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9 May 2018

Dear Mr Pickup

PRE-APPLICATION ADVICE: RESPONSE

Reference: 18/00756/PAMEET

Proposal: Pre Application Advice (Meeting) - Residential development (Approx 75 units) and recreational open space

Location: Land North Of Pembury Road Royal Tunbridge Wells Kent

Following our meeting on 16th April 2018, I have considered your proposal further and now have the following comments:

The site is located outside of the Limits to Built Development for Tunbridge Wells and within the Metropolitan Green Belt. Part of the western boundary of the site adjoins the Limits to Built Development. The frontage of the site lies within the Tunbridge Wells Conservation Area. The land to the south of Pembury Road is designated an Area of Outstanding Natural Beauty. This part of Pembury Road is classified as an Important Landscape Approach and therefore Policy EN23 of the Local Plan is applicable. The trees along the frontage are protected by a Tree Preservation Order.

Para 47 of the National Planning Policy Framework (NPPF) requires the Council to meet the full, objectively assessed needs (OAN) for market and affordable housing in the Borough and identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional 5% buffer. The Council currently cannot demonstrate a five year housing supply compliant with the OAN figure (albeit untested). In such situations the NPPF advises that:

“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites” (Para 49).

The absence of a five year housing land supply triggers the second part of Para 14 of the NPPF, which for decision taking means:

“Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*

- *Specific policies in this Framework indicate development should be restricted”.*

The footnote to Para 14 gives examples of specific policies, which include land designated as Green Belt, heritage assets and local green space. The site is within the Green Belt and Conservation Area. Therefore the requirements of Parts 9 and 12 of the NPPF are of particular relevance, as well as the saved policies in the Development Plan.

The proposed development would be inappropriate development within the Green Belt. Para 87 of the NPPF states that *“inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”*. The absence of a five year housing land supply is not considered to amount to very special circumstances that would outweigh the harm to the openness of the Green Belt. There would therefore be an objection to the principle of this development. As you are aware, the site is currently being considered as part of the Strategic Housing and Economic Land Availability Assessment (SHELAA). The Council are not looking to release any Green Belt land around Tunbridge Wells for housing prior to the adoption of the new Local Plan.

The site was formerly parkland associated with Pembury Grange, a Grade II listed mid-19th Century house, which is sited on the edge of Sandown Park. The Council’s Landscape Sensitivity Assessment (which forms part of the evidence base for the new Local Plan) classifies this area as early post medieval landscape. I recommend that you contact the KCC Archaeologist as it is likely that an archaeological survey would be required for this site.

The Landscape Sensitivity Assessment states that this area is *“important in the retention of an open approach to Tunbridge Wells”*. It continues to state that *“any new access or visibility of urbanising built landscape elements from the A264 would be likely to increase landscape impacts through reduction of perceived separation from Pembury”*. In landscape terms the area has a medium-high sensitivity to small-scale development and a high sensitivity to medium scale development. Both the Landscape Sensitivity Assessment and the Green Belt study consider that this area is important in landscape terms as it provides a gap between Tunbridge Wells and Pembury. The Landscape Sensitivity Assessment provides guidance on potential mitigation/enhancement measures and states that:

“Retention of some depth of view across open parkland from the A264 would help to preserve perception of a small gap between Tunbridge Wells and Pembury, and for the same reason a new access from the A264 should be avoided”.

The Conservation Area Appraisal makes reference to excellent views northwards from the Pembury Road across open fields. Retention of open space to the east of the site would help to preserve some of these views and retain some degree of separation between Tunbridge Wells and Pembury. This area could be used for ecological mitigation/enhancement and/or recreation open space. Further details of this would need to be provided with any future application and secured by a Section 106 agreement.

The proposed site plan shows an access road running along the eastern boundary of the site. Any future development should seek to provide a better edge of settlement and the layout should be redesigned to achieve this. Staggering the dwellings and providing additional soft landscaping would help to reduce some of the visual impact. Linking the scheme onto Tree Lane should be considered as this would help to improve the permeability of the site.

The proposed access would be onto Pembury Road (A264), which is a primary route. The proposal would be contrary to Policy TP4 of the Local Plan which does not support the creation of a new access onto a primary route outside the Limits to Built Development. Pembury Road is heavily congested and the proposed access may impede traffic flows further at this point.

In the absence of details showing visibility splays and levels, it is not possible to make a full assessment of the impact of the access on trees and visual amenity. The proposed access appears too wide and over engineered. The existing trees and greenery along the frontage make a positive contribution to the Conservation Area and Important Landscape Approach. The creation of the new access will cause harm to the character and appearance of the Conservation Area, Important Landscape Approach and protected trees.

Should you wish to proceed further with your enquiry, I recommend that you consult Kent County Council Highways and Transportation for pre-application advice on the highway and parking impacts of the proposed development <http://www.kent.gov.uk/waste-planning-and-land/planning-applications/planning-advice/highway-pre-application-advice>

At present, given the Green Belt status and site constraints, it is unlikely that the Local Planning Authority would support housing development on this site. It is therefore recommended that you do not proceed further with this proposal and rather wait for the outcome of the SHELAA. As discussed, the timetable for the new Local Plan is likely to be revised due to the need to carry out additional evidence based work. The revised Local Development Scheme will be available to view on the Council's website shortly.

Should the site be allocated as part of the new Local Plan, any future scheme should provide 35% affordable housing on site in accordance with Core Policy 6 of the Tunbridge Wells Borough Core Strategy.

Any future scheme should also provide a surface water drainage strategy, to include sustainable drainage systems. I recommend that you contact the Flood and Water Management Team at Kent County Council for pre-application advice on this matter <https://www.kent.gov.uk/waste-planning-and-land/flooding-and-drainage/sustainable-drainage-systems#tab-3>

The Council's Renewable Energy Supplementary Planning Document (SPD) requires that developments of this size incorporate renewable technology on-site to reduce predicted CO₂ emissions by 10%. The council accepts that a fabric first approach is important and that the 10% requirement should not be calculated until energy efficiency measures have first been implemented to achieve a minimum of current building regulation requirements. An energy assessment demonstrating compliance with the Renewable Energy SPD should be submitted with any future planning application.

I note from your submission that an Extended Phase 1 Habitat Survey was undertaken in March 2017 and as a result of this further survey work is required. These surveys should be carried out prior to the submission of a planning application. Any future application should preserve and enhance biodiversity on site.

The following assessments/documents would need to be submitted with any future planning application:

- Design and Access Statement
- Landscape Assessment
- Heritage Assessment
- Affordable housing assessment
- Transport Assessment
- Details of levels and visibility splays
- Tree Survey, Arboricultural Method Statement and Tree Protection Plan
- Phase 1 Ecological survey and species specific surveys
- Archaeological survey
- Drainage strategy

- Renewable energy assessment in accordance with the Council's Renewable Energy Supplementary Planning Document
- Section 106 agreement

Wealden District Council has stated that they will not object to any more planning applications and that the issue of the Ashdown Forest is a matter for the decision maker. Tunbridge Wells Borough Council has produced an air quality assessment, which concludes that future development in Tunbridge Wells would have no impact on the Ashdown Forest Special Area of Conservation. The Council's position in respect to the Ashdown Forest Special Area of Conservation was heard at Full Council on 25th April 2018. The relevant documents are available to view using the following link

<http://democracy.tunbridgewells.gov.uk/meetings/ieListDocuments.aspx?MIId=3920&x=1>

Any advice given by Council Officers for pre-application enquiries does not indicate a formal decision by the Local Planning Authority. Any views or opinions are given in good faith, and to the best of ability, without prejudice to the formal consideration of any planning application.

Any pre-application advice provided will be carefully considered in reaching a decision or recommendation on any subsequent application; subject to the proviso that circumstances and information may change or come to light that could alter that position. It should be noted that the weight given to pre-application advice notes may decline over time.

The final decision on any subsequent application that you may make can only be taken after the Local Planning Authority has consulted local people, statutory consultees and any other interested parties.

Yours sincerely

Antonia James
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