

Significant Changes to the TW Submission Local Plan

Tunbridge Wells BC have published their draft response to the Inspector's Initial Letter.

<https://democracy.tunbridgewells.gov.uk/documents/g5499/Public%20reports%20pack%2013th-Nov-2023%2018.30%20Planning%20and%20Transportation%20Cabinet%20Advisory%20Board.pdf?T=10>

[The paper is a recommendation to the Planning and Transportation Cabinet Advisory Board. They have the power to amend the recommendation but not to negate it. The important decisions will be made by Cabinet (6th Dec) and Full Council (13th Dec)]

Conclusion:

The officer's preferred option in their recommendation to members is to follow the Inspector's option 3 and delete Tudeley from the plan. The housing numbers in East Capel will be reduced to around 1200 (difficult to tell exactly as little account is taken of the parish boundary) as building is restricted to Flood Zone 1 and climate change calculations have restricted the numbers too. The Plan will now be for 10 years with reduced housing numbers subject to almost immediate review. There are still causes for concern in East Capel, but the original plan which envisaged 4800 houses in the Parish during and beyond the plan period (2700 in Tudeley and 2060 in East Capel) should be consigned to History by the vote in December. After a long delay this can be seen as a major success for the campaign waged by Save Capel, Capel Parish Council, and many others over the last four and a half years since the proposals for Tudeley and East Capel were first made public in May 2019.

Tudeley

TWBC planners argue that many of the concerns the Inspector raised could have been satisfactorily dealt with (a matter that might be disputed but is now seemingly academic), but they have decided that proceeding with the proposal is not tenable because:

1. **The opposition of Tonbridge and Malling BC** would have been sustained at any hearing and TMBC were not willing to co-operate with the proposal largely because of the impact on Tonbridge Town Centre. The success of SC in building links with T&M and galvanising opposition over the border may possibly turn out to be the key factor in the defeat of this proposal.
2. **Five Oak Green Bypass** – while TWBC think they could have overcome the Inspector's concerns more work was needed and the impact on the AONB was the most important consideration. They would have had to prove 'exceptional circumstances' to allow this to go forward. Firstly, this would have been risky if the Inspector had not agreed with them and secondly 'exceptional circumstances' could only be justified by the housing numbers to be delivered...
3. **The developer's capacity to deliver** the number of houses required on the site by the Plan was questioned and the council was unconvinced that their build out rate would have been sufficient to justify the removal of the land from the MGB in the eyes of the Inspector.

Because of the above it was felt that the Council does not have the evidence required to remove the Tudeley site from the MGB. It seems this was always their likeliest option – the time spent has been trying to establish whether they had enough houses to support the necessary infrastructure around Paddock Wood – without that they would not have had even a 10 year Plan.

East Capel

It has been the Council's working assumption following the Initial Letter, that the Inspector would allow building in the MGB west of Paddock Wood, subject to a Stage 3 Greenbelt study. The implication is that East Capel will be removed from the MGB, though the number of houses have been reduced. The council's figures of 2500 houses around Paddock Wood includes the 1170 houses East of Paddock Wood and not in the MGB for which planning applications are current. Most of the remaining 1300 will be in East Capel, which while a big reduction in the original 2060, still represents an increase in the parish population of around 150%. They propose 717 houses north of the railway and 550 south of it in five distinct blocs. Given it is at one end of the parish it does not represent the existential threat to the way of life in the parish that Tudeley would have done, it still presents major challenges to the community and the parish council in the years to come.

Issues:

1. **Flooding** – the council has responded to the Inspector's comments on fluvial flooding by removing all housing development from Flood Zones 2 & 3, but the issue of groundwater flooding remains, and this is a particular concern in the NW of the site along the A228 opposite Whetsted, where a large proportion of the housing is to be built. The proposal is to construct SUD's and alleviation ponds further north in the site – but whether this will be sufficient to justify building there is something the Council will need to argue before the Inspector.
2. **Expansion of Paddock Wood** – the council see this very much as an expansion of Paddock Wood though most residents will live in Capel and pay their Council tax there. Planners don't see community identity as a planning issue, but the new residents will be entitled to use the community facilities in Capel, as an example the Parish Council will have to make provision for allotments. It might be worth arguing that the relatively brief section on Capel Parish in the SLP be reviewed considering this and a strong insistence made that money for allotments, community and leisure facilities be supplied to the parish through S106 including land within the allocation. For example, the smaller sports facility in the SW of the site could be a (Capel) parish facility.
3. **Modal Shift** - The numbers are being justified in terms of a modal shift in travel. There will be a 'figure of eight' bus service that will encourage internal journeys and alternatives to the car. This will be paid by S.106 developer money – it will be hoped this will be attractive enough to build up a clientele before the money runs out. Cycle lanes and walking routes are also being prioritised. One of our priorities should be to ensure there is a safe walking route all the way through from Five Oak Green to Paddock Wood centre.
4. **Infrastructure** - It is important to argue before the Inspector that Infrastructure needs to be put in place before the houses are occupied. This includes the bus service, an expanded Woodlands Health centre, a new pharmacy, the primary school, and upgrades to the road system.
5. **Education** - An area of land in the north of the site (within East Capel) is being reserved for a 3FE secondary school. This may not be built – it is a fall-back position as KCC'S preferred option now is an expansion of Mascall's. There is also a plan for a primary school within the allocation.
6. **Road network and junctions** – work on this is still ongoing but it is understood that the lower Colts Hill bypass will stay in the plan running from an improved junction at Badsell Road to a roundabout at Alders Road. This it is argued allows them to withdraw their original idea for a narrower junction at Kipping's Cross as they persuade traffic to join the A21 at

Pembury. It is unclear what the impact of this would be on the A228 north and south or on the surrounding rural roads, and this is something that needs to be tested before the inspector.

The Way Forward:

1. The deletion of Tudeley from the plan and the reduction of housing numbers in East Capel is something to be celebrated. An immediate review of the Plan is always a worry. Plus, there are some small sites around Five Oak Green that have been bought back in, for the post plan review, because of the Stage 3 GB Study asked for by the Inspector. The council are coy about which these are. However, the forthcoming Rydon proposals at Finch's Farm (which is presumably one of them) providing 140 houses and community benefits, may make it easier to resist another Tudeley proposal, if it gains permission, as it would fill in the gap in the MGB that would have been left by Tudeley. This went out to a developer led community consultation on 2/11 www.landatfinchesfarm.com
2. It is important for both Save Capel and Capel Parish Council to make a strong case for our concerns before the Inspector so that the final proposals for East Capel will represent our community interests as far as possible.
3. As the Borough Councillor I am minded to support the officers' recommendation at full council. Firstly, we would hope to have our concerns about the remaining housing at East Capel heard and addressed by the Inspector in the subsequent public hearings if we can put a good enough case together. Secondly, further delay is dangerous given that building in the MGB is likely to be an election issue and it is safer to have a plan in place beforehand. Thirdly, it is huge progress for a community campaign we have been part of for the past four and a half years. I am open to persuasion by those with a different view, though I would be surprised if most of the councillors did not also support the officer's recommendation.

Hugh