

Examination of the Tunbridge Wells
Borough Local Plan

**Tunbridge Wells Borough Council
Hearing Statement**

**Matter 6: Strategic Sites
(Policies STR/SS1, STR/SS2,
STR/SS3, STR/PW1 and
STR/CA1)
Issue 3: Paddock Wood and East
Capel (Policy STR/SS1)**

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Contents

Size, Scale and Location of Development.....	4
Inspector’s Question 1: [re. Approach to single policy]	4
TWBC response to Question 1	4
Inspector’s Question 2: [re. Determination of Size and Scale of Parcels at Paddock Wood and east Capel].....	6
TWBC response to Question 2	6
Inspector’s Question 3: [re. Clarity on scale and mix of uses].....	8
TWBC response to Question 3	8
Green Belt	10
Inspector’s Question 4: [re. Green Belt to west of Paddock Wood].....	10
TWBC response to Question 4	10
Inspector’s Question 5: [re. Harm caused by Green Belt release]	11
TWBC response to Question 5	11
Inspector’s Question 6: [re. Compensatory Improvements to Green Belt]	13
TWBC response to Question 6	13
Inspector’s Question 7: [re. Exceptional Circumstances for Green Belt release]	15
TWBC response to Question 7	15
Flood Risk and Drainage	17
Inspector’s Question 8: [re. Sequential Test to Flood Risk at Paddock Wood and east Capel]	17
TWBC response to Question 8	17
Inspector’s Question 9: [re. Flood Risk at Land to East Paddock Wood]	22
TWBC response to Question 9	22
Inspector’s Question 10: [re. Drainage Strategy]	24
TWBC response to Question 10	24
Mix of Uses and Infrastructure Requirements	25
Inspector’s Question 11: [re. Type and Location of Community Uses].....	25
TWBC response to Question 11	25
Inspector’s Question 12: [re. Sports Hub accessibility by active modes]	29
TWBC response to Question 12	29
Inspector’s Question 13: [re. Gypsy and Traveller Site at Paddock Wood and east Capel]...	31
TWBC response to Question 13	31

Inspector’s Question 14: [re. Sheltered and Extra Care Accommodation at Paddock Wood and East Capel]	34
TWBC response to Question 14	34
Highways and Transport	35
Inspector’s Question 15: [re. Links over the railway line]	35
TWBC response to Question 15	35
Inspector’s Question 16: [re. Contributions towards A228 and Five Oak Green Bypass]	37
TWBC response to Question 16	37
Inspector’s Question 17: [re. Access to East Paddock Wood]	38
TWBC response to Question 17	38
Landscape and Heritage	42
Inspector’s Question 18: [re. Harm to setting of AONB]	42
TWBC response to Question 18	42
Inspector’s Question 19: [re. AONB Mitigation]	44
TWBC response to Question 19	44
Inspector’s Question 20: [re. Effective Mitigation]	48
TWBC response to Question 20	48
Inspector’s Question 21: [re. Heritage Impacts]	49
TWBC response to Question 21	49
Other Matters	51
Inspector’s Question 22: [re. SPD]	51
TWBC response to Question 22	51
Inspector’s Question 23: [re. Comprehensive Delivery of Allocation]	52
TWBC response to Question 23	52
Appendix 1: Shared Position Statement on Delivery of Infrastructure	55

Matter 6 – Strategic Sites (Policies STR/SS1, STR/SS2, STR/SS3, STR/PW1 and STR/CA1)

Issue 3 – Paddock Wood and East Capel (Policy STR/SS1)

Size, Scale and Location of Development

Inspector's Question 1: [re. Approach to single policy]

What is the justification for having a single policy (Policy STR/SS1) for the different development parcels at Paddock Wood and East Capel? Is it necessary to have development requirements for each specific area?

TWBC response to Question 1

1. TWBC considers the approach to having one single policy for the allocation is effective and clear. This reflects the holistic approach taken to the development; and the need to consider each parcel coming forward in the context of the wider growth which is to transform the existing and expanded town of Paddock Wood into a garden settlement.
2. From the outset, when the Council agreed the significant growth around Paddock Wood, including land in east Capel, was an appropriate strategy, it was made clear that this growth would be masterplanned comprehensively. The growth is to be fully integrated into the existing town so the whole newly expanded settlement is transformed into a garden settlement. This is reflected in paragraph 5.157 of the Submission Local Plan [\[CD 3.138\]](#). Further, and integral to the approach taken through the policy, paragraph 5.196 notes that the overall vision for Paddock Wood and east Capel needs to be clearly established so the growth is delivered ***strategically and holistically*** (Council's own emphasis).
3. It is this rationale that underpins the approach to the policy for this strategic allocation. The Council considers one policy is justified given the objective for the growth around Paddock Wood to be delivered holistically. Indeed, it is considered essential that the policy is considered as one in order for this objective to be effectively applied.

4. As set out in the Strategic Sites Topic Paper [\[CD 3.67\]](#), Policy STR/SS1 evolved from the evidence set out in the Strategic Sites Masterplanning and Infrastructure Study [\[CD 3.66\]](#) set out by David Lock Associates. In light of the brief provided to DLA by TWBC, DLA prepared an overarching Structure Plan for the growth at Paddock Wood and east Capel that provides a comprehensive approach to the development to ensure that the appropriate levels of physical and community infrastructure are planned and delivered in a manner which supports the growth of community. The growth around Paddock Wood is being promoted by a number of separate landowners and national housebuilders and it was considered appropriate to have an overarching Structure Plan in place to set out the guiding principles.
5. As set out in the Strategic Sites Masterplanning and Infrastructure Study [\[CD 3.66\]](#), paragraph 3.4], DLA took an ownership-blind approach to masterplanning the growth to ensure the expansion fully maximises the development potential in terms of securing the important garden settlement principles, providing infrastructure in the correct locations and ensuring the Plan successfully looks at creating an integrated settlement which responds to and relates properly to the existing settlement at Paddock Wood. By masterplanning in this way, DLA has been able to provide a Structure Plan which responds positively to the constraints and opportunities presented by the existing allocation. For example, the eastern parcel is less constrained in landscape and flood risk terms and accordingly development in the eastern parcel is optimised. Open space is limited to smaller pocket parks, and village greens. Land to the west has a much larger proportion of large natural open space incorporating water management, natural habitats and views. This reflects the flood constraints on this parcel of land, and the well-considered approach to landscaping given this parcel is being removed from the Green Belt.
6. Having a single policy is therefore justified and allows for this allocation to be considered, planned for and delivered a whole. It also reflects the comprehensive approach to development and infrastructure provision.
7. The Council considers the policy as worded is clear. It sets out in broad terms general locations for development and certain uses to be provided, where is it necessary to do so in order to plan accordingly (i.e. location of primary schools on different parcels of land). However, it also allows for flexibility for providing uses where the location isn't required to be fixed.

Inspector's Question 2: [re. Determination of Size and Scale of Parcels at Paddock Wood and east Capel]

How was the size of each parcel determined and what alternatives to the scale of development proposed at Paddock Wood and East Capel did the Council consider?

TWBC response to Question 2

8. The Sustainability Appraisal (SA) [[PS_013](#)] and Strategic Housing and Economic Land Availability Assessment (SHELAA) [[CD 3.77a](#)] formed the basis of how the Council determined the appropriate site area for the Paddock Wood and east Capel allocation, as reflected by the allocation boundary as shown on the Policies Map [[CD 3.59d\(i\)](#)].
9. The SA and SHELAA were prepared simultaneously. The purpose of the SHELAA is to determine which parcels are suitable, available and achievable for development, to inform site allocations in the new Local Plan. The role of the SA is to appraise the social, environmental and economic effects of the Plan. Commentary from the SA is included on individual site assessment sheets in the SHELAA and has informed the findings and outcomes of the SHELAA process. It is important to read both documents alongside each other to understand the decisions reached by the Council in terms of its strategy. The Council's Hearing Statement on Matter 5 (Site Selection Methodology) also provides more on this matter [TWLP/021].
10. As detailed in the SHELAA [[CD 3.77a](#) main report, paragraphs 1.7 and 1.8], the Council conducted two specific Call for Sites, as well as considering sites which were submitted to the Council through the Regulation 18 Draft Local Plan consultation (paragraph 1.9).
11. All sites submitted to the Call for Sites have been assessed using the same robust methodology for both the SA and SHELAA, carried out in accordance with the guidance in the PPG (ref. Paragraph: 005 Reference ID: 3-005-20190722) irrespective of size and location to determine the sites to consider both within the SHELAA and SA
12. As explained in the Council's response to Question 9 of the Sustainability Appraisal Hearing Statement [[TWLP/003](#) pages 21-22], five reasonable alternatives for the scale of an urban expansion at Paddock Wood were considered through the SA [[CD 3.130a](#)]. Please refer to paragraphs 69-72 of this hearing statement for a description of these five alternatives and their relative merits which prompted the recommendation for an option of approximately 3,500 dwellings to be recommended for allocation.

13. Alongside this, the Council through the SHELAA assessed which sites were considered available, suitable and achievable for the proposed strategic allocation, and these parcels were determined based on this and the broad parameters considered through the SA.
14. The quantum of development which could be accommodated within each parcel was established through the comprehensive masterplanning exercise completed by David Lock Associates [[CD 3.66a](#)]. This approach is set out in Section 4.0 of the Strategic Sites Topic Paper [[CD 3.67](#)].

Inspector's Question 3: [re. Clarity on scale and mix of uses]

Is it clear to developers, decision-makers and local communities what scale and mix of uses are proposed on each parcel (including the amount of employment land)?

TWBC response to Question 3

15. The Council considers Policy STR/SS1 provides for a clear framework to deliver the growth around Paddock Wood and east Capel. The Policy makes clear to developers, decision makers and local communities what scale and mix of uses are proposed across the allocation, and where necessary to do so, within specific parcels.
16. The Policy makes specific reference to Map 28 in the Policy (part 2). Map 28 is the Structure Plan prepared for Paddock Wood and east Capel by DLA in the Strategic Sites Masterplanning and Infrastructure Study [[CD 3.66](#) and appendices] and sets out how the growth around Paddock Wood can be delivered to achieve the garden settlement principles, and the broad locations for development. The text within Policy STR/SS1 prescribes locations for facilities insofar as it needs to. This approach reflects the guidance set out by the TCPA which states that “a *masterplan should be used as a flexible strategic framework on which a new community can grow over time*”. The Policy for Paddock Wood and east Capel has taken this approach, setting out the key parameters for the delivery of a successful development, defining the broad locations and quantum of development where justified and necessary to do so. The Policy has been carefully formulated not to prescribe a fixed blueprint which you would expect at more detailed masterplanning stage through the formation of the Supplementary Planning Documents (SPDs) and associated planning applications for each parcel.
17. The Policy sets out clearly the size and broad locations of the primary schools, so these reflect the needs for the area over the plan period as discussed with KCC Education. Similarly, the Policy sets out the quantum of floorspace expected from the neighbourhood centres (stemming from the conclusions within the Retail, Commercial, Leisure and Town Centre Uses Study Update, [[CD 3.86](#)]), and the broad locations which should be located to provide facilities to serve the day-to-day shopping needs of the new settlements.
18. The Sports Hub location is also defined as the proposed location has been fully considered as part of the masterplanning exercise (See Question 11).
19. With regard to the employment uses, the Policy cross-refers to Policy ED1 which provides the quantum of employment floorspace envisaged for the sites which form part of the Paddock Wood and east Capel strategic allocation. This detail is not repeated at Policy STR/SS1 to avoid

unnecessary duplication. However, the Plan, when read as a whole, is considered to be clear as to what is expected in this regard.

Green Belt

Inspector's Question 4: [re. Green Belt to west of Paddock Wood]

In the Green Belt Study Stage 1, how was parcel PW1 defined? Was land to the west of Paddock Wood, up to the A228 considered at this stage?

TWBC response to Question 4

20. Land to the west of Paddock Wood, up to the A228, was considered in the Green Belt Strategic Study Stage 1 [[CD 3.93a](#)]: the land west of Paddock Wood (in Capel parish) up to and beyond the A228 is covered by Broad Area BA4, north of the railway line and Broad Area BA 3, south of the railway line (Figure 6.1, page 41). In addition, the study identifies Parcel PW1, an area adjacent to the Limits to Built Development for Paddock Wood and Broad Area BA3, which covered only part of the land west of Paddock Wood and south of the railway line as shown on Figure 6.1, grid C, page 44. The northern and western extent of Parcel PW1 was defined by water courses and associated vegetation which lie within Flood Zone 3 and the southern extent by Badsell Road.
21. As shown on these Figures, this includes land up to the A228 which was considered at this stage.
22. As to how the Broad Areas and Parcels were defined this is covered under responses to questions on the Green Belt methodology Matter 4 Issue 2 Question 1 [TWLP/019].

Inspector's Question 5: [re. Harm caused by Green Belt release]

In the Green Belt Study Stage 3, Map 2 identifies that releasing land to the west of Paddock Wood will cause 'moderate' harm nearest the existing settlement, with 'high' levels of harm on roughly the western half of the parcel nearest the A228. What are the reasons for this and how have the findings been taken into account in the preparation of the Plan?

TWBC response to Question 5

23. The variation in harm illustrated in the Green Belt Study Stage 3 [\[CD 93c\]](#) on land west of Paddock Wood, as shown on Map 2 page 74, primarily reflects the differing relationship across this area with the existing settlement and visual urbanising influences. This is explained in some detail in paragraph 4.130 but essentially, the eastern part is less distinct from the settlement whereas the western parts, beyond identifiable boundary features of Tudeley Brook to the south of the railway and a hedgerow and watercourse to the north of the railway, are more distinct from the settlement edge.
24. This increase in distinction of land in the western part of the allocation, i.e. reduction in strength of relationship with the urban area, means that it makes a stronger contribution to Green Belt Purpose 3; safeguarding the countryside from encroachment (NPPF, paragraph 138(c)). In addition, the release of land in the west of the allocation would have a greater impact on perceived separation between Paddock Wood and Tudeley (Green Belt Purpose 2, preventing neighbouring towns merging into one another (NPPF paragraph 138 b)).
25. Having identified the likely high level of harm in this Broad Area (BA4) in the Green Belt Study Stage 2 [\[CD 3.43 b \(ii\)\]](#) figure 6.5 page 33] the Council sought through the policy formation and masterplanning work which underpinned this to minimise and reduce that harm. The Green Belt Stage 3 Study [\[CD 3.93c\]](#) recognises the positive measures in the draft Regulation 18 policy (at 4.145) as the *"retention and enhancement of hedging and trees along the A228; the need for development to be set back from A228 to reduce visual impact of development on countryside; and use of internal hedging and tree belts along field boundaries to influence development layout"*.
26. The Study went on to make recommendations for further mitigation measures and identified potential measures to enhance the beneficial use of the remaining Green Belt. It also considered the draft Structure Plan prepared by DLA (Appendix A of the Green Belt Study Stage 3) and noted that the measures it contained would help minimise the identified harm (paragraph 4.150). These included:

- a. “A proposed ‘Sports Hub Area’ and adjacent Green Strategic Landscape Corridor to the south-west of the allocation site, which would help reduce impact on perceived separation between Paddock Wood and Five Oak Green/Tudeley Village.
 - b. The retention and mature vegetation surrounding Badsell Manor to the south-west of the allocation site, which would help to reduce the urbanising effect of development and the impact on the perceived gap between Paddock Wood and Tudeley Village.
 - c. The strengthening of hedgerows and vegetation along the A228, which will strengthen its role as a Green Belt boundary and help reduce impact on adjacent Green Belt land to the west and north-west.
 - d. The retention of vegetation (hedgerows and woodlands) within the allocation site, which would help to further reduce the potential visual influence of development on adjacent Green Belt land.
 - e. The set back of development and strengthening of vegetation along Badsell Road, which would help to reduce the urbanising effect of development when travelling between Paddock Wood and Tudeley Village”.
27. These measures are now incorporated into the Structure Plan which is included within the SLP (Map 28 page 150), and the provisional Limits to Built Development as shown on the Policies Map [[CD 3.59d\(i\)](#)]. This includes the promotion of more residential development on the eastern site, with the western parcel proposing significant amounts of open space, including the sports provision for the entire growth, reflecting, amongst other things, the Green Belt edge. The Study also notes the proximity of proposed development to existing development at Whetsted and suggested that mitigation could include the *“use of set-back from the A228 boundary and by enhancing hedgerow planting and introduction of characteristic small woodland copses and tree belts along the A228”*.
28. These suggested measures are already evident in the existing Structure Plan but can be strengthened through the further iterations of the Framework Masterplan that is required by Policy STR/SS 1.

Inspector’s Question 6: [re. Compensatory Improvements to Green Belt]

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?

TWBC response to Question 6

29. The Council has identified the need for compensatory improvements to the remaining Green Belt land at an early stage and has sought to develop the policy and masterplanning to address this. This reflects the requirements of the NPPF as set out at paragraph 142.
30. The requirements for compensatory improvements on land to the west of Paddock Wood (i.e. land west of the A228 beyond the land to be released from the Green Belt) is set out in Policy (STR/SS1 Criterion 10) so it is clear to all that this will be required.
31. The Framework Masterplan Supplementary Planning Documents (SPD) will be prepared for each parcel which allows for further detail to be refined and set out in this regard. These documents will be a material consideration in the determination of planning applications.
32. To inform the soundness of the allocation, the Council has had regard to what compensatory improvements could be provided. Both Dandara and Crest Nicholson, the site promoters on land within the western parcel recognise and support the requirement to deliver compensatory improvements (please see the Statements of Common Ground with Dandara [[CD 3.138](#) paragraph 2.37 to 2.40] and Crest Nicholson [[CD 3.137](#) paragraphs 2.37 to 2.38]).
33. Criterion 9 of Policy STR/SS1 requires the development at Paddock Wood and east Capel to “provide walking and cycling linkages within the site, together with links to Paddock Wood town centre, employment areas, and surrounding countryside”. The likely extent of linkages into the Green Belt is shown on the plans that support the Policy in the Plan on page 150 (Map 28 Paddock Wood and East Capel Structure Plan) and page 151 (Map 29 Transport Connections: Paddock Wood and East Capel).
34. Some of these are located within the Green Belt and will result in compensatory improvements to land remaining in the Green Belt.

35. These existing cycle and pedestrian routes will be enhanced through financial contributions to appropriate wayfinding/interpretation boards and improvements of these connections will improve access from the existing community to the proposed Sports Hub and the wider countryside/remaining Green Belt land. These will be developed in close discussion with KCC Public Rights of Way officers, who the Council is engaged with. The site promoters have also agreed to enhancing roadside planting, appropriate landscaping features to create a settlement edge, and landscaping and visual enhancements on what will be the new Green Belt boundary. All these measures are recognised in the Planning Practice Guidance as appropriate compensatory improvements (paragraph 002 [Reference ID: 64-002-20190722](#) Revision date: 22 07 2019).

Inspector's Question 7: [re. Exceptional Circumstances for Green Belt release]

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?

TWBC response to Question 7

37. As referred to in the Question, the exceptional circumstances that exist at a strategic level are dealt with under the Matter 4 questions. This detail is not repeated here. However, it is noted that the factors identified together provide a basis for establishing exceptional circumstances to alter the boundaries of the Green Belt and removing land from it in order to deliver the extent and quantity of development in the Local Plan. In particular, these factors support the proposals for strategic development in the Green Belt of land at Paddock Wood and east Capel, and at Tudeley (also located within Capel parish) for a wide range of land uses, including built development, to deliver strategic development opportunities.
38. With regard to the exceptional circumstances that exist to justify the release of the Green Belt at Tudeley Village, please see paragraph 6.186 of the Development Strategy Topic Paper [[CD 3.64](#)]. This identifies further exceptional circumstances which exist at a site and development specific level which are considered to contribute to exceptional circumstances.
39. For Paddock Wood and east Capel, this includes the following:
- a. the land proposed to be released from the Green Belt here is part of a wider release of non-Green Belt land to deliver development in a sustainable location, around an existing settlement, with the potential to rejuvenate and revitalise the town centre: approximately 48% of the total area of land included for the comprehensive urban extension is currently designated as Green Belt;
 - b. through the comprehensive development of this site, and particularly the land to the west of Paddock Wood (i.e. that which would be released from the Green Belt), it has been identified through the Strategic Flood Risk Assessment that there is the potential for the flood mitigation required in association with this development to deliver 'betterment' through reduced flood risk to existing areas of Paddock Wood and its surrounds. This requirement is specifically included in the Policy (criterion 13) and is considered to make a significant contribution to the exceptional circumstances for the release of this land from the Green Belt;

c. expansion of the town offers opportunities both within the new development and existing residential and employment areas of Paddock Wood to increase the use of alternative modes of transport (to cars) for local journeys, improve green infrastructure and, taken together with land at Tudeley, there are opportunities to provide significant new highway infrastructure and localised highways improvements. This aspiration is justified through the Access and Movement report which underpins the masterplanning for this allocation [[CD 3/66e](#)] and the Local Cycling and Walking Infrastructure Plan (LCWIP) Stage 2 [[CD 3.115b\(i\)](#)].

40. The above demonstrates strong exceptional circumstances at a site-specific level, which when considered against the strategic local plan exceptional circumstances, provide justification for the release of Green Belt land in this location in line with paragraph 140 of the NPPF.

Flood Risk and Drainage

Paragraph 4.11 of the *Strategic Sites Topic Paper*¹ states that “...the starting point was to focus development using a proportionate application of the sequential test in flood risk terms i.e., the majority of residential development in flood zone 1, with some in flood zone 2 where there was confidence in site specific flood mitigation ensuring that was acceptable.”

Paragraph 4.14 then goes on to state that “A scenario was run with residential development in flood zone 1 only (Option 3). This provided fewer dwellings, 2,840, and was considered unnecessary in the context of planning guidance on locating development in appropriate flood zones.”

Inspector’s Question 8: [re. Sequential Test to Flood Risk at Paddock Wood and east Capel]

What is a ‘proportionate application of the sequential test’? Is the allocation of land to the west of Paddock Wood consistent with paragraph 162 of the Framework, which states that development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding?

TWBC response to Question 8

Introduction

41. As explained at paragraph 85 in response to question 7 of Matter 3 Issue 2, whilst paragraph 162 of the NPPF aims to steer development to areas of lowest flood risk (which is Flood Zone 1 in Tunbridge Wells borough), paragraph 163 is clear that (subject to being more/less vulnerable, water compatible or essential infrastructure) that the location of development in both Flood Zone 1 and Flood Zone 2 these is still appropriate. There is therefore somewhat of a tension between these two paragraphs: 162 suggesting that all development should be in Flood Zone 1, but 163 setting out that certain development in Flood Zones 1 and 2 is appropriate. How the Council has taken account of these paragraphs in relation to Paddock wood, including land in east Capel, is set out below.

¹ Core Document 3.67

42. It is the Council's view that the proposed allocation at Paddock Wood and east Capel, as set out at Policy STR/SS1 appropriately addresses the Sequential Test requirements set out in paragraph 162 of the NPPF.
43. The Council considered the Sequential Test at the time of preparing its Sustainability Appraisal [\[CD 3.130a\]](#). Reasonable alternative available sites to the strategic site allocation proposed at Paddock Wood and east Capel were considered in paragraphs 6.2.18 to 6.2.29 of the Sustainability Appraisal. The assessment concluded that the Strategic Site at Paddock Wood and east Capel was only one of two (the other being Tudeley Village) which were deemed appropriate for further appraisal. With regard to considering flood risk during this process of considering reasonable alternatives, outputs from the Level 1 Strategic Flood Risk Assessment [\[CD 3.105a\]](#), which considered all sources of flooding, were assessed. The Sustainability Appraisal concludes that other potential strategic sites were not deemed appropriate for further appraisal in light of severe landscape concerns and/or transport concerns [refer to paragraph 6.2.22 of [CD 3.130a](#)].
44. For the Paddock Wood and east Capel strategic site, five options for the strategic growth around Paddock Wood were assessed in the Sustainability Appraisal (refer to paragraphs 6.2.37 to 6.2.49). Options 1, 3 and 5 looked to include land within the proposed urban extension allocation which included land at a lower risk of flooding. However, on balance these were not considered reasonable alternatives in overall sustainability terms (see Table 29 of Sustainability Appraisal), and so Options 2 and 4 which include land to west of Paddock Wood were considered favourable. The Sequential Test as described by decision making on alternative sites in the Sustainability Appraisal was informed by all sources of flood risk and in particular fluvial and surface water flood risk. Consideration was also given to a sequential approach to development and how new development could contribute to the reduction of flood risk to existing developed areas.
45. Flood risk associated with the allocation of land at Paddock Wood and east Capel was considered during the Level 1 Strategic Flood Risk Assessment (SFRA) prepared by JBA Consulting [\[CD 3.105a\]](#). Through the Level 1 SFRA all of the sites around Paddock Wood and east Capel that were submitted through the Call for Sites process were screened against a suite of available flood risk information and spatial data, to provide a summary of risk to each site (please see paragraph 6.2.25 of the Development Strategy Topic Paper [\[CD 3.64\]](#) for full details of the data used). This information informed the consideration of the sites through the SHELAA [\[CD 3.77\]](#) and Sustainability Appraisal, following the sequential approach.

46. Potential development areas at Paddock Wood and east Capel were then grouped into parcels which were assessed as part of the Level 2 SFRA prepared by JBA Consulting [[CD 3.105a](#)]. The Level 2 SFRA assessment was prepared for Paddock Wood and east Capel as flood risk is predicted in some regions of the parcels and necessitated more detailed consideration of flood risk to improve confidence that the scale of development required was deliverable in Paddock Wood and east Capel in regions of low flood risk. During delivery of the Level 2 SFRA, all sources of flood risk were considered when assessing the development parcels and, in light of predicted risk, this supplementary assessment informed modification and adjustment of the indicative layout of development in some parcels. This evidences that the sequential approach to the placement of development was considered.
47. As explained at paragraphs 104-107 in response to question 7 of Matter 3 Issue 2, ahead of the masterplanning work led by DLA being undertaken, the Exception Test was undertaken at Draft Local Plan stage. For the reasons explained at paragraphs 109-114 it was considered that the Exception Test was passed.
48. The iterative/sequential approach to decision making adopted in the Level 2 SFRA with regard to the placement and scale of development was carried through to Paddock Wood and east Capel masterplanning assessment prepared by David Lock Associates [[CD 3.66a](#)]. The Environment Agency and Kent County Council were involved during this process, attending meetings during which flood risk predictions, decision-making and the assessment of flood risk management options were discussed. Please see the meeting logs with both stakeholders in the Duty to Cooperate Statement [[CD 3.132\(B\)](#) pages 4-6 and 211-213.]
49. Both the Level 2 SFRA and Masterplanning assessment [[CD 3.66f](#)] used detailed flood risk modelling of Paddock Wood and east Capel to understand current flood risk and predicted changes in flood risk when development options were tested so that the predicted actual risk is addressed. Flood risk management measures to help manage flooding were also assessed. The approach to modelling is appropriate to the Paddock Wood and east Capel area. The full catchment is modelled, and rainfall is applied directly to the model surface (compared with inputting flows only to watercourses), meaning that overland drainage pathways, whether they are shallow or deep, are represented. This technique explicitly addresses fluvial flood risk from watercourses and the overland surface water flow routes. Therefore, any changes in ground levels, etc. as implemented within the model will produce changes in predicted flooding in relation to rivers and surface water, even if distant from watercourses, e.g. if shallow overland flow paths distant from water are modified, changes in flooding will be displayed.

50. JBA Consulting, who undertook the Council’s Level 1 and Level 2 SFRA, formed part of the masterplanning team led by David Lock Associates (DLA). They provided surface water and fluvial flood risk advice and modelling on the different options provided by DLA, so the Structure Plan for Paddock Wood and east Capel was appropriate and in line with the sequential approach to allocating development. It is noted that the flood modelling undertaken by JBA to support the Structure Plan [CD 3.66] concludes that the development is appropriate from the perspective of not increasing flood risk to third parties. This approach has been agreed by the Environment Agency in the signed Statement of Common Ground [CD 3.132c(v) Appendix H2].
51. The Structure Plan for Paddock Wood and east Capel (Map 28 in the Plan) shows residential development located out of Flood Zone 3, and the vast majority located outside Flood Zone 2. The Structure Plan allows for some residential development in Flood Zone 2 where assessment of flood risk management measures (via hydraulic modelling) provides confidence that site-specific design can appropriately manage flood risk now and in the future (with the effects of climate change). As explained at paragraph 86 in response to Question 7 of Matter 3 Issue 2 [TWLP/015]:
- a) residential development is classified as More Vulnerable
 - b) Table 3 of the relevant section of the PPG is clear that such residential “*development is appropriate*” in Flood Zone 2, and that the Exception Test is not required
52. The more detailed work undertaken by JBA demonstrates that even though the growth of Paddock Wood proposes some allocation in Flood Zone 2, in relation to these areas the Sequential Test has been passed.
53. This is considered “*proportionate*” insofar as when planning for a settlement of this size (the evidence prepared demonstrating that the allocation in principle can comply with the Sequential Test) it is considered appropriate that some development may need to be directed to Flood Zone 2.
54. As noted by DLA in its Masterplanning and Infrastructure Report [CD 3.66a, para. 5.77], an option was considered in which all development was located within Flood Zone 1 to minimise potential influences of development on flows of overland water. However, this would have significantly reduced the number of dwellings across the allocation by around 610 homes and would have had a detrimental effect on the deliverability and viability of the allocation, and in any even the NPPF and PPG is clear that residential development in Flood Zone 2 is appropriate, and the Exception Test is not needed. Nevertheless, the Council has explained in response to Question 7 of Matter 4, Issue 3 how the Exception Test was undertaken at Draft

Local Plan stage and has also explained how – if the Exception Test is required – the Exception Test would be met.

Inspector's Question 9: [re. Flood Risk at Land to East Paddock Wood]

Can the parcel allocated to the east of Paddock Wood come forward without requiring residential development in areas at risk of flooding?

TWBC response to Question 9

55. Yes, land to the east of Paddock Wood, as shown in yellow on Map 27 of the Submission Local Plan main document can deliver residential development solely on land within Flood Zone 1 , with detailed pre-application discussions showing the only exception to this being four dwellings in Flood Zone 2. While some residential development regions displayed on the Masterplan mapping are located where surface water pathways are predicted by surface water mapping, the actual residential development within these regions would be located outside of the areas at risk of surface water flooding and so residential development can be brought forward outside of areas at risk of flooding. Within the surface water flood zones, corridors of open space will be required so that existing surface water flow pathways are not impeded, and the natural above ground storage mechanisms are maintained.
56. The area of the parcel susceptible to groundwater flooding is small (Areas Susceptible to Groundwater Flooding proportion banding of '0-25%') and the risk of this source of flooding is very uncertain. When development is brought forward a detailed FRA can be prepared to gain a detailed, site-specific understanding of ground water conditions and, if necessary, measures identified to address potential groundwater flood risk issues.
57. The Structure Plan (Map 28 of the Submission Local Plan) plans for residential development on land within Flood Zone 1 only, and also notes that the flood extents for Flood Zone 3a with the effects of climate change applied are smaller than the extent of present-day Flood Zone 2. The Structure Plan anticipates that around 1,330 new homes can be provided in accordance with the Sequential Approach. As noted in the Strategic Sites Masterplanning and Infrastructure Study [[CD 3.66](#) and appendices, paragraph 5.50], because land to the east is much less constrained than land to the west (in flood risk and Green Belt terms), development has been optimised by limiting open space on this parcel to smaller pocket parks, village greens and more formal spaces. Formal outdoor (and indoor) provision for the allocation as a whole is on land to the west. Accordingly, if land to the west is not brought forward the development potential on land to the east would be reduced to facilitate this additional open space provision.
58. The Council has undertaken extensive pre-application discussions with Redrow and Persimmon who are promoting the majority of the parcel to the east of Paddock Wood. A planning

application is due to be submitted very shortly. The detailed Masterplan is looking to accommodate the residential development within Flood Zone 1. If a small number of dwellings do need to encroach on flood zone 2, a detailed drainage strategy described in a Flood Risk Assessment will set out the arrangements with respect to the Sequential Approach, SuDS, surface water flood risk and groundwater flood risk. If any development encroaches Flood Zones 2 or 3, adequate mitigation measures will need to be set out in line with Policy EN25. Policy STR/SS1 (13) requires a drainage strategy to be agreed prior to planning permission for substantial development being granted (unless in exceptional circumstances; please see Question14).

Inspector's Question 10: [re. Drainage Strategy]

What is the justification for requiring a drainage strategy to be in place prior to the granting of planning permission 'unless exceptional circumstances arise'? What might these circumstances be? Is the policy sufficiently clear and is it effective?

TWBC response to Question 10

59. The inclusion of the words "*unless exceptional circumstances arise*" is considered to be justified. The Policy makes clear that a drainage strategy should be in place before planning permission is granted. Exceptional circumstances are just that; something that would not typically take place, but it is considered necessary to include this text for robustness. This does not imply a planning application should be submitted or granted planning permission without information on a drainage strategy; this would not comply with the Policy as written or the development management process, but there may be times during the determination of a planning application where there is agreement over the scope and broad strategy of the drainage scheme, but the final details are being resolved and there are material considerations which indicate planning permission should be granted without a full drainage strategy. There are also further mechanisms that can enable further details to be determined and secured if required, i.e. conditions/legal agreements/applications for reserved matters for later phases.
60. The inclusion of this provision should not be deemed to suggest that the Council does not recognise that drainage is an extremely important consideration in the determination of planning applications. Instead, it allows for flexibility if required and critically if the Lead Local Flood Authority is content, to deal with detailed matters through condition or later phases. In the Statement of Common Ground between TWBC and Kent County Council [[CD PS 012](#)], KCC confirms as Lead Local Flood Authority it is "*supportive of the flood risk considerations contained within the Local Plan*" (paragraph 4.28). Specifically in relation to the Strategic Sites, KCC confirms the importance of appropriate drainage strategies and the use of SPDs is recommended to provide further guidance on this matter (paragraph 4.31).

Mix of Uses and Infrastructure Requirements

Inspector's Question 11: [re. Type and Location of Community Uses]

How have the type and location of community uses been established? For example, what is the justification for the proposed sports hub (including a 25m swimming pool) and why is it in the location proposed?

TWBC response to Question 11

Type and Location of Community Uses

61. The type and location of community uses has been refined and established through the masterplanning process undertaken by David Lock Associates. The process and outcomes of this is set out in the Strategic Sites Infrastructure and Masterplanning Study [[CD 3.66](#) and appendices].
62. The identification of the type and quantum of the community infrastructure has stemmed from extensive discussions with relevant stakeholders, including infrastructure providers. This commenced prior to DLA being instructed, led by officers at TWBC through the Strategic Sites Working Group (SSWG). This was set up by the Council in 2019 to deliver the strategic sites and to inform the requisite infrastructure requirements to feed into Council's Infrastructure Delivery Plan [[CD 3.47](#)]. The purpose of the SSWG was to bring together key stakeholders, including infrastructure providers, to work collaboratively to identify what infrastructure, including community uses, would be required to meet the needs arising from the Strategic Sites. Ongoing discussions with these providers ensured that all stakeholders were aware of the nature and scale of such proposals, in line with the guidance in the PPG (paragraph 060) to ensure the community infrastructure requirements were fully justified.
63. As part of the information gathering stage of the masterplanning process, DLA held technical workshops to which key service providers, statutory consultees, site promoters and community representatives were invited. These workshops included sessions on green and blue infrastructure, community wellbeing, and transport and movement. A separate community engagement event was also held during this stage of the process, held virtually during Covid restrictions. This also helped shaped not only the identification of what infrastructure is required but also helped to inform the Structure Plan as shown at Map 28 of the Local Plan. Please see pages 33-35, 37-39, and 70-77 of the Strategic Sites Masterplanning and Infrastructure Study [[CD 3.66a](#)] for details of this workshop.

64. The broad locations shown for various community uses has stemmed from a full consideration of a number of factors by DLA in determining the most appropriate Structure Plan. DLA's methodology is underpinned by a regard for 'good growth', necessitating consideration of the settlement of Paddock Wood as a whole, and adopting a comprehensive masterplanning approach to identify a scenario whereby investment in community uses can benefit the wider settlement population and help to achieve more sustainable outcomes. The Strategic Sites Masterplanning and Infrastructure Study [[CD 3.66](#) and appendices] includes an explanation of the methodology undertaken to complete the masterplanning exercise (Section 3). This approach is summarised in paragraphs 4.2 to 4.8 of the Strategic Sites Topic Paper [[CD 3.67](#)]. Without seeking to repeat the detail again here, the work undertaken by DLA includes site visits to fully understand the site constraints and opportunities, along with a full desk-top review of the factors which will influence the successful planning of growth in this urban extension, such as flood risk, landscape considerations, existing linkages and land use features such as the railway line. This enabled a full understanding of the existing parameters the masterplanning work had to consider.
65. Adopting a comprehensive view of the settlement and facilitated by the proposed single allocation for all expansion land at Paddock Wood, it has been possible to maximise the number of residential units planned to the east of Paddock Wood outside of the Green Belt, thus moderating the amount of residential development proposed for Green Belt land. This was achieved by removing any requirement for sports pitches within the eastern parcels in order to maximise residential units here. This land is also less constrained by flooding and is therefore better suited to residential development. The consequence of this is that the sports hub is concentrated in the western parcels. This is explained further below.

Justification for Sports Hub

66. The Council recognises the sports hub is a subject of disagreement between TWBC and Paddock Wood Town Council. DLA calculated that the proposed growth which could be accommodated through the allocation would require c. 10 hectares of land to provide an appropriate provision of both indoor and outdoor sports facilities to meet the demand stemming from the growth being planned in this location. This has been calculated based on TWBC's Recreation Open Space SPD which sets out sports field provision requirements of 1.1 ha per 1,000 people for new developments, aligning broadly with Fields in Trust 'Beyond the Six Acre Standard' recommendation of 1.2 ha per 1,000 population. It was considered that planning for the growth holistically across the whole allocation provided the opportunity to deliver the indoor and outdoor sports provision in one location. This provides a good opportunity to enable residents, both existing and new, to benefit from a new sports hub which, through economies of

scale, can provide an enhanced facility. This was reflected through discussions at the various workshops, and the principle of combining the outdoor sports provision in one location is supported by PWTC and the local community groups (notwithstanding the disagreement over the location). It is considered that providing for one sports hub contributes positively to place shaping and creating a new community where people can access day-to-day facilities and leisure services within the same area as where they live, thus reducing overall travel demand across a wider area. This also confirms with the Borough's overall Playing Pitch Strategy [CD3.88g], where the Council is looking to remove some sites as playing fields and provide new and better sports hubs across the borough (paragraph 3.8).

67. Using this approach as the key driver, DLA identified two potential parcels of land which could accommodate the 10 hectares of sports provision. Both parcels are on the western side of Paddock Wood; one located in the north-west, and one to the southwest. Section 5 (page 96) of the Masterplanning and Infrastructure Study provides a full analysis of both options [CD 3.66]. On balance, it was recommended by DLA, and agreed to by TWBC, that the most appropriate location is on land to the southwest. This land is to the south of the railway line, better serving the existing settlement (the vast majority of the existing residential properties in the town lie south of the railway) and a large proportion of the new growth planned; removing the need to navigate the railway line. Please see the Council's response to Question 12 for more on this matter. It is also considered in landscape and Green Belt terms that the sports hub can play a greater role in retaining the green separation between the expanded town of Paddock Wood and villages within Capel. This was the view reached in Stage 3 Green Belt Study [CD 3.93c, paragraph 4.150].
68. There has been a longstanding aspiration for residents to see a swimming pool in Paddock Wood; and this was conveyed to DLA at both the community stakeholder session and through discussions with other stakeholders, including TWBC Sports and Leisure department. Section 8 of the TWBC Built and Indoor Sports Facility Needs Assessment 2018 [CD 3.26b] confirms the assessed need for additional swimming pool provision within the borough. Figure 4.5 of the Assessment demonstrates that Paddock Wood lies beyond a 15-minute drive of a TWBC swimming pool, and much of the parish of Paddock Wood also lies beyond a 15-minute drive of any neighbouring pool. Consequently, the provision of a swimming pool within Paddock Wood would assist in addressing unmet need within the borough, in a location that is arguably underprovided for at present, and where strategic growth is being planned. The inclusion of a swimming pool within a sports hub was therefore considered in response to this and factored into the infrastructure requirements accordingly.

69. The Council also draws the Inspector to the recently published [Leisure Strategic Outcomes Planning Guidance](#) (SOPG) report. The Council and Sport England jointly commissioned Strategic Leisure Limited to develop the SOPG report to assist the Council in planning for physical activity and leisure provision over the next 5-10 years. This is not a document that was commissioned by the local planning authority, but Planning Services officers discussed the proposed growth anticipated through the Local Plan with Strategic Leisure Limited so that the SOPG could consider this and make recommendations accordingly. Paragraphs 5.19 to 5.30 considers Paddock Wood and it is noted that *“the opportunity to co-locate new indoor and outdoor physical activity provision on one site represents a significant opportunity for existing and new communities. In considering quantity it is important to highlight that consultation with Tonbridge and Malling Borough Council (TMBC) and Maidstone Borough Council (MBC) supported the need for additional provision of physical activity facilities in the north of Tunbridge Wells Borough”* (paragraph 5.26). The report also notes that there is a need to include swimming provision (paragraph 5.23) to meet the growth proposed.
70. The SOPG also concludes at paragraph 5.26 that to ensure enhanced accessibility for the Paddock Wood catchment, the optimum available site for a new community physical activity facility is to the southwest of Paddock Wood.
71. The SOPG therefore supports the approach taken to combining the uses in one location, and the location as determined through the masterplanning exercise.

Inspector's Question 12: [re. Sports Hub accessibility by active modes]

In the location envisaged, will the sports hub be accessible to existing and future residents of Paddock Wood by sustainable modes of transport?

TWBC response to Question 12

72. Yes, the Council considers that the proposed location of the sports hub (to the south west of Paddock Wood) will be accessible to existing and future residents of Paddock Wood by sustainable modes of transport. The majority of residents live to the south of Paddock Wood (south of the railway line), and even with the growth transcending the railway line to the north, the large majority of the town will still be to the south. Indeed, when considering the options for the location of the sports facilities as part of the masterplanning process, it was considered this option maximised its accessibility within Paddock Wood by active travel means.
73. It is also noted that the location proposed also facilitate easier access by active travel links to residents living in Five Oak Green and Tudeley, with the ability for residents in these areas visiting the Sports hub by active travel means.
74. The Structure Plan for Paddock Wood and east Capel (as shown on Map 28 of the Submission Local Plan, and fully detailed in the Strategic Sites Masterplanning and Infrastructure Study [\[CD 3.66\]](#)) identifies the appropriate active travel infrastructure required to encourage and deliver a significant modal shift away from the private car. This is considered an integral part of delivering the growth on garden settlement principles as required by Policy STR/SS1. This includes the identification of broad cycle and pedestrian routes, and the defined route for a bus service and proposed use of bus gates in order to give priority to sustainable travel modes.
75. The Masterplanning work also reflects the Local Cycle and Walking Infrastructure Plan (LCWIP) prepared by PJA [\[CD 3.115b\]](#). This sets out a series of interventions within Paddock Wood to facilitate more pedestrian and cycle movement within the existing built-up settlement.
76. The new growth must deliver bus, walking and cycle links within the site, Paddock Wood town centre employment areas and surrounding countryside (criteria 8 and 9). This will create a new network of active travel routes to the proposed sports hub which will facilitate access by sustainable modes of transport.

77. The combination of these measures, which are all requisites of Policy STR/SS1, will ensure the sports hub can be accessed by non-car modes by a large proportion of the expanded Paddock Wood population.

Inspector's Question 13: [re. Gypsy and Traveller Site at Paddock Wood and east Capel]

What is the justification for the inclusion and location of sites proposed for gypsy and traveller accommodation?

TWBC response to Question 13

Introduction

78. Reference is made to bullet point 2.f. of Policy STR/SS1 of the Submission Local Plan which requires that the proposed significant growth around Paddock Wood and east Capel provides for, among a range of other infrastructure requirements, a three-pitch Gypsy and Traveller site (to include one mobile home and one touring caravan per pitch). The Policy notes that it is expected that this provision will be on the western parcel (to the north of the railway line) and eastern parcel (as shown on Map 27).
79. While the Policy implies that provision would be split on two separate sites, the Council can now clarify that the preference for the provision would be on a single three-pitch site, located on either the western or eastern parcel. The Gypsy and Traveller Accommodation Assessment [[CD 3.78](#)] advises that the consultation with households determined that small family sites are appropriate (paragraph 5.27) and discussions with one family in particular who requires a site has determined a preference that the provision should be sited in one location.
80. It is further noted that paragraph 5.60 of the Strategic Sites Masterplanning and Infrastructure Study [[CD 3.66](#)] makes an assumption that the two locations for Gypsy and Traveller provision would serve a different purpose: one would provide a transitory purpose adjacent to the A228 in the north-western parcel, and the second would accommodate permanent pitches located in the south-east of the site adjacent to Church Lane. This is not the case; the Council has, within its evidence base work [see paragraph 3.70 of the Council's Housing Needs Assessment Topic Paper [CD 3.73](#)], determined that a transitory need has not been identified within the borough. Consequently, there is only a requirement within Policy STR/SS1 to meet the need for three permanent pitches. The Council confirms this does not affect the conclusions on Gypsy and Traveller pitches that is set out in the Strategic Sites Masterplanning and Infrastructure Study.
81. The location of this site remains flexible as per the Structure Plan and policy wording. The justification for the inclusion of this policy requirement, and the justification for the proposed locations to meet the borough's Gypsy and Traveller need is outlined in turn below.

Consideration

82. The justification for the inclusion of Gypsy and Traveller sites within the strategic allocation stems from the Council's Gypsy and Traveller Accommodation Assessment 2018 (GTAA) [[CD 3.78](#)], as set out in the Council's Housing Needs Assessment Topic Paper [[CD 3.73](#)]. This clearly outlines the borough's Gypsy and Traveller needs over the plan period. As explained at paragraphs 3.63 and 3.64 of the Topic Paper, the Submission Local Plan should plan to meet a need of 33 Gypsy and Traveller pitches; this is based on the level of need over the period for which the GTAA covers (2017-2037), in addition to the need for an additional pitch in 2038 given the Local Plan's plan period.
83. Paragraph 3.66 further notes that the GTAA recommends that the most appropriate way of meeting the identified need, which stems from growth of existing families within the borough, should largely be through the intensification and/or expansion of existing sites.
84. The Council's Housing Supply and Trajectory Topic Paper [[CD 3.74](#)] outlines the Council's intended approach towards meeting the identified need of 33 pitches. The Council's approach has primarily been based on the assessment of potential additional capacity by first intensifying and/or expand existing Gypsy and Traveller sites within the borough. This is considered an appropriate approach given that the need is essentially expected to come from changing demands of existing local families. However, in addition to meeting the need on existing sites, the Local Plan also proposes to meet the need on two new sites, one as an integral component of the strategic proposal for Paddock Wood and east Capel, and a new site submission south-east of Paddock Wood. This is to serve the need for small family pitches and to facilitate new sites. Paragraph 6.15 of the GTAA recognises that a key issues in the delivery of Gypsy and Traveller sites is the provision of new sites, with most households on sites and yards preferring small family sites or yards.
85. The strategic proposal at Paddock Wood and east Capel presents an opportunity for the Council to ensure that this need is met through the identification of a suitable three-pitch site. It is considered appropriate when planning for the transformation expansion of Paddock Wood to plan for the housing needs of all users.
86. In addition, with regard to overall Gypsy and Traveller need in the borough, the Housing Supply and Trajectory Topic Paper [[CD 3.74](#)] identifies an anticipated supply of 34-37 pitches against the need of 33 pitches over the plan period, taking into consideration the inclusion of the three-pitch site at Paddock Wood. The inclusion therefore of the proposed new three-pitch Gypsy and Traveller site as part of Policy STR/SS1 is important given the level of need the Council is required to meet. However, it is acknowledged that the overall position has since improved, with

the October 2021 [Five-Year Gypsy and Traveller Pitch Supply Statement](#) outlining that there is now an estimated pitch capacity of 6-8 pitches above outstanding need (relative to +1-4 pitches identified as at December 2020). Despite this, given the preference for small, family sites, the need for a new Gypsy and Traveller site remains.

Justification for Proposed Location of Gypsy and Traveller Site

87. As noted above, the requirement embedded within Policy STR/SS1 for a three-pitch Gypsy and Traveller site is necessary to meet overall borough needs and as explained above and in response to Matter 8 Issue 11 [TWLP/040], it is not considered that this need can suitably be met solely through the expansion/intensification of existing sites.
88. Consequently, the Council considers it most appropriate for the three-pitch Gypsy and Traveller site to be provided within the proposed Paddock Wood expansion. As mentioned, it is currently proposed that this site would be located on *either* the western or eastern parcel; its location is not prescribed. The Structure Plan produced by David Lock Associates (Map 28 of the Submission Local Plan) shows the approximate location of these proposed locations. Both locations are generally unconstrained by any flood zones (while noting the western location to the north of the railway line is partially within Flood Zones 2 and 3 toward the east but could be avoided to provide the facilities), could be well screened by existing (in the case of the western location) and/or proposed vegetation (in the case of the eastern location) and would have good access to the surrounding highway network. The eastern location is currently a previously developed site occupied by a motor services company and skip hire. As above, the location of this site in either parcel remains flexible as per the Structure Plan and policy wording. The Council would consider the provision of the Gypsy and Traveller site elsewhere within the allocation, subject to the appropriate considerations through other policies in the Plan. The Council notes that Crest Nicholson has offered land to the south of the railway line on the western parcel for the Gypsy and Traveller site provision. The Council and Crest Nicholson are currently exploring this option in terms of the masterplanning for this parcel.
89. By virtue of appropriate screening, the proposed Gypsy and Traveller site could therefore be positioned in a location that is well screened from nearby proposed development and unconstrained by any significant flood risk. Both proposed locations also have their own existing accesses.

Inspector's Question 14: [re. Sheltered and Extra Care Accommodation at Paddock Wood and East Capel]

Where will the proposed sheltered and extra care accommodation be located? For effectiveness, should this be set out in the Plan?

TWBC response to Question 14

90. The Policy identifies a requirement for the growth around Paddock Wood and east Capel to provide for sheltered and extra care accommodation. This is to contribute towards meeting an identified need of some 245-267 extra care units (in addition to existing stock) over the plan period as set out in paragraphs 3.44-3.48 of the Council's Housing Needs Assessment Topic Paper [[CD 3.73](#)].
91. The Plan does not set out on which parcel the sheltered and extra care accommodation should be located. It is considered appropriate for this to be provided as part of the residential developments on either the eastern or western parcel. There is no justification for asking for this to be required in a particular residential parcel.
92. It is anticipated that the SPDs to be prepared for each parcel will set out where this provision should be located, following further discussions with the site promoters as the schemes evolve through the preparation of more detailed masterplans. Please see the Position Statement with the Paddock Wood and east Capel Site Promoters [Appendix 1] which confirms the promoters are working proactively together to discuss and agree the most appropriate location for this provision (paragraph 2.9).
93. It is considered that this approach is effective and justified at this time.

Highways and Transport

Inspector's Question 15: [re. Links over the railway line]

How will the north-south pedestrian and cycle link over the railway line be provided as part of the western parcel? Is it deliverable?

TWBC response to Question 15

94. With the London to Ashford railway line dissecting the allocation within the western parcel, the provision of a pedestrian and cycle link over the rail links is important to facilitate movement and to achieve the garden settlement criteria in terms of achieving sustainable movement patterns. This is acknowledged by both TWBC and Network Rail in the signed Statement of Common Ground (SoCG) [[CD 3.132c\(v\)](#) Appendix H12, paragraph 4.13].
95. The Strategic Sites Masterplanning and Infrastructure Study [[CD 3.66](#)] identifies a number of infrastructure items to facilitate movement across the railway line within the strategic sites (Figure 25 and Table 11; pages 130 to 133). This includes two items associated with the western parcel: 1) a pedestrian and cycle bridge over the railway line within the western parcel and 2) a pedestrian and cycle bridge immediately east of A228. Both have been costed at £3.5 million per crossing and will be delivered through developer contributions from the developments on the western parcel.
96. As detailed in the abovementioned SoCG, Network Rail agrees that the costs identified for these items are broadly correct [[CD 3.132c\(v\)](#) Appendix H12, paragraph 4.15]. It is acknowledged by both parties that the costs of delivering these items of infrastructure will be met through developer contributions from the planning proposals within the western parcel of Paddock Wood and east Capel. This has been factored into the Stage 2 Viability Assessment [[CD 3.65](#)] which concludes this can be delivered.
97. It is agreed in principle that Network Rail can take responsibility for constructing the bridge links across the railway line on receipt of the contributions (para 4.15 of the SoCG [[CD 3.132c\(v\)](#) Appendix H12]).
98. It is accepted by both parties that a payment to Network Rail may be required for the associated 'air rights' to any of the crossings over the railway line. The cost for this will be determined on a case-by-case basis depending on a range of factors which could include any additional risk to an existing crossing caused by additional homes, development value, etc. It is agreed that, in reaching agreement on such matters, both parties will work proactively together, and where

required with the site promoters, to facilitate the delivery of improved connections in this location to deliver sustainable new garden settlements (paragraph 4.16 [[CD 3.132c\(v\)](#) Appendix H12]).

99. It is recognised that the delivery of some bridges as set out may facilitate the removal of unattended pedestrian crossings over the railway line, which would be a benefit in safety terms. Such provision would be looked upon favourably by Network Rail and would likely be considered and offset against the costs associated with air rights as detailed above.
100. It is therefore considered that the inclusion of these links as part of the proposal is justified. It will be delivered through developer contributions and Network Rail has confirmed it can construct this on receipt of the payment. These crossings are therefore considered to be deliverable as part of the allocation.

Inspector's Question 16: [re. Contributions towards A228 and Five Oak Green Bypass]

How will the necessary financial contributions towards works to the A228 and the Five Oak Green bypass be calculated for each site, and, Tudeley Village (Policy STR/SS3)?

TWBC response to Question 16

101. The costs for delivering the A228 works and Five Oak Green bypass, including how these have been derived, have been determined through the Infrastructure Framework for the Strategic Sites as set out below.
102. The A228 works are required to facilitate growth at both Paddock Wood and east Capel; and Tudeley Village. It is identified at Table 11 in the Strategic Sites Masterplanning and Infrastructure Study [[CD 3.66](#) and appendices] that a shared off-site infrastructure will be required by both Tudeley Village and Paddock Wood and east Capel, where cost-sharing between the two sites would be appropriate (Category E). Accordingly, this will be an item of shared off-site infrastructure, where cost-sharing between the two strategic sites would be appropriate. Funding will be delivered through S106 contributions. Active discussions are taking place with the site promoters in this regard. A Shared Position Statement has been signed by all parties demonstrating the agreed position on the delivering and sharing of the infrastructure requirements of the proposed strategic allocations (Appendix 1). In terms of the division of costs, it is expected that the costs for this work is divided on a per dwelling basis across both sites.
103. The Five Oak Green bypass is only required to facilitate growth at Tudeley Village. It is an item of off-site infrastructure intended to serve this single allocation. The financial contributions will be obtained through the development of Tudeley Village. Please see the Council's response to Question 17 of Matter 6, Issue 1 [TWLP/022].
104. To confirm, the costs for these items of infrastructure have been included in the viability model and it has been concluded that these can be delivered through developer contributions to the strategic sites [see the Viability Assessment, [CD 3.65](#)].

Inspector's Question 17: [re. Access to East Paddock Wood]

What will be the main point of access for the parcel to the east of Paddock Wood? How will pedestrian, cycle and vehicular accessibility to the rest of Paddock Wood (to the west) be achieved?

TWBC response to Question 17

Parcels east of Paddock Wood

105. At the outset, the Council notes that the masterplanning work undertaken by DLA provides for a town-wide series of pedestrian and cycle links; these are well defined throughout the Structure Plan, accommodated in part within a network of open green spaces. These links are no more than 500 metres apart, and orientated to move people conveniently into the town centre and within neighbourhoods towards schools, local centres and open space (paragraph 5.35 [CD [3.66](#)]).
106. Turning first to the main point of access for the parcel to the east of Paddock Wood: land to the east of Paddock Wood is being promoted by three principal landowners: Redrow, Persimmon, and Church Farm. Please see Figure 1 for a Plan showing broad ownership boundaries.

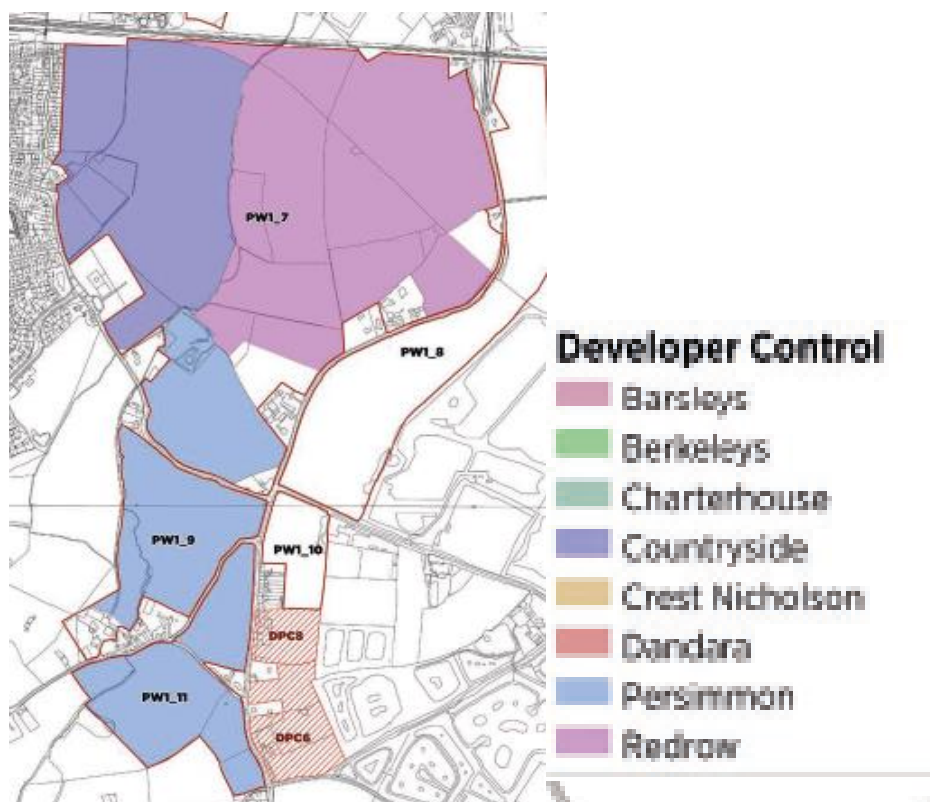


Figure 1: broad ownership boundaries

107. The Access and Movement Report [[CD 3.66e](#)] Table 6.8, referencing the Paddock Wood Infrastructure Plan (drawing number 49653/5501/001, page 4) in Appendix B [[CD 3.66e\(ii\)](#)], confirms that the eastern land parcels will take vehicle access from three main points:
- i. From the Redrow land parcel south towards Church Road (ref 15 in Table 6.8),
 - ii. A new bus/cycle/pedestrian road bridge crossing of the West Rhoden watercourse (Ref 33 in table 6.8) between the Redrow land and the Countryside land, emerging on Church Road (Countryside has planning permission for 300 units on land at Church Farm which it is currently implementing (and a resolution to grant planning permission for a further 60). The main point of vehicular access to Church Farm is from Church Road); and
 - iii. From Mascalls Court Road where a new primary road link will be made (Ref 17 in table 6.8) that then passes north through the eastern development parcels, linking with the above link to the Redrow site and for buses to the Countryside site.
108. The above vehicle access proposals would provide suitable linkages to the centre of Paddock Wood and also destinations further afield, mainly via the A228 to the west.
109. This approach is reflected on the Structure Plan as shown on Map 28 of the Plan.
110. Redrow and Persimmon are progressing a joint masterplan for its parcels. As set out in the signed Statement of Common Ground between the Council and Redrow and Persimmon [[CD 3.140](#)], the Council has been undertaking pre-application discussions on the delivery of this site since February 2021 (paragraph 2.39). The Council understands that a planning application is due to be submitted very shortly. Accordingly, the details below on the main point of access stem from the Council's consideration of a more detailed masterplan for the site; the basis of which is the Strategic Sites Masterplanning and Infrastructure Study [[CD 3.66](#) and appendices]. The points of access in broad terms reflect the anticipated access as shown on the Structure Plan.
111. The main point of access by all modes to the Redrow and Persimmon eastern parcel will be via Church Road. This route would connect to the eastern parcel at its midpoint allowing new boulevard routes to extend north and south through the development site and to serve the development clusters. Other vehicular access points to the eastern parcel would be incorporated from Queen Street and Mascalls Court Road with their main role being as secondary routes providing access alternatives and helping to reduce the overall highways impacts.

112. A dedicated bus/cycle/pedestrian route will also be incorporated within the parcel. As noted above, this will link through to the Countryside Church Farm site immediately to the west via a road bridge. The Council has facilitated agreement from Countryside to provide land within its development site so that the bus/cycle route from the Redrow parcel can link to the road network as approved at Church Farm, which will then link to Church Farm. The option agreement is being progressed between Countryside and Redrow at this time.
113. The drawing at Appendix Plan (drawing number 49653/5501/001, page 4) in Appendix B [[CD 3.66e\(ii\)](#)] sets out walking routes to Paddock Wood centre via Church Road and existing Public Rights of Way which can be upgraded as part of the Plan, including an upgrade to the rail bridge crossing to the industrial area to the north (ref: 19 on drawing number 49653/5501/001). Cycle and walking routes are shown linking Mascalls Academy secondary school to the south west of the eastern area, via Mascalls Court Road and onwards north to Paddock Wood centre via B2160 Maidstone Road.
114. The balanced access infrastructure strategy for the eastern Paddock Wood land parcels seeks to prioritise movement on foot, bicycle and by public transport, whilst ensuring that private vehicle access is provided for, and any significant traffic impacts mitigated.

Parcels west of Paddock Wood

115. Although the question relates to land to the east of Paddock Wood, for completeness information on the parcels to the west is provided below.
116. Parcels west of Paddock Wood are being promoted by Dandara (land south of the railway line) and Crest Nicholson (land north of the railway line). Dandara residential development land is proposed to be accessed from the B2017 Badsell Road in the south. The intended sports hub would be accessed from the A228 Whetsted Road in the west. These access points would be connected via a primary street, a key feature of which would be a bus gate at the centre of the site. The purpose of the bus gate is to limit through-movement for private cars whilst giving unimpeded access for buses, cyclists and pedestrians in the interests of promoting convenient sustainable travel.
117. A similar arrangement is proposed for the Crest Nicholson land, which would be accessed from the west from the A228 Whetsted Road and from the east from Maidstone Road. A bus gate located adjacent to the neighbourhood centre would prevent through-movement by private cars, making journeys by sustainable modes more convenient. Walking and cycling will be further enhanced by a network of dedicated cycle and footpaths connecting to existing local footpaths, cycle routes and Public Rights of Way, giving access to the existing town and also to the open

countryside. This is shown on Map 28 within the Plan and within the Access and Movement Report Appendix B [[CD 3.66e\(ii\)](#)], drawing number 49653/5501/001).

118. It is confirmed that movement across flood management areas is proposed by causeways with culverted channels underneath. These causeways provide vehicle, cycle and pedestrian walkways above any anticipated floodwaters, with culverts enabling natural flowrates of floodwater to be accommodated [paragraph 5.48, [CD 3.66a](#)]. This will enable access to and within these parcels all year round.
119. The Council's Phase 2 LCWIP [[CD 3.115b\(i\)](#)] has fed into the masterplanning work undertaken by DLA. This identifies a number of measures within Paddock Wood town centre which should be undertaken to facilitate a low traffic neighbourhood and facilitate increased cycling and walking through improved routes which can feed into the new settlements (see pages 32-50). This has been included as part of the Infrastructure Framework, "*Pedestrian and cycle improvements-Stantec assumed upgrades*" (Table 11, page 133 [[CD 3.66](#)]).

Landscape and Heritage

Inspector's Question 18: [re. Harm to setting of AONB]

The AONB Setting Analysis Report² identifies areas of 'very high', 'high' and 'medium' sensitivity within the allocated site boundary to the east of Paddock Wood. Very high is defined as likely to cause harm to the setting of the High Weald AONB which it may not be possible to mitigate against.

What is the justification for including the parcel of land to the south of the site, where the Report recommends avoiding any development?

TWBC response to Question 18

120. There are three areas which are identified as having a Very High sensitivity to the east of Paddock Wood in the AONB Setting Analysis Report [[CD 3.95a](#) Figure P3] which might be described as the northern, central and southern areas. The northern and central areas lie to the east of Queen Street and are not included within the allocation as shown on the Policies Map for Paddock Wood [[CD 3.59d\(i\)](#)]. Further explanation on the relationship between the Setting Analysis report and Paddock Wood is provided in response to question 19 below.
121. The southernmost area is relatively small and forms part of a larger parcel of land that has been identified as having High rather than Very High sensitivity. The Paddock Wood and East Capel Structure Plan, which is Map 28 in the Plan (page 150) shows the area identified with Very High sensitivity as being used solely for landscape mitigation. It is considered justified to include this parcel of land within the allocation to facilitate a strong landscaping scheme in this location so it can help with the overall mitigation for the allocation and avoids development on any area of High sensitivity. The provisional Limits to Built Development reflects this accordingly, as shown on the Policies Map for Paddock Wood [[CD 3.59d\(i\)](#)]. Paragraph 5.53 of the Strategic Sites Masterplanning and Infrastructure Study [[CD 3.66](#)] notes "*the setting of the High Weald AONB has been considered in line with recommendations from the Council's consultant LUC. Development at the southern end if reduced in density and scale, with structural planting to break up the perceived development impact from the AONB*".
122. In summary, one small area of Very High sensitivity is included within the proposed allocation as it forms part of a land parcel of lesser sensitivity but is to be used solely for the purpose of landscape mitigation and the Council can secure this through the Framework Masterplan Supplementary Planning Documents (SPD). It is noted that within the Statement of Common

² Core Document 3.95a

Ground between Natural England and TWBC [[CD 3.132b](#), page 24-25) that Natural England does not object to the strategic site allocations under policies STR/SS1 or STR/SS3 but advises that a sensitive approach be taken regarding the significant impact the proposals may have on the AONB setting. In this regard, Natural England welcomes the policy commitment to produce a Framework Masterplan SPD to set out how these strategic sites will be design.

Inspector’s Question 19: [re. AONB Mitigation]

In the areas of ‘high’ and ‘medium’ sensitivity, what mitigation is required and are the requirements sufficiently clear to users of the Plan?

TWBC response to Question 19

123. Paddock Wood is located to the north of the High Weald AONB, approximately 1.1km from the boundary at its nearest point. The AONB Setting Analysis Report [CD 3.95a] completed in November 2020 states that: “*The potential effects of the proposed allocations to the setting of the High Weald AONB would be limited to perceptual effects resulting from changes to views into or out of the AONB*” (paragraph 4.1.9). Intervisibility between the land surrounding Paddock Wood and publicly accessible viewpoints within the AONB is generally limited by landform and intervening vegetation; however, there is one viewpoint (the mapped ‘Millennium Viewing Point’) which has panoramic views over the settlement and landscape to the east. Paragraph 4.1.21 of the setting study sets out appropriate mitigation measures for the allocation sites at Paddock Wood. These are listed in Table 1 below which also sets out the subsequent response. References to parcels are from the Regulation 18 Draft Local Plan for Policy AL/PW1 on page 176 [CD 3.9] and these can also be seen on Figure 2 of the AONB Setting Analysis Report [CD 3.95a page 47]. AL/PW1 in the Regulation 18 Draft Local Plan set out suggestion for each parcel (Table 4 page 178) to inform the masterplanning in terms of constraints and opportunities which included possible uses and these are referred to in the AONB Setting Report.

Table 1: Mitigation and Response

Suggested mitigation	Response
Avoidance of development within parcels PW1_8, PW1_10 and PW1_11 in line with the draft policy AL/PW1.	AL/PW1 suggested that there was no development potential in parcel 8 or 10 and but they may provide mitigation. These two parcels have been omitted from the allocation. For parcel 11 it was stated that it “may be decided that none of this parcel is suitable for built development” indicating further assessment required. This parcel is included within the proposed allocation but is proposed to contain significant landscape mitigation in accordance with the recommendations of the AONB setting Report Figure P3 and as indicated on Map 28 (page 150) of the SLP. The Strategic Sites Masterplanning and

Suggested mitigation	Response
	<p>Infrastructure Study [CD3.66a] notes at paragraph 5.533 that development at the southern end is reduced in density and scale, with structural planting to break up perceived development impact from the AONB.</p>
<p>Avoidance of development within the floodplain to the north-east of parcel PW1_7</p>	<p>This area has been avoided for built development as shown on Map 28 (page 150) of the SLP. The The Strategic Sites Masterplanning and Infrastructure Study [CD3.66a] notes at paragraph 5.533 that development at the north-eastern side of the eastern parcel has been limited. The detailed masterplan being progressed by Redrow and Persimmon has retained this area for landscaping.</p>
<p>Promote a landscape led approach to masterplanning that creates a structure to contain the allocation sites which is consistent with the character of the adjacent High Weald.</p> <p>It would be beneficial to include structural planting along Queen Street, Church Road and Mascalls Court Road. All structural planting should be consistent with existing landscape character.</p>	<p>Structural Planting is included within the masterplan as on Map 28 (page 150) of the SLP. This will be progressed through the progression of a more detailed masterplan at SPD and planning application stage, which the consideration of a landscape and visual impact assessment as required through the development management process.</p>
<p>Test the visibility of proposed development from the 'Millenium Viewing Point', a critical viewpoint location, using wireframes or photomontages in order to fully assess the potential effects on the</p>	<p>This is covered in the supporting text at 5.160 "The High Weald AONB lies outside the site, around 0.7 miles to the south of the site boundary. The impact of development on the setting of the High Weald AONB, and on views from vantage points within the</p>

Suggested mitigation	Response
setting to the AONB. Any LVIA work associated with the proposed development to the east of Paddock Wood, should include this viewpoint location as part of the assessment.	AONB, will be major factors in delivering development in this location”. This will be covered by the master planning and site specific LVIAs at planning application stage.
Any masterplan should adhere to relevant guidance including the National Design Guide and should take inspiration from the High Weald Design Guide and Management Plan.	Beneath the policy the supporting text specifically refers the reader to other key polices in the Plan including those for Rural Landscape and High Weald AONB which make specific reference to the AONB Management Plan and development within the setting of the AONB.
Give careful consideration to the views and rural setting of listed buildings and historic farmstead, which are visible within the landscape from the High Weald AONB.	This will be covered by the master planning and site specific LVIAs at planning application stage.

124. The findings and recommendations of the AONB Setting Analysis Report was used to Inform the Option 1 Recommended Structure Plan that is presented in the Strategic Sites Masterplanning and Infrastructure Main Report [[CD 3.66](#) page 82] published February 2021. Paragraph 5.53 of the Strategic Sites Masterplanning and Infrastructure Study [[CD 3.66](#)] summarises how the mitigations were considered. The Recommended Structure Plan is the plan which is on page 151 of the Local Plan ‘Map 28 Paddock Wood and East Capel Structure Plan’. This plan is referenced in Policy STR/SS1 in Criteria 2, which requires that development be delivered “*on the broad locations as identified at Map 28*”.
125. The plan is sufficiently developed to show areas suitable for development and areas required for landscape mitigation to ensure that the recommendations of the AONB Setting Analysis Report [[CD 3.95a](#) paragraph 4.1.21] are taken on board as part of any planning application.
126. There is supporting text in Policy STR/SS1 at paragraph 5.160 that reminds readers of the importance of the setting of the High Weald AONB, and on views from vantage points within the AONB, and the Policy wording ensures that the delivery will be through a masterplanning process. Criteria 5 below makes it clear that design is an important consideration:

“5. Be developed to a high standard of design and layout. Particular attention to be paid to layout, scale, height, design, and massing to ensure that the development is of a high quality design responding to local character. Planning applications for development should be assessed by a Design Review Panel, at least once at pre-application stage and once following submission of a planning application”;

127. In conclusion, there is a clear indication of the mitigation required. This has been considered as part of the Structure Plan and will be developed further through the masterplanning process as part of the preparation of the Framework Masterplan SPDs and through pre-application discussions.

Inspector's Question 20: [re. Effective Mitigation]

Will the proposed mitigation be effective? What potential impacts will the allocation as a whole have on the setting of the AONB?

TWBC response to Question 20

128. The AONB Setting Analysis Report [[CD 3.95a](#)] concluded that the development to the east of Paddock Wood as part of Policy STR/SS1 has the potential to “*adversely affect the setting of the AONB – if no mitigation is put forward*” (paragraph 6.1).
129. Suggested mitigation measures are set out at paragraph 4.1.21 of the report. These recommendations were considered by DLA when undertaking its comprehensive masterplanning of Paddock Wood and east Capel and are reflected in the Structure Plan for this allocation. Paragraph 5.53 of the Strategic Sites Masterplanning and Infrastructure Study [[CD 3.66](#)] summarises how this was considered. In broad terms, the advice considered by DLA informed the provision of landscaping areas and density applied in certain locations.
130. The Structure Plan is included within the Local Plan (Map 28) and referred to within the Policy. In addition, Policy STR/SS1 requires that the development be delivered “*through the production of four Framework Masterplan Supplementary Planning Documents (SPD). This will relate to an overall Structure Plan for the planned growth*” and specifies the need for further area SPDs, including one for the eastern parcel. This provides the opportunity for further information to be set out and considered in terms of landscaping approach at this stage.
131. The AONB Setting Analysis Report concludes at paragraph 6.2:
- “The measures set out within the relevant draft policies for each site, along with additional measures put forward within this report would address the concerns raised regarding each of these sites, such that there would be no long term significant adverse effects on setting to the High Weald AONB in the long term”*
132. It is clear, therefore, that mitigation has been identified and is provided (as shown at Table 1 above) for and, importantly, that the eastern parcel can be delivered so that there will be “*no long term significant adverse effects on setting to the High Weald AONB*”.

Inspector's Question 21: [re. Heritage Impacts]

What potential impacts will the proposed allocation have on the significance of designated heritage assets, having particular regard to the Grade II listed buildings at Badsell Manor Farmhouse, Mascalls Court, Mascalls Court Lane and Knell's Farm? How have heritage assets been taken into account in the preparation of the Plan?

TWBC response to Question 21

133. Turning first to the second part of this question: heritage assets have been taken into consideration from the outset of the preparation of this Plan. The Council's response to Question 3 under Matter 5, Issue 1 (Site Selection Methodology) [TWLP/021] sets out how the Council has considered the effects of development on heritage assets in the formation of the Plan and confirms that the historic environment of the borough has been fully recognised and respected throughout the Local Plan preparation. The detail is not repeated here, but reference is made to the key points below.
134. Following the Council's Call for Sites exercise, the Strategic Housing and Economic Land Availability Assessment (SHELAA) [CD 3.77] has provided assessments on the suitability (and availability) of the individual sites submitted. As part of this assessment on suitability, heritage assets were considered. Sites with particular heritage sensitivities were considered in consultation with the Council's Conservation and Urban Design Officer who has played an ongoing and proactive role inputting into these site assessments throughout the plan-making process.
135. For Paddock Wood [see pages 1-5 of CD 3.77], it is noted there are heritage assets in the vicinity of the site, and any development would need to assess their significance and take into consideration the impact of the proposal .
136. Heritage also forms a principal consideration in the assessment of development options through the Sustainability Appraisal [PS 013]. One of the 19 Sustainability Appraisal objectives was: to preserve and enhance historical and cultural heritage assets. This was agreed with Historic England at scoping stage and assigned a high weighting to reflect the fact that assets and settings are often finite or hard to restore once lost. Scores reflected protection (or risk to protection) and the extent of harm or enhancement that would result [as detailed in Appendix B page 288 of PS 013].
137. Again, it is noted that there is a variation in heritage scores across the five options for development considered by the Sustainability Appraisal, reflecting the increasing land take

required across the options and thus negative impacts that would occur largely upon the setting of heritage assets, with assets in the south being most sensitive. However, as with the SHELAA, it is considered the masterplanning approach to development can ensure that a strategy for enhancements is realised.

138. The Council's Historic Environment Review [[CD 3.100](#)] details the heritage themes within the borough, and the opportunities and threats to these. This was considered in the masterplanning exercise for Paddock Wood and east Capel [[CD 3.66](#)]. Paragraphs 4.109 to 4.113 provide an assessment of the baseline position with regard to heritage assets and set how the masterplanning considered the [Farmsteads Assessment Guidance SPD](#) and Historic Landscape Characterisation Study (2017) [[CD 3.101](#)] as part of the masterplanning principles to ensure development reflects local character and identity. Figures 5 and 6 [[CD 3.66](#)] show the constraints and opportunities maps considered by DLA which show Sites of Historic Importance and Historic Buildings of Local Character, again reflecting the consideration heritage assets had in the formation of the Structure Plan.
139. The Council's Conservation and Urban Design officer engaged with DLA as part of the masterplanning process. It is acknowledged by the Council in both the SHELAA and Sustainability Appraisal, that the development may have impacts on some heritage assets, and these may result in less than substantial harm in some cases. However, in understanding the heritage value of these assets it can continue to engage proactively with the site promoters on the masterplanning to ensure any harm to these assets is mitigated in an appropriate way. The Council is also satisfied that the public benefits of delivering an expanded settlement would outweigh any identified harm in line with the NPPF (paragraph 202). The masterplanning approach would enable these assets to be properly considered, and opportunities created to enhance their setting.

Other Matters

Inspector's Question 22: [re. SPD]

What is the justification for requiring each parcel to be delivered through the production of a SPD?

TWBC response to Question 22

140. A Framework Masterplan for each parcel, to be taken forward as a Supplementary Planning Document (SPD), is considered to be justified.
141. Policy STR/SS1 sets out the parameters and principles for development at Paddock Wood and East Capel, across the whole allocation. Separate SPDs for each individual parcel will be expected to build upon and provide more detailed advice and guidance to show how the policy requirements will be delivered. This reflects the guidance within the Planning Practice Guidance on the role of SPDs (paragraph 008). Such guidance will include details on design (including production of Design Codes as advocated by the NPPF, paragraph 129), phasing and connectivity, and movement, for example.
142. SPDs are considered an important element in delivering the growth against garden settlement principles and developing detail on a number of measures as set out in the policy. These will be delivered in close conjunction with the key site promoters, to reflect ongoing detailed technical studies which will be carried out, and to facilitate further engagement with the local community.
143. As set out in the Strategic Sites Topic Paper [[CD 3.67](#)], Policy STR/SS1 has been formulated to identify the broad parameters of development and the key infrastructure requirements. It does not seek to stipulate a fixed blueprint for the settlement to come forward, recognising the policy needs to be effectively applied to facilitate planning applications to come forward. More detailed guidance is considered appropriate through an SPD which will then be a material consideration in the determination of planning applications.
144. The SPD will also provide an opportunity for the consideration of how the development will relate to the neighbourhood development plans being produced by Paddock Wood Town Council and Capel Parish Council.

Inspector's Question 23: [re. Comprehensive Delivery of Allocation]

How will the Council ensure that the allocation comes forward in a coherent and comprehensive manner and avoids the piecemeal development of individual sites?

TWBC response to Question 23

145. As set out in the Council's response to Question 1, the approach to having a single Policy for Paddock Wood and east Capel was to facilitate a comprehensive approach to the delivery of the growth around Paddock Wood including land in east Capel. Without repeating the detail here, the approach from the outset was to ensure the growth came forward holistically and this was set out in the brief for the Strategic Sites Masterplanning and Infrastructure Study [CD 3.66a], reflected in the approach taken to masterplanning and ultimately reflected through the Policy. This position has been made clear to the site promoters at Paddock Wood and east Capel through the work on delivering the Strategic Sites and the Strategic Sites Working Group and has been adopted by those promoters.
146. The approach to the masterplanning of the growth considers the allocation as one; identifying and sharing the combined infrastructure requirements for the entire growth planned. The infrastructure is not divided per parcel to reflect each parcel's comparative growth, instead directing some items of infrastructure to other parcels to ensure for a permeable, well designed and high quality new sustainable community which can integrate fully with the existing town at Paddock Wood. For example, the indoor and outdoor sports provision is proposed to be combined on the south-west parcel to provide an enhanced facility.
147. The Council considers that the policy provides for this approach and sets out a clear framework of what is expected, setting out what on-site infrastructure is required on each parcel (namely Part 2 of Policy STR/SS1).
148. It is acknowledged in the Policy that it is highly likely that the development will require land equalisation agreements to facilitate delivery of the growth in line with the masterplanning principles. There are four principal housebuilders looking to deliver the allocation. Discussions have taken place with these housebuilders over delivering the growing and the principle of sharing the infrastructure costs. Please see the Signed Position Statement on this matter for detail [Appendix 1]. This Statement demonstrates the large measure of consensus that exists between those parties on the delivery and shared funding of the infrastructure requirement aspects of the proposed strategic site allocations. This consensus underpins the soundness of

the proposed allocations and sets out a number of principles as the foundations for the funding and delivery of shared infrastructure. It also confirms that all parties recognise that the proposed strategic allocations require a mix of on- and off-site infrastructure to provide a sustainable and policy compliant development (paragraph 2.2) and a need for collaboration and an agreed approach to infrastructure delivery (paragraph 2.4).

149. The Council is working proactively with the housebuilders and all parties have confirmed that they will work together to deliver the allocation as per the policy requirements.

Appendices

Appendix 1: Shared Position Statement on Delivery of Infrastructure

Tunbridge Wells Borough Council

Position Statement

Tunbridge Wells Borough Draft Local Plan

Tunbridge Wells Borough Council and Strategic
Site Promoters

Delivery and Funding of Shared Infrastructure

Date: March 2022



Contents

- Position Statement..... 3
- Strategic Sites: Delivery and Funding of Shared Infrastructure 3
 - 1.0 Introduction..... 3
 - 2.0 Areas of Common Ground..... 4
 - 3.0 Conclusion..... 7
 - 4.0 Signatories..... 8

Position Statement

Strategic Sites: Delivery and Funding of Shared Infrastructure

1.0 Introduction

- 1.1 This Statement of Common Ground sets out matters concerning the delivery and funding of shared infrastructure within or relating to the strategic site allocations at Paddock Wood including land at East Capel (STR/SS1) and Tudeley (STR/SS3) that are agreed between the following parties:
- a. Tunbridge Wells Borough Council (TWBC) as the local planning authority.
 - b. Crest Nicholson as the forthcoming applicant for planning permission for land in east Capel (western parcel).
 - c. Dandara Ltd as the forthcoming applicant for planning permission for land in east Capel (western parcel).
 - d. Redrow Homes Limited as the forthcoming applicant for planning permission for land east of Paddock Wood (eastern parcel)
 - e. Persimmon Homes South East as the forthcoming applicant for planning permission for land east of Paddock Wood (eastern parcel).
 - f. Hadlow Estate as the forthcoming applicant for planning permission at Tudeley Village.
- 1.2 This Statement demonstrates the large measure of consensus that exists between those parties on the delivery and shared funding of the infrastructure requirement aspects of the proposed strategic site allocations. This consensus underpins the soundness of the proposed allocations.
- 1.3 This Statement builds on the approach to delivery of shared infrastructure set out by TWBC in the Strategic Sites Masterplanning and Infrastructure Study (February 2021).

2.0 Areas of Common Ground

2.1 The following matters are agreed by the cited parties:

The Need for Shared Infrastructure

2.2 Both TWBC and the other cited parties recognise that the proposed strategic allocations require a mix of on and off-site infrastructure to provide a sustainable and policy compliant development.

2.3 The infrastructure assessment carried out as part of the Strategic Sites Masterplanning and Infrastructure Study has identified shared infrastructure elements which include (in summary) the following¹:

- a. Off-site highways works
- b. Pedestrian and cycling improvements
- c. Secondary Education
- d. Indoor and outdoor sports provision
- e. Health facility
- f. Cycle storage (Station)
- g. Ped/cycle bridges across railway
- h. Flood defences
- i. Public transport subsidy

2.4 This implies the need for collaboration and an agreed approach to infrastructure delivery to enable appropriate planning agreements to be put in place as relevant planning applications come forward over time.

2.5 It is understood that before implementation of development on the promoted sites, further work will be required to determine the detailed design, costs and final monetary amounts required for the provision of infrastructure. All parties recognise that the masterplanning work to date provides a comprehensive starting point from which to develop an approach to collaboration and an agreed set of principles to establish parameters within which delivery and funding can be managed.

¹ Some of these items are shared across both allocations at Tudeley Village and Paddock Wood and east Capel; and some are to be shared amongst Paddock Wood and east Capel only (some items within Paddock Wood and east Capel only relate to certain parcels)

Approach to the Funding and Delivery of Shared Infrastructure

- 2.6 TWBC and the other cited parties have agreed the following set of principles as the foundations for the funding and delivery of shared infrastructure, should the site allocations be confirmed:
- a. Each applicant will address their own on site (and where applicable off-site) infrastructure generated entirely to meet the needs of their own application within the allocations – this is infrastructure that is not shared and will form part of individual development costs.
 - b. Each applicant will agree with TWBC elements of common infrastructure that are required to support the wider allocation(s) that they will individually be responsible for the direct delivery of on their individual sites. The cost of provision and value of land required will be recognised, and form part of the shared costs.
 - c. Other common off-site infrastructure will also form part of shared costs.
 - d. The approach to cost sharing will be equitable, and to determine the distribution of respective costs will take into account:
 - i. the quantum of development to be delivered by each applicant;
 - ii. value of any land foregone for shared infrastructure; and
 - iii. any infrastructure delivery costs to be borne by any individual applicant for infrastructure that is shared.
 - e. The timing of payment will be determined by development delivery timetables.
 - f. The timing of infrastructure delivery will be determined by trigger points reflecting the point in the development delivery at which the need for the infrastructure arises.
- 2.7 This approach will enable funding to be secured as development is delivered and need is triggered. As development will come forward over time, funding secured from any shared charges will be used to deliver key infrastructure as the need arises and in accordance with the conditions and obligations established through each planning application. If any funding is collected in advance of need, (due to differential development timescales which may arise between the parties), this will be held until delivery is triggered. Should any part of the allocation fail to come forward such

funding will be applied (to the extent needed) to meet the specific need generated by the development that has been completed.

Sheltered and Extra Care Accommodation

- 2.8 This Position Statement also seeks to provide an update on the policy requirement for the inclusion of at least one sheltered and one extra care housing scheme within the Paddock Wood and east Capel Strategic Site (Policy STR/SS1 Part 4). The Policy does not prescribe which parcel this provision should be within.
- 2.9 It is recognised by all the Paddock Wood and east Capel Parties that this is a requirement of Policy and that this provision is required within the overall allocation. The Parties are considering this as part of its Masterplanning and will continue to engage and discuss with the Council on this matter.
- 2.10 Hadlow Estate also acknowledges that there is a requirement within Policy STR/SS3 for the same provision.


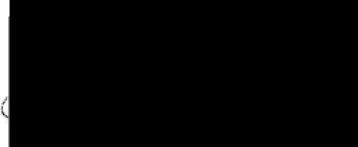
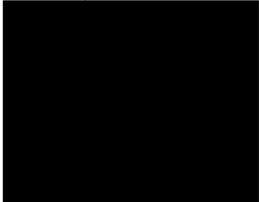
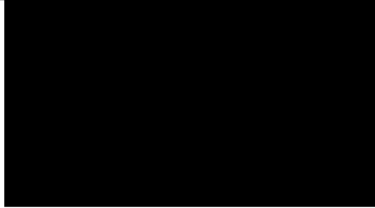

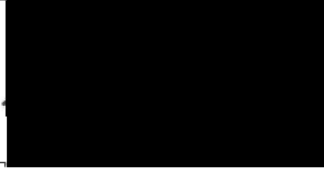

3.0 Conclusion

3.1 In summary, TWBC and the site promoters:

- a. recognise the need for an equitable cost sharing mechanism;
- b. have agreed to collaborate on its development;
- c. agree the key principles to be applied to enable delivery and funding to be provided through the planning process at the appropriate point in time;
- d. understand the policy requirement to deliver one extra care and one sheltered housing scheme within the allocation.

4.0 Signatories

4.1 This statement has been prepared and agreed by the following organisations

Organisation	Signature	Date
Tunbridge Wells Borough Council	 	11 th May 2022
Redrow Homes Limited		10 th May 2022
Persimmon Homes South East		5 th May 2022
Dandara Ltd		5 th May 2022
Crest Nicholson		9 th May 2022
Hadlow Estate		06 th May 2022