

Examination of the Tunbridge Wells
Borough Local Plan

Tunbridge Wells Borough Council
Hearing Statement

**Matter 10: Employment,
Economic Development and
Infrastructure (Policies STR5,
ED1, ED2, ED3, ED4, ED5,
ED6, ED7, ED8 and ED12)
Issue 4: Infrastructure, Local
Services and Facilities**

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

Issue 4 – Infrastructure, Local Services and Facilities

Inspector’s Question 1: [consistency of Policy ED12 with NPPF paragraph 93(c)]

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?

TWBC response to Question 1

1. Paragraph 93 (c) of the NPPF states:

“To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions 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;...”

2. As set out at paragraph 6.531 in the supporting text to Policy ED12, on page 457 of the Submission Local Plan (SLP) [[CD 3.128](#)], local facilities, services, and shops provided in Neighbourhood Centres, Village Settlements (see Table 13 in Policy ED8: Town, Rural Service and Neighbourhood Centres, and Village Settlements Hierarchy on pages 451 and 452 for definitions of these), and other areas outside these designations are considered to perform an important role in meeting the day-to-day needs of local communities, while minimising the need to travel further to access such services.

3. Paragraph 6.532 of the supporting text to the policy sets out that on a general scale, local services and facilities can encompass a whole range of services, including commercial, educational, cultural, and recreational facilities, such as local shops, public houses, schools, libraries, places of worship, meeting places, and cultural buildings, as well as medical facilities, such as GP surgeries and local hospitals.
4. While paragraph 6.536 sets out the smaller scale uses which may be more important in serving the regular needs of local neighbourhood centres and village settlements, as well as other smaller settlements outside of these designations. Such uses include a post office, shop, restaurant or public house, medical surgery, places of worship, community hall, recreation and cultural facilities, primary school, and library.
5. Policy ED 12 primarily seeks to retain the provision of existing services and facilities but does allow some flexibility where there is a suitable and/or comparable alternative provision close by. For example, as explained at paragraph 3.537, if a settlement/centre contains more than one public house, it may be acceptable to reduce the number of public houses: this is likely to enhance the vitality of the remaining. However, it would need to be demonstrated that it is not viable to operate more than one.
6. The Policy makes different provision for different types of services depending on whether they are commercial (such as a local shop) or public (such as a local village hall or community building).

Commercial services and facilities

7. With regard to commercial facilities and services, in order to “guard against the unnecessary loss of valued facilities and services” (NPPF above), it is considered that the loss of any such services would need to be fully justified. Paragraph 6.538 sets out the approach to be taken for the loss of such a commercial use or facility:
*“Where a development proposal would result in the loss of a commercial use or facility such as a local convenience shop, the application should be supported by:

a viability report, prepared by a relevant professional, including financial accounts and marketing information, illustrating that efforts to promote, improve, and market the facility/property, for sale or rent, at a reasonable value which reflects the existing use*

and condition of the building (a minimum of two independent valuations of the building will normally be required) have not been successful, and the use is no longer viable; such information should also include: the history of previous uses and period/s of vacancy of the property; details of agent/s used; copies of brochures, advertisements, and dates (showing that the property has been marketed at both local and regional level); records of the response and interest shown; and any offers received with reasons for being rejected;

the marketing of the property and the accompanying information should cover a sustained period of at least 18 months before any planning application is submitted;

review of the submitted information may be required by an independent consultant and it is expected that the applicant will cover the cost of this.”

8. This approach is carried over into the Policy criteria 1) and 2) as set out on page 459 of the SLP:

“Proposals that would result in the loss of a local facility or service which serves a local need will not be permitted unless it can be clearly demonstrated that:

1. Suitable and/or comparable alternative provision is available within the locality;

2. For commercial uses, it is:

a. not viable, or unlikely to become commercially viable, to operate the number of existing services/facilities within the locality;

b. it has been the subject of appropriate marketing for a period of at least 18 months and consideration has been given to other alternative commercial uses;”

9. In light of the importance that the Council places on guarding against the unnecessary loss of valued facilities and services it has served Article 4 Directions on those shops, cafes, restaurants etc which are within the non AONB settlements/parts of settlements which only have such limited facilities and services, and do not have conditions restricting their use and are not Listed Buildings. The Council recognises that the change of use of such premises to residential under permitted development could have a significant on meeting community needs.

10. As set out in the Council's response to Matter 10, Issue 3, Question 3 [TWLP/055], in line with the recommendations of the Economic Needs Study, Policy ED12 was originally drafted with a two year marketing period in the Draft Local Plan 2019 (see criterion c. on page 463 of [CD 3.9](#)). However, given the current changing economic climate, including the impacts of Covid-19, and comments received to the Regulation 18 consultation for the Draft Local Plan, the marketing period was reviewed with officers from the Council's Economic Development Team. In addition, the Council's Retail, Commercial Leisure & Town Centre Uses Study Update 2020 now recommends a marketing period of 18 months for demonstrating that retail units in the Primary Shopping Area no longer have a realistic prospect of being occupied in their current use (see pages 179 to 180 of [CD 3.86a](#)) and it is considered this timescale could be appropriately applied to other employment uses. Therefore, overall, a reduced period of 18 months is considered to be more appropriate. The policy wording at criterion b of the Policy is worded to reflect this in the Pre-Submission Local Plan (see paragraph 6.536 and criterion b. of the Policy on pages 455), and subsequently in the SLP (see page 459 of the Submission Local Plan (SLP) [CD 3.128](#)), as above.
11. It is considered that a minimum period of 18 months is required to allow sufficient time for other requirements of the policy to be fulfilled such as demonstrating that efforts to promote, improve, and market the facility/property, for sale or rent, at a reasonable value which reflects the existing use and condition of the building has been undertaken.

Public and community facilities

12. Paragraph 6.539 makes provision for the loss of other public and community facilities, such as village halls, where it should be demonstrated that demand within the locality no longer exists, or that there is clear evidence for operational reasons for closing or moving a facility, and that the wider importance of the facility to the local community has been taken into account i.e. whether it is still considered to be a valued and essential community asset. This is carried over into Policy criterion 3 (see page 459).

Summary

13. In summary, Policy ED12 is considered to be justified, effective and consistent with paragraph 93(c) of the NPPF as it makes the necessary provision and sets out a number of criteria to *“guard against the unnecessary loss of valued facilities and*

services", for both commercial and public/community facilities, particularly where this may detrimentally affect the day-to-day needs of a local community.

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

Inspector’s Question 2: [re. Justification for the allocation]

What is the justification for allocating the site for a new medical centre and community uses?

TWBC response to Question 2

Introduction

14. This site lies inside the LBD of Royal Tunbridge Wells to the north east of the town centre and currently comprises of an existing community centre (the TN2 Centre) and associated uses and car parking and falls within the Sherwood Neighbourhood Centre as defined within the Site Allocations Local Plan 2016 (SALP) [[CD 3.119](#)]. It is allocated for a new medical centre and associated community uses under Policy AL/RTW 2.
15. The site is considered to be a sustainable and appropriate location for a new medical centre.

Consideration

16. The site was assessed for development potential as part of the SHELAA process. The entirety of that process is covered in Matter 5 Issue 1 [TWLP/021] and the conclusions relating to AL/RTW 8 are found in the appropriate SHELAA sheet [[CD 3.77n](#)] (pages 153-154).
17. In the ‘conclusion’ and ‘reason’ of the SHELAA it states the following: *“This is considered to be a suitable site for allocation within the Local Plan for health and community uses. This PDL site is well located inside the LBD of RTW within a large residential area. It already has community uses on the site and is considered suitable for further health and community uses over the plan period and is considered suitable for allocation”*.
18. In terms of the justification for allocating this site for health and community uses is provided in part within the Infrastructure Delivery Plan (IDP) 2021 [[CD 3.142](#)] in relation to the promotion of health uses on the site and which has informed the Local Plan. Specifically, section 3 of the IDP sets out the health requirements of the borough over

the plan period to support the proposed growth and details any specific needs. In relation to Royal Tunbridge Wells Main Urban Area it states that “*There are nine general practices that cover all or part of the main urban area; this includes the practice at Pembury and most of the practice catchment/boundary areas overlap. The new premises for St Andrews Medical Practice, part of the Southborough Hub, opened in May 2021. Opportunities through the Local Plan to secure options for new general practice premises (as a relocation), is something the CCG has been exploring with Tunbridge Wells Borough Council. There is a need to secure additional capacity in/around the town centre to accommodate the growth and two site allocations provide for this at the TN2 centre and adjacent land and Land at Showfields Road and Rowan Tree Road*”.

19. There has been continuous engagement with the CCG throughout the Local Plan preparation process in this regard and confirming the required health infrastructure over the plan period as set out within the Duty to Cooperate meeting log [[CD 3.132c\(v\)](#)] and the Statement of Common Ground with the CCG [[CD 3.132cv](#)].
20. In terms of the promotion of community uses on the site, there are existing community uses in this location, there is demand for such facilities and there are limited alternative community facilities to serve the Sherwood area and which are easily accessible. This is the most deprived ward within the borough and accessible community facilities are considered to be essential to the wellbeing of the community within this part of the Main Urban Area.
21. Taking the above into account and the sites existing community uses, it is considered to be a suitable allocation for both health facilities and retention and enhancement of associated community facilities within this area of the town of Royal Tunbridge Wells and the existing site could be re-purposed for both a medical centre and community facilities.
22. It is also of note, that there have been recent (November 2021) pre-application discussions for the site on behalf of Tunbridge Wells Borough Council (who lease the site from the West Kent YMCA) for the re-use of the site for a range of uses, including for a GP practice. The applicant has also sought discussions on an element of residential use.

Inspector's Question 3: [re. clarity of uses permitted on site]

Is it clear to users of the Plan what other uses are permitted on the site?

TWBC response to Question 3

Introduction

23. Policy AL/RTW 8 as drafted refers to the site being allocated for “*a new medical centre and associated community uses*” and the supporting text at paragraph 5.63 refers to a new medical centre...along with the retention and enhancement of associated community facilities.

Consideration

24. The Council has not been specific in the allocation as to what the ‘other uses’ are in order to provide flexibility within the site. A range of community uses are currently on the site; including a small sports hall, gallery space, meeting room for hire, Sherwood library, a pottery studio on the lower ground floor and the Sherwood ‘men’s shed’ to the rear of the main building. In terms of the long-term use of the site, it is accepted that the mix and range of such community uses is likely to change as a result of current and future trends and activities over the course of the Local Plan period and this policy as drafted allows for that flexibility.

Inspector's Question 4: [re. developability of the site]

Is the site developable within the plan period?

TWBC response to Question 4

Introduction

25. As referred to above, the site is the subject of current pre-application discussions, and it is anticipated that the redevelopment of the site will be achieved within the Local Plan period.

AL/HA5 – Land North of Birchfield Grove, Hawkhurst

Inspector’s Question 5: [re. Deliverability and effectiveness of Policy]

How will the proposed medical centre be delivered? Is Policy AL/HA5 effective?

TWBC response to Question 5

Introduction

26. Policy AL/HA 5 allocates the Land North of Birchfield Grove for a medical centre and parking to support this facility.
27. It is considered helpful to set out to the Inspector the background to the allocation of this site before considering its deliverability and effectiveness. Therefore, the following section provides a helpful summary of the Local Plan preparation process and the changes that have taken place between the Regulation 18 stage Draft Local Plan and the Regulation 19 version of the Local Plan and the current situation as the Council understands it.

Consideration

28. The site was assessed for development potential as part of the SHELAA process. The entirety of that process is covered in Matter 5 Issue 1 [[TWLP/021](#)] and the conclusions relating to AL/HA 5 are found in the appropriate SHELAA sheet [[CD 3.77i](#)] (pages 68-91). This identifies part of the site as suitable for allocation within the Local Plan and its appropriateness was confirmed through the SA [[PS 013](#)]. The reason for only part of the site being considered suitable is provided and is explained as follows; “*Site is adjacent to the LBD and is in proximity to the centre of Hawkhurst. The site is likely to be sustainable in this context and the allocation of part of the site to deliver a new medical centre to meet an identified need reflects this. However, the remainder of the site is considered to be unsuitable for allocation due to the impact of development on the character of the High Weald AONB landscape, as well as upon the setting of this part of the village, in conjunction with highway capacity*”.

29. It is important to highlight that the entire site had previously been allocated within the Regulation 18 Draft Local Plan under Policy AL/HA 4 for “*residential development (C3) providing approximately 100 dwellings, a medical centre or community facility, as indicated by the yellow hatched area on the draft Policies Map, and safeguarding land for future school expansion, through the potential relocation of playing pitches to the area indicated by blue hatching on the draft Policies Map. Sufficient public parking to provide for the use of the medical centre/community facilities, as well as 15 additional spaces for general public use*”.
30. This previous allocation had been considered suitable through the SHELAA – Regulation 18 Consultation version [\[CD 3.22i\]](#) (Pages 70-72) which informed the Draft Local Plan [\[CD 3.9\]](#), which set out the reason and conclusion as follows “*Site is suitable in part as a potential Local Plan allocation subject to further consideration. Site is adjacent to the LBD and is in proximity to the centre of Hawkhurst. The site is likely to be sustainable in this context. An area of the site towards the north east is considered unsuitable because of impact on the sensitive landscape*”.
31. The site had been considered suitable to accommodate a medical centre following discussions with the Kent and Medway Clinical Commission Group (CCG), the GPs operating within Hawkhurst (and their advisor) as well as Hawkhurst Parish Council and the site promoters. Additionally, the GPs carried out consultation with their practice and local residents concurrently with the Council at the Regulation 18 stage, including attendance at the consultation event in Hawkhurst which TWBC undertook.
32. The Regulation 18 Local Plan included more sites and larger sites than now proposed and drew considerable comment and opposition. The Council considered those comments, undertook further studies and as a result removed or reduced the allocations proposed for Hawkhurst.
33. Notably, further work was carried out in relation to the AONB and highways. This was particularly pertinent in regard to the settlement of Hawkhurst due its location entirely within the High Weald AONB and being on the A229 – a major road - with a crossroads in Hawkhurst that experienced congestion at peak times.
34. After further consideration by Officers the Council concluded that the site at Land to the north of Birchfield, amongst other sites within the settlement, was no longer considered

suitable for wider residential allocation. Therefore, the decision was made to remove the site in its entirety from the Regulation 19 Pre-Submission Local Plan –as it was assumed that the land for the surgery would not be available without the residential development.

35. Ahead of doing so the Council discussed the situation with both the Kent and Medway Clinical Commissioning Group and Kent County Council Education in relation to the infrastructure elements of the allocation – namely the medical centre and the expansion of the primary school. The CCG confirmed that despite the reduced housing numbers at Hawkhurst, there was still a need for a new medical centre to serve the settlement as reflected within the Councils Infrastructure Delivery Plan (IDP) October 2021 [[CD 3.142](#)]. KCC education confirmed that Hawkhurst Primary School, though still required for expansion during the plan period, could do so within the current footprint of the site and the additional land provided by the allocation was not necessary.
36. Consequently, officers of the Council undertook further work to determine a possible alternative location for a new medical centre and identified the King George V Playing field as a suitable site which could accommodate a new medical centre alongside the community facility allocated for on the site (Policy AL/HA6). This resulted in an allocation at this site set out within the early version of the Regulation 19 Local Plan which was taken to the Council’s Planning and Transportation Cabinet Advisory Board meeting on the 11 January 2021 (the agenda and papers for this meeting were published on the 5 January 2021) – see [Cabinet Papers](#).
37. During this time, a meeting was held with officers of the Council, with the landowner of the site, their agents/housebuilders, the GPs and their specialist health consultant and the WKCCG. The updated evidence and the implications of this in relation to land to north of Birchfield – i.e. no allocation - were explained and the way forward was considered – primarily as to whether the site was still available in part, for just the provision of a medical centre, which it was considered would be acceptable in landscape terms, including as a result of the community (public interest) benefit associated with this, and would not include any housing development on the wider part of the site. It was agreed that this would be considered by the landowners, who were keen that their land would still provide a medical centre for the settlement of Hawkhurst, notwithstanding no residential development on the site.

38. Subsequently the landowners confirmed that the land would be made available for the provision of a medical centre and an appropriate size and location was agreed via a marked up plan. The landowners agreed in writing that the land was available for this use and that there were no known constraints to development of the site for just this use. Please see Appendix 1 with letter attached.
39. Following on from this correspondence and confirmation of the availability of the site, the Pre-submission Local Plan (as well as the SA) was updated to include this site through Policy AL/HA 5. This change was reported verbally at the Council's Cabinet meeting on 21 January 2021 which considered the Local Plan, as the papers had already been published before the confirmation of the situation with the landowners although an update on this was provided at Appendix 8, Paragraphs 1 and 2 which explain the changes that are proposed– [Cabinet report with appendices](#)
40. The Pre-Submission Local Plan was then taken to Full Council for approval, including with Policy AL/HA 5 included and the regulation 19 consultation was carried out on this basis.
41. The above commentary provides the background to the allocation and the rationale for the policy as it is currently drafted. It was not until early 2022, as part of the early Local Plan examination correspondence, that it became evident that the landowner had changed their mind in regard to the availability of the part of the site to be used as a medical centre only. It is understood that the landowner and their agents are pursuing a scheme for residential development as well as a medical centre on the site and have embarked on pre-application discussions with the Council to this effect.

Consideration

42. Turning back to the delivery and effectiveness of the policy, as set out above, the site is currently allocated only for a medical centre and parking via Policy AL/HA 5. This was determined through discussion with the landowners and their agents as detailed above and the Council has written confirmation from the site owners that the land is available for this use. Please see Appendix 1.
43. However, as referred to above, it has (only in early 2022) been brought to the Council's attention that the landowners have changed their stance on this and have stated that

the land is not available without an element of residential development on the wider part of the site and is not in fact available. The wider site has not been allocated for residential within the Local Plan for the reasons stated above. This therefore raises the question of how deliverable and effective is this allocation?

44. All of the residential allocations in the parish of Hawkhurst (AL/HA1, AL/HA2, AL/HA3, AL/HA4) now have planning permission, either granted by TWBC or on appeal. Developer contributions have been secured for “*new general practice premises for Northridge Medical Practice and Wish Valley Surgery*” through these.
45. As referred to above, the IDP recognises the need for a new GP practice within the settlement of Hawkhurst to support the growth within the Local Plan (including windfall development) and the Council will continue to work with the CCG and the relevant parties to identify a suitable site should this be necessary to deliver the health provision required to serve the settlement of Hawkhurst. It should be noted that Policy STR/HA 1 sets out that developer contributions (either in kind – normally land – or financial) will be required from residential schemes for a medical facility, but it does not specify the location of this.

Inspector's Question 6: [re. suitability of access]

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?

TWBC response to Question 6

Introduction

46. This allocation is for the development of a medical centre and parking as set out for within policy allocation AL/HA 5.

Consideration

47. Policy AL/HA 4 of the Site Allocations Local Plan (SALP) 2016 [[CD 3.119](#)], allocated the land adjacent to this site for residential development (C3) providing approximately 26 dwellings. Bullet point 4 of the policy specifically refers to the following "*development must not compromise the possibility of future access to land to the north*". The rationale for this is provided at paragraph 7.25 of the SALP [[CD 3.119](#)], where it states the following;

"It is possible that land to the north of Birchfield, Rye Road could provide an appropriate location to contribute to the development needs of Hawkhurst within the next Plan period (post 2026). Therefore, any development of the Birchfield site should not jeopardise access to land to the north. However, it should be emphasised that the allocation of sites for the post 2026 period would depend on a housing requirement for Hawkhurst being identified in a future review of the Plan and an assessment of available sites at that time".

48. The above paragraph makes it clear that the access from the existing Birchfield Grove should be provided to be suitable for future access into this site and it is therefore considered that the road provides for the safe and efficient operation of the highway network providing access into the site. It is understood that the agents have commenced pre-application discussions with KCC Highways with regards to the scheme that they are promoting for the site. An update will be provided at the relevant Examination hearing session.

49. Whilst there are capacity issues associated with the Hawkhurst junction, there are requirements identified in Policy STR/HA1 in relation to highway mitigation and KCC is satisfied (as set out in the Statement of Common Ground [[PS 025](#)]) that the mitigation measures identified are proportionate, appropriate, deliverable and accord with the NPPF (para 3.32 of SoCG).

Inspector's Question 7: [re. impacts on residential amenity]

What effect will the proposed allocation have on the living conditions of existing residents on Birchfield Grove, having particular regard to noise and disturbance?

TWBC response to Question 7

Introduction

50. The site is located immediately adjacent to the development at Birchfield Grove, which was granted consent in February 2015, and was completed on site in the monitoring year 2018/19. The existing housing development was allocated in the Site Allocations Local Plan (2016) [[CD 3.119](#)] under Policy AL/HA 4 – Birchfield, Rye Road. This policy allocated the site for residential development (C3) providing approximately 26 dwellings.

Consideration

51. Any development of this site would need to accord with the criteria set out within Policy AL/HA 5 and also with reference to the policies listed below Policy AL/HA 5 on page 210 of the Local Plan. This includes a number of policies contained within the Local Plan which seek to manage and control development across the borough. In particular it references Policy EN 1: Sustainable Design. EN 1 covers a range of general design and development criteria, including at criteria 6 – 'Residential amenity', which ensures that *"Proposals should not cause significant harm to the amenities of occupiers of neighbouring properties and uses, and should provide adequate residential amenities for future occupiers of the development by ensuring..."*. A number of factors are listed within the policy which will need to be taken into account when determining new development proposals.
52. Policy EN 27 provides guidance on 'Noise' and specifically seeks to limit any impact of noise from any planned new development on existing residential properties and sets the criteria for the assessment of any potential impact and appropriate mitigation. If considered appropriate by the Inspector, specific mention of the consideration of impact on the existing residential properties at Birchfield Grove could be added as a criterion in Policy AL/HA 5.

53. Through Officers' assessment of the site, including site visits and having specific regard to the positioning of houses along the south-north element of Birchfield Grove, it is not considered that the impact on the living conditions of those in the houses on Birchfield Grove will be significantly harmed through traffic movements along Birchfield Grove associated with a medical practice.

Inspector's Question 8: [re. impact on AONB]

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?

TWBC response to Question 8

Introduction

54. The Council's approach to the consideration of the question as to whether sites should or should not be considered major development in the context of paragraph 177 of the NPPF and footnote 60 is set out in the Development Strategy Topic Paper [[CD 3.126](#)] section H paragraphs 6.143 to 6.149. This section refers to Appendix 2, the methodology for the assessment, and Appendix 3, the actual assessment. Policy AL/HA 5 appears on pages 120 of Appendix 3 and this confirms that the site is NOT major development, largely owing to the relatively small development that can be contained by landscaping and the key landscape features can be retained and enhanced.
55. Natural England is in agreement that this site is NOT major development in the AONB as it is not referred to in the list of major developments set out in the SoCG [[CD 3.132c\(v\)](#)] paginated page 20 Appendices H to J pages 115 to 161].
56. The site is assessed within the SHELAA [[CD 3.77i](#)], where within its 'conclusion and reason' states the following; "*Site is suitable in part as a Local Plan allocation. Site is adjacent to the LBD and is in proximity to the centre of Hawkhurst. The site is likely to be sustainable in this context and the allocation of part of the site to deliver a new medical centre to meet an identified need reflects this. However, the remainder of the site is considered to be unsuitable for allocation due to the impact of development on the character of the High Weald AONB landscape, as well as upon the setting of this part of the village, in conjunction with highway capacity*".
57. With the above in mind, criterion 2 refers to the layout and design of the scheme to give full consideration to the location of the site on the edge of the settlement, and to provide a scheme that is sensitively designed and provides a suitable edge to the settlement and criteria 3 requires that regard will be given to existing hedgerows and mature trees on site, with the layout and design of the development protecting those of most amenity

value, as informed by an arboricultural survey and a landscape and visual impact assessment. Additionally, criterion 4 requires proposals to take account of, and respond to, the veteran trees situated north of the site through appropriate surveys and mitigation.

58. In addition to this a number of policies are referenced below Policy AL/HA 5 which should also be taken into account in considering any proposals for the site – this includes Policies EN 1: Sustainable Design, EN 12: Trees, Woodland, Hedges and Development, EN 12: Ancient Woodland, EN 18: Rural Landscape, EN 19: The High Weald Area of Outstanding Natural Beauty, EN 21: Air Quality, and EN 22: Air Quality Management Areas

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

Inspector’s Question 9: [re. Boundary of site]

What is the proposed site boundary for the ‘community use’ based on?

TWBC response to Question 9

Introduction

59. This site comprises a sports pavilion, play area, recreation ground, playing pitches and associated parking, and is located on the eastern side of The Moor, Hawkhurst. The sports pavilion was previously allocated in the Site Allocations Local Plan (SALP), [[CD 3.119](#)] Policy AL/HA 5, for redevelopment for a community facility, reflecting a long-standing need to replace the existing hall at Copthall, located at Hawkhurst (Highgate) to the north of this site.
60. Paragraph 7.27 of the SALP explained that *“a new community facility has not yet been provided for Hawkhurst, although there is a current planning permission for the erection of a community centre at the Sports Pavilion at the King George V Playing Fields at The Moor. The permission is for the provision of accommodation for changing rooms, meeting rooms and a main hall, as well as the erection of separate store buildings, car parking and a reinstated outdoor playground (permissions 09/00828 and 12/00793). This scheme has yet to be implemented; therefore, this site is allocated for community facilities and Policy AL/HA5 is intended to guide future detailed proposals for the current approval or alternative proposals in the event that the permitted scheme is not pursued. Financial contributions will be sought from other developments within Hawkhurst and directed towards the provision of this new community facility”*.
61. The SALP Local Plan Policy AL/HA 5 Sports Pavilion, King George V Playing Fields, The Moor therefore allocated the site for redevelopment for a community facility, to include a range of services and facilities, including accommodation for changing rooms, meeting rooms and a main hall, as well as storage buildings, car parking and a new outdoor playground.

62. The IDP that supports the Submission Local Plan [\[CD 3.142\]](#) confirms at paragraph 3.196 that *“the King George V Playing Field at Hawkhurst the Moor is allocated within the Local Plan for a new community centre to replace the existing Copthall and includes provision for a range of services and facilities. It is understood that the Hawkhurst Community Trust established in 2018 to oversee the project are working with Hawkhurst Parish Council to deliver the project. A planning application was received in October 2021 for this project”*. Details of planning application 21/03490/F are provided below.
63. The Hawkhurst Neighbourhood Development Plan 2018 (modified 2020) [\[CD 3.123\]](#) includes Policy CM1 Sports Provision requiring *“1) existing sports facilities at The Moor will be maintained, enhanced and expanded to ensure this remains the parish’s primary centre for sports and recreational activities 2) the creation of an improved, extended sports pavilion, together with upgraded areas of sports pitches, will be supported, subject to meeting the design criteria set in policy HD4”*. Policy CM2 New Community Hall states that *“the replacement of the existing community hall with a larger, improved facility will be supported”*.
64. Planning application 21/03490/F is for the Demolition of the existing Pavilion and garage, construction of new community centre, car parking, landscaping, external storage unit, and alterations to existing vehicular access also including change of use of part of the site from agricultural to amenity to extend the recreation area. The application was received on 18 October 2021 and is currently pending consideration. A verbal update on the progress of this planning application will be provided at the hearing session.
65. The Submission Local Plan Policy AL/HA 6 King George V Playing Fields, The Moor, allocates the site for development of (i) a community facility, to include a range of services and facilities, including accommodation for changing rooms, meeting rooms, and a main hall, storage buildings, and potentially for health/wellbeing; (ii) car parking to accommodate the facilities; and (iii) a new outdoor playground.
66. The indicative site layout Map 48 Site Layout Plan identifies the area to be developed for community use in purple (the community facility and associated car parking), and sports and recreation use in green. It is the case that the development proposals being promoted through the current planning application 21/03490 broadly follow the policy

requirements of Policy AL/HA6. The only issues at present are that the applicant has been requested to provide greater clarity on highways and parking matters.

67. The Local Plan inset map for Hawkhurst [[CD 3.59j](#)] confirms that all of the site area included within Policy AL/HA6 is designated Policy OSSR1 Retention of Open Space that requires for existing open space, sports, and recreational buildings and land, including playing fields, as defined on the Policies Map, unless allocated for another purpose/use/development in this Local Plan, should be retained and not be built on unless it can be demonstrated that the criteria included within the policy can be met.

Consideration

68. The Site Allocations Local Plan (SALP), Policy AL/HA 5 previously allocated this site for redevelopment for a community facility, reflecting a long-standing need to replace the existing hall at Copthall. With reference to the SALP Proposals Map for Hawkhurst [[CD 3.119a](#)] the area coloured purple, and marked as AL/HA5, identifies the area where the built development and associated uses for the community facility would be located. The green hatched area, that includes the area to the south of the purple area, as well as the purple area, is designated as 'R1', referring to the saved Local Plan 2006 Policy R1 Recreation Open Space. The inclusion of saved Local Plan 2006 policies in the SALP is confirmed by the SALP Policy AL/STR2 Environmental and Recreation Designations Environmental and recreation designations, that states "*as covered by Local Plan Policies R1 (Recreation Open Space), EN21 (Areas of Open Space), EN22 (Areas of Landscape Importance), EN23 (Important Landscape Approaches) and EN24 (Arcadian Areas), are defined on the saved Local Plan Proposals Map and defined spatially on the individual settlement Proposals Maps accompanying this Site Allocations Local Plan. The saved policies of the Local Plan will continue to provide details of the approach to these designations until such time as they are updated and superseded by the Core Strategy Review (Local Plan)*".
69. The Local Plan 2006 Policy R1 Recreation Open Space, [Local Plan 2006 Chapter 9 Recreation](#), states that "*Proposals that would result in the loss of recreation open space, as defined on the Proposals Map, or open land with existing or potential recreation value which is not protected by other policies in the Plan, will only be permitted where:*
- (1) No deficiency in accessible open space in the area exists or would result from the*

development, or alternative provision, of at least equivalent size, suitability and accessibility is made within the locality; and (2) No suitable alternative previously-developed land is available to accommodate the development”.

70. Paragraph 6.587 of the Submission Local Plan explains that “*an Open Space, Sport and Recreation Study (2018) [CD 3.88a] has been undertaken to assess the current level of open space, sport, and recreation provision within the borough. The full assessment comprises of an Open Space Study, an Indoor/Built Sports Facilities Needs Assessment, and a Playing Pitch Strategy. The approach to this work has been endorsed by Sport England. The overall study has assessed the availability, quality, quantity, and accessibility of existing provision for identified sports facilities in the context of existing and future needs. The outcomes of the study have enabled the Council to adopt a strategic approach to the future provision, maintenance, and enhancement of sports facilities”.*
71. Paragraph 6.588 “*The Open Space Study assesses the provision of open spaces, including amenity and natural space, parks and recreation grounds, play space, and allotments. The Indoor/Built Sports Facilities Needs Assessment considers the provision of built (principally indoor) sports provision, such as sports halls and swimming pools, and other indoor active recreation facilities. The Playing Pitch Strategy assesses the quality and quantity of playing pitches across the borough and sets out priorities for improvement in terms of existing and new provision to meet future needs”*, and
72. Paragraph 6.589 states that “*The overall study conclusions are that the existing open space, sport, and recreation provision within the borough should be retained (unless alternative suitable provision is re-provided), quality should be improved, and provision for new facilities should be sought and supported”.*
73. The area identified on the Submission Local Plan Map 48 Site Layout Plan as ‘community use’ (coloured purple) includes the area of community use identified by the ~~the~~ SALP Proposals Map for Hawkhurst [CD 3.119a] (the area coloured purple, and marked as AL/HA5, identified the area where the built development and associated uses for the community facility would be located), plus an area of land immediately adjacent to the site area, and included within Policy AL/HA5, comprised of hardstanding areas providing all weather sports facilities.

Inspector's Question 10: [re. deliverability and effectiveness of policy]

How will the proposed community uses be delivered? Is Policy AL/HA6 effective?

TWBC response to Question 10

Introduction

74. Details of the current planning application 21/03490/F are provided above. A verbal update on the progress of this planning application will be provided at the hearing session.

Consideration

75. As set out in the response to Question 9 above, the requirement for a replacement community hall has long been recognised, most recently reflected in the Site Allocations Local Plan (SALP), [\[CD 3.119\]](#) Policy AL/HA 5, for redevelopment for a community facility.

76. There has been a previous planning approval to deliver a similar scheme, and details are provided above.

77. The Hawkhurst Community Trust (HCT), established in 2018 to oversee the delivery of a new community centre to replace Copthall, is working with Hawkhurst Parish Council to deliver the project. The webpages [HCT Community and Sports Centre](#) provides details about how the current proposals for the delivery of a community facility proposed by planning application 21/03490 has been developed, reflecting community needs and aspirations and the Frequently Asked Questions June 2021 [HCT FAQ](#) confirm how the project will be funded (para 21) "*It will be a mix of funding sources: • Council reserves, • Proceeds from sale of the existing Copt Hall site, • Funds linked to Copt Hall, • Potential section 106 developer contributions • Grants • Public Works Loan Board funding. The Public Works Loan Board funding will require a village survey with a majority of 51% of respondents supporting the project. The repayment costs of the loan will be added to the Council Tax*".

AL/CRS4 – Cranbrook School

Inspector's Question 11: [re. Site boundary]

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?

TWBC response to Question 11

Introduction

78. The main school buildings for Cranbrook School (the main school campus) are located within the centre of Cranbrook. The school also owns several land parcels close to, but outside of, the main school campus area, including sports fields and playing pitches, and some properties used for staff accommodation.

Consideration

79. The final details of the red line for Policy AL/CRS4 was agreed with the site promotor; it follows the site area submitted through the call for sites relating to the main campus with some minor changes subsequently requested by the site promotor that reflected changes in land ownership. The extent of the red line area follows the approach to include as many of the school buildings and associated school uses as possible, for example including boarding houses not located immediately adjacent to the main school campus.

80. There are a number of other areas within the ownership of Cranbrook School that have not been included within the red line area for Policy AL/CRS4, comprising a number of playing fields/sports pitches that have been promoted separately through the Call for Sites process to deliver residential development.

81. The main school campus area was submitted through the Call for Sites and assessed through the SHELAA [[CD 3.77a](#)], site assessment sheets (Sites 128 and 130) [[CD 3.77f](#)], the sites being assessed for development potential, notably for education and community uses. The site submission, and subsequent response to the Regulation 19 consultation, was supported by an indicative plan of potential future works that included,

for example, aspirations for the provision of increased and improved educational facilities within the main school campus, enhancement of sporting facilities, and provision of new boarding facilities.

Inspector's Question 12: [re. purpose and justification of policy]

What is the purpose and justification for Policy AL/CRS4?

TWBC response to Question 12

Introduction

82. Policy AL/CRS 4 Cranbrook School states that “*Proposals for the improvements of teaching, boarding, and associated facilities within the main site of Cranbrook School, as defined on the Cranbrook and Sissinghurst Policies Map, including refurbishments and extensions, will be supported, subject to the consideration against other Plan policies notably in relation to design, heritage, landscape, and other layout matters. Proposals for more substantive proposals, including new buildings and/or different uses of land, both within the main site and on ancillary landholdings, will be supported where they accord with the following:*” and then lists policy criteria that development proposals would be required to meet. These are in summary (1) to ensure proposals reflect the outcomes of a wider development scheme that reflects changing needs, in particular any impact upon ongoing and future uses of school facilities (including sports and leisure provision) by the wider community; (2) and (3) assessment of heritage and landscape matters; (4) landscape management plan for the publicly used open areas.

Consideration

83. As set out in response to the previous question, the Cranbrook school campus is somewhat fragmented. It has been identified that there could be a need to rationalise the campus over the course of the Plan period – as demonstrated through the submission by the school in the call for sites and subsequent consultations.
84. The SHELAA [[CD 3.77a](#)], and associated assessment sheets for the site [[CD 3.77f](#)] (includes Sites 128 and 130) confirm that the main school campus has been assessed for development potential, notably for education and community uses. It was concluded that the main school campus is suitable as a potential Local Plan allocation, being a part previously developed site partly within and partly adjacent to the Limited to Built Development. An allocation could be used to help support the future needs of the school.

85. The Sustainability Appraisal of the Submission Local Plan [[CD PS 013](#)] comments (for Sites 128 and 130) that “*This policy (AL/CRS4) prompts mostly unknown scores as details about specific proposal are not available. However, it is assumed that education would benefit*”.
86. Paragraphs 5.320 to 5.327 of the Submission Local Plan provide a detailed background to the role of Cranbrook School and how development proposals will be considered by the Council. It is recognised that Cranbrook School is a major employer in the town, having an input into the local economy, and providing community facilities. It is recognised that the school has ambitions to improve its existing education, sporting, and boarding facilities to make it more accessible to a broader cross section of the community.
87. The approach taken in drafting Policy AL/CRS4 was to provide a policy framework that would support the existing role of Cranbrook School and also support the school’s future aspirations, that could include improvements to existing facilities as well as more substantive changes involving new buildings or different uses of land.
88. It is the case that proposals for more substantive changes will require a comprehensive and forward-looking approach to ensure that they not only accord with the school’s longer-term aspirations, but also take account of both the planned growth and related changes within the town over the next 10-15 years. An assessment will need to be made about how the school will continue to operate as a community facility within the wider community and how any development proposals could affect this both positively and negatively, especially in terms of potential shared use of school facilities, including playing pitches and other sports and leisure provision over the longer term.
89. To inform this comprehensive approach to assessing the impact of development, it will be necessary for development proposals to be supported and informed by an assessment of how its playing pitch needs will be met in the future, that should also include an assessment of how the local community uses these pitches.
90. Although the requirement for a comprehensive approach to development required by Policy AL/CRS 4 as discussed above includes consideration of how Cranbrook School’s playing pitch needs will be met in the future, it is to be noted, and confirmed by the Submission Local Plan Inset Map for Cranbrook [[CD 3.129f\(i\)](#)], and the Inset Map for

Cranbrook Town Centre [[CD 3.129f\(ii\)](#)], that no area within Policy AL/CRS 4 is subject to Policy OSSR1 Retention of Open Space that requires existing open space, sports, and recreational buildings and land, including playing fields, as defined on the Policies Map, unless allocated for another purpose/use/development in this Local Plan, to be retained and not be built on unless the requirements of criteria included within Policy AL/CRS 4 can be met.

91. The following paragraphs provide more context for the current use of Cranbrook School facilities for community use, with reference to sports and leisure provision.
92. The Open Space, Sport and Recreation Study (2013 – 2033) [[CD 3.26c\(i\)](#)] states at paragraph 8.4.6 that *“In determining opportunities for re-location or re-designation of open space, the quantity and access provision have been considered at parish level, and some general observations made for each parish in Table 15 below. These are purely examples/recommendations for consideration by the Council”*. Table 15 Opportunities for ‘re-designating open space’ by Parish, under the section Cranbrook and Sissinghurst Parish, identifies under the heading “Opportunities” that *“opportunities to extend existing provision in order to reduce shortfalls in supply could be investigated. There may be potential for natural green space to accommodate low impact uses such as food growing areas/natural play equipment in order to reduce shortfalls in provision and access. Community use of school facilities may also be an option”*.
93. The Tunbridge Wells Borough Council Playing Pitch Strategy 2017 -2033 (PPS) [[CD 3.26d](#)] identifies a number of the Cranbrook School playing pitches that are used by the community, for example Table 3.3 identifies use of school owned pitches by the Junior Football Club, and paragraph 3.146 comments that with regards to Cranbrook Rugby Club, *“the club has a very large junior section and sometimes have to use local school pitches in the neighbouring Cranbrook School.”*
94. However, it is also recognised by the PPS that the community use of Cranbrook School pitches are unsecured and a recommendation is made in paragraph 3.66 that *“There will be a need for a formal community use agreement with Cranbrook School”* in order to secure a long-term use by the community.

Conclusion

95. Policy AL/CRS 4 has taken the approach to ensure there is a broad policy support for the continued provision of the high quality teaching and boarding facilities provided at Cranbrook School, whilst also ensuring that substantive development proposals should be supported by a broad medium- to long-term development plan providing a context for their consideration. A development plan would set out the high-level aspirations for the school over a period of time (whilst recognising the need for flexibility to respond to ongoing changes to educational approaches and demands). It should identify how it anticipates to deliver improvements to facilities, including proposals for new built development, and other development proposals that may affect future sports and open space provision, car parking provision, including the community use of these facilities.
96. Although the development needs and aspirations of Cranbrook School may change over time, a development plan would provide an overall context within which to consider development proposals. Policy AL/CRS 4 sets out the requirement for substantive development proposals to be informed by such a plan, whilst also providing a flexible approach to ensure that the important role the school plays within the local community will continue at the least, with the aspiration to provide opportunities for the growth of this role.

Inspector's Question 13: [re. purpose of policy]

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'?

TWBC response to Question 13

Introduction

97. Policy AL/CRS 4 refers to a range of different types of potential proposals for development, including improvements (that could include refurbishments, extensions, and new buildings) of teaching, boarding, and associated facilities within the main site of Cranbrook School and on ancillary landholdings.
98. Paragraph 5.328 of the Submission Local Plan states "*Consideration has been given to site-specific allocations, but promoting any substantive development proposals in isolation is not regarded as good planning, ahead of a comprehensive framework for them or clarification of the value of particular land assets to the local community. This applies particularly to Rammell Field and the active playing fields at Big Side and Jaeger's Field*". Rammell Field (Site 132), Big Side (Site 129), and Jaeger's Field (Site 131) have each been promoted through the Local Plan Call for Sites. The SHELAA site assessment [[CD 3.77f](#)] outcome for these sites was that they were each considered unsuitable as a potential site allocation.

Consideration

99. It is explained in the response to Question 12 above that the approach being taken by Policy AL/CRS4 is one of recognising that there may be a requirement for Cranbrook School to make substantive development proposals. Policy AL/CRS 4 also recognises that the development needs and aspirations of Cranbrook School may change over time, and therefore the requirement for a development plan would provide a wider context within which development proposals could be considered. The policy also recognises the important role the school plays within the local community and that there

are opportunities for the growth of this role in association with future development proposals.

100. It is considered that Policy AL/CRS 4 is sufficiently clear what is required of planning applications. Specifically, the policy requires that development proposals seeking an alternative use of land and buildings will need to demonstrate that the following policy criteria are met:
101. Criterion (1) *“They are supported by a medium- to long-term development plan that indicates how they relate to wider development and change in the locality and to local community needs, notably in terms of use of school facilities, including playing pitches and other sports and leisure provision, and the retention and enhancement of local amenities.”* It is explained in the response to Question 12 above that a range of facilities within the ownership of Cranbrook School are available for use by the community, for example sports pitches. These pitches, that are not protected by the Submission Local Plan Policy OSSR1 Retention of Open Space, are included in the Playing Pitch Strategy (PPS) but recognised as being ‘unsecured’. A development plan to support development proposals would need to be able to demonstrate how proposals are likely to impact upon the continued use of such facilities by the community, as well as identifying opportunities for new community uses.
102. Criterion (2): *“An assessment of heritage and landscape matters and an archaeological assessment (with particular reference to buried and upstanding remains, including buried structures and features), including any outside the school’s area of ownership that could be potentially affected by development proposals. To include an assessment about how any listed/heritage buildings could be adapted to accommodate change, and an assessment of the impact of all proposals on the Cranbrook Conservation Area and on the Wilsley Green Conservation Area.”* Within, adjacent and in close proximity to the area included within Policy AL/CRS 4 are a range of heritage assets, including listed buildings (including the Grade I St. Dunstan’s Church and surrounding churchyard that includes a number of listed tombstones and crosses), a Historic Park and Garden, and Cranbrook Conservation Area. Policy EN 4: Historic Environment, and Policy EN 5: Heritage Assets set out the criteria that development proposals affecting historic and heritage assets need to meet.

103. Criterion (3) *“Proposals for development should be informed by appropriate heritage assessments, including at any feasibility stage, to ensure that heritage constraints do not preclude the proposed development”*. As detailed above, the requirements of Policy EN4 and EN 5 provide detailed guidance about the criteria that development proposals affecting historic and heritage assets need to meet.
104. Criterion (4) *“Provision of a landscape management plan for public boundaries, public realm, and public footpaths that fall within/adjacent to the masterplan area”*. The site boundaries primarily consist of a mixture of trees and hedgerows, and at various points within the site there are views into and out of the site; adjacent and in close proximity to the site are a number of Public Rights of Way (PRoWs). The site is located adjacent to the St Dunstan’s Churchyard within which there are paths and public benches. The Ball Park recreation ground is located immediately to the north of the site. The requirement for a landscape management plan scheme will ensure that any impact of development upon the surrounding area is minimised in perpetuity, including landscape boundaries of native species, protection of the routes of PRoWs and of the areas of public realm adjacent to the site.
105. Criterion (5) *“Contributions are to be provided to mitigate the impact of the development, in accordance with Policy STR/CRS 1”*. Policy STR/CRS1 The Strategy for Cranbrook and Sissinghurst parish clearly sets out at criterion (9) the developer contributions required.
106. It is therefore concluded that the policy criteria included within Policy AL/CRS 4 provide sufficient clarity to decision-makers, the school and the local community about what is required of applications for a planning permission seeking an alternative use of land and buildings within the site.
107. With specific reference to Criterion (1) that requires development proposals to be *“supported by a medium- to long-term development plan that indicates how they relate to wider development and change in the locality and to local community needs, notably in terms of use of school facilities, including playing pitches and other sports and leisure provision, and the retention and enhancement of local amenities”*, the final part of this question refers to the underlined text. The “wider development and change” referred to here is that which is envisaged will occur elsewhere on the school campus, or indeed

development that has occurred on adjacent sites outside of the campus at that time. To provide improved clarity, the criterion could be amended to read: *“the proposals are supported by a medium- to long-term development plan that indicates how the proposals relate to wider development and change in the locality (either proposed on the campus, or as has been constructed and/or permitted on land adjacent to the campus) and to local community needs”*.

Inspector's Question 14: [re. consistency with NPPF]

Insofar as the playing fields are concerned, is Policy AL/CRS4 consistent with paragraph 99 of the Framework?

TWBC response to Question 14

Introduction

108. Paragraph 99 of the National Planning Policy Framework (NPPF) [[CD 1.4](#)] states that

“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

(a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

(b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

(c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use”.

Consideration

109. It is recognised that some of the sports pitches and other sports facilities owned by Cranbrook School, and used by the school students, are also used more widely by the community. The response to Question 12 above references the outcomes of The Open Space, Sport and Recreation Study (2013 – 2033) [[CD 3.88a](#)] and the Playing Pitch Strategy (2017 – 2033) (PPS) [[CD 3.88G](#)]. The PPS recognises that the community use of Cranbrook School pitches are unsecured and a recommendation is made in paragraph 3.66 that *“There will be a need for a formal community use agreement with Cranbrook School”* in order to secure a long-term use by the community.

110. The response to Question 12 above confirms that no area within Policy AL/CRS 4 is subject to Policy OSSR1 Retention of Open Space, that requires existing open space, sports, and recreational buildings and land, including playing fields, as defined on the Policies Map, unless allocated for another purpose/use/development in this Local Plan, to be retained and not be built on unless the requirements of criteria included within Policy AL/CRS 4 can be met.

111. Criterion (1) of Policy AL/CRS 4 states that development proposals for substantive proposals, that would typically include new buildings and/or different uses of land, both within the main site and on ancillary landholdings, will be supported where they “*are supported by a medium- to long-term development plan that indicates how they relate to wider development and change in the locality and to local community needs, notably in terms of use of school facilities, including playing pitches and other sports and leisure provision, and the retention and enhancement of local amenities*”.
112. Criterion (1) of Policy AL/CRS 4 therefore ensures that the requirements of NPPF paragraph 99(a) will be met. The medium/long-term development plan will need to show how development proposals could impact upon the provision of pitches and other sports and leisure provision in the locality, including an assessment of how development could affect both the retention and enhancement of these amenities to serve both the school and the local community.
113. With reference to NPPF paragraph 99 (b), the medium/long-term development plan will need to show how the loss of any existing school pitches and other sports and leisure provision caused by development proposals would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.
114. With reference to NPPF paragraph 99 (c), the medium/long-term development plan will need to show how any loss of any existing school pitches and other sports and leisure provision caused by development proposals will be reprovided. If this reprovion is for alternative sports and recreational provision as compared with the existing ones being lost, it will need to be clearly demonstrated that the new provision clearly outweighs the loss of that existing. For example, the reprovion of all weather pitches could support an overall reduction in the number of pitches than was previously the case.
115. It is therefore the case that insofar as the playing fields are concerned, the requirements of Policy AL/CRS4 are consistent with paragraph 99 of the NPPF.

Inspector's Question 15: [re. application of Policy OSSR1]

Would Local Plan Policy OSSR1 apply to potential future development proposals at Cranbrook School?

TWBC response to Question 15

Introduction

116. Policy OSSR 1 – Retention of Open Space, seeks to retain open space sports and recreational buildings and land as defined on the policies map, unless it is allocated for another purpose/use/development in the Local Plan, and should not be built on unless it meets a number of criteria as set out within the policy.
117. The response to Question 12 above references the outcomes of The Open Space, Sport and Recreation Study (2013 – 2033) and the Playing Pitch Strategy (2017 – 2033) (PPS). The PPS recognises that the community use of Cranbrook School pitches are unsecured and a recommendation is made in paragraph 3.66 that “*There will be a need for a formal community use agreement with Cranbrook School*” in order to secure a long-term use by the community.
118. The response to Question 12 above also confirms that no area within Policy AL/CRS 4 is subject to Policy OSSR1 Retention of Open Space, that requires existing open space, sports, and recreational buildings and land, including playing fields, as defined on the Policies Map, unless allocated for another purpose/use/development in this Local Plan, to be retained and not be built on unless the requirements of criteria included within Policy AL/CRS 4 can be met.

Consideration

119. The open space, sports, and recreational buildings included with the site area of Policy AL/CRS 4 are for the use of the school, and although some of these facilities are made available for community use, it is recognised that this use is unsecured with no formal agreement in place to secure a long-term use by the community and therefore for the purposes of this site, it is not considered that Policy OSSR 1 would apply. However, the Council would seek to engage with Cranbrook School on any proposals and ensure that adequate provision is made for sport and leisure provision and would also consult with Sport England as part of any development proposals.

Appendices

Appendix 1: Letter from owners of land north of Birchfield Grove, Hawkhurst

Strictly Private and Confidential

20.01.2021

Medical Centre / Fowler's Park/ Hawkhurst/ Kent

To whom it may concern at TWBC

Following our zoom meeting with the planning team from TWBC, [REDACTED] [REDACTED] on Monday 18th January 2021, I confirm that we the landowners, [REDACTED], would like to gift one acre of land for a medical centre on the site we own in Fowler's Park. Rydon Homes are able and willing to provide the necessary rights of access between the adopted highway and Fowlers Park. The site is fully deliverable including access.

The reason for the gift is one of gratitude to the doctors and the NHS who looked after my parents and ourselves very well.

[REDACTED]

[REDACTED]