

Examination of the Tunbridge Wells Borough Local Plan

Inspector's Matters, Issues and Questions for Stage 2 – Revised

Matthew Birkinshaw BA(Hons) Msc MRTPI

Inspector appointed by the Secretary of State

Date: 12 April 2022

Update and Introduction

Prior to the forthcoming Stage 2 hearing sessions, responses are invited from participants on the following Matters, Issues and Questions ('MIQs') for Examination. The MIQs are based on the Main Issues identified by the Council and other relevant issues raised by representors.

Further information about the examination, hearings and format of written statements is provided in the accompanying *Examination Guidance Note – Revised* document, which should be read alongside the MIQs.

As set out in the examination Guidance Note, the deadline for providing hearing statements for Stage 2 is **Wednesday 11 May 2022**.

Following comments by representors, the MIQs have been revised since first publication. Additional and/or modified questions are shown in ***bold italics*** as follows:

- Matter 6, Issue 3, Question 23
- Matter 7, Issue 1, Questions 56 and 57
- Matter 7, Issue 2, Question 8
- Matter 11, Issue 4, Question 13
- Matter 12, Issue 1, Question 3
- Matter 12, Issue 1, Question 4
- Matter 14, Issue 5, Question 1

In answering Questions and producing hearing statements participants should also be aware of additional information provided by the Council during the Stage 1 hearing sessions. This includes the Local Plan Sensitivity Test Addendum Report, the Local Capacity Modelling Appraisal Technical Note and the Statement of Common Ground between Kent County Council and TWBC (Examination Documents PS_023, PS_024 and PS_025).

Matter 2 – Housing and Employment Needs (Policy STR1)*Issue 1 – Housing Needs and the Housing Requirement*

To determine the minimum number of homes needed, paragraph 61 of the National Planning Policy Framework ('the Framework') states that strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

- Q1. What is the minimum number of new homes needed over the plan period as calculated using the standard method? Are the calculations accurate and do they reflect the methodology and advice in the national Planning Practice Guidance ('the PPG')?
- Q2. Are there any exceptional circumstances which justify an alternative approach to using the standard method? If so, what are they, and what should the housing requirement be?
- Q3. In addition to the local housing need figure for Tunbridge Wells, should the Plan also make provision for housing needs that cannot be met in neighbouring areas? If so, what should that figure be?
- Q4. Will the plan period look ahead over a minimum 15 year period from adoption, as required by paragraph 22 of the Framework?

At the heart of the Framework is a presumption in favour of sustainable development (paragraph 10). For Plan-making, paragraph 11b) states that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless

- i) the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The policies referred to in paragraph 11b) relate to, amongst other things, land designated as Green Belt and Areas of Outstanding Natural Beauty ('AONB's').

- Q5. Do policies relating to the Green Belt and/or the High Weald AONB provide a strong reason for restricting the scale of development in Tunbridge Wells?¹
- Q6. Is the housing requirement justified, having particular regard to areas of Green Belt and AONB across Tunbridge Wells?

¹ Inspector's Note – A similar question is asked under Matter 3 (Spatial Strategy) and the Council may wish to address both in the same response to avoid any duplication.

Issue 2 – Affordable Housing Needs

- Q1. What is the annual net need for affordable housing? For clarity to decision-makers, developers and local communities, should the need for affordable housing be clearly set out in the Plan?
- Q2. Has the need for affordable housing been accurately established and is it based on robust, up-to-date information?
- Q3. How does the need for affordable housing compare to the housing requirement? Based on the thresholds and requirements in Policy H3, will affordable housing needs be met?

Issue 3 – Employment Needs

- Q1. The PPG advises that strategic policy making authorities will need to develop an idea of future economic needs based on a range of data which is current and robust. This includes analysis of labour demand, labour supply, past take-up and from consultation with relevant organisations.² Does the Council's assessment of economic and employment needs reflect the methodology in the PPG?
- Q2. Are there any significant differences in the projections when using labour demand, labour supply and past take-up?
- Q3. What are the reasons for the projected decline in industrial uses over the plan period? Does this accurately reflect the local market?
- Q4. The *Sevenoaks and Tunbridge Wells Economic Needs Study*³ was produced in 2016. Is it based on data which is 'current and robust', as advised by the PPG?
- Q5. What implications has the current Coronavirus pandemic ('COVID-19') had on the assumptions in the Economic Needs Study, especially around projections for office space? Or is it too early to predict any longer-term changes in employment needs and patterns?
- Q6. The projections in the Economic Needs Study cover the period between 2013 and 2035. How does this correlate with the plan period?
- Q7. In contrast to the identified need for 14 hectares of land, the Plan allocates sites sufficient to provide around 26.5 hectares of new employment land. What is the justification for this?
- Q8. What are the implications if all of the planned employment land is taken up? Will there be sufficient labour to fill local jobs, or, will it lead to commuting from elsewhere?
- Q9. In determining the need for future employment land, how has the Council taken into account qualitative needs for different types of accommodation?

² Paragraph: 027 Reference ID: 2a-027-20190220

³ Core Document 3.87

Matter 3 – Spatial Strategy and Distribution of Development (Policy STR1, STR3, STR9 and STR10)

Issue 1 – Spatial Strategy

- Q1. Does the submission version Local Plan contain a settlement hierarchy in the same way as the adopted Core Strategy (2010) does?
- Q2. The *Settlement Role and Function Study Update*⁴ scores settlements and groups them together between A and G. Is the methodology used robust and are the outcomes accurate?
- Q3. What is the purpose of the *Settlement Role and Function Study Update*? How has it informed the Plan?
- Q4. The Development Strategy in Policy STR1 supports the "...major, transformational expansion of Paddock Wood (including land at east Capel)...". At a strategic level, what are the reasons for promoting significant new development at Paddock Wood? Is this justified?
- Q5. The Development Strategy also supports the "...creation of a new garden settlement: Tudeley Village...". What were the reasons for pursuing a new, standalone settlement, rather than the expansion of existing towns and villages? Is this justified?
- Q6. Paragraph 4.45 of the submitted Plan states that Royal Tunbridge Wells is surrounded by the High Weald AONB, except for areas to the west and the north. What options has the Council therefore looked at for new development to the west and the north of the town? Why were they discounted in favour of a standalone new settlement (which also requires land to be removed from the Green Belt)?
- Q7. The *Development Strategy Topic Paper*⁵ refers to constraints to such as the Green Belt, the High Weald AONB and areas of flood risk. Which areas of the Borough are not constrained by flooding and/or the Green Belt and AONB? Why could housing needs not be met in these areas?
- Q8. Could housing needs be met in a way that did not require land to be removed from the Green Belt and/or require development in the AONB?
- Q9. Do policies relating to the Green Belt, the High Weald AONB and/or flood risk provide a strong reason for restricting the scale, type and distribution of development in Tunbridge Wells?

Issue 2 – Distribution of Development

- Q1. How was the distribution of development established? Has the Council sought to direct housing growth towards settlements based on their scoring in the *Settlement Role and Function Study*, or by another means?
- Q2. When taking into account commitments and completions since the start of the Plan period, what proportion of new housing will be distributed to each group of settlements, as per the *Settlement Role and Function Study*?

⁴ Core Document 3.133

⁵ Core Document 3.126

- Q3. Is the strategy consistent with paragraph 105 of the Framework, which states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes?
- Q4. Having established the principle of significant growth at Paddock Wood (see Matter 3, Issue 1, Question 4 above), how did the Council determine the scale of additional housing proposed in the Plan?
- Q5. Where new development is proposed in towns and villages, is the scale, type and distribution of housing development proportionate to their character, role and function?
- Q6. What is the justification for distributing new housing development to settlements within the High Weald AONB? How did the AONB designation influence the scale, type and distribution of housing development?
- Q7. How have flooding constraints been taken into account in determining the spatial distribution of development? Is the Plan consistent with paragraph 161 of the Framework which states that all plans should apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.
- Q8. Does the Plan identify any areas of safeguarded land, in between the urban area and the Green Belt in order to meet longer-term development needs stretching beyond the plan-period?

Issue 3 – Limits to Built Development

- Q1. How have the Limits to Built Development been defined? What are they based on and are they accurate?
- Q2. Do the submission version policies maps adequately show the changes to the Limits to Built Development that would arise from the adoption of the Plan?
- Q3. Where new site allocations are concerned, the *Limits to Built Development Topic Paper*⁶ states that only the developable areas have been included. Landscape buffers, open space and outdoor recreation areas have been excluded from the Limits to Built Development. What is the justification for this?
- Q4. When taking into account that the detailed design and layout of a site allocation will be determined at the planning application stage, will the approach to defining Limits to Built Development be effective?
- Q5. What are the 'Provisional Limits to Built Development' as shown on the *Submission Local Plan Inset Map Legend*⁷? Which sites/areas do they relate to? Are they justified and effective?
- Q6. Where boundary changes are proposed as part of the submission version Local Plan, are they justified by appropriate evidence and analysis?

⁶ Core Document 3.82

⁷ Core Document 3.129a

- Q7. What is the justification for removing heritage assets and recreation areas from the Limits to Built Developments? Is this consistent with the principles set out in Core Document 3.82, which states that Limits to Built Development are policy lines drawn around the main built-up area of settlements?
- Q8. What is the justification for the removal of the settlement boundaries at Iden Green and Kilndown? Is this justified and is it consistent with the principles of Limits to Built Development which seek to draw lines around the main built-up areas of settlements?
- Q9. Is it clear to decision-makers, developers and local communities how planning applications will be considered for development proposals both within, and outside, Limits to Built Development?
- Q10. Table 7 in the submission version Local Plan lists nine sites that are identified as part of the 'Rural Fringe'. What is the status of these sites and how will they be defined in the Plan? What is the justification for not including them within the Limits to Built Development?

Issue 4 – Management of Development in the Green Belt

- Q1. It is sufficiently clear to decision-makers, developers and local communities which settlements are 'washed-over' by Green Belt?
- Q2. Where new development is proposed in the Green Belt, is Policy STR9 justified, effective and consistent with national planning policy?

Matter 4 – Principle of Green Belt Release

Issue 1 – Principle of Green Belt Release

- Q1. Table 6 in the submission version Local Plan lists proposed changes to the Green Belt boundary. Are these all the boundary changes that would result from the adoption of the Plan?
- Q2. What proportion of new housing proposed in the Plan would be on land currently designated as Green Belt?
- Q3. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, paragraph 141 of the Framework states that strategic policy-making authorities should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for housing. This will be assessed through the examination and will consider whether the strategy:
- Makes as much use as possible of suitable brownfield sites and underutilised land;
 - Optimises the density of development, and
 - Has been informed by discussions with neighbouring authorities about whether they can accommodate some of the identified need.

How has the preparation of the Plan sought to make as much use as possible of suitable brownfield sites and optimise the density of development?

- Q4. Can housing needs be met by optimising the use of previously developed land and buildings without requiring land to be released from the Green Belt?
- Q5. Not all of Tunbridge Wells is within the Green Belt. Could the need for new housing and employment therefore be met by developing beyond the existing Green Belt boundary? If not, why not?
- Q6. When drawing up or reviewing Green Belt boundaries, paragraph 142 of the Framework states that the need to promote sustainable patterns of development should be taken into account. How and where has the Council taken this into account?
- Q7. Having decided to review the Green Belt boundary, how did the Council determine, at a strategic level, where alterations should be made in order to meet housing and employment needs?

Issue 2 – Green Belt Review Methodology

- Q1. The *Green Belt Study Stage 1*⁸ identified 33 parcels and 10 broad areas for assessment at Stage 2. How were these areas defined and what were the boundaries based on?
- Q2. The *Green Belt Study Stage 2*⁹ provides a more detailed and focused review of land parcels, assessed against the purposes of including land within the Green Belt in paragraph 138 of the Framework. How did the Council take the findings into account and use the evidence in the preparation of the Plan?
- Q3. What was the purpose of the *Green Belt Study Stage 3*¹⁰? Did it build upon the findings of the earlier studies, or, assess proposed site allocations?
- Q4. Where the release of land from the Green Belt was found to have either high or very high levels of harm, how was this taken into account in the site selection process?
- Q5. How was the potential for mitigation considered in the Green Belt studies? Was this considered on a consistent basis for all sites?
- Q6. Paragraph 144 of the Framework states that if it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt.

Has the Council carried out an assessment of existing settlements 'washed-over' by the Green Belt? Are any changes proposed and/or necessary?

Issue 3 – Exceptional Circumstances

- Q1. At a strategic level, do exceptional circumstances exist to alter the Green Belt boundary, having particular regard to paragraphs 140 – 143 of the Framework? If not, how could housing and employment needs be met in other ways?
- Q2. What is the justification for the new area of Green Belt proposed to the southwest of Paddock Wood? Do the exceptional circumstances exist necessary to justify this alteration to the Green Belt boundary?

⁸ Core Document 3.93a

⁹ Core Document 3.93b(i)-(v)

¹⁰ Core Document 3.93c

Matter 5 – Site Selection Methodology

Issue 1 – Site Selection Methodology

- Q1. How were different sites considered for inclusion as allocations? What process did the Council follow in deciding which sites to allocate?
- Q2. How were site areas and dwelling capacities determined? Are the assumptions justified and based on available evidence?
- Q3. In deciding whether to allocate sites for development, how did the Council take into account the effects of development on:
- Landscape character, including the High Weald AONB and its setting;
 - The availability of best and most versatile agricultural land;
 - The local and strategic road network;
 - The need for new and improved infrastructure (including community facilities);
 - Heritage assets; and
 - Nature conservation.
- Q4. How did the Council consider the viability and deliverability of sites, especially where new supporting infrastructure is required?
- Q5. How did the Council take into account flood risk? Has the Plan applied a sequential, risk-based approach to the location of development, taking into account all sources of flood risk and the current and future impacts of climate change so as to avoid, where possible, flood risk to people and property as required by paragraph 161 of the Framework?
- Q6. What are the reasons for the different affordable housing requirements between allocations in the Plan?
- Q7. Was the site selection process robust? Was an appropriate selection of potential sites assessed, and were appropriate criteria taken into account?

Matter 6 – Strategic Sites (Policies STR/SS1, STR/SS2, STR/SS3, STR/PW1 and STR/CA1)

Issue 1 – Tudeley Village

Size, Scale and Location of Development

- Q1. What is the site area based on and how was the size of the allocation and number of new homes established?
- Q2. What alternatives to the size and scale of development proposed in the Plan has the Council considered?
- Q3. The submission version Policies Map for Tudeley Village shows land beyond the Limits to Built Development forming part of the allocation. What is the reason for this? Is all of the allocation proposed to be removed from the Green Belt?

Green Belt

- Q4. The *Green Belt Study Stage 2* report concluded that releasing land from the Green Belt between Tonbridge and Paddock Wood (Ref BA4) would cause a 'very high' level of harm to the Green Belt. In the Stage 3 Assessment, a harm rating of 'High' is given for Tudeley Village. What are the reasons for the different scores?
- Q5. What would be the extent of the harm to the Green Belt if the boundaries were changed in this location as proposed? Are there any ways in which this harm could be minimised or mitigated?
- Q6. Where it has been concluded that it is necessary to release Green Belt land for development, paragraph 142 of the Framework states that Plans should set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. How will this be achieved?
- Q7. When defining Green Belt boundaries, paragraph 143 of the Framework states that plans should, amongst other things, define boundaries clearly, using physical features that are readily recognisable and likely to be permanent. How does the Plan meet this requirement for Tudeley Village?
- Q8. Taking into account the answers provided under Matter 4, do the exceptional circumstances exist at site specific level to justify amending the Green Belt boundary in this location?

Mix of Uses and Infrastructure Requirements

- Q9. Is it clear to users of the Plan what is meant by the 'provision of employment space' and 'community and leisure facilities'? What is expected of applications for planning permission?
- Q10. Does the Plan support an appropriate mix of uses across the site to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities, as required by paragraph 106 of the Framework?
- Q11. How will the phasing of development be controlled and is it clear to users of the Plan what new infrastructure will come forward and when? Is it necessary for such information to be contained in the Plan?

Highways and Transport

- Q12. What impacts will the cumulative level of growth proposed in the Plan have on the B2017 between Tudeley and Tonbridge?
- Q13. How will the impacts of development be mitigated along the B2017 up to and including the junction with the A26? Are the measures proposed deliverable and will they be effective?
- Q14. Are the projections regarding future transport patterns reliable and are the conclusions robust? Do they justify the proposed allocation Tudeley? ¹¹
- Q15. How will connectivity with Tonbridge be provided for non-car modes of transport?
- Q16. What is the justification for the proposed link-road to the east of the allocated site, running from the B2017 to the proposed Colts Hill bypass?
- Q17. How will the link road be delivered and is it viable? Is it required for the strategic site at Tudeley alone, or, as a result of cumulative growth with sites at Paddock Wood and east Capel?
- Q18. Is the location of the proposed link road justified, taking into account land use constraints, flooding, the character and appearance of the area and proximity to the Capel Primary School?
- Q19. Is the evidence supporting the Plan reliable and robust? Does it take into account the indicative location of the proposed secondary school?

Viability and Deliverability

- Q20. Is it clear to decision-makers, developers and local communities what infrastructure will be delivered, by whom and when?
- Q21. What is the justification for requiring a Supplementary Planning Document ('SPD')?
- Q22. Based on the necessary infrastructure requirements, is the allocation viable?

Landscape and Heritage

- Q23. The *AONB Setting Analysis Report*¹² identifies areas of 'high' and 'medium' sensitivity within the allocated site. In the area of high sensitivity, the Report states that development without mitigation is likely to harm the setting of the High Weald AONB. How is this reflected in the Plan? What potential impacts will the allocation have on the setting of the AONB?
- Q24. How will the allocation ensure visual and physical separation between Tudeley Village and Five Oak Green?

¹¹ **Inspector's Note – In answering Question 14 participants should have regard to the additional information provided by the Council in the *Local Plan Sensitivity Test Addendum Report*, the *Local Capacity Modelling Appraisal Technical Note* and the *Statement of Common Ground between Kent County Council and TWBC* (Examination Documents PS_023, PS_024 and PS_025).**

¹² Core Document 3.95a

Q25. What potential impacts will the proposed allocation have on the significance of designated heritage assets, having particular regard to the Grade I listed Church of All Saints' and Grade II listed buildings at Bank Farm and Lilley Farm? How have heritage assets been taken into account in the preparation of the Plan?

Other Material Planning Considerations

- Q26. Does any of the proposed allocation fall within areas at risk of flooding, taking into account all sources of flood risk and climate change?
- Q27. Map 32 of the submission version Local Plan shows a 'potential train station site' within the allocation. What is the latest position regarding the potential for a new station at Tudeley Village? Is it a requirement of the allocation?

Issue 2 – Five Oak Green

- Q1. Policy STR/CA1 sets out the strategy for the Capel Parish. Criterion 3) states that approximately 2,060 dwellings will be accommodated on land at East Capel as part of the extension to Paddock Wood. Is it clear to users of the Plan which site this relates to?
- Q2. What are the 'compensatory improvements to the Green Belt, including measures to reduce flooding to particular areas of Five Oak Green'? How will they be delivered?

Size, Scale and Location of Development

- Q1. What is the justification for having a single policy (Policy STR/SS1) for the different development parcels at Paddock Wood and East Capel? Is it necessary to have development requirements for each specific area?
- Q2. How was the size of each parcel determined and what alternatives to the scale of development proposed at Paddock Wood and East Capel did the Council consider?
- Q3. Is it clear to developers, decision-makers and local communities what scale and mix of uses are proposed on each parcel (including the amount of employment land)?

Green Belt

- Q4. In the *Green Belt Study Stage 1*, how was parcel PW1 defined? Was land to the west of Paddock Wood, up to the A228 considered at this stage?
- Q5. In the *Green Belt Study Stage 3*, Map 2 identifies that releasing land to the west of Paddock Wood will cause 'moderate' harm nearest the existing settlement, with 'high' levels of harm on roughly the western half of the parcel nearest the A228. What are the reasons for this and how have the findings been taken into account in the preparation of the Plan?
- Q6. Where it has been concluded that it is necessary to release Green Belt land for development, paragraph 142 of the Framework states that Plans should set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. How will this be achieved?
- Q7. Taking into account the answers provided under Matter 4, do the exceptional circumstances exist at site specific level to justify amending the Green Belt boundary in this location?

Flood Risk and Drainage

Paragraph 4.11 of the *Strategic Sites Topic Paper*¹³ states that "...the starting point was to focus development using a proportionate application of the sequential test in flood risk terms i.e., the majority of residential development in flood zone 1, with some in flood zone 2 where there was confidence in site specific flood mitigation ensuring that was acceptable."

Paragraph 4.14 then goes on to state that "A scenario was run with residential development in flood zone 1 only (Option 3). This provided fewer dwellings, 2,840, and was considered unnecessary in the context of planning guidance on locating development in appropriate flood zones."

- Q8. What is a 'proportionate application of the sequential test'? Is the allocation of land to the west of Paddock Wood consistent with paragraph 162 of the Framework, which states that development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding?

¹³ Core Document 3.67

Q9. Can the parcel allocated to the east of Paddock Wood come forward without requiring residential development in areas at risk of flooding?

Q10. What is the justification for requiring a drainage strategy to be in place prior to the granting of planning permission 'unless exceptional circumstances arise'? What might these circumstances be? Is the policy sufficiently clear and is it effective?

Mix of Uses and Infrastructure Requirements

Q11. How have the type and location of community uses been established? For example, what is the justification for the proposed sports hub (including a 25m swimming pool) and why is it in the location proposed?

Q12. In the location envisaged, will the sports hub be accessible to existing and future residents of Paddock Wood by sustainable modes of transport?

Q13. What is the justification for the inclusion and location of sites proposed for gypsy and traveller accommodation?

Q14. Where will the proposed sheltered and extra care accommodation be located? For effectiveness, should this be set out in the Plan?

Highways and Transport

Q15. How will the north-south pedestrian and cycle link over the railway line be provided as part of the western parcel? Is it deliverable?

Q16. How will the necessary financial contributions towards works to the A228 and the Five Oak Green bypass be calculated for each site and Tudeley Village (Policy STR/SS3)?

Q17. What will be the main point of access for the parcel to the east of Paddock Wood? How will pedestrian, cycle and vehicular accessibility to the rest of Paddock Wood (to the west) be achieved?

Landscape and Heritage

Q18. The *AONB Setting Analysis Report*¹⁴ identifies areas of 'very high', 'high' and 'medium' sensitivity within the allocated site boundary to the east of Paddock Wood. Very high is defined as likely to cause harm to the setting of the High Weald AONB which it may not be possible to mitigate against.

What is the justification for including the parcel of land to the south of the site, where the Report recommends avoiding any development?

Q19. In the areas of 'high' and 'medium' sensitivity, what mitigation is required and are the requirements sufficiently clear to users of the Plan?

Q20. Will the proposed mitigation be effective? What potential impacts will the allocation as a whole have on the setting of the AONB?

¹⁴ Core Document 3.95a

Q21. What potential impacts will the proposed allocation have on the significance of designated heritage assets, having particular regard to the Grade II listed buildings at Badsell Manor Farmhouse, Mascalls Court, Mascalls Court Lane and Knell's Farm? How have heritage assets been taken into account in the preparation of the Plan?

Other Matters

- Q22. What is the justification for requiring each parcel to be delivered through the production of a SPD?
- Q23. ***How will the Council ensure that the allocation comes forward in a coherent and comprehensive manner and avoids the piecemeal development of individual sites?***

Issue 4 – Paddock Wood Town Centre

- Q1. Policy STR/SS2 states that the Paddock Wood Town Centre Framework Masterplan SPD will identify 'key development sites'. Is this approach justified when taking into account that the SPD will not form part of the development plan for the area?
- Q2. Is the Plan justified and effective by requiring development proposals to accord with the (not yet prepared) Masterplan SPD?
- Q3. What is the justification for seeking developer contributions in part 8 of the policy? What proposals would be subject to this requirement and what would they be required to contribute towards?

Issue 5 – Land at Mascalls Farm

- Q1. What is the latest position regarding the construction of dwellings already approved at Mascalls Farm?
- Q2. Is the site still necessary and justified as an allocation in the Plan?

Matter 7 – Residential Site Allocations

Issue 1 – Royal Tunbridge Wells and Southborough

AL/RTW12 - Land at Tunbridge Wells Telephone Engineering Centre

- Q1. How has the scale of proposed development been determined and is it appropriate and justified in this location?
- Q2. The site is allocated (along with the Turners Pie Factory) for residential development in the adopted *Site Allocations Local Plan*. Why have the sites not yet come forward for development? Are they developable within the plan period?
- Q3. How has existing on-site wastewater infrastructure been considered? Is the allocation deliverable?
- Q4. What is the justification for the proposed pedestrian and cycle link to the north of the site? Will this form part of the development?

AL/RTW13 – Tuners Pie Factory, Broadwater Lane

- Q5. What is the justification for requiring the allocation to provide a remote working/community hub for use by residents of the proposed development?
- Q6. Is it clear to users of the Plan who is expected to build and manage the hub thereafter?
- Q7. Can the allocation deliver an active frontage onto Broadwater Lane and Underwood Rise and be focused around a new community hub and green space?
- Q8. Is it clear to users of the Plan what measures will be expected to provide the necessary noise barrier between the site and the adjacent petrol filling station?
- Q9. How has existing on-site wastewater infrastructure been considered? Is the allocation deliverable?

AL/RTW16 – Land West of Eridge Road and Spratsbrook Farm

- Q10. What is the site boundary based on? What is the justification for only allocating the eastern 'half' of the site for residential development?
- Q11. What will the parcel of land to the south of the existing access road be used for?
- Q12. How will the area of open space, to remain in the Green Belt, be managed?
- Q13. Do exceptional circumstances exist to alter the Green Belt boundary in this location, having particular regard to paragraphs 140 – 143 of the Framework?
- Q14. What potential impacts will the allocation have on the setting of the High Weald AONB?
- Q15. Why is it necessary to provide additional landscaping along the south-west boundary to 'protect the amenity of the adjacent farmhouse'?
- Q16. What potential impacts will the allocation have on the significance of the High Rocks Hill Fort Scheduled Monument?

AL/SO1 – Speldhurst Road Former Allotments

- Q17. What is the latest position regarding the construction of dwellings already approved at Speldhurst Road?
- Q18. Is the site still necessary and justified as an allocation in the Plan?

AL/SO3 – Land at Baldwins Lane

- Q19. What is the latest position regarding the construction of dwellings already approved at Baldwins Lane?
- Q20. Is the site still necessary and justified as an allocation in the Plan?

AL/RTW3 – Land at Lifestyle Ford/Mount Ephraim/Culverden Street/Rock Villa Road

- Q21. The site is allocated for residential development in the adopted *Site Allocations Local Plan*. Why has it not yet come forward for development? Is the site developable within the plan period?
- Q22. How has the scale of proposed development been determined and is it appropriate and justified in this location?
- Q23. Can the scale of development be achieved on site whilst ensuring that future proposals preserve or enhance the character or appearance of the conservation area? How has this been assessed as part of the site allocation process?
- Q24. What is the justification for requiring development to avoid a harmful loss of light to the stained-glass window in St Andrew's United Reformed Church? Is the proposed policy requirement justified and effective?

AL/RTW4 – Land at 33-46 St John's Road

- Q25. What is the latest position regarding the construction of dwellings already approved at St John's Road?
- Q26. Is the site developable within the plan period?

AL/RTW5 – Land South of Speldhurst Road and West of Reynolds Lane

- Q27. How has the scale of proposed development been determined and is it appropriate and justified in this location?
- Q28. What is the site boundary based on? Is it sufficiently clear to users of the Plan where residential development is expected to be located?
- Q29. Is it necessary to widen Speldhurst Road in order to facilitate the proposed development? Is it sufficiently clear to users of the Plan what highway improvement works are required?
- Q30. Will it be possible to widen Speldhurst Road and retain trees along the site frontage?
- Q31. Do exceptional circumstances exist to alter the Green Belt boundary in this location, having particular regard to paragraphs 140 – 143 of the Framework?

AL/RTW6 – Land at 202 and 230 Upper Grosvenor Road

Q32. What is the current position regarding the development of this site, is it developable within the plan period?

Q33. What impact will the proposed development have on the wastewater network? Is it necessary, for the effectiveness of the Plan, to require development to be limited until necessary upgrades are delivered?

AL/RTW9 – Land at Beechwood Sacred Heart School

Q34. What is the latest position regarding the construction of dwellings already approved on the site?

Q35. Is the site developable within the plan period?

Q36. What is the justification for the proposed Limits to Built Development in this location?

AL/RTW10 – Montacute Gardens

Q37. How has the scale of proposed development been determined and is it achievable given the identified constraints in Policy AL/RWT10?

Q38. Can the scale of development be achieved on site whilst ensuring that future proposals preserve or enhance the character or appearance of the conservation area? How has this been assessed as part of the site allocation process?

AL/RTW11 – Former Plant & Tool Hire, Eridge Road

Q39. The site is allocated for residential development and/or mixed-use development in the adopted *Site Allocations Local Plan*. Why has it not yet come forward for development? Is the site developable within the plan period?

AL/RTW19 – Land North of Hawkenbury Recreation Ground and AL/RTW20 – Land at Culverden Stadium

Q40. What is the purpose and justification for the allocation? Is it sufficiently clear to users of the Plan?

Q41. How does the scheme approved under planning permission Ref 21/00300/FULL relate to the proposed allocation, which is dependent upon the relocation of Tunbridge Wells Football Club from the Culverden Stadium (site allocation AL/RTW20)?

Q42. How will the relocation of Tunbridge Wells Football Club be achieved? Are the allocations deliverable, and thus, is the Plan effective?

Q43. Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

Q44. Does site allocation AL/RTW19 represent major development in the AONB, and if so, is it justified? How have the effects of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?

Q45. What 'localised widening and highway improvements' will be required to facilitate the proposed new stadium? Is High Woods Lane suitable for a new football stadium and sports hub?

Q46. What level of car parking will be required to serve the proposed new stadium and where will this be provided?

Q47. Can approximately 30 dwellings be achieved on the site of the existing football ground, having particular regard to the presence of protected trees and wildlife habitats?

AL/RTW21 – Colebrook Sports Field, Liptraps Lane

Q48. Policy AL/RTW21 requires the provision of a replacement playing pitch before development can commence. Where will the replacement pitch be provided and how will it be delivered?

Q49. How has existing on-site wastewater infrastructure been considered? Is the allocation deliverable?

AL/RTW22 – Land at Bayham Sports Field

Q50. How will the site be accessed and how will the allocation promote the use of sustainable modes of transport such as walking and cycling?

Q51. Policy AL/RTW22 requires the provision of a replacement playing pitch before development can commence. Where will the replacement pitch be provided and how will it be delivered?

AL/SP2 – Land adjacent to the Rusthall Recreation Ground, Southwood Road

Q52. How has the scale of proposed development been determined and is it appropriate and justified in this location?

Q53. How will the facilities be delivered? Is the Plan effective?

Q54. The supporting text states that the agricultural part of the site is allocated in the adopted *Site Allocations Local Plan*. Why has it not yet come forward for development? Is the site developable within the plan period?

Q55. How have the potential impacts of the allocation on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?

AL/RTW7 – Land at Former Gas Works, Sandhurst Road

Q56. What is the current position regarding the development of this site, is it developable within the plan period?

Q57. Is the proposed scale of residential development sufficiently clear to users of the Plan? Is the policy effective?

AL/PE1 - Land Rear of High Street and West of Chalket Lane¹⁵

- Q1. How has the proposed area of residential development been established? What is it based on and is it justified?
- Q2. What is the justification for the proposed Green Belt boundary? Will the revised boundary be clearly defined, as required by paragraph 143 of the Framework?
- Q3. Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?
- Q4. What is the justification for the proposed car park? Why is a public car park in this location necessary?
- Q5. Does site allocation AL/PE1 represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?
- Q6. Where will the main access to the site be taken from?
- Q7. Is it clear to decision-makers, developers and local communities how applications for planning permission should 'consider' improvements to the cycle and bridleway network? What is required of development proposals?
- Q8. *Policy AL/PE1(11) requires a legal mechanism to be put in place to ensure that the provision of the additional parking for the adjacent village hall and the public is tied to the delivery of the housing, at a suitable stage of the development. What is the justification for this requirement, and will it be effective?***

AL/PE2 - Land at Hubbles Farm and South of Hastings Road

- Q9. How has the proposed area of residential development been established? What is it based on and is it justified?
- Q10. What is the justification for the proposed Green Belt boundary? Will the revised boundary be clearly defined, as required by paragraph 143 of the Framework?
- Q11. Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?
- Q12. What is the justification for the inclusion of an area of safeguarded land? Is an extension to the cemetery needed and how and when will it be provided?
- Q13. Does site allocation AL/PE2 represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?

¹⁵ Inspectors' Note – To avoid repetition, the Council and representors may wish to answer the Questions to sites AL/PE1, AL/PE2 and AL/PE3 together, where applicable.

Q14. Where will the main access to the site be taken from?

Q15. Is it clear to decision-makers, developers and local communities how applications for planning permission should 'consider' improvements to the cycle and bridleway network? What is required of development proposals?

AL/PE3 - Land North of the A21, South and West of Hastings Road

Q16. How has the proposed area of residential development been established? What is it based on and is it justified?

Q17. What is the justification for the proposed Green Belt boundary? Will the revised boundary be clearly defined, as required by paragraph 143 of the Framework?

Q18. Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

Q19. Does site allocation AL/PE3 represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?

Q20. Where will the main access to the site be taken from?

Q21. Is it clear to decision-makers, developers and local communities how applications for planning permission should 'consider' improvements to the cycle and bridleway network? What is required of development proposals?

AL/PE4 – Land at Downingbury Farm, Maidstone Road

Q22. How has the proposed area of residential development been established? What is it based on and is it justified?

Q23. What is the justification for the proposed Green Belt boundary? Will the revised boundary be clearly defined, as required by paragraph 143 of the Framework?

Q24. Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

Q25. What is the justification for the inclusion of an area of safeguarded land? Is an extension to the Hospice in the Weald needed and how and when will it be provided?

Q26. What is the justification for not removing the area for possible future expansion of the hospice from the Green Belt?

Q27. Does site allocation AL/PE4 represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?

Q28. What potential impacts will the proposed allocation have on the significance of designated heritage assets, having particular regard to the Grade II* listed Downingbury Farmhouse and associated buildings? How have heritage assets been taken into account in the preparation of the Plan?

AL/PE5 – Land at Sturgeons fronting Henwood Road

- Q29. What is the latest position regarding the construction of dwellings already approved on the site?
- Q30. Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

AL/PE6 – Woodsgate Corner

- Q31. How have the mix of uses and scale of the proposed development been established? Are they deliverable given the identified constraints?
- Q32. What is the justification for specifying a 10m landscaping strip?
- Q33. Does site allocation AL/PE6 represent major development in the AONB, and if so, is it justified? How have the effects of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?

AL/PE7 – Land at Cornford Court, Cornford Lane

- Q34. What is the latest position regarding the construction of the integrated community healthcare facility already approved on the site?
- Q35. Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?
- Q36. What is the justification for requiring a financial contribution towards a 'corridor study' with a view to relieving congestion? Is the requirement for a planning obligation consistent with paragraph 57 of the Framework and the Community Infrastructure Levy Regulations?

AL/PE8 – Owlsnest, Tonbridge Road

- Q37. What is the current position regarding planning application Ref 19/01600/FULL?
- Q38. What are the reasons for (unlike other allocations in Pembury), not amending the Green Belt boundary in this location?
- Q39. What is the justification for the proposed site boundary, which extends beyond the area identified for new development?
- Q40. What is the justification for requiring a financial contribution towards a 'corridor study' with a view to relieving congestion? Is the requirement for a planning obligation consistent with paragraph 57 of the Framework and the Community Infrastructure Levy Regulations?

Issue 3 – Lamberhurst

AL/LA1 - Land to the West of Spray Hill

- Q1. How has the scale of proposed development been determined and is it appropriate and justified in this location?
- Q2. What is the justification for including the area of open space within the site allocation boundary?
- Q3. Does site allocation AL/LA1 represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?
- Q4. What is the justification for requiring a footpath along Sand Road? Is it necessary and deliverable?
- Q5. What is the justification for requiring a pedestrian and cycle link to the Scotney Castle estate? Is it necessary and deliverable?
- Q6. How has existing on-site wastewater infrastructure been considered? Is the allocation deliverable?

Issue 4 – Rusthall

AL/RU1 – Lifestyle Motor Europe, Langton Road

- Q1. What potential impacts will the proposed allocation have on the significance of designated heritage assets? How have heritage assets been taken into account in the preparation of the Plan?

Issue 5 – Sandhurst

AL/SA1 – Land South of Sayville, Rye Road and West of Marsh Quarter Lane

- Q1. What is the current position regarding planning application Ref 21/00825/OUT?
- Q2. How has existing on-site wastewater infrastructure been considered? Is the allocation deliverable?
- Q3. What is the justification for requiring the provision of a pedestrian crossing on Rye Road? Is this necessary and deliverable?

AL/SA2 – Sharps Hill Farm, Queen Street

- Q4. What is the current position regarding planning application Ref 19/01493/OUT?
- Q5. How has the proposed area of residential development been established? What is it based on and is it justified?
- Q6. What is the justification for requiring development in the south-west corner of the site to be 'low density'? Is it clear to users of the Plan what is required here?

Q7. Does site allocation AL/SA2 represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?

Q8. What potential impacts will the proposed allocation have on the significance of designated heritage assets, having particular regard to the Sandhurst Conservation Area and the Grade II listed Bayford House? How have heritage assets been taken into account in the preparation of the Plan?

Issue 6 – Speldhurst

AL/SP1 – Land West of Langton Road and South of Ferbies

Q1. Does site allocation AL/SP1 represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?

Q2. Can a suitable and safe point of access and egress be achieved?

Q3. Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

Issue 7 – Cranbrook and Sissinghurst

AL/CRS1 – Land at Brick Kiln Farm and AL/CRS2 – Land South of Corn Hall

Q1. How does the area proposed for allocation under Policies AL/CRS1 and AL/CRS2 differ from Policy AL/CR4 in the adopted *Site Allocations Development Plan Document*?

Q2. What was the reason for splitting the current, adopted site allocation for the purposes of the submission version Local Plan?

Q3. How will the Council ensure that both sites come forward in a coherent and comprehensive manner?

Q4. What is the current position regarding planning application Ref 21/03299/REM?

Q5. How has the proposed area of residential development been established? What is it based on and is it justified?

Q6. Do sites AL/CRS1 and AL/CRS2 (either individually, or cumulatively) represent major development in the AONB, and if so, are they justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?

AL/CRS3 – Turnden Farm, Hartley Road

Q7. What is the current position regarding planning application Ref 20/00815/FULL?¹⁶

¹⁶ Inspector's Note – The answer to this question, and in relation to site AL/CRS1, may change during the course of the examination. Where this occurs, the Council should provide an update note for publication on the examination website.

Q8. How has the proposed area of residential development been established? What is it based on and is it justified?

Q9. How has the scale of proposed development been determined and is it appropriate and justified in this location, having particular regard to the scale of development proposed for Cranbrook in the existing Site Allocations Development Plan Document?

Q10. Does site allocation AL/CRS3 represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?

AL/CRS6 – Land south of The Street, Sissinghurst

Q11. Can approximately 20 dwellings and a replacement community hall (with associated infrastructure, open space and car parking etc.) be provided on site AL/CRS6? Is the allocation developable?

Q12. Is the allocation viable, when also taking into account other infrastructure costs including the need to provide affordable housing?

Q13. Is it clear to users of the Plan what is required of the final design, both in terms of the proposed housing and the replacement village hall?

AL/CRS7 – Land at the Corner of Frittenden Road and Common Road, Sissinghurst

Q14. What is the current position regarding planning application Ref 21/03126/REM?

Q15. Is the allocation developable within the plan period?

Issue 8 – Hawkhurst

AL/HA1 - Land at the White House, Highgate Hill

Q1. What is the latest position regarding the construction of dwellings already approved at land at the White House?

Q2. Is the site still necessary and justified as an allocation in the Plan?

Q3. What is the justification for requiring development proposals to confirm that the highway authority has 'no objection' to the development?

AL/HA2 – Brook House, Cranbrook Road

Q4. What is the current position regarding planning permission Ref 17/03780/OUT? Does the permission remain extant?

Q5. Is the allocation developable within the plan period?

AL/HA3 – Former Springfield Nurseries, Cranbrook Road

Q6. What is the current position regarding planning permission Ref 17/02192/OUT? Does the permission remain extant?

Q7. Is the allocation developable within the plan period?

AL/HA4 – Land off Copthall Avenue and Highgate Hill

- Q8. What is the current position regarding planning application Ref 20/02788/FULL?¹⁷
- Q9. How has the proposed area of residential development been established? What is it based on and is it justified?
- Q10. Does site allocation AL/HA4 represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?
- Q11. What is the justification for the proposed secondary, pedestrian access?
- Q12. What impact will the proposed allocation have on the safe and efficient operation of the highway network?

Issue 9 – Benenden

- Q1. What is the latest position regarding the Benenden Neighbourhood Development Plan? Has it been formally 'made' and does it now form part of the development plan for the area?
- Q2. Paragraph 5.425-5.427 of the submission version Local Plan states that should the Neighbourhood Plan be adopted by the Council, then there would be no requirement for site allocations AL/BE1, AL/BE2, AL/BE3 or AL/BE4. Why is it necessary for soundness reasons to delete the allocations from the Plan?
- Q3. Are there any conflicts between the site allocation policies proposed in the Local Plan and the site allocation policies in the Neighbourhood Plan? If so, what are the reasons for any differences?
- Q4. Are site allocations AL/BE1, AL/BE2, AL/BE3 and AL/BE4 justified, effective and consistent with national planning policy?

Issue 10 – Brenchley and Matfield

AL/BM1 – Land at Brenchley road, Coppers Lane and Maidstone Road

- Q1. What is the latest position regarding the construction of dwellings already approved on the site?
- Q2. Is the allocation developable within the plan period?

AL/BM2 – Land at Maidstone Road

- Q3. How has the proposed area of residential development been established? What is it based on and is it justified?
- Q4. Does site allocation AL/BM2 represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?

¹⁷ Inspector's Note – The answer to this question may change during the course of the examination. Where this occurs, the Council should provide an update note for publication on the examination website.

Q5. What is the justification for requiring additional car parking for the village hall?

Q6. How will pedestrian access to the site be achieved?

Q7. Is the site deliverable, having particular regard to land ownership?

Issue 11 – Frittenden

AL/FR1 – Land at Cranbrook Road, Frittenden

Q1. What effect will the proposed allocation have on the character and appearance of the area, having particular regard to the existing linear pattern of development in the village?

Issue 12 – Goudhurst

AL/GO1 – Land east of Balcombes Hill / Adjacent to Tiddymotts Lane

Q1. What is the latest position regarding the construction of dwellings already approved on the site?

Q2. Is the allocation developable within the plan period?

AL/GO2 – Land at Triggs Farm, Cranbrook Road

Q3. What is the latest position regarding the construction of dwellings already approved on the site?

Q4. Are the policy requirements justified and effective? Can the allocation be delivered in the manner proposed?

Issue 13 – Horsmonden

AL/HO1 – Land Adjacent to Furnace Lane and Gibbet Lane

Q1. What is the latest position regarding the construction of dwellings already approved on the site?

Q2. Is the allocation developable within the plan period?

AL/HO2 – Land South of Brenchley Road and West of Fromandez Drive

Q3. What is the justification for requiring the provision of a replacement village hall and car parking? How and when will this be delivered?

Q4. What potential impacts will the proposed allocation have on the significance the Grade II listed Milestone Cottages opposite the site? How have heritage assets been taken into account in the preparation of the Plan?

Q5. What potential impacts will the proposed allocation have on Sprivers Wood?

AL/HO3 – Land to the East of Horsmonden

Q6. How has the proposed area of residential development been established? What is it based on and is it justified?

Q7. What is the justification for the proposed area of safeguarded land for the primary school? How does it relate to the existing school site?

Q8. What is the justification for the proposed 'community use' area? Is it necessary and how/when will it be delivered?

Q9. Is the location of the proposed health centre/doctor's surgery appropriate and justified?

Q10. What is the justification for requiring a community orchard and built development to the east of the site to be at a lower density?

Matter 8 – Meeting Housing Needs (Policies H1, H2, H3, H4, H5, H6, H7, H8, H9, H10, H11 and H12)

Issue 1 – Housing Mix

- Q1. Is it sufficiently clear to decision-makers, developers and local communities what is required of applications for planning permission under Policy H1?
- Q2. How has the size, type and tenure of housing needed for different groups in the community been assessed and how is it reflected in planning policies, as required by paragraph 62 of the Framework?

Issue 2 – Housing Density

- Q1. Is it sufficiently clear to decision-makers, developers and local communities what is required of applications for planning permission under Policy H2?
- Q2. How does the Plan seek to optimise the use of land for development in town centres and other locations that are well served by public transport?

Issue 3 – Affordable Housing

- Q1. What is the justification for requiring 40% affordable housing on qualifying greenfield sites and 30% on qualifying brownfield sites in Policy H3? What are the figures based on, how were they calculated and what alternatives were considered?
- Q2. Paragraph 65 of the Framework states that where major development involving the provision of housing is proposed, planning policies should expect at least 10% of the total number of homes to be available for affordable home ownership. How will this be secured by the Plan?
- Q3. What is the justification for developments of 6-9 units providing a financial contribution towards affordable housing in the High Weald AONB? What is this threshold based on?
- Q4. Where First Homes are concerned, the PPG states that where local plans have reached advanced stages of preparation, they will benefit from transitional arrangements and will not need to reflect the First Homes policy requirement.¹⁸ It also states that in such circumstances, consideration should be given to the need for an early update of the Plan.¹⁹ Is this necessary for soundness?
- Q5. What is the justification for requiring a minimum of 50% of the affordable housing to be delivered on-site prior to completion of 50% of the open market units approved? Is this viable and deliverable?
- Q6. What is the justification for requiring all forms of affordable housing to be provided on the basis of a local connection?

Issue 4 – Estate Regeneration

- Q1. Where estate regeneration is proposed, is it clear under what circumstances a loss of affordable housing will be permitted by Policy H4? Is this justified?

¹⁸ Paragraph: 018 Reference ID: 70-018-20210524

¹⁹ Paragraph: 019 Reference ID: 70-019-20210524

Issue 5 – Rural Exception Sites

- Q1. How will the Council ensure that housing permitted to meet local needs under Policy H5 remains available for such purposes thereafter?

Issue 6 – Housing for Older People and People with Disabilities

- Q1. Paragraph 62 of the Framework states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies, including housing for older people and people with disabilities. What is the need for housing for older people and how will this be met over the plan period? Has the Council considered the need for different types of accommodation, such as sheltered accommodation?
- Q2. What is Policy H6(3) based on? Is it justified on all new build developments, and will the requirement be deliverable?
- Q3. What is the justification for requiring all new build development to meet the optional technical M4(2) standard? Is the requirement viable and what contribution will it make to identified needs?
- Q4. What is the justification for requiring 5% of affordable housing on schemes of 20 or more units to meet the optional technical M4(3) standard? Is the requirement viable and what contribution will it have to identified needs?
- Q5. How does the Plan take into account site specific factors such as vulnerability to flooding, site topography and other circumstances (such as step-free access) which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings?
- Q6. Is it necessary to distinguish between wheelchair accessible (a home readily useable by a wheelchair user at the point of completion) and wheelchair adaptable (a home that can be easily adapted to meet the needs of a household including wheelchair users) dwellings?

Issue 7 – Rural Workers Dwellings

- Q1. Is Policy H7 positively prepared and consistent with national planning policy?
- Q2. Is the Plan consistent with paragraph 80 of the Framework, which, in addition to homes for rural workers, permits residential development in other circumstances?

Issue 8 – Self-Build and Custom Housebuilding

- Q1. What is the need for self-build and custom housebuilding schemes and how will this be met over the plan period?
- Q2. What is the justification for requiring 5% of the total number of dwellings to be custom and self-build plots on the allocations listed in Policy H8? Why these sites and not others?
- Q3. Where plots have been marketed and are unsold, what is the reason for requiring plots to be then offered to the Council? Is this justified?

Issue 9 – Replacement Dwellings

Q1. What is the justification for only permitting replacement dwellings where the existing structure is unsafe?

Q2. Where a dwelling is to be replaced, what are the reasons for criterion a) to d)? Are they justified in all locations, even outside areas of Green Belt?

Q3. How will proposals for replacement dwellings inside Limits to Built Development be considered?

Issue 10 – Residential Extensions, Alterations, Outbuildings and Annexes

Q1. What is the justification for restricting the size of extensions outside the Limits to Built Development as set out in Policy H11 criterion a) – b)?

Issue 11 – Accommodation for Gypsies and Travellers

Q1. Is the assessment of future needs in the Gypsy and Traveller Accommodation Assessment ('GTAA') accurate, robust and up to date?

Q2. What are the accommodation needs over the plan period and how will they be met? How have site capacities been determined, especially for sites with the potential to expand?

Q3. Is it sufficiently clear to users of the Plan which sites are allocated to meet the needs for gypsies and travellers and travelling showpeople?

Q4. What process and methodology did the Council use to determine which sites to allocate?

Q5. Are the allocated sites justified, consistent with national planning policy and capable of being developed over the plan period?

Q6. Can the Council identify a supply of specific deliverable sites sufficient to provide five years' worth of sites against the identified requirement?

Q7. What are the 'highlighted site-specific mitigations' for the purposes of Policy H9?

Q8. Is it clear to decision-makers, developers and local communities how windfall development proposals will be considered?

Matter 9 – Housing Land Supply

Issue 1 – Total Housing Supply

- Q1. How has the housing trajectory in Figure 9 of the Plan been established? What factors were considered in arriving at the figures in the trajectory and are they accurate and robust?
- Q2. Does the total housing land supply include an allowance for windfall sites? If so, what is this based on and is it justified?
- Q3. Paragraph 4.54 of the submission version Local Plan states that there is a 'buffer' of approximately 1,000 dwellings (based on the mid-point of dwelling ranges) over and above the minimum housing requirement across the plan period. Is the projected supply of housing justified and has sufficient land been identified to ensure that housing needs will be met?
- Q4. In the event that new housing is delivered as expected, what is the justification for the size of the buffer proposed?
- Q5. Paragraph 69 of the Framework states that in order to promote the development of a good mix of sites, local planning authorities should (amongst other things) identify land to accommodate at least 10% of their housing requirement on sites no larger than 1 hectare, unless there are strong reasons why this cannot be achieved. What proportion of the housing requirement will be met from sites no larger than 1 hectare in Tunbridge Wells?

Issue 2 – Five Year Housing Land Supply

- Q1. Taking into account completions since the based date of the Plan, what will be the anticipated five-year housing land requirement upon adoption of the Plan?
- Q2. How does the five-year housing land requirement compare to previous rates of delivery in Tunbridge Wells?
- Q3. Based on the housing trajectory, how many dwellings are expected to be delivered in the first five years following adoption of the Plan?
- Q4. What evidence has the Council used to determine which sites will come forward for development and when? Is it robust?
- Q5. Where sites have been identified in the Plan, but do not yet have planning permission, is there clear evidence that housing completions will begin within five years?
- Q6. How have the projected rates of housing delivery been established for the strategic sites at Tudeley Village and Paddock Wood and East Capel? Are the figures realistic when taking into account the need for supporting infrastructure?
- Q7. What allowance has been made for windfall sites as part of the anticipated five-year housing land supply? Is there compelling evidence to suggest that windfall sites will come forward over the plan period, as required by paragraph 70 of the Framework?
- Q8. Having regard to the questions above, will there be a five-year supply of deliverable housing sites on adoption of the Plan?

Q9. What flexibility does the plan provide if some of the larger sites do not come forward in the timescales envisaged?

Q10. Is it necessary to have a review mechanism in the Plan to consider progress against these, and other sites, and to identify any appropriate steps to increase supply if required?

**Matter 10 – Employment, Economic Development and Infrastructure
(Policies STR5, ED1, ED2, ED3, ED4, ED5, ED6, ED7, ED8, ED12 and Site
Allocations)**

Issue 1 – Key Employment Areas

- Q1. What are the Key Employment Sites, how have they been defined and is their inclusion in the Plan justified by appropriate, up-to-date evidence?
- Q2. Are the boundaries of the Key Employment Sites accurately shown on the submission version policies maps?
- Q3. In locations not identified as Key Employment Sites, how would a decision-maker react to a development proposal for the expansion of an existing premises, or the provision of new employment buildings?
- Q4. Does the Plan help to create the conditions in which businesses can invest, expand and adapt as required by paragraph 81 of the Framework?

Issue 2 – Employment Site Allocations

AL/RTW17 – Land Adjacent to Longfield Road, Royal Tunbridge Wells

- Q1. How has the scale of proposed development been determined and is it appropriate and justified in this location?
- Q2. How does the allocation relate to planning permission Ref 19/02267/OUT?
- Q3. Does the Plan seek to limit the floorspace for each use class, for example, the amount of new office space?
- Q4. What is the proposed site boundary based on, and why does the allocation include land to the north which is not proposed for new development?
- Q5. Do exceptional circumstances exist to alter the Green Belt boundary in this location, having particular regard to paragraphs 140 – 143 of the Framework?
- Q6. Does site allocation AL/RTW17 represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?

STR/SS1 – Land East of Maidstone Road and Land East of Transfesa Road, Paddock Wood

- Q7. For each site, how has the scale of proposed development been determined and is it appropriate and justified in this location?
- Q8. Is it sufficiently clear to decision-makers, developers and local communities the type and amount of development proposed on each site?
- Q9. How will each site be delivered? Will they be tied to the delivery of new housing or developed individually?
- Q10. How will the proposed employment sites include pedestrian links from the proposed new areas of housing, as required by Policy STR/SS1? (especially land east of Transfesa Road)

AL/HA7 – Hawkhurst Station Business Park

- Q11. Is it sufficiently clear to decision-makers, developers and local communities the type and amount of employment development proposed at the Hawkhurst Station Business Park?
- Q12. How does the allocation respond to the identified need for employment land and buildings?
- Q13. Is the proposed development accessible by sustainable modes of transport for potential future occupiers of the site?
- Q14. Does site allocation AL/HA7 represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?
- Q15. What is the proposed site boundary based on, and why does the allocation include land to the south and west as an open space and landscape buffer?

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

- Q16. What is the justification for safeguarding land at Limes Grove for future employment uses?
- Q17. Is it sufficiently clear to decision-makers, developers and local communities when development will be permitted at the site? When referring to other developments not coming forward, is this within the plan period or within five years following adoption of the Plan?

Issue 3 – Retention of Existing Employment Sites and Buildings

- Q1. What sites does Policy ED2 relate to? Do the requirements apply to all sites and buildings used for employment purposes, or only allocated sites?
- Q2. If the requirements are intended to apply to all sites, are they justified, appropriate and proportionate?
- Q3. What is the justification for requiring 18-months of marketing? Is this necessary for all applications for changes of use?
- Q4. How would a decision-maker react to a proposal for an alternative use on a Key Employment Site?
- Q5. What are the suggested changes proposed to Policy ED2 in the submission version Local Plan? Why are they necessary for soundness?

Issue 4 – Infrastructure, Local Services and Facilities

Q1. Is Policy ED12 justified, effective and consistent with paragraph 93 of the Framework, which states that planning policies should (c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs?

AL/RTW8 – TN2 Centre, Greggs Wood Road, Royal Tunbridge Wells

- Q2. What is the justification for allocating the site for a new medical centre and community uses?
- Q3. Is it clear to users of the Plan what other uses are permitted on the site?
- Q4. Is the site developable within the plan period?

AL/HA5 – Land North of Birchfield Grove, Hawkhurst

- Q5. How will the proposed medical centre be delivered? Is Policy AL/HA5 effective?
- Q6. How have the effects of the proposed allocation on the safe and efficient operation of the highway network, having particular regard to Birchfield Grove, been considered as part of the plan-making process? Are the proposed access arrangements suitable for the use proposed?
- Q7. What effect will the proposed allocation have on the living conditions of existing residents on Birchfield Grove, having particular regard to noise and disturbance?
- Q8. Does site allocation AL/HA5 represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?

AL/HA6 – King George V Playing Fields, The Moor

- Q9. What is the proposed site boundary for the 'community use' based on?
- Q10. How will the proposed community uses be delivered? Is Policy AL/HA6 effective?

AL/CRS4 – Cranbrook School

- Q11. What is the site boundary illustrated on Map 39 based on? Does it accurately show the extent of the school to which the policy relates?
- Q12. What is the purpose and justification for Policy AL/CRS4?
- Q13. Policy AL/CRS4 supports the principle of different uses of land and the supporting text at paragraph 5.328 specifically refers to the playing fields. It is sufficiently clear to decision-makers, the school and the local community what is required of applications for planning permission seeking an alternative use of land and buildings? In particular, how would an applicant demonstrate that proposals relate to 'wider development and change in the locality'?
- Q14. Insofar as the playing fields are concerned, is Policy AL/CRS4 consistent with paragraph 99 of the Framework?
- Q15. Would Local Plan Policy OSSR1 apply to potential future development proposals at Cranbrook School?

Issue 5 – Digital Communications

- Q1. Does the Plan support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections, as required by paragraph 114 of the Framework?
- Q2. What is the justification for the 5 dwelling / 500 square metres threshold for providing fibre to the premises where developments are located outside the Limits to Built Development? How would this apply to developments on the edges of existing settlements?
- Q3. What are the suggested changes proposed to Policy ED3 in the submission version Local Plan? Why are they necessary for soundness?

Issue 6 – Rural Development and Diversification

- Q1. Does the Plan enable the development and diversification of agricultural and other land-based rural businesses, as required by paragraph 84 of the Framework?
- Q2. What is the justification for requiring a full programme of works to be submitted with every planning application for the conversion of a rural building under Policy ED5?
- Q3. Is Policy ED5 consistent with paragraph 80 of the Framework, which permits new homes in the countryside where the development would re-use redundant or disused buildings and enhance its immediate setting?
- Q4. Does Policy ED6 support the sustainable growth and expansion of all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings, as required by paragraph 84 of the Framework?

Issue 7 – Tourist Accommodation and Attractions

- Q1. Is it clear to decision-makers, developers and local communities what is meant by the phrase 'attractive to the market' in Policy ED7?
- Q2. What is the justification for requiring 18 months' worth of marketing where the change of use of existing tourist accommodation is proposed? Does this apply to all applications for a change of use of land and buildings?
- Q3. Does Policy ED7 enable sustainable rural tourism and leisure developments as required by paragraph 84 of the Framework?

AL/SO2 – Land at Mabledon House, Southborough

- Q1. What is the justification for Policy AL/SO2? What cross-boundary cooperation and agreement has been reached with Tonbridge and Malling Borough Council regarding the proposals?
- Q2. What is the scale of development based on and how has this been established?
- Q3. Does the Plan seek to alter the Green Belt boundary in this location to facilitate the development proposals?
- Q4. What is the justification for requiring applicants to demonstrate very special circumstances that clearly outweigh the harm by reason of

inappropriateness, and any other harm? Can this be demonstrated at planning application stage?

- Q5. Is it clear to decision-makers, the site owners and local communities which areas are to be made open to the public? What is the justification for this and how will it be managed?
- Q6. Is the allocation deliverable?

AL/CRS5 – Sissinghurst Castle Garden

- Q7. Is the location of Sissinghurst Castle Garden accurately identified in the Plan?

Matter 11 – Retail, Town Centres and Community Facilities (Policies STR/RTW1, ED8, ED9, ED10 and EN6)

Issue 1 – Town Centre Hierarchy

- Q1. How has the hierarchy of centres in Policy ED8 been established? Is it accurate and based on appropriate, up-to-date evidence?
- Q2. What are the Village Settlements for the purposes of Policy ED8? Are they retail centres, or villages defined by Limits to Built Development?
- Q3. What is the justification for including the proposed Neighbourhood Centres at Tudeley Village and Paddock Wood? How will they be defined for future decision-making purposes?

Issue 2 – Managing Vitality and Viability

- Q1. What is the need for commercial, leisure and town centre uses over the plan period and how will this be met?
- Q2. Does the Plan allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead, as required by paragraph 86 of the Framework?
- Q3. What is meant by 'a range of appropriate uses' for the purposes of Policy ED9? Does the Plan define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as required by paragraph 86 of the Framework?
- Q4. What is the justification for requiring retail, office and leisure uses to be located in defined centres, and not other main town centre uses, under Policy ED10? Is this approach consistent with national planning policy?
- Q5. What is the justification for requiring development proposals to consider operating from a number of smaller units, rather than a single unit, as set out in paragraph 6.525 of the Plan?
- Q6. What are the thresholds for impact assessments in Policy ED10 based on? Are they appropriate and justified?
- Q7. Why are assessments required where there is the potential for 'adverse impacts' – would the level of harm not be established by the assessment?

Issue 3 – Primary Shopping Areas and Retail Frontages

- Q1. What is the justification for the proposed Primary Retail Frontages? How do they differ from the remainder of the Primary Shopping Areas?
- Q2. How would a decision-maker react to a proposal for a change of use away from a main town centre use outside the Primary Shopping Area, but still within the Town Centre?

Issue 4 – Commercial and Mixed-Use Site Allocations

AL/RTW2 – Land at the Auction House, Linden Park Road

- Q1. What is the latest position regarding the construction of the scheme already approved on the site?
- Q2. Is the allocation developable within the plan period?

AL/RTW14 – Land at Tunbridge Wells Garden Centre

- Q3. What is the justification for allocating the site as a mixed-use development of housing and an extension of the garden centre?
- Q4. Can the proposed uses be achieved on the site? Is the allocation developable?
- Q5. Can a safe and suitable access be achieved for the proposed uses? How has this been considered as part of the plan making process?
- Q6. How have the proposed site areas been established? What are they based on and are they justified?
- Q7. Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

AL/RTW1 – Former Cinema Site, Mount Pleasant Road

- Q8. What is the latest position regarding the construction of the scheme already approved on the site?
- Q9. Is the allocation developable within the plan period?

AL/RTW15 – Land at Showfields Road and Rowan Tree Road

- Q10. What is the justification for the proposed allocation and mixed of uses?
- Q11. Is the allocation developable within the plan period?
- Q12. How has existing on-site wastewater infrastructure been considered? Is the allocation deliverable?
- Q13. *What impact will the proposed allocation have on existing community facilities and how will the policy provide for the effective enhancement and improvement of facilities?***

Matter 12 – Transport Infrastructure (Policies STR6, TP1, TP2, TP3, TP4, TP5 and TP6)

Issue 1 – Effects of Local Plan Growth

- Q1. Have transport issues been considered at the earliest stages of plan-making, as required by paragraph 104 of the Framework?
- Q2. How have the potential impacts of the development proposed in the Plan been tested, and how will the necessary highways mitigation be delivered? Is it clear to decision-makers, developers and local communities what will need to be provided, when and by whom?
- Q3. ***What are the reasons for the preparation and submission of the Local Plan Sensitivity Test Addendum Report²⁰ and the Local Junction Capacity Sensitivity Testing Technical Note²¹?***
- Q4. ***Does the additional transport evidence support the level of growth proposed in the Local Plan and demonstrate that the necessary mitigation measures are achievable?***

Issue 2 – Transport and Accessibility

- Q1. Is it clear to decision-makers, developers and local communities what is meant by 'reasonably close proximity' for the purposes of Policy TP2?
- Q2. What is the justification for requiring developers to fund any necessary changes to external speed limit restrictions under Policy TP2(7)?
- Q3. What are the reasons for the suggested changes to Policy TP2? Are they necessary for soundness?

Issue 3 – Parking Standards and Public Car Parks

- Q4. Paragraph 107 of the Framework states that if setting local parking standards, policies should take into account;
- The accessibility of the development;
 - The type, mix and use of development;
 - The availability of and opportunities for public transport;
 - Local car ownership levels; and
 - The need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

How have these factors been taken into account in setting the residential parking standards in Policy TP3?

- Q5. Are the residential parking standards based on appropriate local evidence and are they justified for each Zone?
- Q6. Where maximum standards are concerned, paragraph 108 of the Framework states that standards should only be set where there is a clear and compelling justification that they are necessary for managing the local

²⁰ Examination Document PS_023

²¹ Examination Document PS_024

road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport.

What is the justification for requiring development proposals within Use Class C2 (and all non-residential developments) to accord with maximum standards in Kent County Council's latest guidance?

- Q7. Is it appropriate and justified to set out future parking standards in SPDs, which, according to Policy TP3, would 'have primacy' over the requirements in the Local Plan?
- Q8. What is the justification for the level of detail in Policy TP3? For example, what are the reasons for restricting tandem parking, specifying sizes and stating that car barns must be open on three sides?
- Q9. What are the reasons for seeking to safeguard public car parking spaces through Policy TP4?

Issue 4 – Safeguarded Infrastructure

- Q1. The supporting text at paragraph 6.579 of the Plan states that an entirely 'off-line' route for the A228 at Colts Hill is not necessary to mitigate the impacts of proposed growth at Tudeley Village and around Paddock Wood. What are the reasons, therefore, for safeguarding the route of the 'off-line' scheme in the Plan?
- Q2. Does the safeguarded route remain justified and is it deliverable?
- Q3. What is the justification for safeguarding the remaining section of the A21 from the Kipping's Cross roundabout to the Lamberhurst roundabout? How and when is this expected to be delivered?

Matter 13 – Landscape, Local Green Space and Open Space, Sport and Recreation (Policies STR8, EN8, EN15, EN16, EN17, EN18, EN19, OSSR1 and OSSR2)

Issue 1 – Landscape within the Built Environment

- Q1. What are Areas of Important Open Space, Areas of Landscape Importance and Important Landscape Approaches? How have they been defined and are they appropriate and justified?

Issue 2 – Arcadian Areas

- Q1. How have the Arcadian Areas been defined and are they justified, appropriate and effective land use designations?

Issue 3 – Rural Landscape and Dark Skies

- Q1. What is the justification for requiring the design and specification of lighting to accord with the Institute of Lighting Professionals Guidance Note GN01 in Policy EN8? Do these specifications form part of the development plan for the area?
- Q2. What is a 'rural lane' for the purposes of Policy EN18? How have they been defined and are they clear to users of the Plan?
- Q3. How will Policies EN8 and EN18 apply to allocations in the Plan, such as Tudeley Village for example, which will change parts of the rural landscape?

Issue 4 – The High Weald Area of Outstanding Natural Beauty ('AONB')

- Q1. What is the justification for requiring development proposals to demonstrate how they meet the objectives of the AONB Management Plan? Do the objectives form part of the development plan for the area?
- Q2. Is it clear to decision-makers, developers and local communities when a landscape and visual impact assessment is required? What is the expected outcome from this requirement?
- Q3. What are the reasons for the suggested changes to the text supporting Policy EN19? Why are they necessary for soundness?
- Q4. Is Policy EN19 positively prepared, justified, effective and consistent with national planning policy?

Issue 5 – Local Green Space

- Q1. The PPG advises that if land is already protected by Green Belt policy, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space. Which sites designated as Local Green Spaces in the Plan are also within the Green Belt? For those sites, what consideration has been given to the additional local benefit of their designation?²²

²² Paragraph: 010 Reference ID: 37-010-20140306

- Q2. Paragraph 101 of the Framework states that the designation of land as Local Green Space through local plans allows communities to identify and protect green areas of particular importance to them. Have all the designations been put forward by local communities? If not, which ones have been identified by the Council?
- Q3. What is the justification for designating site 217? How is it demonstrably special to the local community?
- Q4. What is the justification for designating site 20? How is it demonstrably special to the local community, and does it represent an extensive tract of land?
- Q5. What is the justification for the proposed Local Green Space designations at Cranbrook School (including the playing fields)?
- Q6. Site 45 (New Pond Corner) is situated within a conservation area. What is the justification for its further designation as Local Green Space?
- Q7. What is the justification for the proposed Local Green Space designations around Goudhurst, having particular regard to the location of the village in the High Weald AONB?
- Q8. Have any Local Green Spaces been identified in Neighbourhood Plans which have either been through examination or formally made since submission of the Local Plan?

Issue 6 – Retention and Provision of Open Space

- Q1. Is Policy OSSR1 consistent with paragraph 99 of the Framework?
- Q2. What are the standards in Policy OSSR2 based on and are they justified and effective?

**Matter 14 – Sustainable Design and Heritage and Conservation
(Policies STR2, STR4, STR7, EN1, EN2, EN3, EN4, EN5 and EN7)**

Issue 1 – Design and Design Standards

- Q1. Is it necessary and justified for all development proposals to include supporting statements to demonstrate compliance with the wide range of factors referred to in Policy EN1?
- Q2. What is the justification for a Construction Environmental Management Plan for all developments over 20 units / 2,000 square metres?
- Q3. How would a decision-maker determine whether materials had been sustainably sourced by local suppliers for the purposes of Policy EN1(1)(5)?
- Q4. Is it sufficiently clear what is required of Policy EN1(1)(12)?
- Q5. What is the justification for requiring development proposals to meet the tighter Building Regulations optional requirement for water? Is it clear what is required in this regard?
- Q6. What is the justification for considering planning applications 'more favourably' which can demonstrate that views expressed in pre-application engagement have been 'properly considered'?

Issue 2 – Climate Change Mitigation and Adaption

- Q1. Is Policy EN2 justified, effective and consistent with national planning policy?
- Q2. Is it clear to decision-makers, developers and local communities what standards are required as part of residential development proposals?
- Q3. The PPG²³ refers to the Written Ministerial Statement on Plan Making dated 25 March 2015. It clarified the use of policies on energy performance standards for new housing developments. The Statement sets out the Government's expectation that such policies should not be used to set conditions on planning permissions with requirements above the equivalent of the energy requirement of Level 4 of the Code for Sustainable Homes (this is approximately 20% above current Building Regulations across the build mix). Is Policy EN3 consistent with this approach?
- Q4. Is Policy EN3 justified, effective and consistent with national planning policy?

Issue 3 – Heritage and Conservation

- Q1. Are Policies EN4 and EN5 positively prepared, justified, effective and consistent with national policy, in particular paragraphs 194-208 of the Framework?
- Q2. Does Policy EN5 adequately and accurately distinguish between designated and non-designated heritage assets?

Issue 4 – Advertisements

²³ Paragraph: 012 Reference ID: 6-012-20190315

Q1. Paragraph 136 of the Framework confirms that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Is this adequately reflected in Policy EN7?

Issue 5 – Ensuring Comprehensive Development

Q1. What is the justification for Policy STR4 and will it be effective in ensuring comprehensive development?

Matter 15 – The Natural Environment (Policies EN9, EN10, EN12, EN13, EN14, EN20, EN22, EN23, EN24, EN25, EN26, EN27 and EN28)

Issue 1 – Biodiversity Net Gain

- Q1. What is the justification for seeking to achieve a minimum 10% net gain in biodiversity? What will be required of applicants?
- Q2. Is the requirement to achieve a 10% net gain achievable across the proposed site allocations?
- Q3. Is it sufficiently clear to users of the Plan how and when off-site improvements will be permitted?
- Q4. Policy EN9(1)(c) requires information to be provided in accordance with separate supplementary planning guidance. Is this requirement justified?
- Q5. What is the justification for requiring a payment to the Council to cover the cost of independent reviews of Biodiversity Gain Plans?

Issue 2 – Environmental Protection

- Q1. Is the Plan consistent with paragraph 179 of the Framework insofar as the protection and enhancement of biodiversity and geodiversity is concerned?
- Q2. What is the justification for the 7km zone around the Ashdown Forest Special Protection Area ('SPA') and Special Area of Conservation ('SAC') referred to in Policy EN11? Is the zone of influence likely to change?
- Q3. Where windfall housing developments fall within the 7km zone, how will the mitigation referred to in Policy EN11 be provided? Will the policy be effective?
- Q4. Is it clear what is meant by 'adversely affects' for the purposes of Policy EN12? Is the policy effective?
- Q5. What is the justification for the 25m buffer referred to in the supporting text (paragraph 6.171) to Policies EN12 and EN13? Will this be appropriate in all instances?
- Q6. What is the justification for seeking to 'protect' existing green, grey and blue infrastructure? Will Policy EN14 be effective in maximising opportunities for new infrastructure?
- Q7. Is Policy EN20 consistent with paragraph 175 of the Framework, which states that plans should allocate land with the least environmental or amenity value, and where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality?
- Q8. What are the suggested changes proposed to Policies EN21 and EN22 in the submission version Local Plan? Why are they necessary for soundness?
- Q9. What is the justification for requiring development to accord with the Council's latest SPD on noise and vibration? Do these specifications form part of the development plan for the area?
- Q10. Does the Plan contribute to and enhance the natural and local environment by remediating contaminated and unstable land, as required by paragraph 174 of the Framework?

Issue 3 – Biomass and Renewable Technology

- Q1. What is the justification for including a specific policy (EN23) on biomass technology in the Local Plan?

AL/RTW18 – Former North Farm Landfill Site/North Farm Industrial Estate

- Q2. What are the mix of uses proposed at site AL/RTW18 based on?
- Q3. Is the allocation developable within the plan period?

Issue 4 – Water and Flood Risk

- Q1. Does Policy EN24 provide an appropriate mechanism to ensure that infrastructure is put in place to support new developments as and when required?
- Q2. Is Policy EN25 consistent with paragraph 168 of the Framework, which states that applications for some minor developments and changes of use should not be subject to the sequential and exception tests, but in some cases should still meet the requirements for site-specific flood risk assessments?
- Q3. Are the requirements in Policies EN25 and EN26 justified, effective and consistent with national planning policy?