

MIQ Responses

AL/RTW5 – Land South of Speldhurst Road and West of Reynolds Lane

General Note: This submission is on behalf of c.300 local residents who oppose the development, and are members of the Speldhurst Road Community Action Group (S.R.C.A.G)

Q27. How has the scale of proposed development been determined and is it appropriate and justified in this location?

1. Contrary to the developers' assertion, there has been no "natural extension of Tunbridge Wells" proposed by TWBC prior to the Dandara submission. In fact, if anything TWBC has consistently refused to allow this land to be developed on.
2. Its scale appears to have been determined by the developers, without any consultation locally. They've simply asked for 100's of homes, and then gradually offered to reduce the number and parcel of land over time.
3. How can this settlement be either appropriate or justified at all? It goes against all the principles of protected greenbelt land and the NPPF - and indeed is recorded in the March 2022 document entitled Statement of Common Ground between Tunbridge Wells Borough Council and Kent County Council in respect of the Tunbridge Wells Borough Local Plan Transport Matters, specifically points 3.2 and 3.3.
4. As local residents on Reynolds Lane we are legally bound to keep the land as greenbelt - for example the instruction to erect no high fences. This land is stated as a buffer in the Green Belt Study 1 - "***Relationship between settlement and countryside, role in preventing sprawl of large built-up area and role in separation between Tunbridge Wells and Southborough***", and yet somehow this land has now been deemed appropriate and justified. We cannot understand how this judgment has come to pass - reasons for which we'll discuss later.
5. With regards to the removal of SO1a from green belt designation, we think the most grievous part of this is that the ratings do not appear to convey the importance of the whole of the site which had previously been designated "**Strong/Relatively Strong**". How one small portion of a larger site can be cut off from the rest in order to be designated "**Weak/Moderate**" is a mystery! We argue that SO1a should never have been separated out at all. Who made that decision? Who does it benefit? Until these crucial issues are satisfactorily resolved, we consider this location neither justified nor appropriate.

Q28. What is the site boundary based on? Is it sufficiently clear to users of the Plan where residential development is expected to be located?

1. The plans to date are vague and lacking detail - certainly from the residents' point of view. The site boundary is between two existing roads, Speldhurst Road and Reynolds Lane, with an established public path, ancient woodland and hedgerow running along the Western and Southern borders. However, although there are boundaries on the site plan, they have been subject to a number of changes over the entire process, so much so that we residents do not feel sufficiently well informed and are concerned therefore that the boundaries can be subject to arbitrary movement.
2. As users of the plan who will be most affected, it is most definitely not clear to us exactly where the housing development will be located. There is a clear lack of specifics.

Q29. Is it necessary to widen Speldhurst Road in order to facilitate the proposed development? Is it sufficiently clear to users of the Plan what highway improvement works are required?

1. The widening will be most needed between Reynolds Lane and Prospect Road. This can only be achieved by extending the carriageway on the South side facing existing properties in Speldhurst Road. How will this be achieved? Not least because of the protected line of mature trees that currently form the natural barrier, we feel it is not an appropriate site to develop. NPPF and KCC agree;

"112. Within this context, applications for development should:

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use....";

"113. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed."

So, given it's agreed by both bodies that priority is given to pedestrians and cyclists, how is it possible to achieve these paramount goals at this site? It's our opinion that quite simply it isn't. No assessment has yet been undertaken, but if it ever is, there

can only be one reasonable conclusion - there is zero possibility of achieving these requirements.

2. How can the development not go ahead without the road being widened?
Presumably as well as the widened road it would also need new pavements. We don't believe this is physically possible and have seen nothing to make us believe otherwise. We assert that the road widening would require a significant number of the trees to be removed, threatening the screening of the site from the road and housing on Speldhurst road, which is integral to the rural aspect of the site and an essential requirement of the developers own proposal - see below;

5.204 The emerging concept masterplan for Southborough has been informed by the access strategy and findings of the Arboricultural Report. The proposed access from Speldhurst Road is sought between Edward Street and Taylor Road and would result in some loss of primarily low (Grade C) trees. The higher quality, Grade B trees will be retained where possible and a tree-lined frontage and green buffer to Speldhurst Road will be retained to ensure the site remains well-screened to the existing residential properties on the north (opposite) side of Speldhurst Road in accordance with the Council's SHELAA.

3. No evidence has been provided, nor studies undertaken, that demonstrate how this could happen. It is a fundamental aspect of the plan - and without it being done first should not even be considered. As supported by NPPF and agreed by KCC in the document below;

3.0 NPPF, Local Plan Approach and Evidence Base

National Planning Policy Framework (NPPF)

- 3.1 TWBC and KCC agree that the following (paras 20,104 – 106, 110 – 113) are the most pertinent paragraphs and parts of paragraphs of the NPPF (2021) in relation to the development of the TWBC Local Plan on highways, active travel and public transport matters, in addition to those set out at paras 24 – 27 of the NPPF in terms of the duty to cooperate and paras 107 and 108 in relation to parking.
- 3.2 Paragraph 20 of the NPPF requires that Strategic Policies within the Local Plan should set out the overall strategy for the pattern, scale and quality of development, and make sufficient provision for;
 - a) *'infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- 3.3 Paragraphs 104 – 106 of the NPPF state:

"104. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

 - a) *the potential impacts of development on transport networks can be addressed;*

4. Furthermore, it is our opinion that as a result of such a study, it would be revealed that it's just **not possible** to reconcile this issue. To help substantiate our argument, we would like to ask you to look again at my last submission and the attachment showing the snarled up traffic jams on Speldhurst Road - a twice daily occurrence that sees traffic queues regularly extending as far as the New Life Church.
5. There's a recent controversial development of only 12 houses, approximately 400m further along Speldhurst Road that is nearing completion, built upon an old allotment plot. Southborough Town Council owned the land and the then Chairman wanted to sell the land to Kent Care Housing Trust who were interested in building a care home. But KCC Highways refused on the grounds that access onto Speldhurst Road would cause more congestion and interrupt traffic flow. Highway also said for years that additional traffic from Speldhurst Road to the A26 could not be accommodated due to the volume of traffic on the main road and that traffic signals would not cope. In the intervening time, "improved traffic lights" were installed at the junction of Speldhurst road and the A26. As a group of local residents, we can attest to the fact that any improvements are negligible at best, in fact arguably even unnoticeable. And yet now we are being asked to believe that a development of 110 houses will be just fine, and not impact local traffic to such an extent that it falls foul of NPPF paragraphs 104-106.

Q30. Will it be possible to widen Speldhurst Road and retain trees along the site frontage?

1. We absolutely don't believe it will be physically possible to build the development, retain the trees **and** widen the road. There simply isn't enough space. The road already effectively only has one usable pavement on the Northern side, with cars always parked there. The Southern side, bordering the proposed new development, has a limited pavement from Reynolds Lane for c. 250m until it runs out, with cars parked at most times of the day along the length of the road from Taylor Street to as far as Prospect Road, and sometimes even further. The majority of the trees, all of which enjoy TPO status (Order 26/1984), are less than 1 or 2 metres from the road. In fact this strip is protected trees and smaller plants is more akin to a narrow woodland, with a rich ecological biodiversity, which serves as an important visual and physical boundary between all the houses to the North, and the protected green belt land to the South.
2. We believe that given the physical limitations, should planning be approved, then the developers will simply cut down all the trees. As indeed they have already indicated - albeit using malleable language like "**where feasible**" and "**likely requirement**". Surely this fools no-one and their intentions are clear for all to see. Because quite simply without removing a significant stretch of the trees - presumably from the proposed new entrance all the way to Taylor Street (and possibly even further along), the road can only be widened if all the trees are removed. And their proposal to simply plant new young trees elsewhere on the site is an insufficient solution. The loss of mature trees, and their carbon-capturing, ecologically advantageous status

can in no way be replaced by a developer simply planting a few green Hawthorn, or similarly small,unobtrusive varieties elsewhere to the Southern borders of the site.

5.202 Policy AL/RTW5 (part 10) requires regard for the existing hedgerows and mature trees on-site, with the layout and design of the development and to be informed by an arboricultural survey and landscape and visual impact assessment. Dandara broadly supports this requirement, however there is likely to be a need for an element of tree clearance to occur along Speldhurst Road to accommodate the access provision, with mitigation provided for loss of any trees elsewhere on the site. Accordingly, it is recommended that the text “Where feasible” is introduced at the beginning of the second sentence.

5.205 As set out above, it is acknowledged that the proposed access strategy and precise location of the site access will be informed by highway modelling and technical conversations with KCC Highways and will also be informed by discussions with the Council’s Tree Officer to agree necessary tree removal and any necessary mitigation / additional tree planting. It is apparent that the proposed site access is proposed further down Speldhurst Road, beyond Prospect Road, there is a likely requirement for further tree removal to create larger visibility splays.

3. We need to protect existing hedgerows, and mature trees on-site as they provide much needed biodiversity. Any action to remove trees should be informed by an arboriculture survey, as well a landscape and visual impact assessment **before** TWBC grants planning permission for this site

Potential mitigation measures

4.102 The wording for Draft Policy AL/RTWXX includes for the proposals to be informed by a detailed landscape and visual impact assessment and an arboricultural survey, taking into consideration existing hedgerows and mature trees on site and on the boundary of the site, with the layout and design of the development protecting those of most amenity value. Further enhancement of the hedgerows and woodlands defining AL/RTWXX with locally characteristic species would help further reduce any potential visual influence of development on adjacent Green Belt land.

4.103 These measures would help to reduce any potential visual influence of development on adjacent Green Belt land and would help to integrate development into the landscape, in accordance with the landscape strategy for LCA 5: Speldhurst (Wooded Farmland) of the TWB LCA (2017).

4. TWBC concedes that the site will breach the Greenbelt boundary;

4.98 Whilst the release of AL/RTWXX will breach the moderate and consistent Green Belt boundary formed by Speldhurst Road to the north, it will be replaced by an equally strong boundary formed by woodland blocks to the south. To the east only weak and inconsistent garden boundaries will be breached and this will also be replaced by the stronger woodland blocks (including Ancient Woodland) to the west. The presence of these mature woodland blocks will limit impact on adjacent Green Belt land to the south-west and west.

However, the council tries to mitigate this loss made upon the false assumption, that we believe we have demonstrably proven, that only “some trees where feasible” will be removed - whereas the truth of the matter is that all of them will be. And what does this mean “it will be replaced by an equally strong boundary formed by

woodland blocks to the south”? There’s already an ancient woodland there, and currently a natural hedgerow. What are the details? And even putting to one side the lack of clarity, are we seriously expected to believe these “equally strong new woodland blocks” will in any way replace the loss of the TPO trees?

Q31. Do exceptional circumstances exist to alter the Green Belt boundary in this location, having particular regard to paragraphs 140 – 143 of the Framework?

140. Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.

1. With specific reference to paragraph 140, local residents were not made suitably aware of the change to the Green Belt status of this plot. In fact the Green Belt Study 3 was published in November 2020 but **not available to the public until after** the full council had passed the PSLP on 3rd Feb 2021. Surely this is the very antithesis of an open and democratic process. As referred to in Green Belt Review Methodology Issue 2, the council has relied heavily on the LUC 3 Green Belt Studies, accepting LUC’s judgment on sites that have been downgraded from Strong to Moderate to Low in their negative impact on the environment, if removed from the green belt. We have already questioned how LUC reached these conclusions. The council has also allocated sites where the developer is active, persistent and promising short-term results. This site, considered “**unsuitable as a potential site allocation**” due to “landscape impact concerns as well as significant concerns” in the Council’s own words in July 2019, (Site Assessment Sheets) was by November 2021 deemed suitable for development without traffic problems and having low to moderate negative impact on the surrounding countryside if built on. Why the change of heart? What has happened to instigate such an about face?

We strongly disagree that exceptional circumstances have been suitably proven as to why this change occurred. We believe that the allocation is in the wrong place. It damages the openness of the Green Belt land beyond the north-east corner. If the identified parcel of land is not removed, it results in "development on an open and verdant field" and contravenes Para 170 of the NPPF which says that planning decisions should minimise impacts on and provide net gains for biodiversity.

2. We further believe that TWBC has been unduly prepared to rezone its green belt (407ha of 7100ha = 5.7%) as compared to Sevenoaks Council (239ha of 35,000ha = 0.7%). We do of course support the Duty to Co-operate between councils but believe - which is clearly evidenced by these stats, that TWBC have been far too enthusiastic to release green belt land in order to avoid not having a plan to submit. It is also true that as part of this Examination that TWBC now has a significant surplus in their plan’s site allocations over the assessed statutory housing need. In this scenario we

cannot understand why this pristine parcel of green belt land, that was only included in the plan in the dying stages, should face destruction.

141. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:
- a) makes as much use as possible of suitable brownfield sites and underutilised land;
 - b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and
 - c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.

3. Paragraph 141. a) states “makes as much use as possible of suitable brownfield sites and underutilised land”. Can the council prove it has exhaustively pursued brownfield sites 100%? Given that the next development will be the Town Centre Area Plan (which has already begun but won't be completed until after this plan has been signed off), will inevitably deliver additional residential housing stock in line with “change of use” policies eg Great Hall car park, the top floors of the significantly empty Victoria Shopping Centre, the old cinema site etc - surely this parcel of green belt land should never have been included in the plan?

Indeed, in Place Shaping Policies the council makes many references as to how the town centre has changed radically because of Covid. To quote 5.25 “It is widely accepted that the role of Town Centres needs to change and adapt to change in shopping patterns and behaviours, in particular the impact of internet shopping”. It goes on to say how vital it is to “consider the important contribution that new residential development within the centre could have on helping to increase footfall, contributing to the vibrancy and vitality of the surrounding commercial uses”. It is a widely recognised and debated issue at national level, right at the very top of government, that our town centres will need to change to reflect differing shopping habits. Our town centre is already a prime example.

Given this knowledge, and the fact that this is one of the few developments on existing green belt land within the town's centre, we can't agree that this site should be granted permission to proceed until the town centre planning review has been completed. We thus refute that this site should be included, since we would argue that TWBC has not fully adhered to their policy of consideration of reasonable alternatives, nor that their claim that “exceptional circumstances” has been proven. If anything it is obvious to all that until the Town Centre plan has been completed, they cannot make such a claim.

4. Green belt once taken cannot be returned and is lost forever. Why is the council not waiting to consider these reasonable alternatives that they themselves say exist, and thus keep to their own strictures in STR9 and the NPPF? How can they possibly say

that the need for housing constitutes exceptional circumstances justifying the removal of Green Belt when they have not looked at the reasonable alternatives.

142. When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policy-making authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.

5. This land has neither been previously developed, nor well served by public transport. Much is made of the public transport links in this application - especially referencing access to High Brooms station. But a number of residents are regular train commuters and can attest to fact it takes longer than 20+ mins to get to the station at a swift pace. It is without doubt way too far to walk for those of us who are more elderly, and no bus service exists that links this area to the High Brooms train station. Furthermore bus services have been significantly cut recently - across the county no less than 53 services have vanished in the last 12-24 month period. Those that do still run are hugely over-crowded during commuting times and passengers are often refused entry because they are already full.
6. At the time of the PSLP 2021, TWBC reference it will be a LTN, with links to the pedestrian and cycle network, that was to be the beneficiary of "significant and comprehensive upgrades to the A26 cycle network". In fact these improvements were conceived and considered during the pandemic, but have subsequently been removed as TWBC did not have sufficient funds, and nor did KCC or The Highways Agency consider the plan physically feasible. Therefore this assertion in the plan is now redundant, and in light of this development, is yet another reason why this plot should not be approved.

5. The design and layout to take the form of a Low Traffic Neighbourhood, with improved links to the local pedestrian and cycle network on the A26, as set out in the Local Cycling and Walking Infrastructure Plan, together with significant and comprehensive upgrades to the A26 cycle network;

7. We know that air pollution in the local area is already at issue, particularly along the A26 at busy junctions. Currently it is being addressed by the AQMA (Air Quality Action Plan) and we know that at peak times scores are regularly hitting PM10 and above, vs the national guideline of PM2.5. Given how bad the traffic issue is already at the junction of Speldhurst Road and the A26 & Reynolds Lane, this is yet another reason why we believe TWBC should not have included this plot in the plan.
8. Finally on behalf of c. 300 local residents and the elected spokesperson for the S.R.C.A.G, we would like to take this opportunity to **remind everyone of the beauty of this site**. It's at the boundary of the last remaining green belt land that separates Tunbridge Wells from Southborough, and its loss would be tragic. A travesty we collectively have the chance today to prevent from happening. Please take 30 seconds to look at the photos on the page below....

The fields in all their glory

S.R.C.A.G

