

Examination of the Tunbridge Wells Borough Local Plan

Tunbridge Wells Borough Council Note to Inspector

Explanatory Note on Maidstone Borough Council Minutes

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Contents

Purpose of this Explanatory Note.....	3
Commentary.....	3
Appendix 1: Meeting Minutes TWBC/MBC 29 July 2020	9
Appendix 2: Meeting Minutes.....	10
Appendix 3: Email and draft letter to Maidstone Borough Council 3 September 2020.....	11
Appendix 4: Emails to SDC, TMBC, ABC, WDC and RDC with draft letters attached	12
Appendix 5: Minutes of meeting between TWBC and MBC 11 January 2021	13
Appendix 6: Minutes of meeting between TWBC and MBC 3 August 2021	14

Purpose of this Explanatory Note

1. This Explanatory Note has been produced by the Council in respect of Matter 1, Issue 1: Duty to Cooperate (DtC) at the request of the independent Inspector appointed to examine the Tunbridge Wells Local Plan. This Note covers discussions and correspondence with Maidstone Borough Council not previously included within the submitted Duty to Cooperate paperwork supporting the Local Plan.

Commentary

2. In relation to Q1 of the Inspector's [Stage 1 Matters, Issues and Questions](#), and the ability of other Local Planning Authorities meeting housing need from Tunbridge Wells that otherwise would be located in the Green Belt, or comprise major development in the AONB:
 - the Council set out in the hearing session on the morning of Matter 1: Legal Compliance Issue 1 Duty to Cooperate (DtC) that it took a comprehensive (or “belt and braces”) approach;
 - this involved i) discussing, ii) making formal requests, and then iii) interrogating the emerging local plans of those authorities a) within the West Kent Housing Market Area (HMA), and b) also those authorities which are outside of the HMA but adjacent to it.
3. The reasoning for undertaking the formal discussions in the summer of 2020 are set out at paragraph 17 of the Council's Hearing Statement [Document reference: [TWLP_001](#)]. Reference was made by the Council to minutes of a meeting with Maidstone Borough Council (MBC) of 29th July 2020 when the Council specifically raised the issue of meeting housing need from Tunbridge Wells that otherwise would be located in the Green Belt or comprise major development in the AONB. These minutes had not been provided in the Appendices to DtC Statement [[CD 3.123c \(iv\)](#)] as the Council explained at the Examination, it has had to take a proportionate approach to providing details/minutes, otherwise the DtC Statement appendices would have been unwieldy. The minutes are now provided as **Appendix 1** to this Explanatory Note. MBC was clear at that meeting that accommodating its own

housing need under the standard method is “*going to be difficult, esp given infrastructure issues*”.

4. As the Council also explained at the Examination hearing, during the period May – July 2020 the Council specifically raised the issue of other Councils accommodating housing from Tunbridge Wells that would otherwise require Green Belt release or comprise major development in the AONB. The minutes of the relevant meetings are provided – for completeness - for Sevenoaks District (SDC) and Tonbridge & Malling Borough (TMBC) Councils at Appendix SDC 14 of [CD 3.123c \(iii\)](#), and for Ashford Borough (ABC), and Wealden (WDC) and Rother District Councils (RDC) in **Appendix 2** to this Note.
5. As these minutes show, it was agreed that draft letters making a formal request would be sent ahead of a formal letter. This was to enable officers of the relevant Councils to be aware, and to discuss with more senior colleagues and Members ahead of the formal letter. The draft letter and accompanying email – sent on 3 September 2020 - to MBC is provided at **Appendix 3**. The draft letter was also sent to SDC, TMBC, ABC, WDC and RDC. These emails, but not the letter, which was similar to that in Appendix 3, are provided - again for completeness - at **Appendix 4**.
6. The Council explained at the Examination hearing:
 - that it has a clear understanding of planning policy in Maidstone borough, and its history surrounding spatial strategy: although not stated, this includes that senior officers in the Council's Planning Services had previously held senior positions in Planning Services at MBC, and live in Maidstone borough so know the area and planning policy history well;
 - that MBC adopted its most recent Local Plan in October 2017, and that there was extensive delay in replacing the Local Plan of 2000 due to numerous difficulties including in relation to the provision of infrastructure to support growth;
 - the Council was aware of this as a result of discussions under the DtC, through the pan-Kent working groups of officers and the fact that they share Kent County Council (KCC) as the county (and local highway) authority.

7. The MBC Local Plan 2017 caters for a housing need of 883 dwellings per annum (dpa) (i.e., the housing need pre the introduction of the standard methodology) up until 2031. It has a strategy of concentrating development at Maidstone town and in the Rural Service Centres (RSCs) and larger villages. This is referred to as a dispersed growth pattern. It is very well known that there has been significant development at these locations in recent years as a result of the Local Plan allocations and planning applications/appeals granted in the absence of a five-year supply of housing.
8. There were acknowledged significant infrastructural issues identified in the Examination of the MBC plan – particular reference was made to highways impacts and the fact that KCC had not agreed the transport strategy. The Inspector in the MBC Examination identified that concerns over highways infrastructure and the implications for air quality (much of Maidstone town and elements of the strategic road network are designated as Air Quality Management Areas) required the need for an urgent Local Plan Review, with a target date of adoption in 2021. The Council explained at the hearing on Tuesday that MBC was on an accelerated trajectory in terms of its plan making, as compared to this Council's.
9. The MBC Local Plan Review which is currently underway (and is significantly advanced – Regulation 19 consultation has concluded) is exactly that: it is not a fresh local plan, but a review of the adopted plan, which extends the plan period until 2027/8. The introduction of the standard method since the adoption of the 2017 Local Plan means that the housing need for Maidstone – that the Local Plan Review must consider whether it can accommodate until 2037/8 - is now significantly higher (c. 1,200 dwellings per year).
10. The Council explained that it keeps a “close eye” on the progress of neighbouring authorities’ plan making, and reviews documentation as soon as it is in the public domain, ahead of formal publication. This is usually through reading reports attached to relevant Committee documents.
11. The MBC Strategic Planning and Infrastructure Committee (SPIC) on 22 September 2020 considered the extensive evidence base, before the SPIC on 9 November 2020 which considered the Draft Local Plan Review Preferred Approaches Public Consultation Document.

12. The Agenda for the SPIC on 22 September 2020 was published on 14 September 2020. This included an extensive evidence base (comprising 19 documents) including a Sustainability Appraisal, topic papers, a Strategic Housing Land Availability Assessment and an assessment for the scope for providing garden communities.
13. The Agenda for the MBC SPIC on 9th November 2020 was published on 30 October 2020. The draft Local Plan Review Preferred Approaches Public Consultation Document formed part of the reports attached to the Agenda. This set out clearly within it the assessment of alternatives and reasoned justification for the approach taken. It is clear that MBC – through its detailed analysis of the extensive evidence base produced at that point – would not be able to accommodate its own housing need (as derived through the standard method) at Maidstone town centre, Maidstone itself, the RSCs and larger villages, and therefore would require the provision of two new strategic settlements to meet its own need: i.e., the options to accommodate need through growth of existing settlements is exhausted. The Plan sets out that through the detailed evidence work MBC thoroughly assessed proposals for garden settlements and provided – in this Council’s view – justifiable reasoning to not take forward a third garden village, which reflects the realistic only strategic option to accommodate any further housing growth.
14. As advised at the Examination this Council considered – early, as it usually does – the information in the public domain. MBC commenced Regulation 18 consultation on the Preferred Local Plan on 1st December 2020.
15. The Council formally wrote to MBC on 10th December 2020 in relation to the potential for MBC to accommodate its housing (and employment) need which otherwise may have to be located in the Green Belt or comprise major development in the AONB, with the response provided by MBC on 21st December 2020 [both of these letters can be found in [CD 3.152b](#)].
16. The Council provided its response to the MBC Regulation 18 consultation on 22nd December 2020 [Appendix D6 [CD 3.132c \(iv\)](#)].
17. A DtC meeting took place on 11th January 2021. The minutes of this meeting are provided at **Appendix 5**. At the request of MBC this involved the Council’s Director (who is not a qualified planner), and the discussions was necessarily at a high level. A

further DtC meeting took place on 3rd August 2021. The minutes of this meeting are set out at **Appendix 6**. These meetings, and this Council's subsequent interrogation of the draft MBC Pre-Submission Local Plan (attached to the Agenda to the SPIC on 4th October which were published on 28th September 2020), demonstrated that the conclusions that the Council had reached following its interrogation of the Preferred Approaches Plan remained.

18. Statements of Common Ground were agreed with MBC in March/April 2021 and October 2021 [page 8 of Appendix A6 of [CD 3.132c \(ii\)](#)]. These both made reference to the discussions and formal request made by TWBC in 2020.
19. It is therefore considered that the information set out above, in the Appendices to this note and as explained at the Examination, demonstrate that this Council has worked proactively and jointly to maximise the effectiveness of the Local Plan, particularly in relation to the strategic cross boundary issues of housing need, Green Belt and AONB, including in terms of paragraphs 141, 176 and 171 of the NPPF.

Appendices

Appendix 1: Meeting Minutes

TWBC/MBC 29 July 2020

Tunbridge Wells Borough Council and
Maidstone Borough Council:
Duty to Cooperate Meeting

29th July 2020

AGENDA

Attendees:

- MBC: Mark Egerton (Strategic Planning Manager) and Helen Smith (Principal Planning Officer)
- TWBC: David Marlow (Local Plan Co-ordinator), Hannah Young (Strategic Sites & Delivery Team Leader) and Steve Baughen (Head of Planning)

Agenda items:

1. Purpose of the meeting and any issues of confidentiality.
2. Local Plan Updates
 - a. Tunbridge Wells Borough Council – TWBC (DM)
 - Published the update to the LDS last month and are now working to that
 - Lots of work on sites allocations, Green Belt and AONB
 - Want to take Local Plan to Working Group by end of calendar year
 - Want to have SoCGs in place by then
 - Consultation in Spring 2021 for Reg 19
 - Expecting the government's planning policy paper in next few days
 - Lots of emphasis on the garden community deliverability
 - The LDS refers to the plan period – pre-submission 2037
 - b. Maidstone Borough Council - MBC
 - New LDS published
 - Working on preferred approaches in stages
 - First stage is October 2020 consultation on spatial strategy
 - Second stage is Feb 2021 to mop up spatial matters and deals with detailed topic matters
 - Ongoing Member engagement sessions in build up to the October consultation
 - September SPI Committee will present all the current evidence base including SHMA, SLAA, SFRA, Employment and Retail Needs Study

- ALNH SPD now published
3. Housing need, including any requests from other authorities - All
- TWBC - 300 units per year in the Core Strategy. Std Method is 678 units per year (40%)
 - MBC – 883 units per year in 2017 Local Plan. Std Method is 1,236 (40%)
 - TWBC continuing to look at unmet need request from Sevenoaks
 - Likely to need contact on Green Belt and AONB between the TWBC and MBC
 - NPPF requires looking at alternatives before Green Belt release, for example
 - The AONB wording is not quite the same as Green Belt but requires looking at other ways of accommodating growth
 - TWBC will have evidence on seeking alternative growth locations and limitations to such an approach
 - MBC has written to the SoS regarding the std methodology and the housing need figure given scale of uplift
 - However, MBC is intending to meet its own need for all sectors and isn't intending to look outside borough
 - Not intending to take on need from other authorities as accommodating std method need is going to be difficult, esp given infrastructure issues
 - SoCG can be a way to deal with some of the issues but will be need to deal with the issue of meeting need separately too – letter to be sent from TWBC to MBC
 - MBC and TWBC not aware of other authorities wanting us to take on their need
4. Strategic Sites Working Group and development proposed in TWBC Draft Local Plan (2016 – 2036) – HY to lead. To include discussions on land within triangle to north of Paddock Wood.
- MBC are aware of the garden communities and the strategic sites working group.
 - TWBC engaging with all key stakeholders, adjoining authorities etc
 - TWBC tender for expressions of interest for taking forward the masterplanning for the garden communities. Will be a 3 stage approach
 - Work ongoing for establishing infrastructure baseline and needs
 - Key information will be feeding into the Local Plan to demonstrate deliverability
 - MBC has had land at Beltring submitted. Fairly large site. Doesn't specifically mention residential development but does mention various forms of commercial development. No decisions have been made at this stage but MBC but there will be a SFRA published in September that will have to have regard to sites at risk of flooding
 - TWBC aware of the site and will factor it in to TWBC considerations
 - MBC will ensure TWBC are aware of situation as work on the spatial strategy continues
 - The Strategic Sites Working Group will continue to be used by TWBC to engage with MBC and other authorities
 - TWBC doing plenty of work around infrastructure and would be helpful if we get any intelligence in that regard from MBC

5. Green Belt: extent to west and north of Paddock Wood (SB to introduce)
 - The new GB boundary in TWBC would follow the A228. MBC could consider whether it is happy with its GB boundary and its juxtaposition with TWBC and the TMBC GB boundaries.

6. Proposed development on the boundaries of MBC and TWBC – All
 - MBC not expecting significant development on TWBC NE boundary. There is ongoing work on the spatial strategy including a garden community assessment that will be published in September in time for the Oct consultation

7. Infrastructure, including A228 – All
 - TWBC seeking to engage with KMEP etc on the A228 past the Hop Farm roundabout (Five Oak Green and Paddock Wood) – potential allocation doesn't cross into MBC boundary but does have potential impact on road network
 - MBC undertaking transport modelling thru KCC and will use the Kent-wide model

8. Gypsy and Traveller need - All
 - MBC doing an updated GTNA. Interim assessment will need to be used in the short term due to Covid 19.
 - TWBC will be looking to meet need thru allocations in Reg 19 LP

9. Statement of Common Ground – All
 - MBC looking to get a draft SoCG associated with the October consultation
 - TWBC will be looking to send a draft SoCG over shortly

10. AOB and date of next meeting – TWBC
 - Next meeting could be to finalise the SocG and before the Oct 2020 MBC consultation
 - May need update following that - dateTBC

Appendix 2: Meeting Minutes

TWBC/RDC 21 May 2020, TWBC/WDC 12 June 2020, TWBC/ABC 17 June 2020

Duty to Cooperate Meeting: Tunbridge Wells Borough Council and Rother District Council	Conference call 21 May 2020 FINAL MINUTES
TWBC: David Marlow, Ellen Gilbert RDC: Nichola Watters, Craig Steenhoff	
	Item
1	Introductions, purpose of the meeting and any issues of confidentiality All appreciated the importance of DtC in plan-making and that a proper record needed to be kept by all parties, which may need to be used in supporting a local plan, so would not be confidential. There may be circumstances where individual officers' details would not be disclosed.
2	Local Plan Updates DM provided an update on the TWBC LDS, advising that the Reg 19 submission version of the Local Plan would become available in the public domain early 2021. Public consultation is likely to be in March /April 2021. He noted that RDC would be notified when the revised LDS is confirmed following portfolio holder decision and a call-in period. CS advised that the RDC LDS is currently being reviewed. Officers were working on ongoing early engagement with key stakeholders, initially local Members and parish/town councils, on the direction of the Local Plan. Officers were also working on a DtC "action plan". This is internal at present. RDC likely to publish its LDS within the next two months, which will include a plan of engagement. Engagement with neighbouring LPAs will follow. Rother is currently out to consultation on the SA/SEA scoping report prepared jointly with Hastings Borough Council, which covers strategic, cross-boundary issues. TWBC consulted. At present, RDC is working towards a tentative date of March 2021 for a Reg 18 public consultation. However, this may be subject to review. CS advised RDC are working with the Planning Advisory Service. There was a general discussion, and agreement, about the range of issues to be covered, as set out in the agenda, and the need for full and frank deliberation, this being further highlighted by a number of recent Local Plan Examinations. The extent of joint working between the LPAs was discussed. Both sets of officers agreed that the most appropriate approach was one of continuing the regular liaison on cross-boundary matters. It was recognised that a joint planning approach was inappropriate, firstly as RDC's principal relationship is with Hastings BC (with which it has commissioned a joint HEDNA) , while only the northern part of the RDC/HBC housing market related to Tunbridge Wells borough, and more specifically to Royal Tunbridge Wells itself. Also, TWBC has most of its evidence base in place, as it approaches Reg 19, while RDC is still at an early stage in scoping its new local plan.
3	Strategic Matters a. Housing needs <u>Latest calculation of LPA's own housing need</u> a) <u>RDC</u>

NW advised RDC has a final draft of its joint HEDNA. Based on the Standard Method using 2014-based projections, the housing need figure is 727 net additional homes per annum. Its expectation is that the more recent, 2018-based projections would result in a similar 736 per annum. These are both capped figures, with the uncapped figure being 803 dwellings, based on 2014 projections and same ball part figure for 2018 projections.

[PS In a follow-up discussion, it was clarified that the 2018-based estimate was from the latest population projections and is subject to forthcoming publication of the household projections.]

It was agreed the new methodology for establishing household projections needs to be in place as soon as possible. TWBC is considering writing to MHCLG to seek this, as previously advised.

RDC is reviewing its settlement hierarchy, capacity of settlements and was going to launch a Call for Sites in March (2020), but this has been postponed due to Covid19. It may be launched within the next two months, will run for an 8-week period or longer. This has yet to be confirmed.

DM advised on TWBC's capped figure is 678 per annum (based on 2014 projections), meaning a need to seek to provide 13,500 units over the plan period.

Any requests from other authorities to help meet their need

Both RDC and TWBC advised they had received requests from Elmbridge BC to help meet its housing need. RDC advised it did not yet know if it would be meeting its own need. TWBC had not yet responded, but it followed from its response to Sevenoaks DC that TWBC would not expect to be able to assist, aside from it being in a separate housing market area.

TWBC has had a request for 1,900 units made by Sevenoaks DC being its total level of unmet need from its own Local Plan. TWBC has advised that it was not in a position to help meet this, given the difficulties in meeting its own needs and the findings of the SA that considered this option.

RDC and HBC (and now WDC) are at early stages, so RDC has not had, or made, other requests to meet unmet needs at this point.

Prospect of meeting housing need and Review of any strategic issues in meeting housing need

TWBC is looking to meet its own need. However, this would require a growth strategy that includes a new Garden Village settlement in the Green Belt and doubling the size of Paddock Wood, half of which is Green Belt. In total, DM estimated that it would amount to around 4,500 - 5,000 units in the Green Belt.

In addition, TWBC is looking at distributing growth across the whole borough, of which nearly 70% is AONB, where most settlements have some growth. In fact, its draft Plan includes over 20 sites in the AONB which are regarded as 'major developments', providing over 2,000 units.

DM noted that AONB and Green Belt issues were later on the agenda, but wanted to highlight that the NPPF required that it look beyond the Green Belt first before releasing such land for development, while Natural England has made an 'in principle' objection to major developments in the AONB. TWBC has sought, and is still seeking, to agree an approach to the NPPF exceptional circumstances tests. Hence, TWBC needs to ask its neighbouring LPAs, including RDC, what capacity it may have to assist, ahead of these options.

CS asked about the TWBC SHELAA and windfall figures, specifically if TWBC was proposing a windfall allowance. He noted that RDC has a threshold of five units for sites, in line with the PPG.

DM/EG advised that TWBC had provided for a windfall allowance on small sites (of less than 10 dwellings) on the basis that it has strong evidence of a continuing supply of such sites. The allowance current provides for a sizeable reduction on the past rate, although further work is ongoing to further research this, to meet the NPPF requirement.

Reasonable alternatives to meet need

Given that TWBC is looking at alternatives, outside of the Green Belt and asking whether there are opportunities within Neighbouring Authorities, he asked whether RDC could expect to be able to take any of the development TWBC is currently putting in the Green Belt.

NW advised that RDC does not know if it can meet its own need yet. She felt that it is very unlikely RDC would be able to take any unmet need from TWBC, given their increased level of need and similar AONB constraints. (See AONB discussion below.)

Gypsies and Travellers needs – how are these being met

DM advised TWBC is looking to meet its own need, mainly through making better use of existing sites / expansion of some of these.

NW noted that RDC's current Local Plan meets the currently identified need for permanent pitches. It is too early to say about future needs, although the figures are unlikely to be large, based on current provision.

NW asked whether TWBC is seeking to provide a transit site. DM advised that in TW borough, transit movements were relatively low and did not warrant a transit site. However, the Kent councils were reviewing the position across the county. A working group is being set up to look at Kent's needs. The group will be a sub-group of the Kent Planning Policy Forum. Ashford BC appear to be taking a lead.

NW advised the East Sussex LPAs, with some West Sussex involvement, had been doing some work on this. Brighton and Hove CC is doing its own work. By the end of the month, they expect to have set up a group with a brief to look at this. Collective consideration is being made as to whether the study should scope in gypsies/travellers who do not meet the legal definition set out in the Planning Policy for Traveller Sites.

It was agreed that, given the main movements in East Sussex are along the A27/A259, it is right to consider the respective needs for East Sussex and Kent discretely.

b. Employment needs

What employment land needs have been identified

DM advised that TWBC is looking to meet its own employment needs through strategic allocations – notably via an extension to Longfield Road, RTW and a number of smaller allocations. This covers the range of site requirements.

NW advised this is something that may need to be revisited. If it is business as usual, then RDC is unlikely to need more, in which case RDC will be looking to retain existing allocations and policies. RDC expects to meet its own need, though there is discussion with Hastings BC.

Are there any employment needs that are expected to be met outside the LPA

RDC and TWBC agreed there were none.

c. Cross-boundary infrastructure

Transport

EG gave an update on modelling work relating to A21/Flimwell Crossroads and advised that TWBC is looking to set up a meeting with Highways England. EG invited RDC/ESCC to attend. It was agreed RDC would wish to attend at least a first meeting.

Education

No cross –boundary education issues to address.

Health

No cross-boundary health issues to address.

Flood risk

NW advised that RDC is updating its SFRA. A Level 1 SFRA is expected next month. Site assessment work will feed into a second stage SFRA.

Drainage

No cross-boundary drainage issues to address.

Other

None.

d. Areas of Outstanding Natural Beauty

DM advised that TWBC's Draft Local plan provides for 2,000+ dwellings on major sites in the AONB. It is currently reviewing these, undertaking full LVIA's to assess landscape impact of sites. It is engaging with Natural England and the High Weald AONB Unit, although they are taking a position of objecting to major developments in principle. TWBC's reading of the NPPF is that it has to apply the tests in paragraph 172 to come to a conclusion on individual sites. In this context, although not explicit in relation to opportunities outside its own area, paragraph 172(b) may be interpreted as expecting the 'scope for developing outside the designated area' to extend to neighbouring LPAs. Therefore, the same question arises as for the Green Belt, could it be done a different way, is there scope to provide units elsewhere in neighbouring authorities, including in RDC?

DM/NW discussed the fact that the part of RDC closest to TW borough is also within the High Weald AONB. On this basis, and given the extent of the AONB in RDC's area, NW repeated the earlier view that it is not yet known whether RDC would have capacity to accommodate the dwellings currently being proposed via major developments in the TWBC area of the AONB in addition to its own need.

e. Biodiversity

Engagement with Natural England and the Local Nature Partnership

NW/CS explained there is a lot of involvement with sub-groups of the High Weald AONB Unit, including the biodiversity net gain group, looking at DEFRA matrix, offsetting and development of net gain policies. The East Sussex contact is Kate Cole (who also sits on the Local Nature Partnership), with David Scully of TWBC also attending this sub-group.

Ashdown Forest (Working Group/ SAMMs Partnership)

RDC are not involved in the SAMMS Group but both RDC and TWBC are members of the group looking at air quality. Respective HRAs cover the issues in a consistent way. It was noted that further survey work is being commissioned by WDC in liaison with other members of the group.

f. Green Belt

DM provided an update from TWBC on Green Belt releases and further Green Belt work.

g. Potential/proposed developments on or near the LPAs' common boundaries

Draft site allocations at Hawkhurst and cross-boundary infrastructure implications. EG advised TWBC is currently reviewing all comments received to the Reg 18 public consultation. Site allocations will be reviewed in due course.

h. Strategic matters in emerging Local Plans not covered specifically above

None.

4 Governance/joint working between the two Authorities for DtC

DM explained intention to have a draft Statement of Common Ground (SoCG) as soon as possible. It would be a live document that can be reviewed every two or three months as TWBC approaches submission of its Local Plan.

A draft SoCG can be shared with Portfolio Holders, which can include a programme of review within it.

The draft SoCG will inform both authorities going forward. NW asked if TWBC are expecting SoCG to be signed off by Portfolio Holders. DM explained that the PAS guidance says someone in a leadership position and adds that the portfolio holder would be appropriate, so 'yes'.

NW thought they may be able to sign a draft SoCG under delegated authority and RDC would be looking into this.

5 Developing/updating the Statement(s) of Common Ground

A first draft will be prepared by TWBC, reflecting the above notes.

6 Dates/timings of future meetings

Next meeting date to be confirmed. Likely to be towards the end of July. EG to send invites and arrange DtC meeting for August.

7	Review of Proposed Actions TWBC to draft template for SoCG. TWBC to send invites for next DtC meetings in July and August.
8	AOB There was no other business.

Wealden DC and Tunbridge Wells BC

Duty to Co-operate Meeting

12th June 2020

10.00am @ On Teams

Notes of meeting

Attendees:

Chris Bending – Head of Planning and Environmental Services, WDC

Kelly Sharp – Planning Policy Manager, WDC

Stephen Baughen – Head of Planning Services, TWBC

David Scully – Landscape and Biodiversity Officer, TWBC

Actions arising are indicated by **bold** highlighting

1. Introductions, purpose of the meeting and any issues of confidentiality.

As provided by the agenda.

A discussion on what could be considered as confidential. Agreed that if any confidential issues for these to be identified as they arise.

2. Matters arising and Actions from minutes 11 February 2020.

There were no matters arising apart from what is to be covered on the agenda.

3. Local Plan Updates Wealden DC

LDS and progress:

The LDS is going to the Local Plan Sub Committee (LPSC) on 7th July and Full Council on the 22nd July 2020. An early consultation document is planned for the end of the summer. The timetable sets out a Full draft plan Regulation 18 – early 2022. Regulation 19 – middle of 2023. Our SCI Consultation finishes at mid-night on Monday. The SCI will also be taken to LPSC on the 7th July and Full Council on the 22nd July.

TWBC confirmed that they ceased sending neighbours letter in April 2017. WDC confirmed the implementation of a My Alert system which has saved money, time and complaints. Photographs are taken of site notices.

KS confirmed that we are working on consultant's briefs for the new-updated evidence studies. That our SHELAA methodology consultation finishes on the 29th June 2020 and our SHELAA call for sites on the 10th August 2020.

KS also confirmed that WDC was in contact with Eastbourne Borough Council on a range of joint planning options including the potential of a joint plan. It has been resolved to progress a new SoCG and a MoU and looking at producing combined – joined up evidence bases and undertaking a joint infrastructure planning approach.

DS asked if it was possible to have an “interactive” map, once the SHELAA was completed, once the information was available. CB confirmed that we were expecting a lot of sites and that it is quite a process. **KS confirmed that we will share information of any sites that fall on or near the boundary, when we are able.**

CB confirmed that the recent PIN advisory “visit” was a very helpful process, discussing principles and the approach to AONB and EBC joint planning options. DS confirmed that a PINS check was pencilled in, for TWBC.

Current situation and approach to planning applications:

CB confirmed that not very much had changed. WDC has a 3.5 years housing land supply. With recent events, this would be declining a little further, leading to a possible failing of the housing delivery test and a worse position. Planning committee meetings were all being held online. **Two applications on the border of TW that TWBC objected to. DS to discuss internally as wasn't aware of this. CB to talk to Stacey Robins to establish what was happening.**

DS to remind TWBC DM officers to talk on phone to Wealden counterparts if consultations raise concerns. Post meeting note: DS will also advise case officer for Burrswood, Groombridge to engage with Wealden.

Update on Neighbourhood Plans on or near WDC/TWBC boundary?

KS confirmed that WDC has met with Wadhurst Parish Council steering group recently. It was a positive meeting with a new steering group. They are creating a new Regulation 14 plan but not looking at any housing sites.

Update on progression of evidence base studies

KS confirmed that WDC had started to look at our evidence base, including SHMA / Housing Needs Assessment and also Landscape Study. **KS confirmed that WDC will share these briefs with TWBC when they are available.**

4. Local Plan Updates Tunbridge Wells BC:

LDS and progress

DS confirmed TWBC was updating the LDS. The final date being adoption in 2022. DS mentioned that there was still a lot of tasks to work through and that they were still reviewing sites as part of regulation 18. **The call for sites is now closed and TWBC will share information of any sites that fall on or near the boundary.** There are two sites in Hawkenbury but at the moment nothing else around the boundary. There is an application in Groombridge. WDC will be consulted on this.

Current situation and approach to Planning applications

DS confirmed that all applications that fall outside of normal parameters are being dealt with on a case by case basis.

Update on Neighbourhood Plans on or near WDC/TWBC boundary?

No updates. DS confirmed that Lamberhurst was the nearest to WDC and that progress hadn't been made.

Update on progression of evidence base studies

DS confirmed that he will share any relevant cross boundary studies. The following studies were discussed. AONB, greenbelt stage 3 study, biodiversity, Retail Town Centre Study – which would be a quick update and a viability study. SB confirmed that TWBC's transport and infrastructure study would be/had been funded by developers. That a review of transport work with Highways England, and both County Councils was going to take place to make sure that we have the most up to date position. **TWBC will exchange this information once it is available.**

5. Statement of Common Ground - latest version is Draft sent by WDC 06 Feb and comments provided by TWBC 28/05/2020.

TWBC would like to discuss the possible addition of further text for existing items:

- a) An introductory consideration of the scope for joint working on plans or evidence setting out that we are at different stages, have a different county context, we are distinct though clearly overlapping, (especially re RTW, housing and employment market areas) relying on existing own studies – BUT will still liaise closely.
- b) Infrastructure with regards Bewl Water and implications of development on or close to boundaries for Infrastructure.
- c) G&T transit sites.

TWBC to provide text covering item a, b and c.

6. TWBC thoughts on future DtoC discussions/meetings with all adjoining authorities with regards to more open and frank discussions regarding the NPPF and housing need and in particular:

- Proposals to release Green Belt and the need to address paragraph 137c;
- The need to address paragraph 173 b) in relation to potential major development in the AONB; and
- And the ability of neighbouring authorities to meet any unmet need.

CB suggested "testing", asking others to take our unmet housing need. Looking at these issues very carefully. It must be solution focused as opposed to "agree to disagree". CB suggested asking other LPAs to take the unmet housing need first. When considering WDC and TWBC, it is the same AONB that stops us both from building there. Uckfield being the first settlement within Wealden outside of the AONB. We need to translate the request to meet the unmet housing need into the SoCG. A

formal request needs to be sent in writing and a clear response returned. We need a paper trail with the exchange of letters. **Perhaps we could share a draft version and brief members so that they are aware that it is coming. Portfolio holders to speak to one another.**

TWBC to share draft letter on housing need before sending.

We need to test outside of the ANOB first and then go into it, when needed, prove that we can't go anywhere else first.

DS confirmed that TWBC was in dialog with Natural England over its LVIA methodology for assessing major development sites in the AONB as part of Plan making but have received strong objections to planning applications from Natural England on two sites proposed to be allocated (one for 160 dwellings and one for large scale /commercial units), indicating that they will request that the SoS call in the applications. The LVIA work is being amended to address the Natural England comments and there will be further consultation with the AONB Unit to ensure that all material concerns have been taken into account.

7. Progress on Proposed Actions with draft SoCG

- i. Governance/joint working between the two Authorities for DtoC;
- ii. Principles for dealing with development on or near the boundary between the two Authorities;
- iii. Programme for cross boundary infrastructure;
- iv. Ashdown Forest Working Group; and
- v. SAMMs Partnership.

DS to liaise with KS on draft proposals and possible meeting date and agenda to cover items i, ii, and iii.

KS confirmed that the next AFWG meeting was set up for the 24th June 2020. **KS to contact Lucy Howard beforehand to discuss SoCG.**

DS requested a final signed copy of the SAMMS agreement. **KS to chase.**

8. Site specific discussions.

- a) Spratsbrook – The western part of the site has been ruled out. Only the eastern side of the site is considered suitable for development. TWBC will share the report once it is available. The remainder of the site is to deliver the same school. CB asked the development didn't go ahead would KCC purchase the site, as it is considered to be the best site for the school. **TWBC confirmed that they will relay any outcomes to WDC.**

- b) Rugby Club – DS confirmed that this hadn't progressed very far. Uncertain as to whether they have enough money to do the works. They requiresurvey work and evidence to support it. **TWBC to share any information with WDC.** CB confirmed that WDC DM will support the planning application, when they are in a position to take it forward. **DS to provide any information that we have with regards to sports and recreation studies in respect of the Tunbridge Wells Rugby Club.**
- c) Any others? **CB confirmed that he would get SR to phone TWBC if there were any others.**

9. AOB

None.

- a. Date of next meeting – to be arranged.

Duty to Cooperate Meeting between Ashford Borough Council and Tunbridge Wells Borough Council

**Via Skype Call
17 June 2020**

Ashford Borough Council:

Ian Grundy (IG)– Principal Policy Planner

Carly Pettit (IP) – Deputy Team Leader, Spatial Planning

Tunbridge Wells Borough Council:

Steve Baughen (SB) – Head of Planning

Sharon Evans (SE) – Principal Planning Policy Officer

	Item	Action
1	<p>Introduction and Purpose</p> <p>All agreed helpful and timely to have a further discussion of current work and priorities and anything relevant from neighbouring authorities.</p> <p>SE referred back to previous meeting in January and all agreed that a lot had happened since that time.</p>	
2	<p>Local Plan updates</p> <p><u>Tunbridge Wells Borough Council</u></p> <p>-SE explained that:</p> <ul style="list-style-type: none"> • When had last discussion, TWBC was in the middle of inputting and summarising reps from the Regulation 18 consultation. This is now complete and officers are currently considering reps, actions necessary, assessing new site submissions and commissioning further evidence as necessary. • TWBC have reviewed their LDS and the new updated version is on the website. Confirmed that the next stage of consultation on the pre-submission version of the Local Plan is now scheduled for Spring 2021. <p>-IG queried whether anything significant was likely to change in terms of the overall strategy and SE confirmed that not intending to amend the strategy at this stage. Further work is however ongoing at this time.</p> <p><u>Ashford Borough Council</u></p> <p>-IG explained that:</p> <ul style="list-style-type: none"> • ABC currently have a 5 year land supply and so if they reviewed their housing figures, this may well trigger a Local Plan review so at the moment they have no immediate plans to review things. • CP provided an update on gypsy and travellers in terms of the Issues and Options report, Regulation 18 consultation that has recently been carried out. CP stated that they have not had much response to this, probably due to the fact that there were not any sites for people to comment on. • CP also stated that they are currently reviewing their LDS and 	

	<p>timescales and things are likely to be a bit delayed. CP also stated that the Local Plan policy allows for windfall pitches to come forward. She also raised the issue of a gypsy transit site following previous discussions at KPPF. Issue of a gypsy sub group of KPPF was discussed in particular to raise the transit site issue. SB stated that Deborah Dixon at TWBC would be the officer to deal with this and we would send on her details. All agreed helpful to have these discussions under the DtC.</p>	<p>deborah.dixon@tunbridgewells.gov.uk</p>
2	<p>Discussion about other neighbouring authorities Had a discussion around current position with Sevenoaks DC and Tonbridge and Malling BC.</p>	No action required
3	<p>Lessons from other LPA's All agreed that there is increased scrutiny with Plans currently being considered under the DtC and so need to ensure that we are recording all discussions that are had with neighbouring authorities and that these take place regularly and at the appropriate time in Plan preparation.</p>	No action required
4	<p>Housing need, including any requests from other authorities</p> <p>-IG re-iterated that they have on file a request from Rother DC as discussed at a previous meeting – that Rother could not meet their housing need and that although they were not expecting Ashford to assist with this at the time, they would need to work together as part of respective future Local Plan reviews.</p> <p>-SB set out the issue of TWBC looking to meet its own need but would require the allocation of sites within the GB and the AONB after assessing all reasonable alternatives, including pdl sites and then sites within existing settlements.</p> <p>-SB set out the relevant figures that TWBC are meeting – a range of between 2,221 and 2,466 dwellings in the AONB (293 hectares) and a range of between 4,724 and 5,559 in the GB (339 hectares).</p> <p>-SB asked the question of whether any of TWBC's identified need can be met at Ashford?</p> <p>-IG stated that they are not yet aware of what the need is for Ashford as they have not yet started on their LP Review work, although they would be looking to meet their own need first and think that it would be unlikely that they would have capacity to meet anyone else's needs.</p> <p>-All discussed this issue and how best to deal with it and agreed that TWBC would send a draft letter to ABC to raise the issue for discussion and then would follow this up with a formal request.</p> <p>-CT queried whether any of the new sites submitted to TWBC or reconsideration of omission sites would make any difference to the figures and SB confirmed that yes we are current assessing and having further discussions on these sites.</p> <p>-IG confirmed that he would discuss this with Simon Cole – Planning</p>	No action required

	<p>Policy Manager who is currently working on some major sites within DM but still heading up the policy team. Letter from TWBC should be sent to Simon for consideration and SB confirmed that he would be drafting and sending this over the next couple of weeks.</p> <p>-SB also raised the subject of Strategic Planning and how in the future we might work together on a more Kent strategic approach. This is not for now but possibly as part of 5 year reviews and subject to the outcome of the expected Planning White Paper.</p> <p>-IG agreed that he thinks there is merit in such an approach and certainly a sub regional approach in the future, but he feels that Ashford's functional relationship is more with East Kent rather than West Kent.</p> <p>-CP stated that it would be helpful to have some consistency in how site assessments etc are carried out across authorities in terms of scoring etc and then less room for challenge by developers if all authorities using a consistent approach. All agreed that this seemed sensible and that we would come back to this issue at a future discussion.</p>	
5	<p>Proposed development on boundaries of ABC and TWBC All agreed that nothing significant to raise under this item</p>	No action required
6	<p>Infrastructure All agreed nothing to highlight further to previous discussions</p>	No action required
7	<p>Gypsy and Travellers Update</p> <p>All agreed that this was mostly covered under Item 2. Although a further discussion on which figure we are working towards meeting and if we are planning to meet the 'cultural' need as well as just the PPTS need?</p> <p>-SB confirmed that we are seeking to make the best use of existing pitches and working with the families, carrying out consultation with the gypsy families. However difficult at the current time, although we are engaging with the families at the moment.</p> <p>-CP is keen to re-commence the Kent Gypsy and Traveller working group which previously met to discuss such issues and agreed that this would be helpful. Again agreed that Deborah Dixon at TWBC would be the contact for this and she has been involved with this group previously.</p> <p>-IG asked if TWBC are seeking to allocate new gypsy sites and SB stated that a site has been submitted for housing and a gypsy site which is being considered through the Strategic Sites work at PW and looking to allocate a single site of 3 pitches as part of the wider housing allocation.</p>	
8	<p>Statement of Common Ground -IG states that they have drawn up and agreed a SCG with Folkestone and Hythe Council who are currently at Examination with their Core Strategy. IG will send this on to SE.</p> <p>-IG queried the process with preparing SCG's and whether it is</p>	<p>IG to circulate the SCG that they have agreed with Folkestone and Hythe</p> <p>SE to circulate the SCG that they have previously agreed</p>

	<p>appropriate to have various iterations of them or whether one is just prepared at the submission stage and submitted with the submission Plan as things will change before that stage. All to check regs and consider further.</p> <p>-SE stated that she would draw up a template with headings etc and share with Ashford for further discussion at the next meeting.</p>	<p>with Sevenoaks DC</p>
<p>9</p>	<p>AOB and date of next meeting</p>	<p>TWBC pencil in future meeting date for end of July as a trying to co-ordinate regular meetings with all neighbouring authorities at this critical time in plan preparation. SE to provide suggested date to IG.</p>

Appendix 3: Email and draft letter to Maidstone Borough Council 3 September 2020


Draft letter from TWBC to MBC - Message (HTML)


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Draft letter from TWBC to MBC

 Stephen Baughen
To: Rob Jarman
Cc: Mark Egerton; Sharon Evans; Helen Smith

 Draft letter to MBC re formal request to accommodate needs.pdf
189 KB

Thu 03/09/20 10:04

Reply Reply All Forward

Dear Rob,

I hope you're well, and look forward to seeing you (albeit remotely) at the KPOG discussion regarding the planning reforms tomorrow morning.


In the most recent DtC meetings, we discussed with Mark and Helen the TWBC Draft Local Plan, and the considerations currently being given at TWBC ahead of the Pre-Submission Local Plan regarding alterations to Green Belt boundaries and major development in the AONB.


As I am sure you'll be aware, we also discussed that TWBC will be sending letters to our neighbouring authorities in relation to this, with formal requests to neighbouring authorities to consider accommodating some or all of that need, and we agreed with Mark that it would be appropriate for me to write to you on this point.

I have attached an unsigned and undated draft of this letter and of course would be more than happy to discuss this with you ahead of sending across the final letter, most likely at the beginning of next week. I am in and out of meetings today and tomorrow, so if you would like to talk, perhaps we can arrange a time by email first – perhaps before/after the KPOG discussion?

Many thanks

Steve

 **Stephen Baughen**
Head of Planning





Rob Jarman
Head of Planning and Development
Maidstone Borough Council
Maidstone House
King Street
Maidstone
Kent
ME15 6JQ

DATE OF LETTER
Sent by Email Only

Dear Rob

Re Duty to Cooperate discussions between Tunbridge Wells Borough Council and Maidstone Borough Council: formal requests to accommodate development needs from Tunbridge Wells.

I refer to recent discussions held between our two Authorities under the Duty to Cooperate (DtC). These discussions have been positive and pragmatic. The following communication is set out in formal, and at times rather direct, language, and I would like to make it clear that this is due to the fact that such matters are of integral importance to the formation of the Tunbridge Wells Borough Local Plan, and have been expressed as such so there is no ambiguity at a later date – for example at the Examination of the Local Plan. I look forward to continuing future DtC discussions in the same vein as before.

As explained in our most recent meetings, Tunbridge Wells Borough Council (TWBC) undertook Regulation 18 consultation on its Draft Local Plan (DLP) in Autumn 2019. The borough of TW is highly constrained, with approximately 70% of the Borough within the High Weald Area of Outstanding Natural Beauty (AONB), 22% in the Green Belt, and with other areas falling within Flood Zones 2 and 3, together with infrastructural constraints.

The strategy for development as set out in the DLP:

- sought firstly to maximise the development potential of each site considered as suitable for sustainable development in locations outside of the AONB and Green Belt (particularly previously developed land in the built up areas of the borough);
- following an assessment of the development potential of smaller (not 'major') sites located within the AONB, undertook further consideration of the development potential of major development sites in the AONB, following the requirements of para 172 of the NPPF, and of potential sites in the Green Belt taking account of the requirements of paras 136 and 137 of the NPPF;

- is explained in the Distribution of Development Topic Paper for Draft Local Plan – Regulation 18 Consultation (September 2019)¹.

At the DtC meetings we have discussed this strategy, and the distribution of development as set out in the TWBC DLP, including both major development in the AONB, and the release of the Green Belt to accommodate both housing and employment uses, including proposed garden settlements at Land at East Capel and Paddock Wood and Tudeley. The distribution, relative to these constraints, can be summarised as:

Designation	Range of housing numbers	Employment
AONB	1608 - 1772	> 14 ha
GB	4724 – 5559	> 14 ha
Both GB and AONB	320 - 390	> 14 ha
Combined	6012 – 6941	> 14 ha

During the Regulation 18 consultation on the DLP, representations were made from over 2,000 residents, businesses, organisations and developers, which amounted to over 8,000 separate comments. TWBC has reviewed all of these representations, and is currently considering the spatial strategy for the Pre-Submission version of the Local Plan.

Consideration of Strategy

Green Belt

In accordance with para 137 of the NPPF, as part of these considerations, TWBC is fully examining all other reasonable options for meeting its identified need for development without the need for release of land from the Green Belt. This includes the specific requirement that the strategy be *“informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development [in the Green Belt], as demonstrated through the statement of common ground”*.

We have discussed the difficulties that your authority would have in accommodating additional need for development. However, to take forward these discussions, it is appropriate to formally request that Maidstone Borough Council (MBC) considers accommodating some, or all, of the following from TW borough: 4,724 – 5,559 dwellings, and at least 14 hectares of employment land.

AONB

in accordance with para 172 of the NPPF, before making a final consideration on the major developed sites in the AONB, TWBC is examining whether there is scope for, and the cost of, this development:

- being located outside the AONB;
- being met in some other way.

https://beta.tunbridgewells.gov.uk/_data/assets/pdf_file/0012/301116/Distribution_of_Development_Topic_Paper.pdf

As part of this work, and as discussed in the recent DtC discussions:

- TWBC considers it pertinent to discuss with MBC whether there is scope for MBC to accommodate some, or all of the major employment or housing development which has been considered to be major development in the AONB in TW borough;
- TWBC acknowledges the initial discussions in which your colleagues outlined the difficulties that your authority would have in additional need for development, and the existence of AONB in Maidstone borough.

Notwithstanding the above, it is still considered appropriate to formally request that MBC considers accommodating some, or all, of the following from TW Borough: 1,608 – 1,772 dwellings, and at least 14 hectares of employment land.

I would be grateful if you could please respond in writing to these formal requests by Friday 2nd October 2020, or (if possible) earlier. I should advise that TWBC has also discussed these matters with our other neighbouring Local Planning Authorities, and I have sent similar letters to counterparts at Wealden District Council, Rother District Council, Ashford Borough Council, Sevenoaks District Council, and Tonbridge and Malling Borough Council.

Thank you for time in considering the above formal requests, and I look forward to hearing from you in due course. Please do not hesitate to contact me by email @ [REDACTED] or on telephone by [REDACTED] if you would like to discuss the further.

Yours sincerely,

Steve Baughen
Head of Planning Services

Appendix 4: Emails to SDC, TMBC, ABC, WDC and RDC with draft letters attached

Draft letter from TWBC to SDC - Message (HTML)

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Draft letter from TWBC to SDC



Stephen Baughen

To 'Richard Morris'

Cc 'james.gleave@sevenoaks', 'hannah.gooden@sevenoaks', Sharon Evans

Reply Reply All Forward

Thu 03/09/20 08:43

You forwarded this message on 03/09/20 10:05.

Draft letter to SDC re formal request to accommodate needs.pdf
189 KB

I hope you're well, and look forward to seeing you (albeit remotely) at the KPOG discussion regarding the planning reforms tomorrow morning.

In the most recent DtC meetings (with SDC and TMBC), we discussed the TWBC Draft Local Plan, and the considerations currently being given at TWBC ahead of the Pre-Submission Local Plan regarding alterations to Green Belt boundaries and major development in the AONB.

As I am sure you'll be aware, we also discussed that TWBC will be sending letters to our neighbouring authorities in relation to this, with formal requests to neighbouring authorities to consider accommodating some or all of that need. Whilst our discussions have been with James, on reflection, we consider it appropriate that I send my letter to my counterparts at the neighbouring authorities – hence me emailing you directly.

I have attached an unsigned and undated draft of this letter and of course would be more than happy to discuss this with you ahead of sending across the final letter, most likely at the beginning of next week. I am in and out of meetings today and tomorrow, so if you would like to talk, perhaps we can arrange a time by email first – perhaps before/after the KPOG discussion?

Many thanks

Steve



Stephen Baughen
Head of Planning



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Draft letter from TWBC to TMBC



Stephen Baughen
To: Ian A Bailey
Cc: Sharon Evans

Reply Reply All Forward ...

Thu 03/09/20 08:29

Draft letter to TMBC re formal request to accommodate needs.pdf
189 KB

Dear Ian

Good to see you (albeit via video!) yesterday, and glad that there is certainty now as to the format of the TMBC Examination.

As we discussed previously, TWBC will be sending letters to our neighbouring authorities in relation to this, with formal requests to neighbouring authorities to consider accommodating some or all of that need.

I have attached an unsigned and undated draft of this letter and of course would be more than happy to discuss this with you ahead of sending across the final letter, most likely at the beginning of next week. I am in and out of meetings today and tomorrow, so if you would like to talk, perhaps we can arrange a time by email first?

Thanks

Steve

Stephen Baughen
Head of Planning



As has been widely publicised, since 01 April 2017 TWBC publicises applications for planning permission and listed building consent by Site Notice only. Letters are no longer sent to neighbouring properties (except for "larger household prior notifications").

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Draft letter from TWBC to ABC



Stephen Baughen

To: Gilian.MacInnes@ashford
Cc: Ian.Grundy@ashford; Carly.Pettit@ashford; Sharon Evans

Reply Reply All Forward

Thu 03/09/20 08:18

You forwarded this message on 03/09/20 08:42.

Draft letter to ABC re formal request to accommodate needs.pdf
189 KB

Dear Gilian,

I hope you're well and settled into your role at Ashford.

In our most recent meeting with Ian and Carly under the DTC discussions, we discussed the TWBC Draft Local Plan, and the considerations currently being given at TWBC ahead of the Pre-Submission Local Plan regarding alterations to Green Belt boundaries and major development in the AONB. As I am sure you'll be aware, we also discussed that TWBC will be sending letters to our neighbouring authorities in relation to this, with formal requests to neighbouring authorities to consider accommodating some or all of that need. On reflection, we consider it appropriate that I send my letter to my counterparts at the neighbouring authorities.

I have attached an unsigned and undated draft of this letter and of course would be more than happy to discuss this with you ahead of sending across the final letter, most likely at the beginning of next week. I am in and out of meetings today and tomorrow, so if you would like to talk, perhaps we can arrange a time by email first.

Many thanks

Steve



Stephen Baughen
Head of Planning



Appendix 5: Minutes of meeting between TWBC and MBC 11 January 2021

11.01.21

Lee Colyer
Stephen Baughen
Phil Coyne
Mark Egerton

Both authorities waiting for Court of Appeal ruling and any further movement from TMBC

Both authorities also keeping eye out for spring White Paper

TWBC Portfolio Holder has had meetings with other LPAs previously

Both authorities are awaiting the govt announcements in the spring following the white paper consultation to understand implications including DtC and Housing needs

TWBC reg 19 intended for March – from 3rd Feb, TWBC will be able to provide updated numbers to 2038

TWBC has made reps on 18b Preferred Approaches – makes ref to the specific employment site on employment LPRSA273 – highlighting its proximity to Paddock Wood and also the relationship to other empl sites and open space provision

MBC has received over 3000 responses to the consultation

In terms of education, the rep from TWBC recognises the need for primary education provision – TWBC and MBC use same KCC officer

Transport – the inf proposals for Paddock Wood and Tudeley include off-line and online improvements for the A228. Proposals for Colts Hill bypass remain safeguarded in the TWBC Reg 19 doc, even tho not needed to meet TWBC need. That wider long-term issue is connectivity from south to north and east Kent.

For G&T, this will be a matter for further discussion – MBC needs assessment ongoing but need likely to be v high

Need to agree matters that will form the basis of future meetings – targeted discussions in future around the key matters and guided by the draft SoCG.

The pressures from London in terms of their meeting needs is going to be a concern for the future. Both authorities will keep an eye on London **Borough's ability to meet need in coming years.**

Appendix 6: Minutes of meeting between TWBC and MBC 3 August 2021

MBC/TWBC DTC Meeting

03/08/21

Attendees

Helen Garnett – MBC

Phil Coyne – MBC

David Marlow – TWBC

Stephen Baughen - TWBC

TWBC Reg 19 finished 4th June, over 2k reps received and these are now available publicly.

A number of comments related to DTC, picking up on TMBC and Sevenoaks but also other boroughs. TWBC still have the statement of common ground to finalise with T&MBC and Sevenoaks, and is also producing one with the county council.

TWBC were due to submit the plan at the end August but now a month behind.

Transitional arrangements in place for the 30 year vision requirement in the new NPPF, the remainder of the NPPF will be fed in to the submission version, but only minor changes were expected.

MBC still proposing two garden communities. Separate DPD for G&T. It will be overproviding on employment, looking to put in a safeguarded location along the Leeds-Langley corridor. Won't be developed for this plan but it would only take one or two developments to come along which could scupper the whole potential for it.

MBC are looking to take its Reg.19 plan to committee on 21st September and then out to consultation in October. Full council in March with submission document. Papers will be made public around 13th September. TWBC would like to see the reg.19 MBC plan as soon as possible, and will seek to ensure a SoCG is signed for publication of the Reg.19 plan.

MBC need has gone down and is exploring the scale of a buffer. Per annum requirement for MBC is now 1,157. The TWBC standard method is 1 less than the previous calculation.

MBC confirmed that the overall spatial strategy is not likely to change between Reg.18b and Reg.19.

TWBC asked what will happen about sites in the SHLAA that were not in the local plan review.

MBC confirmed that some sites have been removed from the emerging Local Plan as they are not suitable, and others have had their capacities increased. All of the green sites identified in the SHLAA that could reasonably be used as part of the strategy have been included.

MBC explained its position in relation to the Leeds - Langley relief road and the purpose of the safeguarded area.

TWBC looking to have a 9% buffer. Important for buffer where there are strategic sites to account for potential over - optimism on delivery.

TWBC is continuing with the strategic sites working group and is keen to ensure that MBC continues its involvement.

Highways England/KCC asked for sensitivity testing which has been completed, which includes looking at movements of vehicles North into Maidstone and South from Maidstone.

MBC confirmed that it is using the Kent wide model but also tying in with Medway modelling because of the location of one of the garden settlements adjacent to the Medway towns.

In terms of housing need, there have been no requests made to MBC from other authorities. MBC is holding discussions with Ashford and Medway on strategic matters arising from the two garden settlements.

From a TWBC perspective, Wealden still progressing with its plan and not in a position to state any need. Rother are at beginning of preparing new plan so not in a position to know unmet need. T&M not pursuing legal challenge but are looking again to see if it can meet its housing need. Ashford still early days.

Sevenoaks are reviewing its evidence base it hasn't yet confirmed what it is looking to do with its local plan. Sevenoaks not providing a clear answer. So, question mark remains about unmet need in Kent area.