Bell Cornwell
CHARTERED TOWN PLANNERS

Matter 11 / Charles Church Southern

WEALDEN DISTRICT (Inc. Part of the South Downs National Park) CORE STRATEGY

FURTHER WRITTEN REPRESENTATIONS

To the INSPECTOR'S MATTERS, ISSUES AND QUESTIONS

STRATEGIC DEVELOPMENT AREA IN THE PARISH OF FRANT (WCS4)

Main Issue – Whether the proposal for a Strategic Development Area in the Parish of Frant is soundly based and deliverable

a) Is SD12 compatible with planning policy for Tunbridge Wells

Yes.

The Tunbridge Wells Core Strategy (TWCS) was adopted in June 2010. This sets out the spatial vision for the Borough of Tunbridge Wells.

TWCS Strategic Objective **SO2** states that development is focused on Royal Tunbridge Wells to stimulate and sustain the economic growth and competitiveness of the town as Regional Hub and that this should not prejudice the need to support the rural economy by protecting and enhancing Borough's other settlements and wider rural area.

> Royal Tunbridge Wells is acknowledged as a sustainable location with a need for further growth. The identification of **SD12** adjacent to the edge of Tunbridge Wells supports this strategic objective.

TWCS Strategic Objective **SO4** seeks to facilitate the provision of enhanced infrastructure.

> The spatial planning objectives set out in the Wealden Core Strategy Submission Document in particular: **SPO3** which seeks to focus growth within or as sustainable extensions to existing towns; **SPO7** which encourages a reduction in the need to travel by car by concentrating development where it can most closely relate to public transport opportunities; and **SPO15** which seeks to ensure that infrastructure requirements are clearly identified and provided at the right time to support development.

TWCS Core **Policy 1** sets out the type of sites to be allocated for development with a focus on urban areas and the use of previously developed land. Where it is necessary to draw on green field sites these will be adjacent to the main urban area or rural towns.

> The identification of **SD12** on the edge of Tunbridge Wells conforms to these principles.

Initial consultation was carried out on the Tunbridge Wells Town Centre Area Action Plan and Allocations (TCAAP&A) DPD during 2010. Main concerns appeared to relate

to the town centre itself. A number of potential development sites were identified throughout Tunbridge Wells including a number which 'warrant further investigation' in close proximity to **SD12**.

A Review Core Strategy for Tunbridge Wells has been the subject of consultation (May / June 2011). This was primarily brought forward to consider a downward review of the housing target formerly passed down by the Regional Spatial Strategy from 6,000 to 5,000 dwellings between 2006 and 2026. It is noted that initial consultation on the Tunbridge Wells Town Centre Area Action Plan and Allocations (TCAAP&A) DPD identified potential sites against which the higher of these figures would have been allocated. None of the other issues under review (Green Belt, provision for Gypsies and Travellers, provision for the allowance of windfalls, or the position of Hawkhurst within the settlement boundary) are of specific relevance to consideration of **SD12**.

It is therefore concluded that the Strategic Development Area SD12 supports the established and emerging spatial vision and objectives for Tunbridge Wells and reflects the established settlement pattern within the Royal Borough.

b) Is there a clear audit trail showing how and why the SDA was arrived at?

Yes.

The background paper: Development of the Proposed Submission Core Strategy sets out the benefits of the SDA:

- The area lies outside the AONB which is a significant constraint over much of North Wealden;
- The SDA is effectively an urban extension to Tunbridge Wells which is a particularly sustainable town;
- Due to the high degree of sustainability and the need to meet housing needs in the wider area, it is considered suitable for growth.

The Core Strategy recognises that:

- Tunbridge Wells is a Primary Centre within the settlement hierarchy for the District which is a large accessible settlement with a centre containing a large range of shops, leisure opportunities and facilities. The settlement meets all its own needs (Table 1);
- The relationship of Crowborough with Tunbridge Wells is acknowledged due to their close proximity and dependence on / influence of Tunbridge Wells by virtue of the range and provision of facilities and services provided which is an influencing factor on Crowborough (paragraph 3.13).
- An extension to Tunbridge Wells compatible with the surrounding character of the area and located outside the AONB would help address wider housing needs by providing housing opportunities in an area of Wealden that in itself has limited potential due to the landscape designation (paragraph 3.15).

In addition, the SDA is:

- Unconstrained by European habitat designations;
- There is no specific objection by Kent CC in relation to Tunbridge Wells traffic and highway issues. Objection to the Issues and Options Consultation Paper were based on previous objections to proposals for a much larger urban extension (490 units). Reassurance is sought that adequate funding would be provided to mitigate the impact on infrastructure across the boundary.

At para 1.29 of the Council's response to the Inspector's concerns, it states that there is '*greater need for housing provision in North Wealden rather than the South Wealden*' and at paragraph 1.34 that '*the Core Strategy overall meets the housing requirements of the Sussex Coastal Sub Region at 2026 and 2030, but to a lesser extent (in) the north of the District. Due to the unique circumstances of the North of the District, with high levels of out-commuting, high land values and a dispersed settlement pattern it is considered that the housing provision provided in the Core Strategy would not have a detrimental impact upon the north of the District or the District as a whole*.'' Significant out-commuting already takes place from settlements in the north of the District to Tunbridge Wells. By making provision at SD12 a more sustainable development pattern is supported.

There is therefore clear justification for the identification of a Strategic Development Area on the edge of Tunbridge Wells, particularly in view of the otherwise very constrained nature of North Wealden and the requirement to provide for the needs of the District.

c) Have the infrastructure implications of SD12 clearly been identified and supported by the evidence base? Is it clear who is going to deliver the required infrastructure and by when?

Yes.

The Infrastructure requirements of SD12 are set out within the Infrastructure Delivery Plan (IDP), February 2011, Table 6. Within this, the critical and key infrastructure requirements for growth are identified, with only those of waste water treatment and primary education identified as critical. No major constraints to transport infrastructure are identified. Of the 'critical areas', an improvement in waste water treatment capacity is programmed post 2017. Early Years and Primary provision are to be satisfied through the extension to existing provision. Funding for these requirements would come through a variety of public and private sector sources (paragraph 5.11) depending on the type of infrastructure concerned but will include s106 obligations and CIL in the normal way and as appropriate (paragraph 5.12). This is in line with draft policy WCS7 Effective Provision of Infrastructure which sets out the approach to infrastructure provision in a timely manner, namely agreement of a programme of delivery with the relevant infrastructure providers including the co-ordination of contributions from the development with other investment streams. WCS7 states that: '*This approach will ensure that the necessary improvements can be completed in a timely manner to support growth*'.

It should also be noted that the Tunbridge Wells Core Strategy at 4.21 highlights adequate provision of infrastructure within the town by reference to the conclusion of the Borough Council's Infrastructure Delivery Plan: that the 'Core Strategy does not place undue reliance on critical elements of infrastructure for which funding is unknown'.

d) Is the strategy sufficiently flexible to respond to an unexpected change in circumstances?

No.

Please see response to Questions e) and f) below. Insufficient provision is made for development within SD12 which could accommodate further housing development. The phasing of development is unduly constrained.

e) Is there appropriate justification for the phasing of housing at SD12 from 2026?

No.

At paragraph 32 of the Submission Core Strategy, February 2011, reference is made to the phasing of development at SD12 to commence from 2026 to ' … *enable resolution of infrastructure capacity issues, in particular waste water treatment capacity at Tunbridge Wells*'.

The Infrastructure Delivery Plan, February 2011 also highlights waste water treatment as at capacity but identifies the OFWAT periodic review in 2014 with scheme approval and implementation in around 2017. There is also a need identified for additional nursery school and primary places to support growth. The timescale for nursery need is not yet known, whilst it is not clear why the timescale for primary provision is identified as 2025/26 onwards given that this could be brought forward through developer contributions. No capacity issues are predicted for secondary education. No major constraints against the transport infrastructure have been identified other than in accordance with local need and development.

The Tunbridge Wells Core Strategy at 4.21 highlights the conclusion of the Borough Council's Infrastructure Delivery Plan that the '*Core Strategy does not place undue reliance on critical elements of infrastructure for which funding is unknown'*.

It is not clear therefore why the Core Strategy phases development at SD12 back to 2026. The phasing of development at SD12 should be reconsidered and brought forward to at least 2017.

f) Have reasonable alternatives to SD12 been considered – omission sites?

SD12 has been appropriately identified but the quantum of development has not.

The Sustainability Appraisal assesses 3 broad scenarios and sets out the justification for selection of Scenario C which seeks to '*maximise housing delivery within acknowledged capacity constraints and directs growth to areas of need and with local aspiration'* (paragraph 8.13). The Strategy is also influenced by the settlement hierarchy. The SA states that this approach is most beneficial in sustainability terms as it places less pressure on environmental resources and on communities. **It is therefore considered that reasonable alternatives to the Strategy have been considered.**

Nevertheless, the quantum of development at SD12 has not been based on robust evidence and reasonable alternatives to this have not therefore been considered. Within Policy WCS2 identifies the distribution of housing growth and the provision of 120 units adjacent to Tunbridge Wells in the parish of Frant. Policy WCS4 identifies the locations for SDAs within the District including SD12, Land adjacent to Tunbridge Wells. Paragraph 8.60 of the background paper Development of the Proposed Submission Core Strategy confirms that the quantum of development within SD12 has

been informed by the 2010 SHLAA:

- Two of the SHLAA sites were considered to be potentially suitable and one was considered unsuitable.

- Of the two considered to be potentially suitable, the larger was significantly discounted on the grounds of potential contamination albeit it is understood without corresponding evidence. (Paragraph 8.60 of the background paper Development of the Proposed Submission Core Strategy refers). The resulting figure corresponds to the 120 units proposed at SD12.

- The third site was considered to be 'unsuitable' as it is covered by a 'Site of Nature Conservation Interest' (SNCI). However this is a local designation at which the nature conservation interest is much degraded and which will continue to de-value unless positive mitigation can be funded. Not only is it inappropriate to constrain the SHLAA exercise by reference to local designations, the SHLAA conclusion was drawn without the benefit of an up-to-date bio-diversity survey. In this respect the SHLAA as part of the evidence base cannot be considered to be robust.

- Consequently the quantum of development at SD12 is based on unsubstantiated evidence and is therefore unsound.

This lack of conclusive evidence is supported by the LPA's response to the Inspector dated 21st December 2011. In relation to the SDAs it states at paragraph 2.2 whilst ' *.. it was always considered that policies should be included to identify the broad areas and quantum of growth proposed it was not considered appropriate to include detailed policy wording for each SDA in the strategy itself. Rather the Strategy was setting out broad objectives for delivery within these areas*.' It goes on at para 2.3: '*For the SDAs relating to Stone Cross and Crowborough, for example no specific decisions have as yet been taken as to which of the SHLAA suitable sites being considered will be selected for development'* and that it would be difficult to incorporate detailed guidance as to the scale and type of development within each SDA '.. *since work through the Strategic Sites DPD on limits and boundaries to development are still subject to consultation'*. This statement confirms that the appropriate selection of sites (which will in turn influence the appropriate quantum of development capable of coming forward) within the SDAs has not yet been carried out. The forthcoming Strategic Sites DPD: Developing Key Sites, Issues and Options Consultation Paper also confirms this which sets out 4 options for development within the SDA but which continues to constrain itself to the pre-emptive conclusion of a quantum of 120. In fact, the Strategic Sites DPD consultation indicates that there is potential for up to 354 units to come forward. Even if this is discounted by 100 units there would still be potential capacity within SD12 for some 250 units. This would augment the District-wide housing allocation, otherwise restricted by national and European landscape and nature conservation designations.

Reasonable alternatives within SD12 have not therefore been considered and SD12 is unduly restricted as a result.

It is proposed that a change be made to both WCS2 Distribution of Housing Growth 2006-2030 and WCS4: Strategic Development Areas, Figure 5 Phasing of Development as follows:

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"WCS2 Land will be allocated to meet the housing provision of WCS1 in accordance with the following distribution:

….. Adjacent to Tunbridge Wells boundary (within Frant Parish) ….New allocations (dwellings): 250."