



Planning & Development Consultants
 Bourne House
 475 Godstone Road
 Whyteleafe
 CR3 0BL
 Phone: 07876736328
 Email: info@highgatepd.co.uk
 Website: www.highgatepd.co.uk

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Planning Policy Team
Tonbridge & Malling Borough Council
By email:- localplan@tmbc.gov.uk

cc. Councillor Martin Coffin, Councillor Robin Betts, Councillor Mike Taylor, Councillor Wendy Palmer, Councillor Matt Boughton

Dear Sir / Madam

RE: Tonbridge and Malling Draft Local Plan consultation (Regulation 18) – Ightham proposed site allocations

1. Introduction

1.1 HIGHGATE Planning & Development Consultants have been instructed by Conserve Ightham (www.conserve-ightham.org) to respond to the Tonbridge and Malling Draft Local Plan consultation (Regulation 18). Conserve Ightham is a community group comprised of local residents in and around the village.

1.2 The specific focus of this response is on the proposed site allocations within Ightham, specifically the following two sites:

1. IG1 - Land at Churchfields Farm + Coney Field, Fen Pond Road, Ightham – proposed for 8 dwellings
2. IG2 - Land South of Bramleys, Rectory Lane, Ightham – proposed for 10 dwellings

1.3 We have analysed the relevant sections of the draft local plan relevant to these two proposed site allocations, as well as the national policy position and emerging local plans. We write to strongly object on behalf of our clients to their inclusion in the draft local plan.

1.4 This statement sets out a review of the planning merits of allocating these sites and addresses the key relevant issues for including them in the emerging local plan. **Our assessment concludes that it would be fundamentally flawed and legally unsound to**

allocate these sites for development, and contrary to national policy. They should therefore be removed from the next version of the Council's local plan.

2. Background & Site Context

- 2.1 The two sites, hereafter referred to as IG1 & IG2, are considered in turn. There is no relevant planning history associated with either site.
- 2.2 Firstly, IG1, also known as Land at Churchfields, is a roughly rectangular parcel of land that comprises part of a wider field located to the rear of Fen Pond Road. It is situated in north Ightham and north of St Peter's Church.
- 2.3 IG1 is accessed from a narrow, unmade track from Fen Pond Road, hemmed in by trees on one side and residential development and gardens on the other. Because of these physical and ownership limitations, there does not appear to be scope to widen the track. This will be discussed in further detail.
- 2.4 The land is currently an open field, of which only part of the site is proposed for the allocation, located immediately at the end of the access track. It is reasonably well screened from the road and the surrounding area by dense tree belts and existing houses. The A25 runs along the eastern boundary of the wider site, and is perceptible from the resulting noise and movement of vehicles. There are some rudimentary structures in one corner of the site, but their planning status and lawfulness are unclear.
- 2.5 The site lies wholly within the Kent Downs national landscape (formerly areas of outstanding natural beauty) and is also partly covered by an area prone to surface water flooding. Furthermore, the site is adjacent to the Ightham Conservation Area and several Listed buildings, including St Peter's Church (Grade I Listed), Church Cottage (Grade II) and several individually Listed tombs and funerary monuments. These amount to designated heritage assets, with the Church being the asset of highest significance, given its Grade I Listing.
- 2.6 Furthermore, the site is within the Green Belt and this subjects it to a high degree of protection from inappropriate development.

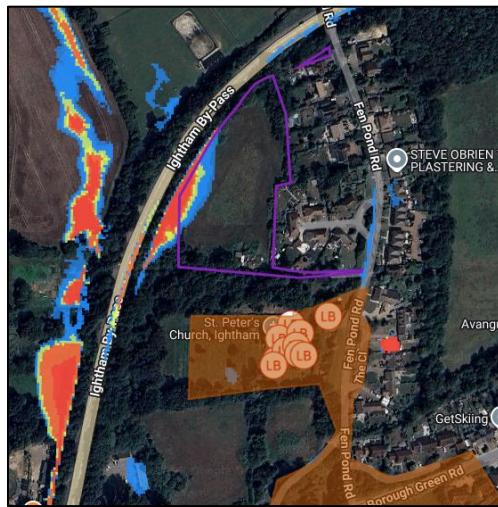


Figure 1: IG1 policy constraints (Green Belt and national landscape not shown for clarity, but wash over the whole site).
Orange - Conservation Area. Source: Searchland.

- 2.7 Overall, despite the presence of the A25 and neighbouring development, the land displays an open and rural character bordered by mature trees, and is entirely consistent with the key characteristics of the special landscape of the Kent Downs. Furthermore, due to the presence of the nearby heritage assets, its open character undeniably forms a crucial part of their setting, when historically the land around the church would have been much more open prior to more recent development. These factors are of principal importance to the merits of an allocation, and will be discussed in more detail later in this statement.
- 2.8 Turning to IG2, this is a larger allocation that is also comprised of only part of the wider field. It is a completely open and rural, being used for the grazing of sheep and surrounded by mature trees and woodland belts. The land has a gentle undulating character and sits above Rectory Lane to the north, bordered by the remnants of a historic stone retaining wall with this narrow sunken lane.
- 2.9 Despite the presence of the A25 and some informal, sporadic residential development around the land, the site has a highly attractive rural character and provides an area of open tranquillity in contrast to nearby buildings. This area has seen not insignificant unsympathetic development in recent years including at the car wash and nearby Gypsy & Traveller accommodation. This only serves to highlight the importance of preserving this unspoiled open buffer from the developed parts of Ightham.
- 2.10 The land is also within the Green Belt, and as shown on Figure 2 below, lies immediately adjacent to the Kent Downs national landscape, which wraps around the site along Rectory Lane and the A25. Additionally, the site is also adjacent to the Ightham Conservation area and close to Listed buildings to the east. There is some surface water flooding on the site, limited to the southwestern corner.

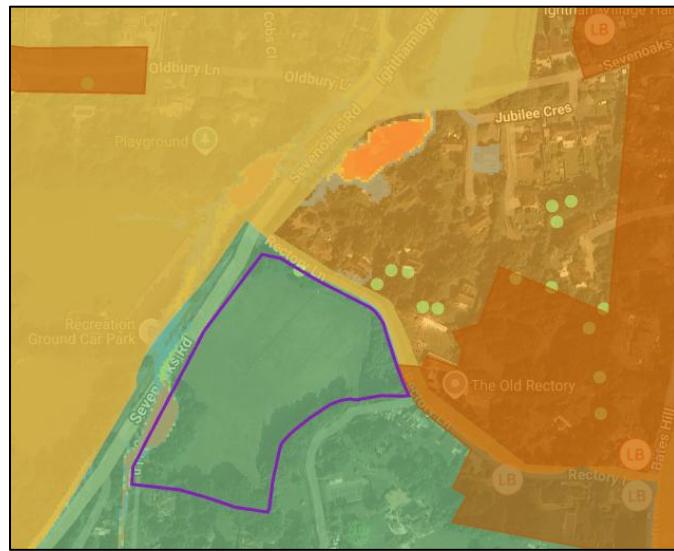


Figure 2: IG2 policy constraints. National landscape (light yellow) and Conservation Area (Orange). Source: Searchland.

2.11 Overall, the site displays characteristics that are consistent with the special landscape character of the Kent Downs, and forms an important part of its setting in this location, acting as an attractive piece of open and rural land in contrast to the developed parts of Ightham. Its pristine and untouched character contributes positively to the area with a high degree of visual amenity.

2.12 Indeed, this is the conclusion of the Council's Green Belt assessment prepared by Arup, at IG-04, which agrees that "*There are slight urbanising influences resulting from partial views of existing development to the south-east and south-west, however mature treelines significantly screen any views into the settlement of Ightham to the north-east. Overall, the sub-area has a strongly unspoilt rural character.*" This is shown below in an extract from the report.

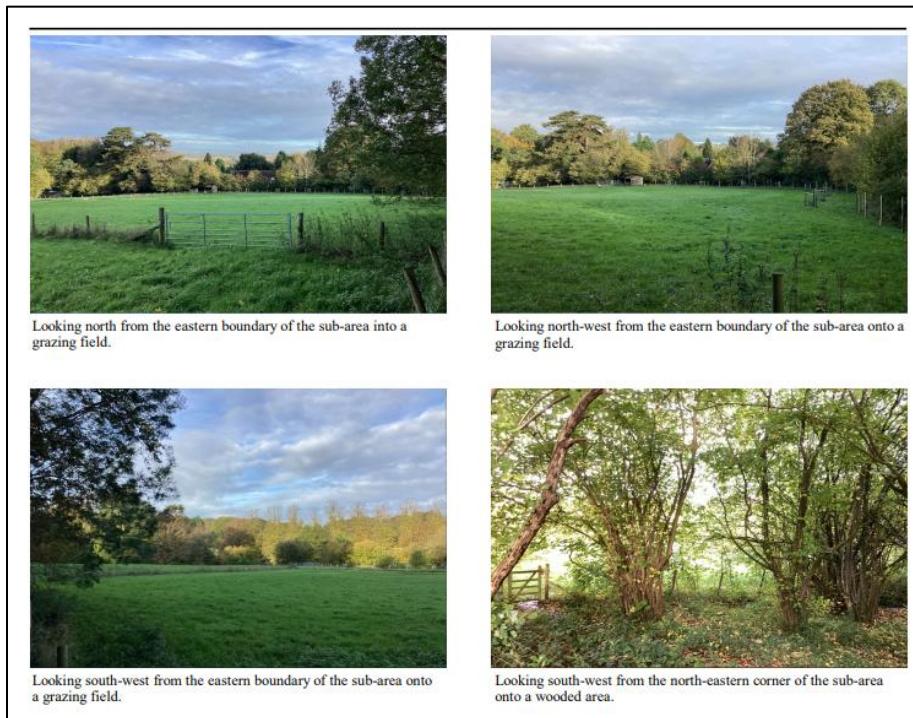


Figure 3: strongly unspoiled rural character evidenced in Green Belt assessments.

2.13 In this context, we examine the relevant planning policy that would be applicable for the consideration of allocating these sites.

3. Policy Context

3.1 In order for the allocation of either site to pass the examination of the plan and be found sound, it must comply with national policy set out in the National Planning Policy Framework (NPPF). The relevant sections of the NPPF include those in relation to Green Belt, Heritage Assets and National Landscapes.

3.2 Despite recent revisions to Green Belt policy, introduced by the Labour Government in December 2024 through revisions to the NPPF, the general presumption against development in the Green Belt remains.

3.3 Paragraph 142 of the NPPF is clear that “*The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*”

3.4 Paragraph 143 confirms that

“*Green Belt serves five purposes:*

a) to check the unrestricted sprawl of large built-up areas;

- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land"

3.5 Paragraph 145 explains that:

"Once established, **Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans.** Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans." (emphasis added)

3.6 Paragraph 147 of the NPPF states that:

"Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph and whether the strategy:

- a) makes as much use as possible of suitable brownfield sites and underutilised land;**
- b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and**
- c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground."** (Emphasis added)

3.7 Paragraph 148 makes it clear that:

"Where it is necessary to release Green Belt land for development, **plans should give priority to previously developed land**, then consider grey belt which is not previously developed, and then other Green Belt locations. However, **when drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should determine whether a site's location is appropriate** with particular reference to paragraphs 110 and 115 of this Framework. **Strategic policy-making**

authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary”
(Emphasis added)

3.8 Paragraph 155 sets out the policy on Grey Belts. It confirms that in certain circumstances development can be provided on Grey Belt land in the Green Belt, but subject to strict criteria, including that:

“The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a. *The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b. *There is a demonstrable unmet need for the type of development proposed;*
- c. ***The development would be in a sustainable location***, with particular reference to paragraphs 110 and 115 of this Framework”

3.9 Grey Belt is defined as:

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.” (Emphasis added)

3.10 The footnote 7 policies referred to include those relating to national landscapes and designated heritage assets.

3.11 In this respect, the NPPF sets out at paragraph 189 that:

“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks.

The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”

3.12 Paragraph 202 concerns heritage assets, and explains that:

"Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. **These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations**"

3.13 Paragraphs 212 and 213 explain the approach to considering the impact on heritage assets:

"When considering the impact of a proposed development on the significance of a designated heritage asset, **great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.**

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) **assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.**

3.14 These sections of the NPPF are the critical national policy context that must be adhered to when considering both the direction of the wider plan and individual allocation of sites like IG1 and IG2.

3.15 In terms of the local policy context, whilst this response does not propose a detailed review of the draft policies in the emerging local plan, it is nonetheless relevant to consider the direction of travel for the policies that would inform any assessment of development on these sites.

3.16 For example, policy HE2: Listed buildings, and HE3: Conservation Areas, set out that:

Policy HE2: Listed Buildings

1 Development proposals affecting statutorily listed buildings shall have special regard to the desirability of preserving the asset or its setting. Loss of or harm to a statutorily listed building or its setting will only be permitted in exceptional circumstances, where it can be demonstrated that the loss or harm achieves substantial public benefits.

Proposals affecting statutory Listed Buildings will be required to:

- a Preserve or enhance the historic character, qualities and special interest of the building;
- b Not be detrimental to the architectural and historical integrity and detailing of the Listed Building's interior and exterior;
- c Protect the special interest of buildings of architectural or historic interest; and
- d Protect, and where possible enhance the setting of the building;

2 Proposals will be supported for alternative uses for listed buildings including change of use applications that contribute positively to their conservation either individually or as part of wider strategies for regeneration and must be compatible with, and respect,

Policy HE3: Conservation Areas

1 Development proposals within or affecting a Conservation Area will be supported where it is demonstrated to preserve or enhance the character or appearance of the Conservation Area and its setting taking into account cumulative impact.

2 All new development and alterations within or affecting Conservation Areas and their settings shall:

- a Be of an appropriate land use that respects the origins and development of the settlement, historic functioning, character and appearance of the area;
- b Be sensitively designed to respect the physical form, layout, scale, massing, architectural features, materials, height, building lines, roofscapes, relationships between buildings and the spaces and enclosures between them;
- c Preserve trees and landscaping, open spaces, historically significant boundaries, boundary treatment including historic walls and railings that positively contribute to the character and appearance of the Area;

3 Proposals involving demolition or substantial demolition will only be granted, subject to conditions, if it can be demonstrated that:

- a The structure to be demolished makes no material contribution to the special character or appearance of the Conservation Area; or,
- b It can be demonstrated that the structure is beyond repair or incapable of an alternative suitable use; or

d Preserve traditional features such as shop fronts, signage, street furniture and lighting and surface treatment including the absence of kerbstones in some areas that positively contribute to the character and appearance of the Area;

e Preserve important views and vistas into and out of the Conservation Area including views of surrounding landscapes; and

f Take into consideration and positively address any recommendations set out in the applicable Conservation Area Appraisal (where one is adopted).

3.17 Furthermore, the Council's draft policies on National Landscapes are set out under NE1 and NE2:

Policy NE1: Conserving and Enhancing the Natural Envir

Development should seek the protection, conservation and enhancement of the natural environment,

- a Protecting and enhancing sites designated for biodiversity or geological value;
- b Promoting the conservation, restoration and enhancement of priority habitats, ecological networks and green infrastructure, planning positively for people, nature and for addressing climate change taking an ecosystem services approach;
- c Protecting and assisting the recovery of protected species and irreplaceable habitats;
- d Supporting proposals that seek to conserve or enhance biodiversity as their primary objective;
- e Securing measurable net gains in biodiversity;
- f Ensuring that development maximises opportunities to help deliver the Local Nature Recovery Strategy and provide wider environmental benefits;
- g Ensuring the positive conservation and enhancement of the Kent Downs and High Weald National Landscapes and their settings, in accordance with the relevant Management Plan;
- h Protecting and enhancing the borough's most valued landscapes, landscape character, soils, trees and woodland;
- i Requiring the protection of the borough's soil resource including minimising disturbance to soils and seeking opportunities to improve soil health to protect soil biodiversity, food production and carbon storage and to minimise the loss of the most fertile soils and soil erosion;
- j Seeking to avoid and minimise the loss of the best and most versatile agricultural land (Grades 1, 2 and 3a) to major new development;

Policy NE2: National Landscapes

<ul style="list-style-type: none">1 All proposals within, or affecting the setting of, the Kent Downs National Landscape and the High Weald National Landscape, must conserve and enhance the natural beauty of these nationally designated landscapes, including the national landscapes.2 The scale and extent of development within the National Landscapes should be limited and will only be supported where the nature of the development, location, siting, scale, form, and design would conserve and enhance the components of natural beauty of the relevant National Landscape as defined in the AONB Management Plan, including; its distinctive landscape character and features, historic settlement patterns, dark skies and tranquillity; and would positively contribute to the targets, aims and objectives as defined in the relevant Management Plan, avoiding adverse impacts, unless these can be satisfactorily mitigated.	<ul style="list-style-type: none">3 Development compatible with furthering the purpose of a National Landscape should apply a landscape-led approach that reflects the character and features of the National Landscape and should be of high design quality. The impact of development on views into and out of the National Landscape should also be considered.4 Proposals will be required to submit appropriate information as part of an application to enable any impacts to be considered, taking into account the relevant Management Plan, landscape character or sensitivity assessments and any associated supporting documents and/or guidance.5 Major development within the National Landscapes will only be supported in exceptional circumstances and where it can be demonstrated to be in the public interest.
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Setting of the National Landscapes:

- 6 Development within land that contributes to the setting of a National Landscape will only be permitted where:
 - a it does not adversely affect the National Landscape's natural beauty (including dark skies and tranquillity);
 - b It is sensitively located and designed to avoid or minimise adverse impacts on the National Landscapes; and
 - c It is consistent with National Landscape purposes, and in particular does not adversely affect transitional landscape character in the setting of the National Landscape and views, outlook and aspect, into and out of the National Landscape by virtue of its location, scale, form or design.
- 7 Assessment of such development proposals should have regard to the relevant AONB Management Plan and supporting documents.

3.18 Given this background and the relevant policy context at both national and local levels, the case for why allocating either of these sites would be fundamentally unsound is set out as follows.

4. Planning Assessment – Green Belt & Footnote & Designations

4.1 This section sets out the most relevant planning issues that must be considered by the Council when considering the case for allocating these sites.

4.2 Firstly, it is clear that the government still attaches great importance to Green Belts. Despite the introduction of Grey Belt, this section of the NPPF has not changed. Both sites lie within the Green Belt, and the starting point is a strong presumption against their development.

4.3 Furthermore, we wholly reject the notion that either of these sites constitutes Grey Belt land. The definition of Grey Belt land in the NPPF glossary establishes a two-part test. Firstly, it must be considered whether the land strongly contributes to purposes (a), (b) or (d), i.e. to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; and to preserve the setting and special character of historic towns.

4.4 The Council's evidence-based document (Stage 2 Green Belt assessment, prepared by Arup) considered the contribution these two sites make to the purposes of the Green

Belt; however, we reject their findings as inaccurate and not a fair consideration of the importance they make to the purposes.

4.5 Both sites are held to strongly protect the countryside from encroachment (page 145). We agree with this element of the assessment, although there is a lack of explanation as to how IG1 performs slightly worse than IG2, despite IG1's location within the national landscape.

4.6 There is also no consideration of the contribution these sites make to purpose (d), despite the local context of Ightham clearly being a historic settlement, for which the Green Belt and its openness contribute strongly to preserving its special character, originally surrounded by open and rural countryside. That this key purpose is so readily dismissed as not relevant is indicative of an assessment that has not properly considered the local context or the importance of preserving historic settlements like Ightham.

4.7 Therefore, whilst purposes (a) and (b) may not be considered relevant in the context of these sites, we do consider that Ightham displays the characteristics of a historic town, particularly the core Conservation Area and associated Listed buildings. As well as the Church, a Grade I Listed building of the highest significance, there are numerous Grade II and Grade II Listed buildings within the historic core of Ightham, and Grade I Listed Ightham Mote, also a scheduled monument. Oldbury Hill fort to the west is also a scheduled monument and includes a large multivallate hillfort and Palaeolithic rock shelters.

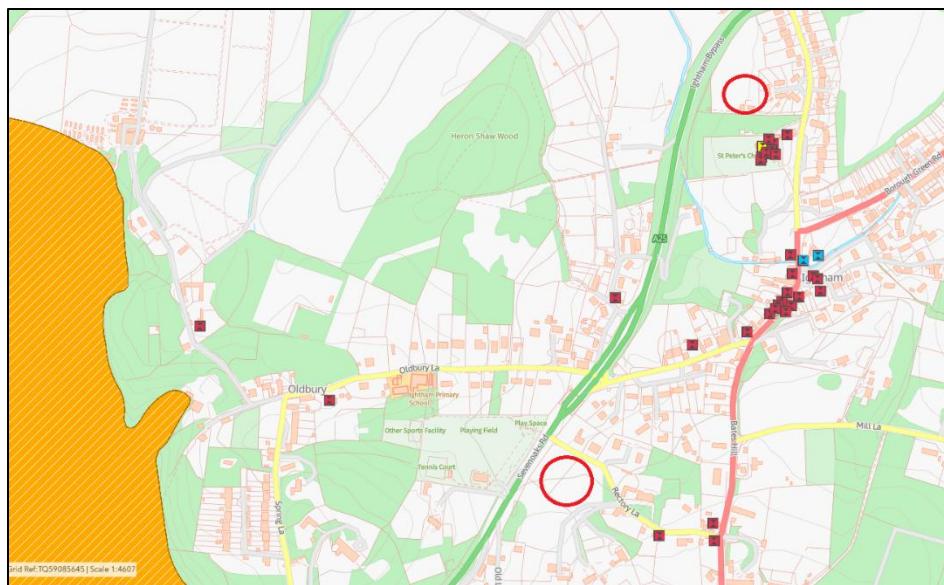


Figure 4: Nearby heritage assets. Sites circled in red. Source: Magic Map.

4.8 Given the rich history of Ightham and the wealth of heritage assets found directly next to or near to these two sites, it should properly be considered a historic settlement within the meaning of Green Belt purpose (d). Since both sites are open and devoid of built

development, they act as important contributors to preserving the original setting and special character of Ightham, once an isolated rural settlement set in expansive open countryside. The presence of more modern development in the area, including the main road, only serves to highlight the importance of these sites remaining open. The Council's Green Belt assessment is materially deficient by failing to consider this point, and instead dismissing it as "not relevant". The evidence base must be revisited to consider this, including other historic settlements in the Borough and the importance of the Green Belt to their setting.

- 4.9 Additionally, no explanation has been given to the "poor" rating both sites are deemed to make to purpose (e), namely to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. As open sites devoid of built form, they strongly meet this purpose. This is not explained anywhere in the study, and the high-level parcel assessments are not specific enough to draw conclusions from on individual sites. This is insufficient, since this assessment is the basis on which the Council has now decided they are to be considered Grey Belt.
- 4.10 Furthermore, the Grey Belt assessment fails to consider the relevance of the footnote 7 designations. This is irrational, and no firm conclusions can be reached about Grey Belt status without considering the impact of development on these sites on those designations.
- 4.11 Properly considered, both sites' position directly next to or within two footnote 7 designations and their strong contribution to their setting and special character disqualify them from Grey Belt status. This is because the second limb of the Grey Belt test clearly sets out that where there is a strong reason to refuse or restrict development based on footnote 7 policies, the site cannot be Grey Belt. This refers either to the specifics of a proposed development or development in the general sense (pending a court case to determine this matter).
- 4.12 Either way, it cannot credibly be argued that footnote 7 policies do not provide such a reason. Turning to the details of each site on this matter:
- 4.13 Firstly, in the case of IG1 it is directly within the Kent Downs national landscape. This is obviously a strong reason to both refuse and restrict development, since the land's open and rural, undeveloped character epitomises the special landscape of the Kent Downs. The land serves as a buffer to the detracting feature of the A25 and stops the village from merging with it as one urban conurbation. Development in any form would be a harmful change and erode its rural character and its positive contribution to the Kent Downs.
- 4.14 Secondly, this open character contributes positively to the setting of a large number of designated heritage assets, including the Grade I Listed St Peter's Church, an asset of the very highest significance which lies just to the south.

4.15 The Council appear to have had no regard for the proximity of these important heritage assets when considering this site for an allocation. The development of this site would harshly urbanise it, destroying its open and rural character and the contribution it makes to both the Kent Downs national landscape and the setting of these important heritage assets.

4.16 Modern housing, roads, cars and new vehicle movements would significantly and harmfully enclose the Grade I Listed church to the north, eroding its original setting amongst open fields (see below). Noise, activity and domestic paraphernalia would further harm its previously open setting, detracting from its special character and the group value of its adjacent Grade II Listed tombs and the Church cottage.

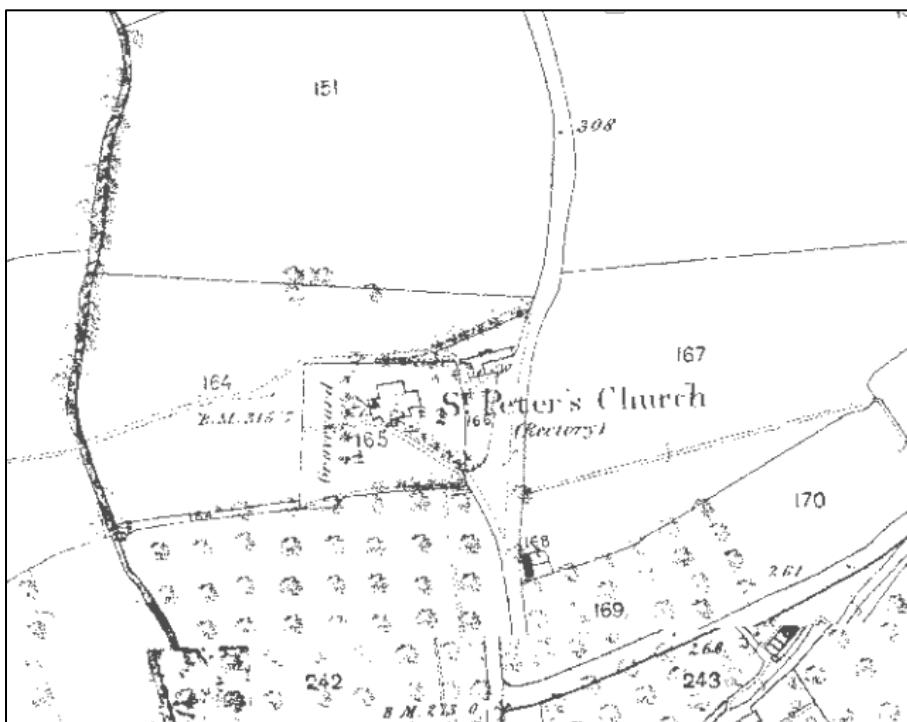


Figure 5: Historic maps of St Peter's Church. Date 1871 – 1890. Source: Kent Heritage Maps.

4.17 It is simply unarguable that the land would comply with the Grey Belt definition for this reason. Any form of development of this site, either in the general sense or regardless of the specific details of the design and layout, would inevitably cause significant harm to both the Kent Downs national landscape and the setting of a multitude of important heritage assets, including a Grade I Listed building. The Council's evidence base implicitly acknowledges this by confirming both sites' strong contribution to preventing encroachment of the countryside, and strong contribution to Green Belt purposes as a whole: a testament to the importance of their unspoiled and open character.

4.18 As a result, the relevant footnote 7 policies regarding national landscapes and heritage plainly provide a strong reason to both refuse and restrict development of this site. It is

not Grey Belt, and there is no justification to release it from the Green Belt in accordance with the criteria.

- 4.19 Turning to IG2, whilst not in the national landscape, it is directly adjacent to it, and as with IG1 is also directly adjacent to important heritage assets in the form of the Ightham Conservation Area with Listed buildings to the east. The NPPF is clear that the setting of both the national landscape and heritage assets is of great importance to how the designations are experienced; harmful development within their settings spoils their enjoyment and detracts from their special qualities.
- 4.20 In the case of IG2, it is already noted that its open and undulating attractive appearance displays characteristics entirely commensurate with the national landscape. Its exclusion from the designation is strongly considered to be an error in the drafting of the boundaries, resulting from the unhelpful intervention of the bypass rather than because its character is any less consistent with the defining features of the Kent Downs.
- 4.21 Indeed, given its undeveloped rural character, it is more consistent with the key features of the national landscape than intervening development, including the recreation ground across the road and the clusters of informal residential development to the north.
- 4.22 The presence of the bypass and nearby detracting development only strengthens the important contribution the site makes to the setting of the national landscape in this area. It serves as a critically important buffer and counterbalance to these negative features, and from views both within and across the site, allows the national landscape to be experienced as it once was before these more modern developments.
- 4.23 Equally, the nearby Conservation Area, which abuts the site's eastern boundary, draws important context from its currently open character. This part of the Conservation area includes many important buildings like the Old Rectory, and Listed buildings Bower House, Preston and The Well Springs (see below).

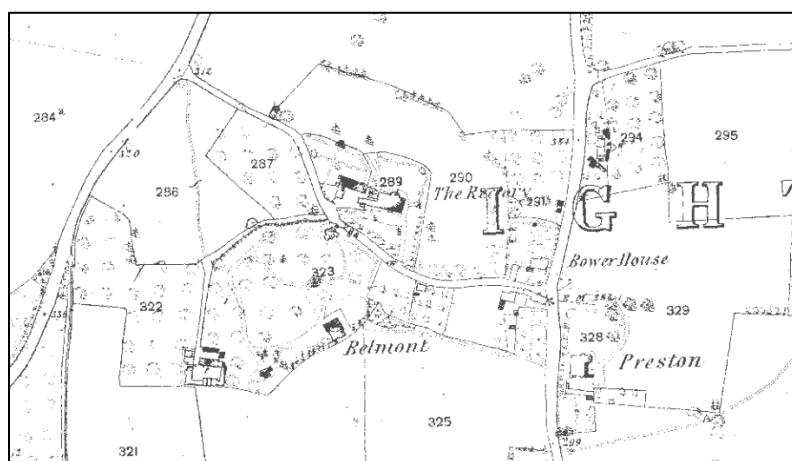


Figure 6: Historic Maps 1871 – 1890. Source: Kent Heritage Maps.

4.24 As with the development of IG1, the introduction of a major residential development would harmfully erode the previously open character of the site, and the important contribution its undeveloped character makes to the Conservation Area, and a principal entrance to it through Rectory Lane, a historic sunken passage way into Ightham. Modern residential development here would harmfully enclose the lane, erode the open character of the site, and derogate the contribution it makes to the important historic core of Ightham.

4.25 The Council has failed to consider the practical consequences of a development allocation of this site. The land is significantly higher than the properties on Rectory Lane, and so residential development on the part of the site proposed to be allocated, which is closest to these properties, would tower over and harmfully enclose them, creating a loss of privacy and overbearing effects.

4.26 Furthermore, since Rectory Lane is a narrow sunken lane, access onto the site would be impossible, particularly given the extent of trees, some of which are subject to preservation orders. It is obvious that access would have to be taken directly onto the A25, a fast-moving road requiring lengthy visibility splays and a wide access point.

4.27 But as noted, this land sits above the A25 atop an embankment. In order to create a level vehicular access from the site onto the A25, there would be an unavoidable need for extensive cutting, land regrading and retaining. These resulting harsh features would compound the harm to both the setting of the national landscape and the Conservation Area, and would be unavoidable if the Council had already established the principle of residential development through an allocation before properly considering these inevitable effects. Opening up this part of the site would expose occupants to noise from the road, which would be difficult to mitigate without harsh acoustic barriers.

4.28 We are deeply concerned by the lack of consideration for the constraints of this site, including its topography, proximity to the national landscape and heritage assets, and lack of suitable access. The consequential visual impact of providing level access would be harsh retaining features, out of character with this rural area and the currently open landscape of the site.

4.29 Furthermore, since allocations are only proposed on part of these sites, no explanation is given for the use of the remaining parcels of land. Even if the Council envisaged this being used for landscape or BNG, there would be an awkward and abrupt contrast between the parts of the site left open, and the developed areas. The allocation boundaries seemingly fail to consider the need for landscaping, publicly accessible green space and BNG elements, which suggests the proposed boundaries are misleading about the true extent of land required to deliver these ill-conceived proposals.

4.30 It is further baffling that these sites are being considered for development, given the direction of travel in the Council's emerging local plan. As detailed in paragraphs 3.12

and 3.13 above, draft local plan policies HE2 and HE3 seek to protect Listed buildings, Conservation Areas and their settings. Similarly, policies NE1 and NE2 set out the great importance of preserving national landscapes and their settings.

- 4.31 Given these policies, it is very difficult to understand why the Council thinks these sites are suitable for development. The allocations would plainly conflict with their own emerging policies, which seek to protect the very assets that would be so significantly harmed by the development of both of these sites.
- 4.32 Accordingly, for all of these reasons, the proposed allocations of IG1 and IG2 are demonstrably unsound, and contrary to national policy. It is explicit within the glossary definition that strong harm to footnote designations, including their settings, means that land should not be considered Grey Belt.
- 4.33 No consideration appears to have been given to these important factors, and no regard was given to the requirements of paragraph 189 of the NPPF, which is clear that development within the setting of the national landscape should be limited. The proposed major development of 10 units is not limited to and is not appropriate for this sensitive site adjacent to two footnote 7 designations. Neither is 8 houses directly next door to a Grade I Listed building, where, in both instances, regardless of the details of the eventual design, significant harm would arise to these footnote 7 designations of the highest importance.

Are the sites in a sustainable location?

- 4.34 In addition, aside from the fact that the sites should not be considered Grey Belt, their treatment as such for an allocation would directly fail to comply with paragraph 155(c), because the sites are not in a sustainable location, for the following reasons.
- 4.35 Firstly, Ightham has no shops or services, and provides nothing whatsoever for day to day living. Not even a corner shop can be found providing basic amenities, and occupants of either site would need to travel by car to Borough Green, and even then, it has only limited shops and services, for example, a small Sainsbury's local. From IG1, which is closer, this would still take half an hour to walk in each direction, amounting to an hour roundtrip just to get provisions. This is not realistic, and so future occupants will inevitably drive everywhere for all their day to day needs.
- 4.36 Even then, since the shops and services in Borough Green are relatively limited, to access a major service centre like Sevenoaks, occupants would have to walk nearly 2 hours, or undertake a 30 – 40 minute roundtrip.
- 4.37 As a result, by no reasonable metric can this be considered a sustainable location for growth. We note that Ightham ranks almost at the bottom in the draft settlement hierarchy, and compares far more closely with Tier 5 as a rural settlement for which allocations are sensibly not proposed.

4.38 The matter of sustainability is integral to the question of where housing allocations should be provided, and the Council's case that these sites are sufficiently sustainable to support a significant quantum of housing is irrational and unsubstantiated by objective assessment.

4.39 In fact, reviewing the government's own connectivity tool (<https://connectivity-tool-lite.dft.gov.uk/index>), IG1 scores just 40, and IG2 is even lower at 30. Both sites score highly for reliance on driving, and well below average for public transport and walking. Overall access to education for IG2 is 17%, ranked "very low", of which walking to education services is just 5%, the lowest possible category. Unless the Council is suggesting that none of the occupants of these developments will have children needing secondary education, this is wholly compelling evidence that the sites would not be appropriate for housing allocations.

4.40 Furthermore, although a draft version at this stage, the consultation of the new NPPF published 16th December explicitly advocates the use of the connectivity tool under policy TR1(b). It confirms that "Locating proposed development where it can support sustainable patterns of movement and make effective use of existing or proposed transport infrastructure, reflecting the principles in policy TR3. The Connectivity Tool should be used to inform the assessment and selection of sites for development"

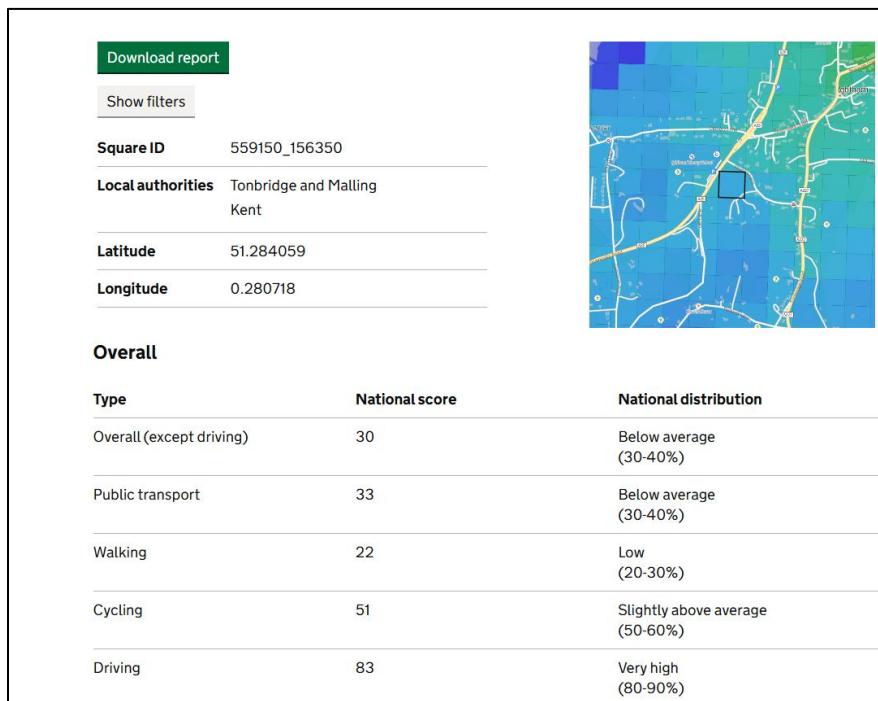


Figure 7 – Connectivity tool for IG2. Source: GOV.UK

4.41 It is utterly unacceptable for growth to be proposed in locations where children have such poor access to secondary education, such that they would be wholly reliant on private cars for transport to and from school. This places a significant burden on parents

having to ferry them around, and is exclusionary, meaning that the homes will likely only be occupied by those who have the luxury of time to do this. Alternatively, the houses would end up being occupied only by those without children. Neither outcome is acceptable nor in accordance with national policy, which requires sustainable, inclusive communities.

- 4.42 It does not appear that the evidence base has considered any of these matters. The spatial strategy and hierarchy of sustainability for villages like Ightham appears to have been unaware of or ignored the Government's own connectivity tool, and the valuable data it provides to consider how sustainable a location is. Having just one primary school is completely inadequate to serve the needs of future occupants.
- 4.43 Since these sites would be expected to deliver 50% affordable housing to comply with Golden Rules, occupants of the social housing element would be particularly vulnerable to the isolation of an unsustainable location. Car ownership amongst social housing tenants is consistently lower than for those in normal market housing. Children in social housing would be disadvantaged by the lack of public transport and local services. Families will undoubtedly feel pressured to accept housing offered to them, despite the difficulties they will have in reaching shops and services. This is precisely what sustainable development is supposed to prevent.
- 4.44 In summary, it is unarguable that both of these sites are inherently unsustainable. There is no access to services, and education is particularly distant, scoring the lowest possible ranking in the Government's own connectivity tool. Conversely, the tool demonstrates very clearly how strongly reliant on private cars all future occupants would be. This is the polar opposite of sustainable development, and since this concept is integral to compliance with paragraph 155, neither site is suitable for allocation, clearly failing Grey Belt policy. Both sites are totally unsustainable.

Access

- 4.45 Aside from the Grey Belt and footnote 7 matters, no consideration appears to have been given as to how either site would be accessed. In the case of IG1, it is reached by a narrow single lane track, hemmed in by privately owned land on both sides, meaning it cannot be satisfactorily widened to accommodate two-way passing. By measuring the gap between the titles of the land on either side where they taper towards the road, it appears that there is just 1.3m width for the access track (see below). This is wholly insufficient for the development of 8 houses, and the Council have failed to consider this fundamental question prior to suggesting its suitability for a residential allocation.



Figure 8 – Width of access track at its narrowest point serving IG1. Source: Searchland.

- 4.46 It is highly unlikely that suitable access could be taken from the A25 instead, given that this part of the road bends, making visibility very difficult, given the high speeds. Furthermore, the land levels are significantly different here, and would require extensive regrading, excavation and retaining, as well as removal of mature trees to create a new access point and sufficient visibility splays.
- 4.47 In short – IG1 has no access, at just 1.3m wide at its narrowest point between adjoining privately owned land. It must therefore be discounted for this reason as well.
- 4.48 In respect of IG2, it is no better. Access onto Rectory Lane is impossible, given its narrow width and sunken level below the field. It is impossible to widen, given that private land directly abuts the road. The only option is direct access onto the A25.
- 4.49 We have already noted the highly problematic difference in land levels between the site and the A25, and the consequential need for regrading, levelling and retaining to create an access point. It does not appear that the evidence base has given any consideration to these matters.
- 4.50 Overall, it does not appear that either site can be satisfactorily accessed. The access track to IG1 is far too narrow, and alternative access onto the A25 is impossible due to changing land levels and the bend in the road. IG2 similarly would require significant re-engineering of the embankment at the expense of its verdant green character, loss of trees and vegetation, and harsh retaining structures. This is unacceptable for land adjacent to the national landscape, which strongly contributes to its setting.

Other matters

- 4.51 At paragraph 147, the NPPF is clear that brownfield land should be considered before Green and Grey Belt land: “Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, **the strategic policy-making authority should be**

able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development".

- 4.52 We are unconvinced that the Council has fully examined all other reasonable options for housing allocations on brownfield land. This is particularly the case in Tonbridge town centre, which the Council acknowledge is its most sustainable area. Unlike Ightham, it has a full range of shops and services, schools and public transport, and is to be preferred for growth over the unsustainable development of greenfield sites, harmful to the national landscape and conservation areas.
- 4.53 Given that 18 houses in total are proposed in Ightham, this could easily be provided on brownfield land in Tonbridge instead. The Council should consider re-zoning further industrial land near the town centre to allow for additional residential development, where occupants can rely on local services within walking distance. There is insufficient consideration of this far more sustainable strategy within the Regulation 18 documents.
- 4.54 Since the Council has not properly explored all other reasonable alternatives prior to considering Green Belt land, it has failed to discharge the duty under paragraph 147 of the NPPF. The draft plan is unsound in its current form. Pushing growth in unsustainable locations is not an appropriate strategy, and the Ightham allocations must be removed. Further consideration is given to the use of sustainable brownfield land within the urban areas of the Borough.
- 4.55 It is also relevant to consider the use of Ightham as a throughfare between Tonbridge and Hadlow to the south and Borough Green to the north. For residents of Tonbridge and Hadlow to drive towards London and the M25, the most direct route is through the narrow country roads of Ightham, and directly through the historic core of the village. With around 3,500 additional houses proposed in Tonbridge and a further 3,000 in Borough Green, this is an overwhelming number of additional cars that will try and squeeze through this wholly unsuitable road network.
- 4.56 There is absolutely no capacity to build further roads or bypasses to address this problem through Ightham because of the physical constraints posed by land ownership, Listed buildings, the national landscape and Conservation Areas. We have seen no evidence that the Council or the Highways authority have properly assessed the transport impacts of wider allocations on Ightham and its narrow and historic road network.
- 4.57 Conserve Ightham strongly object to the lack of consideration of cumulative highways impacts and traffic. It wholly premature to propose development allocations in advance of detailed transport and junction modelling, particularly for vulnerable pinch points like Ightham. The harmful impact of traffic on the Conservation Area, Listed buildings and national landscape must also be considered.

5. Conclusions & Planning Balance

5.1 Following our comprehensive review of the evidence base, national policy and emerging local plan, we have identified significant failings with the Council's proposed allocations of IG1 and IG2. These are summarised as follows:

- Firstly, both sites contribute strongly to the Green Belt purposes, as conceded by the Council's own Green Belt assessment. They both strongly prevent encroachment into the countryside and assist with urban regeneration.
- Secondly, the categorisation of both sites as Grey Belt, even provisionally, is fundamentally flawed since any development of these sites would inevitably result in strong harm to footnote 7 designations, including the national landscape and its setting, the Ightham Conservation Area, and nearby Grade I and II Listed buildings.
- Thirdly, the sites are wholly unsustainable, ranking extremely poorly when assessed via the Government's own connectivity tool. Particularly low scores result for walking to services, and both fall into the lowest possible category for access to education. Their inherent unsustainability means that paragraph 155 of the NPPF does not provide a means to develop either site, because they would not comply with the Grey Belt policy due to sustainability being a prerequisite. Affordable housing tenants would be particularly disadvantaged by the unsustainable location. **The draft NPPF, published 16th December 2025 confirms that the connectivity tool should be used to inform the assessment of sustainable sites under emerging policy TR1.**
- Fourthly, neither site has suitable access, with IG1's access track appearing to be just 1.3m wide at its narrowest point, pincerred between adjoining land in private ownership. IG2 can only be accessed by extensive retaining, cutting and regrading of the land to reach the A25, through a verdant green embankment, causing inevitable further harm to the national landscape.
- Fifthly, the Council have not discharged their duty under paragraph 147 of the NPPF by failing to explore reasonable alternatives before considering the use of Green Belt land. Neither site is Grey Belt, and Grey Belt sites must come before Green Belt land. Before considering this, brownfield sites should be used first. There is significant untapped potential to better utilise industrial land within places like Tonbridge town centre – insufficient exploration of these matters is a failure to accord with paragraph 147 and risks the spatial strategy being found unsound.
- Lastly, insufficient consideration has been given to the impact of cumulative traffic through Ightham from major allocation in Tonbridge, Hadlow and Borough Green, as the only route to and from the M20 and M25.

5.2 It has been suggested that the approach of the emerging local plan is to “spread the pain” with each community taking a share of housing need. We consider that to be a political choice, rather than one grounded in sound planning judgement. There is absolutely no evidence to support the allocation of these sites in Ightham, an unsustainable settlement devoid of any of the basic facilities needed for day to day living.

5.3 The assessment of these two sites appears rushed, with a failure to consider critical information like access width and consequential works that would be required to facilitate their development, including changing topography and road levels.

5.4 There is no evidence that the Council has considered the constraints borne out of the footnote 7 designations of the Kent Downs national landscape, the Conservation Area and Listed buildings, including the Grade I Listed Church. It is inevitable that developing these sites will cause significant harm to these designations, irrespective of the end designs. Grey Belt land does not include sites where such harm arises, and the starting premise of their inclusion is fundamentally flawed.

5.5 Indeed, it is also contrary to the Council's own emerging policies HE2, HE3 and NE1 and NE2, which provide significant protection to these designations and their settings. No consideration appears to have been given to this, with a fundamental conflict between the allocations and the draft planning policies.

5.6 Accordingly, our clear and compelling conclusion is that the inclusion of either site in the on-going draft local plan would risk the strategy being found unsound, or at least requiring significant modification to remove them and then find alternative land to make up the shortfall in housing numbers. The sites should be removed without delay, and then this work should be conducted now, rather than risk these delays occurring during the critical examination period.

5.7 Conserve Ightham, on behalf of the residents of Ightham, will closely follow the emerging plan. Should the Council continue with this misconceived proposal to try and develop Green Belt land in an unsustainable location, next to or within highly sensitive national landscape and heritage assets, they reserve the right to appear at the local plan examination supported by legal Counsel if necessary.

5.8 For the reasons set out in this statement, IG1 and IG2 must be discounted from further consideration for allocations in the emerging plan, to ensure that it is sound and does not demonstrably conflict with national and local policy on sustainability, national landscapes, heritage assets and their respective settings. Should the Council wish to discuss these matters in more detail, please do not hesitate to contact me.

Yours sincerely

Jessica Hampson **BSc MRTPI**

Associate Director

HIGHGATE Planning & Development Ltd