

Examination of the Tunbridge Wells  
Borough Local Plan

**Tunbridge Wells Borough Council**  
**Hearing Statement**

**Matter 2: The Strategy for Royal  
Tunbridge Wells and Southborough**  
**Issue 4: Land at Mabledon House –  
Policy AL/SO2**

**Document Reference: TWLP/122**



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# Matter 2 – The Strategy for Royal Tunbridge Wells and Southborough

## Issue 4 – Land at Mabledon House – Policy AL/SO2

**Inspector’s Question 1: [re. Considering the Inspectors findings, how can the Plan be amended to be made sound?]**

**Considering the conclusions reached in paragraphs 65-68 of the Inspector’s Initial Findings, how can the Plan be modified to rectify the soundness issues identified?**

### **TWBC response to Question 1**

#### **Introduction**

1. Mabledon House and Gardens comprise of a Grade II house and Grade II Historic Park and Garden that is currently in use as a single residential property with ancillary accommodation and other buildings within the grounds. The site straddles the boundary with Tonbridge and Malling Borough Council.
2. The site was discussed at the Stage 2 Hearing session on 7 July 2022 and is covered within the Councils Stage 2 Hearing Statement - [Matter 10: Employment, Economic Development and Infrastructure \(Policies STR5, ED1, ED2, ED3, ED4, ED5, ED6, ED7, ED8, and ED12\)](#), [Issue 7: Tourist Accommodation and Attractions](#).
3. At the session, the Inspector raised concerns around the following issues;
  - The proposal set out in Policy SO 2 of the [Submission Local Plan](#) (SLP) is a ‘main town centre use’ and therefore should meet the relevant requirements of the [National Planning Policy Framework – 2023 \(NPPF\)](#) in relation to Town Centres and the Sequential Test.
  - Concern over the fact that the [SLP](#) does not propose to remove any land covered by the policy from the Green Belt, and whether it was appropriate or sound for the policy to subsequently rely on an applicant demonstrating ‘Very Special Circumstances’ for development to come forward.

- Whether the available evidence base was sufficient to justify the specific requirements of the policy with regards to the number of rooms and the nature of the facilities to be provided as part of the development.

## Consideration

4. Following the Stage 2 Hearings, the Council produced [Action Point 19](#) – Local Plan Examination Note for the Inspector, which sought to address the concerns raised by the Inspector at the Hearing session as referred to above.
5. [Action Point 19](#) sets out further detail about the Mabledon House site, the issues raised through the Examination, the policy background, the application of the sequential test and conformity with the [NPPF](#) and the [Planning Practice Guidance](#) in relation to main town centre uses. It then provides a summary of these issues and a suggested way forward.
6. To summarise, this note concludes that, it is clear, that there is a need for a hotel use of this type within the borough. Furthermore, the site at Mabledon represents a unique offering to Royal Tunbridge Wells and the wider sub-region, taking into account, the site's particular location, scale, nature and historic interest and that it has the capacity to provide future tourism and economic benefits to the local economy.
7. It is concluded that there are no more suitable or available alternative sites for the nature and form of development identified and the site meets the need identified with the Hotel Capacity Study ([3.29](#)).
8. Following the Hearing sessions and the publication of [Action Point 19](#), the Inspector considered this site within his [Inspectors Initial Findings Letter](#) received November 2022, and at paragraphs 65-68 sets out a number of considerations which are summarised below:-
  - Policy AL/SO 2 allocates land at Mabledon House for a luxury hotel of up to 200 bedrooms and a leisure development with spa and conference facilities.
  - The site is within the Green Belt, but no alterations are proposed to the Green Belt boundary.
  - The construction of new buildings is inappropriate development within the Green Belt and to demonstrate very special circumstances, the harm must be clearly outweighed

by other considerations.

- No precise details have been provided by the Council on the nature and extent of the built development and it is therefore not possible to determine any potential harm. Allocating the site for development, but then requiring it to demonstrate very special circumstances does not represent an effective or justified policy.
- There are however, some exceptions to inappropriate development in the Green Belt and a number of options for the council to consider in taking this site forward in the plan which require further consideration.

9. The Council have considered the Inspectors findings and as set out within [Action Point 19](#), have proposed to make modifications to Policy AL/SO 2 to reflect the discussions at the Hearing session and the Inspectors subsequent letter. Essentially, the changes set out a policy with general support for hotel-based uses and is more flexible about the scale and nature of the development.

10. As set out in the Councils [Action Point 19](#), at paragraph 3.7, it is considered that the changes proposed allow for:

- The change of use of the site to a hotel and associated facilities that is in conformity with the scope and extent of development allowed under current Green Belt, AONB and heritage policies that seek to secure the long-term future of the listed houses and historic parks and gardens.
- The potential that further development, ancillary and necessary for the above may be acceptable, subject to satisfactorily demonstrating 'Very Special Circumstances' at the time of an application.

11. In relation to the last bullet point above – to be clear, it is recognised that there is considerable scope for development/redevelopment on the site which is permissible in Green Belt terms under current Green Belt policy (NPPF paragraph 154) and in particular the following criteria of paragraph 154:

*c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*

*d) the replacement of a building, provided the new building is in the same use and not larger than the one it replaces;*

*g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*

*– not have a greater impact on the openness of the Green Belt than the existing development;*

12. Should further additional development be proposed for the wider site that goes beyond the exceptions noted above, then this would need to be considered under ‘Very Special Circumstances’ as referred to above.

13. The proposed amended policy is provided at **Appendix 1** of this Hearing Statement.

## **Conclusion**

14. The site was discussed at the Stage 2 Hearing sessions and [Action Point 19](#) was produced by the Council to address the concerns raised by the Inspector – primarily to set out the consideration of the sequential test and an amended suggested approach to the site.

15. In response to the Inspector’s initial findings, this statement suggests further modifications to Policy AL/SO 2 in order to make the policy sound and address the initial findings of the Inspector. These are set out within **Appendix 1** of this Hearing Statement.

# Appendices

# Appendix 1: Proposed amended Policy wording

This site is located outside of the built-up area to the north of Southborough and straddles the borough boundary with Tonbridge & Malling Borough Council. However, it is considered to be in a relatively sustainable location between Southborough and Tonbridge. The existing house on the site, Mabledon House, is a listed Grade II mansion associated with Decimus Burton, who was an important figure in the evolution of Royal Tunbridge Wells. The house (which is wholly within Tunbridge Wells borough), is set within a Grade II historic park and garden that includes pleasure grounds, a cottage garden, and a quarry. There are also a number of modern buildings in the grounds to the north of the main house, and within Tonbridge & Malling borough, some of which detract from the setting of the main house and park.

There is currently no public access and the house, gardens and parkland are in need of investment for maintenance and restoration.

The site has direct access from the A26 from within the borough boundary and is close to the junction with the dualled A21.

The site is within the High Weald AONB. Proposals will need to satisfy the relevant planning policy requirements associated with this designation to justify development within this sensitive location. The site also falls entirely within the Green Belt.

~~The site is within the Green Belt. Development proposals for the site are expected to demonstrate ‘very special circumstances’ as part of any planning application, which clearly outweigh potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal.~~

It is considered that Mabledon (including the house and gardens), would be appropriate for the development of hotel uses, which could include a spa and other ancillary facilities. A ‘sequential test’ has been carried out by the Council in accordance with national policy, which concludes that; there are no other more ‘suitable’ and ‘available’ sites within or on the edge of Royal Tunbridge Wells town centre, Tonbridge town centre or Southborough town centre, that could accommodate the type of use proposed. There is a clear need within the borough for hotel use of this type and it is considered that the site at Mabledon provides a very specific locational justification for such a use. The change of use would also bring forward necessary investment to maintain and restore elements of the house, gardens and parkland.

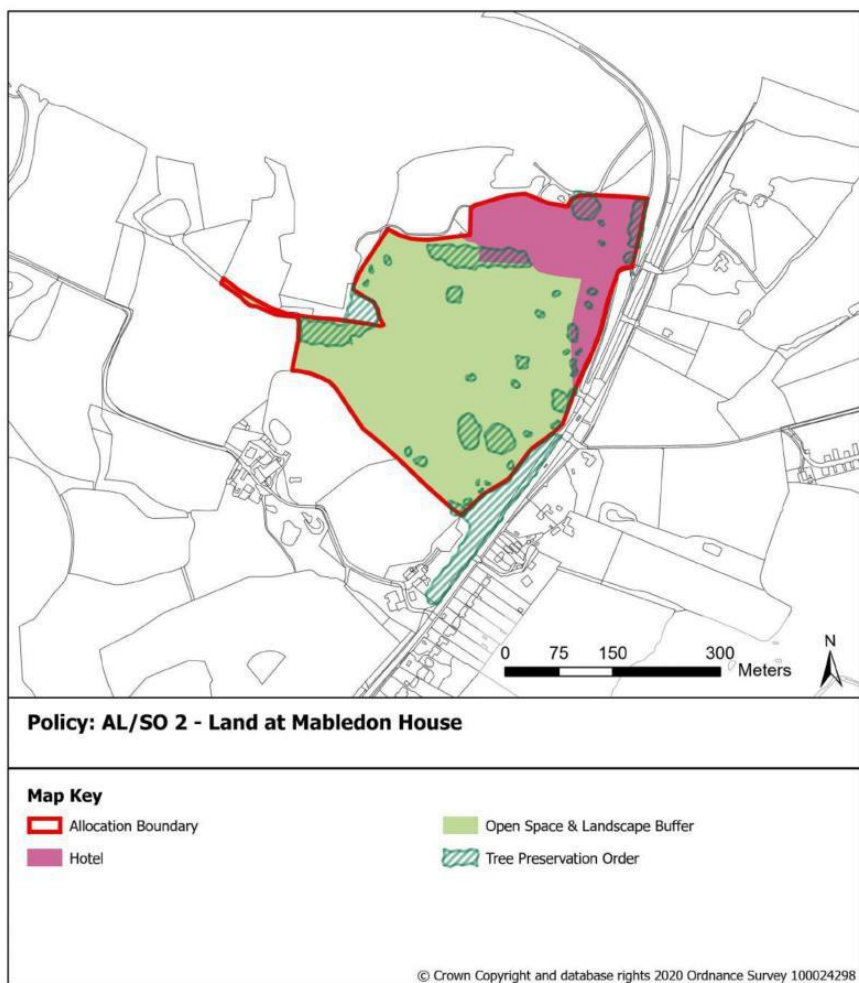
The assessment carried out refers to the Council’s Hotel Capacity Study (2017), which considers that there is a lack of luxury five star hotels within the borough offering accommodation at the higher end of the market, and also that there is the potential within the borough to provide new and/or improved amenities, including spa facilities and packages, which could attract those looking for a pampering/weekend break. This allocation seeks to meet this need and the



current gap in the hotel market within the borough, in a relatively sustainable location close to Royal Tunbridge Wells, Southborough and Tonbridge.

It is considered that there is considerable scope for development/redevelopment of the above proposals on the site which would be permissible in Green Belt terms under current Green Belt policy. Further development, ancillary and necessary for the above proposals may be acceptable, subject to the satisfactory demonstration of 'Very Special Circumstances' at the time of any application.

### Site Layout Plan



## Policy AL/SO2

### Land at Mabledon House

This site, as defined on the Southborough Policies Map, straddles the borough boundary with Tonbridge & Malling Borough Council and as such, while the policy encompasses a vision for the whole site, it is restricted to that land which lies within Tunbridge Wells borough. Successful implementation of this policy is dependent upon the support of Tonbridge & Malling Borough Council.

The proposal for the whole site, which this policy supports, is for the development of hotel and leisure uses which could include a spa and other ancillary facilities ~~a luxury hotel up to a maximum of 200 rooms and leisure development with spa and conference facilities~~, set within a restored historic park and garden and wider attractive landscape. Development should focus on the reuse of the existing house, with this and ~~The scheme of redevelopment~~ any scope for demolition and/or redevelopment new build and/or conversion of existing buildings is to be determined through appropriate studies covering highways, heritage, landscape, visual amenity, climate change, ecology, and viability.

Development on the site shall accord with the following requirements:

1. Provision of safe and acceptable access arrangements from the A26 for the proposed development, informed by a highways assessment;
2. Demonstration of Very Special Circumstances to clearly outweigh any harm by reason of inappropriateness, and any other harm resulting from the proposal.  
Proposals should accord with Policy STR 9 and national Green Belt policy;
3. Any new development should be informed by a heritage assessment and a landscape and visual impact assessment. Development should:
  - a. be concentrated within those areas that already contain built form and not in the areas shown to be retained as parkland landscape on the site layout plan.
  - b. be subservient to the main house and respectful of its setting in terms of design, including height, scale, and massing;
  - c. retain and enhance key features and vistas of the parkland;
4. The provision of a detailed and fully funded conservation plan and scheme of restoration for the built heritage assets and the historic park and garden to be secured as part of any development;
5. The provision of a landscape and ecological management plan for ongoing protection and management of the identified landscape and ecological features of the site to be secured as part of any development;

6. Provision to be made for public access to heritage assets and the historic park and garden under an agreed scheme of site management, to include connections to, and improvements of, existing Public Rights of Way;
7. Opportunities to contribute to the provision of a cycle link to Royal Tunbridge Wells, Southborough, and Tonbridge to be explored and, if feasible, to be provided;
8. Contributions are to be provided to mitigate the impact of the development, in accordance with Policy STR/SO 1.

In addition to the criteria in the above Policy, the relevant Policies that should be referred to in the Local Plan include: Policies EN 1: Sustainable Design; EN 5: Heritage Assets; EN 10: Protection of Designated Sites and Habitats; EN 12: Trees, Woodland, Hedges, and Development; EN 13: Ancient Woodland and Veteran Trees; EN 18: Rural Landscape; EN 19: The High Weald Area of National Landscape; EN 24: Water Supply, Quality, and Conservation; TP 1: Transport Assessments, Travel Plans and Mitigation; and TP 2: Transport Design and Accessibility.