

# Tunbridge Wells Borough Council's response to the Independent Examiner's queries on Regulation 16 of Lamberhurst Neighbourhood Development Plan

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## Background

The Lamberhurst Neighbourhood Plan needs to be in general conformity with strategic policies contained in the development plan for Tunbridge Wells Borough. At this time, this requirement relates to strategic policies contained in the following planning documents adopted by Tunbridge Wells Borough Council:

Tunbridge Wells Core Strategy Development Plan Document 2010;

Tunbridge Wells Borough Council Site Allocations Local Plan 2016;

Saved policies in the Tunbridge Wells Borough Council Local Plan 2006;

Kent Minerals and Waste Local Plan 2013 to 2030.

# Core Strategy 2010

The Core Strategy provides the overarching principles by which the essential development needs of the Borough for the period 2010 – 2026 are to be delivered. The key decisions about how much development would happen in the Borough and where and when it will take place for this period are made in the Core Strategy.

The Core Strategy provides:

- A spatial vision of how the Borough should develop strategic objectives for development in the Borough, setting out the main issues to be addressed;
- A delivery strategy setting out how much development will take place and where, when and by what means it will be delivered.

The Core Strategy policies that are considered to be relevant for consideration by TWBC when making representations to the Lamberhurst Neighbourhood Plan Regulation 16 consultation are:-

- Core Policy 1: Delivery of Development
- Core Policy 2: Green Belt
- Core Policy 3: Transport Infrastructure
- Core Policy 4: Environment
- Core Policy 5: Sustainable Design and Construction
- Core Policy 6: Housing Provision
- Core Policy 7: Employment Provision
- Core Policy 8: Retail, Leisure and Community Facilities Provision
- Core Policy 14: Development in the Villages and Rural Areas.

Core Policy 14 Development in the Villages and Rural Areas (within which the parish of Lamberhurst falls) sets out a strategy for the villages that promotes a sustainable economy while maintaining and enhancing their distinctive character and environment and also that of the surrounding countryside. The main aims and objectives of Core Policy 14 are:

- To generally restrict development to sites within the LBD of the villages;
- To enhance village centres to provide a focus for communities, to resist the loss of local services and encourage the development of community facilities;
- To meet local needs for affordable housing;
- To strengthen the rural economy, including opportunities for re-use of redundant rural buildings for employment uses. Also encouragement of land-based uses and tourism;

- To conserve and enhance buildings and areas of historic and environmental importance, and to maintain the distinctive landscape character and quality of the countryside;
- To encourage the use of non-motorised modes of transport between rural settlements and with rural areas.

Core Strategy Core Policy 14 identified that approximately 360 net additional dwellings would be delivered in the villages and rural areas on sites for the period 2006 to 2026, to be allocated and released in the Site Allocations Local Plan.

## The Site Allocations Local Plan 2016

The Site Allocations Local Plan 2016 sets out the specific sites that the Council believes should be developed in order to meet the levels of growth set out in the adopted Core Strategy.

The Site Allocations Local Plan did not include any site allocation policies or other strategic policies relevant for Lamberhurst Parish.

Paragraph 8.6 in Chapter 8 Villages and Rural Areas explains that monitoring of housing completions, carried out regularly by the Borough Council, had indicated that the overall target for the villages and rural areas in the Core Strategy of 360 net additional dwellings to 2026 had been met. The Council would continue to actively promote the delivery of local needs housing and the affordable housing delivered would therefore be in addition to the target set for the rural areas. Rural exception housing would only be delivered when a specific local need has been identified.

Site Allocations Local Plan Policy AL/STR 1 Limits to Built Development sits within Chapter 2 (Methodology and Strategy), under the Heading Strategic Policies (page 23). It states that 'the extent of the Limits to Built Development is defined on the saved Local Plan Proposals Map for the villages and defined spatially on the individual settlement Proposals Maps accompanying this Site Allocations Local Plan in relation to Royal Tunbridge Wells and Southborough, Paddock Wood, Cranbrook and Hawkhurst. The saved policies of the Local Plan will continue to be relevant in considering details of the appropriate uses inside, and outside of, these defined areas until such time as they are updated and superseded by the Core Strategy Review (Local Plan)'.

## Local Plan 2006

Since its adoption some changes have been made to the Local Plan 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. As a result, some policies have been removed from the Local Plan as they are no longer valid. An updated list of [Local Plan 2006 remaining saved policies](#) is available to view.

It is therefore the case that Local Plan (2006) Policy LBD1 remains a saved policy for Lamberhurst Parish, being relevant for the borough's villages and rural settlements (not including Cranbrook or Hawkhurst), and linked to strategic policy AL/STR1 in the Site Allocations Local Plan 2016: i.e. it is relevant for consideration by TWBC when making representations to the Lamberhurst Neighbourhood Plan Regulation 16 consultation. Policy LBD1 states that 'Outside the Limits to Built Development, as defined on the Proposals Map, development will only be permitted where it would be in accordance with all relevant policies contained in this Local Plan and the Kent Structure Plan 1996 and the Kent & Medway Structure Plan 2006 rural settlement and countryside policies'.

## **The Kent Minerals and Waste Local Plan (KMWLP) 2013-2030**

This was originally adopted by Kent County Council (KCC) in July 2016 and has been subject to an Early Partial Review of certain waste management capacity requirement and mineral and waste safeguarding policies. The plan was adopted in its modified form in September 2020. There are no strategic policies in this plan that affect the site allocations proposed by Lamberhurst Neighbourhood Plan.

### **Response to Independent Examiner's queries**

#### **(9) SEA and HRA Screening**

Can TWBC provide me with copies of its respective SEA and HRA screening reports.

##### **TWBC response**

TWBC have provided the Independent Examiner with the requested reports.

#### **(10) Policy L1 – Local Green Space**

Can TWBC confirm that the local green space (LGS) status on the sites identified in the plan, apart from the two additional sites that the neighbourhood plan is adding, will only be conferred once the Local Plan is adopted? Would it not be better for the NP to actually designate all the identified sites, as it is likely to be "made" prior to the Policy EN15, thereby becoming part of the development plan on being made. In that case, can maps showing the extent of the LGS designation, as well as their location, be included in the neighbourhood plan.

## **TWBC response**

TWBC is happy for the Lamberhurst NP to propose the LGS that are being proposed through the Pre-Submission Local Plan (Reg 19). Should they be successful before the adoption of the TWBC Local Plan, they will be withdrawn from the TWBC Local Plan.

## **Policy H1 – Location of housing development**

(23) Could TWBC offer a view whether it is appropriate for the policy to be using the proposed “limit to development” for Lamberhurst which is currently a draft which could be open to objection and change as it goes through the local plan process. Would it be more appropriate for the neighbourhood plan to be establishing that boundary in this document? Would the Parish Council have any views as to whether such a proposal would be acceptable?

## **TWBC response**

It is suggested that the policy could be reworded as follows. This would mean that the policy would apply as per the current LBDs in the existing adopted Development Plan, and would then apply to the new LBDs once, and if, the new Local Plan is adopted.

“...New housing development will be provided by any development allocations in the ~~emerging~~ adopted Tunbridge Wells Borough Local Plan (2019) and by appropriate small scale development within, or adjoining, the "limits to built development" for Lamberhurst in the adopted Local Plan.

## **Policy H3 – Allocating affordable housing**

(24) I have reservations as to whether a planning policy can be used to dictate who will be allocated affordable housing as that is normally a matter for the Housing Authority under the Housing Acts, apart from on rural exception sites. Can the TWBC advise me whether the borough council’s allocation policy for affordable housing includes a local connection policy and is there any required linkage between the housing allocation policy and planning policy?

## **TWBC response**

The eligibility for inclusion on the [housing register](#) can be found on the Council’s website.

It includes a local connection requirement.

## **Policy D1 – Design of New Development**

(27) Can TWBC clarify the categories of planning application that are required to be accompanied by a Design and Access Statement?

## **TWBC response**

A Design and Access Statement is required for any Major application, OR; any application for one or more dwelling houses or for the provision of 100 sq m or more of floor space in a conservation area. Full details are provided on the TWBC website (local validation checklist for submitting a planning application).