



TUNBRIDGE WELLS BOROUGH COUNCIL

REF: TW/21/01

STAGE 2 HEARING STATEMENT

HEARING DAY 2 29.03.22

**MATTER 3 ISSUES 1, 2, 3 AND 4- SPATIAL STRATEGY AND DISTRIBUTION
OF DEVELOPMENT**

ON BEHALF OF LEANDER HOMES



SECTION

- 1.0 INTRODUCTION
- 2.0 RESPONSE TO QUESTIONS
- 3.0 CONCLUSIONS



1.0 INTRODUCTION

- 1.1 This Statement is prepared in advance of the Hearing Day 5 session scheduled for 29.03.22. The Hearing Session is aimed at addressing the Inspectors questions set out in the Matters, Issues and Questions document under Matter 3 and Issues 1, 2, 3 and 4- Spatial Strategy and Distribution of Development.
- 1.2 Not all of the questions raised by the Inspector are relevant to my client's interest, and therefore not all of the questions are addressed in this Statement.



2.0 RESPONSE TO QUESTIONS

ISSUE 1

Q1. Does the submission version Local Plan contain a settlement hierarchy in the same way as the adopted Core Strategy (2010) does?

- 2.1 The Core Strategy identifies a Settlement Hierarchy at paragraph 4.5 and Box 4. This identifies that Royal Tunbridge Wells and Southborough are at the top of the hierarchy (Main Urban Areas), with Cranbrook, Hawkhurst and Paddock Wood identified as Small Rural Towns, and a list of Villages at the bottom of the Hierarchy.
- 2.2 Paragraph 4.6 identifies that *“The quantity of development to be delivered at each settlement will reflect its position in the hierarchy, with the majority being focused at the main urban area of Royal Tunbridge Wells and Southborough at the top.”* Table 3 of the Core Strategy identifies that 75% of housing should be provided in the Main Urban Areas of Tunbridge Wells and Southborough.
- 2.3 The Settlement Hierarchy included in the draft Local Plan is contained at Policy ED8. This is within the set of policies and the chapter devoted to Economic Development and Employment Provision. The commentary to the Settlement Hierarchy is geared exclusively towards the provision of employment, commercial and other main town centre uses. The definition of main town centre uses set out in the Glossary to the NPPF does not include housing.
- 2.4 It is noted that the draft Local Plan Settlement Hierarchy maintains Tunbridge Wells at the top as the Primary Regional Town Centre, but “downgrades” Southborough to a Town Centre.
- 2.5 There is no reference to the Settlement Hierarchy in the draft Local Plan in either the Housing chapter or the Development Strategy section. As a result, the Settlement Hierarchy has changed from the Core Strategy, and performs a different function. In the Core Strategy, the Settlement Hierarchy guides all main forms of development- housing, employment and retail, whereas the Settlement Hierarchy in the draft Local Plan does not appear to be used in order to guide the distribution of housing development.

Q3. What is the purpose of the Settlement Role and Function Study Update? How has it informed the Plan?

- 2.6 The purpose of the Settlement Role and Function Study Update is set out at paragraph 1.4 of the



document;

“The Settlement Role and Function Study provides information about settlements in the borough of Tunbridge Wells and their services and facilities. As well as providing an updated evidence base to help inform the settlement hierarchy of the borough, it also gives an indication of each settlement's level of sustainability and potential to accommodate further growth, including any smaller settlements that could become more sustainable as a result of any growth supporting additional services and infrastructure.”

- 2.7 Although the purpose of the Study is explicitly to give an indication of each settlement's level of sustainability and potential to accommodate further growth, it does not appear to have informed the potential of the settlements to accommodate housing growth, as it is not included in the draft Local Plan in the Development Strategy section or the Housing section.

Q5. The Development Strategy also supports the “...creation of a new garden settlement: Tudeley Village...”. What were the reasons for pursuing a new, standalone settlement, rather than the expansion of existing towns and villages? Is this justified?

- 2.8 The reasons for pursuing Tudeley Village as part of the development strategy are set out in paragraph 4.47;

“Tudeley Village would involve the loss of a large area of Green Belt but is outside the AONB, is well located in terms of accessibility to nearby towns, would be of a scale that supports a good range of services, and can be planned in a holistic, comprehensive manner, achieving very high standards of sustainable design and development. Moreover, no sustainable option has been identified and, without this new settlement, the borough's housing need would not reasonably be capable of being met.”

- 2.9 The strategy involving the development of Tudeley Village (and the expansion of Paddock Wood) will have a significant environmental impact due to the loss of land and impact on the Green Belt, and the likely impact on the setting and use of the AONB. There would also be a compromising of the reasons for including land within the Green Belt, not least the encroachment of the countryside and the prevention of settlements coalescing. Although the Council argue that the development would result in a “good range of services”, it is still located towards the bottom of the Settlement Hierarchy as a Neighbourhood Centre), despite the fact that policy STR/SS 3 requires approximately 2,800 dwellings to be delivered. There will inevitably be a significant number of trips made to higher order settlements, some of which are nearby but outside of the Borough, to access a wider range of goods and services, and also, in order to provide suitable access to the new development, a provision of a new highway is proposed which bypasses Five Oak Green. The development and delivery of two new road schemes results



in the residual effects of the development of Tudeley Village significant.

- 2.10 Part of the Council's justification for not distributing development towards Tunbridge Wells is that it is *"reliant on the A26 and A264 for access, which are both observably congested for extended periods at peak times, with no obvious scope for significant relief, to the detriment of local amenities and the town's historic character"* (paragraph 4.45 of the draft Local Plan). Whilst the Council do not appear to have considered relief to the existing highway network (with the construction of additional lanes for example, or upgrading other existing roads on the local network), they are content to plan for two new highways through the Green Belt and impacting on the setting of the AONB to enable access to a large new development in the Green Belt.
- 2.11 There is a relatively small distribution of development to Tunbridge Wells- a settlement at the top of the hierarchy and the largest and most accessible settlement in the Borough. The fact that the settlement is the most accessible in relation to the local highway network and public transport would suggest that it should be considered the focus of development, with development led improvements to the existing highway network, and public transport links to accommodate a greater degree of growth.
- 2.12 It is submitted that the development strategy places an over emphasis on the provision of a new settlement in the Green Belt and the major expansion of Paddock Wood, with the attendant environmental impacts that would result, rather than looking to the existing settlements to accommodate planned and managed growth. It is submitted that the Council have not robustly and adequately considered alternative distributions of development.

Q8. Could housing needs be met in a way that did not require land to be removed from the Green Belt and/or require development in the AONB?

- 2.13 Although some of the Growth Strategies involved looking at the delivery of housing without removing land from the Green Belt and/or requiring development in the AONB, it is accepted that this would not result in meeting the identified need. It is therefore necessary to release land from the Green Belt and to require development in the AONB, but given the strength of these policy designations, and in accordance with Government policy, this should only be carried out in exceptional circumstances, and having regard, in particular, to the reasons for including land within the Green Belt. As set out in previous submission relating to Matter 1 Issue 2, these exceptional circumstances need to be carefully considered and given the sensitivity of the areas in question, Green Belt land should be released in a limited and planned way. It is submitted that the Council have not done this.



ISSUE 2

Q1. How was the distribution of development established? Has the Council sought to direct housing growth towards settlements based on their scoring in the Settlement Role and Function Study, or by another means?

- 2.14 The distribution of development appears to have been determined by identifying the housing needs of the Borough, establishing that it is not possible to accommodate these needs without the release of land from the Green Belt and development within and close to the AONB, and establishing that it is necessary to promote large scale strategic developments at Tudeley Village and Paddock Wood.
- 2.15 However, the Settlement Hierarchy is set out in policy ED8 of the draft Local Plan, and has been developed following the assessments set out in the Settlement Role and Function Study. It is noted that Paddock Wood is near the top of the Settlement Hierarchy and is identified in the Settlement Role and Function Study as having a high score, reflecting the provision and range of services within the settlement. On this basis, without considering landscape impact issues, there would be justification for the promotion of development at this settlement.
- 2.16 However, the Council's strategy for housing growth relies heavily on the development of 2,800 dwellings at Tudeley Village. This would result in significant landscape and Green Belt impacts, not just from the development of the settlement itself but also as a result of the residual requirements of new roads and infrastructure.
- 2.17 In relation to the scoring in the Settlement Role and Function Study, the scoring is set out at Table 5 of the Study. In this table, the settlements are scored and ranked (using the "New weighted method"). Tunbridge Wells is not included, and the settlement at the top of the ranking is Southborough. This is allocated 42 new dwellings (having reference to the distribution of housing allocations in Table 4 of the draft Local Plan). Horsmondon, ranked 12 in the scoring table, is allocated 240 new dwellings, which is a greater number of new dwellings than all of the settlements above it in the scoring table other than Pembury and Cranbrook. Matfield, ranked 18 out of 21 settlements, is allocated 56 new dwellings, which is a higher number than Southborough, which is at the top of the rankings.
- 2.18 it is clear that the Council have not sought to direct housing growth towards settlements based on their scoring in the Settlement Role and Function Study

Q3. Is the strategy consistent with paragraph 105 of the Framework, which states that significant development should be focused on locations which are or can be made sustainable, through



limiting the need to travel and offering a genuine choice of transport modes?

- 2.19 Having regard to the above, it is submitted that the strategy is not consistent with paragraph 105 of the Framework. A significant proportion of the proposed new dwellings for the Borough are proposed at Tudeley Village. This site is in the countryside, served only by “B” roads and with no existing railway station and no bus stops nearby. Although the railway line does run through the settlement site area, there are no proposals for a railway station to be developed. Although the site for a railway station has been identified on the village plan at Map 32 of the draft Local Plan, there is no mention of the provision of this in the text of the draft policy- although there is a requirement for infrastructure contributions to be secured for highway improvements to the A228 and a new highway bypass around Five Oak Green. Whilst these infrastructure contributions are also to be secured for the “provision, improvements, and enhancement to cycle routes and cycle corridors”, the surrounding highway network is mainly “B” class roads and rural lanes- it is not clear how these cycle routes will be made safe and attractive for a wide range of users.
- 2.20 Other, existing settlements are more sustainable, and already offer alternative modes of transport- including Tunbridge Wells, which is recognised as the most sustainable settlement in the area due to the existing local and regional highway and public transport infrastructure.
- 2.21 It is submitted that the strategy is not therefore consistent with paragraph 105 of the Framework.

Q5. Where new development is proposed in towns and villages, is the scale, type and distribution of housing development proportionate to their character, role and function?

- 2.22 The Inspector is referred to the response to question 1 above. It is submitted that the scale and distribution of development bears little relevance to the character, role and function of the settlements identified in the Settlement Role and Function Study.

Issue 3

Q7. What is the justification for removing heritage assets and recreation areas from the Limits to Built Developments? Is this consistent with the principles set out in Core Document 3.82, which states that Limits to Built Development are policy lines drawn around the main built-up area of settlements?

- 2.23 There is little justification for removing heritage assets from the Limits to Built Developments. If a heritage asset is part of the built development area, it should be included in the identified area



as such. The LBD policy is aimed at restricting the spread of development and protecting the countryside and the Green Belt from inappropriate and unsuitable development. This involves a different assessment than the protection of heritage assets, where the significance of the asset is required to be considered, and the impact of development on that significance identified.

- 2.24 It would be more suitable and appropriate if such assessments were made through the application of the usual development management policies and the NPPF policy guidance. Heritage assets do not need further protection through countryside policies.

Issue 4

Q2. Where new development is proposed in the Green Belt, is Policy STR9 justified, effective and consistent with national planning policy?

- 2.25 Policy STR9 in effect replicates and summarises the policy advice in the NPPF, in particular at paragraph 149. It would appear more straightforward if the policy simply referred to the relevant paragraphs of the NPPF, as the policy would need to be consistent with the NPPF and any subsequent revisions in any case.



3.0 CONCLUSION

- 3.1 In conclusion, the Council have not properly used the relevant evidence base, in particular the Settlement Role and Function Study Update to inform the distribution of development. Settlements lower down the hierarchy, acknowledged to be the least sustainable, are identified as being allocated larger number of dwellings to deliver, and settlements higher up the order, identified as being more sustainable, have fewer dwellings allocated to them. This does not appear to be a sound approach to the distribution of development as it is not justified or supported by the evidence.
- 3.2 This approach also fails to support and justify the use of a new settlement in the Green Belt to deliver 2,800 new dwellings, and the attendant environmental impacts of this strategy, both direct and indirect, when there are fewer dwellings allocated to the settlements at the top of the hierarchy.
- 3.3 Whilst it is acknowledged that some release of Green Belt land and development within the AONB is required in order to meet the identified housing requirement, given the robustness of the national Green Belt policy and the national significance of the AONB, this should be carried out in a planned and limited manner. This would represent a justified and therefore sound policy approach.