

**SAVE CAPEL**

And

**CAPEL PARISH COUNCIL**

Herein referred to collectively as  
**(“ SCPC ”)**

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**HEARING STATEMENT**

**MATTER 9 – OTHER MATTERS AND MAIN MODIFICATIONS  
NECESSARY FOR SOUNDNESS**

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**INTRODUCTION**

1. As per paragraph 11 of the “Examination Guidance Note for Stage 3”, Save Capel has been in discussion with Capel Parish Council and we have agreed to submit jointly prepared statements, given the commonality in the points both bodies wish to raise with the Inspector. We hope this will assist the Inspector with the timetable for representations and hearing arrangements.
2. In response to the Inspector’s questions, we have sought to avoid wholesale repetition of previously submitted evidence to the examination. This statement provides a summary of our points and expands on these where relevant to the specific MIQs ahead of the examination hearings scheduled for July 2024.
3. At the time of writing SCPC have not had the benefit of sight of the Council’s responses to the MIQs and will seek to make further representations in the light of these at the hearing, where appropriate.



CAPEL PARISH COUNCIL



SAVECAPEL

**ISSUE 1 – MATERIAL CHANGES IN CIRCUMSTANCES**  
**SINCE STAGE 2 HEARINGS**

***Q1. Has there been any material changes in circumstances since the Stage 2 hearings, either at a site-specific level, where the supporting evidence is concerned or in relation to national planning policy and guidance which is relevant to the examination? If so, do any of these changes make the Plan unsound and/or require modification?***

4. SCPC will seek to respond to the Council's explanation of this, whilst noting the Council's response to the Inspector's letter regarding the recent change in the Government's Planning policy for traveller sites ('PPTS').
5. At this point, clearly there is an extensive amount of further evidence to come from the Council as set out in our Matter 4 statement [at para 4.].

***Q2. Does the evidence-base supporting the Plan remain up-to-date?***

6. As noted above, SCPC is unable to consider properly whether the evidence base is up to date given it is incomplete. We will seek to make our points at the hearings following timely receipt of the new evidence.

**ISSUE 2 – LOCAL GREEN SPACE DESIGNATIONS**

***Q1. At the Stage 2 hearing sessions, the Council confirmed that not all Local Green Space designations had been put forward by the local community. Are areas of Local Green Space justified where this is this case? Is it a requirement in order for Local Green Spaces to be found sound?***

7. This needs clarification by the Council. We will seek to make points in the light of this.
8. At this stage, SCPC notes that it was more the case that the Council did not accept all the Local Green Space designations identified and put forward by Capel Parish Council, rather than the other way round.
9. SCPC refers the examination to the referendum version of the Capel NDP<sup>1</sup> which identified Whetsted Wood which we were unable to designate, although this is designated as ancient woodland.

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<sup>1</sup> [Capel \(tunbridgewells.gov.uk\)](http://tunbridgewells.gov.uk)

**ISSUE 3 – ACCOMMODATION FOR GYPSIES AND TRAVELLERS AND  
TRAVELLING SHOWPEOPLE**

***Q1. What are the accommodation needs for Gypsies and Travellers and Travelling Showpeople over the plan period? How will these needs be met?***

10. SCPC notes that DLA<sup>2</sup> refers to the provision of a serviced Gypsy & Traveller site of 3 pitches. It is unclear how this “serviced” need can be delivered.

***Q2. Is it sufficiently clear to users of the Plan which sites are allocated to meet the needs for Gypsies and Travellers and Travelling Showpeople?***

11. DLA also specifies at para 3.1 (why it is not referenced as 3.20 is confusing) “*Location of this facility remains flexible within the Structure Plan, however an indicative location, pending detail studies on appropriate access, has been placed close to the A228 in the northwestern quadrant*”.

12. SCPC has set out under Matter 4 why the proposed structure plan is problematic at best, and this “flexibility” does not deliver a sound policy. SCPC questions why the indicative location is placed next to the A228 (in Capel) rather than in PW which would not require careful consideration of the flood constraints.

13. Clearly, people at any such a site will require the same safe access and egress as that afforded to those in the housing parcels.

***Q3. What process and methodology did the Council use to determine which sites to allocate?***

14. This is for the Council to answer. SCPC will seek to make points in the light of this at the hearing.

***Q4. Are the allocated sites justified, consistent with national planning policy and capable of being developed over the plan period?***

15. SCPC has set out under Matter 4 why the trajectory of draft policy STR/SS 1 is not deliverable. Unless the accommodation can be provided earlier, without affecting the delivery of housing, then the indicative location is not deliverable over the plan period.

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<sup>2</sup> PS\_046-Paddock-Wood-Strategic-Sites-Master-Planning-Addendum.

**ISSUE 4 – MAIN MODIFICATIONS NECESSARY FOR SOUNDNESS**

***Q1. At the Stage 2 hearing sessions the Council suggested that other changes are necessary to the submitted Plan to make it sound. Except for those policies referred to above, what other Main Modifications do the Council consider are necessary to rectify any soundness matters?***

[In answering this question, it would assist the examination if the Council could produce a composite schedule of “suggested” Main Modifications for the upcoming Stage 3 hearing sessions]

16. SCPC has set out in detail why we consider that the revised strategy, premised on a 10-year housing supply totally reliant on policy STR/SS 1, is not deliverable in our hearing statements on Matters 4 and 7, which we do not repeat here.
17. The Council has not provided adequate justification as to why it has not followed our suggested way forward; namely, to revisit the existing sites available in the SHELAA and reconsider the spatial strategies already identified by the Council that could meet the housing requirement in full (without Tudeley Village).
18. The Council told the Week 1 hearings that work could commence almost immediately for the proposed early review, where SCPC considers that work should have been done already and could still be done now without a further call for sites.
19. In the absence of that work and the allocation of alternatives that would at least meet the 10-year need, then the Plan is inevitably unsound. This is not the outcome that SCPC have been seeking and Save Capel has provided the Council with suggested development sites throughout the progression of the local plan.
20. There are so many issues regarding policy STR/SS 1 that would need to be resolved, the evidence is incomplete, and it is therefore premature to fully consider all the main modifications necessary for soundness.
21. Therefore, whilst acknowledging the composite schedule referred to above which we do not have sight of, SCPC is unable to provide our full response to this Question at this point.

**JOINT HEARING STATEMENT**

**MATTER 9**

**28 JUNE 2024**



**CAPEL PARISH COUNCIL**



**SAVECAPEL**