



**TUNBRIDGE WELLS BOROUGH LOCAL PLAN
(SUBMISSION VERSION)**

EXAMINATION MARCH – JULY 2022

**MATTER 10 – Employment, Economic Development and
Infrastructure**

ISSUE 4 – Infrastructure, Local Services and Facilities

**Land North of Birchfield Grove, Hawkhurst
(Policy AL/HA5)**

**HEARING STATEMENT
ON BEHALF OF
RYDON HOMES LTD**

June 2022

Q5. How will the proposed medical centre be delivered? Is Policy AL/HA5 effective?

Policy AL/HA5 is not effective as currently drafted because the medical centre can only be delivered in conjunction with residential development of the wider site.

Rydon Homes have an option for the whole site, which has numerous years remaining. In agreement with the landowners, Rydon Homes have agreed that upon purchasing the site, that they will 'gift' an area of 1 acre (only) to the local Medical Practice for a replacement facility for the existing two substandard surgeries on the basis that housing development comes forward on the remaining site.

The restrictions of the option agreement mean that Rydon Homes can only serve notice to purchase the site with a planning permission comprising residential development. This requirement is also within the signed contract with the Doctors. Therefore, the Doctors cannot take control of the land within the allocation without Rydon Homes serving notice to the landowners (which requires a planning permission to be secured comprising part residential floorspace).

Access to the Site is proposed to be taken from Birchfield Grove. The access road through Birchfield Grove was retained within the Birchfield Grove masterplan by Rydon Homes at the request of Tunbridge Wells Borough Council to facilitate future housing on the land to the north.

There is a ransom strip between Birchfield Grove and the land pursuant to AL/HA5 which is owned by Rydon Homes. Rydon Homes have the ability to overcome this ransom.

Rydon Homes have retained access rights through the development therefore are able to facilitate access to the Medical Centre land and adjoining land once they are able to exercise their option.

A conditional contract has been prepared between the Doctors, the landowners and Rydon Homes which confirms that the land will be sold to the Doctors (once planning has been obtained) for a nominal fee and Rydon Homes will deliver access to the site from Birchfield Grove. Rydon Homes have agreed to construct the road and install services to serve the Medical Centre at nil cost to the Medical Centre subject to residential development coming forward on the remainder of the site.

In addition to the above, the CCG have been in lengthy discussions with the Doctors who will operate the medical centre and strongly support the development to enhance the local offer and the siting of the development within Hawkhurst.

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?

RPS have provided a technical note in respect of the highway network and Birchfield Grove which we attach.

Access via Birchfield Grove was designed in accordance with KCC Guidance for a Major Access Road and as such it is considered that the access road is suitable and appropriate to serve the proposed allocation of the Medical Centre. In terms of capacity, it was demonstrated in the Transport Statement that the Birchfield Grove access has the sufficient capacity and would be able to accommodate far more additional development than the existing development and proposed medical centre.

In addition to the medical centre, there is more than enough capacity at the Birchfield Grove junction and through the development to accommodate further housing development and therefore proposals for a medical centre and housing through Birchfield Grove would be acceptable in highways terms.

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?

The layout of Birchfield Grove was designed to comply with requirements of Policy AL/HA4 of the TWBC Site Allocations Local Plan (July 2016) which allocated the land at Birchfield Grove for 26 dwellings. As part of this allocation, the development was, amongst other things, required to not compromise the possibility of future access to land to the north.

Therefore, within the design, a route through Birchfield Grove was reserved for use in association with future development of the land to the north. Birchfield Grove was therefore developed in anticipation of further development to the north.

As drafted Policy AL/HA 5 recognises the considerations required in respect of the design of the building. However, there is no reference to noise and disturbance. If necessary, any allocation for a Medical Centre or residential development could be accompanied by a requirement for any planning application to demonstrate that the proposals will not cause unreasonable noise/disturbance to existing occupiers.

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?

Rydon Homes does not have a view on whether the proposed allocation is, taken alone, major development. However, for the reasons explained above, the proposed allocation is not effective without a further allocation for residential development at Fowlers Park. However, it is accepted that a residential allocation

for 100 units together with the Medical Centre would be major development for the purposes of the NPPF.

The potential impacts of the development have been considered in two landscape assessments which were provided to inform Regulation 18 and Regulation 19 versions of the Local Plan respectively.

In 2018, the Council commissioned LUC to prepare a Landscape Sensitivity Assessment of various settlements in the borough. Land to the north-east of

Hawkhurst, including the site, was included within Sub-Area Ha5, with boundaries along the north-east edge of the village, White's Lane to the north, Rye Road to the south and Water Lane to the east.

The key sensitivities of which were described as:

"This area is an important buffer between the settlement and the wider rural countryside and outlying rural settlements. The sensitivity is identified as moderate – high for small scale residential development on the immediate settlement edge, provided that this is aligned with opportunities for further planting and boundary restoration to create and maintain a wooded setting and a well-integrated urban edge".

Guidance on potential mitigation/enhancement measures included that development should be limited to those areas well related to the existing settlement edge on the ridge and avoid extending development down the slopes north of Rye Lane. A photograph from White's Lane across the site was accompanied by a note identifying an opportunity to create a better integrated settlement edge.

As a result of the LUC Landscape Sensitivity Assessment, TWBC officers considered that the Site was suitable for development and through the Draft Local Plan (Regulation 18) proposed Policy AL/HA 4 at "land at Fowlers Park" which set out that the Site could deliver, inter alia, 100 dwellings and a medical centre.

In 2021, HDA prepared a high-level landscape and visual assessment of 21 potential AONB allocations, as defined in the Regulation 18 Plan. The potential for harm to the AONB for each of these allocations was ranked on a five-point basis, with High representing a site where it is unlikely that adverse effects could be mitigated and Low representing a site that could be developed without harm to the character or appearance of the AONB. The assessment considered the potential for landscape mitigation and/or other design considerations to mitigate effects and the residual potential harm was also judged on a comparable five-point scale.

For Policy AL/HA 4, the assessment considered that the potential harm to the AONB, without mitigation, would be Medium and, post mitigation, Medium/Low. Whilst the assessment was based on a defined methodology, other than the definitions provided for assessments of High and Low, as set out above, there is no definition of the meaning of Medium or Medium/Low. The assessment conclusions were as follows:

- The site has a tangible increase in rurality from west to east. This change in development potential across the site is reflected in the proposals map for the draft allocation, which safeguards the more sensitive areas of the site as open space land uses. These provide opportunities for enhancement within

the site, including potential new recreational routes and facilities, which would benefit the AONB landscape within the site.

- The proposed allocation could round off the existing edge to Hawkhurst without significant harm to the wider AONB, however the design of the proposed allocation will be critical. The proposed housing should be designed to sit well with the existing settlement, with a soft edge to break up the massing of the proposals.

The conclusions highlight that HDA considered that the arrangements of land uses shown on the proposals map reflected the relative sensitivity of different parts of the site, that there were opportunities for further enhancement to the benefit of the AONB within the site and that the ultimate design could round off the existing edge, sit well with the settlement and that a soft edge would break up the massing of the development.

The evidence base clearly demonstrates that the HA/AL5 is acceptable in landscape terms. In fact, inclusive of housing development to the east there is a real opportunity to round off the settlement providing a new edge to the settlement.

In order to provide a new medical centre within Hawkhurst, this would require development within the High Weald AONB as this designation washes over the whole of Hawkhurst. The need for a new medical centre is well documented and multiple opportunities have been explored by the Doctors in determining where they would relocate to. The primary needs for the new surgery is that 1 acre of land is available freehold and the site is well connected to the settlement of Hawkhurst. There are no other sites that provide this opportunity and connectivity within Hawkhurst and as such following a detailed review, West Kent CCG have supported the consolidation of the two practices and relocation to land to the north of Birchfield Grove since 2019.

Paragraph 177 of the NPPF is clear that there is a presumption against major development in the AONB other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. In balance this, Paragraph 177 sets out that an assessment of three points are considered in the determination of an application, we respond to these below:

- a)** there is a clear need for a new medical centre to serve the residents of Hawkhurst. This is confirmed within Hawkhurst Neighbourhood Plan and within TWBC's Infrastructure Delivery Plan (October 2021). The existing premises are too small for the numbers of patients served, being approximately half the size specified by NHS England as suitable for a practice with 11,000 patients. In the case of North Ridge, this is a Grade II listed building which carries with it obstacles to extension and physical alterations to provide disabled access, both internally and externally. Consulting room and treatment room sizes are smaller than NHS design guidance requires. The premises are in need of extensive alterations to maintain infection control standards. Only limited Minor Surgery can be undertaken as the Treatment Room does not meet NHS requirements and cannot be altered to comply.
- b)** the High Weald AONB washes over the entirety of Hawkhurst and the surrounding villages. An assessment of 12 sites was undertaken by the

Doctors and it has been determined that land to the north of Birchfield Grove is the only suitable location.

- c) both LUC and HDA have both identified that development on land to the north of Birchfield Grove would be acceptable and cause moderate harm that could be mitigated with strategic planting.

TECHNICAL NOTE

Project Title: Land at Birchfield Grove, Hawkhurst

Report Reference: JNY11181-03.

Date: 16th May 2022

TECHNICAL NOTE ON MATTERS OF ACCESS

Introduction

- 1.1 This note has been prepared to respond to the issues raised by the Local Plan Inspector in relation to the proposed allocation of the Doctors Surgery / Medical Centre at Birchfield Grove, Hawkhurst.
- 1.2 The matters raised by the Inspector are as follows:-
- 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?*
- 1.3 This note primarily comments on the second point raised in the above statement, but also does provide comment on the first point.

Means of Access.

- 1.4 The existing access serving the Birchfield Grove development was designed within the Transport Statement as 6m wide at the point of connection to the A268, narrowing to 5.5m within the site. In addition the access road was to provide 1.8m wide footways to both sides of the carriageway.
- 1.5 At the junction with the A268 the access was designed with 6m radii and visibility splays providing a minimum of 2.4m x 63m visibility in both directions.
- 1.6 When comparing this arrangement to the Kent County Council Design guide, the guide identifies various road types to serve development including a Major Access Road. In this regard a Major Access Road is shown to accommodate the following.

“Major Access Road.

- 1. a road type applicable to all sites on the outskirts of main towns or in fill sites within existing suburban areas*
- 2. gives direct vehicle and pedestrian access to dwellings and often links several residential areas to a local distributor road*

3. generally serves between 50 and 300 dwellings (or equivalent mixed uses) including those located on other access roads feeding onto it. In some cases it could serve as a bus route.

4. preferably has two points of access or is a loop with a short connection to a single point of access and a secondary emergency access link

5. discourages non-essential through traffic but only where a more desirable alternative through-route exists

6. provides an opportunity for boulevard or avenue planting.”

1.7 When reviewing the typical parameters of a Major Access Road the KCC guidance requires the following:

	Typical parameter	Notes	Recommended parameter range (required min or max standard shown in bold)
Carriageway width	5.5m	carriageway width not necessarily constant	4.8m / 10.5m
Anticipated vehicle types	low pantechnicon, possibly bus, fire tender, car	passing places for larger vehicles may be appropriate where their frequency is likely to be high	pantechnicon
Footway width/cycleway	1.8m	footway width not necessarily constant min 1.2m width to be kept clear of obstructions. A verge may replace footway where there is no frontage development and not essential	1.2m / 3.0m without cycleway 1.8m / 5.0m with cycleway
Target speed	25mph	must be reduced to 20 mph in the vicinity of schools and play areas and should be 20mph where there are high pedestrian and cycle movements	< 25mph
Distance between speed restraint features	100m	advice on speed restraint features is contained in this section	< 120m
junction visibility x	2.4m		2.0m
junction visibility y	45m	may be reduced in accordance with advice on visibility contained in this section	> 23m
forward visibility	45m	may be reduced in accordance with advice on visibility contained in this section	> 23m
min longitudinal gradient	0.80%	1.25% for block paved surfaces	0.80%
Max longitudinal gradient	6 %	gradients may only be increased if unavoidable due to local topography	*8%
Cross section gradient	2.50%		1.0% 5.0%
Junction gradients	5 % rising 4 % falling for a distance of twice kerb radius		
Vertical curve min K value	7	may be reduced subject to a minimum curve length of 20m	4
Junction kerb radius	6m		4.5m
Kerb height	125mm		50mm / 185mm

All figures are for guidance; design specification should be guided by local context and agreed with the local authority.
* To meet design requirements for the mobility impaired, footways should generally be restricted to a maximum gradient of 5%

- 1.8 From the above it can be seen that the existing access road serving Birchfield Grove complies with the requirements of a Major Access Road.
- 1.9 Accordingly, on the basis that the as built layout is consistent with the design put forward in the Transport Statement which supported the Birchfield Grove development, it is considered that the access road is suitable and appropriate to serve the proposed allocation of the Doctors Surgery / Medical Centre. In terms of capacity it was demonstrated in the Transport Statement that the Birchfield Grove access has the sufficient capacity and would be able to accommodate far more additional development than the existing development and proposed Doctors Surgery.

Local Highway Network.

- 1.10 In looking at the wider local highway network, whilst no detailed assessment has been undertaken associated with the Doctors Surgery, the facilities are understood to replace

existing health care facilities serving Hawkhurst, albeit that some of the existing facilities are not within Hawkhurst.

- 1.11 Accordingly much of the existing traffic associated with the site will be already on the local highway network. Furthermore the new location of the Doctors Surgery is better located to the residents of Hawkhurst which improves the opportunity for residents and employees at the Surgery to walk, cycle or travel by bus rather than using the car for transport.

Summary.

- 1.12 In summary, and in response to the issues raised by the Inspector, the access to the Doctors Surgery served via Birchfield Grove is fully compliant with the parameters set out in the KCC guidelines.
- 1.13 Furthermore it is considered that many of the car trips associated with the new facilities will be trips already on the local highway network. However the new location offers improved options for travel to and from the surgery to be undertaken by more sustainable travel modes than the private car.
- 1.14 In practice the work previously undertaken as part of the Birchfield Grove development showed that in terms of capacity the Birchfield Grove access has the sufficient capacity and would be able to accommodate far more additional development than the existing development and proposed Doctors Surgery.