

Examination of the Tunbridge Wells
Borough Local Plan

Tunbridge Wells Borough Council
Hearing Statement

**Matter 4: Principle of Green
Belt Release**
**Issue 2: Green Belt Review
Methodology**

Document Reference: TWLP/019



Contents

| | |
|---|----|
| Inspector’s Question 1: [re. definition of parcels and broad areas] | 3 |
| TWBC response to Question 1 | 3 |
| Inspector’s Question 2: [re. regard to findings of Stage 2 Study] | 6 |
| TWBC response to Question 2 | 6 |
| Inspector’s Question 3: [re. purpose of Stage 3 Study] | 8 |
| TWBC response to Question 3 | 8 |
| Inspector’s Question 4: [re. regard to higher levels of Green Belt harm] | 10 |
| TWBC response to Question 4 | 10 |
| Inspector’s Question 5: [re. regard to potential for mitigation] | 12 |
| TWBC response to Question 5 | 12 |
| Inspector’s Question 6: [re. regard to settlements “washed over” by Green Belt] | 14 |
| TWBC response to Question 6 | 14 |
| Conclusion | 15 |

Matter 4 – Principle of Green Belt Release

PLEASE NOTE: the responses to Matter 4 Issues 1 to 3 and any figures that these statements contain are based on the Local Plan as submitted. A subsequent change is proposed to one allocation in the Green Belt under Matter 7- Residential Site Allocations, Issue - 2 Pembury [TWLP/044]. The proposed change is covered by Questions 23 to 27 in Matter 7, Issue 2 which relate to AL/PE4 – Land at Downingbury Farm Maidstone Road, Pembury. This proposed change is not reflected in the responses to questions set out in Matter 4.

Issue 2 – Green Belt Review Methodology

Inspector’s Question 1: [re. definition of parcels and broad areas]

The Green Belt Study Stage 1¹ identified 33 parcels and 10 broad areas for assessment at Stage 2. How were these areas defined and what were the boundaries based on?

TWBC response to Question 1

Introduction

1. The Tunbridge Wells Borough Green Belt Study 2016 [[CD 3.93a](#)], referred to as the Stage 1 Green Belt Study, was prepared at an early stage of the plan-making process with the purpose of informing subsequent, more detailed Green Belt studies. Parcels and broad areas were identified covering the whole of the designated Green Belt within Tunbridge Wells borough. Where appropriate the parcels extended into adjacent authorities and beyond the Green Belt boundary; the parcels were identified to assist with the next steps of the Green Belt assessment work.

¹ Core Document 3.93a

2. The objectives of the Stage 1 report [[CD 3.93a](#)] in relation to broad areas and parcels is illustrated by the report structure set out in paragraph 1.11 and the content of Chapter 6. These objectives were as follows:

“Identify broad areas of land considered to make a strong contribution to Green Belt, consider the scope for changes to the status of settlements within the defined area (in terms of their inclusion or exclusion), address the justification for boundary changes and the relationship with Green Belt in neighbouring districts, and suggest parcels of land that could be assessed as a ‘Stage Two’ study (Chapter 6)”.

Consideration

3. The Stage 1 Green Belt Study identified broad areas and parcels through a process of analysing the relationship between assessment parcels, settlements and countryside. This was undertaken with reference to development and land use, location in relation to settlements, and the presence of ‘separating’ and ‘connecting’ physical elements which either strengthen or weaken an area’s relationship with urban land. Paragraphs 3.36-3.51 [[CD 3.93a](#)] set out key questions that were addressed as part of this analysis.
4. The 10 broad areas identified in the Stage 1 Green Belt Study [[CD 3.93a](#)] were areas considered to make a strong contribution to one or more Green Belt purpose (as set out in NPPF paragraph 138) with the boundaries between drawn to reflect *“a change in relationship between settlements and countryside”* (paragraph 6.13). Typically, such changes in relationship are marked by clear physical features. In cases where the borough boundary does not align with physical features, the broad areas were extended beyond the Green Belt into neighbouring districts (Figure 6.1 page 41 [[CD 3.93a](#)]).
5. Parcels were defined to identify areas where it was considered that there may be land that did not make a strong contribution to the Green Belt purposes, so these were typically smaller than the broad areas, and were located adjacent to urban edges. It was proposed that both parcels and broad areas should be assessed further as part of a Stage 2 study. The number of parcels listed in Table 6.1 was actually 35, rather than the 33 stated in paragraph 6.13 and included land outside of the Green Belt to the east and south of Paddock Wood (paragraph 6.9) *“to establish whether there would be any significant variations in terms of Green Belt contribution were the designated area to be extended”*.

6. It is important to note that the Stage 1 Study was strategic in scale, aimed at providing a useful sub-division for further assessment but not representing a detailed analysis of variations in contribution to the Green Belt purposes. The Tunbridge Wells Green Belt Study Stage 2 [[CD 3.93b\(i\)](#)], provided a more detailed analysis of contribution to the Green Belt purposes. It took the parcels and broad areas identified at Stage 1 as a starting point but, through the analysis process, added some further sub-divisions to reflect identified levels of contribution to the Green Belt purposes. This resulted in a total of 45 parcels and 10 broad areas.

Inspector's Question 2: [re. regard to findings of Stage 2 Study]

The Green Belt Study Stage 2² provides a more detailed and focused review of land parcels, assessed against the purposes of including land within the Green Belt in paragraph 138 of the Framework. How did the Council take the findings into account and use the evidence in the preparation of the Plan?

TWBC response to Question 2

Introduction

7. The Tunbridge Wells Green Belt Study Stage 2 [[CD 3.93b\(i\)](#)] sets out in detail the contribution that broad areas and parcels make to the Green Belt purposes and assesses the likely harm to the Green Belt that might arise from its release. The consideration of Green Belt contribution was one aspect of the review process. Consideration was also given to the strength of remaining Green Belt and how Green Belt harm may be offset through compensatory improvements.
8. This information, taken together with other evidence supporting the Local Plan, has enabled the Council to take informed decisions about the relative harm that might arise for a particular development proposal. The results were used by planning policy officers in both the Sustainability Appraisal (SA) [[PS 013](#)] and the Strategic Housing and Economic Land Availability Assessment (SHELAA) [[CD 3.77a](#)]. Such considerations helped inform the potential policies for allocations including the potential for masterplanning as part of the iterative process of plan making.
9. It should be noted that the judgement on relative contributions to Green Belt purposes is limited to the potential effects of development on the five stated purposes set out in paragraph 138 of the NPPF. It does not consider the consequences for sustainable development, for instance. Decisions about potential Green Belt release required an analysis of many factors such as highway capacity, location of amenities and services, and effects on landscape and ecological resources, with all of these factors considered against the need for development.

² Core Document 3.93b(i)-(v)

10. In summary, the results of the Green Belt Study Stage 2 were taken into account as important factors in the development of the Plan through the SHELAA and SA in the exercise of a broader planning judgement (which took into account all material considerations) with regard to the appropriateness of Green Belt release and the need to establish exceptional circumstances. This also included consideration of potential compensatory improvements to the remaining Green Belt.

Inspector's Question 3: [re. purpose of Stage 3 Study]

What was the purpose of the Green Belt Study Stage 3³? Did it build upon the findings of the earlier studies, or, assess proposed site allocations?

TWBC response to Question 3

Introduction

11. The Green Belt Study Stage 3: Assessment of Green Belt Allocations [[CD 3.93c](#)] had the express purpose of assessing sites in the Green Belt that were proposed to be allocated in the SLP by providing “*an independent, robust and transparent assessment of the potential harm of releasing Green Belt land in line with national policy, guidance and case law*” and in the context of the proposed release considers “*potential mitigation measures to minimise harm and reviews opportunities to enhance the beneficial use of land remaining in the Green Belt*” (paragraph 1.3). It was carried out by the same consultants and personnel who undertook the Stage 1 and Stage 2 Green Belt Studies and clearly uses and builds upon that work, as stated at paragraph 1.6.
12. Although the Stage 2 Green Belt Study [[CD 3.93b\(i\)](#)] provided ratings for harm of release of land, it was acknowledged in that study that “*a more refined assessment of harm, considering the impact of Green Belt release on the contribution of adjacent retained Green Belt, can be carried out*” in relation to development proposals.
13. The Stage 3 Green Belt study provided that “*more refined assessment*” principally by:
 - i. identifying any variations in contribution to the Green Belt purposes at a more localised level, and
 - ii. taking into consideration the impact that the release of land would have on the integrity of the remaining Green Belt.
14. In addition, the Stage 3 Study assessed the strength of the remaining Green Belt, considered measures to mitigate harm to the Green Belt, reviewed opportunities to enhance the beneficial uses of the remaining Green Belt and assessed the strength of the remaining Green Belt in light of the cumulative impact of all Green Belt changes.

³ Core Document 3.93c

15. As such, it has been used to inform the policy for proposed allocations in the Green Belt and has had regard to, and informed, the draft masterplans for Tudeley Village, and at Paddock Wood including Land at East Capel. This is covered in more detail in the respective Hearing Statements under the questions related to Green Belt release for specific allocations.

Inspector's Question 4: [re. regard to higher levels of Green Belt harm]

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

TWBC response to Question 4

Introduction

16. The level of harm to the Green Belt from a potential release for development was first considered in the Stage 2 Green Belt Study [CD 3.93(i)] which concluded that all broad areas would result in a **very high** level of harm to the Green Belt but it also identified smaller parcels where a lesser level of harm could be possible and concluded that the harm ranged from **very low** to **very high** [CD 3.93(i) figure 6.5 page 33]. This information was not determinative for any allocation as the Stage 2 Study made it clear under Next Steps that "*Green Belt contribution can be compared to environmental land value*" and that for potential allocations consideration could be given to sustainability concerns, mitigation, potential for offsetting the Green Belt harm and regard given to the development strategy and any masterplan briefs (para 6.6 and 6.7 page 34-35).
17. The Stage 3 Green Belt Study assessed the actual proposed allocations and found the maximum level of harm to be **high** only in relation to two sites, the strategic sites at Tudeley Village and Land at Capel and Paddock Wood [[CD 3.141](#) page 114 table 4.1]. The detailed considerations of the Green Belt Studies and how they have been taken into account in relation to these two sites is discussed in detail in response to questions under Matter 6 Strategic Sites Issue 1 Tudeley Village Questions 4 to 8 [TWLP/022] and Matter 6 Issue 3 Paddock Wood and East Capel Questions 4 to 7 [TWLP/024].
18. Regardless of whether the identified harm was high, very high or indeed even where that harm was low, in each location where alterations to Green Belt boundaries were being considered, planning judgement was required to establish whether the sustainability benefits of Green Belt release and any benefits of the associated development outweighed the harm to the Green Belt designation and whether 'exceptional circumstances' exist to warrant that release.

19. Key to that planning judgement is knowing what level of harm is likely to arise from the release and, as explained earlier in this hearing statement, this is set out in the Stage 3 Green Belt Study [[CD 3.93c](#)]. However, these are not the only Green Belt factors that need to be taken into account and consideration was also given to:
- cumulative effects of the proposed release;
 - the strength of the remaining Green Belt;
 - potential measures to strengthen the remaining Green Belt to mitigate the harm; and
 - whether there are any other compensatory measures to enhance the beneficial use of the remaining Green Belt.
20. These Green Belt factors formed part of the planning judgement in deciding whether to continue to propose to allocate the sites presently within the Green Belt. The Council's approach to reaching a planning judgement included consideration of sustainability, viability and deliverability issues (as set out in the Development Strategy Topic Paper [[CD 3.126](#) Section I pages 56-79]) and this ultimately informed the view on whether exceptional circumstances exist.
21. In cases where the potential harm to the Green Belt was considered to be high, as identified within the Stage 3 Study [[CD 3.141](#) page 114 table 4.1]., essentially being only for the strategic sites Tudeley Village and Land at Capel and Paddock Wood, the Council adopted a masterplanning approach with more detailed and specific requirements for compensatory measures and adopted garden settlement principles to ensure the sustainability of the developments can be maximised. More details on these measures are provided in answer to Question 5 of this hearing statement.
22. In considering this answer it is also appropriate to have regard to answers given in response to Matter 4 Issue 3 Exceptional Circumstances [TWLP/020] and Matter 3 Spatial Strategy and Distribution of Development.

Inspector's Question 5: [re. regard to potential for mitigation]

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

TWBC response to Question 5

Introduction

23. The need to consider the potential for mitigation in relation to Green Belt release was highlighted in the Stage 2 Green Belt Study [[CD 3.93b\(i\)](#)] as something to be taken into consideration under 'Next Steps' as part of the progression of the Local Plan (paragraph 6.7). The main purpose of the Stage 2 Study was to identify the level of harm that might arise in releasing land within a particular area, but paragraph 6.7 also indicated that consideration could be given to mitigation measures that might offset that harm in relation to a particular site.
24. The Stage 2 Study also suggested (paragraph 6.4 and Table 2 'Beneficial Uses of Green Belt') "*examples of beneficial use and enhancements that may be relevant in the borough*". Whilst such measures are concerned with the remaining Green Belt land, they may include measures that also mitigate the harm, for example, improved hedgerow management on land released from the Green Belt and land retained in the Green Belt may reduce the adverse effects of a Green Belt release on Purpose 3 (Assist in safeguarding the countryside from encroachment).
25. The Stage 3 Green Belt Study [[CD 3.93c](#)] considered all sites proposed to be released from the Green Belt on a consistent basis. For each site, after considering the harm to the Green Belt purposes, it set out both "*Potential mitigation measures*" and "*Potential measures to enhance the beneficial use*" of the remaining Green Belt land in relation to each site assessed.
26. By way of an example from the Stage 3 Green Belt Study page 49, site AL/RTW 16: Land at Wyevale (this is now SLP site AL/RTW 14 Land at Tunbridge Wells Garden Centre, Eridge Road) reviewed the draft policy for the allocation which included retention of significant vegetation/green space and buffering to Tunbridge Wells Common and concluded that no further mitigation measures are "*considered necessary*" (paragraph 4.53). It then set out the potential to enhance beneficial use (compensatory

measures) noting how the draft policy for the allocation would increase public access to the remaining Green Belt and improve green infrastructure (paragraph 4.54).

27. However, it is important to note that the methodology for the Stage 3 Study noted in relation to potential mitigation measures that “*these suggestions do not alter harm ratings, as their potential impact will depend on the way in which mitigation is applied, and the timescale over which it is effective*” (paragraph 3.55).
28. The Council’s work and approach to Green Belt matters has been carried out in a consistent manner at each stage of the study for all sites proposed to be allocated. The findings within the Stage 3 Green Belt Study have informed the policies in the SLP.

Inspector’s Question 6: [re. regard to settlements “washed over” by Green Belt]

Paragraph 144 of the Framework states that if it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt.

Has the Council carried out an assessment of existing settlements ‘washed-over’ by the Green Belt? Are any changes proposed and/or necessary?

TWBC response to Question 6

Introduction

29. The Green Belt Study Stage 1 [[CD 3.93a](#)] includes an assessment of settlements washed over by the Green Belt and indeed whether any inset settlements should instead, owing to the degree of openness, also be ‘washed over’.
30. On the basis of the Green Belt studies, the Council concluded that circumstances do not exist to justify any changes in relation to the Green Belt boundary of existing ‘washed over’ or inset settlements, other than those proposed as part of the proposed allocations.

Consideration

31. The Green Belt Study Stage 1 [[CD 3.93a](#)] sets out key questions which include, at paragraph 3.39:
- *“Does any existing development compromise openness?”*
 - *“Do any settlements inset within the Green Belt have sufficient openness to warrant being washed-over by the designation?”*
32. In relation to the first question, chapter four paragraph 4.9 identified and described the hamlets and villages that are currently washed over, and these are considered in detail

in section 5 paragraphs 5.4 to 5.9. With regard to the second question, chapter four paragraph 4.4 identifies and describes the settlements that are currently inset within the Green Belt, and these are considered in detail in section 5 paragraphs 5.14 to 5.16.

33. The Study concluded (paragraph 6.5) that, with regard to possible changes to inset/washed-over settlement status, there “*is unlikely to be justification for the ‘exceptional circumstances’ required to alter Green Belt boundaries*”. The Council has accepted this conclusion and proposes no changes to the Green Belt boundary in connection with the status of inset/washed-over settlements.
34. The Council is not aware of any other reason that would suggest a different approach to the washed over settlements and as the current approach is entirely consistent with the NPPF, the Council does not see any justification for seeking a change.

Conclusion

35. The Council’s Green Belt studies are robust, comprehensive, independent studies by professional, experienced consultants. They have been developed to assist and inform the progression of the Plan and have been appropriate and timely for the stage reached.
36. There is clear evidence that the Green Belt Studies have informed planning judgements during the preparation of the Plan and the proposed policies.