

Examination of the Tunbridge Wells
Borough Local Plan

Tunbridge Wells Borough Council
Hearing Statement

**Matter 7: Residential Site
Allocations**
**Issue 7: Cranbrook and
Sissinghurst (Policy STR/CRS1)**

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Matter 7 – Residential Site Allocations

Issue 7 – Cranbrook and Sissinghurst (Policy STR/CRS1)

Cranbrook and Sissinghurst Neighbourhood Development Plan

1. Details of the progress to date relating to the Cranbrook and Sissinghurst Neighbourhood Development Plan (CSNDP) can be found at <https://cranbrookandsissinghurstndp.co.uk/>.
2. A Regulation 14 consultation on a draft CSNDP took place between October and December 2020 and the preparation of a Draft Regulation 15 CSNDP has commenced; there are no further details available on the progress of the CSNDP.

AL/CRS1 – Land at Brick Kiln Farm and AL/CRS2 – Land South of Corn Hall

Inspector’s Question 1: [Comparison of area proposed for development between SALP and Local Plan]

How does the area proposed for allocation under Policies AL/CRS1 and AL/CRS2 differ from Policy AL/CR4 in the adopted Site Allocations Development Plan Document?

TWBC response to Question 1

Introduction

3. Policy AL/CRS1 Land at Brick Kiln Farm, Cranbrook Road in the Submission Local Plan comprises of a site area of 12.25 hectares, and is proposed to be allocated for approximately 180 dwellings. The site in the Submission Local Plan comprises the western and part of the central area of the Site Allocations Local Plan (SALP) 2016 [[CD 3.119](#)] Policy AL/CR4 Land adjacent to the Crane Valley, which was allocated for 200-250 dwellings.
4. Policy AL/CRS2 Land south of Corn Hall, Crane Valley Road in the Submission Local Plan comprises of a site area of 6.78 hectares and is proposed to be allocated for approximately 35-45 dwellings. The site in the Submission Local Plan comprises the eastern area of Site Allocations Local Plan 2016 Policy AL/CR4.
5. Both sites AL/CRS1 and AL/CRS2 comprise the site allocated in the Site Allocations Local Plan 2016 Policy AL/CR4. The total estimated capacity for Policies AL/CRS1 (180 dwellings) and AL/CRS2 (215-225 dwellings) taken together is therefore 215-225 dwellings, compared with a total of 200-250 allocated by SALP Policy AL/CR4.

Consideration

6. The Council confirms that the red line site area for the Site Allocations Local Plan Policy AL/CR4 Land adjacent to the Crane Valley is the same area as the combined red line area for the two site allocation policies in the Local Plan, Policy AL/CRS 1 Land at Brick Kiln Farm, and Policy AL/CRS 2 Land south of Corn Hall, Crane Valley, Cranbrook.

Inspector's Question 2: [Reasons for splitting into two allocations *What was the reason for splitting the current, adopted site allocation for the purposes of the submission version Local Plan?*

TWBC response to Question 2

Introduction

7. Question 1 in this hearing statement confirms that site allocations AL/CRS1 and AL/CRS2 in the Submission Local collectively comprise the site allocation in Policy AL/CR4 Land adjacent to the Crane Valley, which was allocated for 200-250 dwellings in the Site Allocations Local Plan 2016.
8. It should be noted that the site proposed to be allocated at Policy AL/CRS 1 Land at Brick Kiln Farm has outline planning approval for up to 180 dwellings, approved under 16/502860/OUT, approval granted on 17 February 2020. A Reserved Matters application 20/00814/REM was considered and there was a resolution to grant planning permission. However, the planning application was subsequently withdrawn prior to the Decision Notice being issued following a change in land ownership. A further Reserved Matters application (21/03299/REM) was submitted on 29 September 2021, and Planning Committee resolved to grant consent on 6 April 2022, [Item PLA152/21](#). Consent for the Reserved Matters was issued on 11 May 2022, following completion of a unilateral undertaking.

Consideration

9. At the time of the preparation of the Site Allocations Local Plan, it was anticipated that each site, whilst in separate ownership, would be promoted as one single entity, hence the single policy approach of Policy AL/CR4. However, this has not been the case; each site remains in separate ownership, and they have not been promoted as a single unit.
10. It is the case that the promoters of the western site area now covered by the Local Plan Policy AL/CRS 1 Brick Kiln Farm have obtained planning permission. as of 11 May 2022.
11. The eastern site area covered by the Local Plan Policy AL/CRS2 was submitted to the new Local Plan Call for Sites process. There has been continuing ongoing contact with

both the landowner and site developer (Countryside, a national housebuilder) particularly in relation to progress on Brick Kiln Farm.. It is understood, from recent communication, that Countryside have not secured access through AL/CRS1 Land at Brick Kiln Farm from the A229, to AL/CSR2 Corn Hall: in previous communication it was understood that this would be secured through a straight forward commercial transaction. Now that there is resolution of the Brick Kiln Farm Reserved Matters application the Council will discuss with Countryside (and other relevant parties) and update the Inspector ahead of the hearing session as to the results of these discussions.

12. It is therefore considered appropriate that the Submission Local Plan should set out each site as a separate allocation to reflect the differing progress made between the sites in gaining planning consent. Local Plan Policies AL/CRS 1 and AL/CRS 2 therefore will replace the one Site Allocations Local Plan Policy AL/CR4.
13. The response to question 3 “*How will the Council ensure that both sites come forward in a coherent and comprehensive manner*”, provides full details about how the respective policy criteria included within Policies AL/CRS 1 and AL/CRS 2 will ensure a comprehensive approach to development as previously required by the single Site Allocations Policy AL/CR4 that covered the site areas being allocated in the Submission Local Plan by Policies AL/CRS 1 and AL/CRS 2.

Inspector's Question 3: [Development of area in a comprehensive approach]

How will the Council ensure that both sites come forward in a coherent and comprehensive manner?

TWBC response to Question 3

Introduction

14. The Site Allocations Local Plan 2016 (SALP) [\[CD 3.119\]](#) Policy AL/CR4 Land adjacent to the Crane Valley requires (second paragraph within policy box) that “*A masterplan shall be prepared by the developer in cooperation with the Borough Council, Parish Council and local community. The masterplan shall set out areas for built development and the quantum of development, including residential and non-residential uses, open space and inter-connected green spaces to provide informal and formal recreation areas, landscape buffers, access roads into and within the site, pedestrian and cycle linkages into and within the site and any other land uses*”.
15. The SALP Policy AL/CR4 is now replaced in the Local Plan by two separate policies, Policy AL/CRS1 Land at Brick Kiln Farm, and Policy AL/CRS2 Land south of Corn Hall, Crane Valley.

Consideration

16. The requirements of the masterplan included in SALP Policy AL/CR4 refer to areas for built development, quantum of development, open space and interconnected green spaces, landscape buffers, access roads, pedestrian and cycle linkages.
17. The replacement of one single allocation policy, Policy AL/CR4, by two separate policies in the Submission Local Plan, Policies AL/CR1 and AL/CR2, include policy criteria that require consideration of each of the issues previously set out in the SALP masterplan detailed above. It is not considered necessary to require a specific masterplan approach now that the sites are now included in the plan as separate entities. However, each element previously considered as a masterplan requirement is covered by individual policy criteria in the respective Policies AL/CRS1 and AL/CRS2. Each element is considered below.

Areas for built development:

18. Map 36 Site Layout Plan (Policy AL/CRS1) and Map 37 Site Layout Plan (Policy AL/CRS2) included within the Submission Local Plan each provide an indicative location for the areas for built development within each site, shown in orange.

Quantum of development:

19. Policy AL/CRS1 is allocated for residential development providing approximately 180 dwellings, and Policy AL/CRS2 is allocated for residential development providing approximately 35-45 dwellings.

Open space and interconnected green spaces:

20. Policy AL/CRS1 Criterion (6a) requires that *“Extensive green infrastructure shall be provided, both on the areas shown indicatively in green on the site layout plan and through the non-green areas where relevant, in the form of a suitably designed green infrastructure link along the Crane Valley to link into the routes provided further south along the valley, providing an extended and improved green route into the centre of Cranbrook and Hartley, and creating links to the allocated sites to the south and east (Policies AL/CRS2 and AL/CRS3)”*, and Policy AL/CRS2 Criterion (7a) requires *“Extensive green infrastructure shall be provided, both on the areas shown indicatively in green on the site layout plan and through the non-green areas where relevant, in the form of: a. a suitably designed green infrastructure link along the Crane Valley to link into the routes provided further south along the valley, providing an extended and improved green route into the centre of Cranbrook and Hartley, and creating links to the allocated sites to the south and west (Policies AL/CRS1 and AL/CRS3)”*.
21. These policy criteria (6a for AL/CRS1 and 7a for AL/CRS2) will ensure that green spaces within each allocation area will be interlinked, as well as providing linkages through to Policy AL/CRS3, Turnden Farm, Hartley Road, to include the delivery of green linkages along the Crane valley, which is immediately adjacent to all three site allocations.

Landscape buffers:

22. Policy AL/CRS1 Criterion (4) requires that *“The design, layout, and final number of dwellings to be informed by a comprehensive landscape and visual impact assessment, ecological studies, and a heritage assessment (to include archaeology and landscape*

heritage), and consideration of cumulative effects of any other planned development in the vicinity”, and Policy AL/CRS2 Criterion (5) requires that “The design, layout, and final number of dwellings to be informed by a comprehensive landscape and visual impact assessment, ecological studies, and a heritage assessment (to include archaeology and landscape heritage), and consideration of cumulative effects of any other planned development in the vicinity”.

23. These policy criteria (4 for AL/CRS1 and 5 for AL/CRS2) will ensure the provision of landscape buffers, to include the consideration of the cumulative effects of any other planned development in the vicinity.

Access roads:

24. Policy AL/CRS1 Criterion (1) requires that *“the main vehicular access shall be taken from the A229 Hartley Road (as a priority junction), with provision of secondary/emergency access required”*, and Policy AL/CRS2 Criterion (3) requires that *“The main vehicular access shall be taken from the A229 Hartley Road through land to the west, Land at Brick Kiln Farm (Policy AL/CRS1)”*.
25. It is the case that the main vehicular access to serve both sites will be taken from the A229 Hartley Road, which forms the western boundary of the site allocation Policy AL/CRS1. Under the outline application (16/502860/FULL) for AL/CRS1 the highway access has been designed to provide for both AL/CRS1 and AL/CRS2 . A satisfactory access has been developed in terms of landscape and historic setting to the village that could serve the entire allocation, and a vehicular link through to the Cornhall site (Policy AL/CRS2) is shown in both the outline and reserved matters applications. As detailed in response to Question 2, as a result of relatively recently received information, the right to access AL/CRS2 from the A229 through AL/CRS1 Land at Brick Kiln Farm has not yet been secured, but the Council remains confident that it can be. The Council will provide an update ahead of the Examination on this point.

Pedestrian and cycle linkages:

26. Policy AL/CRS1 Criterion (2) requires the *“Provision of pedestrian and cycle links to provide permeability through this site and adjacent sites (Policies AL/CRS 2 and AL/CRS 3), and to create an accessible, safe, non-vehicular route to the services provided at the centre of Cranbrook, Hartley, and surrounding residential areas and link*

into, and enhance, established Public Rights of Way”, and Policy AL/CRS2 Criterion (1) requires the “Provision of pedestrian and cycle links to provide permeability through this site and adjacent sites to the south and west (Policies AL/CRS1 and AL/CRS3), and to create an accessible, safe, non-vehicular route to the services provided at the centre of Cranbrook, Hartley, and surrounding residential areas and link into, and enhance, established Public Rights of Way”.

27. These policy criteria (Criterion (2) for AL/CRS1, and (1) for AL/CRS2) will ensure the delivery of non-motorised linkages between both sites and also routes linking into Policy AL/CRS3, located to the south, as well as providing links from the sites into the centres of Cranbrook and Hartley. The reserved matters application ([21/03299](#)) relating to Policy AL/CRS1 secures that the proposed plans address the need to provide pedestrian and cycle connections into neighbouring sites.
28. It is therefore the case that the two separate policies, Policies AL/CRS1 and AL/CRS2 in the Submission Local Plan, continue to maintain the requirement for a comprehensive approach to delivering development across the area previously allocated in the SALP as Policy AL/CR4 and reflected in the requirement for a masterplan in the SALP Policy AL/CR4. As detailed above, policy criteria in Policies AL/CRS1 and AL/CRS2 will ensure that a comprehensive approach to development across both separate sites is delivered, even though both sites’ areas are at different stages in their delivery. The approach taken to delivering Policy AL/CRS1 Brick Kiln Farm and set out in detail in the recent planning approval for this site, provides for all the policy requirements of AL/CRS2 to be met and supports this conclusion.

Inspector's Question 4: [re. Update on progress of the Reserved matters application]

What is the current position regarding planning application Ref 21/03299/REM?

TWBC response to Question 4

Introduction

29. Policy AL/CRS1 Land at Brick Kiln Farm. Outline planning permission for the erection of up to 180 dwellings (including up to 35% affordable housing) with means of access to be determined at this stage together with structural woodland planting and landscaping, informal public open space, community orchard, children's play area, attenuation basin, vehicular access point from Hartley Road and associated ancillary development has outline planning approval for up to 180 dwellings, approved under 16/502860/OUT, approval granted on 17 February 2020. The Reserved Matters application 20/00814/REM was considered, and there was a resolution to grant planning permission on 27 January 2021. However, the planning application was subsequently withdrawn prior to the Decision Notice being issued following a change in control over the site.

Consideration

30. A further Reserved Matters application 21/03299/REM Submission of Reserved Matters (Appearance, Landscaping, Layout, Scale) pursuant to Condition 1 of Outline Permission for 16/502860/OUT - erection of up to 180 dwellings (including up to 35% affordable housing) and associated car parking, cycle parking, internal roads, landscaping, open space, drainage, earthworks and associated ancillary development. Details pursuant to Outline Planning Conditions 8, 9, 10, 12, 13, 17, 19, 20, 22, 28, 29, 30, 36, 37, 38 & 39 are also included as part of the submission was submitted on 29 September 2021 and was approved at planning committee on 6 April 2022, and consent granted on 11 May 2022 following the completion of a unilateral undertaking.

Inspector's Question 5: [re. Area for residential development]

***How has the proposed area of residential development been established?
What is it based on and is it justified?***

TWBC response to Question 5

Introduction

31. As set out in the previous statement AL/CRS 1 Land at Brick Kiln Farm and AL/CRS2 Land south of Corn Hall were previously allocated as CRS 4 Land adjacent to the Crane Valley in the SALP [[CD 3.119](#)]. The SALP forms part of the current Local Plan and was adopted in 2016 following an Examination in Public allocating the site for 200 to 250 dwellings (page 83).

Consideration

32. The Proposals Map for Cranbrook attached to the SALP [[CD 3.119a](#)] indicates extensive areas of open space within the allocation i.e. areas with no built development. The Inspector's Report [[SALP Inspector's Report](#)] addressed the proposed allocations at Cranbrook starting at para 70 on page 17. In considering the allocation the Inspector noted that the proposal was for 250 dwellings (para 71) and that he "*accorded great weight to the need to conserve landscape and scenic beauty (NPPF paragraph 115), including considering whether this allocation should not proceed*" (para 72).
33. He also concluded taking note of the Council's evidence that "*it would not be possible to deliver locations to enable the CS policy for housing delivery at Cranbrook to be met on any other sites, without causing greater harm to the AONB and to the substantial historic built environment significance of the existing settlement (para 73)*" and ultimately did not "*recommend any changes as the allocation is sound*" (para 75).
34. The evidence for the SALP included Cranbrook Landscape and Ecological Evaluation November 2012 the purpose of which was to assess possible housing allocation sites around the settlement of Cranbrook in terms of current landscape and ecological constraints and opportunities, with a view to considering their suitability for inclusion within the proposed Allocations DPD taking account of the National Planning Policy Framework (paragraph 116 bullet point 3) and "*any detrimental effects on the*

environment, the landscape and recreational opportunities, and the extent to which that could be moderated'. The Evaluation document took account of capacity and sensitivity studies, landscape character assessments and data on components of Natural Beauty from the High Weald AONB Unit. (note: the document is no longer available on the Council's website – it can be provided if required)

35. On the basis of this work, the Council – including with considerable input from the Borough Landscape and Biodiversity Officer – was able to determine the location and extent of the required green spaces which provided the landscape and biodiversity mitigation required. Consequently, the land left over for development was considered able to provide the 200-250 dwellings proposed.
36. The outline application granted for the site 16/502860 proceeded on the basis of meeting the policy in the SALP and although it did not include land now included within Policy CRS 2 Land South of Corn Hall it did assess the implications of the complete allocation.
37. The Policy in the Submission Local Plan has of course been refined to take account of the latest information and the extant outline consent and reserved matters applications, and this has resulted in a change to the Policy map for the site (as compared to the SALP) which indicates developed areas and green space. For the most part changes to the developed/green space boundary are minor but a further internal area has been highlighted to be retained as green space as this area is steeply sloping and was the most recent on which woodland was situated and so offered a significant landscape and ecological enhancement opportunity. This revised layout did not have any significant effects on capacity of this part of the site (CRS1) and both the outline application (16/502860) and the latest reserved matters application (21/03299) are for 180 units.
38. In the light of what has been shown to be achievable on CRS 1, the potential capacity for CRS 2 has been given further consideration, including through the SHELAA site assessment process that estimates a capacity for the area covered by Policy AL/CRS2 (site 292 and part of site 396) of 35-45 dwellings, the assessment taking account of the constraints identified. The area for potential built development 2.02 ha is more limited due to the constraints that have been identified – as set out in the supporting text. Accordingly, the amount of development proposed in the policy for CRS2, is now 35-45 dwellings. When taken together with the 180 to be allocated (and now has planning

permission) at CRS1 Land at Brick Kiln Farm, this gives a total of 215 to 225 dwellings. This compares to the allocation of 250 in the SALP, but is reflected through the highly detailed work undertaken since 2016.

39. In summary, the area for the proposed development was determined through work in support of the SALP but has been further refined through the outline and reserved matters applications.

Inspector's Question 6: [Potential impact of development on character of the area, including AONB]

Do sites AL/CRS1 and AL/CRS2 (either individually, or cumulatively) represent major development in the AONB, and if so, are they 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?

TWBC response to Question 6

Introduction

40. The Council considers, in relation to paragraph 177 of the NPPF, that:
- on an individual basis CRS1 Land at Brick Kiln Farm is major development;
 - on an individual basis CRS2 Land South of Corn Hall is not major development;
 - cumulatively with CRS1 Land at Brick Kiln Farm and CRS3 Turnden Farm is considered to be major development.
41. The Council's strategic approach to development within the AONB, how it has approached the question of whether sites are major development or not, and whether major or other development within the AONB is justified at a strategic level and indeed how impacts on the AONB have been taken into account, is set out in response to Matter 2, Issue 1, Questions 5 and 6 [TWLP/011]; Matter 3, Issue 1, Questions 6 and 9 [TWLP/014]; and Matter 5, Issue 1, Question 3 [TWLP/021]. The response to this question should be read in conjunction with those responses but addresses more directly the site-specific circumstances.
42. The overarching consideration of 'exceptional circumstances' is set out in the Development Strategy Topic Paper [[CD 3.126](#)]. Section H paragraph 6.150 and some of the site-specific matters that contribute to 'exceptional circumstances' are set out in Appendix 3 table 10 and further site-specific measures are set out in the response below.
43. The response to this Question is ordered under the following headings to address the specific points raised:

- Major Development
- Landscape/AONB assessment and considerations
- Sustainability of the settlement of Cranbrook
- Housing need
- Cycling/walking links
- Other benefits
- AONB exceptional circumstances

Major development

44. The Development Strategy Topic Paper Section H sets out the approach to development in the AONB, including the approach to determining whether sites are major or not (paginated page 48, electronic page 52), setting out the factors to be considered in determining whether sites are major, reflecting footnote 55 (now 60) in the NPPF. The methodology for the assessment of major/not major is set out in Appendix 2, and the assessment of individual site allocations, as well as the cumulative findings, by settlement, are set out at Appendix 3.
45. Appendix 3 Table 10, on pages 114-117 (electronic pages 118-121) gives the assessment for sites CRS 1 to CRS 4. CRS 1 is concluded to be major as it a '*substantial development*' but was considered to be well related to the settlement. CRS2 was considered to be "*not major on its own but cumulatively with CRS 1*" is considered to be major. This assessment is agreed with Natural England in the SoCG [\[CD 3.132c\(v\)\]](#) Appendix H to J, pages 115 to 161 paragraph 9.8 to 9.12].
46. The Appendix 3 table for both sites notes that they were allocated under the SALP as a single site and that CRS1 has a consent. For the purpose of the SALP the allocation was considered to be major development in the AONB under then paragraph 116 of the NPPF.

Landscape/AONB assessment and considerations

47. The Council relies heavily on the fact that the SALP and its supporting evidence considered both CRS1 and CRS2 under Policy AL/CRS4 (of the SALP) and although it was major development the SALP and the proposed allocation were found sound by the

Inspector who concluded in his Final Report [Tunbridge Wells Site Allocations Local Plan - Inspectors Final Report](#) that “*the proposed allocation is in a self-contained landscape area which facilitates a sustainable extension to Cranbrook with the lowest achievable impact on landscape*” and that “*I agree that the considerations raised by NPPF policy at paragraph 116 have been met. The need for housing in Cranbrook meets the exceptional circumstances test in that policy and is in the public interest. It follows that it is appropriate to include an allocation policy providing for major development*” (para 75).

48. Whilst officers have given careful consideration to the continuance of the allocation and the policy wording and the site has been assessed through the SHEELA and the Sustainability Assessment taking account of AONB considerations, on the basis of the SALP work and conclusions and the consent now in place for CRS1 it was not considered necessary to include CRS1 or CRS2 within the LVIA work for major development within the AONB and nor was it included within the Landscape Sensitivity Study.
49. The Council has, however, continued to refine the policy for CRS 1 and CRS2 in consideration of the landscape sensitivities and opportunities for these sites as can be seen in the changes between the SALP policy map and the SLP policy map with the latter including a greater area of green space in CRS1 and a reduction in overall numbers proposed. As above, this reflects the detailed work in relation to these sites, including in the consideration of applications for outline permission and reserved matters.

Sustainability of the settlement of Cranbrook

50. Cranbrook is considered to be a sustainable location. There are numerous convenience and comparison retail outlets at the centre of Cranbrook, including a post office, supermarket, and food and drink outlets (including two public houses). There is a primary school, two secondary schools, and a pre-school at Cranbrook. Employment provision includes retail, hospitality, and tourism outlets, other businesses and at education establishments. This is an important consideration in establishing whether there are ‘exceptional circumstances’ for major development in the AONB.
51. The Settlement Role and Function Study [[CD 3.72](#)] finds Cranbrook to be a settlement suitable for further growth in terms of access it provides to services and facilities that support their sustainability. Both sites sit fully within the Limits to Built Development for

Cranbrook as established by the SALP and would form logical extensions to this sustainable settlement.

Housing Need

52. The Council's response to Matter 2, Issue 1 [TWLP/011] deals with the matter of housing needs and the housing requirement. These sites will make a valued contribution towards meeting the housing needs of the constrained borough, some 215-220 dwellings, of which 35% at CRS1 Land at Brick Kiln (63 houses) and 40% at CRS2 Land south of Corn Hall (14 to 18) will be affordable homes, located in a sustainable location. This housing need is an important factor in establishing whether there are 'exceptional circumstances', both in terms of general housing needs and affordable housing provision.
53. If sites in Cranbrook are not allocated in the Plan to help meet this significant need, then sites would need to be found elsewhere in the borough. The borough is constrained, with approximately 70% designated as High Weald AONB (and approximately 22% being Green Belt). Opportunities to develop outside of these designations are limited, as set out in the Development Strategy Topic Paper.

Cycle/walking links

54. Together, CRS1 and CRS2 provide connections for walking and cycling into the town centre and maintain connections with the existing Public Right of Way network which will encourage people to undertake local journeys without resorting to the use of a car and will facilitate access to the countryside for new residents.
55. The Policies for these allocations also ensure a connection with the adjacent allocation CRS 3 Turnden Farm, which will provide greater access to the Public Rights of Way network and improved walking cycling routes for new and existing residents of the area.

Other Site-Specific Benefits

56. There are site-specific public benefits arising from the allocation of CRS 1 to 3, specifically that through the provision of green space, landscape features and walking/cycling routes secured by legal agreements with management plans in perpetuity they collectively provide a new and sustainable edge of settlement that is likely to endure for the foreseeable future.

57. They also offer long term protection and enhancement of a large swathe of the ancient woodland that runs along the Crane valley (and other associated landscape features), a feature of particular importance to the local community and a key characteristic in the protected landscape.

Exceptional Circumstances Summary and conclusions

58. As explained above, the Council considers sites CRS 1 and CRS 2 to be major development (CRS 2 only on a cumulative basis), and as such justification (exceptional circumstances) for development of these sites is needed. The response above sets out site-specific matters that contribute to 'exceptional circumstances'. These include effects on the AONB landscape, sustainability credentials of Cranbrook and the public benefits arising from development of the sites, which would be in the public interest.

59. The Council considers that the factors set out and explained above together amount to 'exceptional circumstances' to justify the impact of these sites on the AONB. There are significant public benefits arising from development of these sites that are in the wider public interest. The factors, summarised below, warrant significant weight in the decision to allocate these sites:

a) AONB landscape: These sites have been tested under examination for the SALP and found acceptable. They now sit within the LBD and the larger site has a planning consent and so not allocating them would lead to some uncertainty and development might proceed on CRS1 without the benefits of CRS2.

b) Sustainability grounds: Both sites are in a highly sustainable location sited on the edge of the existing, established settlement. The Settlement Role and Function Study Update, February 2021 [[CD 3.72](#)], has found Cranbrook to be suitable for further growth.

c) Contribution to housing provision: The two sites will make a valued contribution towards meeting the housing needs of the constrained borough, in which there is an identified need of some 678 dwellings/year over the plan period. There is also a substantial need for affordable housing in the borough, with a potential need for some 323 affordable homes per annum.

d) Provision of new and enhanced cycle and walking links, connecting with the wider network and landscape, increasing recreational opportunities within the wider AONB.

e) In addition, there are site-specific public benefits arising from the allocation of sites CRS 1 and CRS 2 specifically the creation of significant protected green spaces, improved accessibility and protection and enhancement of the Crane Valley.

60. These are significant public benefits, which would benefit not only the new residents, but also existing residents of Cranbrook and those of the wider area and taken together provide 'exceptional circumstances' for allocation of these sites in the AONB.

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?

61. In broad terms, the Council's response to Matter 5, Issue 1 (Site Selection Methodology) [TWLP/021] explains how the Council has determined which sites to allocate in the Local Plan, including consideration of the evidence base supporting the Local Plan, which includes detailed work on landscape and the AONB. Question 3 of Matter 5, Issue 1 deals with, amongst other things, effects of development on landscape character, including the AONB and its setting. The Council's response to Matter 3, Issues 1 and 2 (Spatial Strategy and Distribution of Development) [TWLP/014 and TWLP/015] sets out in more detail the approach the Council has taken to sites in the AONB.
62. More specifically, the sites at Cranbrook have been assessed through the Strategic Housing Land Availability Assessment (SHELAA) process [[CD 3.77a](#)] (Cranbrook site assessment sheet), which found them to be available, suitable and achievable. All sites at Cranbrook have also been assessed through the Sustainability Appraisal.
63. Importantly they have been tested previously at examination for the SALP and found to be sound.
64. In conclusion, the Council considers that there are 'exceptional circumstances' which justify the development of sites CRS 1 and CRS 2 in the AONB. The Council's evidence base, as set out in the above response, does not raise any issues indicating that the sites are unsuitable in principle. The sites are considered suitable in principle, with the development of these sites also providing several public benefits. These include the contribution towards meeting housing need, including 35-40% affordable housing provision, walking and cycling links and new protected green spaces.

Summary and Conclusion

65. Considered individually, in the context of paragraph 177 of the NPPF, the Council takes the view that site CRS1 is major development but that CRS2 is also major development by virtue of its association with CRS 1 and CRS 3.
66. The response considers 'exceptional circumstances' which justifies this major development, on a cumulative basis. Factors that form 'exceptional circumstances' are explained, including sustainability credentials - the location of the sites, well related to Cranbrook and importantly within the LBD, and the fact that the allocation of these two sites under the SALP (as one combined site allocation AL/CR4) has previously been found sound by a Local Plan Inspector. Other factors set out include housing need, provision of cycle and walking links and other site-specific benefits. There are clear 'exceptional circumstances' in this instance, and significant public benefits would arise from development of them.
67. The larger site CRS1 has outline consent and a reserved matters application and could be developed irrespective of the outcome of the Local Plan examination, but a failure to allocate both CRS1 and CRS2 within the SLP may prevent CRS1 from achieving the full benefits originally envisaged in the SALP and now the SLP.

AL/CRS3 – Turnden Farm, Hartley Road

Inspector's Question 7: [re. update on progress of planning application 20/00815]

What is the current position regarding planning application Ref 20/00815/FULL?¹

TWBC response to Question 7

68. A planning application (20/00815/FULL) was submitted to the Council for this site in March 2020 for “*The construction of 165 new dwellings with associated access, car parking, refuse/recycling storage, landscaping, earthworks and other associated works.*”
69. In January 2021, the Planning Committee resolved to approve the application subject to conditions and the completion of S106 Agreement. In April 2021, MHCLG issued a letter advising that the Secretary of State had decided to call in the application, requiring that the application be considered by an independent Inspector appointed by him at Public Inquiry. The Inquiry was held during October and November 2021.
70. In a letter from the Planning Inspectorate to the Council dated 4 April 2022, it was confirmed that the Inspector's report had been sent to the Secretary of State for consideration. It was further confirmed that a decision would be issued on or before 4 July 2022 in a [letter to TWBC from Planning Inspectorate April 2022](#). To date no decision has been received by the Council.
71. It is noted that planning permission was granted for 18/02571/FULL (for the erection of 36 residential dwellings and associated infrastructure, access road improvements, hard and soft landscaping, open space, drainage, and ecology works, following the demolition of the existing commercial and equestrian buildings; restoration of Turnden farmhouse, including the erection of a single storey rear extension, internal and external alterations with hard and soft landscape works, following the demolition of 2 independent apartments) on 26 February 2019. This commenced construction, making

¹ Inspector's Note – The answer to this question, and in relation to site AL/CRS1, may change during the course of the examination. Where this occurs, the Council should provide an update note for publication on the examination website.

this an extant consent. This approved scheme is located within the central part of the site covered by Policy AL/CRS4.

Inspector's Question 8: [re. establishment of residential area development]

How has the proposed area of residential development been established? What is it based on and is it justified?

TWBC response to Question 8

Introduction

72. The proposed area of residential development for site CRS3 has been established following consideration of site constraints, including those contained on the Council's GIS layers, as well as consideration of relevant evidence base documents (referred to below), informed by officer site visits and discussions with the Council's specialist Landscape and Biodiversity Officer. This work informed the proposed areas indicated for residential development set out in the individual site allocation policies and Policy maps.
73. Evidence base documents of particular relevance have included the Landscape Sensitivity Assessment work - the Landscape Sensitivity Assessment of Additional Settlements in Tunbridge Wells Borough; Paddock Wood, Horsmonden, Hawkhurst and Cranbrook [[CD 3.102c](#)].
74. Officers considered responses to the Regulation 18 Draft Local Plan consultation and, following engagement with Natural England and the High Weald AONB Unit, commissioned LVIAs for sites in the AONB considered to be major including CRS3 [Main Report [[CD 3.96a](#)] and Cranbrook sites appendix [[CD 3.96e](#)] which were produced by Hankinson Duckett Associates (HDA).
75. Whilst officers initially made a judgement on what the developable area of these sites should be, as set out in site allocation policies of the Draft Local Plan [[CD 3.9](#)], developable areas included in the Submission Local Plan [[CD 3.58](#)] were refined following the findings of the HDA LVIA assessments of individual sites.
76. The LVIA assessment work provides a high-level landscape and visual assessment of each site grouped by settlement which according to the main report [[CD 3.96a](#)] page 3 2.5:
- *"Provides advice on the key landscape and visual sensitivities of each site.*

- *Identifies key receptors to be considered within more detailed site assessment, which should come forward in application documents provided by site promoters.*
- *Considers the extent to which each site is representative of AONB characteristics and qualities*
- *Provides a high-level assessment of potential landscape and visual effects based upon the policies and associated site development maps set out within the Consultation Draft Local Plan.*
- *Include an assessment of the potential effects of the development of each site on the High Weald AONB.*
- *Proposes mitigation measures that could avoid or reduce adverse effects, along with opportunities to enhance the landscape of the AONB.*
- *Provides a cumulative assessment of each site in relation to other major development sites within the AONB”.*

77. It draws on a number of existing studies across the borough, with Appendix A (paginated page 20, electronic page 22) listing the reference documents considered within the assessment as:

National Guidance

- National Planning Policy Framework and Guidance
- An Approach to Landscape Character Assessment October 214 Natural England NE579
- An approach to landscape sensitivity assessment, by Natural England
- The Countryside Commission and Scottish Natural Heritage (2002) Landscape Character Assessment Guidance for England and Scotland (CAX 84)
- Council of Europe (2000) European Landscape Convention Guidelines for Landscape and Visual Impact Assessment 3rd edition

Tunbridge Wells Borough Council Publications

- Tunbridge Wells Borough Draft Local Plan, Regulation 18 Consultation Draft (20 September to 1 November 2019)
- Tunbridge Wells Borough Core Strategy, adopted in June 2010
- Borough Landscape Character Assessment SPD 2017
- Tunbridge Wells Borough Historic Landscape Characterisation 2017

- Landscape Sensitivity Studies 2017 and 2018
- Biodiversity Evidence Base 2019
- Development Constraints Study 2016
- Green Infrastructure Framework 2019
- Historic Environment Review 2018
- Tunbridge Wells Green Belt Study 2017
- A Revision of the Ancient Woodland Inventory for Tunbridge Wells Borough 2007
- Farmstead Assessment Guidance for Tunbridge Wells Borough SPD 2016

Other Sources

- The High Weald AONB Management Plan 2019-24
- Legislation and Planning Policy in the High Weald' (February 2019), by the High Weald AONB Unit.
- Components of natural beauty GIS data sets from the High Weald AONB Unit
- National Character Area Profiles; 122 High Weald
- East Sussex County Landscape Assessment 2010
- Landscape Assessments from adjacent Boroughs, where appropriate.

78. The detailed assessment for CRS 3 is set out in findings of the HDA in the Cranbrook Chapter [\[CD3.96e\]](#) and was for the purpose of that report listed as CRS4 Land south of Hartley Road (electronic page 10).
79. On page 12 the report sets out in table and plan form the mitigation proposed in the regulation 18 policy and alongside it any additional recommended mitigation measures identified during the appraisal of the site. Additional mitigation includes new woodland planting, reinstatement of historical features and creation of wildflower meadows but did not alter the overall balance between built development and landscape with about two thirds being landscape.
80. In addition, the site has been subject to two separate planning applications. The first 18/02571/FULL for 36 dwellings which involved improvements to a listed building and development on previously developed land that all formed part of Turnden Farm, which

was granted consent in 2019, and secondly 20/00815/FULL for a 165 new dwellings on the land used for equestrian activity between Turnden Farm and CRS1 which was resolved to be approved by the Council and then called in by the SoS.

81. These applications, the work that supported them and the discussions they involved has enabled further refinement of the policy. This has also enabled the Council to have greater confidence in the likely yield in terms of dwellings that can be delivered. Policy CRS3, which includes the land covered by both applications referred to above is for 200-204 dwellings or 160-168 additional (i.e. the consented Turnden Farm plus the proposed development sitting with the SoS). This is an increase over the Regulation 18 version which was for 160-170 dwellings or 124-134 additional. This increase is justified by the work, planning decisions and applications referred to above.
82. The LVIA for this site [[CD 3.96e](#) page 14] concluded on this basis that: *“There is potential for sensitive development within the site, following the principles set out within the allocation policy and relevant design guides. The development could be assimilated into the landscape through the mitigation outlined within Figure C14, which would establish additional woodland cover and grassland enhancing the route of the footpath within the site footpath and creating new recreational opportunities. The key components of character outlined for the High Weald would be protected, where present. The development of the site in conjunction with the proposed mitigation could be achieved without residual significant landscape and visual effects (from publicly accessible viewpoints). There is also the potential for the proposals within the allocated site to enhance the landscape of the AONB with areas of the site allocated for open space uses”*.
83. In determining the proposed area of residential development, it is clear that careful consideration has been given to the landscape sensitivities of the site and the opportunities for enhancement with around two thirds of the site being retained as landscape.

Summary and Conclusions

84. The above response explains how the Council has established the areas proposed for residential use on CRS 3 taking account of site constraints, evidence base work, discussion with specialist officers and engagement with Natural England and the High Weald AONB Unit, as well as giving consideration to Local Plan consultation responses.

85. This work is reflected in the Map 38 Site Layout Plan for Policy CRS 3, the supporting text and the Policy wording. The Council considers that the extent of built development indicated on the Policy map and the numbers of dwellings prescribed by the policy are fully justified and appropriate for the site and site context.

Inspector's Question 9: [re.scale of proposed development]

How has the scale of proposed development been determined and is it appropriate and justified in this location, having particular regard to the scale of development proposed for Cranbrook in the existing Site Allocations Development Plan Document?

TWBC response to Question 9

Introduction

86. Policy AL/CRS 3 allocates this site for residential development providing approximately 200-204 (164-168 new additional) dwellings. Map 38 Site Layout Plan provides an indicative location for built development (residential use, coloured orange), open space and landscape buffers (coloured green), as well as an indication of pedestrian and vehicular linkages into and within the site, and connections into adjacent areas.
87. As set out in response to previous questions, Cranbrook is considered to be a sustainable location. There are numerous convenience and comparison retail outlets at the centre of Cranbrook, including a post office, supermarket, and food and drink outlets (including two public houses). There is a primary school, two secondary schools, and a pre-school at Cranbrook. Employment provision includes retail, hospitality, and tourism outlets, other businesses and at education establishments.
88. The Settlement Role and Function Study [[CD 3.72](#)] finds Cranbrook to be a settlement suitable for further growth in terms of access it provides to services and facilities that support their sustainability.
89. The Council has set out how the area of proposed development within the allocation was established in response to Question 8 above. It has also set out the justification for major development in the AONB for this site as part of its strategic approach and impacts on the AONB have been taken into account in response to questions in Matter 2, questions 5 and 6, Matter 3 questions 9 and 6 and Matter 5 question 3. The response to question 10 below addresses site specific circumstances that help justify the allocation.
90. In preparation of the Submission Local Plan the proposals in the SALP have been taken into account as the adopted plan and the progress of applications for development

including that at Brick Kiln Farm (AL/CRS1) has been monitored. As explained in response to questions above AL/CRS1 (CRS4 in the SALP) has had outline consent for some time and now has consent for the reserved matters.

91. Whilst it has been considered prudent to include CRS1 and CRS2 in the SLP for the reasons explained elsewhere, and in accordance with the requirements for setting out housing figures, for the purpose of assessment of effects on landscape and settlement the appropriate baseline to use is consented applications and adopted policies in the existing Local Plan. Those policies included an extended LBD that includes CRS2 and CRS1.

92. Consequently the Council's work on Landscape Sensitivity (Landscape Sensitivity Assessment of Additional Settlements in Tunbridge Wells Borough; Paddock Wood, Horsmonden, Hawkhurst and Cranbrook [[CD 3.102c](#)]) did not assess CRS1 and CRS2 as separate allocations, and as can be seen from the conclusion for area Cr2 (page 125), which covers the land around Turnden, it notes that the area is:

“Adjacent to the allocated AL/CR4 (SALP reference) development on the edge of Cranbrook, around Turnden, and in remaining open gaps along Hartley Road, proximity to existing/intended development means that sensitivity is slightly lower”.

93. Similarly when the council commissioned independent LVIAs for major development in the AONB in consultation with Natural England [Main Report [CD 3.96a](#) and Cranbrook sites appendix [CD 3.96e](#)] the assessment did not include CRS1 and 2. On page 11 of the Cranbrook section [[CD 3.96e](#)] under “Landscape baseline and key features” it notes that CRS 3 (CRS4 in the study) “has a noticeable relationship with existing settlement, and the urban edge character will increase as the permitted development to the north of the site and at Turnden Farm is built out”.

94. The LVIA concluded (page 14):

“The development of the site in conjunction with the proposed mitigation could be achieved without residual significant landscape and visual effects (from publicly accessible viewpoints). There is also the potential for the proposals within the allocated site to enhance the landscape of the AONB with areas of the site allocated for open space uses”.

95. The position with regards the LBD/SALP allocation is also evident in the SHELAA assessment sheet for this site (site 430) which provides a summary of the site's opportunities and constraints – SHELAA Main Report 2021 [CD 3.77a], and assessment sheets for Cranbrook and Sissinghurst [CD 3.77f]. The SHELAA assessment concludes that the *“Site is suitable as a potential Local Plan allocation”, the reason being that “The site is considered to be sustainable, considering its location adjacent to the LBD. Development of this site could deliver additional areas of publicly accessible open space, and also improvements to green links into the centre of the town”*.
96. The allocation for AL/CRS3 was as with all other sites assessed in the 2021 Sustainability Appraisal of the Submission Local Plan [CD PS 013] which concludes that this site (Site 430) is *“A relatively large site that would contribute a significant benefit to housing numbers but is scored highly negatively for environmental objectives to reflect the sensitive features that are at risk. 2020 Grassland study found site to have low botanical importance and low-moderate ecological importance. Score adjusted to account for large scale of site. Business growth score has been updated to reflect the fact allocation does not include employment space. 2020 LVIA report and Landscape officer comments state allocation is possible. Score unchanged”*.
97. The application for development at AL/CRS3 also assessed the implications of the additional development at Cranbrook over and above the allocations in the SALP and the Council conclusions on the assessment of that scheme is set in response to 10 below.
98. In summary the Council has taken account of the allocations at Cranbrook set out within the SALP, including the scale of development allocated in the adopted development plan, and has undertaken an assessment of the likely effects of the allocation at AL/CRS 3 in an appropriate manner. Whilst recognising that CRS 1 it is not yet built out and there is as of yet no application for CRS 2 the appropriate baseline includes the planning consents for CRS2 and the LBD as set out within the SALP.
99. The proposed allocation and policies are based on a sound evidence base which has provide for extensive landscape mitigation and a series of benefits and which concluded that the development proposed is acceptable.

100. In summary the Councils evidence and answers to this and other questions has fully justified the allocation which is made in the full knowledge of other allocated development, and which has been assessed in that context.

Inspector's Question 10: [re. Development in the AONB]

Does site allocation AL/CRS3 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?

TWBC response to Question 10

Introduction

102. The Council's strategic approach to development within the AONB, how it has approached the question of whether sites are major development or not and whether major or other development within the AONB is justified at a strategic level and indeed how impacts on the AONB have been taken into account is set out in response to questions in Matter 2, questions 5 and 6, Matter 3 questions 9 and 6 and Matter 5 question 3. The response to this question should be read in conjunction with those responses but addresses more directly the site-specific circumstances.
103. The overarching consideration of 'exceptional circumstances' is set out in Development Strategy Topic Paper [[CD 3.126](#)] Section H para 6.150 and some of the site specific matters that contribute to exceptional circumstances are set out in appendix 3 table 10 and further site specific measures are set out in the response below.
104. The response to this question is ordered under the following headings to address the specific points raised:
- Major Development
 - Landscape/AONB assessment and considerations
 - Sustainability of the settlement of Cranbrook
 - Housing need
 - Other benefits
 - AONB exceptional circumstances summary and conclusion

Major Development

105. The Development Strategy Topic Paper [[CD 3.126](#)] Section H sets out the approach to development in the AONB, including the approach to determining whether sites are major or not (paginated page 48, electronic page 52), setting out the factors to be considered in determining whether sites are major, reflecting footnote 55 (now 60) in the NPPF. The methodology for the assessment of major/not major is set out in Appendix 2, and the assessment of individual site allocations, as well as the cumulative findings, by settlement, are set out at Appendix 3.
106. Appendix 3 Table 10, on page 115 (electronic page 119) gives the assessment for site AL/CRS3, concluding that the site is major. The site is noted to be 'very substantial' in terms of an increase to the settlement (4.4% as more than 100 dwellings), reasonable related and to have a High impact on AONB/landscape components.
107. The Appendix 3 table notes:
- Location between Cranbrook and Hartley makes size a more significant factor. In a sensitive area between Cranbrook and Hartley but areas proposed for built development in the allocation take account of this. Will require a sensitive scheme to minimise effects on landscape and heritage assets.
 - Only that part of the site closest to existing development at Cranbrook to be developed.
 - Land between Hartley and proposed development to be retained as open space/agriculture. Structural landscape features to be retained and enhanced with historic tree lines and hedgerows restored. Improvements to existing water course and ancient woodland protected.

Landscape/AONB assessment and considerations

108. The Council's Landscape Sensitivity Assessment, 2017 [[CD3.40c](#)] provides an assessment of the extent to which the character and quality of the landscape within the study area is, in principle, susceptible to change as a result of introducing particular types of development into certain landscape character areas. Allocation AL/CRS3 is included within Sub-area Cr2 (pages 124 to 126) which concludes that overall sensitivity to housing development is High to Medium-High and it concludes that "*adjacent to the*

allocated AL/CR4 development on the edge of Cranbrook, around Turnden, and in remaining open gaps along Hartley Road, proximity to existing/intended development means that sensitivity is slightly lower”.

109. The Sensitivity Assessment provides guidance on mitigation and enhancement in the last text box on page 124:

“Retention of openness around the Turnden farmhouse would help to preserve its rural setting, and to retain a degree of separation between Cranbrook and Hartley. Elsewhere woodland provides strong containment and should be conserved and managed.”

110. The policy wording for these sites incorporates these recommendations. It is to be noted that the farmhouse was destroyed by fire approximately three years ago. There is an extant planning permission (21/01379/FULL) to replace it with a new farmhouse and three additional dwellings.

111. The retention of the openness around Turnden farmhouse is covered by criterion 4 of Policy AL/CRS 4; the requirement to conserve/manage the woodland is covered by criteria 4, 5, 7, and 8.

112. To assist with the Council’s assessment as to the suitability of the sites for inclusion in the Local Plan, all sites considered to be major in the AONB have been subject to an independent Landscape and Visual Impact Assessment (LVIA), which also considered any cumulative effects on the host settlement [[CD 3.96](#)].

113. The executive summary in the main report [[CD 3.96a](#) page 1] sets out the assessment process which includes:

- Background information (baseline).
- Description of the proposed development.
- Description of the likely effects on landscape and views.
- Advice on mitigation.
- A conclusion which advises whether the site with mitigation is suitable for development and whether additional policy wording needed.
- An assessment of any cumulative effects on the AONB.

114. The work includes a study of the settlement context and settlement evolution, review of landscape character, historic landscape characterisation and landscape sensitivity and specifically identifies within each site the components of natural beauty and the likely effects upon them.
115. Both Natural England and the High Weald AONB Unit were consulted on the development of this methodology.
116. The Report concluded that “The draft allocation seeks to develop approximately 1/3 of the site, with the remainder allocated as open space, within which the rural landscape character would be protected. The allocation proposes development to the north and east of the site, integrating the permitted development at Turnden Farm with the allocation located to the north of the site. The retained open space to the west and south, protects the separate settlement identities between Cranbrook and Hartley and provides opportunity for substantial enhancements within the site. This approach responds positively to the ‘Valued features and qualities’ set out within the Tunbridge Wells Character Assessment. In particular ‘...the ‘wedge’ of landscape provided by the Crane Brook which permeates into the town centre. The relationship of the town with the surrounding landscape is of particular value for the contribution to recreation and views.”
117. In summary, the key recommendations and conclusions reached in the site-specific assessments [[CD3.96e](#)] include:
- *“Wording to protect trees within the site as well as hedgerows.*
 - *Locate play facilities within an accessible part of the site – with good natural surveillance.*
 - *Incorporate wildlife enhancements within the area of the site allocated for open space to offset the effects of development within the north-eastern area and to provide enhanced access to the AONB.*
 - *Phase development so that the proposed woodland is planted prior to the development parcel to the north-east of the site”.*

118. Both the Landscape Sensitivity and the LVIA work has informed the allocations and their policy wording, including the provision of open space and landscape buffers and the scale of development proposed by the allocation.

Sustainability of the settlement of Cranbrook

119. This is an important consideration in establishing whether there are 'exceptional circumstances' for this cumulative major development in the AONB has been the sustainability credentials of these sites.

120. The findings of the Settlement Role and Function Study [[CD 3.133](#)] relating to Cranbrook, find it a settlement suitable for further growth in terms of access it provides to services and facilities that support its sustainability. The site lies adjacent to the existing established Limits to Built Development of Cranbrook.

Housing Need

121. The Council's response to Matter 2, Issue 1 deals with the matter of housing needs and the housing requirement. The site will make a valued contribution towards meeting the housing needs of the constrained borough, some 200-204 dwellings (164-468 new additional dwellings), of which 40% will be affordable homes, located in a sustainable location. This housing need is an important factor in establishing whether there are 'exceptional circumstances', both in terms of general housing needs and affordable housing provision.

Other Site-Specific Benefits

122. There are site-specific public benefits arising from the allocation of this site, including:

- The provision of significant areas of publicly accessible open space and permissible footpaths that link to adjacent developments and provide alternative pedestrian routes to the roadside pavement to those travelling from/to Cranbrook to Hartley;
- Scope for significant biodiversity net gain. For example the proposal which is subject to a decision from the SoS could deliver a net ecological gain (area habitats of 21.60% and linear habitats of 12.54%) which are well in excess of the proposed standard 10% through a scheme of mitigation and enhancement and a wider Landscape and Ecological Management Plan to be secured by legal agreement;

- The ability for landscape enhancement features such as the re-instatement of lost hedgerow/field boundaries and the re-instatement of former historical routes. •

New woodland block planting, plus securing the management and enhancement of existing woodland (including Ancient Woodland) areas within the site

Exceptional Circumstances Summary and conclusions

123. As explained above, the Council considers site CRS3 to be major development and as such justification (exceptional circumstances) for development of this site is needed.

The response above sets out site-specific matters that contribute to 'exceptional circumstances'. These include AONB landscape sensitivity, sustainability credentials of the settlement, and the public benefits arising from development of the sites, which would be in the public interest.

Inspector's Question 11: [re. amount of development]

Can approximately 20 dwellings and a replacement community hall (with associated infrastructure, open space and car parking etc.) be provided on site AL/CRS6? Is the allocation developable?

TWBC response to Question 11

Introduction

124. Policy AL/CRS 6 Land south of The Street, Sissinghurst is an allocation for a mixed-use scheme, including residential development providing approximately 20 dwellings, of which 30 percent shall be affordable housing, and a replacement community hall.
125. The site is an edge-of-settlement location, adjacent to built development and close to the centre of the village and local commerce, with a recreation ground to the west, and a tennis club to the south west. The site area includes a community hall, the St George's Institute, which is located within the northern part of the site closest to The Street. The site area is approximately 0.58 hectares.

Consideration

126. The estimated capacity of approximately 20 dwellings, plus a replacement community hall within the site, reflects the site's location adjacent to the village centre where the density of development is relatively high, where mainly smaller dwellings and commercial buildings within small plots predominate. The estimated site capacity has taken account of the characteristics of the surrounding development
127. Planning application 21/03914/FULL was submitted on 23 November 2021: Demolition of the existing St George's Institute building and erection of a new building providing community facilities, community parking spaces, improved access arrangements, 19 dwellings and associated landscaping and infrastructure. This application has been subject to extensive consideration, and the Council expects that a decision will be made shortly on it: an update will be provided ahead of the Hearing.
128. It is controlled by a local SME developer, which has a strong track record of delivering sites swiftly following grants of planning permission. Subject to addressing the issues

regarding the provision of affordable housing/viability – please see below - the allocation, including the delivery of the replacement community hall, is deliverable.

Inspector's Question 12: [re. Viability of allocation]

Is the allocation viable, when also taking into account other infrastructure costs including the need to provide affordable housing?

TWBC response to Question 12

Introduction

129. The Borough Council's Viability Assessment Stage 2 (including review of Strategic & Mixed-Use Site Allocation proposals) February 2021 [CD 3.65a] includes consideration of this site. Paragraph 2.3.2 explains that the Viability Assessment appraised the potential viability of Land South of The Street, Sissinghurst (Policy AL/CRS 6) assuming the delivery of 20 dwellings and a community facility.

Consideration

130. Paragraph 2.3.4 of the Stage 2 Viability Assessment [CD 3.65a] states that "*the key community requirement for Land South of the Street, Sissinghurst is assumed as the inclusion of a new village hall as part of the development, the costs of which were estimated to be in the region of £450,000*".

131. Paragraph 3.3.2, Figure 7 'Stage 2 Sensitivity Testing update Mixed-use allocation' indicates affordable housing to be delivered at 40%. Policy AL/CRS 6 requires 30% and Figure 8 'Mixed-use allocation proposal sites results' shows the outcomes of the various scenarios included in the Viability Assessment. Paragraph 3.39 of the Council's Viability Assessment Stage 2 confirms that the outcomes "*also show the sensitivity of the outcomes to changes in the values that are supported by schemes (viability indications reducing with lower values), or the costs involved in progressing them (viability reducing with higher costs than currently assumed). This could be particularly relevant to consider in the case of a smaller site that carries relatively significant community development costs for its scale, such as tested at Sissinghurst. While the headline outcomes are all positive looking, we can also see that the scale of residual surplus reported at this stage as associated with a relatively small scale of housing development could potentially quite quickly come under pressure with lower values achievable and/or higher than assumed costs needing to be supported*", whilst confirming that Policy AL/CRS 6 is considered to be a viable proposal.

132. It is the case therefore that the Stage 2 viability testing for this policy, assuming the delivery of a replacement community facility, and based on the delivery of affordable housing at a rate of 40% (Policy AL/CRS 6 requires a lower rate of 30% affordable housing) is considered to be a viable proposal, caveated with recognition that residual financial surplus could quickly come under pressure with lower values achievable or higher costs.
133. Planning application 21/03914/FULL was submitted on 23 November 2021 for demolition of the existing community facility, the St George's Institute building, and erection of a new building providing community facilities, community parking spaces, improved access arrangements, 19 dwellings and associated landscaping and infrastructure.
134. The current planning application does not include any affordable housing, and it is explained that is due to the inclusion of a replacement community facility within the scheme for the reasons recognised in the Stage 2 Viability Assessment (for the Local Plan). A Viability Assessment has been provided with the planning application detailing that, should affordable housing be required, the proposal in its current form as required by Policy AL/CRS 6 would not be viable. An independent viability assessment has been carried out as part of consideration of this current planning application to verify whether the policy requirement to deliver both affordable housing and a replacement community facility is a viable option.
135. The outcome of this assessment indicates that the site would not be viable if both affordable housing and a replacement community facility had to be delivered. However, the scheme would be viable with the provision of the replacement community facility and required developer contributions, but no affordable housing.
136. Accordingly, the evidence underpinning the policy, whilst setting out that the allocation should be viable with the provision of the level of affordable housing detailed, recognised that viability at this site specifically was sensitive to changes in costs or lower returns. Therefore, the policy as it stands – with the requirement for affordable housing – is not viable. Further, detailed work informed by a specific Viability Appraisal, indicates that the policy would be viable (including in terms of infrastructure provision) without the provision of any affordable housing.

137. It is likely that the current planning application will have been determined before the hearing session date for this Matter, and an update will be provided for the Inspector regarding this at the hearing.

Inspector's Question 13: [re. design of development]

Is it clear to users of the Plan what is required of the final design, both in terms of the proposed housing and the replacement village hall?

TWBC response to Question 13

Introduction

139. The site comprises a mix of uses located in close proximity to the built-up area of Sissinghurst on the southern side of the village and in close proximity to the village centre. The site adjoins the High Weald AONB, which runs adjacent to the southern site boundary, is partly within the Sissinghurst Conservation Area (part of the northern area of the site), and there are listed buildings adjacent to the site. To the west of the site is an area of green open space and recreation ground, and to the south-west the Sissinghurst Tennis Club.

Consideration

140. The policy is clear what is required in terms of final design of both the housing and replacement village hall. It provides very clear requirements around aspects of a) site layout and b) design more generally.
141. In terms of layout, it provides clear requirements in relation to location of access (Map 41), a pedestrian route through the site to the PROW to the south (criterion 2), existing mature trees and hedgerows (criterion 5), the need for a landscape and visual assessment (criterion 5) and the need to provide i) a replacement village hall, ii) parking associated with the village hall, and iii) on site amenity/natural green space and children's play space.
142. In terms of design more generally, it is clear that the design should have regard to the setting of designated heritage assets (criterion 3), the pattern of the settlement (criterion 4) and trees and hedges (criterion 5) and be informed by appropriate assessments (criterion 5).
143. Supporting text beneath the policy is also clear as to those other policies in the Submission Local Plan will be of relevance to proposals at this site. These include those which are of direct relevant to design and layout, including which relate to layout

and design. These include Local Plan Policies EN 1: Sustainable Design, EN 4: Historic Environment; EN 5: Heritage Assets, EN 19: The High Weald Area of Outstanding Natural Beauty and TP 3 Parking Standards.

144. The approach to design requirements in this policy mirrors that of other allocations. It sets out requirements in terms of the uses to be accommodated, the principal vehicular access location, and matters (such as heritage and trees) that will be important in determining the overall design approach. The matters are not contradictory, and links to the specific design policies in the Plan (and particularly EN1) point the user of the Plan to those policies which provide significantly more detail on how final design of proposals for this site will be achieved. It is fully expected that the design of the replacement village, and housing, will be appropriate through conformity with the policy, and those other policies referred to in the Local Plan. The Council does not consider it necessary to be more prescriptive in terms of design.
145. The submission of the planning application 21/03914/FULL is demonstrative of the clarity of the policy. As advised in relation to Question 11 an update on this application will be provided ahead of the Hearing Session.

AL/CRS7 – Land at the Corner of Frittenden Road and Common Road, Sissinghurst

Inspector’s Question 14: [re. current planning application]

What is the current position regarding planning application Ref 21/03126/REM?

TWBC response to Question 14

Introduction

146. The site is subject to outline planning approval 19/03625/O (Access not reserved) – *“Erection of up to 18 residential dwellings with associated highways, landscaping and open space infrastructure”*, approval granted on 10 November 2020.

Consideration

147. A Reserved Matters application has been submitted, 21/03126/REM *“Approval of Reserved Matters (Appearance, Landscaping, Layout and Scale) following outline permission for 19/03625/OUT - Erection of up to 18 residential dwellings with associated highways, landscaping and open space infrastructure”*. Approval was granted on 20 January 2022.

Inspector's Question 15: [re.can allocation be delivered]

Is the allocation developable within the plan period?

TWBC response to Question 15

Introduction

148. As set above in response to question 14 of this hearing statement, the recent reserved matters application 21/03126/REM was granted on 20 January 2022.

Consideration

149. Subsequent to the reserved matters approval a number of submission of details applications have been submitted, these are detailed below:

- 21/03940: Submission of Details in relation to Condition 16 (Biodiversity Mitigation and Enhancement Scheme) and Condition 23 (Landscape and Ecological Management Plan) of 19/03625/OUT Approval granted 8 February 2022
- 22/00084/SUB: Submission of details in relation to Condition 5 (Construction and Environmental Management Plan); Condition 9 (Archaeology); Condition 11 (Noise); Condition 19 (Tree Protection); Condition 22 (Boundary Treatments) of 19/03625/OUT. Approval granted 5 May 2022
- 22/01103 Submission of Details in relation to condition 2 (Roof Details), and 3 (External Materials). With application 21/03126/REM. Approval granted 6 May 2022
- 22/01104/SUB: Submission of Details in relation to condition 25 (Energy and Water). With application 19/03625/OUT. Pending consideration at 9 May 2022

150. It is the case that the promotion of this site through the Local Plan, and most recently through the planning application process, has proceeded to the stage of planning consent being granted for an outline scheme and an associated reserved matters approval. The submission of details has commenced promptly following these consents. Officers are not aware of any impediments that would delay this site from coming forward and there is therefore full confidence that this site will be delivered during the plan period.