



TUNBRIDGE WELLS BOROUGH COUNCIL

REF: TW/21/01

STAGE 2 HEARING STATEMENT

HEARING DAY 7 31.03.22

MATTER 6 ISSUE 1 AND 2- STRATEGIC SITES (TUDELELY VILLAGE)

ON BEHALF OF LEANDER HOMES



SECTION

- 1.0 INTRODUCTION
- 2.0 RESPONSE TO QUESTIONS



1.0 INTRODUCTION

- 1.1 This Statement is prepared in advance of the Hearing Day 7 session scheduled for 31.03.22. The Hearing Session is aimed at addressing the Inspectors questions set out in the Matters, Issues and Questions document under Matter 6 and Issues 1 and 2- Strategic Sites (Tudeley Village and Five Oak Green)

- 1.2 Not all of the questions raised by the Inspector are relevant to my client's interest, and therefore not all of the questions are addressed in this Statement.



2.0 RESPONSE TO QUESTIONS

ISSUE 1

Q4. The Green Belt Study Stage 2 report concluded that releasing land from the Green Belt between Tonbridge and Paddock Wood (Ref BA4) would cause a 'very high' level of harm to the Green Belt. In the Stage 3 Assessment, a harm rating of 'High' is given for Tudeley Village. What are the reasons for the different scores?

- 2.1 The Stage 2 Study identifies that land parcel BA4 has a Strong rating in relation to the purposes of the Green Belt that are to prevent neighbouring towns merging into one another and to assist in safeguarding the countryside from encroachment. In fact, the comments note that *"The broad area relates strongly to the wider countryside, has a sense of separation from the settlement and lacks urbanising development – development would represent encroachment into the countryside."* In terms of the relationship between settlement and countryside, the commentary sets out that the *"dispersed pattern of development and agricultural land uses is strongly countryside in character. There are a number of farms, some of which have large buildings associated with them but because of their agricultural land use they do not represent urbanising influences."*
- 2.2 In the Stage 3 Assessment, the study notes that the *"land is open and lies in a wide gap between Paddock Wood and Tonbridge, but urbanising development at Five Oak Green and connecting features, including the railway and the B2017, reduce the perceived separation."* The report makes it clear that development would be more intrusive on the settlement gap than would be the case if the allocation area related more strongly to an existing inset settlement, and sets out that the size of the gap (between Tonbridge and Paddock Wood) means that it makes a Relatively Weak contribution to preventing neighbouring towns merging. This is completely at odds with the Stage 2 assessment, where it records that the Strong rating in preventing neighbouring towns merging. The reason given for the lowering of the rating is the distance between the towns- however, the distance between the towns has not changed between the two reports being published. It is not clear why the assessment rating has been lowered.
- 2.3 The Stage 3 report maintains the Strong rating in terms of safeguarding the countryside from encroachment. As a result, it is concluded that the only reason for the lowering of the degree of harm to the Green Belt from development is the re-assessment of the impact on the purpose of the Green Belt in preventing neighbouring towns from merging. However, the only apparent reason given for this is the distance between the towns in question. The towns in question have remained the same distance apart during the whole of the assessment process, so it is not clear why the assessment would have changed.



- 2.4 Furthermore, the Paddock Wood allocations would result in the outer edge of the town coming closer to Tonbridge, and closer to the settlement of Five Oak Green. The purpose of preventing towns merging would be further eroded as a result of the combination of the two allocations- with Tudeley Village in the middle of the area, there would be a space of 1.7km to Tonbridge to the west and 1.8km to the edge of Paddock Wood to the east, where currently there is a gap of 6km between the two towns.
- 2.5 In summary, the only reason given for the lower score rating is the distance between the towns of Tonbridge and Paddock Wood, which has not changed over the study period.

Q6. Where it has been concluded that it is necessary to release Green Belt land for development, paragraph 142 of the Framework states that Plans should set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. How will this be achieved?

- 2.6 The Stage 3 study refers to the need for mitigation (compensatory improvements to the environmental quality and accessibility to Green Belt land). In summary, these involve the provision of open space, reduced density of development at the edge of the settlement, consideration of landscape characteristics and the views and setting of the AONB, the provision of structural landscaping and buffers around the perimeter of the allocated site and the need to maintain the gap between the proposed allocation of Tudeley Village and Five Oak Green.
- 2.7 Whilst these measures would no doubt enhance the landscape impact of the proposed allocation, it would not disguise the fact that there would be a new development of approximately 183ha within an area where the impact of the harm to the Green Belt is identified as being Very High. Whilst it may be relatively straightforward to assess the quantity of mitigation measures provided in compensation for the impact of the development, it is much more difficult to assess the quality of the mitigation- it is difficult to measure the relative impact of a 183ha development against the provision of additional planting and hedgerow provision in the immediately surrounding area.

Q8. Taking into account the answers provided under Matter 4, do the exceptional circumstances exist at site specific level to justify amending the Green Belt boundary in this location?

- 2.8 The requirement for exceptional circumstances to be made out to justify the release of Green Belt land is set out in paragraph 141 of the Framework. The tests are clear and specific- to make as much use as possible of suitable brownfield sites and underutilised land, to optimises the density of development, and to develop a strategy that has been informed by discussions with neighbouring authorities about whether they can accommodate some of the identified need.



- 2.9 It is set out in other submissions, particularly in relation to Matter 4, that the tests have not been met, in particular in relation to the need to co-operate with neighbouring authorities, and optimising densities and making best use of brownfield land. In order to avoid repetition, the submission will not be repeated here, but it is our view that the exceptional circumstances do not exist to justify the release of Green Belt land.

Q10. Does the Plan support an appropriate mix of uses across the site to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities, as required by paragraph 106 of the Framework?

- 2.10 Draft policy STR/SS 3 sets out the mix of uses expected across the allocated site. Criterion 2 (b) sets out that the allocation should provide a main village centre and up to three neighbourhood parades comprising a range of shops, services, and employment uses of an appropriate scale to serve the new settlement, and to include community and leisure facilities.
- 2.11 On the basis that the draft Plan anticipates a village centre and neighbourhood parades, it is not clear at what level the provision of facilities will be. Village and neighbourhood centres generally cater for the immediate and day to day needs of the communities that they serve. In the case of shopping, for higher order goods and comparison shopping, it is likely that residents will visit larger towns such as Tonbridge (which would be closest, but outside of the Borough), Tunbridge Wells and Paddock Wood. At present, the connections are mainly “B” class roads to these centres. Without clarity over the type and form of services to be provided, there is a lack of certainty as to whether the allocation will genuinely meet the needs of local residents- for example there could be a minimum floorspace requirement for employment uses across the allocated uses, or the requirement for a supermarket of a minimum size.

Q23. The AONB Setting Analysis Report¹² identifies areas of ‘high’ and ‘medium’ sensitivity within the allocated site. In the area of high sensitivity, the Report states that development without mitigation is likely to harm the setting of the High Weald AONB. How is this reflected in the Plan? What potential impacts will the allocation have on the setting of the AONB?

- 2.12 It is noted that the Borough Council commissioned Hankinson Duckett Associates to produce an “AONB Setting Analysis Report”. The methodology for the report is set out at section 3.2. This consisted of a desktop study and site visits and field work. A series of photographs and maps were produced as appendices to the report. The report sets out at paragraph 3.2.5 that;

“Analysis of the landscape and visual relationship between the proposed settlement expansion/allocations and the High Weald AONB. The analysis considered proximity of the allocation to the AONB, existing landscape character including presence of AONB character



components and evidence of special qualities. Key views out of and into the AONB were identified and a summary of the intervisibility between the AONB and the proposed allocation was provided.....

An assessment was made of the predicted effects on the setting to the AONB as a result of development of the proposed settlement expansion / allocation. This considered both potential landscape and visual effects, with and without mitigation”

- 2.13 As identified above, the study focuses primarily on the inter-visibility of developments and their direct impacts and does not address the wider impacts of accommodating this level of growth so close to the boundary of the AONB. These impacts include increased visitor numbers to the AONB, placing pressure on its recreational facilities and infrastructure, increased traffic travelling through the AONB to access the new developments, and the highway improvements required to accommodate this, potential loss of tranquillity and increase in air and light pollution arising from these factors and from highway improvements which require to be lit.
- 2.14 it is clear from the above that the report does not properly consider all the impacts- both direct and indirect- on the AONB.
- 2.15 The draft policy STR/SS 3 identifies at criterion 7(b) that *“consideration should be given to the key landscape characteristics, views, and the setting of the High Weald Area of Outstanding Natural Beauty”*. The policy does not identify any mitigation measures that might be required to protect the AONB (such as a “dark skies policy”, for example), and the policy only requires consideration to be given to the AONB- there is no policy requirement for harms to be identified and mitigation to be proposed and secured. Again, it is noted that only the direct impacts of views and setting are identified- not the indirect impacts.

Q24. How will the allocation ensure visual and physical separation between Tudeley Village and Five Oak Green?

- 2.16 Criterion 7(f) requires;

“the design should incorporate means to ensure there is appropriate visual separation between Tudeley Village and Five Oak Green, including potentially the use of structural planting on land outside of the allocation, but within the wider land ownership”.

- 2.17 This appears to be in conflict with the mitigation identified in the Stage 3 Green Belt Study, which sets out at paragraph 4.122 that other potential mitigation measures could include open space and locally characteristic planting **within** the allocation site to the east to reduce impact on the perceived separation between Tudeley Village and Five Oak Green.



- 2.18 Two matters are important- the first is that the Green Belt Study refers to the **perceived** separation between the allocated site and Five Oak Green. It is unclear why this word is used, other than in recognition that there will be little or no **actual** separation between the allocated site and Five Oak Green. It is submitted that the development of the allocated site will result in a gap to Five Oak Green that is inconsequential and does not prevent neighbouring settlements from merging into one another. Secondly, the Green Belt Study suggests mitigation within the allocation site, whereas the policy requires mitigation outside of the allocation site, but within the land ownership. However, this raises issues over land ownership and the ability to deliver appropriate landscape mitigation planting.

Q27. Map 32 of the submission version Local Plan shows a 'potential train station site' within the allocation. What is the latest position regarding the potential for a new station at Tudeley Village? Is it a requirement of the allocation?

- 2.19 Whilst land for a train station is identified on Map 32, there is no reference to the provision of a train station within the wording of the policy STR/SS 3. It is assumed that this is because there is no certainty over the deliverability of a station in this location. The area of land identified for the provision of a station appears extensive, and in a key location on the northern edge of the proposed village centre.
- 2.20 If this site is safeguarded in some way (although the policy wording is not clear that it will be) for the provision of a station, and the delivery of this infrastructure is beyond the Plan period, then it will result in a large area of undeveloped land in a key location within the allocated site, with no certainty over its development. In the alternative, if the deliverability of the station is unlikely, then it should be removed from the map, and the land allocated for another appropriate use for its location- close to the railway line and on the edge of the village centre.
- 2.21 The lack of clarity over the provision of the station could lead to uncertainty over the infrastructure that is likely to be available to residents, and this could influence development decisions by investors over the quantity and quality of development. The provision of a train station on a line that links the site to Tonbridge and Paddock Wood would also have a significant impact on other transport modelling and the provision of other, vehicle related infrastructure. If a train station is delivered it may result in a reduction of car trips to Tonbridge (for example), and it may make it easier for those who work in Tonbridge (for example) to live in the new settlement, rather than for residents of the new settlement being employed within the new settlement.