
Examination Statement – Matter 6 Strategic Sites

Issue 1 Tudeley Village
Issue 3 Paddock Wood and East Capel

Tunbridge Wells Local Plan

Representations on behalf of Crest Nicholson

May 2022

Examination Statement – Matter 6 Strategic Sites

Issue 1 Tudeley Village Issue 3 Paddock Wood and East Capel

Tunbridge Wells Local Plan

Representations on behalf of Crest Nicholson

May 2022

Project Ref:	28991/A3	28991/A3
Status	Draft	Final
Issue/Rev:	1	2
Date:	8 March 2022	10 May 2022
Prepared by:	Jane Piper	Jane Piper
Checked by:	Huw Edwards	Huw Edwards
Authorised by:	Huw Edwards	Huw Edwards

Barton Willmore, now Stantec
26 Kings Hill Avenue
Kings Hill
West Malling
Kent
ME19 4AE

Tel: 01322 374660
Email: jane.piper@bartonwillmore.co.uk

Ref: 28991/A3/JP
Date: 10 May 2022

COPYRIGHT

The contents of this document must not be copied or reproduced in whole or in part without the written consent of Barton Willmore, now Stantec.

All our stationery is produced using recycled or FSC paper and vegetable oil based inks.

CONTENTS

PAGE NO.

1.0 INTRODUCTION	1
2.0 RESPONSE TO MATTER 6 – STRATEGIC SITES.....	2
ISSUE 1 QUESTIONS 16,17.....	2
ISSUE 1 QUESTION 20.....	3
ISSUE 3 QUESTION 1.....	4
ISSUE 3 QUESTION 2.....	15
ISSUE 3 QUESTIONS 3,5.....	18
ISSUE 3 QUESTION 6.....	19
ISSUE 3 QUESTION 7.....	20
ISSUE 3 QUESTIONS 8,10	21
ISSUE 3 QUESTIONS 11,12.....	22
ISSUE 3 QUESTIONS 13,14,15,16.....	23/24
ISSUE 3 QUESTIONS 17.....	28
ISSUE 3 QUESTIONS 21,22	28/29

1.0 INTRODUCTION

- 1.1 This Statement has been prepared by Barton Willmore now Stantec on behalf of our Client, Crest Nicholson, who has an interest in the land to the north west of Paddock Wood that forms a significant part of the housing allocation STR/SS1: The Strategy for Paddock Wood, including land east of Capel, which provides for circa 3,490-3,590 new dwellings across Paddock Wood. This Statement is prepared in response to the Inspectors' Matters, Issues and Questions.
- 1.2 Representations have been made on behalf of our client throughout the production of the emerging Local Plan and these representations expand upon earlier representations. While efforts have been made not to duplicate the content of previous representations, this Statement draws on previous responses where necessary.
- 1.3 These representations have been prepared in recognition of prevailing planning policy and guidance, particularly the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).
- 1.4 These representations respond to the Inspectors' questions within Matter 6 Strategic Sites, Issue 1 – Tudeley Village and Issue 3 Paddock Wood and East Capel. This Statement does not respond to all questions raised under this Matter but focuses on those questions of particular relevance to our Client's interests.
- 1.5 These representations have been considered in the context of the tests of 'soundness' as set out at paragraph 35 of the NPPF. This requires that a Local Plan be:
- **Positively Prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - **Consistent with National Policy** – enabling the delivery of sustainable development in accordance with the policies in the Framework.

2.0 RESPONSE TO MATTER 6 – STRATEGIC SITES

Issue 1 Tudeley Village

Question 16: What is the justification for the proposed link-road to the east of the allocated site, running from the B2017 to the proposed Colts Hill bypass?

Question 17: How will the link road be delivered and is it viable? Is it required for the strategic site at Tudeley alone, or, as a result of cumulative growth with sites at Paddock Wood and east Capel?

- 2.1 The rationale for this link road, referred to as the Five Oaks Green Bypass is described Paragraph 6.33 of the Strategic Sites Masterplanning and Infrastructure Study (February 2021) as being related to constraints in the following location:

"In the centre of the village for traffic flows and the growth at Tudeley Village (and to a more limited extent that at Paddock Wood and east Capel) [which] would increase traffic along the B2160 through the village."

- 2.2 The above suggests that the impact of the Tudeley Village development triggers the requirement for this infrastructure. The paragraph continues:

"The Transport Assessment (SWECO) underpinning the Regulation 18 Draft Local Plan pinpoints the need for a bypass of the village to alleviate issues caused by strategic development at Tudeley Village." (Para 6.33).

- 2.3 Conversely, the increases in traffic along the B2160 resulting from the developments identified for Paddock Wood and east Capel would not be significant. Therefore, the conclusion supports the identification of the 'Link by passing Five Oak Green +R'bout with A228' as Category D (i.e. an off-site scheme required by a single allocation) in Table 11, associated with development at Tudeley Village.

- 2.4 Further paragraph 5.228 of the Submission Local Plan states, "*The Five Oak Green bypass is largely required to alleviate issues caused by strategic development at Tudeley Village and the viability assessment shows that this can be delivered wholly by the Tudeley Village Garden Settlement.*"

- 2.5 As such, Crest agrees that the bypass should form part of Policy STR/SS3 Strategy for Tudeley village, but objects to the reference to the inclusion of the Five Oaks Green Bypass in Policy STR/SS1. The Local Plan should make it clear that the Five Oaks Green Bypass relates **only to Policy STR/SS3 Strategy for Tudeley Village** and not new development at Paddock Wood.

Question 20: Is it clear to decision-makers, developers and local communities what infrastructure will be delivered, by whom and when?

- 2.6 Despite objecting to certain aspects of infrastructure requirements set out in the Local Plan in regard to development at Paddock Wood due to the lack of evidence; Crest, along with the other housebuilders of the STR/SS1 Paddock Wood allocation (Dandara, Persimmon and Redrow) are working collaboratively with TWBC to agree a mechanism for apportioning evidenced based infrastructure costs and to set out who will deliver it and when. These will recognise the proportionate impact of developments towards the delivery of the required infrastructure in accordance with the Regulation 122 (CIL Regulations 2010) tests (of being necessary, directly related and fairly and reasonably related in scale and kind to the development). The latest situation is set out in the Council's Position Statement, entitled 'Tunbridge Wells Borough Council and Strategic Site Promoters Delivery and Funding of Shared Infrastructure'. As set out in the Conclusion,

"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. "*

Issue 3 Paddock Wood and East Capel

Size, Scale and Location of Development

Question 1: 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?

- 2.7 Whilst Crest supports the overall principles of this policy, it considers the Policy to be unsound, as the policy wording needs to be "justified" and more "effective".
- 2.8 Crest commends TWBC for the amendments made to the Reg 18 version of the Plan to formulate the Reg 19 and Submission Plan, particularly in respect to the policies regarding development at Paddock Wood, as it significantly improves the ability to understand the Plan and policies. That said however, the Local Plan is still overly long, as are many of the policies, and could be further simplified and edited to make it easier to read, navigate and comprehend.
- 2.9 The Plan should be read as a whole; therefore, it should be as concise as possible with a minimal amount of repetition. This will also remove any discrepancies between slight deviations in wording of different policies.
- 2.10 Policy STR/SS1 is still unnecessarily long, overly complex, repetitive, and most importantly does not provide certainty as to which part of the allocated development will be contributing to what element of infrastructure.
- 2.11 We set out below representations on individual parts of the policy and supporting text, but we have suggested the whole policy should be re-drafted in the 'Suggested Modifications' below to make the policy "sound", "justified", "effective" and make it clear which "parcel" (and therefore "developer") is expected to be providing which elements of the infrastructure.
- 2.12 Paragraph 5.194 of the Local Plan presently states:

"The assignment of contributions will be further refined through the Supplementary Planning Documents to be prepared for each Strategic Site. The delivery of this infrastructure should be through ongoing discussions with relevant stakeholders."

2.13 The Council’s position has moved on since the drafting of this paragraph, as outline in response to Issue 1 Question 20, and the developers of STR/SS1 are working collaboratively with TWBC to agree a mechanism for apportioning evidenced based infrastructure costs and to set out who will deliver it and when, as set out in the Council’s Position Statement, entitled ‘Tunbridge Wells Borough Council and Strategic Site Promoters Delivery and Funding of Shared Infrastructure’. This should be reflected in revised text at paragraph 5.194, by adding “and the developers” to the end of the paragraph.

2.14 To give developers certainty, greater clarification should be provided in the local plan to explain:

- the type of infrastructure required for each site (and its associated evidence);
- how it will be funded;
- which development pays for what (bearing in mind the tests of Regulation 122 (CIL Regulations 2010));
- what the Council’s intentions are for CIL;
- if CIL is pursued, how it will work with S106 contributions; and
- how ‘double-dipping’ will be avoided.

2.15 For ease, we have set out Crest’s representations to Policy STR/SS1 in the table below so that each representation can be seen in the context of the relevant part of the policy:

Policy STR/SS1	Suggested Comment – in Brief
<p>Significant growth around Paddock Wood and east Capel is proposed to deliver approximately 3,490-3,590 houses, as defined on the Policies Map.</p> <p>The development strategy for Paddock Wood and east Capel is to:</p> <ol style="list-style-type: none"> 1. With Policies STR/PW 1 (the Strategy for Paddock Wood (parish) and STR/CA 1 (the Strategy for Capel parish), set provisional Limits to Built Development for Paddock Wood and east Capel on the Policies Map (Inset Map 4) as a framework for the provision of an extended settlement over the plan period and beyond. This is facilitated through the release of Green Belt land; 2. Provide for the expansion of Paddock Wood and east Capel, which will deliver the following, on the broad locations as identified at Map 28: <ol style="list-style-type: none"> a. approximately 3,490-3,590 dwellings; 	<p>The policy also allocates “<i>significant new land for mix use employment</i>”. Given the significance of this allocation to the Council’s development strategy, Policy STR/SS1 should set out the quantum of employment to be delivered from the 14 hectares identified in Policy STR1. This will then enable appropriate calculations to be applied for infrastructure requirements etc.</p>

<p>b. three neighbourhood centres providing around 2,000sqm commercial floorspace (Class E) in total: one in each of the key development parcels as outlined on Map 27. The broad locations of the neighbourhood centres will be defined through the Framework Masterplans, and should be located to maximise accessibility by foot from the new dwellings to serve local shopping needs;</p> <p>c. two two-form entry primary schools: one in the western parcel (edged in blue on Map 27) to the north of the railway line, and the second in the eastern parcel (edged in yellow on Map 27). The primary school site in the western parcel should be safeguarded to enable expansion to three form entry;</p> <p>d. a new sports and leisure hub, which could incorporate an indoor 25m swimming pool and indoor and outdoor sports facilities. Around 10 hectares of land should be safeguarded within the western parcel (edged in blue on Map 27), to the south of the railway line and to the east of the A228 for this purpose;</p> <p>e. provision of a health centre: there is potential for this to be co-located with the sports and leisure hub;</p> <p>f. three-pitch gypsy/traveller site (to include one mobile home and one touring caravan per pitch). 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);</p>	<p>2b. Policy needs to be more future-focussed, flexible and resilient so as to reflect the way people will use neighbourhood centres in the future, and not based on a specific quantum. Centres should be planned around people interacting. Centres should be focussed on the co-location of uses such as older people accommodation, education, leisure, and recreation (formal and informal), employment, cultural, health, community, retail, social (informal and formal) open spaces and transport interchanges. They should not be fixed by boundaries so that they become stagnant or even obsolete, but fluid and flexible to allow for a variety of uses and the centre for events, "pop-ups" or meanwhile uses.</p> <p>2c. This should also be subject to evidence from the Education Authority at the appropriate time.</p> <p>2d. It should be recognised that the financial contributions for the proposed population will not yield the need for a swimming pool in and of itself; hence additional funding mechanisms will need to be investigated.</p> <p>Paragraph 4.13 of Indoor/Built Sports Facility Needs Assessment (June 2018) states 10.62sqm of swimming pool per 1,000 people.</p> <p>3490-3590 dwellings x 2.37 persons per h/h = 8271-8508 people/1000 X 10.62sqm = 87.84 - 90.35sqm of swimming pool. 187sqm is equivalent to 25m x 4 lane pool; therefore, total PW development would only (at most) provide for circa half a pool.</p> <p>As such, 2d. should be amended to read, "safeguard around 10 hectares of land within the western parcel (edged in blue on Map 27), to the south of the railway line and to the east of the A228 for a new sports and leisure hub"</p> <p>2e. or co-located with neighbourhood centre, as it may be easier to walk to/more central.</p> <p>2f. Crest has been working with TWBC to consider the accommodation of any Gypsy and Traveller pitches that may be required on its part of Policy STR/SS1. Crest has offered a site to the south of the rail line that is currently being discussed with officers. This will be assessed and considered in more detail during the masterplanning process and drafting of the SPD.</p>
---	--

<p>g. significant new land for a mix of employment uses on sites to the north and south of Lucks Lane, and to the east of Transfesa Road. These are Key Employment Areas and regard should be had to Policy ED 1. The new employment areas should include walkable links from the new neighbourhoods;</p> <p>h. a town-wide system of paths and cycle routes, linking out of the town to nearby villages and leisure routes, such as the Hop Pickers Trail;</p> <p>i. a new north-south pedestrian and cycle link over the railway line (within the western parcel), linking neighbourhoods and public facilities;</p> <p>j. a Paddock Wood 'Wetland Park' to the north of the western parcel (land edged in blue on Map 27), to deliver flood water attenuation and new wetland habitat, and allowing for informal recreation via a network of footpaths and boardwalks;</p> <p>k. a community hub;</p> <p>3. Provide a mix of housing types, size, and tenure to be provided to ensure a balanced, inclusive, and accessible community, the exact mix to be agreed with the Local Planning Authority at the planning application stage. Forty percent affordable housing should be provided on-site and phased through the development in line with Policy H3;</p> <p>4. Provision to be made for accommodation to deliver mixed communities, including provision for those with different accommodation needs, including those of older people. At least one sheltered and one extra care housing scheme shall be provided within the strategic site;</p> <p>5. Be developed to a high standard of design and layout. Particular attention to be paid to</p>	<p>Paragraph 2f. needs to be amended accordingly</p> <p>2g. The policy should specify the quantum of employment land.</p> <p>2h "...where possible, practical, and appropriate" should be added to the end of this paragraph as it is unclear, at this stage, when the masterplan has not been considered in detail whether active travel routes/links to routes through existing areas of settlements is possible, practical, or appropriate.</p> <p>2i – amend to "<i>subject to agreement with Network Rail, the Council will bring forward an improved pedestrian and cycle crossing over the railway line linking neighbourhoods and public facilities in this parcel.</i>"</p> <p>2k. part of/co-located with Neighbourhood centre.</p> <p>3 Add to end of para, "...subject to viability" or in accordance with Policy H3.</p> <p>4 As set out in set out in the Council's Position Statement, 'Tunbridge Wells Borough Council and Strategic Site Promoters Delivery and Funding of Shared Infrastructure', the developers of STR/SS1 understand the policy requirement to deliver at least one sheltered and one extra care housing scheme within the allocation. The general location of these uses should be determined through the Masterplan process and in liaison with the Parcel promoters.</p>
---	---

<p>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;</p> <p>6. Ensure the development embeds the garden settlement principles. Planning applications need to demonstrate consideration of the associated key qualities as outlined in the supporting text;</p> <p>7. Secure the phased delivery of highway and transport infrastructure, including on and off-line improvements to the A228 around Colts Hill and the provision of a new highway which bypasses Five Oak Green, as shown on Maps 29 and 33;</p> <p>8. Provide new and improved bus connections to directly link the planned new residential areas with Paddock Wood town centre and the employment areas to the north of the railway line. The use of bus gates should be considered;</p> <p>9. Provide walking and cycling linkages within the site, together with links to Paddock Wood town centre, employment areas, and surrounding countryside. Development in the eastern parcel, shown as land edged in yellow on Map 27, should make use of, and enhance, the Hop Pickers Trail;</p> <p>10. For development on land to the west, edged in blue on Map 27, to provide compensatory improvements to the Green Belt;</p> <p>11. Consider the potential for mineral deposits on the land edged in blue and yellow on Map 27, and any viably workable minerals should be extracted prior to development commencing on the site;</p> <p>12. Incorporate zero and low carbon energy production, in line with the requirements of Policy EN 3, during early design stages to provide an exemplar scheme with climate change mitigation and adaptation measures and sustainable development principles</p>	<p>7 The A228 improvements need to be evidenced. The Five Oak Green by-pass only relates to Tudeley. See Hearing Statements in relation to Matter 6, Issue 1 (Questions 16, 17 & 20) and Matter 12, Issue 1 (Question 2) and Issue 4 (Question 1).</p> <p>9. <i>"...where possible, practical, and appropriate"</i> should be added to the end of this paragraph as it is unclear, at this stage, when the masterplan has not been considered in detail whether active travel routes/links to routes through existing areas of settlements is possible, practical, or appropriate.</p> <p>10. This should be deleted as other requirements of the policy, for example to provide access and outdoor sport and recreation; to retain and enhance landscapes, visual amenity, and biodiversity, all provide compensatory improvements for the land's removal from Green Belt, albeit the land itself will no longer remain as Green Belt.</p> <p>11. For clarity add "...through a Minerals Assessment Report".</p> <p>12. Delete text after 'EN3', as superfluous</p>
--	--

<p>fundamental to the design, construction, and operation stages;</p> <p>13. Ensure a drainage strategy is in place, in consultation with the Local Planning Authority, Kent County Council as the Drainage Authority, and Southern Water prior to the grant of planning permission for any substantial development on the site, unless exceptional circumstances arise. This should demonstrate that there is adequate capacity in the foul sewage network, and that development will not exacerbate flooding elsewhere. The drainage strategy should be implemented through the development to deliver the levels of storage, attenuation, and mitigation measures to reduce the incidence of flooding to adjacent residential areas in Paddock Wood;</p> <p>14. Provide a scheme for the management and funding for green spaces and green infrastructure for each parcel of land as outlined on Map 27, for both amenity and biodiversity for the lifetime of the development;</p> <p>15. Secure developer contributions towards the strategic growth of this area and Tudeley Village, either in kind (normally land) and/or financial, as set out in the Strategic Sites Masterplanning and Infrastructure Study (February 2021) (or a version of this document as amended), to include:</p> <ul style="list-style-type: none"> a. highway improvements and mitigation measures, including: <ul style="list-style-type: none"> i. on and off-line works to the A228; ii. new bypass around Five Oak Green; b. provision, improvements, and enhancement to bus and cycle routes, and cycle corridors; c. primary and secondary education provision; d. health and medical provision; utility provision and upgrades; e. flood defences and mitigation measures; f. improvements and enhancement to sports and recreation provision, including children's and youth play space; g. other necessary mitigation measures which are directly related to the development and fairly and reasonably related in scale and kind. <p>The development will be delivered through the production of four Framework Masterplan Supplementary Planning Documents (SPD). This will relate to an overall Structure Plan for the</p>	<p>13. Delete "unless exceptional circumstances arise", as it is superfluous. In order to grant outline planning permission, and fully consider the environmental implications of the proposal, a drainage strategy will be required to be submitted, agreed, and conditioned as part of any planning application approval.</p> <p>Change to: <i>"Ensure a drainage strategy is in place, in consultation with the Local Planning Authority, Kent County Council as the Lead Local Flood Authority, Medway Internal Drainage Board and Southern Water prior to the grant of planning permission for any substantial development on the site."</i></p> <p>15. Delete "and Tudeley Village" from 1st sentence of Para 15 as Policy STR/SS1 does not relate to Tudeley Village, and it would fail CIL Regs 122 tests of being:</p> <ul style="list-style-type: none"> (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development. <p>Relationship with CIL needs to be set out in the Local Plan to reflect the Council's position as set out in the LDS (February 2021) and to make it clear what developers will be expected to pay to give certainty and to set out how the Council will avoid 'double-dipping'. Strategic sites should be zero-rated.</p> <p>In order to provide certainty to the developers, the Local Plan and SPD needs to ensure clarity about who is delivering what, otherwise there may be significant disagreement and conflict in the future resulting in delays to delivery.</p> <p>The Local Plan policy should recognise and allow for the allocation to be brought forward by different developers and in different phases and applications to deliver the housing required in a timely way within the Local Plan.</p> <p>This should be deleted and moved to supporting text as not "policy" and therefore superfluous.</p>
--	--

<p>planned growth, and three further SPDs in relation to the following parcels of land, as shown on Map 27:</p> <ol style="list-style-type: none"> 1. Western parcel (edged in blue); 2. Northern parcel (edged in red); 3. Eastern parcel (edged in yellow). <p>These Framework Masterplans will guide developers and the Local Planning Authority in respect of the garden settlement principles to create a new community at Paddock Wood and east Capel. The SPDs will set out guidance to show how the above policy requirements, together with other policies within this Local Plan, should be delivered on the site. It will provide guidance on design, phasing, and site access to ensure comprehensive development and strong assimilation with the existing settlement at Paddock Wood.</p> <p>Proposals for the piecemeal development of individual sites within the parcels identified will not be supported (it is noted, and accepted, that the western parcel is likely to be delivered as two schemes). The delivery of this infrastructure should be through ongoing discussions with relevant stakeholders. This includes, but is not limited to, Kent County Council, adjacent local planning authorities (Tonbridge & Malling and Maidstone Borough Councils) and other statutory consultees.</p> <p>It is highly likely the delivery of the development will require land equalisation agreements. The Council will, if necessary, use its Compulsory Purchase Order powers to ensure the delivery of the appropriate masterplanned approach.</p>	<p>The issue of land equalisation is not a planning policy matter and should be deleted.</p>
---	--

Suggested Modifications

- 2.16 To reflect the ongoing discussions with developers, “and the developers” should be added to the end of paragraph 5.194.
- 2.17 Additions to supporting text should be added somewhere appropriate to explain how the various policies relating to Paddock Wood and east Capel work as a whole and better explain how STR/SS1 fits in overall (rather than being in the policy itself):

"Strategy for Paddock Wood and east Capel is set out in the following policies:

STR/SS1

STR/PW1(the Strategy for Paddock Wood (parish) and

STR/CA 1 (the Strategy for Capel parish)

"The expansion to Paddock Wood town in STR/SS1 will be comprehensively planned through the Structure Plan shown at Map 28, amended as necessary to reflect up-to-date, more detailed and/or refined information, for the whole development along with three Development Framework Supplementary Planning Documents (SPDs) for each of the three locations, as defined on Map 27:

- 1. Western parcel (edged in blue);*
- 2. Northern parcel (edged in red);*
- 3. Eastern parcel (edged in yellow)*

"The Masterplan and Development Framework SPDs will guide developers and the Local Planning Authority in respect of the garden settlement principles to create a new community at Paddock Wood town. The Development Framework SPDs will set out guidance to show how the policy requirements, together with other policies within this Local Plan, should be delivered on the site. It will provide guidance on design, phasing, and site access to ensure comprehensive development and strong assimilation with the existing settlement at Paddock Wood."

2.18 Suggested Revised Policy STR/SS 1: The Strategy for Paddock Wood, including land at east Capel

2.19 The development strategy for Paddock Wood and east Capel is to provide for the expansion of Paddock Wood town (including some land within east Capel parish) to deliver approximately 3,490-3,590 houses and XX hectares of employment in the broad locations shown on Map 28 and on the Policies Map, amended as necessary to reflect up-to-date, more detailed and/or refined information.

2.20 The expansion will be comprehensively planned through three co-produced Development Framework Supplementary Planning Documents for each of the following locations, as defined on Map 27:

1. Western parcel (edged in blue);
2. Northern parcel (edged in red);
3. Eastern parcel (edged in yellow).

2.21 It is acknowledged that there are several developers that have land interests within this allocation and the Council is cognisant of ensuring delivery is not hindered unduly. As such, it will consider positively individual applications that are in line with this policy and in general conformity with the Structure Plan and Development Framework documents.

2.22 The delivery of this development should be through ongoing discussions with relevant stakeholders. This includes, but is not limited to, Kent County Council, adjacent local planning authorities (Tonbridge & Malling and Maidstone Borough Councils) and other statutory consultees.

2.23 This development allocation is important to the Council's spatial development strategy for this local plan period. If necessary, the Council will use its Compulsory Purchase Order powers to ensure the delivery of the appropriate masterplanned approach.

A. Development Principles

1. With Policies STR/PW 1 (the strategy for Paddock Wood parish) and STR/CA 1 (the strategy for Capel parish), the Development Framework will set provisional Limits to Built Development as a framework for the provision of an extended settlement over the plan period. This is facilitated through the release of Green Belt land to the north west.
2. The new development will:
 - i. Reflect and embed the garden settlement principles, as set out in the supporting text;
 - ii. 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;

- iii. Provide a mix of housing types, size, and tenure to ensure a balanced, inclusive, and accessible community, the exact mix to be agreed with the Local Planning Authority at the planning application stage. 40% affordable housing should be provided on-site, subject to viability, and phased through the development in line with Policy H3;
- iv. Provide housing for those with different accommodation needs, including those of older people. At least one sheltered and one extra care housing scheme shall be provided within the allocation. The general location will be determined through the Masterplan;
- v. Provide a town-wide system of paths and cycle routes, linking out of the town to nearby villages and leisure routes, such as the Hop Pickers Trail, where possible, practical, and appropriate;
- vi. Incorporate zero and low carbon energy production, in line with the requirements of Policy EN 3;
- vii. Ensure a drainage strategy is in place, in consultation with the Local Planning Authority, Kent County Council as the Lead Local Flood Authority, Medway Internal Drainage Board and Southern Water prior to the grant of planning permission for any substantial development on the site.
- viii. Provide new and improved bus connections to directly link the planned new residential areas with Paddock Wood town centre and the employment areas to the north of the railway line. The use of bus gates should be considered;
- ix. Where appropriate, consider any potential on-site mineral resources through the submission of a Minerals Resource Assessment to the Minerals Planning Authority.

B. Financial Contributions

1. Subject to viability, contributions (in kind and/or financial) will be sought from all development parcels within this policy, that are fairly and reasonably related in scale and kind, to secure the phased delivery of highway and transport infrastructure, as set out in the Strategic Sites Masterplanning and Infrastructure Study (February 2021) (or a version of this document as amended), including:
 - a. highway improvements and mitigation measures
 - b. provision, improvements, and enhancement to bus and cycle routes, and cycle corridors;

- c. primary and secondary education provision;
 - d. health and medical provision;
 - e. utility provision and upgrades;
 - f. flood defences and mitigation measures;
 - g. improvements and enhancement to sports and recreation provision, including children's and youth play space;
 - h. other necessary mitigation measures which are directly related to the development and fairly and reasonably related in scale and kind.
2. Developers will also be required to provide a scheme for the management and funding for green spaces and green infrastructure for each parcel of land for both amenity and biodiversity for the lifetime of the development.

C. The Western Parcel

1. In addition to the above, the Western Parcel (edged blue on Map 27) should provide:
 - i. A neighbourhood centre of an appropriate scale for the new community that does not compete with the town centre to include Class E uses (retail, commercial, business and services)¹;
 - ii. a community hub to serve the new community ¹;
 - iii. A site for a health centre to serve the new community ¹;
 - iv. A site for a two-form entry primary school to the north of the railway line, with additional land safeguarded to enable expansion to three form entry, if proven necessary¹;
 - v. A site of around 10 hectares to the south of the railway line and to the east of the A228 for a new sports and leisure hub;
 - vi. a Paddock Wood 'Wetland Park' to the north, to deliver flood water attenuation and new wetland habitat, and allowing for informal recreation via a network of footpaths and boardwalks;
 - vii. subject to agreement with Network Rail, the Council will bring forward an improved pedestrian and cycle crossing over the railway line linking neighbourhoods and public facilities in this parcel.

D. The Eastern Parcel

Crest defers to the LPA and the Parcel promoter(s) – as to any revised wording for this Parcel.

E. The Northern Parcel

1. In addition to 1. above, the Northern Parcel (edged red on Map 27) will provide:
 - i. XX hectares of new land for a mix of employment uses on sites to the north and south of Lucks Lane, and to the east of Transfesa Road. These are Key Employment Areas and regard should be had to Policy ED1;
 - ii. The new employment areas should include walkable links from the new neighbourhoods.

Notes:

1. Where possible, these uses should be co-located to maximise community interaction and be easily accessible by walking, cycling or public transport to reflect the garden settlement principles.

NB: In making the above suggestions for the “Western Parcel”, we are mindful that this “parcel” includes land promoted by both Crest Nicholson and Dandara. The above suggestions are the suggested rewording of Crest Nicholson alone, and Dandara will be making its own representations.

Question 2: 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?

- 2.24 It is clear from the work undertaken by TWBC, within the Borough’s constraints, that fewer but larger - more sustainable - sites provide a more robust development strategy, as concluded in the SA, even if this will result in the removal of land from the Green Belt. This accords with paragraph 73 of the NPPF which recognises that,

"The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes).."

2.25 The issue then becomes one of scale and direction of growth around Paddock Wood. Page 4 of the Sustainability Appraisal NTS concludes,

"...Paddock Wood was the only reasonable location for an extension and of a scale that maximises benefits for the housing objective whilst being set away from the constraints in the south (ancient woodland and AONB), but with land-take in the Green Belt to the west of Paddock Wood, in Capel Parish, to help address existing flooding issues, would provide a suitable and achievable, scale of extension. This option was found to have benefits for the economic, environmental and social elements of sustainability, albeit with most benefits being social and economic, rather than environmental."

2.26 As paragraph 6.83 of the Development Strategy Topic Paper recognises scale is important for the functionality and sustainability of a new settlement. It needs to be sufficient to support everyday services, such as shops, education, and healthcare provision, as the provision of such services will influence quality of place, level of containment and ultimately households' decisions to live in a new settlement. As an established town with a broad range of existing services and facilities, a substantial level of growth could support and provide an opportunity to enhance this provision in the town.

2.27 Five options for scale and direction of strategic growth of Paddock Wood were assessed. Notwithstanding the Green Belt designation of land to the west, the option involving development all around the town was favoured in overall sustainability terms. This largely reflects the combination of facilitating business growth, general accessibility to central facilities, together with the flood betterment possible for the town.

2.28 Once, the most sustainable option for the strategic extension to Paddock Wood had been identified, TWBC commissioned David Lock Associates, supported by Stantec, JBA and SQW, to comprehensively masterplan the expanded settlement in 2020.

- 2.29 As set out in paragraph 6.92 of the Development Strategy Topic Paper, the purpose of the masterplanning work was twofold:
- To provide a Structure Plan for Paddock Wood and east Capel
 - To identify the capacity of the new settlement in terms of the number of dwellings, level of non-residential floorspace, and the location and provision of key infrastructure within the settlement.
- 2.30 As set out in Crest's Hearing Statement on Matter 3, Issue 2 (Question 7) the work undertaken by JBA Consulting inform the evidence base for two masterplan options being prepared by David Lock Associates, referred to as Options 1 and 3:
- Option 1 had a larger total residential area, with residential areas predominantly positioned in Flood Zone 1 and some areas within Flood Zone 2.
 - Option 3 has a smaller total residential area, with residential areas positioned in Flood Zone 1.
- 2.31 Whilst this was progressing, Crest's hydrology consultant, Ardent, were also undertaking work to consider how and where development could be located to the north west of Paddock Wood. Ardent's schemes includes a larger development platform area (57.5ha) and causes no increase in flood risk as a result of the proposals, in comparison to the JBA work which concluded that approximately 45.46ha.
- 2.32 This indicates that there are different solutions to this issue, which will be resolved as more detailed work is done through the evolution of the Development Framework document. As such, it is important that this is recognised in Policy STR/SS1. This has been done in the first paragraph of Suggested Amended Policy at paragraph 2.18 of this statement:
- 2.33 The development strategy for Paddock Wood and east Capel is to provide for the expansion of Paddock Wood town (including some land within east Capel parish) to deliver approximately 3,490-3,590 houses and XX hectares of employment in the broad locations shown on Map 28 and on the Policies Map, **amended as necessary to reflect up-to-date, more detailed and/or refined information.**

Question 3: 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)?

- 2.34 No; hence Crest has suggested an Amended Policy at paragraph 2.18 to set out the scale and mix of uses are proposed on each parcel, including the amount of employment land.

Green Belt

Question 5: 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?

- 2.35 The Stage 3 Study has identified sub-areas of varying degrees of "harm" to the GB, and in respect of "land to the west of Paddock Wood" (re AL/CA3 and AL/PW1) it has identified two different levels of harm, namely "moderate" and "high". The delineation of the two areas largely follows the "Tudeley Brook", both to the north and south of the (east/west) railway line.
- 2.36 Both Crest (with land to the north/south of the railway) and Dandara (with land wholly to the south of the railway) have had due regard to these observations in the evolution of our respective schemes for development. This is reflected in keeping the areas of land (i.e.. "high degree of harm") largely free from built development, in the form of the proposed "sports hub", other forms of open space and sustainable drainage features.
- 2.37 This is also reflected in the proposed wording of Policy STR/SS1 and the Council's draft Framework Masterplan. Our Client is also pursuing an approach of lowering the density of development as we extend more westwards into the site. In adopting such an approach, together with the provision of open space areas and flood mitigation/drainage features will result in a far less urbanising affect than if built form was to extend hard-up against the A228.
- 2.38 Crest is fully supportive of such mitigation measures, and these are reflected in our previously circulated masterplan for the Site, plus as agreed in the submitted Statement of Common Ground [CD 3.137]1.

¹ SoCG TWBC and Crest Nicholson Oct 2021

Question 6: Where it has been concluded that it is necessary to release Green Belt land for development, paragraph 142 of the Framework states that Plans should set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. How will this be achieved?

2.39 The PPG on Green Belt (002 Reference ID: 64-002-20190722) states:

"Strategic policy-making authorities should set out policies for compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land. These may be informed by supporting evidence of landscape, biodiversity or recreational needs and opportunities including those set out in local strategies, and could for instance include:

- *new or enhanced green infrastructure;*
- *woodland planting;*
- *landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal);*
- *improvements to biodiversity, habitat connectivity and natural capital;*
- *new or enhanced walking and cycle routes; and*
- *improved access to new, enhanced or existing recreational and playing field provision."*

2.40 The Council's High Level Masterplan document does not show the built form of the proposals to the north west of Paddock Wood extending right up to the proposed revised Green Belt boundary. It shows significant landscaping along the western boundary. However, the work being undertaken by Crest's consultant team, primarily in relation to flood mitigation//drainage features, is leading the masterplan process to pull development even further away from the western boundary to allow for a substantial attenuation basin (see previously submitted masterplan). This work is on-going and will be refined through the SPD and application process. As set out in Crest's Matter 5 Hearing Statement, 40% of the site will be blue and green infrastructure. This will allow for a significant amount of compensatory improvements and a comprehensive landscaped approach to the edge of the Green Belt. This area of land, once complete, will function as a buffer and transition to the Green Belt whilst providing woodland planting, green infrastructure, landscape and visual enhancements, improvements to biodiversity and habitat connectivity as well as new and enhanced recreational provision and walking and cycling routes.

- 2.41 It is positive and proper planning to remove all the land from the Green Belt to allow for the best design and layout of this new garden community, but it will provide the visual and amenity links and enhancements sought by the NPPG that will compensate for the wider site's removal from the Green Belt. Crest is fully supportive of such mitigation measures, and these are reflected in our previously submitted masterplan for the Site, plus as agreed in the submitted Statement of Common Ground [CD 3.137]. As such and as set out in the table at paragraph 2.15 of this statement, in relation to criteria 10 of the Submission Plan Policy STR/SS1, Crest believes this criterion should be deleted as the Policy specifies many of these requirements already.

Question 7: Taking into account the answers provided under Matter 4, do the exceptional circumstances exist at site specific level to justify amending the Green Belt boundary in this location?

- 2.42 In an Authority of 70% AONB and circa 22% Green Belt, it is the actions of a strong and responsible Council that recognises the need to face into the matter of "exceptional circumstances" in seeking to suitably provide for the housing and employment needs of its residents, their families, and local businesses. The far easier route to have followed would have been to shirk such responsibilities and simply hope an adjoining Authority (or subsequent Administration) would deal with the resultant problems of failing to meet such needs.
- 2.43 As such we firmly believe that "exceptional circumstances" exist and consider that the Council has comprehensively demonstrated this in its suite of submitted evidence and supporting Core Documents.

Flood Risk and Drainage

Paragraph 4.11 of the *Strategic Sites Topic Paper* 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.*"

Question 8. 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?

- 2.44 The work undertaken by JBA to support the David Lock masterplanning process, on behalf of TWBC, is considered to be at the appropriate level and proportionate to this stage in the planning process, and in accordance with paragraph 162 of the NPPF. This is set out in more detail in Crest's Hearing Statement in response to Matter 5 Site Selection.
- 2.45 The modelling – and the mitigation - will continue to evolve through the planning process as the Development Framework for Western Paddock Wood is developed and the planning application is prepared. These documents will also set out a SUDS strategy to deal with the increased runoff from the development itself, thereby ensuring that flood risk is not increased off site.
- 2.46 Given the site north west of Paddock Wood, north of the rail line in Crest's control is 97 hectares, even if the larger development platform area is fully utilised, this still means that 40% of the site will remain for strategic blue and green infrastructure. This will provide a unique opportunity to not only deal with flood risk for the development but to provide betterment to existing residents and businesses in the town, whilst providing for all the services and facilities required by the development within a landscaped, biodiverse buffer to the Green Belt. This should also be considered within the wider western allocation, along with Dandara's land which will primarily be a sports and leisure hub.

Question 10: 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?

- 2.47 As set out in the table at paragraph 2.15 of this statement, in relation to criteria 13 of the Submission Plan Policy STR/SS1, Crest believes the phrase "unless exceptional circumstances arise" should be deleted, as it is superfluous. In order to grant outline planning permission, and fully consider the environmental implications of the proposal, a drainage strategy will be required to be submitted, agreed, and conditioned as part of any planning application approval.

Mix of Uses and Infrastructure Requirements

Question 11: 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?

- 2.48 As set out in the table at paragraph 2.15 of this statement, in relation to criteria 2d of the Submission Plan Policy STR/SS1, Crest considers that criterion 2d should be amended to read, "safeguard *around 10 hectares of land within the western parcel (edged in blue on Map 27), to the south of the railway line and to the east of the A228 for a new sports and leisure hub*".
- 2.49 As set out in paragraph 2.40 below and using the Council's own financial contributions calculations set out in the Indoor/Built Sports Facility Needs Assessment (June 2018) the proposed population at Paddock Wood will not yield the need for a swimming pool in and of itself; hence additional funding mechanisms will need to be investigated, so the ambition for such a specified use should be removed from the policy.
- 2.50 Paragraph 4.13 of Indoor/Built Sports Facility Needs Assessment (June 2018) states 10.62sqm of swimming pool per 1,000 people.
3490-3590 dwellings x 2.37 persons per h/h = 8271-8508 people/1000 X 10.62sqm = 87.84 - 90.35sqm of swimming pool.
187sqm is equivalent to 25m x 4 lane pool; therefore, total PW development would only (at most) provide for circa half a swimming pool.

Question 12: In the location envisaged, will the sports hub be accessible to existing and future residents of Paddock Wood by sustainable modes of transport?

- 2.51 Yes. The sports hub will be served by:
- high quality cycling and pedestrian links, as indicated in principle on the plan entitled Pedestrian & Cycle Principles on page 80 of the Strategic Sites masterplanning and Infrastructure Study (February 2021);
 - a route for an electric bus loop, as indicated in principle on the plan entitled Sustainable Mobility Principles on page 81 of the Strategic Sites masterplanning and Infrastructure Study (February 2021).

Question 13: What is the justification for the inclusion and location of sites proposed for gypsy and traveller accommodation?

- 2.52 In regard to North West Paddock Wood, Crest has been working with TWBC to consider the accommodation of any Gypsy and Traveller pitches that may be required under Policy STR/SS1. Crest has offered a site to the south of the rail line that is currently being discussed with officers. This will be assessed and considered in more detail during the masterplanning process and drafting of the SPD. The wording of policy STR/SS1 will need to be amended to reflect this.

Question 14: Where will the proposed sheltered and extra care accommodation be located? For effectiveness, should this be set out in the Plan?

- 2.53 As set out in the Council's Position Statement, 'Tunbridge Wells Borough Council and Strategic Site Promoters Delivery and Funding of Shared Infrastructure', the developers of STR/SS1 understand the policy requirement to deliver at least one sheltered and one extra care housing scheme within the allocation. The general location of these uses should be determined through the Masterplan process and in liaison with the Parcel promoters.

Highways and Transport

Question 15: How will the north-south pedestrian and cycle link over the railway line be provided as part of the western parcel? Is it deliverable?

- 2.54 Discussions between Crest and the Council have clarified the position on the north-south pedestrian link over the railway as part of the western parcel. The council has agreed that it is for the Council to bring forward, subject to agreement with Network Rail.
- 2.55 As set out in the table at paragraph 2.15 of this statement, in relation to criteria 2i. of the Submission Plan Policy STR/SS1, Crest considers the criterion 2i. should be amended to reflect this latest situation and should read "*subject to agreement with Network Rail, the Council will bring forward an improved pedestrian and cycle crossing over the railway line linking neighbourhoods and public facilities in this parcel.*"

Question 16: 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)?

2.56 As already referenced in paragraphs 2.1-2.6 of this Hearing Statement (on Matter 6, Issue 1, Questions 16,17 & 20) Crest objects to the reference to the inclusion of the Five Oaks Green Bypass in Policy STR/SS1 (criterion 7).

2.57 The rationale for the Five Oaks Green Bypass is described Para 6.33 of the Strategic Sites Masterplanning and Infrastructure Study (February 2021) as being related to constraints in the following location:

"In the centre of the village for traffic flows and the growth at Tudeley Village (and to a more limited extent that at Paddock Wood and east Capel) [which] would increase traffic along the B2160 through the village."

2.58 The above suggests that the impact of the Tudeley Village development trigger the requirement for this infrastructure. The paragraph continues:

"The Transport Assessment (SWECO) underpinning the Regulation 18 Draft Local Plan pinpoints the need for a bypass of the village to alleviate issues caused by strategic development at Tudeley Village." (Para 6.33).

2.59 Conversely, the increases in traffic along the B2160 resulting from the developments identified for Paddock Wood and east Capel would not be significant. Therefore, the conclusion supports the identification of the 'Link by passing Five Oak Green+R'bout with A228' as Category D (i.e. an off-site scheme required by a single allocation) in Table 11, associated with development at Tudeley Village.

2.60 Further paragraph 5.193 of the Submission Local Plan states, "*The Five Oak Green bypass is largely required to alleviate issues caused by strategic development at Tudeley Village and the viability assessment shows that this can be delivered wholly by the Tudeley Village Garden Settlement.*"

2.61 As such, Crest objects to the reference to the inclusion of the Five Oaks Green Bypass in Policy STR/SS1. The Local Plan should make it clear that the Five Oaks Green Bypass relates **only to Policy STR/SS3 Strategy for Tudeley Village and not new development at Paddock Wood under Policy STR/SS1.**

Highway Modelling

2.62 The Transport Modelling Report (March 2021) outlines a number of scenarios which have been modelled. These are as follows:

RC: Reference Case without Local Plan

LPS: Local Plan Scenario – with committed infrastructure schemes

LPSHM: Local Plan Scenario with Highway Mitigation only – same assumption as Local Plan Scenario but with additional network improvements applied to mitigate wider Local Plan impacts; and

LPSMS: Local Plan Scenario with Highway Mitigation and Sustainable Transport – same assumption as Local Plan Scenario but with network mitigation and sustainable transport demand management applied to mitigate wider Local Plan impacts.

2.63 The above presents a sequence of assessment, whereby the effect of the Local Plan is first assessed against a baseline position (RC and LPS) before progressing with the assessment of mitigation (LPSHM, LPSMS).

2.64 In its representations to the Reg 19 Plan, Crest sought clarification as to why the Colts Hill improvements have been included as a committed scheme in the LPS scenario, according to Table 9-1 '2038 LPS Network Assumptions'. Its inclusion is also then carried forward in the other modelling scenarios under consideration (i.e. LPSHM, LPSMS).

2.65 The LPSMS scenario is described as being based on evidence gathered in support of the Government's Sustainable Travel Towns (STT) demonstration project. The purpose of this scenario is to show how significant modal shift is possible through the implementation of sustainable transport measures, reducing the highway trips generated by the Local Plan sites.

2.66 It may be arguable therefore that the sustainable transport measures under the LPSMS scenarios should have been applied first, prior to determining the rationale for major infrastructure intervention. This would have better reflected the sequencing advocated in the NPPF by establishing the 'residual' impacts of traffic after the effects had been taken of sustainable transport measures.

2.67 It is also not clear what Colts Hill improvements were tested in the Transport Modelling Report (March 2021) to determine if this refers to the original scheme by KCC or one of the alternatives, outlined below.

A228 Colts Hill Improvements

- 2.68 The proposed A228 Colts Hill route improvement is a package of infrastructure which has been considered for a number of years. The original plan by KCC was to provide a bypass to Colts Hill, passing under Alder Road and progressing in a cutting south to re-join the existing A228 north at Lower Green.
- 2.69 A funding bid was submitted to the Major Roads Network (MRN) programme in 2019 to deliver the larger Colts Hill Bypass scheme. The estimated cost of the KCC off-line scheme was £46 million.
- 2.70 Given the strategic nature of the scheme, Crest agrees that the necessary funding avenues should continue to be explored by the Council as a means of comprehensively dealing with the priorities it has identified, particularly where the rationale for the scheme will deliver greater benefits that would be required specifically by the individual developments in mitigating their own impacts.
- 2.71 Indeed, Para 6.16 of the Tunbridge Wells Strategic Sites Masterplanning and Infrastructure Study (February 2021) suggests that:

"The Transport Assessment underpinning the Regulation 18 Draft Local Plan assesses the need for improvements at Colts Hill to be attributable to pre-existing safety concerns, as well as a wider set of changes to the transport network in this part of Kent, including the proposed Lower Thames Crossing."

- 2.72 Para 6.8.7 of the Tunbridge Wells Local Plan: Paddock Wood and East Capel & Tudeley Village Access and Movement Report (December 2020) confirms the same in respect of the strategic nature of the scheme, stating that:

"The KCC scheme mentioned, isn't considered necessary to mitigate the impacts of the development in accordance with the NPPF and the CIL regulations".

- 2.73 However, it is understood that a reduced scheme has been put forward by TWBC, comprising a mixture of on-line and off-line improvements. This alternative scheme is said to support the strategic developments at Paddock Wood and east Capel as well as Tudeley Village.

2.74 The Tunbridge Wells Strategic Sites Masterplanning and Infrastructure Study (February 2021), the Colts Hill Improvements are categorised as 'E' (a shared off-site scheme) under Scenario 1 and 'D' (off-site scheme intended to serve a single allocation) under Scenario 2.

2.75 It is acknowledged that Para 7.9.4 of Tunbridge Wells Local Plan: Paddock Wood and East Capel & Tudeley Village Access and Movement Report states:

"A228 Colts Hill route improvements – The A228 Colts Hill improvements are beneficial for both Paddock Wood and east Capel and Tudeley Village".

2.76 However, the term 'beneficial' does not necessarily justify causality. In its Reg 19 representations, Crest requested further clarification for the inclusion within STR 6 (c) of the A228 Colts Hill Improvement Scheme. Even in its alternative form, more evidence would be required to establish the strength of any linkages that exist between this infrastructure and the strategic developments at NW Paddock Wood.

2.77 In this respect, it is noted that the recommendations of the Paddock Wood and East Capel & Tudeley Village Access and Movement Report (December 2020) are as follows:

"Should TWBC wish to proceed with promotion of Paddock Wood and east Capel and Tudeley Village for allocation, it is strongly recommended that a more detailed evaluation of the transport impacts is conducted."

2.78 This evidence has still not been forthcoming, as a result Crest object to the inclusion of this requirement in Policy STR/SS1. Without robust evidence of linkages, there is a risk of undermining the effectiveness of the policy if the A228 Colts Hill improvements are not justified or the evidence base on which this policy was worded was not effective in its preparation.

2.79 This would allow the council to comply with Policy STR 5 (1) which requires that infrastructure should only be required to support growth in the Local Plan "... where development creates a requirement for new or improved infrastructure beyond existing provision".

2.80 Crest, along with the other housebuilders of the STR/SS1 Paddock Wood allocation (Dandara, Persimmon and Redrow) are working collaboratively with TWBC to agree a mechanism for apportioning evidenced based infrastructure costs and to set out who will deliver it and when. These will recognise the proportionate impact of developments towards the delivery of the required infrastructure in accordance with the Regulation 122 (CIL Regulations 2010) tests (of being necessary, directly related and fairly and reasonably related in scale and kind to the development). The latest situation is set out in the Council's Position Statement, entitled

'Tunbridge Wells Borough Council and Strategic Site Promoters Delivery and Funding of Shared Infrastructure'.

Question 17. 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?

2.81 The principles of the pedestrian, cycle, public transport and vehicular links and connections of the Paddock Wood Extensions are set out in the plans on pages 80-81 of the Strategic Sites Masterplanning and Infrastructure Study (February 2021):

- Pedestrian & Cycle Principles on page 80
- Sustainable Mobility Principles on page 81
- Vehicular Principles on Page 81.

2.82 This level of detail is considered appropriate and proportionate for this stage of the planning process. These principles will be worked up in more detail and refined as the Development Framework and applications are progressed.

Landscape and Heritage

Question 21: 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?

2.83 Any impacts on individual heritage assets have been considered at an appropriate and proportionate level when assessing the sites in the SHELAA and undertaking the Strategic Sites Masterplanning and Infrastructure Study (February 2021).

2.84 Any more detailed impacts, and mitigation, can be considered as the Development Framework and applications are progressed taking into account other relevant policies in the Local Plan and the Farmsteads SPD and the Historic Landscape Characterisation Study (2017), a part of the Landscape Character Assessment SPD.

Other Matters**Question 22. What is the justification for requiring each parcel to be delivered through the production of a SPD?**

- 2.85 In regard to the proposals under STR/SS1, the sites are large, have complex planning and design issues and are under the control of four major housebuilders. The Council, quite rightly, wants to see a holistic approach and comprehensive development of the proposals as a whole; however, the land parcels may come forward at different times as a result of many different factors, but the production of individual Development Frameworks will give the Council comfort that all matters are being considered holistically and comprehensively.
- 2.86 As the land to the east of Paddock Wood (under the control of Persimmon and Redrow) is not in the Green Belt, this parcel can come forward through the application process quicker and earlier, subject to the tests in NPPF, housing need, meeting the Local Plan policies and negotiations with TWBC. The majority of the western parcel (controlled by Crest and Dandara) however, has to be removed from the Green Belt first, with the adoption of this Local Plan, so discussions and negotiations on planning applications application are not as advanced. The SPD process allows discussions on the Development Frameworks of each parcel to be drafted on similar timeframes and agreed or take into account the other parcels and developers.
- 2.87 Persimmon and Redrow are working together to produce the Eastern Development Framework in collaboration with TWBC and statutory consultees. Crest and Dandara will do the same for the Western parcel.
- 2.88 By undertaking this collaborative approach, it will allow more discussion and resolution of strategic issues/cross-developer issues, enabling the sites to deliver desperately needed new homes for TWBC residents.
- 2.89 Crest supports this approach.

