

AGM 20th MARCH 2023 – SAVE CAPEL CHAIRMAN'S UPDATE

INTRODUCTION

- It all started in this building in May 2019 when the Council announced an outline plan for the destruction of Capel... the parish council brought the community together and Save Capel was born
- Did the Council listen to the unprecedented 8,000 responses at Reg18?...NO
- Even so, The Campaign has gone from strength to strength...
- We have more supporters....and more members
- Here we are...nearly 4 years later...still fighting to save our historic landscape and way of life
- **It now feels rather like....we have had the match...went to extra time....and now face a replay....but our amazing community will never give up!**

HIGHLIGHTS SINCE LAST AGM

- So, what has been going on since our last AGM in Sep21?
- The plan was submitted in Nov21 to the SoS who appointed Mr Birkinshaw to examine the local plan and hearings started last March
- DtC issues were identified which required a further hearing and Stage 2 (examination of policies) was delayed...with hearings running until July
- SC was represented at all strategic policy hearings by a top legal and planning consultants team....led by prominent planning silk (Paul Brown KC)...members of the Executive also participated
- All this came at significant cost....but our wonderful supporters continued to dig deep... we have now raised £70,000 of donations since we started.... (more on our finances in a minute)
- We were initially slightly surprised that only one Inspector had been appointed (unlike the 2 at T&M, for eg)...but we seem to have been given a solid Inspector....and he has listened to us!!!
- It was encouraging that a number of other professionals and organisations were endorsing our position at the examination
- It became clearer and clearer that TWBC had not provided an adequate evidence base....with further submissions being allowed during the examination....despite having spent £1.27M on consultants and counsel up to that point

INSPECTOR'S FINDINGS

- Mr Birkinshaw issued his initial verdict in November...which found the submitted proposals for the strategic sites -TGV and EC/Paddock Wood – do not meet the tests of soundness
- **To be clear**...whatever is decided about TGV....the evidence base is incomplete, e.g. green belt study....and changes will be required to the PW growth area (particularly EC) to avoid areas subject to flood risk

- These are issues that SC highlighted way back in 2019 along with so many others...and the Council refused to listen then...and since!!
- **So...what about TGV?**
- Exceptional circumstances for removing the site from the Green Belt have not been justified.... These exceptional circumstances are the litmus test for any GB removal, and he has stood firm behind this requirement.
- He has significant concerns about the location and accessibility..., the infrastructure ... and in particular the proposed Five Oak Green bypass with impacts on the AONB
- In addition...he has questioned the overall deliverability ... including the lack of experience of the landowner... without support from housebuilders.
- **To resolve this**....he has given the Council 3 options regarding TGV which they are considering...but his preferred action is clearly to remove the allocation from the modified plan

So,...what exactly did Mr Birkinshaw say?

INSPECTOR'S THREE OPTIONS FOR TGV– NOV 2022

1. Provide additional information to justify TGV

"Unlikely to be quick or straightforward... requires substantial new evidence, consultation & examination... no guarantee it would resolve issues or justify scale & location of development proposed. **It is not without risk.**"

2. Modify the Plan by making significant changes to TGV, seeking to overcome the soundness issues identified

"Similar issues apply to Option 2, and both could add significant delays to the examination process."

3. Delete TGV

"Benefit of this approach is that it would deal with the soundness problems identified... it has already been tested as a possible outcome ... it may negate significant further work and potentially avoid lengthy delays."

- Despite this clear direction, ... the Council is continuing to explore the inclusion of TGV....and spending your council tax on gathering evidence for this option
- They have set aside a **further £851,000** to cover advice during the next steps through to adoption
- Whilst there is a "buffer" of around 1200 houses in the plan....the removal of TGV will mean that the housing requirement is not met...although the Inspector has given the Council flexibility which can allow the plan to be adopted (without TGV)
- However, this would likely mean that an early review is required, i.e. a 2nd local plan if you like...fairly soon afterwards
- **But... Let's not forget what is going on in Parliament.....**
- The government's changes to the NPPF are expected to be enacted in the summer....if so, the Inspector will consider these as the amended plan will not have been fully examined

- Whilst the standard method (aka housing target) remains based on 2014 statistics for now....the IMPORTANT change is that housing need will no longer be a justification for GB removal
- This would give the Council further opportunities to justify a revised plan without any GB removal ...and therefore without both the Capel sites... - TGV and EC...not forgetting the top item in the Council's 'focus on five' being regeneration of our towns and villages
- Major changes to the preparation of Local Plans in a new planning bill are being drafted for next year, which should update the 'standard method' formula to 2021 census data....but these are uncertain given a general election is on the horizon

WHAT COMES NEXT?

PROCESS

- The ball is with the Council...who last month issued an update on the work being done ...I spoke with the PO and the Inspector is not replying at this stage...he is waiting to see
- Officers...and expensive consultants.... are preparing evidence and a report on the costs and implications of each option ...and will recommend a preferred way forward to Full Council...who are expected to meet on 5th July
- **At the very least, the work identified includes...**
- A comparative assessment of around c70-75 sites wholly or partially within the Green Belt. SC will consider what this 'retro-fitting' of evidence comes up with and hope it will be more than a "tick box exercise"... but will not hesitate to expose any such behaviour..
- Following that Green Belt Assessment there will be a review of the relevant site assessments (SHELAA) and Sustainability Appraisal. The further work will be presented in a revised Housing and Development Strategy Paper.
- **Turning to...Paddock Wood and East Capel.** David Lock Associates have been engaged to revise their masterplanning work to deal with the soundness issues - including clarity on phasing and individual parcel contributions to infrastructure.
- Most significant is the need to relocate employment, housing and amenities away from ALL sources of flooding
- They will coordinate with other consultants on highway implications, flood risk, and infrastructure delivery. They will also include the changes necessary for education, infrastructure, etc. with Tudeley Village being dropped.
- The Council will then need to run viability modelling to assess delivery implications and prepare a revised Infrastructure Delivery Plan.
- **All this at significant cost to the taxpayer!**
- But...the Council is also committing resources and funds on evaluating the option of keeping TGV...including any justification of the FOG bypass
- Our experts tell us that Network Rail are extremely unlikely to change their position on a possible station

- The traffic and other effects on Tonbridge are unlikely to be capable of being mitigated to an acceptable degree...even with a few more buses...
- **So,...given the Council has had the Inspector's findings for 4 months...you have to wonder why they did not drop TGV and concentrate on addressing the other soundness issues...and avoid further delay with significant cost**
- Of course, ...before Councillors get to decide....we have the important local elections in May...where 1/3 of seats are being contested....
- Once the new Council is formed, their decided way forward will go out to a 6-week public consultation...a 2nd Reg19 basically...which will likely be followed by hearings prescribed by the Inspector....
- This will be followed by a 'main modifications' process and further 6-week consultation which already takes us into 2024
- Impossible to say now, how long this will take with any certainty!!

FINANCES

- At the last AGM...we identified a need for a minimum of £10,000 (perhaps up to £40,000) further funds
- Since then, we have received 25k in donations...the community's support has been incredible!!
- Our pledge scheme has also been very successful...AND we were able to keep our costs down in delivering exceptional value for money.....for 3 reasons.....
- First. Our consultants and lawyers took account of our community status in pricing their work....and largely kept to fixed budget agreements... despite additional work being necessary
- Second. The charity contributed from their own separately raised funds
- And third...CPC also contributed where some professional representation was provided on a joint basis to share costs
- **All in all....we believe that we obtained the best advice at a very reasonable cost....and it certainly wasn't wasted!!**
- Going forward...we cannot provide any certainty now on further funding need....we certainly need to budget for consultant and legal advice to effectively challenge the amended proposals at EC....but we do not yet know whether TGV will be pursued

WE THEREFORE ASK THE COMMUNITY FOR FURTHER PLEDGES NOW ...TO SUPPORT THIS CRUCIAL STAGE....WHERE YOUR FULL COMMITMENT WILL ONLY BE CALLED IF/WHEN NEEDED

FOCUS / CLOSING

- Ever watchful for the progression of the Plan, we will be preparing our evidence and responding as necessary
- We will continue to engage with key partners... and seek publicity for the campaign at every opportunity.... Keeping the pressure up
- Huge thanks go to so many residents who have contributed to research work, demonstrations, fundraising , etc - too many to name. Remember, we are ALL volunteers!
- **But, a special mention for my colleagues on the Executive who have given so much time, skill, and effort...**
- Also, to the parish council and the charity trustees – Dave Parrish, Konrad Legg, Hilary Andrews, Robert Assirati
- Your Executive team are all standing for election again... and, as you have heard tonight...there is still quite a way to go...and a lot of work...but together we can continue to defend our wonderful Parish
- Before handing over to DP, who will take us through tonight's resolution...
- I am delighted to announce that Chris Wise has volunteered to join the Executive... to further strengthen the team and provide fresh input...

THE COMMUNITY HAS SHOWN WHAT CAN BE ACHIEVED... AND WE NOW FACE THE CRUCIAL STAGE OF THE CAMPAIGN

THANK YOU SO MUCH FOR YOUR SUPPORT

The following were elected to the Executive, unanimously....

Stewart Gledhill

Ian Pattenden

Jan Mueller

Maggie Fenton

Mark Colyer

Charlie Keeling

Dave Lovell

Chris Wise