
**Examination of the Submitted Tunbridge
Wells Borough Local Plan**

STATEMENT FOR:

**MATTER 6 – STRATEGIC SITES (POLICIES
STR/SS1, STR/SS2, STR/SS3, STR/PW1 AND
STR/CA1)**

WRITTEN STATEMENT

Prepared by:

Woolf Bond Planning LLP

On behalf of:

Castle Hill Developments Ltd

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Woolf Bond Planning
Chartered Town Planning Consultants

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Executive Summary

Castle Hill Developments Ltd (“CHD”) has a controlling interest in sustainability located and deliverable omission sites that should be allocated for housing in seeking to meet the identified housing need during the plan period.

The Plan fails to plan for sufficient housing growth (in terms of the overall housing target in Policy STR1) and places undue reliance upon the delivery of housing from strategic sites including at Tudeley and Paddock Wood (which will fail to deliver at the rates suggested by the Council) and additional site allocations should therefore be identified.

MDH’s objections may be summarised as follows:

- The Plan is **not positively prepared** in so far as the proposed strategy for growth will fail to deliver the identified housing need for a minimum of 14,535 dwellings during the period 2020 to 2039 (i.e 765dpa).
- The Plan is **not justified** having regard to the approach envisaged to maintain a rolling five year supply of housing land and/or in relation to the approach to the allocation of sites for housing, such that it cannot be said to provide the most appropriate strategy when considered against the reasonable alternatives.
- The Plan is **not effective** and will fail to provide a five year supply of deliverable housing land on adoption and nor will it deliver the requisite amount of housing during the plan period; when assessed against the objectively assessed housing need.
- The Plan is **not consistent with national policy** having regard to the need to ensure housing site allocations will maintain an adequate supply of deliverable housing land.

The failure to provide sufficient deliverable site allocations will serve to frustrate attempts to address key factors affecting worsening affordability and denying people the opportunity to own their own home, contrary to Government policy which is seeking to boost the supply of housing to address the current housing crisis.

The above changes are necessary to ensure the Local Plan satisfies the tests of soundness at paragraph 35 of the NPPF (2021).

Land at Castle Hill, Royal Tunbridge Wells should be removed from the Green Belt allocated for a mixed use urban extension including around 900 dwellings (SHELAA Site Ref:49).

CONTEXT AND BACKGROUND

- 1.1. This Statement has been prepared by Woolf Bond Planning LLP on behalf of Castle Hill Developments Ltd (“CHD”), and addresses several questions posed for Matter 6 of the Hearing Sessions as set out in the Inspector’s Matters and Issues.
- 1.2. In setting out our response, we continue to rely upon the content of the detailed representations submitted on behalf of CHD in response to the Regulation 19 consultation on the Draft Local Plan in June 2021.
- 1.3. Our answers to the questions should be read in the context of our position that insufficient deliverable and developable land has been identified in the submitted Local Plan in order to maintain a rolling five year supply of housing land as obligated by paragraph 74 of the NPPF. The Plan would not be sound without an amendment to include additional site allocations within revised settlement boundaries alongside adjustments to Green Belt boundaries.
- 1.5. This Statement amplifies our Regulation 19 representations and details further responses to a number of the specific questions raised by the Inspector in his examination of the Local Plan.

MATTER 6: STRATEGIC SITES (POLICIES STR/SS1, STR/SS2, STR/SS3, STR/PW1 AND STR/CA1)

Issue 1 – Tudeley Village: Questions 1 to 27

Issue 1 – Tudeley Village

Size, Scale and Location of development

Q1. What is the site area based on and how was the size of the allocation and number of homes established?

2.1 Whilst this is a matter for the Council, it is not considered that the size of the allocation alongside the number of homes is justified. This is both with respect of the overall quantum of development and the rate that homes and other uses can be built alongside the extent at it is adequately served with services and facilities to minimise the need to travel¹.

Q2. What alternatives to the size and scale of development proposed in the Plan has the Council considered?

2.2. As indicated in the representation and the other statements to the examination, the Council has not adequately considered the Castle Hill site as an alternative to both the location of development to meet an element of the Borough's development need together with the contribution (scale) detailed in the representation. This failure to consider Castle Hill as an alternative is irrespective to any alternatives with respect of a proposal entailing development at Tudeley.

2.3. However, as indicated in the representation and the other statements, we consider that growth at Castle Hill is sequentially preferred to any development

¹ Paragraph 9.4 of representation and paragraph 2.4.23 of the Transport Note provided as appendix 21

at Tudeley both due to its inherent sustainability and the ability to ensure modal shift and other lifestyle behaviours arise.

Q3. The submission version Policies Map for Tudeley Village shows land beyond the Limits to Built Development forming part of the allocation. What is the reason for this? Is all of the allocation proposed to be removed from the Green Belt?

2.4. As indicated in the representations, we do not consider that there is any justification for removal of Tudeley itself, let alone any other adjoining areas from the Green Belt.

Green Belt

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

2.5. As indicated in the representation, the acknowledged harmful impact that the removal of Tudeley from the Green Belt would have with respect of Green Belt purposes is an clear indication that it must be retained in the designation.

Q5. What would be the extent of the harm to the Green Belt if the boundaries were changed in this location as proposed? Are there any ways in which this harm could be minimised or mitigated?

2.6. As indicated in the representations², significant harm will arise to the Green Belt associated with the removal of Tudeley village (parcels BA3 and BA4 of the Stages 1 & 2 Green Belt Studies (CD3.43a & 3.43b)).

² Paragraph 3.17

2.7 The representations³ also reference the Stage 3 Study (CD3.141) and that the potential measures envisaged are not specifically designed for Tudeley. It also indicates that the approach to the release envisaged at Tudeley has therefore not be designed to ensure the lowest reasonable impact.

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

2.8. Whilst this is a matter for the Council, as indicated in the representation we do not consider that removal of land from the Green Belt for Tudeley is justified.

Q7. When defining Green Belt boundaries, paragraph 143 of the Framework states that plans should, amongst other things, define boundaries clearly, using physical features that are readily recognisable and likely to be permanent. How does the Plan meet this requirement for Tudeley Village?

2.9. As outlined in the representation⁴, the boundaries envisaged for the Green Belt around Tudeley do not accord with the NPPF. This is consequently a further illustration of the inconsistency of the allocation with national policy.

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

2.10. No.

Mix of Uses and Infrastructure Requirements

³ Paragraphs 3.17 & 3.19

⁴ Paragraphs 3.18-22.

Q9. Is it clear to users of the Plan what is meant by the ‘provision of employment space’ and ‘community and leisure facilities’? What is expected of applications for planning permission?

2.11. No.

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

2.12. No. As detailed in the representation, the approach of the plan will not ensure minimisation of journeys, especially due to the proximity of locations with higher order services⁵. As indicated in the representations, high order locations like Tunbridge Wells should have been the focus for growth.

Q11. How will the phasing of development be controlled and is it clear to users of the Plan what new infrastructure will come forward and when? Is it necessary for such information to be contained in the Plan?

2.13. Whilst this is a matter for the Council, to ensure consistency with the NPPF⁶ this should be within the Plan.

Highways and Transport

Q12. What impacts will the cumulative level of growth proposed in the Plan have on the B2017 between Tudeley and Tonbridge?

2.14. This is a matter for the Council.

Q13. How will the impacts of development be mitigated along the B2017 up to and including the junction with the A26? Are the measures proposed deliverable and will they be effective?

⁵ Paragraph 2.4.23 of the Transport Note within appendix 21

⁶ Paragraphs 16, 20 and 34

- 2.15. It is not considered that the impacts along the B2017 can be mitigated, especially they are dependent upon modal shift. Using of sustainable transport modes is dependent upon their attractiveness and safety.
- 2.16. As modal shift is as an essential mitigation, the limitations of the existing network and the challenges of providing improvements, especially those attract for encouraging modal shift means that the strategy is not effective.

Q14. Are the projections regarding future transport patterns reliable and are the conclusions robust? Do they justify the proposed allocation Tudeley?

- 2.17. No. As detailed in the representation⁷, we have significant concerns regarding the reliability and robustness of the assumptions associated with modal shift under pinning the plan. The assumptions on modal shift subsequent informed the travel patterns and the mitigation measures envisaged⁸, especially with respect of the strategy for Tudeley.
- 2.18. Due to the unrealistic modal shift, especially with respect of Tudeley, its allocation is not justified.

Q15. How will connectivity with Tonbridge be provided for non-car modes of transport?

- 2.19. Due to the limited engagement with Tonbridge & Malling Borough Council regarding improvements into Tonbridge town, there will be limited opportunities for ensuring the necessary connectivity. This is irrespective of any measures within Royal Tunbridge Wells Borough. Without co-ordination any measures will not be full effective.

Q16. 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?

⁷ The Transport Note included as appendix 21

⁸ See paragraph 2.4.20 of Transport Note included as appendix 21

2.20. Whilst this is a matter for the Council, the representation⁹ referenced the evidence detailing the justification for the link road.

Q17. 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?

2.21. The mechanism for delivery is for the authority to specify. However, as indicated in the representation, it is not viable¹⁰. Furthermore, the representation¹¹ highlights the clear relationship between the link road and the cumulative growth in the area.

Q18. Is the location of the proposed link road justified, taking into account land use constraints, flooding, the character and appearance of the area and proximity to the Capel Primary School?

2.22. No.

Q19. Is the evidence supporting the Plan reliable and robust? Does it take into account the indicative location of the proposed secondary school?

2.23. No.

Viability and Deliverability

Q20. Is it clear to decision-makers, developers and local communities what infrastructure will be delivered, by whom and when?

2.24. No.

⁹ Paragraph 9.12 together with the Transport Statement included as Appendix 21

¹⁰ Paragraph 9.15

¹¹ Paragraph 9.12 together with the Transport Statement included as Appendix 21

Q21. What is the justification for requiring a Supplementary Planning Document ('SPD')?

2.25. Whilst this is a matter for the Council, awaiting the preparation of a SPD will delay any contribution from Tudeley village towards meeting the significant housing and other needs of the Borough. This further illustrates the unjustified nature of the Council's reliance on Tudeley.

Q22. Based on the necessary infrastructure requirements, is the allocation viable?

2.26. No. As detailed in the representation¹², the allocation is not viable.

Landscape and Heritage

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

2.27. This is a matter for the Council.

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

2.28. This is a matter for the Council.

Q25. What potential impacts will the proposed allocation have on the significance of designated heritage assets, having particular regard to the Grade I listed Church of All Saints' and Grade II listed buildings at Bank Farm and Lilley Farm? How have heritage assets been taken into account in the preparation of the Plan?

¹² Paragraph 9.15

2.29. This is a matter for the Council.

Other material considerations

Q26. Does any of the proposed allocation fall within areas at risk of flooding, taking into account all sources of flood risk and climate change?

2.30. We have no comments on this question as the SoCG with the Environment Agency does not raise concerns on this¹³.

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

2.31. Whilst this is a matter for the Council, as highlighted in the representation¹⁴, achieving modal shift as envisaged will be challenging without the station.

¹³ Page 8 of appendix H2 (CD3.132c(v)).

¹⁴ Paragraph 2.6.3 of the Transport note provided as appendix 21