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# Examination Statement – Matter 4 Principle of Green Belt Release

## Tunbridge Wells Local Plan

Representations on behalf of Crest Nicholson

May 2022

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## 1.0 INTRODUCTION

- 1.1 This Statement has been prepared by Barton Willmore now Stantec on behalf of our Client, Crest Nicholson, who has an interest in the land to the north west of Paddock Wood that forms a significant part of the housing allocation STR/SS1: The Strategy for Paddock Wood, including land east of Capel, which provides for circa 3,490-3,590 new dwellings across Paddock Wood. This Statement is prepared in response to the Inspector's Matters, Issues and Questions.
- 1.2 Representations have been made on behalf of our Client throughout the production of the emerging Local Plan and these representations expand upon earlier representations. While efforts have been made not to duplicate the content of previous representations, this Statement draws on previous responses where necessary.
- 1.3 These representations have been prepared in recognition of prevailing planning policy and guidance, particularly the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).
- 1.4 These representations respond to the Inspector's questions within Matter 4 – Principle of Green Belt Release. This Statement does not respond to all questions raised under this Matter, but rather focuses on those questions of particular relevance to our Client's interests.
- 1.5 These representations have been considered in the context of the "tests of soundness" as set out in the NPPF (para 35). This requires a Local Plan to be:
- **Positively Prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
  - **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
  - **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
  - **Consistent with National Policy** – enabling the delivery of sustainable development in accordance with the policies in the Framework.

## 2.0 RESPONSE TO MATTER 4 – PRINCIPLE OF GREEN BELT RELEASE

### Issue 1 – Principle of Green Belt Release

*Q3. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, paragraph 141 of the Framework states that strategic policy-making authorities should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for housing. This will be assessed through the examination and will consider whether the strategy:*

- *Makes as much use as possible of suitable brownfield sites and underutilised land;*
- *Optimises the density of development, and*
- *Has been informed by discussions with neighbouring authorities about whether they can accommodate some of the identified need.*

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

- 2.1 This has largely been dealt with in respect of earlier/other Matters (Matter 3 & Matter 5), and the corresponding SA, Topic Papers and our other representations, but there is not a surplus of brownfield sites or under-utilised land within TWBC. It is possible there are a few previously developed land (PDL) sites across the Borough, but either singularly or collectively these would wholly fail to provide for the comprehensive development (social and economic) that the Draft Plan seeks to provide for.
- 2.2 Plan-making is so much more than simply “counting houses”, and whilst making use of PDL sites is clearly an important part of this, it is not the sole objective. We only have to look back to the former PPG3: Housing (March 2000) and the introduction of Urban Capacity Studies to remember the damage this caused, ie. lack of supporting social/community infrastructure; fewer affordable dwellings; loss of employment sites (subsequently re-provided for on greenfield sites on the edge of towns) and so on.
- 2.3 Crest considers TWBC has struck the correct balance in the preparation of this Plan, and is also encouraging us/Crest to optimise the density of development at Paddock Wood.

***Q4. Can housing needs be met by optimising the use of previously developed land and buildings without requiring land to be released from the Green Belt?***

2.4 In short, no. This is expanded on in response to Q5.

***Q5. Not all of Tunbridge Wells is within the Green Belt. Could the need for new housing and employment therefore be met by developing beyond the existing Green Belt boundary? If not, why not?***

***Q6. When drawing up or reviewing Green Belt boundaries, paragraph 142 of the Framework states that the need to promote sustainable patterns of the development should be taken into account. How and where has the Council taken this into account?***

2.5 The Green Belt covers circa 22% of the Borough, with the High Weald AONB covering circa 70%. TWBC is therefore heavily constrained in planning policy terms.

2.6 In making this observation, it is always important to remember that AONBs have been designated and delineated largely on the basis of a qualitative assessment of their landscape and scenic beauty. Whereas areas of Green Belt were/are designated as a physical land-use planning tool – very often without any due regard to their environmental (landscape or biodiversity) characteristics.

2.7 Paddock Wood is the Borough's second largest settlement and lies wholly outside the High Weald AONB and the Metropolitan Green Belt. It is a recognised sustainable settlement – the credentials of which are addressed elsewhere (Matters 2, 3, 5 and 6).

2.8 The social and physical expansion of Paddock Wood therefore accords wholly with recognised planning objectives – hence the comprehensive approach presently being proposed in the Draft Plan – and subject of course to respecting recognised environmental criteria (ie flood risk).

2.9 In relation to the area west of Paddock Wood, this is rehearsed fully in the following documents:

- Distribution of Development Topic Paper [CD 3.16]
- Development Strategy Topic Paper [CD 3.64]
- SHELAA Main Report [CD 3.77a]
- SHELAA Paddock Wood Assessment Sheets [CD 3.77I]

- Limits to Built Development Topic Paper [CD 3.82]
- Green Belt Study Stage Three [CD 3.93c]

2.10 It is the last of these documents that specifically addresses the impact upon the existing Green Belt area to the west of Paddock Wood and is the subject of the subsequent questions in Matter 2 (Issue 2).

***Q7. Having decided to review the Green Belt boundary, how did the Council determine, at a strategic level, where alterations should be made in order to meet housing and employment needs?***

2.11 Having worked alongside TWBC at each stage of this Draft Plan process, it is evident that the Council has sought to carefully minimise the extent of any Green Belt release and has only done so in areas where it would cause the least degree of environmental damage. This is of course at all times balancing the impacts of any development on meeting the housing and employment needs of the Borough.

2.12 In having regard to the area west of Paddock Wood, and in respect of the existing Green Belt, it is considered that the redrawing of the Green Belt boundary to align with that of the A228 provides for a much stronger physical and psychological Green Belt boundary. The vast majority of this GREEN BELT parcel is situated to the west of the A228, and the present redrawing of the GREEN BELT boundary will provide for a far more enduring designation with a much greater degree of permanence – a key requirement of the NPPF (para 140).

2.13 In doing so, it allows for the sustainable expansion of the existing Town of Paddock Wood for much needed housing and accompanying social and community infrastructure (ie schools, playing fields). And (for me) it will result in a more obvious future distinction between the urban area of Paddock Wood (to the east of the A228) and the more rural setting of Capel Parish (largely to the west of the A228).

## **Issue 2 – Green Belt Review Methodology**

*Q1. The Green Belt Study Stage 1 identified 33 parcels and 10 broad areas for assessment at Stage 2. How were these areas defined and what were the boundaries based on?*

*Q2. The Green Belt Study Stage 2 provides a more detailed and focused review of land parcels, assessed against the purposes of including land within the Green Belt in paragraph 138 of the Framework. How did the Council take the findings into account and use the evidence in the preparation of the Plan?*

*Q3. What was the purpose of the Green Belt Study Stage 3? Did it build upon the findings of the earlier studies, or, assess proposed site allocations?*

2.14 **Q1 & Q2:** It is considered that the Stage 1 and Stage 2 Green Belt Studies were the foundation basis for the GREEN BELT Review, and the 10 No Broad Areas (in Green Belt Stage 1) provide for a comprehensive understanding of each of these “broad areas”.

2.15 The Stage 2 Study revisited the understanding of each “broad area”, but then focused (mostly) on the previously identified parcel areas on a site-by-site basis. It did not provide for a wider review (ie. in “raising the gaze”) of any of the adjoining areas of land. This was subsequently undertaken on a more comprehensive basis in the Stage 3 Study.

2.16 **Q3:** It is considered that the Stage 3 Study is an evolution of the earlier studies, but still largely focuses on the proposed site allocations. However, the Stage 3 Study did include a concluding section “Assessment of strength of remaining Green Belt”, which provides a more holistic overview of what is being proposed presently, alongside that which will be remaining beyond the present Plan period.

2.17 In respect of land to the west of Paddock Wood (AL/CA3 and AL/PW1, p.74), the Stage 3 Study provides for a comprehensive and clear understanding of this wider area of land – as opposed to individual “parcel” basis in the earlier Stage 1 & Stage 2 Green Belt Studies. We welcome this more comprehensive approach to the Green Belt Review.

*Q4. Where the release of land from the Green Belt was found to have either high or very high levels of harm, how was this taken into account in the site selection process?*

*Q5. How was the potential for mitigation considered in the Green Belt studies? Was this considered on a consistent basis for all sites?*



- 2.18 The Stage 3 Study has identified sub-areas of varying degrees of "harm" to the Green Belt, and in respect of "land to the west of Paddock Wood" (re AL/CA3 and AL/PW1) it has identified two different levels of harm, namely "moderate" and "high". The delineation of the two areas largely follows the "Tudeley Brook", both to the north and south of the (east/west) railway line.
- 2.19 Both Crest (with land to the north/south of the railway) and Dandara (with land wholly to the south of the railway) have had due regard to these observations in the evolution of our respective schemes for development. This is reflected in keeping the areas of land (ie. "high degree of harm") largely free from built development, in the form of the proposed "sports hub", other forms of open space and sustainable drainage features.
- 2.20 This is also reflected in the proposed wording of Policy STR/SS1 and the Council's draft Framework Masterplan. Our Client is also pursuing an approach of lowering the density of development as we extend more westwards into the site. In adopting such an approach, together with the provision of open space areas and flood mitigation/drainage features will result in a far less urbanising affect than if built form was to extend hard-up against the A228.
- 2.21 Crest is fully supportive of such mitigation measures and these are reflected in our previously submitted masterplan for the Site, plus as agreed in the submitted Statement of Common Ground [CD 3.137]<sup>1</sup>.

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<sup>1</sup> SoCG TWBC and Crest Nicholson Oct 2021

### **Issue 3 – Exceptional Circumstances**

*Q1. At a strategic level, do exceptional circumstances exist to alter the Green Belt boundary, having particular regard to paragraphs 140 – 143 of the Framework? If not, how could housing and employment needs be met in other ways?*

- 2.22 In an Authority of 70% AONB and circa 22% Green Belt, it is the actions of a strong and responsible Council that recognises the need to face into the matter of “exceptional circumstances” in seeking to suitably provide for the housing and employment needs of its residents, their families and local businesses. The far easier route to have followed would have been to shirk such responsibilities and simply hope an adjoining Authority (or subsequent Administration) would deal with the resultant problems of failing to meet such needs.
- 2.23 As such we firmly believe that “exceptional circumstances” exist and consider that the Council has comprehensively demonstrated this in its suite of submitted evidence and supporting Core Documents.
- 2.24 However, my one (slight) fear is in relation to the provisions of Para 143, and the identification (or rather lack of it on this occasion) of safeguarded land to meet longer-term development needs stretching well beyond the Plan period. Albeit this does not affect our Client’s proposals at Paddock Wood.
- 2.25 Being able (especially in political terms) to take a much longer-term view of such matters (ie a much wider cross boundary and longer-term Green Belt Review) has been seriously compromised with the absence of any higher order planning policy framework, ie on a County or even sub-regional basis. TWBC is far from unique in this regard and it does not affect the overall “soundness” of the present Draft Plan, especially since TWBC has gone much further in facing into these issues in comparison to some of its neighbours.
- 2.26 It is nevertheless a “nettle that needs grasping”, and any such actions will need to initially happen centrally via HM Government before being able to be pursued in a politically charged local planning environment.
- 2.27 TWBC has taken bold steps in preparing the present Draft Plan and should be congratulated for its actions.