

TWBC Response to Examiner's Initial Comments on the Cranbrook & Sissinghurst Neighbourhood Plan

Examiner's Question

'Please can I have an indicative timetable for the Borough Council's response to the Inspector's preliminary findings on the emerging Local Plan and the next stages in the plan-preparation process'

TWBC Response

The new TWBC Local Plan 2020-2038 was subject to a Regulation 19 consultation which ran from 26 March to 4 June 2021, and was submitted to the Planning Inspectorate on 1 November 2021. An Examination in Public (EiP) took place between March and July 2022.

The Inspector set out his 'Initial Findings' in a letter received in mid-November 2022. The Council noted that the Inspector presented alternative ways for the taking the examination forward and has advised the Inspector, by [letter dated 22 December 2022](#), of the further work it is undertaking to determine the most appropriate option. Having regard to the number of threads to this work, it also advised that *"It is clearly not possible at present to put a timeframe on determining the most appropriate approach, which will need to be underpinned by a clear understanding of and the requisite appraisal of options."* The letter added that *"The Council confirms that it remains committed to have an adopted Local Plan in place as soon as practicable and we are working towards this end."* This remains the case, although progress is being made on all workstreams, such that we are hopeful of these being concluded by this Spring, although it will likely be Summer before a consultation on proposed Main Modifications would be undertaken, with representations then being passed to the Inspector for consideration. Of course, it should be added that the preferred way forward will depend upon the outcomes of ongoing work and the Council's formal consideration of that. A more detailed timetable has been prepared for the Inspector that will be published in due course on the Council's website, which confirms the above expectations for the adoption of the Plan.

Examiner's Question

General – Relationship of the submitted Plan to the development plan

The basic conditions test for a neighbourhood plan is against the strategic policies in the adopted Local Plan. Several policies in the Plan have sought to add value to policies in the emerging Local Plan. As the Parish Council will be aware the Planning Inspector has now issued his preliminary findings on the Local Plan.

Does the Parish Council have any comments on the preliminary findings and their potential implications on the content of the neighbourhood plan

TWBC Response

Although this question has been directed principally to the Parish Council, the Borough Council may also assist the Examiner in relation to this matter.

Responses to the queries and issues raised in the Examiner's Neighbourhood Development Plan (NDP) 'Clarification Note' are ones that relate to whether the NDP meets the basic conditions as set out in Planning Practice Guidance. One of the basic conditions is that the NDP needs to be in general conformity with the strategic policies contained in the development plan for the area. At present, this needs to be read with the understanding that some of these policies are now outdated, including by later NPPF policies. At this time, this requirement relates to strategic policies contained in the following planning documents adopted by Tunbridge Wells Borough Council:

- Saved policies in the Tunbridge Wells Borough Council Local Plan 2006;
- Tunbridge Wells Core Strategy Development Plan Document 2010;
- Tunbridge Wells Borough Council Site Allocations Local Plan 2016;
- Kent Minerals and Waste Local Plan 2013 to 2030 (note that a statutory five-year review was completed in 2021, and the updated Kent Minerals and Waste Local Plan plans for a 15-year period between 2023 and 2038)

The NDP also needs to be appropriate having regard to national planning policy as set out in the National Planning Policy Framework (NPPF) 2021.

With reference to the emerging TWBC Local Plan, the Inspector's 'Initial Findings' ([letter dated 22 December 2022](#)) as noted above deals particularly with the proposals for the two strategic sites, Policy STR/SS1 (The Strategy for Paddock Wood and East Capel) and Policy STR/SS3 (The Strategy for Tudeley Village, along with Policy STR1 The Development Strategy). While there are many proposed site allocations and policies in the emerging TWBC Local Plan not covered by the Inspector's letter, he does refer to the need for modifications to other policies. Also, it has to be recognised that the TWBC Local Plan is still at examination, and the Inspector's Initial Findings letter has raised some queries over the contribution of the strategic sites to meeting development needs at present. The Council has not yet determined how to address the Inspector's concerns, but is working through them, and we are hopeful of these being concluded by this Spring, although it will likely be Summer before a consultation on proposed Main Modifications would be undertaken, with representations then being passed to the Inspector for consideration. Of course, it should be added that the preferred way forward will depend upon the outcomes of ongoing work and the Council's formal consideration of that.

The Inspector does not raise any issues in his letter regarding the Strategy for Cranbrook and Sissinghurst, save for endorsing the proposed approach discussed at the hearing in relation to the smaller mixed-use site covered by AL/CRS6 in Sissinghurst. However, this must be read in conjunction with the above findings.

Given the above, the Council is currently reviewing the pattern of strategic growth, and thus emerging Policy STR/SS1, as proposed within the emerging Plan.

While the Inspector's only comment on Development Management Policies relates to that for Housing for Older People and People with Disabilities, the potential for modifications to other policies cannot be ruled out. TWBC officers agreed the need for some modifications through the examination hearings, although these are considered to be generally fairly limited in nature. The policies in the NDP can draw on the evidence base that supports the emerging TWBC Local Plan, but must stand independently, with their own justification. If any of the NDP policies refer to

the TWBC Submission Local Plan policies directly, it should be within the supporting text, with an explanation that the Submission Local Plan may be subject to modifications.

As discussed above, the Council is currently undertaking further work to determine the most appropriate option going forward with regard to its emerging Plan. In the meantime, however, it is considered that the Cranbrook & Sissinghurst NDP may still proceed in relation to non-strategic policies without prejudice to strategic matters.

Examiner's Question

Please can I have updates on the following planning applications:

- *20/00815/FUL (in relation to AL/CRS3 in the emerging Local Plan and Policy LN3.5 of the submitted neighbourhood plan); and*
- *21/03914 (in relation to Policy CC8.5).*

TWBC Response

Planning application 20/00815 *The construction of 165 new dwellings with associated access, car parking, refuse/recycling storage, landscaping, earthworks and other associated works* is subject to a Secretary Of State 'Call In' and following a Public Inquiry held in autumn 2021, the decision from the Secretary of State is anticipated in the coming weeks. The Borough Council will update the independent examiner examining the Cranbrook & Sissinghurst NDP, as soon as any outcome is received.

Planning application 21/03914 *Demolition of the existing St George's Institute building and erection of a new building providing community facilities, community parking spaces, improved access arrangements, 19 dwellings and associated landscaping and infrastructure* was granted approval on 12 January 2023.