

planning  
transport  
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infrastructure

**Tunbridge Wells Local Plan Regulation 18 Response**

**In respect of land at Caenwood Farm, Tunbridge Wells  
On behalf of Caenwood Estates and Dandara**

November 2019  
DHA/14006/12377



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## APPENDIX

Extract from 2009 SHLAA

# 1 Introduction

## 1.1 Purpose of this report

- 1.1.1 This representation has been prepared on behalf of Caenwood Estates and Dandara in response to the Tunbridge Wells Borough Council ('TWBC') Draft Local Plan Consultation, which runs until 15th November 2019.
- 1.1.2 These representations relate to land at and adjacent to Caenwood Farm, Tunbridge Wells, which our client is promoting for residential-led mixed use development as part of the wider development plan review.
- 1.1.3 Based on the current national and local planning context, we consider this site to be suitable for development. Furthermore, the site is of a size and scale to play a role in accommodating the wider overspill of housing need from London and elsewhere within the South East of England.
- 1.1.4 This representation therefore responds to the content of the draft plan (and relevant supporting documents), reinforces why the site represents a suitable location to accommodate growth and outlines how development could be delivered on site.

## 2 Omission Site

### 2.1 Comments on Appendix 6: Submitted Sites not included in this Draft Local Plan

2.1.1 This section relates to the following sites which have not been included in the draft Local Plan:

- 30: Land at Caenwood Farm and Whitegates Farm (referred to in this document as “Caenwood Farm”); and
- 100: Land to the south of Speldhurst Road, adjacent to Whitegate Close (which adjoins Caenwood Farm and is referred to in this document as “the Dandara land”).

2.1.2 As discussed above, these sites have been considered together and so our comments below relate to both the above sites.

2.1.3 As set out below, these parcels can be developed in a sustainable manner, to provide up to 395 additional dwellings (on the basis of the smaller allocation) along with open space, and with the potential for further community facilities as required. We comment below on matters arising from various aspects of the evidence base, in relation to these parcels.

#### ***The Case for Development at Caenwood Farm and the Dandara Land***

2.1.4 Caenwood Estates, as landowner, is promoting land at Caenwood Farm and Whitegates Farm on the western edge of Royal Tunbridge Wells, close to Southborough town centre, for a comprehensive, residential-led mix of uses. The site was promoted via the original call for sites process in 2016 (site reference 30) and in the 2017 Regulation 18 consultation.

2.1.5 Dandara is also promoting an adjacent parcel of land (site reference 100 in the Call for Sites) which fronts onto Speldhurst Road, to the west of Whitegates Close. This is shown edged blue in Figure 2.1.

2.1.6 Caenwood Estates and Dandara have agreed in principle to work together to promote the Caenwood Farm land as a whole, with both parties committed to finalising an agreement shortly. These representations therefore consider the planning merits of a master-planned approach to include both sites 30 and 100.

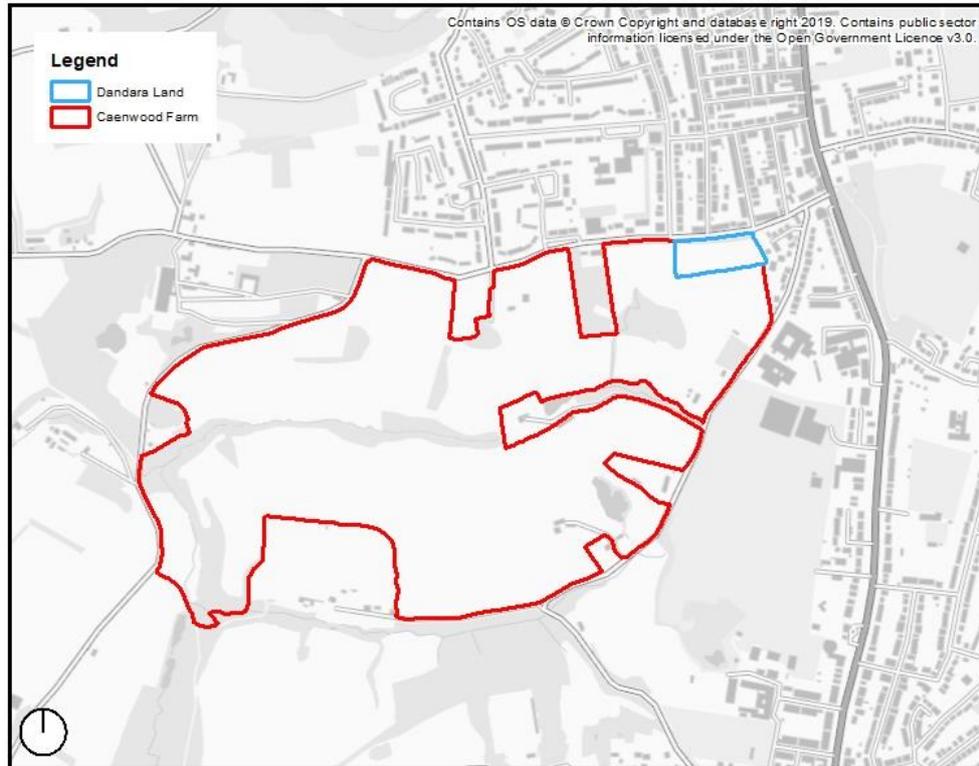


Figure 2.1: Site location

#### Natural extension to the urban area

- 2.1.7 The 150-acre Caenwood Farm site has been promoted as a natural extension of Tunbridge Wells for almost two decades. The 2009 SHLAA recognised that a substantial part of the site was suitable for development, with the remainder being excluded from further consideration only by virtue of the criteria applied at that time.
- 2.1.8 The case for allocating the site for development has been set out in detail in the previous submissions and so we will not repeat information unnecessarily here. In summary, unlike much other land locally the site is not in the Area of Outstanding Natural Beauty (AONB). Parts of the site are contiguous with the established settlement boundary of Tunbridge Wells and it is within easy walking distance of a wide range of services and amenities including places of work, shops, recreational facilities, High Brooms station and an extensive range of community and education facilities including the main concentration of secondary school provision in the town. There would be opportunities to further improve education provision as a result of the development. The site currently comprises low quality (Grade 3 and 4) agricultural land, but also includes some existing residential and agricultural buildings and structures.

#### Site capacity

- 2.1.9 Initial studies have been carried out to demonstrate that a development of several hundred homes would be deliverable in the short term, without causing any

demonstrable harm to the local highway network. It is likely that a greater quantum of development could be delivered with further mitigation in place. Opportunities also exist to substantially improve local road access to the site.

2.1.10 However, if the whole site was not required at this stage, the north-eastern area of Caenwood Farm, together with the whole of the Dandara land, would continue to make a very logical extension to the existing built-up area. This could deliver around 395 homes comprising:

- Around 360 homes on a 35 acre area of Caenwood Farm; and
- Around 35 homes on the Dandara land.

2.1.11 These figures are based on previous submissions to the Council, though it should be noted that as the two sites are to be combined, there may now be a case for the new access to the whole site through the Dandara land. A detailed study of access to a combined site has not yet been undertaken; however, if this is pursued it may affect the split of housing allocated to each of the sites.

#### Transport

2.1.12 The owners recognise that there is a perception of highway capacity issues locally and have undertaken surveys to provide evidence that the development can be accommodated. It is noted in this respect that Automatic Number Plate Recognition (ANPR) surveys carried out for Kent County Council (KCC) suggest that the majority of traffic travelling on the A26 at peak times is destined for, or originates from within, the Tunbridge Wells urban area.

2.1.13 However, the Caenwood Farm site is adjacent to the town's best served public transport corridor linking Southborough with Tunbridge Wells and Tonbridge, with the nearest bus stop only 130 metres away. High Brooms railway station is only a short walk to the east and offers frequent services to London, Tonbridge, Tunbridge Wells and Hastings. School transport services are also already focused on this area.

2.1.14 The area has already benefited from highways improvements funded by the Local Growth Fund, the aim of which is to finance infrastructure works that would lead to further growth. The nearby A26 junction with Speldhurst Road and Yew Tree Road has recently been upgraded by KCC to cater for growth arising from the new Tunbridge Wells Local Plan. In order to get best value from these works, the Council should be investigating opportunities for growth in this area.

2.1.15 Furthermore, the recent dualling of the A21 between Tonbridge and Tunbridge Wells has reduced the pressure on the A26 London Road. The South East Local Enterprise Partnership has also contributed £1,039m to the recently-completed A26 Cycle Route Phase 1 scheme between Tunbridge Wells and Southborough, which has further enhanced sustainable transport options on this corridor.

2.1.16 When completed, the A26 scheme is expected to deliver significant improvements to cycle infrastructure along the length of the A26 between Grosvenor Road, Tunbridge Wells, and Brook Street, Tonbridge, a distance of 6.1km (3.8 miles).

- 2.1.17 There could also be opportunities to address existing issues of 'rat-running' and excess speed on Speldhurst Road, Reynolds Land and Kibbles Lane/Constitutional Hill Road as part of the redevelopment of Caenwood Farm.

Other public benefits

- 2.1.18 There would of course be scope for further public benefits to arise from any proposed development. The details would depend on the amount of land allocated for development and the overall quantum of housing proposed, but these could include:

- A substantial amount of affordable housing, in line with new Local Plan policies;
- a new public park (see below);
- such as the provision of play areas;
- a doctor's surgery, and/or other similar amenities;
- new (or off-site enhancement of) primary and secondary schools;
- new places of work;
- allotments (to replace those being proposed by TWBC to be redeveloped for housing on site SO2);
- other appropriate leisure facilities;
- wildlife and ecology areas;
- the introduction of public access into the site, with the potential for a network of footpaths to link into existing connections towards St John's, Culverden Park, Rusthall, Salomons Estate, Speldhurst and Southborough Common;

- 2.1.19 It should be noted that small developments would be unlikely to provide such facilities (rather than just provide a contribution) even though they would still have a cumulative impact on existing facilities, which is why it is important that larger sites are allocated for development as part of the mix.

- 2.1.20 As noted above, there is scope to deliver large areas of open space and formal recreation land, facilitate improvements to recreation facilities, provide for and manage habitat land (especially in the western part of the site which is wetter and less well suited to housing) and potentially SANG (if that is considered appropriate to help further protect Ashdown Forest SPA).

- 2.1.21 There is an exciting opportunity to open up public access to the site, making best of use of connections into the large network of public rights of way, especially to the south and west of the site, but also north towards Southborough Common. A new public park could be created along the valley floor, which could connect into these rights of way to encourage access into the site and form part of a network of routes through to the St Johns Recreation Ground and Culverden Down.

- 2.1.22 The Southborough Church of England Primary School recently received 162 applications for its 90 places for admission to reception – equivalent to 1.8 applicants per place. It is proposed that if the land is allocated, additional land could also be offered on the wider landholdings at Caenwood Farm to make provision for a new primary school to meet the needs of new and existing residents.
- 2.1.23 The proposed allocation would support the viability of the Southborough Hub and help sustain the local retail offering on Southborough High Street.

#### Constraints

- 2.1.24 Initial studies undertaken for Site 30 have also shown that, through good design and phasing, there are no in principle constraints to development on landscape, archaeology, flood risk, ecology, heritage or air quality grounds. Existing public rights of way would be retained; indeed public access to the site would be substantially improved as, with the exception of a public footpath in the north-eastern corner of the site, there is currently no public access to the majority of the site.
- 2.1.25 Similarly, Dandara have undertaken various studies for Site 100 which have concluded that this 1.05ha site could deliver around 35 dwellings taking into account landscape and ecology constraints.
- 2.1.26 Development would be well screened from and would not adversely affect the heritage assets at Salomons. The information submitted previously remains correct and we reaffirm that the site is suitable and available for early delivery in the Local Plan period.
- 2.1.27 Like all open land immediately adjacent to Tunbridge Wells, the site is located within the Metropolitan Green Belt where strict policies of restraint apply. The NPPF requires local planning authorities with land within the Green Belt to establish boundaries that are capable of enduring beyond the plan period that should only be altered in exceptional circumstances.
- 2.1.28 My clients are happy to undertake further environmental and other relevant survey work to support the proposed development.

#### Strategic development strategy

- 2.1.29 In this regard, the objectively assessed need for new homes undoubtedly represents the exceptional circumstances that warrants the release of Green Belt land for development. Most suitable, available brownfield sites have already been developed over the last few years. Accordingly, we consider there to be ample justification to extend appropriate settlements to ensure the delivery of adequate housing throughout the plan period.
- 2.1.30 However, the Council is seeking to place substantial reliance on two strategic developments in Tudeley and Paddock Wood, and we are concerned that the Council's expectations for delivery are over-optimistic as discussed further in section 3.3 below.

- 2.1.31 When drawing up or reviewing settlement boundaries local planning authorities should take account of the need to promote sustainable patterns of development. Authorities must also take account of wider sustainability issues, for example the creating of attractive homes where people wish to live their lives and the need to deliver development that is in character with the established character of an area.
- 2.1.32 As discussed above, Tudeley is an isolated location within the Green Belt and we are concerned that the Council has not demonstrated compelling reasons for its release when there are better, more sustainably located sites such as Caenwood Farm available for development, the release of which would comply with NPPF paragraph 138.

#### Delivery of family and specialist housing

- 2.1.33 In this instance, the site is a suitable location for appropriate housing growth because it represents an opportunity to provide high-quality family housing in a way that would not present itself on smaller, brownfield or infill plots.
- 2.1.34 The latest housing statistics from KCC show that Tunbridge Wells has the highest level of one-bed flats of any district in Kent and the lowest proportion of three-bed family homes, yet family housing is in great demand locally. If allocated, the scheme that would be brought forward would seek to redress this imbalance in the borough's housing mix.
- 2.1.35 Recently approved residential planning applications have been for a large number of flats, for example at Quarry Road, adjacent to Hilbert & Grosvenor Park; Union House; Belvedere by Altitude and on St Johns Road, reducing the housing choice for young families. However, Tunbridge Wells remains a popular place to live for families, attracted out of London (many of whom are returning to the area in which they grew up) and elsewhere in the South East by the excellent schools and lifestyle offered by the town.
- 2.1.36 Development of this land would result in the creation of new properties that have easy access to a range of job and leisure opportunities. Part of the site may also be appropriate for much needed specialist forms of housing, such as self-build and/or elderly care housing.
- 2.1.37 Affordable housing would also be provided in accordance with new Local Plan standards.

#### Deliverability

- 2.1.38 The site has no recent planning history of relevance (other than the 2009 SHLAA recognition that at least part of the site was suitable for development) nor a history of unimplemented permissions. No unexpected financial restrictions are anticipated that would impact upon the viability of a housing scheme or that would prohibit development coming through within the early stage of the plan period. Subject to the site's removal from the Green Belt in the Local Plan, there is an excellent opportunity to deliver a high-quality residential development scheme in the short term.

- 2.1.39 Finally, the whole of Caenwood Farm is within the control of a single owner which will assist the ability to bring forward the site early in the plan period. Site 100 is being promoted by Dandara, who have an excellent track record of delivering high quality residential development in Tunbridge Wells and elsewhere. As discussed above, Caenwood Estates and Dandara have agreed to work together to develop both sites together.

Conclusion

- 2.1.40 Taking all of the above into consideration, together the points that follow in our representations on the rest of the plan, we consider a sound planning case exists to support the sensitive release of this site as part of the Local Plan strategy.

## 3 The Tunbridge Wells Draft Local Plan

### 3.1 Overview

3.1.1 The TWBC Draft Local Plan (herein referred to as 'the plan') sets out the spatial vision, strategic objectives, and overarching development strategy for the borough. It details overarching place shaping policies for each parish and settlement, as well as site specific allocations to deliver the strategy and detailed policies to be applied to all new development.

3.1.2 The plan will set the agenda for development across the borough to 2036 and replace the current Development Plan, which comprises the Local Plan 2006 (saved policies), the Core Strategy 2010, and the Site Allocations Local Plan 2016.

### 3.2 Vision and Strategic Objectives

3.2.1 The TWBC draft Local Plan is underpinned by a future vision up to 2036 and beyond. The vision is for Tunbridge Wells to be vibrant and prosperous and there is also an expectation that it will have grown significantly. The Council aim for growth to be infrastructure led and largely funded by new development. The key components of the vision are summarised below:

- The heart of Royal Tunbridge Wells and Southborough will be culturally rich, full of vitality, and will have the flexibility, robustness, and adaptability to cope with changes in the economy and other circumstances.
- Paddock Wood as a settlement will have developed considerably (including on land in eastern Capel parish) on the basis of garden settlement principles, using a comprehensive, master-planned approach.
- A new garden settlement will have been established at Tudeley Village, including homes, employment, and community facilities (which will continue to develop into the following years).
- High quality development at other settlements across the borough will have been realised, with the timely provision of relevant infrastructure
- Rural enterprise will have been supported, and the exceptional quality of the built and natural environments will have been protected and enhanced.

3.2.2 The plan stresses that all development will achieve high quality design, responding to the distinctive character of particular locations and in certain instances valued and protected landscapes. Further, the timely delivery of infrastructure will be central to the plan.

3.2.3 In order to turn this vision into reality the plan sets a number of strategic objectives.

- 1) To deliver the housing, economic, and other needs identified for the borough by the end of the plan period through well designed, sustainable, plan led, and high-quality development;

- 2) To achieve the delivery of all forms of infrastructure to mitigate the impact of development and where possible to result in 'betterment';
- 3) To prioritise active travel, but where necessary to plan appropriately for use by private motor vehicle, in particular embracing new technology;
- 4) To boost significantly the supply of affordable housing, and to seek to redress the disparity between house prices and income in the borough;
- 5) To ensure that the borough is vibrant, culturally rich, and economically buoyant;
- 6) To protect the valued heritage, and built and natural environments of the borough, including the AONB and to achieve net gains for nature;
- 7) To release appropriate land from the Green Belt through a plan-led approach, and to increase public accessibility, and to protect the openness of remaining Green Belt land;
- 8) To tackle climate change and minimise the impact of development on communities, the economy, and the environment with carefully considered design and by embracing technology, such as renewable energy generation;
- 9) To establish garden settlements as a model for the future delivery of development in the borough;
- 10) To work with neighbourhood plan groups to ensure the formation of locally-led policies, with this reflected in decisions on planning applications.

3.2.4 We support the general thrust of these objectives, which seek to meet identified housing needs in full and boosting significantly the supply of new affordable homes. However, we would suggest some minor modification to clarify that the plan is positively prepared and fully aligned with the provisions of the National Planning Policy Framework ('NPPF'). Indeed, we acknowledge that the Plan aspires to achieve the full development needs of the borough and therefore we consider that objective 1 should be modified to make certain on this point.

*"To deliver the full housing, economic and other needs identified for the borough by the end of the plan period through well designed, sustainable, plan led and high quality development"*

### **3.3 Development Strategy and Strategic Policies**

#### ***Context***

3.3.1 The purpose of the Development Strategy is to outline how much development will be provided to meet the needs of the borough and where that development will be located.

3.3.2 In terms of the amount of housing, paragraph 59 of the NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is

important that a sufficient quantum and variety of land can come forward where it is needed. Furthermore, to determine the number of homes needed, strategic policies should be informed by a local housing needs assessment conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals.

- 3.3.3 The Council confirm that their housing need target for the plan period 2016–2036 is 13,560 dwellings (678 dwellings per annum), which is calculated using the Government’s standard method and the 2014-based household projections.
- 3.3.4 In terms of the different supply components, the Council considers that the Local Plan must (as a minimum) include additional allocations to accommodate 7,593 homes. This figure was formulated taking into account:
- completions since April 2016 (1,552);
  - extant planning permissions (3,127);
  - outstanding site allocations (588); and
  - a windfall allowance (700 dwellings).
- 3.3.5 The Council has applied a 10% non-delivery rate to these figures to err on the side of caution and consider that the plan would exceed the minimum housing requirement if all of the supply components were achieved. However, given the Plan’s reliance on large strategic sites, and the potential for delays in delivery as set out in our representations, we suggest it may be advisable to increase this buffer to ensure that the Council is in a position to meet its housing delivery targets throughout the plan period. If not, there is the risk of unplanned, speculative schemes coming forward.
- 3.3.6 We commend TWBC for seeking to meet their need in full and support this positive approach to plan-making. Likewise, we support the general thrust of the development strategy, which proposes a strategy to meet the housing needs of the borough with a dispersed growth approach.

***Comments on Policy STR1***

- 3.3.7 The strategy is consolidated by Policy STR1, which sets out the quantum of development that will be allocated within or around settlements to meet the identified needs of the borough over the plan period. This strategy would seek to meet the majority of the Council’s housing need through the strategic extension of Paddock Wood and via a new Garden Village at Tudeley. The remaining growth would then be dispersed proportionately to other settlements in the borough.
- 3.3.8 We have no objection to the overall thrust of the strategy and adopting a pattern of dispersed growth given that it would spread the benefits of growth to more locations than in previous plan periods. Furthermore, adopting a pattern of dispersed growth approach would allow a number of sites to be developed at the same time, serving different segments of the local housing market, which is preferable to saturation of the market in a single area.

- 3.3.9 However, we are concerned that the overall balance of this strategy is wrong, and that a greater proportion of development should be directed towards the Borough's main settlement at Royal Tunbridge Wells. This is a sustainable location for growth, being the main focus in the borough, and indeed the wider region, for employment, retail, education, services and local public transport.
- 3.3.10 We agree that the strategic growth proposals at Paddock Wood are also sustainable, but the proposals at Tudeley are much less so. In our view the development quantum proposed at Tudeley should instead be reallocated elsewhere, with a large proportion going to Royal Tunbridge Wells.
- 3.3.11 Whilst we recognise the wish to make various improvements to strategic transport links and education provision at Tudeley, these are complex, high cost items that will not be quick or easy to deliver. These include:
- Delivery of the A228 Strategic Transport Link (the Colts Hill bypass), a proposal which has been discussed for several decades but which, despite proposals being drawn up in the early 1990s, has never come close to materialising;
  - Significant upgrades to various local junctions;
  - The creation of a new, thus far unplanned, bus only link between Paddock Wood and Tudeley; and
  - A new, thus far unplanned, cycle link between Paddock Wood and Tudeley;
  - New primary and secondary schools;
  - Potentially extensive flood mitigation measures; and
  - The creation of additional wastewater treatment capacity.
- 3.3.12 Despite the railway running through the site, there are no plans for a railway station to serve the new settlement. The reality is that the garden village at Tudeley is in danger of being an unsustainable suburban development without the benefit of good connections to existing development and services. There are also substantial concerns in relation to flood risk.
- 3.3.13 In this regard, we question whether the proposed settlement at Tudeley meets the tests set out in NPPF paragraph 138, in particular the requirement that:
- "Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport."*
- 3.3.14 Unlike the A26 corridor, which Caenwood Farm is located on, Tudeley is not currently well-served by public transport. Whilst it is recognised that the Local Plan intends public transport improvements to be brought forward, at present at Tudeley there is usually only one bus per hour in each direction during the daytime, and no rail services. By contrast, there are nine bus services per hour serving the nearest bus stops to Caenwood on the A26 corridor, whilst High

Brooms station is also within walking distance. Just like at Tudeley, there would be opportunities to further enhance public transport to serve the site. However, given the requirements of NPPF paragraph 138, we believe that if Green Belt is to be released, sites such as Caenwood Farm that are already close to a good public transport corridor should be prioritised over sites like Tudeley where there is little existing provision.

- 3.3.15 In any event, we have some concerns regarding the balance between strategic and non-strategic scale allocations and the anticipated delivery trajectory. For example, 65% of new allocations would be delivered as part of the strategic extension to Paddock Wood (4,000 homes) and the new Garden Village at Tudeley (1,900 homes within the plan period), both of which require a fully master-planned approach, which is a time-consuming process. Furthermore, there are a significant number of existing commitments within Paddock Wood that have been slower at coming forward than had originally been envisaged. A cautious approach is therefore needed.
- 3.3.16 In this regard, we would draw the Council’s attention back to the 2016 document published by Nathaniel Lichfield’s and Partners (NLP) - *‘Start to Finish: How Quickly do Large-Scale Housing Sites Deliver’*, which provides evidence pertaining to the speed and rate of delivery of large-scale housing, based on a large number of sites across England and Wales.
- 3.3.17 It identifies that the average lead in time for the submission of a planning application is 3.9 years, from the date the site is first identified. In terms of the planning approval period, for larger scale sites (2,000 + homes) this is circa 6 years. After planning permission is granted, larger sites start to deliver within a year and the average build out rate thereafter is 161 dwellings per annum, although it can be as high as 301 dwellings per annum.
- 3.3.18 Figure 1 below is taken from the NLP report, which shows the average planning approval period and delivery of first dwelling by site size.

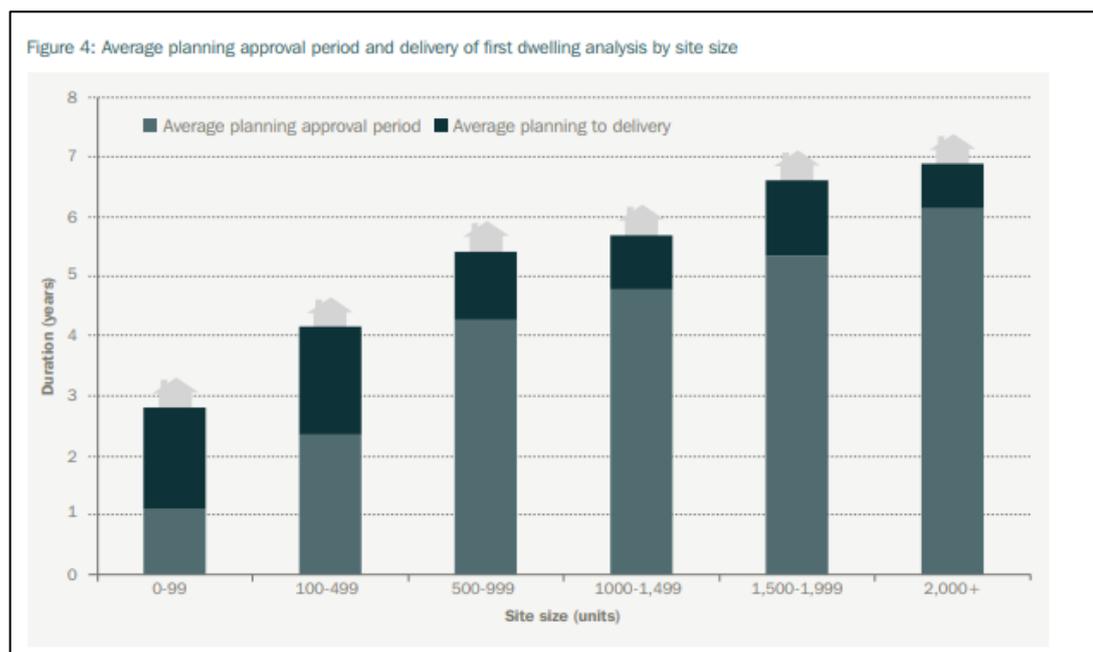


Figure 1: Average planning approval period and delivery of first dwelling by site size

- 3.3.19 Whilst the NLP report does not represent practice guidance, it is widely accepted as being a reliable and credible source of evidence and is referenced by TWBC in their Housing Trajectory Paper.
- 3.3.20 Despite evidence elsewhere, TWBC has set a very optimistic trajectory for delivery of Tudeley Garden Village and the strategic extension of Paddock Wood, which is detailed in the Housing Trajectory Paper.
- 3.3.21 The Council forecasts that the Tudeley Garden Village will begin to deliver homes from 2025/26 onward, with an initial build out rate of 150 dwellings per-annum, rising to 200 dwellings per annum from year 6 onward. Likewise, they suggest that the extension to Paddock Wood will start to deliver in 2024/25 at an average build out rate of 333 dwellings per annum – which is nearly double the average rate for larger schemes identified in the NLP document. This higher build out trajectory is predicated on the basis that there would be a number of house builders involved the construction of different parts/phases.
- 3.3.22 Taking the above into account, our view is that the Council have applied an overly optimistic development trajectory for the delivery of strategic sites, both in terms of the start date for completions and the expected build out rates.
- 3.3.23 Given the absence of any similar strategic sites in Tunbridge Wells Borough as a point of comparison, one could have regard to similar scale delivery in neighbouring authority Tonbridge and Malling Borough. In this respect, we provide evidence below of its three key strategic sites and the associated delivery rates (derived from the Tonbridge and Malling BV Annual Monitoring Report 2017).
- 3.3.24 Kings Hill is an extremely prudent example when considering potential delivery at the Paddock Wood extension and the new garden village at Tudeley. Kings Hill was effectively a new village started in 1989 near land previously occupied by RAF West Malling. The concept was for a multi-purpose site of both residential and office business space. The development is still being delivered some 30 years later, despite having multiple national housebuilders delivering different phases concurrently. Based on the most up-to-date delivery data for the last decade, Kings Hill has only delivered 131 dwellings per annum, despite multiple developers delivering concurrently. Furthermore, the earlier delivery phases were delivered at lower rates given the need to front load infrastructure.
- 3.3.25 Therefore, even if the Council was to pursue Tudeley Garden Village, we consider that whilst some development may come forward in the plan period from the two proposed strategic sites, in reality these strategic allocations are longer term aspirations that, at best, are not likely to begin to deliver housing until well into the Plan period and will inevitably extend beyond 2036. This is likely to be exacerbated by the fact that, by virtue of their proximity, Tudeley Garden Village and an expanded Paddock Wood would be serving similar markets and therefore allocations there will, to some extent, be competing with each other.
- 3.3.26 Accordingly, we would strongly encourage the Council to make more efficient use of other medium-sized sites around the borough, such as our client's site. As set

out elsewhere in these representations, Caenwood Farm is in a highly sustainable and logical location, which can be delivered early within the plan period.

### ***Comments on Policy STR/CA1***

- 3.3.27 In addition to the comments above, we remain concerned about the overall strategy for a garden village at Capel. As set out in our response to policy STR1 above, not only are we very concerned about what appears to be an over-optimistic timetable for development, we simply do not agree that the overall development strategy is the right one, for the reasons above.

### **3.4 Development Management Policies**

- 3.4.1 The development management policies seek to achieve the vision established by the strategic and place making policies aforementioned. They provide more detail for decision making in relation to particularly issues and assess the acceptability of development.
- 3.4.2 In addition to our comments on the strategy, we have reviewed the proposed replacement development management policies as set out in chapter 6 of the document.

### ***General comments***

- 3.4.3 In general terms, we would refer back to paragraph 15 of the NPPF that promotes succinct and up-to-date plans, which provide a positive vision. In contrast, the draft policies currently proposed are of such prescriptive detail that they are neither positively prepared nor flexible enough to allow for a range of different circumstances. Furthermore, many aspirations result in inevitable conflict. On this basis, we would recommend that the majority of proposed policies are simplified and where additional guidance is needed, this be included within secondary Supplementary Planning Documents.
- 3.4.4 Turning to detailed policies, there are a number of contradictory elements that need to be remedied before the plan proceeds to Regulation 19. For example, policy EN1 seeks to ensure development is consistent with the established character and surrounding form. However, policy EN4 places significant emphasis on measures to radically reduce greenhouse gas emissions. The provision of a step change towards more sustainable construction and climate change is, inevitably going to result in a need for a change in attitude towards design, material and construction. Accordingly, a cohesive policy approach is needed that allows innovative and different design if supported on wider environmental and planning grounds. As drafted the policies are too inconsistent.
- 3.4.5 A number of policies also seek to provide guidance rather than policy. For example, policy EN6 seeks to clarify what information is needed in order to assess a heritage proposal. This level of information should instead feature within a support SPD not policy.

### ***Comments on Policy EN20***

3.4.6 In respect of the natural environment, policy EN20 seeks to protect the rural landscape. It states that development will be required to:

1. *Conserve and enhance the unique and diverse variety and juxtaposition of the borough's landscape and the special features that contribute positively to the local sense of place; and*
2. *Not cause significant harm to the landscape setting of settlements, including historic farmsteads and hamlets; and*
3. *Not result in unsympathetic change to the character of a rural lane, which is of landscape, amenity, nature conservation, or historic or archaeological importance; and*
4. *Restore landscape character where it has been eroded; and*
5. *Preserve intrinsically dark landscapes in accordance with Policy EN 10: Outdoor Lighting and Dark Skies.*

3.4.7 We support the principle of the policy but consider amendments are needed to ensure that it does not result in a blanket reason to refusal otherwise sustainable greenfield development. We suggest it be amended to read:

1. *Conserve and enhance the unique and diverse variety and juxtaposition of the borough's landscape and the special features that contribute positively to the local sense of place; and*
2. ~~*Not cause*~~ *Include appropriate mitigation to ensure against significant harm to the landscape setting of settlements, including historic farmsteads and hamlets; and*
3. *Not result in unsympathetic change to the character of a rural lane, which is of landscape, amenity, nature conservation, or historic or archaeological importance; and*
4. ~~*Restore*~~ *Enhance landscape character where it has been eroded; and*
5. *Preserve intrinsically dark landscapes in accordance with Policy EN 10: Outdoor Lighting and Dark Skies.*

### ***Comments on Policy H1***

3.4.8 Turning to housing policies, we have significant concerns about the drafting of several policies, that show a degree of misunderstanding of the development industry. For example, policy H1 states:

*Unless there are exceptional circumstances due to specific site or development constraints, a condition will be attached to any grant of planning permission for new major residential development (including change of use) requiring one or the other of the following conditions:*

1. *That the permission be implemented within two years from the date of decision; or*
2. *That groundworks and the construction of the ground floor base of at least two buildings be completed within three years of the permission.*

3.4.9 Whilst the majority of developers would aspire to be 'on site' and under construction within 2 years, the reality is that there are often processes that need to be adhered to that are outside of the applicant's control, including the need to formally conclude land purchases, to discharge conditions and to deliver off site mitigation. The Council will also be aware that commencement of development is often prohibited by seasonal restrictions in respect of ecology and wider constraints. With the above in mind, we consider the Council's policy should be deleted or modified to the extent that it will endeavour to agree a two year start date based on site circumstances. However, the usual 3 year commencement date should normally be maintained within planning conditions.

3.4.10 If there are delays beyond a developer's control which, despite best endeavours, delay implementation of a planning application, a requirement for permissions to be implemented within two years would actually have the effect of further slowing delivery. This is because the applicant would have no option other than to have to reapply for permission. Not only would this be costly and time-consuming to the applicant, but it would also exacerbate existing resourcing issues for the Council as planning officers would have to spend time processing an otherwise unnecessary major planning application. In our view, any decrease from the current three year commencement period may actually cause more problems than it solves, and begs the question whether this policy actually demonstrates a concern that the proposed housing trajectory may not be deliverable. If that is the case, it further demonstrates the need for an increased buffer, as previously discussed in paragraph 3.3.5.

#### ***Comments on Policy H2***

3.4.11 In respect of policy H2, and the preference for multi-developer schemes and comprehensive masterplanning, we understand the aspiration. However, in reality such stringent requests often result in conflict and further delay. With this in mind, it is our view that the Council should shift focus away from how it wishes to change development industry practices and instead concentrate on what it can influence, namely the provision of development frameworks setting out principles and infrastructure requirements for the proposed site allocations, rather than detailed masterplans.

#### ***Comments on Policies H3 and H4***

3.4.12 We note that policies H3 and H4 have regard to housing mix and density yet provide little or no detailed requirement. Unless aspirational mixes and densities are to be inserted in the policies, these generic requirements would be better placed being inserted into the wider reaching policy EN1.

## 4 Comments on technical documents

### *Comments on the SHELAA*

- 4.1.1 The SHELAA is not a policy document, but is supposed to be a technical assessment of site suitability. For this reason, it is usual for such documents to adopt a *'policy off'* position, which identifies sites as being potentially suitable for development even where those sites are not then proposed for development in the Local Plan. This normally results in a greater amount of land being found suitable for development than is actually required for the Local Plan, which then leads to judgements being made about the best planning strategy.
- 4.1.2 By contrast, TWBC's SHELAA appears to only find sites suitable for development where they are then allocated, which is unusual in our experience. It begs the question whether the SHELAA findings are robust and reliable, or whether other policy objectives have influenced the findings.

### Caenwood Farm

- 4.1.3 This is clearly illustrated in the treatment of Caenwood Farm within the SHELAA. The north eastern part of this site was considered in the 2009 SHLAA as being a natural extension to the urban area, and was identified as being suitable for development (see Appendix).
- 4.1.4 However, in the July 2019 SHELAA, the Council considered the site as unsuitable for development. Whilst the Council recognises the site would make a significant positive contribution to housing, it is suggested that the substantial use of private vehicles in this location causes noise and air objectives to score very negatively, and that the site also has the potential to have a landscape impact.
- 4.1.5 The case for allocating the site for development has been set out in detail above, and in previous submissions and so we will not repeat information unnecessarily here. However, in summary, we consider this land to be a suitable area to release land and we consider there to be exceptional circumstances to release this site from the Green Belt and prioritise the development of this highly sustainable site.
- 4.1.6 The site has been promoted as a natural extension of Tunbridge Wells for several decades. The 2009 SHLAA recognised that a substantial part of the site was suitable for development. At this time, it was clear that landscape has been degraded and the northern part of the site would be suitable for development, given its proximity to existing residential and through topography and landscaping, would be well screened.
- 4.1.7 Parts of the site are contiguous with the established settlement boundary of Tunbridge Wells and it is within easy walking distance of a wide range of services and amenities including places of work, shops, recreational facilities, and an extensive range of community and education facilities including the main concentration of secondary school provision in the town. There would be opportunities to further improve education provision as a result of the development.

### ***Comments on the Sustainability Appraisal (SA)***

- 4.1.8 The SA assessment for Caenwood Farm scores it very negatively for noise and air quality objectives, seemingly on the assumption that it would result in the substantial use of private vehicles. It is not clear how this finding has been arrived at, given the proximity of the site to a high-frequency walking, cycling and public transport corridor and the potential for further improvements to these modes.
- 4.1.9 By contrast, the proposed strategic site at Tudeley is not on a public transport corridor. Whilst a railway runs through the site, there are no plans for a railway station and it is unlikely that one could be viable. Whilst it is also recognised there would be potential to improve bus services, it would take substantial investment in buses simply to equal the high frequency service which currently runs along the A26. Yet, despite this, the SA scores for air quality for the Capel strategic sites is '?' (unknown – despite the commentary noting a high increase in traffic) rather than the '--/---' (negative/very negative) scores attributed to Caenwood.
- 4.1.10 This simply lacks credibility.
- 4.1.11 We also question whether the SA has taken full account of opportunities for public benefits within the Caenwood Farm site, such as a new public park. Creating a new area of public open space would provide an important local amenity which would serve existing as well as new residents. It could also mean that local residents have facilities within walking distance which they would otherwise need to drive to.

### ***Comments on Green Belt Study***

- 4.1.12 The north-eastern part of the site is identified as parcel SO1a in the GB study. It is classified as causing moderate harm if released from the Green Belt.
- 4.1.13 The GB study identifies the majority of the site as parcel SO1b and inconsistently states that it would cause a very high level of harm if the parcel was released. The study's findings in relation to the various Green Belt purposes are summarised and commented upon below.

#### 1. Check the unrestricted sprawl of large built-up areas

- 4.1.14 The study comments that:

*"The parcel is adjacent to the large built-up area but has some separation from it and relates strongly to the wider countryside – development would represent significant expansion of the large built-up area into countryside."*

- 4.1.15 In response, we consider that the parcel adjoins the current defined settlement confines and rural fringe on its north and eastern side. It is a logical extension rather than piecemeal and out of keeping release in the countryside.

#### 2. Prevent neighbouring towns merging into one another

- 4.1.16 The study comments that:

*"Development of this parcel would result in physical or visual coalescence of settlements which form a significant proportion of the land between towns."*

- 4.1.17 In response, we comment that in this case, Southborough and TW are already joined by linear development along St Johns Road. Development on this parcel would form a logical extension to the west and would not contribute to the coalescence of Southborough and TW any more than currently exists.

3. Assist in safeguarding the countryside from encroachment

- 4.1.18 The study comments that:

*"The parcel relates strongly to the wider countryside, has a sense of separation from the settlement and lacks urbanising development – development would represent encroachment into the countryside."*

- 4.1.19 In response, we comment that the site adjoins existing built development. The 2009 assessment was clear that the landscape quality of the site had degraded, it is not AONB and it is clear the site is a logical extension to existing development.

4. To preserve the special character of historic towns

- 4.1.20 The study comments that:

*"The parcel's openness contributes to the relationship between the settlement and characteristics identified as contributing to special character or historic setting."*

- 4.1.21 In response, we comment that the historic core of Tunbridge Wells is centred on the High Street and Pantiles area. The existing built up area in this part of Tunbridge Wells and Southborough does not have any special historic character and development of this site would have no effect on this.

***Comments on Limits to Built Development Topic Paper***

- 4.1.22 Amendment 10 to the TW LBD now excludes Tunbridge Wells Sports Centre from the LBD and places it in countryside as they are used for recreational purposes on the edge of the settlement. The adjacent LBD boundary excludes areas of development to the rear of the Sports Centre, including the extension to St Gregory's Catholic School (currently under construction immediately west of the Sports Centre) and the adjacent 3G floodlit pitches. These form part of the urban environment and should be included in the LBD.



Ref	Building/Site Name	Road Name	Settlement	Postcode																				
272	Land at Caenwood Farm (northern section)	Reynolds Lane	Royal Tunbridge Wells																					
<b>Site Description</b>																								
Site lies immediately to the south of Speldhurst Road opposite existing residential development. Site abuts Reynolds Lane to the east and a track to the west. Parts of the site are fairly well enclosed within small field patterns and benefit from extensive woodland screening. The site is currently in agricultural use.																								
<b>Suitability</b>																								
This is part of a larger site, but it has been split into two sites due to the nature of the site as a whole. Landscape has been degraded through surplus agricultural clutter. This part of the site is considered to be more appropriate for limited development, particularly the northern and north eastern part of the site which is adjacent to existing residential development and due to the topography and landscape is well screened and could be suitable for residential development. However, there are a number of constraints to development. The site lies almost entirely within the Green Belt and Special Landscape Area (SLA). A small part of the site is ancient woodland, partly in flood zone 3b and landfill quarry. Despite these constraints, it is considered that the site would be suitable for residential development. Site is subject to Level 2 constraints.																								
<b>Availability</b>																								
In single ownership and able to be commenced within 5 years																								
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<b>Summary</b>																								
Consider in conjunction with Site 273 as the original submitted site was split. The site is a very large site on the edge of the settlement. Only the northern/north eastern part of the site is considered suitable for development and therefore the developable area has been reduced to 12.03 hectares. However within this developable area, there are areas of mature woodland and substantial mature trees which should be retained for landscaping/screening purposes. The developable area of the site has been reduced by approximately 20% to accommodate landscaping, etc. The density of surrounding residential development is approximately 29 dwellings per hectare. Applying a similar density would result in the site being able to accommodate approximately 279 dwellings.																								