

Tunbridge Wells Borough



Tunbridge Wells Borough Council

Interim Duty to Cooperate Statement for the Draft Local Plan (Regulation 18)

September 2019



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1.0 Introduction

- 1.1 The Localism Act, 2011, introduced a requirement for local planning authorities to cooperate, known as the 'Duty to Co-operate' (referred to as the Duty or DtC below), with other local planning authorities and prescribed public bodies to collaborate and address strategic issues that cross administrative boundaries such as housing, employment and transport in the preparation of a Local Plan.
- 1.2 The purpose of this Interim Duty to Cooperate Statement is to identify and explain how Tunbridge Wells Borough Council (the Council) has collaborated, engaged and cooperated with neighbouring authorities, public bodies and other stakeholders in meeting DtC requirements in the preparation of the Draft Local Plan. It supports the Draft Local Plan (Regulation 18) which is scheduled for consultation between 20 September 2019 and 1 November 2019. It is a 'living' document which will be updated to demonstrate that the Duty has been met and that activities have been on-going and effective during the preparation of the Plan as it progresses to its Regulation 19 submission; and that such engagement will continue beyond the adoption of the Local Plan.
- 1.3 This Interim Statement does not set out every consultation with a Duty body but highlights the most relevant and significant DtC actions that have taken place and the key policy areas where there has been on-going engagement and cooperation between bodies.
- 1.4 Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act) imposes a duty on local planning authorities to cooperate with other local planning authorities, county councils or other bodies/persons prescribed in Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The prescribed bodies are:
- Environment Agency
 - Historic England
 - Natural England
 - Mayor of London
 - Civil Aviation Authority
 - Homes and Communities Agency
 - Each Primary Care Trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section
 - Office of Rail Regulation
 - Transport for London
 - Each Integrated Transport Authority

- Each highway authority within the meaning of section 1 of the Highways Act 1980
- Marine Management Organisation

- 1.5 The Duty requires a local planning authority to engage constructively and on an on-going basis in the preparation of a development plan or other local development/plan documents, and activities which prepare for and support this in relation to a strategic matter(s).
- 1.6 For the purposes of the Duty to Cooperate, a strategic matter is defined as sustainable development, use of land or strategic infrastructure that has or would have a significant impact on at least two planning areas. These matters can relate to a number of issues such as housing, employment, transport, water/flooding and other forms of infrastructure; and other environmental and nature conservation issues. These matters are set out in more detail below.
- 1.7 The statutory requirements of the DtC are not a choice but a legal obligation. Whilst the obligation is not a duty to agree, cooperation should produce effective and deliverable policies on cross boundary issues in accordance with government policy in the National Planning Policy Framework and Planning Practice Guidance below.
- 1.8 Under Section 20(5) (c) of the above Planning and Compulsory Purchase Act 2004, a Planning Inspector can consider whether the Duty has been complied with as part of the Local Plan Examination.

2.0 Policy Background

National Policy/Government Guidance

The National Planning Policy Framework (NPPF)

2.1 The latest version of the NPPF published in February 2019 confirms (in paragraphs 24 to 27) that local planning authorities and county councils (in two tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries. Paragraph 25 states that:

“Strategic policy-making authorities should collaborate to identify the relevant strategic matters which need to be addressed in their plans. They should also engage with local communities and other relevant bodies, including Local Enterprise Partnerships, Local Nature Partnerships, the Marine Management Organisation, county councils, infrastructure providers, elected mayors and combined authorities”.

2.2 Paragraph 26 recognises that effective and on-going joint working between strategic policymaking authorities and relevant bodies is integral to the production of a positively prepared and justified strategy, in particular in determining where infrastructure is necessary and whether development needs that cannot be fully met in one plan area can be met elsewhere.

2.3 In addition, paragraph 27 advises, that in order to demonstrate effective and on-going joint working, strategic policy- making authorities should prepare and maintain one or more ‘Statements of Common Ground’, documenting the cross-boundary matters being addressed and progress in cooperating to address these. Such statements should be produced using the approach set out in national planning guidance (PPG below).

National Planning Practice Guidance (PPG)

2.4 The PPG provides further guidance on meeting the Duty to Cooperate, but mainly advises on Statements of Common Ground and what information they should contain. Strategic policy-making authorities are expected to document the activities undertaken when in the process of addressing strategic cross-boundary matters whilst cooperating, including:

- working together at the outset of plan-making to identify cross-boundary matters which will need addressing;
- producing or commissioning joint research and evidence to address cross-boundary matters;
- assessing impacts of emerging policies; and

- preparing joint, or agreeing, strategic policies affecting more than one authority area to ensure development is coordinated

These activities need to be tailored to address local circumstances.

The existing Development Plan

- 2.5 The Development Plan for the borough currently comprises of three documents which should be read in conjunction with each other; the saved Tunbridge Wells Borough Local Plan 2006 policies, the Tunbridge Wells Borough Core Strategy 2010 and the Tunbridge Wells Site Allocations Local Plan 2016:

Tunbridge Wells Borough Local Plan 2006

- 2.6 The 2006 Local Plan provides local planning policies which account for both change and conservation in the borough. However, since its adoption some changes have been made as a result of the 'saving' of policies in March 2009, the adoption of the Core Strategy in June 2010 and the adoption of the Site Allocations Local Plan in July 2016. Therefore, some policies which are no longer valid have been removed.

Core Strategy 2010

- 2.7 The Tunbridge Wells Borough Core Strategy was adopted by the Council in June 2010. The Core Strategy sets out the spatial vision for the borough to 2026, identifying the level of new growth required and the locations where it should take place.

Tunbridge Wells Site Allocations Local Plan 2016

- 2.8 The main purpose of this Site Allocations document is to allocate specific land for housing, employment, retail and other land uses to meet the identified needs of the communities within Tunbridge Wells borough to 2026 and beyond. This follows the strategic objectives and sustainable development objectives set out within the adopted Core Strategy (2010) above.

The new Local Plan

Tunbridge Wells Borough Issues and Options consultation 2017

- 2.9 The Issues and Options consultation was the first borough-wide public consultation undertaken by the Council with regard to the preparation of the new Local Plan. The public consultation took place over a period of six weeks between Tuesday 2 May and Monday 12 June 2017 and was carried out in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 2.10 The Issues and Options consultation document included the following:

1. A set of draft objectives for the new Local Plan that give an indication of the expected scope of the Plan's Strategy.
2. Identification of the main issues and challenges relevant to future development in the borough which will be addressed in the new Local Plan, based on seven themes: 1. Natural and Built Environment, 2. Infrastructure, 3. Housing, 4. Economy, 5. Transport and Parking, 6. Leisure and Recreation and 7. Sustainability
3. Five potential strategy options for the distribution of new development within the borough, together with commentary on the implications of each.

- 2.11 The main purposes of the consultation were: to publicise the preparation of a new Local Plan, seek early views from a wide cross section of the community, stakeholders and other local planning authorities, on what the Local Plan should seek to achieve over the plan period and to invite comments on potential strategy options for delivering new homes, employment space, retail and leisure facilities in Tunbridge Wells borough.
- 2.12 The consultation also provided opportunity for respondents to identify any additional issues that were considered relevant to preparing a new Local Plan and any alternative development scenarios that it was thought appropriate for the Council to consider.
- 2.13 The following provides a summary of the level and breadth of responses received to the Issues and Options consultation:
- 551 individual responses;
 - A total of 6,686 comments;
 - 465 responses from residents and individuals;
 - 39 responses from organisations and companies (developers and agents);
 - 15 responses from parish and town councils;
 - 14 responses from statutory bodies and utilities;
 - 11 responses from resident, amenity, and other groups;
 - 7 responses from adjoining authorities.
- 2.14 All the responses and representations received to the Issues and Options consultation, including those received from other local planning authorities, county councils and statutory bodies have been carefully considered and taken into account in the development of the Draft Local Plan (Regulation 18).

Tunbridge Wells Draft Local Plan (Regulation 18)

- 2.15 When adopted at the end of the Local Plan review process, the Draft Local Plan will replace the three existing Plans above, with a plan period running from 2016 and planning for development across the borough to 2036. The Draft Local Plan is

supported by a robust evidence base and takes account of a number of relevant national and local policies and strategies.

- 2.16 The evidence base, comprising studies, research reports, technical papers, topic papers and other information, has informed, and will continue to inform, the preparation of the Local Plan. This includes studies in relation to housing, employment, Green Belt, flood risk, landscape, etc. All of the evidence base and other supporting documents can be viewed on the Council's website.
- 2.17 The Draft Local Plan has also been informed by, and is consistent with, other Tunbridge Wells Borough Council plans and strategies, including the Council's Five Year Plan (a corporate strategy), the Economic Strategy, and the Housing Strategy amongst others, which shape and direct the future of the borough.

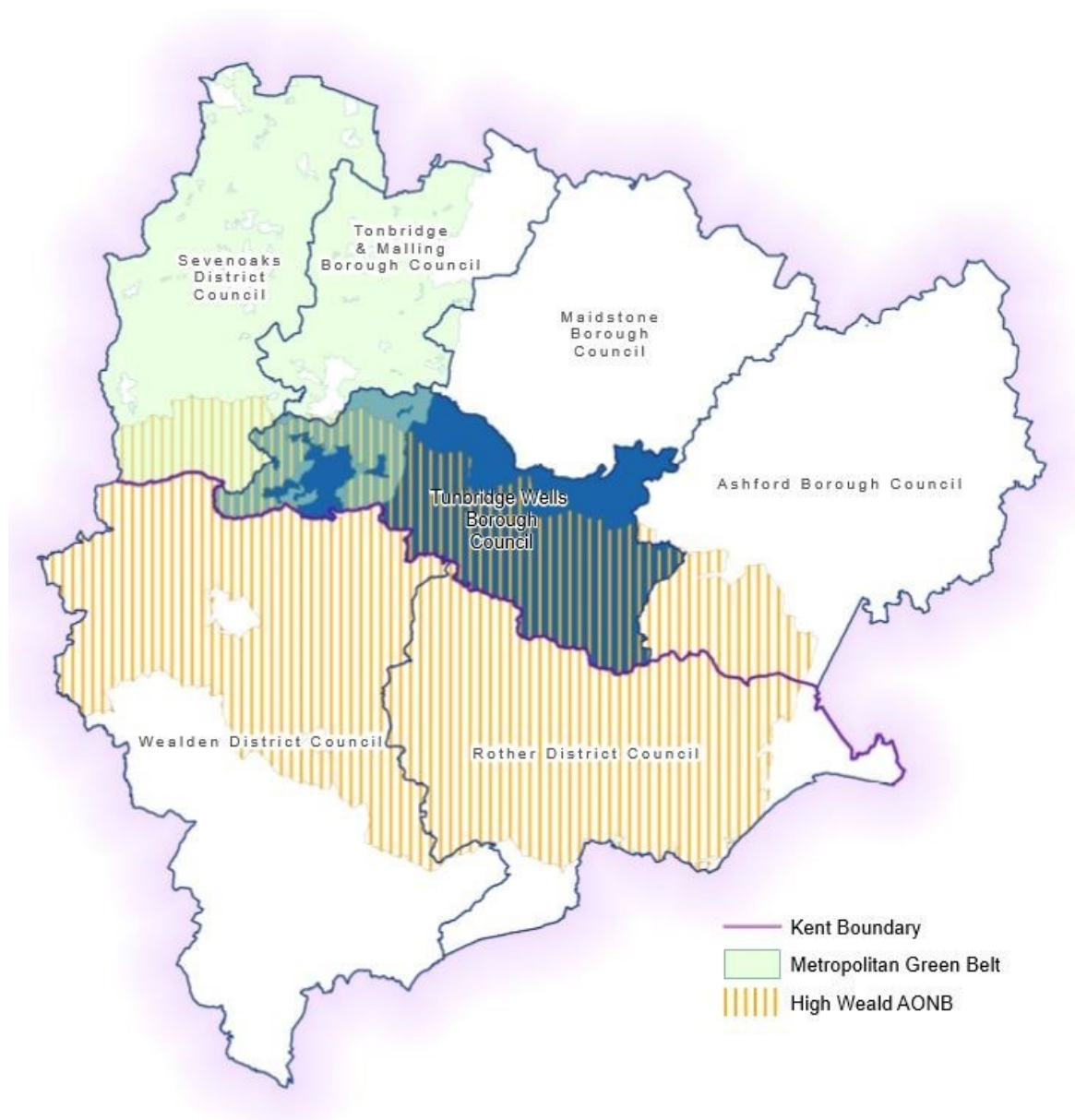
Neighbourhood Development Plans

- 2.18 Neighbourhood Development Plans (NDPs) were also introduced under the Localism Act 2011 above, to allow plan and decision making to be carried out at a more local level. NDPs need to conform with national policy, local adopted plans and other legal requirements. Amongst other things, these plans can be used to develop a shared local vision through identifying the location of any new housing and employment/businesses. The Council has been working with a number of parish councils in the borough to progress their NDPs as well as liaising with adjoining authorities where cross boundary issues may occur in the preparation of an NDP.

3.0 Tunbridge Wells area and context

3.1 The borough of Tunbridge Wells lies in the south west of Kent, bordering the county of East Sussex to the south. It covers an area of 326 square kilometres. The borough borders the adjoining local authorities of Sevenoaks, Tonbridge & Malling and Maidstone in Kent and Rother and Wealden in East Sussex, as shown in Figure 1 below.

Figure 1



- 3.2 Royal Tunbridge Wells forms the majority of the main urban area and provides a significant proportion of the main social, cultural and economic opportunities in the borough. Southborough, located to the immediate north, also lies within the main urban area with Royal Tunbridge Wells, but has a separate smaller town centre.
- 3.3 Paddock Wood is a small town located in the north of the borough and benefits from good transport links and a wide range of higher order facilities. The western edge of the town abuts the Green Belt with some areas of flood risk in the north.
- 3.4 Cranbrook is an attractive, vibrant rural town located in the east of the borough within the High Weald Area of Outstanding Natural Beauty (AONB) and like Paddock Wood has a range of higher order facilities. The settlement of Hawkhurst to the south east, also located in the AONB, has a wide range of retail and community facilities. Both of these settlements support a wide rural hinterland.
- 3.5 The borough is also home to a variety of village settlements, each with its own character and providing key facilities. Most of these settlements are located in the High Weald AONB and some in the western part of the borough are also in the Green Belt. In addition, there are a number of hamlets and other more remote clusters of buildings and farmsteads dispersed across the borough, many of which are located in the High Weald AONB and/or Green Belt and rely on larger, nearby settlements for facilities and services.
- 3.6 Heritage assets of the borough include 27 Conservation Areas, over 2000 listed buildings, 12 Scheduled Ancient Monuments and over 40 Historic Parks and Gardens. This, and the high quality landscape across the borough, with 70% designated as part of the much larger High Weald Area of Outstanding Natural Beauty (AONB), provides a high quality environment, attracting a significant amount of tourism.
- 3.7 The borough supports a wide network of biodiversity sites, including Sites of Special Scientific Interest, Local Wildlife Sites, Sites of Local Nature Conservation Value and four Local Nature Reserves. As well as having a number of parks and commons, the borough also has in excess of 650 Tree Preservation Orders, including substantial areas of ancient woodland.
- 3.8 Around 22% of the western part of the borough surrounding the settlements of Royal Tunbridge Wells, Southborough and Pembury is Metropolitan Green Belt.
- 3.9 The borough also has good transport links to London by train and motorway links to the nearby M25.

4.0 Meeting the Duty to Cooperate

- 4.1 The Council has sought to actively and constructively engage with county and neighbouring local authorities and the prescribed bodies on an on-going basis, in the following ways:
- On-going meetings and discussions to agree and discuss a way forward in respect of key cross boundary issues
 - Discussions between elected Members and officers from neighbouring authorities
 - Meetings/engagement with other strategic planning/working groups including those relating to specialist issues such as nature and the environment
 - On-going preparation and production of Statements of Common Ground
 - The production of joint evidence base documents with others
 - The exchange of ideas and input into the studies/evidence base of other local authorities
 - Responding to the various stages of Local Plan consultations of other authorities; and in reverse inviting them to make representation on the Tunbridge Wells Local Plan Issues and Options and Draft Local Plan (Regulation 18)
 - Undertaking an independent peer review (Planning Advisory Service) in respect of the preparation of the Local Plan and related Duty to Cooperate activities
 - Workshop sessions with various organisations and groups to discuss the growth strategy and any relevant cross boundary issues, particularly infrastructure
- 4.2 The Council holds and maintains a meeting log of all meetings and engagement with county and neighbouring local authorities, prescribed bodies and other groups

Cooperation between authorities

- 4.3 TWBC has been working with a number of other authorities in identifying and working on strategic, cross boundary issues. These authorities include:

Kent Authorities

- Kent County Council
- Tonbridge & Malling Borough Council and Sevenoaks District Council
- Ashford Borough Council, and Maidstone Borough Council

Authorities outside of Kent

- East Sussex County Council
- Other authorities: Adjoining: Rother District Council and Wealden District Council.

Other Authority related groups:

- **West Kent Duty to Co-operate meetings** – Tunbridge Wells Borough Council, Tonbridge & Malling Borough Council and Sevenoaks District Council
- **Kent Gypsy and Traveller Planning Group** - includes all the Kent authorities listed above.
- **Ashdown Forest Working Group** – Tunbridge Wells Borough Council, Wealden District Council, Mid Sussex District Council, Lewes District Council, Sevenoaks District Council and also Natural England. This group is chaired by the South Downs National Park Authority.

4.4 The plan-making situation in neighbouring authorities is set out in the table below:

Table 1: The plan-making situation in neighbouring authorities

Other Local Planning Authorities (LPAs) plan-making positions.
Ashford – Adopted Local Plan, February 2019
Maidstone – Adopted Local Plan, October 2017
Rother – Adopted Core Strategy, September 2014. An additional Development and Sites Allocation Local Plan was submitted in January 2109. Results of its Examination which took place in May 2019 are awaited
Sevenoaks – Submitted Local Plan April 2019. Examination to take place 24 September to mid November 2019
Tonbridge & Malling – Submitted Local Plan, January 2019. Examination dates are awaited.
Wealden – Submitted Local Plan, January 2019. Results of Examination which took place June/July 2019 are awaited

Shared Production of evidence

4.5 For some evidence based work and to aid the assessment of strategic housing and economic need issues, it has been useful to undertake work with others; such as the following studies commissioned in partnership with Sevenoaks District Council:

- Strategic Housing Market Assessment 2015
- Economic Needs Study 2016

- Historic Environment Review (Part 1) 2017

4.6 These studies and how TWBC has cooperated on strategic issues with some of the above authorities are discussed in more detail below under the themed headings: Housing, Economy, Infrastructure etc.

4.7 The Council has also been involved in, and continues to undertake, extensive duty to cooperate discussions with Kent County Council in terms of its role as the upper tier local authority, minerals and waste local planning authority, and infrastructure provider.

Statements of Common Ground (SoCGs)

4.8 The following information highlights the progress being made/that has been made in relation to the production of SoCGs with neighbouring authorities:

Sevenoaks District Council

4.9 TWBC produced a SoCG with SDC in May 2019. This is attached at Appendix 1. The key outcomes were:

- It is recognised that TWBC and SDC are part of established and recognised Housing Market Areas and Functional Economic Market Areas
- **Housing** – SDC cannot meet need but both authorities will continue to engage and review this prior to the five year review post adoption of their plans
- **Economic Development** – SDC can meet own needs however opportunities for joint working in relation to economic matters including, employment, retail and leisure and town centre uses will continue to be explored prior to the five year review post adoption of both plans
- **Environment/Ashdown Forest** – SDC and TWBC will continue to form part of Ashdown Forest Working Group and implement the actions of the SoCGs for this
- **Infrastructure** – both authorities will continue to liaise and work together with infrastructure providers on cross boundary matters

Tonbridge & Malling Borough Council (TMBC)

4.10 TMBC – there have been considerable discussions with TMBC under the DtC, and these are ongoing. The proposed distribution of development would have a potential impact on parts of TMB and infrastructure: there are specific references to working closely with TMBC on masterplanning as part of the proposals for development at Tudeley and Capel/Paddock Wood.

4.11 In addition, TWBC, SDC and TMBC are working towards producing a West Kent SoCG to address cross boundary issues pertinent to all three authorities and may be broadened to include other infrastructure issues such as flooding.

Maidstone Borough Council (MBC)

4.12 TWBC produced a SoCG with (MBC) in August 2016. This is attached at Appendix 2. The main outcome of this statement was that MBC is able to meet its own objectively assessed need for housing and does not require TWBC to accommodate a proportion of this housing need. It was also agreed that TWBC and MBC lie in separate housing market areas. However, both authorities have continued to cooperate and work together on this and other arising cross boundary issues: again there are specific references to working closely with TMBC on masterplanning as part of the proposals for development at Tudeley and Capel/Paddock Wood.

Wealden District Council (WDC)

4.13 The SoCG between TWBC and WDC has been drafted and is awaiting final sign off.

Rother District Council (RDC)

4.14 Discussions have been held with RDC on strategic planning matters, with particular reference to the emerging Tunbridge Wells Borough Local Plan. Further discussions are planned as RDC embarks on its new Local Plan. There is no current SoCG, but this will be prepared following these further discussions.

Ashford Borough Council (ABC)

4.15 TWBC is still in discussion with ABC and a SoCG has not yet been finalised.

Ashdown Forest Working Group

4.16 As above, members of this group include TWBC, WDC, Mid Sussex DC, Lewes DC, SDC and Natural England. The Council has been actively involved on wider duty to cooperate matters affecting the Ashdown Forest, a European site protected under the Habitat Regulations. More details in relation to this are provided under the Environmental issues section below. Two SoCGs have been produced by this group, one relating to visitor pressure (completed in December 2018) and one to vehicle emissions facilitated by the South Downs National Park (completed in April 2018). These SoCGs are attached at Appendix 3 and 4.

Cooperation between prescribed bodies and other bodies

4.17 The Council has engaged with the following prescribed and other bodies in the preparation of the Draft Local Plan:

Table 2: Prescribed bodies (under Section 33A)

Prescribed Body	Engagement/Discussion dates	Involvement/key outcomes
Environment Agency	<p>Early engagement November 2016</p> <p>Issues and Options consultation 2017</p> <p>Stakeholder consultation with infrastructure providers in July/August 2018, March/April 2019 and June 2019</p>	<p>Flooding is an issue which could have implications for TWBC and other neighbouring authorities such as TMBC and SDC. There have been specific on-going discussions and engagement with KCC and the EA in relation to the Strategic Flood Risk Assessment (SFRA) work undertaken by TWBC, in particularly in relation to the Capel/Paddock Wood and Tudeley area and Royal Tunbridge Wells. Outcomes include: flood alleviation schemes for Paddock Wood and Five Oak Green and other minor alleviation/culverting schemes; and proposed flood mitigation measures recommended in the SFRA such as flood defence and strategic storage, for the Paddock Wood area in response to the proposed growth strategy.</p>
Historic England (HisE)	<p>Early engagement in 2016</p> <p>Issues and Options Consultation 2017</p>	<p>Early engagement involved discussion and recommendations on how the Council's emerging Heritage Strategy should be taken forward. A Historic Environment Study was commissioned jointly by TWBC and SDC.</p> <p>Policy recommendations in HisEs response to the Issues and Options were considered in the formulation of new development management policies relating to the historic environment/heritage assets in the Draft Local Plan.</p>
Natural England (NE)	<p>Issues and Options Consultation 2017</p>	<p>Policy recommendations in NEs response to the Issues and Options were considered in the formulation of</p>

Prescribed Body	Engagement/Discussion dates	Involvement/key outcomes
	Involved in regular meetings as a member of the Ashdown Forest Working Group (above)	new development management policies such as EN11 Net gains: biodiversity in the Draft Local Plan. Involved in discussions on cross boundary environmental issues relating to the Ashdown Forest resulting in the production of relevant studies, policies and two SoCGs (as above)
Health related bodies - West Kent Clinical Commissioning Group (CCG) and NHS Trust	Early engagement November 2016 Issues and Options consultation 2017 Stakeholder consultation with infrastructure providers in July/August 2018, March/April 2019 and June 2019	Continuous engagement with CCG in relation to emerging strategy and implications for primary care provision. Outcomes – GP surgeries (some of the existing GP surgeries are used by residents outside the borough): development, improvements, extensions to a number of existing GP surgeries, and new surgeries where applicable e.g .Capel/Paddock Wood Area and safeguarding of land for new surgery in Horsmonden. Hospital and other services – identified existing hospital at Pembury may need to be extended to serve the West Kent Area (including areas outside the borough) and Local Care Hubs which will be located nearby but outside the borough and will serve Tunbridge Wells residents
Network Rail, South Eastern Rail and KCC (Railways)	Meeting August 2018 IDP consultation 2019	Local Plan Growth Strategy indicates that Network Rail will undertake further modular studies in coming years to look in more detail at particular areas of the network in Kent
Highways England (HE)	Met with TWBC and KCC in November 2018 and June 2019	HE responded to Issues and Options 2017. Agreed to assess impact of proposed growth strategy on A21 and concluded no additional works needed to A21
KCC Highways	Numerous meetings with TWBC over the Local Plan review process, including meeting with HE above.	Worked as part of Officer Working Group identifying a deliverable Transport Strategy. Assessment of over 300 sites submitted as part of the call for sites. Have worked closely with consultants on a Transport Assessment

Prescribed Body	Engagement/Discussion dates	Involvement/key outcomes
		in relation to the Local Plan's proposed growth strategy and mitigation measures (including cross boundary issues).
East Sussex County Council (ESCC) Highways	Responded to IDP consultation in 2019	ESCC are considering a study/bid for major roadworks to the A26 in East Sussex.

Table 3: Other Bodies

Other bodies	Engagement/Discussion dates	Involvement/key outcomes
Kent Nature Partnership (KNP)	Regular meetings have taken place over the course of development of the Draft Local Plan	KNP policy recommendations and advice have been incorporated into some of the new development management policies in section 6 of the Draft Local Plan
High Weald AONB Unit	Regular meetings have taken place over the course of development of the Draft Local Plan	The AONB Unit's recommendations and advice have been incorporated into some of the new development management policies in section 6 of the Draft Local Plan
Upper Medway Internal Drainage Board (Flood Risk)	As per the EA section above and KCC Flooding section below	As per the EA section above and KCC Flooding section below
Southern Water (waste water)	Early engagement November 2016 Issues and Options consultation 2017 Stakeholder consultation with infrastructure providers in July/August 2018, March/April 2019 and June 2019	No major growth schemes committed at present but works are due to be carried out (next year) in the Paddock Wood area to increase pipe capacity. Further details are awaited in respect of reviewing the capacity network for the proposed growth at Capel/Paddock Wood.

Other bodies	Engagement/Discussion dates	Involvement/key outcomes
South East Water (water supply)	<p>Early engagement November 2016</p> <p>Issues and Options consultation 2017</p> <p>Stakeholder consultation with infrastructure providers in July/August 2018, March/April 2019 and June 2019</p>	<p>The provision of water supply/service for the proposed growth strategy in the Draft Local Plan can be accommodated satisfactorily within the requirements of the SE Water Management Plan 2019 and Revised Water Resources Management Plan 2020-2080</p>
KCC Education	<p>Early engagement November 2016</p> <p>Issues and Options consultation 2017</p> <p>Stakeholder consultation with infrastructure providers in July/August 2018, March/April 2019 and June 2019</p>	<p>Liaison with KCC (Education) has been a continuous process over the development of the Draft Local Plan – individual meetings, specific site discussions and district liaison meetings. Outcomes: proposed extension of two existing primary schools; extension of existing secondary school and new secondary school; new learning hub in RTW for adult education (all of which may serve residents outside the borough)</p>
KCC – Leading Local Flood Authority	<p>Early engagement November 2016</p>	<p>Flooding is an issue which could have implications for neighbouring authorities such as TMBC and SDC. There have been</p>
	<p>Issues and Options consultation 2017</p> <p>Stakeholder consultation with infrastructure providers in July/August 2018, March/April 2019 and June 2019</p>	<p>specific on-going discussions and engagement with KCC and the EA in relation to the Strategic Flood Risk Assessment (SFRA) work undertaken by TWBC, in particular in relation to the Capel/Paddock Wood and Tudeley area and Royal Tunbridge Wells. Outcomes include: flood alleviation schemes for Paddock Wood and Five Oak Green and other minor alleviation/culverting schemes; and proposed flood mitigation measures recommended in the SFRA such as flood defence and strategic storage, for the Paddock Wood area in response to the proposed growth strategy.</p>

Other bodies	Engagement/Discussion dates	Involvement/key outcomes
West Kent Partnership Infrastructure and Transport Group (includes Bus Operators and KCC Public Transport Team)	Meeting held with a number of bus operators in January 2019 to discuss proposed growth strategy in Local Plan IDP consultations in 2018 and 2019	Funding for enhanced bus services (cross boundary) Looking at ways to improve services to rural areas

Cross boundary strategic issues

Housing

- 4.18 TWBC has been working closely with other authorities in discussions on meeting their objectively assessed housing need, which may have cross boundary implications. Paragraph 60 of the NPPF advises that any unmet need within neighbouring authorities should also be taken into account in establishing the amount of housing to be planned for.
- 4.19 Supporting Guidance also advises that identifying the 'housing market area' is appropriate to assist in preparing policies for meeting housing need across local authority boundaries.
- 4.20 The Council's Strategic Housing Market Assessment (SHMA) defines the relevant housing market area as being the 'West Kent Housing Market Area' (HMA), which includes SDC, TMBC and TWBC and extends to include Crowborough, Hawkhurst and Heathfield. In terms of 'best fit' to local authority boundaries, Sevenoaks borough has the greatest association with Tunbridge Wells borough; and therefore a joint SHMA was commissioned with this authority. Tonbridge & Malling borough is effectively split, with part of the borough (Tonbridge) relating to this HMA, and part (Malling) towards Maidstone. In any event, given the various cross-boundary interactions, consideration is given to the housing need and supply situation in all neighbouring local authority areas.
- 4.21 Of the LPAs with submitted Local Plans in Table 1 above, Wealden DC and Tonbridge and Malling BC both indicate that they are meeting their local housing needs, although as both Local Plans are currently at examination, they are subject to change. Sevenoaks DC has a housing need of 707 dwellings/year, equivalent to 11,312 dwellings over its plan period (2019-2035). However, its identified supply leaves a shortfall of some 1,900 dwellings. It does not have any arrangement in place to meet this unmet need at the present time, and
- 4.22 SDC made a formal request to TWBC as to whether it could meet any of its unmet need. It is also constrained by similar Green Belt and AONB issues as TWBC.

- 4.23 The SoCG signed between TWBC and SDC indicates that TWBC is currently unable to meet SDC's unmet housing need but will review the situation, post adoption of both Plans.
- 4.24 MBC met its housing need in full through its Local Plan. Although a review is just beginning, it is too early to know if it will be able to meet its future need. However, it has previously met its housing need and is not so constrained by Green Belt or Area of Outstanding Natural Beauty (AONB) designations. Ashford BC has met its housing need through its very recently adopted Local Plan up to 2030.
- 4.25 RDC has recently set out its intention to prepare a new Local Plan, but has yet to undertake substantive work on it, so there is no indication of an unmet need.
- 4.26 In relation to accommodation for Gypsies and Travellers, a needs assessment has been undertaken, which shows an outstanding locally-derived need for additional pitches over the plan period in the borough. However, the very low level of unauthorised caravans in the borough suggests that there is no need for a transit site, although this will be kept under review as part of ongoing liaison with other Kent authorities.
- 4.27 At present, TWBC is able to meet their housing need although this relies on the release of Green Belt land within the borough and some development in the AONB, including major development. Given these constraints, TWBC will not be able to meet the unmet need of others. Further detail and justification for the Council's proposed growth strategy and housing need is set out in the Distribution of Development Topic Paper 2019 and Housing Needs Assessment Paper 2019.

Economic/Employment

- 4.28 As above, the Economic Needs Study (2016) was carried out jointly with SDC by consultants, Turleys - it was considered that the assessment of economic needs across
- 4.29 Functional Economic Market Areas (FEMA's) aligns with the guidance in the PPG, although there is no standard approach to defining such geographical relationships.
- 4.30 TWBC also considers that Sevenoaks District and Tunbridge Wells borough share important economic linkages which also extend to cover parts of neighbouring Tonbridge & Malling borough. This reflects evidence of commuting flows, and has become defined as a sub- regional economy through the West Kent Partnership.
- 4.31 As part of the Economic Needs Study work, the consultants carried out a stakeholder workshop on the 16 March 2016 with a range of stakeholders who were invited to explore a number of topics by way of facilitated discussions in relation to employment provision within the borough. Local business groups, significant employers, landowners, agents, neighbouring authorities and Kent County Council all attended the session which received positive feedback.

- 4.32 With regard to Retail and Leisure development, in line with the DtC, Nexus (the consultants appointed on behalf of TWBC) worked in collaboration with officers from TWBC in engaging with neighbouring local planning authorities in order to identify future capacity and pipeline schemes within competing retail centres. The pipeline schemes of interest were considered to be those of a nature and scale which could have the effect of consolidating their retail offer and enhancing their market share. Sevenoaks District, Maidstone Borough and Ashford Borough all provided responses to this which was fed in to the Retail and Leisure Study 2017. Additionally, TWBC has provided comments to neighbouring authorities on their methodology and catchments for the production of retail and leisure studies to inform the work of other local planning authorities in the production of their Local Plans.
- 4.33 TWBC is seeking to meet its identified employment land and retail needs in full through the retention, intensification and extension of existing defined Key Employment Areas and in particular a strategic extension into the Green Belt on land at Kingstanding Way, Royal Tunbridge Wells and mixed use town centre enhancements primarily within Royal Tunbridge Wells and Paddock Wood. However, TWBC will continue to engage through the wider DtC forum with other neighbouring authorities in relation to economic and retail matters, as the Plan progresses.

Infrastructure

- 4.34 There are a number of infrastructure issues which are particularly relevant to cross boundary considerations – including in the main, transport, health and education as well as flood risk.
- 4.35 As part of the production of the Council's Infrastructure Delivery Plan (IDP), the relevant service providers have been engaged throughout the process through a number of consultations and input to the draft policies and proposed site allocations in the Draft Local Plan. Summarised details of this are set out in the Prescribed Bodies and Other Bodies tables 2 and 3 above. Full details of this process are set out in the Council's IDP which details the infrastructure requirements across the borough over the plan period.
- 4.36 Kent County Council and East Sussex County Council have both been formerly consulted and have provide input on any cross boundary issues in relation to education and transport where it is considered that the planned growth would have an impact on neighbouring East Sussex.
- 4.37 The West Kent Clinical Commissioning Group has also been involved throughout the process and has assessed the proposals against their practice mapping which covers a number of geographical areas also extending in to neighbouring authorities as well as discussions with their counterparts in East Sussex.
- 4.38 In relation to flooding and flood risk, discussions have been held with the Environment Agency and Kent County Council as the Lead Local Flood Agency in the production of the Council's Strategic Flood Risk Assessment and the Council is

also part of the Medway Flood Partnership and Medway Flood Action Group dealing with such issues as the Leigh Expansion and Hildenborough Expansion Scheme – with a number of other Local Authorities affected – including TMBC and SDC.

- 4.39 Infrastructure issues relating to transport, water/flood risk, education and health have also formed a standard discussion point with neighbouring authorities as part of regular DtC meetings and any potential issues/concerns have been raised at these meetings and recorded.

Environmental Issues

- 4.40 As above, the Council has been actively involved on wider duty to cooperate matters affecting the Ashdown Forest, a European site protected under the Habitat Regulations. Cross boundary issues of visitor pressure and vehicle emissions have the potential to adversely affect the protected habitats and species found in the Ashdown Forest. The Council has been working in partnership with other affected authorities to commission studies, undertake detailed analysis, and to develop policy to ensure planned development can go ahead without causing harm to this designated site.
- 4.41 Two formal partnerships covering these issues are in operation: one to address visitor pressure, the Strategic Access Management and Monitoring (SAMMS) partnership; and one to address vehicle emissions, the Ashdown Forest Working Group (AFWG). As above, SoCGs have been signed in respect of both issues, with Tunbridge Wells Borough Council being a party to both – as attached at Appendices 3 and 4.

5.0 Conclusions

- 5.1 This Interim Duty to Cooperate Statement sets out the Council's approach to undertaking the DtC with neighbouring authorities and other relevant bodies whilst following government procedure and guidance within a complex planning policy framework. The information included in this Interim Statement demonstrates that TWBC has sought to actively undertake a process of on-going collaborative, constructive engagement working with others in progressing cross boundary strategic matters in the preparation of the Draft Local Plan to date. This Duty and engagement will be on-going as the Plan progresses.

Appendices

Note: Appendices 1 to 4 have been published separately alongside this document on the website as they do not meet accessibility regulations. If you would like to be provided with the appendices in an alternative format, please contact Planning Policy by emailing planning.policy@tunbridgewells.gov.uk or phoning 01892 554056.

Appendix 1: Statement of Common Ground between Tunbridge Wells Borough Council and Sevenoaks District Council

(published separately)

Appendix 2: Statement of Common Ground between Tunbridge Wells Borough Council and Maidstone Borough Council

(published separately)

Appendix 3: Statement of Comment Ground Ashdown Forest Working Group (relating to visitor pressure)

(published separately)

Appendix 4: Statement of Common Ground Ashdown Forest Working Group (relating to vehicle emissions)

(published separately)

**If you require this document in another format,
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