
EXAMINATION STATEMENT - MATTER 07

Matter 07 – Residential Site Allocations

Tunbridge Wells Local Plan

Representations on behalf of
Dandara South-East Ltd

May 2022

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MATTER 07 – RESIDENTIAL SITE ALLOCATIONS
TUNBRIDGE WELLS LOCAL PLAN
REPRESENTATIONS ON BEHALF OF:
DANDARA SOUTH-EAST LTD
MAY 2022

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Checked by:	DM
Authorised by:	DM

Barton Willmore, now Stantec
26 Kings Hill Avenue
Kings Hill
West Malling
Kent
ME19 4AE

Tel: 01322 374670
Email: david.maher@bartonwillmore.co.uk

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1.0 INTRODUCTION

- 1.1 This Statement has been prepared by Barton Willmore now Stantec on behalf of Dandara South-East Ltd. Barton Willmore is acting on behalf of Dandara regarding its land interest at "Land west of Eridge Road and Spratsbrook Farm", Tunbridge Wells – an allocated site of approx. 120 dwellings (Policy AL/RTW16) in the emerging Tunbridge Wells Local Plan.

- 1.2 Dandara broadly supports the Local Plan and is submitting other Matter Statements to the examination, as prepared by CBRE. This Matter Statement focuses on the specific allocation policy for the site (AL/RTW16) as addressed at Matter 07 / Questions 10-16 of the Inspector's "Matters, Issues and Questions".

2.0 RESPONSE TO MATTER 07: RESIDENTIAL SITE ALLOCATIONS

QUESTIONS

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

Q.10 What is the site boundary based on? What is the justification for only allocating the eastern "half" of the site for residential development?

- 2.1 The site boundary is supported by Dandara and has been the subject of extensive promotion by Dandara through the earlier stages of the Local Plan. It forms a logical development site at the southern edge of Tunbridge Wells.
- 2.2 The southern boundary forms the administrative boundary for Tunbridge Wells, which is shared with Wealden District. To the north is the Ramslye urban/residential area (which includes St Mark's CoE Primary School), and Friezland Wood.
- 2.3 The eastern boundary abuts the A26 (main Spine Road of Tunbridge Wells), and the western boundary forms the extent of Dandara's land control and is approximately 260m from the High Rocks National Monument – albeit it is noted that the presence of the High Rocks is not apparent from the site or in its adjacent field boundary. Dense coverage forms land in between and a change in levels also restricts views of the High Rocks from the land parcels to the east of it.
- 2.4 The western element to the site forms AONB, whereas the eastern "half" of the site is located outside of this boundary. Equally, the extreme western element forms land within the setting of the High Rocks Hill Fort – a Scheduled Ancient Monument, which is no longer apparent to the west of the site, but retains significance in archaeological terms.
- 2.5 It is recognised that the western area forms a more sensitive parcel. The western element is also elevated in parts, and it is considered to have sensitivity in the landscape. The justification for omitting this from built development is set out in the Council's Landscape Visual Impact Assessment (CD3.96b) and Dandara does not object to the Council's approach on this.

Q.11 What will the parcel of land to the south of the existing access road be used for?

- 2.6 The existing access road forms an access track to Ramslye Farmhouse. This track and the land to the south of it collectively form land outside of the allocation boundary. Additionally, this subject land is also in Wealden District (as above) and is thus unrelated to the purposes of the Examination.
- 2.7 The scheme for the site will secure a new access within the allocation boundary, north of the existing track to Ramslye Farmhouse. This will be secured in line with the requirement of Policy Criterion no. 1. Initial access designs are included at **Appendix 1** and these will be detailed further when the planning application is submitted for the site.

Q.12 How will the area of open space, to remain in the Green Belt be managed?

- 2.8 The area of open space in the west of the site, will form enhanced informal open space in the Green Belt. The detailed elements of this parcel are yet to be finalised; however, it will broadly encompass areas for natural/informal open space, including walking routes as well as establishing formal connections through to the adjacent Friezland Wood (and associated PRoW connections).
- 2.9 Criterion 5 of the policy refers to the subject land being "*managed under an approved scheme of agriculture with public access*". This is commented upon further below.
- 2.10 As set out in our earlier Regulation 19 consultation response, Dandara is proposing to bring the parcel forward for enhanced open space and this will provide compensatory improvements to the environmental quality and accessibility of remaining Green Belt land (in line with the NPPF - para 142).
- 2.11 Dandara is committed to delivering and managing this aspect of open space. Accordingly, the land will be the subject of a Management Plan, ensuring its delivery and management in perpetuity and this will be secured via a suitable legal mechanism at the planning application stage. Criterion 11 of the policy certifies that a suitable legal mechanism is put in place to ensure that the public open space is delivered – to be agreed at the planning application stage.

Q.13 Do exceptional circumstances exist to alter the Green Belt boundary in this location, having particular regard to paragraphs 140 – 143 of the Framework?

Need

- 2.12 Yes, as addressed in our earlier Matter 04 Statement, the Local Plan seeks to meet needs in full as identified by the Government's Standard Method (i.e. 678dpa). This is a significant amount of development not recently witnessed in TWBC – the previous 2010 Core Strategy requirement related to 300dpa in the Borough. This housing need backdrop provides a compelling case for "exceptional circumstances" applying to the Local Plan.

Constraints on supply

- 2.13 Up to 75% of the Tunbridge Wells Borough area comprises land use constraints. This includes 22% Green Belt and c. 70% AONB (High Weald). As addressed in our Matter 03 Statement, only 2no. small settlements sit outside Green Belt or AONB. These are Frittenden and Horsmonden. Options for growth at these settlements were tested at the Regulation 18 stages of the Local Plan and were discounted for reasons set out in our earlier Statement.
- 2.14 The main/most sustainable settlements in TWBC (i.e. Tunbridge Wells/Southborough, Paddock Wood, Hawkhurst and Cranbrook) are broadly surrounded by or washed over by Green Belt and/or AONB. Strategic development will therefore inevitably need to occur in such areas to meet the acute needs identified above.
- 2.15 At Tunbridge Wells, the spatial strategy for the Town proposes the delivery of 18no. allocated sites amounting to 1,416 – 1,536no. dwellings. These largely occur on brownfield/previously developed sites (10 sites) in the Town, as well as greenfield sites (5 sites) inset within the urban area (not in the Green Belt).
- 2.16 The Local Plan has fully explored the ability of the urban areas to accommodate growth - this includes the allocation of 15no. sites in Tunbridge Wells town/outside the Green Belt. These allocations occur predominantly on brownfield sites as well as "infill" greenfield sites. It is furthermore noted that the town is constrained by conservation areas as well as highways considerations in some areas. The Local Plan, including the round of evidence base documents (inc. SHLAA), has fully explored development opportunities outside of the Green Belt.

- 2.17 Only 3no. Green Belt releases occur at Tunbridge Wells for residential development – Eridge Road/Spratsbrook Farm (AL/RTW16), Caenwood Farm (AL/RTW5), and Tunbridge Wells Garden Centre (AL/RTW14). This is considered a proportionate extent of Green Belt release and these sites will contribute to the sustainable development and vitality of the town.

Potential for harm/compensatory improvements

- 2.18 The Council's "Stage 3 Green Belt Review" (CD3.93c) provides an assessment of the site characteristics in regard to the 5no. purposes of the Green Belt (set out in the NPPF paragraph 138). These 5no. purposes are as follows:

- a) Checking the sprawl of large built up areas.
- b) Preventing neighbouring towns from merging.
- c) Safeguarding the countryside from encroachment.
- d) Preserving the setting and special character of historic towns.
- e) Assisting in urban regeneration by encouraging the recycling of derelict and other urban land.

- 2.19 Only the eastern part of the site is proposed for Green Belt release and the Stage 3 report concludes that *"the area to be released makes a Low-Moderate contribution to checking the unrestricted sprawl of the large built-up area, to the prevention of encroachment on the countryside and to preserving the special character and setting of Tunbridge Wells"*. Equally, the Stage 3 report confirms that the impact of release on the adjacent parcel (i.e. western parcel) will be Negligible.

- 2.20 Dandara supports the Council's assessment on the potential harm to the Green Belt. Equally, Dandara supports the "potential mitigation measures" identified in the Council's Stage 3 Review. These include:

- *The layout, form and mass of built development to have regard to the topography, trees, hedgerows and Ancient Woodland.*
- *The potential requirement for a buffer to development to the Scheduled Monument.*
- *The provision of a soft landscape buffer along the south-western boundary.*
- *Other potential mitigation measures could include the introduction of locally characteristic woodland or hedgerow planting to the north-west of Ramslye Farm (between the western and eastern elements).*

- 2.21 The Stage 3 Review goes on to note that these measures would help to reduce any potential visual influence of development on adjacent Green Belt and would help to integrate development into the landscape. These aspects are deliverable (by Dandara) and will reduce the potential for Green Belt harm.
- 2.22 Additionally the scheme will provide compensatory improvements to the environmental quality and accessibility of remaining Green Belt land (in line with the NPPF - para 142). These measures include:
- Provision of links from the site to the existing PRoW and pedestrian and cycle links to the adjacent Friezland Wood.
 - Enhanced amenity/open space and recreational opportunities in the western part of the site.
- 2.23 The above provides a clear context that exceptional circumstances exist to alter the Green Belt boundary in this location, in line with the NPPF (Para's 140 – 143).

Q.14 What potential impacts will the allocation have on the setting of the High Weald AONB?

- 2.24 The answer to this question is interlinked to earlier points raised above. Whilst the precise nature/scope of the development for the site will not be fully drawn up until the planning application stage, the allocation has been informed by the round of evidence base documents. With regard to potential impacts on the AONB, we refer specifically to the following two documents prepared by the Council:
- Landscape Sensitivity Assessment of Countryside around Tunbridge Wells (CD3.102a).
 - Landscape Visual Impact Assessment (CD3.96a).
- 2.25 The documents conduct a sensitivity assessment of the site as well as adjacent parcels. The eastern parcel of the site is confirmed to have medium sensitivity "*adjacent to the exposed settlement edge of Ramslye*". The western parcel is deemed to comprise higher sensitivity.
- 2.26 Accordingly the LVIA recommends that the western parcel in the AONB is kept free from built development and secured as enhanced open space.

- 2.27 The development, whilst located outside AONB, will have intervisibility with the AONB. In this regard, the scheme for the site will be sensitively designed to ensure that harm upon the AONB is reduced. This will include the submission of a Landscape Visual Impact Assessment – secured by Criterion 6 of the policy. The retention and enhancement of trees along Eridge Road will further contribute to the setting of the AONB.
- 2.28 Criterion 7 provides additional management upon the setting on the AONB, and this seeks for a new landscaped boundary buffer along the AONB boundary (south-west) to be provided. Dandara supports this requirement, and the scheme will create a sensitive landscape-led approach towards the setting of the AONB.

Q.15 Why is it necessary to provide additional landscaping along the south-west boundary to "protect the amenity of the adjacent farmhouse"?

- 2.29 Ramslye Farmhouse comprises an extensive curtilage with substantial vegetation, landscaping and hedgerows in its grounds – elements that provide significant coverage to the property. Arguably, it could be considered that no further landscaping will be required to "screen" the development from the farmhouse. Nonetheless, Dandara does not object to this requirement.

Q.16 What potential impacts will the allocation have on the significance of the High Rocks Hill Fort Scheduled Monument?

- 2.30 The development will have negligible impacts upon the setting of the High Rocks Hill Fort Scheduled Ancient Monument. The built form will be significantly off set from the SAM through the retention of the Green Belt western parcel.
- 2.31 The setting of the SAM can be enhanced through the provision of natural/informal open space and this can include interpretative signage/boarding celebrating the historical significance of the Hill Fort. Such provision can be secured through the Management Plan/legal agreement as part of the planning application.

3.0 OTHER POLICY MATTERS – PROPOSED MODIFICATIONS

3.1 In this section, there are a number of other matters which Dandara provided comments upon at the Regulation 19 stage. Dandara would therefore seek to address these matters through the Examination as Proposed Modifications. These are addressed below.

Quantum of Development

3.2 Dandara has undertaken architectural and feasibility work for the identified eastern development parcel for the site. This work is enclosed at **Appendix 2** and identifies that the site is able to achieve and deliver approximately **170 dwellings**. This is deliverable whilst securing appropriate densities at the site as well as encompassing suitable “green” and “blue” infrastructure and a sensitive design response in an AONB setting. This would include open space linkages through the site connecting to the western open space parcel. Children’s play space could also be secured as well as SuDs provision, with access being provided from the A26.

3.3 In line with the NPPF, the proposed uplift in the development will make efficient use of the site. This uplift can also aid the Local Plan in achieving an increased buffer (20%), responding to affordability issues in the area and potential for unmet needs from adjacent authorities (as addressed in our Matter 02 Statement).

Self/Custom Build

3.4 Policy AL/RTW16 seeks to secure 5% of the development proposals for self/custom build provision. Dandara does not support this element of the policy.

3.5 Para 6.383 of the Local Plan notes that since 01 April 2016, there has been an average of 1.96 registrations for a self/custom build property per month. Utilising this data, the Council has therefore projected a need for 518 self/custom build dwellings over the Plan period (up to 2038). This is considered to be too simplistic a forecast and does not reflect actual demand.

3.6 The paragraph (correctly) goes on to note that self/custom build predominantly comes forward via windfall schemes, mainly as single dwelling schemes. Accordingly, TWBC considers that 77% of provision (401 dwellings) will come forward via windfall, leaving 115 – 120 dwellings to be identified in the Plan.

- 3.7 *Policy H8 (Self and Custom Build Housing)* goes on to seek to secure the residual self/custom build provision at 3no. allocated sites – Caenwood Farm (AL/RTW5), Spratsbrook Farm (AL/RTW16), and Tudeley Village (STR/SS3). The Local Plan (including Sustainability Appraisal) however, does not set out the rationale as to why these sites were chosen over other sites in the Local Plan.
- 3.8 Ultimately, the selection of self/custom build sites will depend on consumer choice on where individual households seek to build their own home. As above, this predominantly occurs on single dwelling/windfall schemes and can also be locationally dependent including village and countryside settings.
- 3.9 For when build out occurs on the Dandara/Spratsbrook scheme (TWBC anticipates this to occur from 2035/36), the need for self/custom build may have been met through windfall. Meeting the demand will largely be based on consumer choice at the time as well as the locational options for those on the Council’s self/custom build register.
- 3.10 Furthermore, the ability of the site to deliver self/custom build plots will depend on viability considerations as balanced against the need to meet full affordable housing requirements. We therefore suggest flexibility in the policy provision below to cater for the demand at the time the scheme is at the planning application stage. This should also have regard to other viability considerations for the scheme.

Proposed Modifications

- 3.11 In the light of the preceding paragraphs, we recommend that policy AL/RTW16 is amended as follows:

The site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for residential development providing approximately ~~120~~ 170 dwellings, of which 40% shall be affordable housing, and if required (subject to need), feasible and viable a minimum of five percent to be delivered as serviced self-build and custom housebuilding plots, together with enhanced informal open space and recreation areas as part of a landscape buffer.

- 3.12 Following the above, policy AL/RTW16 includes 12no. development requirements. We comment on these below with recommended modifications in some instances.

Table 1: Dandara response to Policy AL/RTW16 requirements

Policy AL/RTW16 Requirements / Dandara comments
No. 1 - <i>Vehicular access to be provided into the site from the A26 Eridge Road.</i>
Comments on No. 1 – Dandara supports this requirement.
No. 2 - <i>Pedestrian links from the site to be provided and improved to connect to the existing Public Rights of Way network in the vicinity of the site and to formally designate the informal footways as Public Rights of Way to increase and improve accessibility and informal recreation within and around this area.</i>
Comments on No. 2 – Dandara supports this requirement.
No. 3 - <i>The design and layout to take the form of a Low Traffic Neighbourhood, and shall ensure pedestrian and cycle permeability through the site, including the provision of cycle and pedestrian links into the adjacent Ramslye Estate and into the town centre and to the train station.</i>
Comments on No. 3 – Dandara broadly supports this requirement, however the delivery of cycle and pedestrian links into the town centre and to the train station would occur on land Dandara does not control. It is therefore recommended that "where feasible and viable" is inserted to the end of the requirement.
No. 4 - <i>Improved public transport links are required to serve the development.</i>
Comments on No. 4 – Dandara supports this requirement.
No. 5 - <i>Development shall be located on the areas identified for residential use on the site layout plan. The open space shown in green on the site layout plan is to be managed under an approved scheme of agriculture with public access.</i>
Comments on No. 5 – As above, Dandara broadly supports this requirement, however, it is unknown as to what the requirements are for the open space area (western element of the site) to be <i>"managed under an approved scheme of agriculture with public access"</i> . The subject land is not proposed to be retained for agriculture use. Instead, it is proposed for "open/informal space provision" and it is recommended that the policy is modified accordingly.
No. 6 - <i>Regard shall 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 landscape and visual impact assessment. The retention and enhancement of the trees along the Eridge Road is a priority.</i>
Comments on No. 6 – Dandara broadly supports this requirement, however there is likely to be a need for an element of tree clearance to occur along Eridge Road to accommodate the access provision, with mitigation provided for loss of any trees elsewhere on the site. This is recognised within TWBC's landscape evidence base and accordingly, it is recommended that the text "Where feasible" is introduced at the beginning of the second sentence.

No. 7 - *The layout, form, design and mass of built development on-site to have regard to the topography, ancient woodland and buffers, and impact on the setting of the High Weald AONB. It shall include a landscape buffer along the south-western boundary, including to protect the amenity of the adjacent farmhouse.*

Comments on No. 7 – Dandara supports this requirement.

No. 8 - *Detailed historic landscape and archaeological assessment to be provided as part of any proposals coming forward to assess the impact on heritage assets, including on the High Rocks Hill Fort, a Scheduled Ancient Monument.*

Comments on No. 8 – Dandara supports this requirement.

No. 9 - *Provision of on-site amenity/natural green space and recreation ground, as well as children’s and youth place space.*

Comments on No. 9 – Dandara supports broadly this requirement.

Dandara does not however support the provision of a "**recreation ground**" at the site. This is not considered necessary given the scale/critical mass of the allocation proposals and equally the size/form of the site does not allow for playing pitches, etc. Accordingly, the provision for a "recreation ground" is not justified in line with the NPPF and it is recommended that this provision is deleted from the policy.

No. 10 - *Any development coming forward will need to consider any impacts on the adjacent land within the Wealden District Council area, and in terms of infrastructure provision with East Sussex County Council as well as Kent County Council.*

Comments on No. 10 – Dandara supports this requirement.

No. 11 - *A suitable legal mechanism shall be put in place to ensure that the provision of public open space is tied to the delivery of the housing, at a suitable stage of the development, to be agreed at the planning application stage.*

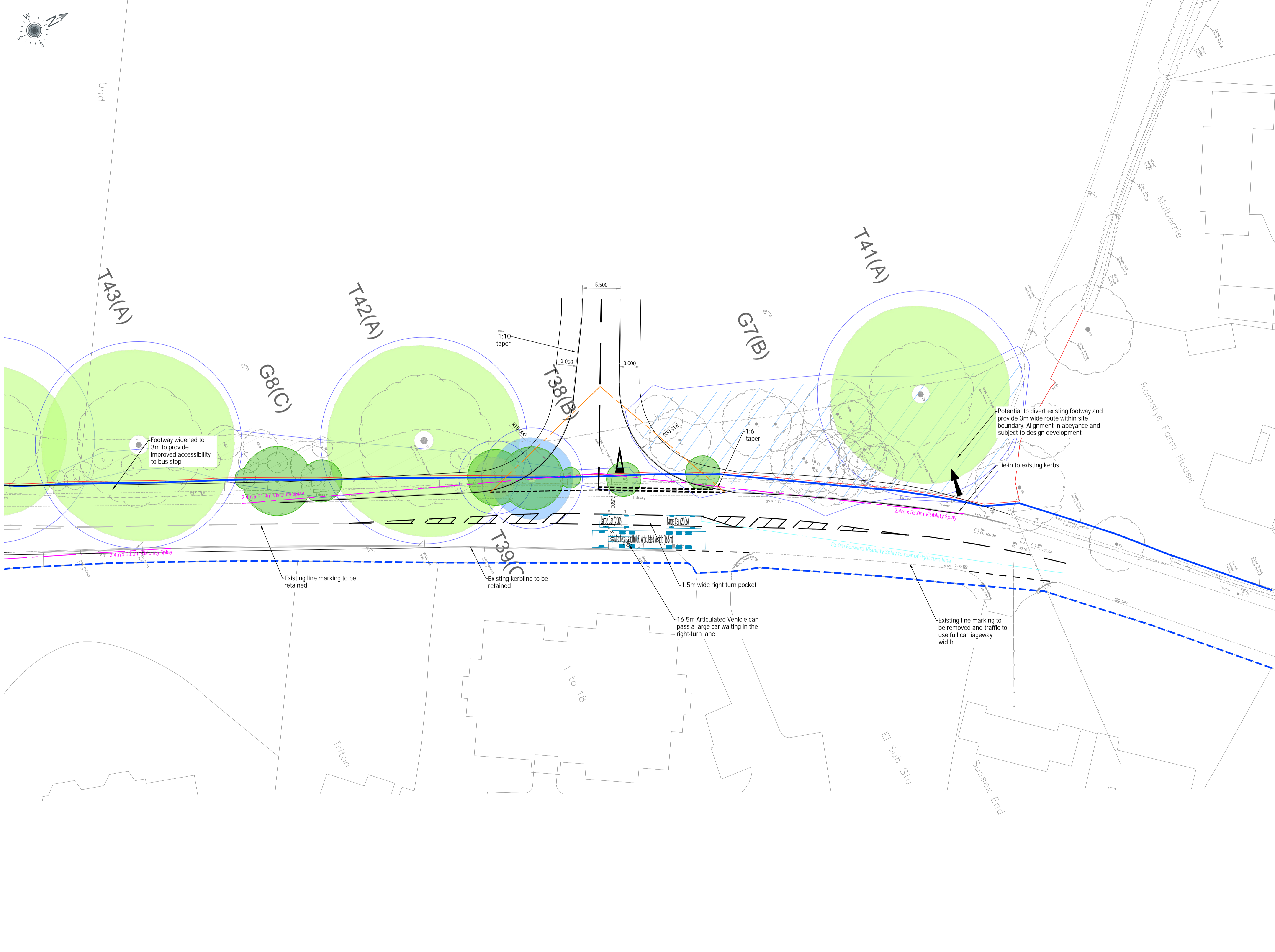
Comments on No. 11 – Dandara supports this requirement.

No. 12 - *Contributions are to be provided to mitigate the impact of the development, in accordance with Policy STR/RTW1.*

Comments on No. 12 – Dandara supports this requirement.

- 3.13 The above Proposed Modifications will contribute towards an "effective and "sound" Local Plan.

APPENDIX 1
INITIAL ACCESS DESIGNS



CDM NOTE

These drawings have been produced with reference to the CDM Regulations 2015. Please note that these are pre-construction phase drawings and should be subject to further design risk management as required in accordance with Regulation 9

GENERAL NOTES:

- The purpose of this drawing is to assess the viability of providing a half-width right turn pocket for South-bound traffic on the A26 Eridge Road, Tunbridge Wells. The drawing is for discussion purposes only, with the design subject to further design development, modeling assessment, data collection and consideration of constraints.
- The concept design for the Northern Junction is based on Topographical survey received July 2021 from Hook Survey Partnership. Drawing reference: S18/6797/01
- The layout is limited to 2D design, subject to vertical design at a later stage of design.
- The highway boundary has been based on data from Inspire and is subject to confirmation.
- The concept alignment and junction has been based on CD123 design standards.
- The design is based on the following assumptions, design decisions and considerations:
 - Priority junction corner radius of 15m
 - Priority junction corner taper of 1:6
 - 60kph design speed
- Risk and Limitations
 - No tree survey
 - No consideration of utilities, drainage, existing vegetation and status of trees
 - No consideration of levels, vertical geometry or vertical visibility
- The Visibility Splays are based on ATC surveys

KEY:

- Site Boundary
- Confirmed / assumed Highway Boundary
- Proposed Carriageway
- Proposed Footway
- Visibility Splay
- Tactile Crossing
- Existing tree to be removed
- Forward Visibility Splay to rear of right turn lane
- Junction Approach Visibility

REV	DATE	REVISION NOTE	BY
PO	03/05/22	First Issue	LS

PJA
 The Aquarium, King Street
 Reading, RG1 2AN
 Tel: 0118 956 0909
 Birmingham, Bristol
 Exeter, London, Reading
 pja.co.uk

CLIENT
Dandara South East Ltd

PROJECT
 Spratsbrook Farm
 Tunbridge Wells

DRAWING TITLE
**Northern Access Junction
 Half-Width Right Turn
 General Arrangement**

DRAWING ISSUE STATUS

FOR INFORMATION

PIA / CB No. SUB-CODE
05559 - SK - 0105 - PO

SCALE	DRAWN	REVIEWED	DATE
A1@1:250	LS	MF	03/05/2022

APPENDIX 2
FEASIBILITY LAYOUT

Indicative Layout Figure 12



Development area	4.26 Ha
Total dwellings	Approx. 170
Average gross density	35 - 42 dph

Indicative Density Figure 13



In order to provide a smooth transition from urban to rural areas of the site, the density decreases toward sensitive southern and western edges of the development.

Large detached dwellings in these areas have open views towards the existing PRoW, proposed play, and semi-natural open space.

- Medium density
- Lower density
- * Proposed play
- Existing PRoW