



**Tunbridge Wells Borough Local Plan Review 2029
Scoping Consultation — July/August 2026
Response by Save Capel (“SC”)**

Monday, 10 August 2026

‘Save Capel’ is an unincorporated association and the property of its members, who elect the Executive. Its purpose is to protect the parish of Capel from the threat of disproportionate development and to protect the ‘Metropolitan Green Belt’ (MGB) and ‘High Weald National Landscape’ (HWNL, formerly AONB) within the parish. Save Capel has never been against sustainable development and has always said the right type of development in the right place is acceptable.

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Approach taken in preparing this response

Save Capel (SC) has considered the documents presented by Tunbridge Wells Borough Council (TWBC) in its Local Plan Scoping consultation and reviewed its own previous consultation responses, ensuring a consistency of position in this response document.

This response first addresses directly the 22 questions raised by TWBC in its July 2026 Scoping Review, then provides a commentary on the key areas of context of most concern to the parish of Capel, in the view of Save Capel.

Due regard has been taken of the second TWBC Scoping Consultation document – The Tunbridge Wells Local Plan Review Strategic Environmental Assessment Scoping Report (draft dated 2 July 2026) prepared for TWBC by JBA Consulting – and references to its content is made in this response without a separate focused section on its contents beyond Context Note D, at the end of this document.

This document is prepared solely as Save Capel's response to the TWBC Local Plan Scoping Consultation in July and August 2026, and for no other purpose. Save Capel retains all rights of copyright.

Responses to the 22 questions contained in the July 2026 Scoping Consultation document

Section 1 — Have Your Say: Engagement (Questions 1–2)

Question 1 — Engagement methods

“How do you think the Council should engage in preparation of the Local Plan? Are there any other methods of communication or engagement that you think we should be using that we haven't already included in the table below?”

Save Capel's response:

- SC requests that TWBC carry out a refreshed parish-level data audit (aligned to the 2021 Census, given the comparable 2017 exercise is now out of date), and that each parish's Neighbourhood Plan and policies are checked before Gateway 2 is reached.
- SC also requests that TWBC commit, in writing, to direct notification of Save Capel at every future stage (Call for Sites, Content & Evidence Consultation, Draft Plan consultation), given the parish's history of being under-represented at early stages relative to the scale of development ultimately proposed on land at East Capel. SC also repeats its previous requests to be represented on working groups relevant to the Local Plan Review, including the East Capel and Paddock Wood Infrastructure Delivery Board.
- Given South East Water's (SEW) evidence to the neighbouring authority, Tonbridge & Malling Borough Council (T&MBC) (see Context Note A at the end of this response), SC asks that TWBC formally engage SEW as a named infrastructure stakeholder from this “Get Ready” stage onward, rather than only once significant new evidence surfaces late in examination, as occurred with the Council's own highways evidence in 2024.¹

Question 2 — Inclusive engagement

“Do you have any suggestions on how the Council can ensure that the consultation is inclusive of different groups/individuals in our borough communities?”

Save Capel's response:

- SC requests that TWBC should re-contact every community group that responded to the previous plan at every stage, and that at least one paper copy of key documents should be made available in each parish, given the proportion of the population that remains offline. This is particularly relevant in Capel given the borough's ageing population profile, with around 27% of residents projected to be aged 65 or over by 2043².
- Given that the Local Government Review (LGR) (see Context Note B) will transfer planning functions to a new unitary authority from April 2028, SC asks TWBC to explain how continuity of engagement records and existing community relationships — including with Save Capel — with regard to the Local Plan will be preserved through the transition.

¹Save Capel and Capel Parish Council, joint Technical Note by Motion Consultants on TWBC's new highways evidence, 4 October 2024, §1.2 and §7.1–7.11 (submitted as Appendix 1 to Save Capel's Regulation 19 (Oct-24) representation).

[Save Capel Reg19_Oct2024_Appendix1_Motion.pdf](#)

² TunbridgeWellsBoroughLocalPlanReviewScopingDocumentJuly2026.pdf, p.20, borough profile.

[Tunbridge Wells Borough Council Local Plan - Scoping Consultation Document](#)

Section 2 — SWOT Analyses (Questions 3–16)

Question 3 — SWOT — Housing (agree/disagree)

“Do you agree with the SWOT analysis for Housing? Yes/No”

Question 4 — SWOT — Housing (additions)

“If No, what other issues should be included and why?”

Save Capel's response:

Answer to Q3: No

- SC believes that the SWOT under-addresses rural housing need — scarcity of affordable, family-sized homes, the case for Rural Exception Sites, and the risk of families being forced to leave Capel and similar communities — and that the section as drafted is too focused on Royal Tunbridge Wells (RTW).
- SC notes that the Housing SWOT does not identify water supply capacity as a threat to delivery at all, despite South East Water's own evidence to the neighbouring authority (Context Note A). Given East Capel sits within the same supply area, SC considers this a material omission that should be corrected before the SWOT is used to inform any future site search.
- SC notes for context that the last Examination found the Council's housing trajectory to be over-optimistic on deliverability, including reliance on extant permissions without accounting for lapsed permissions³. SC asks that this Review's evidence base learn from that history rather than repeat it.
- SC points to the logic of providing affordable housing in central RTW over more remote rural locations (a.) as location in town reduces the need for cars or additional public transport services and (b.) the likelihood that brownfield/greyfield sites including empty retail units in RTW are redundant and not likely to be used again increases over time.

Question 5 — SWOT — Built and Historic Environment (agree/disagree)

“Do you agree with the SWOT analysis for the Built and Historic Environment? Yes/No”

Question 6 — SWOT — Built and Historic Environment (additions)

“If no, what other issues should be included and why?”

Save Capel's response:

Answer to Q5: Broadly Yes

- SC is broadly content with this section.
- SC suggests Capel's own heritage assets, including Somerhill School, the Castle Hill Scheduled Monument, the Postern, and Tudeley Woods — be named explicitly if this SWOT is to inform later site assessment work, given their relevance should development pressure at East Capel resume⁴.

³Inspectors-Report-FINAL.pdf, §52–56; Save_Capel_Reg19_Oct2024_FINAL.docx, Housing Needs and Supply (PS_107) section. [Inspectors-Report-FINAL.pdf](#)

⁴2021_TWBC_PreSubmissionLocalPlan_FULL_extract.docx, §6.77–6.78. [Pre-Submission Local Plan](#)

Question 7 — SWOT — Natural Environment (agree/disagree)

“Do you agree with the SWOT analysis for the Natural Environment? Yes/No”

Question 8 — SWOT — Natural Environment (additions)

“If No, what other issues should be included and why?”

Save Capel's response:

Answer to Q7: Yes, with additions

- Water stress and water neutrality should be named explicitly as a natural environment constraint in its own right (see Context Note A), rather than folded only into flood risk under the Climate Change SWOT. Given the current drought and SEW's repeated inability to supply the borough's existing households with water this is a material omission.
- Other threats identified are correct, and that physical constraints should be recognised, with development in the Metropolitan Green Belt and National Landscape kept to a minimum and strategic growth kept away from these areas.

Question 9 — SWOT — Climate Change (agree/disagree)

“Do you agree with the SWOT analysis for Climate Change? Yes/No”

Question 10 — SWOT — Climate Change (additions)

“If No, what other issues should be included and why?”

Save Capel's response:

Answer to Q9: Partially — see below

- TWBC's own SEA Scoping Report confirms: “The area of the borough most clearly at risk is Paddock Wood, where there is Flood Zones 2 and 3 to the north and south of the railway line and surrounding the River Medway tributaries heading south into the borough, such as Tudeley Brook”⁵ (see Context Note D). Tudeley Brook is in Capel and the Local Plan should acknowledge both Paddock Wood and Tudeley Brook as at significant risk. A new Strategic Flood Risk Assessment (SFRA) is confirmed to be in preparation for this Review but does not yet exist in updated form — SC requests early sight of it once available.
- Due to flood risk in key growth areas, it is critical that no further development is allocated beyond what is already committed at Paddock Wood/East Capel. This reflects the Inspector's own findings, which reduced the STR/SS1 allocation substantially — from 3,490–3,590 to circa 2,450 dwellings — in significant part on flood-risk grounds⁶.
- All climate mitigation measures (air source heat pumps, solar panels, EV provision) need to be made mandatory rather than aspirational.

⁵Local-Plan-Review-SEA-Scoping-Report.pdf, p.42, doc p.41. [SEA Scoping Report](#)

⁶Inspectors-Report-FINAL.pdf, Issue 4 (pp.23–44); Appendix-to-Inspectors-Final-Report.pdf, MM80/MM81.
[Inspectors-Report-FINAL.pdf](#)

Question 11 — SWOT — Employment, Commercial and Retail (agree/disagree)

“Do you agree with the SWOT analysis for Economics and Viability? Yes/No”

Question 12 — SWOT — Employment, Commercial and Retail (additions)

“If No, what other issues should be included and why?”

Save Capel's response:**Answer to Q11: No**

- Any renewed strategic site search (the Council's stated “no stone unturned” approach) should be required to weigh agricultural land loss and rural economic productivity explicitly as a site-selection criterion, not solely housing deliverability.
- This section is heavily focused on the economy of RTW and Southborough, with very little on the opportunities in the rural economy and also the threat to agricultural land and rural jobs from large-scale building in the countryside.

Question 13 — SWOT — Transport and Movement (agree/disagree)

“Do you agree with the SWOT analysis for Transport and Movement? Yes/No”

Question 14 — SWOT — Transport and Movement (additions)

“If No, what other issues should be included and why?”

Save Capel's response:**Answer to Q13: No**

- Specific evidence from the last Examination (Motion Consultants' technical note⁷) found that, on TWBC's own evidence, travel by car was roughly twice as fast as any sustainable alternative in the Paddock Wood/East Capel area, and that the Council's assumed 10% modal shift away from car use was unevidenced and, on the Council's own figures, unachievable. SC considers the Transport SWOT is at risk of repeating the same unevidenced assumptions unless this is addressed explicitly at this scoping stage.
- Rural bus provision is inadequate and unaffordable, with services too infrequent to amount to a genuine service and not covered by regulated fares.
- There is a concern that documents prepared for the draft Local plan with Tudeley Village incorporated may not have been updated to account for its deletion before its adoption. An example is the references made in the SEA Scoping Report⁸ to the Local Cycling and Walking Infrastructure Plan (LCWIP), a document that was prepared in 2021. Before the Tudeley Village deletion.

⁷Save Capel and Capel Parish Council, joint Technical Note by Motion Consultants on TWBC's new highways evidence, 4 October 2024, §1.2 and §7.1–7.11 (submitted as Appendix 1 to Save Capel's Regulation 19 (Oct-24) representation).

[Save Capel Reg19_Oct2024_Appendix1_Motion.pdf](#)

⁸. pages 55 and 126: [SEA Scoping Report](#)

- SC emphasises that the Local Plan Revision and the search for sites should first consider locations with good connections to railway stations and then bus hubs / corridors, in accordance with the UK Government's Movement Hierarchy⁹.
- SC notes that figure 5.15 of the SEA analysis¹⁰ includes roads with mandatory restrictions on vehicle sizes. These roads should be excluded from any analysis of the highway network because they are not suitable for supporting growth by virtue of their restrictions. The presentation of the B2017 in figure 5.15 risks overstating its strategic importance when compared against the A21.

⁹ Rule H1: [the official highway code - 25-03-2022.pdf](#)

¹⁰ Figure 5.15, page 66, [SEA Scoping Report](#)

Question 15 — SWOT — Infrastructure and Communities (agree/disagree)

“Do you agree with the SWOT analysis for Infrastructure and Communities? Yes/No”

Question 16 — SWOT — Infrastructure and Communities (additions)

“If No, what other issues should be included and why?”

Save Capel's response:**Answer to Q15: No**

- Water infrastructure (see Context Note A) is critical. Repeated failures in water supply in TWBC's area over the past twelve months demonstrate SEW's inability to reliably supply water to its current customers. Any renewed site search must treat confirmed water supply capacity as a threshold constraint from the outset, evidenced by a named provider's written commitment, not an assumption tested only retrospectively during examination (as occurred with highways evidence in 2024¹¹) TWBC's own SEA Scoping Report states in terms that “it is necessary that there are approaches in place to avoid another failure of water supply to the region”¹². It is essential that this SWOT reflect that finding explicitly rather than treating infrastructure as a generic “opportunity” to be resolved later.
- A new “Garden Settlement” has been proven at taxpayers' cost to not be an easy “opportunity.” The experience of the settlement of the adopted Local Plan demonstrated the delivery risks of concentrating a substantial part of the housing requirement in a single new settlement, and the consequent need genuinely to test a range of strategic alternatives. This was clearly foreseen by Save Capel and many other residents of the borough, when Tudeley Village was first announced and this should not be pursued again. Any large settlement, wherever it is proposed, must only be run as an OPTION versus other alternative that collectively achieve whatever housing number targets are decided. The risk of a plan failure again is not acceptable to taxpayers. Tudeley Village specifically was deleted in full by the Inspector after four years of examination, on landscape, heritage, infrastructure and delivery grounds — including the collapse of funding for the Five Oak Green bypass once the site expected to fund it was removed¹³. None of these factors have changed and SC strongly requests to reject any attempt to reintroduce Tudeley Village in this version of the Plan.
- TWBC should, in line with the “no stone unturned” mantra, re-examine previously discarded strategic options particularly those with significant existing infrastructure - for example, development along the A21 corridor, including at Castle Hill sympathetic to its historic significance, and to prioritise extensions to existing settlements and brownfield / greyfield sites over remote new green field settlements where infrastructure does not exist.
- Healthcare capacity should be named explicitly alongside education and transport in this SWOT's infrastructure threats. TWBC's own evidence states that GP practices are already stressed “particularly in rural regions and areas such as Paddock Wood on the edge of the borough,” and that Tunbridge Wells Hospital (Pembury) “is used by the entire West Kent sub-region”¹⁴

¹¹Save Capel and Capel Parish Council, joint Technical Note by Motion Consultants on TWBC's new highways evidence, 4 October 2024, §1.2 and §7.1–7.11 (submitted as Appendix 1 to Save Capel's Regulation 19 (Oct-24) representation).

[Save_Capel_Reg19_Oct2024_Appendix1_Motion.pdf](#)

¹²Local-Plan-Review-SEA-Scoping-Report.pdf, p.48, doc p.47. [SEA Scoping Report](#)

¹³Inspectors-Report-FINAL.pdf, §87–113. [Inspectors-Report-FINAL.pdf](#)

¹⁴Local-Plan-Review-SEA-Scoping-Report.pdf, p.100, doc p.99.

- Education has previously and consistently been raised by SC as a concern in Capel and Paddock Wood, in view of (a.) increased student numbers that would arise from additional housing, (b.) because of the closure of schools in neighbouring areas – e.g. the High Weald Academy in Cranbrook, closed in 2022, and the risk of further closures of private schools following the application of VAT on their costs - and (c.) because of the additional traffic to be anticipated on already saturated rural roads in Capel and Paddock Wood twice a day in term times. Impact assessments for all of these aspects must be comprehensive and student and transport / highway capacity issues must all be addressed before any new housing is approved.
- The Local Plan Review must assess sewage alongside and with as much focus and importance as water supply. The mains pipe running from Five Oak Green to Paddock Wood has been subject to overload and system capacity failure, and has been flagged by SC in the past, and as noted in Southern Water’s Drainage and Wastewater Management Plan¹⁵.

¹⁵ Southern Water Drainage and Wastewater Management Plan: [medway.pdf](#)

Section 3 — Draft Priorities (Questions 17–18)

Question 17 — Priority ranking

“Please rank the list of priorities below in what you think is the priority order, with 1 being the most important and 10 being the least important. Why do you think your top priorities are the most important?”

Save Capel's response:

- SC considers that Infrastructure and Transport should rank as the highest priorities for Capel's interests, reflecting the parish's history under the STR/SS1 allocation.
- SC declines to list all 10 priorities, as to do so would potentially give a false impression when many are in reality almost equal, and are still very important despite appearing lower down the list. Instead, we list SC's top 5 from the TWBC list, reflecting our view of Capel's priorities, as follows:

Accordingly, SC's five highest priorities are:

1. Infrastructure
2. Transport
3. Climate
4. Traffic
5. Natural Environment

Question 18 — Additional priorities

“Are there any other priorities not listed that should be included?”

Save Capel's response:

- SC proposes adding “Water Supply Resilience” as an explicit, standalone priority, distinct from the general “Infrastructure” item, given the scale and specificity of the evidence now available on South East Water's supply constraints (see Context Note A) and the remaining and ongoing risk of sewerage failure as referenced above.

Section 4 — Our Vision (Questions 19–22)

Question 19 — Does the Vision identify the right issues?

“Do you think the Vision identifies the right issues to be taken forward within the Local Plan Review Vision?”

Save Capel's response:

Answer to Q19: No / only partially

- The Vision statement on Paddock Wood is not a vision; it is more a plan. It is inappropriate for this consultation to treat the East Capel/Paddock Wood strategic growth commitment as fixed, without inviting it to be tested afresh in light of evidence that post-dates the adopted Plan's own evidence base — specifically, South East Water's December 2025 evidence to Tonbridge & Malling (Context Note A) and the confirmed Local Government Reorganisation (LGR) decision (Context Note B), neither of which existed when the TWBC Local Plan was adopted in December 2025. The Review should therefore begin from a genuine assessment of reasonable strategic alternatives, applying a consistent and up-to-date evidence base to each, rather than treating the spatial strategy of the recently adopted Plan as the presumptive starting point for further growth.
- The Vision needs to explicitly address Local Government Reorganisation and how communities will link across the emerging unitary boundary (see Context Note B).
- SC does support “For the countryside, to retain its landscape, biodiversity, and historic character for its own sake, as well as a setting for settlements, whilst supporting sympathetic rural enterprise.” Moreover, the Vision should address how residents in rural areas will be able to access leisure and recreational facilities without depending on the car.
- SC also supports the third bullet point of the Vision: “For other settlements, to retain their essential local character, with high-quality, sustainable development that reflects their environmental context, infrastructure and site circumstances, having due regard to local needs.” This ambition is counter to the return of any Tudeley Village proposal to Capel, a rural parish.

Question 20 — Additional Vision topics

“Are there any other topic areas that you think we should be including within the Local Plan Review Vision? Please tell us about them and give reasons why.”

Save Capel's response:

- There should be no further major development in the parishes of Paddock Wood and Capel during this Review period; the cumulative impact of already-planned sites on both parishes and the surrounding road network should be explicitly recognised; infrastructure provision for already-allocated sites should be prioritised; and any further development in the Green Belt to the west of Capel — beyond infill or small-scale rural exception schemes — should be explicitly excluded from the Plan.
- Given the well-documented and repeated failures in water-supply infrastructure within Tunbridge Wells Borough and the resulting suffering of many thousands of its residents, the Vision should recognise water supply resilience as a foundational constraint on any future growth — evidenced by named providers' capacity commitments before allocations are made, not an assumption resolved retrospectively during examination (see Context Note A).

- The impact on TWBC's transport, infrastructure and other assumptions need to be reviewed from beginning to end due to the potential additional impact of new housing development arising from Local Plans adopted by neighbouring councils after the TWBC Local Plan adoption. It was not possible for TWBC to fully assess these impacts where such local plans were being formulated after TWBC's. SC is monitoring developments in neighbouring T&MBC, particularly for development proposed at Higham Wood and Hadlow.

This commentary below is presented alongside, and in addition to, the answers to Questions 1–22 above. It sets out a single position in full rather than distributing it piecemeal across individual questions, so that its cumulative weight is not lost.

Save Capel's position

Save Capel considers that **no new strategic housing allocation should be made in this Local Plan Review — and none should fall within, or draw on infrastructure shared with, Capel parish — until every relevant critical service provider, and South East Water specifically, has confirmed in writing that it can reliably supply the development proposed, over and above its existing customer base and any development already committed.** This is not a precautionary generality. It follows directly from a body of evidence, much of it TWBC's own, that has emerged only since the adopted Plan's evidence base was fixed in December 2025.

The evidence, in summary

The full evidence for this position is set out above at Context Note A (water supply reliability and capacity) and Context Note B (Local Government Reorganisation), and is not repeated in full here. In short: South East Water has told a neighbouring authority, in writing, that it can supply only 6,318 of the roughly 19,620–19,746 homes required of it — itself roughly two-thirds short — and TWBC's own SEA Scoping Report independently confirms a regional supply deficit by 2030, a documented pattern of three separate borough-wide failures within seven months, and treats the shortfall as a cross-boundary issue. The confirmed merger of TWBC and Tonbridge & Malling Borough Council into a single authority by April 2028 removes any remaining basis for treating this as someone else's problem.

What Save Capel asks TWBC to do

- Treat confirmed water supply capacity from named infrastructure providers — not aspirational headroom assumptions — as a precondition for allocating any new strategic housing site in this Local Plan Review, evidenced by a written provider commitment obtained before allocation, not tested retrospectively at examination as occurred with highways evidence in 2024¹⁶.
- Adopt, in substance, the same approach Tonbridge & Malling has now adopted under its Policy SQ5 — treating water supply availability as a material planning consideration for all relevant applications and allocations — rather than waiting for a comparable crisis to force the same conclusion later in this Review.
- Formally engage South East Water as a named infrastructure stakeholder from this “Get Ready” stage onward, and publish whatever assurance SEW is able to give about capacity for the circa 1,100 homes/year figure now being planned for, given SEW's own WRMP does not anticipate meaningful additional headroom until 2029 at the earliest.
- Given the two authorities' near-term merger, begin now to align evidence-gathering on water supply, flood risk and cross-boundary infrastructure with Tonbridge & Malling Borough Council, rather than running two separate exercises that will have to be reconciled again shortly after April 2028.

¹⁶Save Capel and Capel Parish Council, joint Technical Note by Motion Consultants on TWBC's new highways evidence, 4 October 2024, §1.2 and §7.1–7.11 (submitted as Appendix 1 to Save Capel's Regulation 19 (Oct-24) representation). [Save_Capel_Reg19_Oct2024_Appendix1_Motion.pdf](#)

Question 21 — Removing issues from the Vision

“Are there any issues that you think should be removed from the Local Plan Review Vision?”

Save Capel's response:

- CPC's answer here argues that the Vision as a whole needs refreshing, rather than carrying over language whose origins predate the plan by a decade or more, even though it was formally adopted only in December 2025. SC agrees this is better read as an argument for amendment (addressed under Question 22 below) than a case for removing any specific named issue outright. SC does not currently identify any issue it wishes to see removed from the Vision.

Question 22 — Anything else the Vision should contain?

“Please let us know if there are any other issues not already covered, which you think the new Local Plan Review should contain and why.”

Save Capel's response:

- Given that the National Planning Policy Framework (NPPF) remains unsettled (Context Note C), LGR is now confirmed and imminent (Context Note B), and South East Water's supply position has deteriorated materially since the adopted Plan's evidence base was fixed (Context Note A), the Vision — and the Review's evidence base generally — must be genuinely re-tested against current conditions rather than carrying forward unexamined assumptions.
- This echoes a standing concern already identified in Save Capel's own review of the Plan's history: the SHELAA site assessments underlying the Paddock Wood/East Capel allocation remained unchanged from the March 2021 pre-submission stage through to December 2025 adoption, even as the site's scope and dwelling numbers changed substantially over that period¹⁷. SC does not want to see the same pattern repeated in this Review.
- SC supports Capel Parish Council (CPC)'s point that the treatment of “other settlements” in the current Vision is too brief and generalised, and that the Vision should recognise the distinct identity of each settlement and community in the Borough, including Capel, with the Plan then framed accordingly.
- SC recommends TWBC commit, within the Vision itself, to treating confirmed water supply capacity from named infrastructure providers — not aspirational headroom assumptions — as a precondition for allocating any new strategic housing site during this Review.

¹⁷2021_TWBC_PreSubmissionLocalPlan_FULL_extract.docx; 2025 [Pre-Submission Local Plan](#)

TWBC_AdoptedLocalPlan_FULL_extract.docx, Appendix 7 (SHELAA/SALP references). [TWBC Adopted Local Plan 2020-2038](#)

Section 5 — Free-Form Commentary: Water Supply Capacity

This commentary is offered alongside, and in addition to, the answers to Questions 1–22 above. It sets out a single position in full rather than distributing it piecemeal across individual questions, so that its cumulative weight is not lost.

Save Capel's position

Save Capel considers that **no new strategic housing allocation should be made in this Local Plan Review — and none should fall within, or draw on infrastructure shared with, Capel parish — until every relevant critical service provider, and South East Water specifically, has confirmed in writing that it can reliably supply the development proposed, over and above its existing customer base and any development already committed.** This is not a precautionary generality. It follows directly from a body of evidence, much of it TWBC's own, that has emerged only since the adopted Plan's evidence base was fixed in December 2025.

The evidence

- **South East Water has told a neighbouring authority, in writing, that it cannot supply the homes required of it.** In a formal response dated 17 December 2025 to Tonbridge & Malling Borough Council's Regulation 18 Local Plan consultation, South East Water stated that the maximum number of additional homes it can supply across that borough to 2042 is **6,318**, against a housing target of circa 19,620–19,746 — meaning it cannot supply water to roughly two-thirds of the homes T&MBC is required to plan for¹⁸. SEW named the **Tunbridge Wells, Maidstone and Cranbrook** water resource zones specifically as under significant supply-demand stress, with no additional headroom expected until its next Water Resources Management Plan, due 2029¹⁹. Tonbridge & Malling has since made water supply a material planning consideration under its existing Policy SQ5, and its Council Leader has confirmed that permissions already granted for around 6,000 dwellings have already used up the confirmed headroom²⁰.
- **TWBC's own evidence base says the same thing about its own Borough, independently.** TWBC's draft SEA Scoping Report (JBA Consulting, 2 July 2026) confirms that Tunbridge Wells sits within a Sussex water resource region “expected to be in a deficit of water supply by 2030,” and explicitly scopes water resources ‘in’ for full assessment because “population and housing growth is predicted to increase water demand” in that same deficit area — citing the same circa 1,100 homes/year figure that underpins this Review's housing need²¹. The SEA's own summary of key issues does not hedge this: “It is necessary that there are approaches in place to avoid another failure of water supply to the region”²². This is not Save Capel's characterisation of the risk — it is TWBC's own commissioned consultants'.
- **This is not a one-off risk; it is a documented pattern of repeated, worsening failure.** TWBC's own SEA Scoping Report records three separate borough-wide supply failures within seven months: a Pembury treatment works failure in November 2025 leaving circa 24,000 households without clean

¹⁸Hansard, House of Commons, Westminster Hall debate, 'Water Supply and Housing Targets: West Kent', 24 March 2026, <https://hansard.parliament.uk/commons/2026-03-24/debates/4F8305C6-FC13-4A55-AD31-BAD25D5356A6/WaterSupplyAndHousingTargetsWestKent>

¹⁹South East Water says it can supply water to only a third of all new homes planned for Tonbridge and Malling, Kent Online, 17 March 2026, <https://www.kentonline.co.uk/malling/news/water-company-warns-it-can-t-accommodate-plans-for-19-000-337583>

²⁰Water supply and planning applications, Tonbridge and Malling Borough Council, <https://www.tmbc.gov.uk/planning/water-supply-planning-applications>; Warning on water supply to steer future planning applications, Kent Online, 12 April 2026, <https://www.kentonline.co.uk/tonbridge/news/warning-on-water-supply-to-steer-future-planning-application-338925>

²¹Local-Plan-Review-SEA-Scoping-Report.pdf, p.43, doc p.42 and p.85, doc p.84. [SEA Scoping Report](#)

²²Local-Plan-Review-SEA-Scoping-Report.pdf, p.48, doc p.47.

water for 11 days, with a boil water notice in force from 3 to 12 December 2025 (13 days without safe water in total); a further failure in January 2026 during Storm Goretti affecting circa 30,000 properties; and a third failure in May 2026, during a heatwave, affecting circa 22,000 properties at its peak²³. Separately, Ofwat has proposed a fine of circa £22.5m against South East Water for supply failures affecting some 286,645 customers between 2020 and 2023, attributing this to inadequate maintenance of reservoirs, boreholes and mains and a slow, disorganised response²⁴. None of South East Water's own published remedial measures — leak reduction, smart meters, a new reservoir at Broad Oak by 2033, a new Maidstone groundwater source — are described as delivering additional headroom before 2033 at the earliest²⁵.

- **TWBC's own evidence treats this as a cross-boundary issue, not a Tonbridge & Malling problem alone.** The SEA Scoping Report names the regional water supply deficit explicitly as a transboundary issue in its own right, alongside fluvial flood risk “in the north of the borough, surrounding Paddock Wood”²⁶. This matters specifically for Capel: the parish borders Tonbridge & Malling directly, sits within the same South East Water supply area, and East Capel's committed allocation forms part of the same Paddock Wood strategic growth area whose deliverability was tested — and substantially reduced — at the last Examination, in part on infrastructure grounds²⁷.
- **Local Government Reorganisation removes any remaining basis for treating this as someone else's problem.** On 16 July 2026, the Government confirmed that TWBC and Tonbridge & Malling Borough Council will be combined into a single new “West Kent” unitary authority from April 2028²⁸. Within roughly 20 months of this Review's early stages concluding, there will be no administrative boundary left to separate TWBC's water supply position from T&MBC's. Continuing to evidence and consult on the two as if they were unconnected would not survive the transition to come, let alone sound planning practice in the meantime.

What Save Capel asks TWBC to do

- Treat confirmed water supply capacity from named infrastructure providers — not aspirational headroom assumptions — as a precondition for allocating any new strategic housing site in this Local Plan Review, evidenced by a written provider commitment obtained before allocation, not tested retrospectively at examination as occurred with highways evidence in 2024²⁹.
- Adopt, in substance, the same approach Tonbridge & Malling has now adopted under its Policy SQ5 — treating water supply availability as a material planning consideration for all relevant applications and allocations — rather than waiting for a comparable crisis to force the same conclusion later in this Review.
- Formally engage South East Water as a named infrastructure stakeholder from this “Get Ready” stage onward, and publish whatever assurance SEW is able to give about capacity for the circa 1,100 homes/year figure now being planned for, given SEW's own WRMP does not anticipate meaningful additional headroom until 2029 at the earliest.

²³ Local-Plan-Review-SEA-Scoping-Report.pdf, p.44, doc p.43. [SEA Scoping Report](#)

²⁴ South East Water faces £22m fine for supply failures, <https://www.hl.co.uk/shares/stock-market-news/company-news/archive/sth-east-water-faces-22m-fine-over-supply-failings>

²⁵ Local-Plan-Review-SEA-Scoping-Report.pdf, p.43–44, doc p.42–43.

²⁶ Local-Plan-Review-SEA-Scoping-Report.pdf, p.100, doc p.99.

²⁷ Inspectors-Report-FINAL.pdf, Issue 4 (pp.23–44). [Inspectors-Report-FINAL.pdf](#)

²⁸ Kent to have four new unitary councils, Kent Online, 19 July 2026, <https://www.kentonline.co.uk/kent/news/kent-to-have-four-massive-new-unitary-councils-342785/>.

²⁹ Save Capel and Capel Parish Council, joint Technical Note by Motion Consultants on TWBC's new highways evidence, 4 October 2024, §1.2 and §7.1–7.11 (submitted as Appendix 1 to Save Capel's Regulation 19 (Oct-24) representation). [Save Capel Reg19_Oct2024_Appendix1_Motion.pdf](#)

- Given the two authorities' near-term merger, begin now to align evidence-gathering on water supply, flood risk and cross-boundary infrastructure with Tonbridge & Malling Borough Council, rather than running two separate exercises that will have to be reconciled again shortly after April 2028.
- As noted above, in response to Questions 13/14, SC has a concern that documents such as the LCWIP have not been updated since the deletion of Tudeley Village from the Local Plan. The Local Plan Review needs to be advanced with an entirely new evidence base. Any reliance on previous work would suggest a pre-determination of strategy rather than assessing the current situation and opportunities.

Context notes referenced throughout this response

These four items recur across several answers and are set out once here rather than repeated in full each time.

A. Water supply reliability and capacity

- TWBC's own draft SEA Scoping Report (JBA Consulting, 2 July 2026) confirms three separate water supply failures across the borough within a seven-month period: (i) November 2025 — a Pembury treatment works failure leaving approximately 24,000 households without clean water for 11 days (5 with no water at all), with a boil water notice in force from 3 to 12 December 2025 and residents “left without safe water for 13 days” in total; (ii) **January 2026** — Storm Goretti left around 30,000 properties with no water; and (iii) May 2026 — a further failure during a period of hot weather left around 22,000 properties without water at the peak³⁰. The May 2026 figure is corroborated by contemporary press reporting from the affected area³¹.
- TWBC's own consultants separately confirm a regional capacity constraint, independent of the Tonbridge & Malling evidence below: “Tonbridge Wells is located within the Sussex region which is expected to be in a deficit of water supply by 2030,” and its SEA scoping table explicitly links this to housing growth, stating water resources are scoped ‘in’ for assessment because “population and housing growth is predicted to increase water demand in an area expected to be in supply deficit by 2030” — citing the same circa 1,100 homes/year figure used elsewhere in this Review³². The SEA's own summary of key issues goes further, stating in terms: “It is necessary that there are approaches in place to avoid another failure of water supply to the region”³³.
- Ofwat has proposed a fine of circa £22.5m against SEW for supply failures affecting some 286,645 customers between 2020 and 2023, citing inadequate maintenance of reservoirs, boreholes and mains and a slow, disorganised response³⁴.
- None of South East Water's own published remedial measures are described as delivering additional headroom before 2033 at the earliest: its plan for 2025–2040 includes leak reduction, smart meters, a new reservoir at Broad Oak (Kent) by 2033, and a new groundwater source in Maidstone³⁵. This is worth setting alongside the incidents and Ofwat finding above: the borough is not simply recovering from a run of bad luck, it is waiting on infrastructure that will not be in place within this Review's early years.
- Most significantly for this consultation: in a formal response dated 17 December 2025 to Tonbridge & Malling Borough Council's (“T&MBC”) Regulation 18 Local Plan consultation, SEW stated that the maximum number of additional homes it can supply across the borough to 2042 is **6,318**, against T&MBC's own housing target of circa 19,620–19,746 — meaning it cannot supply water to roughly two-thirds of the homes T&MBC is required to plan for³⁶, and named the **Tonbridge Wells, Maidstone and Cranbrook** water resource zones as under significant supply-demand stress, with no

³⁰ 2026_TWBC_SEAScopingReport.docx (citing Local-Plan-Review-SEA-Scoping-Report.pdf, p.44, doc p.43). [SEA Scoping Report](#)

³¹ They're a private company, run for profit!': fury in Kent at South East Water's outages, The Guardian, 28 May 2026, [They're a private company, run for profit!': fury in Kent at South East Water's outages | Water | The Guardian](#)

³² 2026_TWBC_SEAScopingReport (citing Local-Plan-Review-SEA-Scoping-Report.pdf, p.43, doc p.42 and p.85, doc p.84).

³³ 2026_TWBC_SEAScopingReport (citing Local-Plan-Review-SEA-Scoping-Report.pdf, p.48, doc p.47).

³⁴ [South East Water fined £22.5m for 'repeated supply failures' in Kent and Sussex | Water industry | The Guardian](#).

³⁵ 2026_TWBC_SEAScopingReport (citing Local-Plan-Review-SEA-Scoping-Report.pdf, p.43–44, doc p.42–43).

³⁶ Hansard, House of Commons, Westminster Hall debate, 'Water Supply and Housing Targets: West Kent', 24 March 2026, [Water Supply and Housing Targets: West Kent - Hansard - UK Parliament](#) note the target is cited as 19,620 in Hansard and 19,746 elsewhere

additional headroom expected until SEW's next Water Resources Management Plan (WRMP), due 2029³⁷.

- T&MBC has since confirmed that water supply availability is now treated as a material planning consideration under its existing Policy SQ5 (Managing Development and the Environment DPD), requiring applicants to demonstrate that adequate water infrastructure is available or deliverable³⁸, and T&MBC's Council Leader has confirmed that permissions already granted for around 6,000 dwellings have already used up the confirmed headroom³⁹.
- Capel parish borders Tonbridge & Malling directly and sits within the same SEW supply area; East Capel's committed allocation forms part of the same Paddock Wood strategic growth area whose deliverability was tested — and substantially reduced — at the last Examination, in part on infrastructure grounds. SC considers SEW's evidence to T&MBC directly relevant to this Review and should be treated as a live capacity constraint from the outset, rather than surfacing only at a late stage of examination, as happened with the Council's own highways evidence in 2024⁴⁰.

B. Local Government Reorganisation (LGR)

- On 16 July 2026, the Government announced its decision, subject to Parliamentary approval, to replace the existing councils in Kent with four new unitary authorities from April 2028 (“Option 4B”). Under this option, TWBC and Tonbridge & Malling Borough Council — together with Sevenoaks and Maidstone — will be combined into a single new “West Kent” unitary authority.⁴¹
- This is directly relevant to Capel: the parish sits on the existing TWBC/T&MBC boundary, and the East Capel/Paddock Wood allocation has long involved cross-boundary infrastructure and transport issues with Tonbridge & Malling, as recorded in the Inspector's own findings on Duty to Cooperate matters⁴². Within roughly 20 months of this Review's early stages concluding, the two authorities whose current plans and evidence bases treat this boundary as a dividing line will cease to exist as separate bodies.
- TWBC's own SEA Scoping Report independently names further cross-boundary pressures relevant to Capel and Paddock Wood specifically: GP practices are “stressed, particularly in rural regions and areas such as Paddock Wood on the edge of the borough,” Tunbridge Wells Hospital (Pembury) “is used by the entire West Kent sub-region,” and “road networks are experiencing notable transboundary congestion, particularly the A21 and A26 corridor”⁴³. These are TWBC-authored admissions that Paddock Wood/east Capel's infrastructure pressures already extend beyond the

³⁷ South East Water says it can supply water to only a third of all new homes planned for Tonbridge and Malling, Kent Online, 17 March 2026, [South East Water says it can supply water to only a third of all new homes planned for Tonbridge and Malling](#)

³⁸ Water supply and planning applications, Tonbridge and Malling Borough Council, [Water supply and planning applications – Tonbridge and Malling Borough Council](#)

³⁹ Warning on water supply to steer future planning applications, Kent Online, 12 April 2026, [Water supply to be material consideration in determining future housing applications in Tonbridge and Malling](#)

⁴⁰ Save Capel and Capel Parish Council, joint Technical Note by Motion Consultants on TWBC's new highways evidence, 4 October 2024, §1.2 and §7.1–7.11 (submitted as Appendix 1 to Save Capel's Regulation 19 (Oct-24) representation). [Save Capel Reg19 Oct2024 Appendix1 Motion.pdf](#)

⁴¹ Kent to have four new unitary councils, Kent Online, 19 July 2026, [Local Government Reorganisation: Kent to have four new unitary councils](#)

⁴² [Inspectors-Report-FINAL.pdf](#) (Inspector's Report, October 2025), §26–30 (Statement of Common Ground with Tonbridge & Malling Borough Council; Strategic Sites Working Group).

⁴³ 2026_TWBC_SEAScopingReport (citing Local-Plan-Review-SEA-Scoping-Report.pdf, p.100, doc p.99). [SEA Scoping Report](#)

current TWBC boundary, reinforcing the case for aligning evidence-gathering with T&MBC ahead of the 2028 merger.

C. National policy flux (NPPF)

- A revised draft NPPF was published for consultation in December 2025, closing 10 March 2026; a final version has been repeatedly delayed and remained unpublished at the time of this response, with Government indications pointing to “summer 2026”⁴⁴. Proposed changes include a more permissive approach to Green Belt release and an expanded “grey belt” definition⁴⁵.
- TWBC’s Local Plan Review is therefore being scoped against a national policy framework that is itself provisional. SC considers this reinforces the case, raised under Question 22 below, for TWBC to build a formal evidence re-test into its process once the final NPPF is published, rather than treating scoping-stage assumptions as fixed.

D. Draft SEA Scoping Report (July 2026)

- TWBC’s draft Sustainability Appraisal/SEA Scoping Report (JBA Consulting, dated 2 July 2026, 139 pages) sits alongside this Scoping Consultation as part of the evidence base, and has now been reviewed directly. It confirms Paddock Wood as “the area of the borough most clearly at risk” of flooding, specifically citing “Tudeley Brook” among the River Medway tributaries responsible⁴⁶ — consistent with the flood-risk findings that led to the reduction of the STR/SS1 allocation at the last Examination. It also confirms a new Strategic Flood Risk Assessment (SFRA) is being produced to inform this Review and does not yet exist in updated form⁴⁷.
- As noted above, in response to Questions 13/14, SC has a concern that documents such as the LCWIP have not been updated since the deletion of Tudeley Village from the Local Plan. SC highlights the need for the Local Plan Review to be advanced on the basis of an entirely new evidence base with no reliance on transport or infrastructure assessments undertaken over five years ago now for a different spatial strategy. Any reliance on previous work would suggest a pre-determination of the spatial strategy rather than assessing the current situation and opportunities.

END



Submitted by the Save Capel Executive

10.08.2026

⁴⁴ Government indicates revised NPPF likely to be published in Summer 2026, DHA Planning, <https://www.dhaplanning.co.uk/knowledge/government-indicates-revised-nppf-likely-to-be-published-in-summer-2026>

⁴⁵ What next for Green Belt and grey belt: implications of the NPPF, Turley, <https://www.turley.co.uk/comment/nppf-green-belt-and-grey-belt-implications>

⁴⁶ Local-Plan-Review-SEA-Scoping-Report.pdf, p.42, doc p.41.

⁴⁷ Local-Plan-Review-SEA-Scoping-Report.pdf, p.43, doc p.42.