

Examination of the Tunbridge Wells  
Borough Local Plan

**Tunbridge Wells Borough Council**  
**Hearing Statement**

**Matter 4: Principle of Green  
Belt Release**  
**Issue 3: Exceptional  
Circumstances**

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# Matter 4 – Principle of Green Belt Release

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

## Issue 3 – Exceptional Circumstances

### Inspector’s Question 1: [re: strategic level exceptional circumstances]

*At a strategic level, do exceptional circumstances exist to alter the Green Belt boundary, having particular regard to paragraphs 140 – 143 of the Framework? If not, how could housing and employment needs be met in other ways?*

### **TWBC response to Question 1**

#### **Introduction**

1. The Council notes the close relationship between this question and Questions 5 and 7 under Matter 4, Issue 1: Principle of Green Belt Release [TWLP/018]. Hence, this response largely draws together those earlier statements.

#### **Exceptional circumstances**

2. As previously stated, the need to review Green Belt boundaries stems principally from the identified scale of housing need for the borough, together with the existing pattern of development and the designation of a substantial area (69%) of the borough as Area of Outstanding Natural Beauty (including the greater part of land in the Green Belt).

3. The Council has undertaken a range of assessments to inform the suitability, availability and achievability of land for sustainable development and supporting infrastructure, as set out in the List of Core Documents, which has included reviews of the Green Belt, in terms of the contribution of broad areas and parcels to its purposes.
4. Consideration of the need to review the Green Belt boundary is set out in Section I of the Development Strategy Topic Paper [\[CD 3.126\]](#). It highlights at paragraph 6.177 (on paginated page 56) a number of factors, based on case law, that the Council has had regard to in determining whether there are exceptional circumstances for amending Green Belt boundaries. For ease of reference, these are:
  - *“The acuteness/intensity of the housing need*
  - *The inherent constraints on supply/availability of land suitable for delivering sustainable development*
  - *The consequent difficulties in achieving sustainable development without impinging on the Green Belt*
  - *The nature and extent of the harm to the Green Belt which would be lost if the boundaries were reviewed*
  - *The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent”*
5. Paragraph 6.183 of the Topic Paper sets out the key factors that together provide the basis for establishing exceptional circumstances to alter Green Belt boundaries. In summary, these relate to:
  - a) The borough is heavily constrained – aside from the Green Belt, 69% of the borough is AONB, with 74.5% of Green Belt land also being within the AONB. Moreover, the majority of the Green Belt wraps around the main urban area of Royal Tunbridge Wells and Southborough, around Pembury and the area to the east of Tonbridge/west of Paddock Wood (located within Capel parish), the eastern boundary immediately adjoining the existing western edge of Paddock Wood.
  - b) Virtually any growth of the more sustainable parts of the borough, in terms of accessibility and provision of services, would impact on the Green Belt and/or the AONB.

- c) Development requirements are higher than for previous Local Plans – in fact, the housing need identified through the Standard Method is more than double that required by the current Core Strategy 2010. Also, there is a need for further employment land to be provided to support the creation of new employment opportunities alongside the provision of housing and also limiting the need for people to commute, requiring identification of suitable land in sustainable locations.
- d) Without the release of land currently located within the Green Belt, the Council will be unable to meet the identified development needs of the borough in a planned and integrated way, primarily for meeting the borough’s housing needs but also for employment uses and delivering a secondary school.
- e) Neighbouring local authorities have confirmed that they are unable to meet any of TWBC’s housing needs, following this Council’s approaches about their capacity in an effort to reduce pressure on the borough’s Green Belt (and AONB).
- f) All reasonable options to deliver development within the borough without releasing land in the Green Belt have been fully examined and utilised. In summary, these are:
  - i. a robust provision for windfall development is made, which will promote development within existing built-up areas; also, the potential for more brownfield development has been reviewed as part of this work.
  - ii. The densities of proposed allocations have been reviewed, and there are specific requirements in policies to seek opportunities to deliver high density development around settlement centres and other key points. Furthermore, the proposed Housing Density policy (Policy H2) requires that development should make efficient use of land.
  - iii. The Local Plan promotes suitable and deliverable brownfield allocations.
  - iv. The opportunities for sustainable growth in the area outside the Green Belt (and AONB) have been maximised, with a notably high level of growth, relative to its size, at Horsmonden.

- v. A significant number of site allocations are being made in the AONB, including for some 'major' developments, but it is concluded that there is no capacity to deliver additional development beyond that which is already being proposed.
  - vi. The Strategic Housing and Economic Land Availability Assessment (SHELAA) [[CD 3.77a](#)] and the Sustainability Appraisal (SA) [[PS 013](#)] have identified all suitable sites outside the Green Belt (and, for major sites, outside the High Weald AONB).
- g) Ensuring all land is appropriately used, including delivering a balance between residential, employment and other land uses, including for the necessary supporting infrastructure, that meets identified needs.
6. Of note, during preparation of the Draft Local Plan, it appeared that the only reasonable option for a new settlement (other than the strategic growth of Paddock Wood) was that submitted for Tudeley Village. Hence, this option required detailed investigations of its appropriateness, including in terms of its contribution to the Green Belt and the potential for alterations such that remaining Green Belt would continue to meet Green Belt purposes. The additional specific factors relevant to the exceptional circumstances for Green Belt releases in respect of these sites are reviewed at paragraph 6.186 of the Development Strategy Topic Paper [[CD 3.126](#)].
7. Further detail regarding the consideration of Green Belt in the context of these strategic sites will be set out under Matter 6, both in the Council's responses to Issue 1, Questions 4-8 (re. Tudeley Village) [TWLP/022] and Issue 3 Questions 4-7 (re. Paddock Wood) [TWLP/024].
8. In addition to the strategic factors at paragraph 78 above, further local and site-specific factors were also considered, as highlighted at paragraph 6.187 of the Topic Paper [[CD 3.126](#)].
9. Of note, in relation to overall development needs, the Economic Needs Study [[CD 3.87](#)] identified what may be considered a strategic opportunity for employment development adjoining the existing Key Employment Area of North Farm at Royal Tunbridge Wells, which led to a focused assessment of its contribution to Green Belt purposes.

## **Other ways of meeting housing and employment needs without altering the Green Belt boundary**

10. The Council has considered the potential for sustainable development beyond the Green Belt and is promoting all suitable, available opportunities within the borough. This has been set out in its responses in relation to Matter 2, Issue 1: Housing Needs and the Housing Requirement (Question 5) [TWLP/004], Matter 3, Issue 1: Spatial Strategy (Questions 4, 7 and 8) [TWLP/014] and Matter 3, Issue 2; Distribution of Development (Questions 1, 3, 4, 5, 6) [TWLP/015].
11. It will be evident from those responses, as well as those to related questions under Matter 4, Issue 1: Principle of Green Belt Release, that the Council has fully assessed the capacity for sustainable development beyond the existing Green Belt boundary.
12. In essence, the strategic growth of the most sustainable settlement in the borough not enveloped (or 'washed over') by Green Belt or AONB, that is Paddock Wood, is being promoted, albeit this also encroaches onto current adjacent Green Belt land. The development potential of villages outside the Green Belt is limited, having proper regard to their services, accessibility, and very rural character, as well as to the conservation and enhancement of the High Weald AONB in respect Cranbrook, Hawkhurst and other villages within it.
13. Aside from critical transport capacity, heritage and other constraints, further growth at Royal Tunbridge Wells is simply not possible without involving the loss of Green Belt and/or development in the AONB. Further development in the High Weald AONB, whether at towns or villages, has been found to be unacceptable in terms of impact on its landscape and scenic quality and/or other terms. Also, in common with the AONB villages, other sites beyond the Green Belt have been found to be either out of keeping with local character and/or unsustainable in terms of access to services.
14. In respect of the larger developments in the High Weald AONB, there are outstanding objections from Natural England and the High Weald AONB Unit, even though the Council has taken what it believes to be a very selective, sensitive approach.
15. The conclusion from this is that the alternatives to the proposed development strategy that involves some reduction in Green Belt are all unsustainable, whether it be by not

meeting (by a substantial margin) development needs, or by promoting large-scale development in unsustainable locations, or effectively ‘swamping’ the AONB with development. It would also mean not realising the unique, strategic opportunity for future employment provision (under Policy AL/RTW 17).

16. Conversely, the Council maintains that the proposed, selective release of Green Belt as proposed in the SLP is conducive to achieving sustainable development, as set out in the Development Strategy Topic Paper [[CD 3.126](#)].



## **Inspector's Question 2: [re: Green Belt south-west of Paddock Wood]**

***What is the justification for the new area of Green Belt proposed to the southwest of Paddock Wood? Do the exceptional circumstances exist necessary to justify this alteration to the Green Belt boundary?***

### **TWBC response to Question 2**

#### **Introduction**

17. The Council has concluded (as set out above) that exceptional circumstances do exist to justify alterations to the Green Belt boundary as proposed by the SLP. It has also concluded that exceptional circumstances do not exist to justify replacement and/or additional Green Belt, with the exception of one very small area of additional Green Belt in order to rationalise the boundary in an area where the Green Belt boundary is proposed to be altered.

#### **Consideration**

18. In response to Question 1 above, the Council has set out the exceptional circumstances that exist to justify the alterations to the Green Belt boundary to release land for development as proposed in the SLP. Following the guidance set out in the NPPF at paragraph 139, the Council does not believe that, as a result of the proposed release, exceptional circumstances exist for the establishment of new and/or replacement Green Belt.
19. To the south-west of Paddock Wood, the Green Belt is being altered to accommodate development proposed under Policy STR/SS1. As the plan below indicates, the western parcel extends down to Badsell Road to the south and the A228 to the west. In removing this parcel from the Green Belt, a small narrow strip of Green Belt would be left south of Badsell Road that does not follow a clearly defined boundary, as recommended by NPPF paragraph 143(f).
20. The Council therefore proposes to rationalise the boundary in this area and, in addition to the allocated land, proposes the removal of the land to the south of Badsell Road and thereby move the Green Belt boundary westwards back to the physical features of the A228 and Colts Hill.

21. In doing this, it can be seen from Figure 1 below that a small anomaly is created in the vicinity of the junction of Badsell Road and Colts Hill, where the Green Belt boundary does not follow a physical feature, but instead extends westward into a field beyond Colts Hill. As can be seen from Table 6 page 68 of the SLP, the area is just 1.084 hectare or 0.015% of the total Green Belt.
22. The Council considers this small addition, which does not affect any dwellings or commercial properties, to be justified on the basis of the wider changes in the vicinity and as part of a sensible approach to redefining the Green Belt boundary following the guidance in the NPPF paragraph 143 (f).

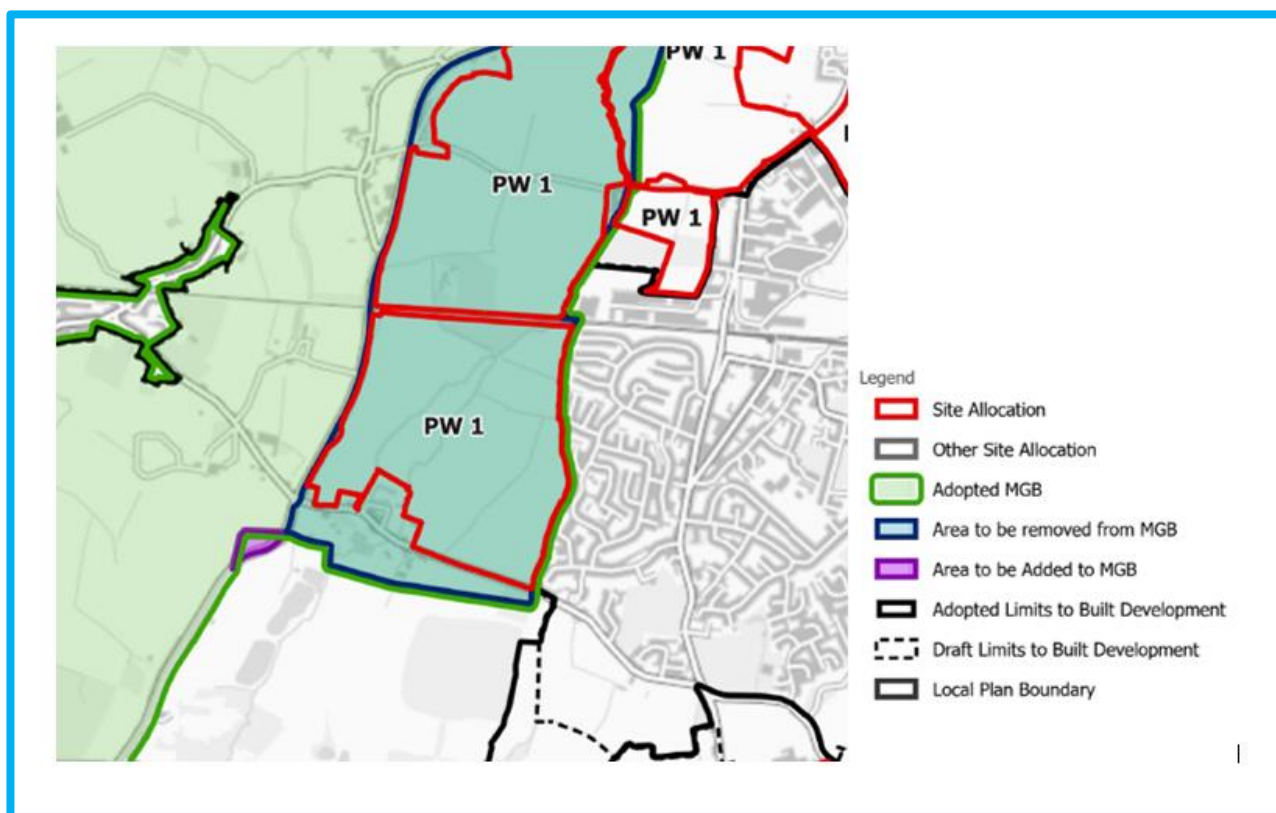


Figure 1: Proposed Green Belt Changes land west of Paddock Wood

### Conclusion

23. The Council proposes a very small extension to the Green Belt connected with adjustments to the Green Belt as the result of planned release of Green Belt in the vicinity of Paddock Wood. The addition, which does not affect any property, is proposed on the basis of rationalising the Green Belt boundary in accordance with the guidance in the NPPF paragraph 143 (f) so that it follows a clearly defined boundary on the ground.

24. The Council considers that there are exceptional circumstances to justify this small addition to the Green Belt.