance in BB103 (Area guidelines for mainstream schools – Building Bulletin 103);
- 8.84 hectares of publicly accessible open space, comprising walking routes and play space;
- Active Travel (Walking and Cycling); and
- Biodiversity Net Gain.

2.10 The Planning Application was accompanied by a full suite of technical documents, reports and assessments, which were widely consulted upon and included a Landscape and Visual Impact Assessment bespoke to the site and proposals covering the totality of the Hawkhurst allocated site. The LVIA provided a detailed assessment of the impact from the proposals that has since been scrutinised by the Members of the Planning

Committee. The allocation has been demonstrated, though the detailed evidence and analysis contained in the corresponding planning application, to meet the exceptional circumstances test set out in the Framework 2023 (Paragraph 145) at a site-specific level. The scheme is also now fully deliverable and B.Yond will bring the site forward as soon as practicable following the completion of the S106 Agreement.

Q4. How will the allocation be delivered as a whole and how will the Council ensure that the medical centre is provided?

- 2.11 The site has resolution to grant planning permission for the totality of the allocation (22/02664/HYBRID). The land holding is to be bought by B.Yond Homes from the landowner once permission has been granted with subsequent disposals of the education parcel to KCC and the medical centre land to Weald View Medical Centre or their nominated developer. In accordance with the terms of the draft Section 106 Agreement both KCC, as the Local Education Authority, and Weald View Medical Centre will be offered their respective land three months prior to commencement of development. Draft transfer documents are in circulation.
- 2.12 Both land parcels (the school and Medical Centre) are provided freehold for a nominal sum, with rights of access to be provided. In respect of the medical centre land, an additional enabling package has been provided. The legal contract with the Weald View Medical Centre includes the following provisions:
- the land that will be transferred to the Doctors (measuring 1 acre only),
 - the size of the new medical centre,
 - the number of car parking spaces for the new medical centre,
 - the purchase price of the land at £1,
 - requirement for Rydon Homes (now B.Yond) to deliver the new access road and services to serve the new medical centre at Rydon Homes' cost within 6 months of the transfer of the land, and
 - Rydon Homes will provide access through Birchfield Grove including securing access over the ransom strip.
- 2.13 The provisions detailed above are also set out within the draft S106 Agreement which has experienced delays. An update on the progress to the S106 Agreement will be provided within a Statement of Common Ground with the Council that will be completed prior to this examination hearing session.

2.14 It is hoped that a formal Decision Notice granting permission for this site will be issued in the very near future.

Issue 2 – March’s Field, Limes Grove, Gill’s Green – Policy AL/HA8

Q1. Do the suggested changes adequately address the issues identified in the Inspector’s Initial Findings? If not, what changes are necessary to make the Plan sound?

2.15 No comment.
