

Matthew Birkinshaw MRTPI

The Planning Inspectorate
The Square
Temple Quay House
Bristol BS1 6PN

Date: 28/03/24

Dear Mr Birkinshaw,

RE: Examination of the Tunbridge Wells Borough Local Plan: Response to the Initial Findings.

I am writing in response to your letter received 14 November 2022 in which you set out a number of queries for Tunbridge Wells Borough Council (TWBC) to consider and where possible overcome, in order that the Local Plan can proceed to the next stage of the examination.

TWBC has considered the comments made in the Initial Findings and prepared a detailed response to each matter raised. This has taken some time, mainly in order to respond to various interrelated matters which needed further consideration, and significantly more evidence that has now been prepared by consultants.

The proposed response to the Initial findings is summarised below, and is provided in more detail in the Council's Development Strategy Topic Paper Addendum [[PS_054](#)]. A list of all the additional information is appended to this letter for reference.

On 13 December 2023, the Proposed Changes to the Local Plan were considered and approved by [Full Council](#) for public consultation. The public consultation was initially run between 15 January and 26 February 2024, however, as reported in my letter of 19 March, following a database issue identified by the Council during the original consultation, those timeframes have had to be extended until 12 April to ensure that all relevant parties have the opportunity to comment on the Council's Response to the Initial Findings.

This letter and accompanying documents provide you with the relevant reports and additional evidence to support the council's response to the initial findings letter, and the associated consultation representations, and Council summary document relating to the representations received to date. The Council will provide a second such summary report and copies of representations received following completion of the second period of consultation (26 February – 12 April). It will also provide a comprehensive set of Council responses to the representations submitted to the consultation.

The public consultation documents (hard/paper copies) have been available for public inspection during the entire consultation period at:-

- The Amelia Scott, Mount Pleasant Road, Royal Tunbridge Wells
- Capel Parish Council, Capel Village Hall, Falmouth Place, Five Oak Green
- Paddock Wood Town Council: The Podmore Building, St. Andrews Field, St. Andrews Road, Paddock Wood,
- Cranbrook and Sissinghurst Parish Council: The Old Fire Station, Stone Street, Cranbrook,

The consultation documents were also available to be viewed online on the Councils website.

Summary of the Proposed Changes to the TWBC Submission Local Plan

The Council's proposed response to the Initial Findings, are summarised as:

- Additional Stage 3 Green Belt study on reasonable alternative sites concluded that no reasonable alternative sites are available.
- Proposed removal of the strategic policy STR/SS 3: The Strategy for Tudeley Village from the Local Plan.
- Revision of the strategic policy STR/SS 1: The Strategy for Paddock Wood and land at east Capel, including a reduction in the amount of residential housing growth by approximately 1,000 dwellings, with all housing being on Flood Zone 1 and employment land on Flood Zone 2, along with a reduction of employment provision, and reconfigured sport and recreation provision and secondary school education provision (as set out at Appendix D of the Development Strategy Topic Paper Addendum – PS_054).
- At Hawkhurst it is proposed to revise site allocation policy number AL/HA 5: Land to the north of Birchfield Grove, to include housing, and land safeguarded for primary school expansion (in accordance with a planning committee resolution to grant application reference 22/02664/HYBRID).

- Also at Hawkhurst, the Council proposes the removal of site allocation policy number AL/HA 8: Limes Grove (March's Field) from the Local Plan. This site was proposed for employment use in the Submission Local Plan.
- Progression of a 10 year housing land supply position including the requirement for an immediate review of the plan.

The Development Strategy – Policy STR1

The Submission Local Plan is supported by a series of Green Belt studies which reviewed land within the Green Belt through a three-stage process:

- Stage 1 identified Broad Areas that make a strong contribution to one of the five Green Belt purposes as set out in the [NPPF \(December 2023\)](#) (paragraph 143).
- Stage 2 comprised a more detailed and focused review of 37 assessment parcels and 10 broad areas identified around settlements in the Strategic Study and resulted in an overall rating of potential harm (to the Green Belt) that could result from release of these areas.
- The purpose of the Stage 3 study was to consider in more detail the potential harm to the Green Belt purposes of the release of the proposed Green Belt allocations and how Green Belt harm could be mitigated to inform policies.

The initial findings found that the Green Belt study was “a logical and sound way of considering where growth should take place” (ID-012 – paragraph 5). However, it was also questioned why the Council did not carry out a Stage 3 assessment on reasonable alternative sites. It was concluded that, “Further work is therefore necessary before a conclusion can be reached that exceptional circumstances exist to release the relevant site allocations from the Green Belt”.

The Council has now undertaken a Stage 3 Addendum to the Green Belt Study [[PS 035](#)] which resolves the points that have been raised in the Initial Findings. The resultant Stage 3 Addendum findings support the Council's position in regard to the development strategy in the Submission Local Plan, and that no reasonable alternative sites are available.

The Strategy for Tudeley Village – Policy STR/SS3

The Submission Local Plan proposed “Tudeley Village” as a new garden settlement, in Capel Parish, to accommodate approximately 2,800 new homes, of which some 2,100 were expected within the plan period (by 2038). It also anticipated up to some 10,000 sqm of commercial and office floorspace, and associated infrastructure.

The proposal stemmed largely from the combination of the difficulties in identifying sufficient

suitable sites in the borough to meet the local housing need, coupled with a recognition, as highlighted in the [NPPF \(December 2023\)](#) (paragraph 74), 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.

The Initial Findings found that “at this stage there remain significant and fundamental unanswered questions regarding the accessibility of the site by sustainable modes of transport, the ability to successfully mitigate against serious impacts on the highway network, the suitability and deliverability of the Five Oak Green bypass and the ability of the site to deliver housing at the rate and scale envisaged by the Plan.”

After a review of the matters raised in the Initial Findings relating to the Location and Accessibility of the Tudeley Village allocation, the Five Oak Green Bypass, and deliverability of the site, it has been identified that, due to the delays in expected delivery rates the retention of Tudeley Village as an allocation in the Local Plan would see a notably smaller contribution to housing numbers within the plan period than previously anticipated.

The proposed change would therefore see the removal of the Tudeley Village allocation from the plan.

The Strategy for Paddock Wood and East Capel – Policy STR/SS1

The Initial Findings set out that the strategy for Paddock Wood and Land at east Capel (PWeC) as set out in Policy STR/SS1 for expansion of the town was a ‘logical choice’.

The Council’s approach to ensuring the planned growth at PWeC is sound has relied on extensive work in the form of a Structure Plan prepared on its behalf by David Lock Associates in conjunction with the respective delivery partners through the Strategic Sites Working Group.

The Initial Findings queried how the Council will ensure that the development comes forward in a comprehensive manner, thus ensuring that the vision for a strategically and holistically planned expansion is realised.

The Initial Findings also raised Paragraph 167 of the [NPPF \(December 2023\)](#) which requires all Plans to apply a sequential, risk-based approach to the location of development. The Council as part of its initial work in the Strategic Sites and Infrastructure Study identified one of the development approaches that would rely solely on delivery of housing within Flood Zone 1 (Option 3) where all residential development is in the safest land in terms of its flood risk classification. To satisfy the sequential approach officers have revisited the Option 3 development approach. This review of Option 3 has included a consideration of impact on housing supply and resulted in a reduction of approximately 1,000 homes from the original

allocation estimate.

The consequential impact of the removal of the Tudeley Village allocation Policy STR/SS3 has meant that further Masterplanning work has been undertaken at Paddock Wood and Land at east Capel, to accommodate appropriate Sport and Leisure provision, and secondary school provision.

The Strategy for Hawkhurst – Policy STR/HA1

The Initial Findings raised questions about the appropriateness of two proposed allocations within Hawkhurst parish, Land north of Birchfield Grove (Policy AL/HA 5), and Limes Grove (Policy AL/HA 8).

In regard to Land at Birchfield Grove the deliverability of the proposed medical centre allocated within the site (Policy AL/HA 5) in the Submission Local Plan needed further consideration. The Inspector's letter sets out that for the Plan to be found sound a site for the medical centre needs to be found. From the Hearings it was evident that it was not possible for the site to come forward without housing due to certain land ownership issues.

Subsequent work carried out by TWBC officers has confirmed that there is no other suitable site at Hawkhurst to deliver a new medical centre. Further assessment of the 'exceptional circumstances' for major development in the AONB (now known as 'National Landscape') has been undertaken, and as such an allocation incorporating housing would now be supported. The now proposed amended allocation would be for a mixed-use scheme including approximately 70 dwellings as well as the medical centre, and for school expansion land which has recently been identified as being necessary by the Education Authority (KCC). This would be in accordance with a Planning Committee resolution to grant planning permission from November 2023 relating to planning application 22/02664/HYBRID (which sought outline consent for the development of up to 70 homes with associated medical centre, parking and landscaping and full planning consent for the creation of a new country park).

In regard to the allocation at Limes Grove (Policy AL/HA 8) the Initial findings identified that, given that the site, formally used for commercial purposes as a woodyard, is vacant and is located directly opposite the existing business park, there may be the possibility to identify the site for smaller, less-intensive ancillary uses associated with the business park, rather than as originally proposed in the Submission Local Plan owing to concerns regarding accessibility for large vehicles.

However, following exhaustive discussions, the Highways Authority advises that safe pedestrian and vehicular access is not achievable for the proposal, or a related, scaled-down, use. This,

together with a lack of previous planning history to support its lawful use, has resulted in the Council now proposing that this site allocation be deleted from the Plan.

Housing for Older People and People with Disabilities

The removal of Tudeley garden village as an allocated site would result in the loss of provision for at least one sheltered and one extra care scheme that formed part of the policy requirement for that site (STR/SS3). The proposed changes to the local Plan identify a number of sites available either with planning permission or subject of specific site allocation. Whilst there would be a shortfall over the entire plan period this could be addressed as part of the Council's commitment to reviewing the local plan (as set out below).

Other matters raised.

The Strategy for Southborough – Policy STR/SO1. It is considered that the policy will be revised as part of the main modifications process to align with the [NPPF \(December 2023\)](#) as set out in the Initial Findings letter.

The Strategy for Cranbrook and Sissinghurst – Policy STR/CRS1 - Land South of The Street – Policy AL/CRS6. The site at Land South of the Street, Sissinghurst (AL/CRS6) is allocated for around 20 houses and a replacement community hall. Following submission of the Plan a detailed scheme has been produced which shows that it is not viable to deliver the replacement hall and meet the full requirement for 30% affordable housing. For the purposes of delivering the necessary infrastructure in association with the allocation the Initial Findings letter recommends a change that would see up to 30% affordable housing on site. Modifications to the policy are therefore considered to be justified by the Council. This could be done through the Main Modifications process.

The Strategy for Benenden – Policy PSTR/BE1. Sites are allocated in and around Benenden by Policies AL/BE1 – AL/BE4. The fact that there are allocations within the Benenden Neighbourhood Plan and that it has been 'made' is unique for the Neighbourhood Development Plans in Tunbridge Wells borough. However, in order that there is no duplication within the Local Plan it is recommended that the sites should be deleted from the Local Plan. The sites would still carry full weight in accordance with their allocation in the NDP. It is considered that it would be a clear way forward as part of proposed Main Modifications.

The Strategy for Pembury – Policy PSTR/PE1 - Land at Downingbury Farm, Maidstone Road - Policy AL/PE4. Land at Downingbury Farm, Maidstone Road - Policy AL/PE4 had been identified as a single site that was allocated for two separate uses. The Initial Findings identified that the two uses could come forward independently, and therefore the single site allocation should be

separated into two separate allocations. It is considered that this would be an appropriate approach in the circumstances that would be covered by the Main Modification process.

The Strategy for Sandhurst – Policy PSTR/SA1. In regard to Sharps Hill Farm – Policy AL/SA2 main modifications are required to ensure that the final design and layout is appropriate, and that the allocation is effective.

Commitment to an early review of the Local Plan

The Council had set out its intention of producing a Local Plan that plans to meet its growth needs for a full 15 years. However, it is now faced with uncertainties not only in relation to having a sound Plan as set out in the Initial Findings, but also in relation to the changing policy framework.

The assessment of the Initial Findings as summarised above is supported with additional evidence and a Sustainability Appraisal addendum. It is considered by the Council that the most appropriate way forward is to revise the development strategy in order to accommodate the above proposed changes which will still enable the identification of a 10 year supply of housing sites within an adopted plan.

Under this approach the Council would agree to commit to an immediate review of the plan following its adoption.

This would have the key benefit of allowing the proposed allocations in the Local Plan to be adopted and, hence, provide a statutory 'development plan' context for bringing suitable sites forward, in a sustainable manner, to contribute to boosting housing delivery.

If you have any queries regarding the above or attached information, I will be happy to respond directly.

Yours sincerely



Carlos Hone MRTPI
Head of Planning Services
Tunbridge Wells Borough Council

Appendix 1 – List of additional evidence base and supporting documents

Post-Initial Findings Evidence Base Documents

- PS_035: Green Belt Stage 3 Addendum report – Assessment of Reasonable Alternative Sites
- PS_036: SHELAA sheets for all reviewed Green Belt sites
- PS_037: Sustainability Appraisal Addendum
- PS_038: Sustainability Appraisal options SHELAA sheets
- PS_039: RAG Assessment – Access and Movement – Five Oak Green bypass
- PS_040: Tunbridge Wells Public Transport (PT) Feasibility Study Review
- PS_041: Paddock Wood Bus Service Options
- PS_042: River Medway and River Teise updated climate change Flood Zone modelling and mapping
- PS_043: Paddock Wood Streams updated present day and climate change Flood Zone modelling and mapping
- PS_044: Updated present day and climate change Flood Zone mapping
- PS_045: Employment land provision at Paddock Wood
- PS_046: Paddock Wood Strategic Sites (Master Planning) Addendum
- PS_046a: Figure 5: Structure Plan for Paddock Wood (Framework Plan, drawing no. TWBC04-008 Rev C)
- PS_046b: Figure 13: Land Use Budget for Structure Plan (drawing no. TWBC04-009 Rev C)
- PS_046c: Figure 14: Infrastructure Provision for Paddock Wood Sites (Infrastructure Plan, drawing no. TWBC04-011 Rev C)
- PS_047: TW Stage 1 Technical Note - Review of Strategic Model Methodology and Set Up for Local Plan
- PS_048: TW Local Plan Stage 2 Reporting
- PS_049: TW Local Plan Stage 3 Modal Shift Impact Reporting
- PS_050: RAG Assessment – Access and Movement – Colts Hill Bypass
- PS_051: Colts Hill Bypass Green Belt Assessment
- PS_052: Zone of Theoretical Visibility (ZTV) Colts Hill Bypass (note: this is a duplicate of PS_050, which includes Zone of Theoretical Visibility)
- PS_053: Provisions for Sustainable and Active Travel
- PS_054: Development Strategy Topic Paper Addendum
- PS_055: Equalities Impact Assessment (EqIA)
- PS_056: Habitat Regulations Assessment (HRA)
- PS_057: Local Development Scheme (LDS)

PS_058: Tunbridge Wells Bus Feasibility Technical Note
PS_059: TW Local Plan Stage 3 Part 2 Outcomes
PS_060: TWBC Local Plan Paddock Wood and east Capel Access and Movement Report
PS_061a: Addendum to Local Plan Viability Assessment Main Report
PS_061b: Appendix i Development Assumptions Overview – Tables 1 and 1a
PS_061c: Appendix ii Updated Results – Table 2
PS_061d: Appendix iii Appraisal Summaries
PS_062: Updated Local Plan Housing Trajectory (Position as at 1 April 2023)
PS_063: Summary of Proposed Modifications to the Development Strategy, following Inspector's Initial Findings in November 2022

Updates to other Examination Evidence Base/Supporting Documents, January 2024.

PS_064 TWBC Response to Inspector's Initial Findings Letter: Cabinet Report 07/12/23 Item 9
PS_065 TWBC Response to Inspector's Initial Findings Letter: Full Council Report 13/12/23 Item 10
PS_066 Authority Monitoring Report 2021-2022
PS_067 Five year Housing Land Supply Statement 2022-2023
PS_068 Gypsy and Traveller Supply Statement 2023
PS_069 Brenchley & Matfield made Neighbourhood Development Plan
PS_070 Cranbrook & Sissinghurst made Neighbourhood Development Plan
PS_072 Paddock Wood made Neighbourhood Development Plan
PS_073 Pembury made Neighbourhood Development Plan

Summary table of comments received from interested parties during consultation on the TWBC Response to Inspector's Initial Findings.