

# Examination of the Tunbridge Wells Borough Local Plan

## **Tunbridge Wells Borough Council Note Requested by the Inspector**

**Local Plan Examination Note for  
Inspector in response to Action Point 22  
regarding Local Green Spaces**

Document Reference: TWLP/101

Date: 2 September 2022



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# 1.0 Introduction

- 1.1 During the Hearing Sessions on the Tunbridge Wells Borough Local Plan, the Inspector asked the Council to prepare a number of Notes on “Action Points”, essentially to clarify its position on certain matters that were discussed.
- 1.2 This Note relates to Action Point 22 relating to Local Green Spaces. During the Matter 13 hearing session on 13 July 2022, the Inspector raised two specific queries, firstly relating to clarification on representations received in respect of site 217, and secondly, in respect of comparing the Local Green Spaces proposed to be designated within the Submission Local Plan and those set out in Neighbourhood Development Plans. Responses to these queries are each taken in turn in this Action Point Note.

## 2.0 Queries regarding representations submitted and landowner consultation

### Representations Submitted

- 2.1 During the Matter 13 hearing session on 13 July 2022, following discussion with participants and the Inspector, it was agreed that the Council would provide clarification on the representations received by the Royal Tunbridge Wells Town Forum, a resident, and a Councillor relating to Local Green Space site 217, as referred to within Paragraph 28 of the Council’s [Matter 13 Hearing Statement](#).
- 2.2 This statement provides the clarification on these representations, their references and the context in which they were provided.
- 2.3 The representation references which were discussed in particular were **DLP\_357 and DLP\_538**, both submitted during the Regulation 18 consultation on the Draft Local Plan (DLP).

- 2.4 **DLP\_357**, which was a resident’s comment in support, can be found [here](#). This representation, in summary, supported the proposed designation of site 217 which would be considered “*a great asset to the town*” (in combination with a new site proposal suggested by the respondent, which the Council assessed and found unsuitable for designation (site NS1)).
- 2.5 The Council acknowledges that the representation referred to in the Council’s hearing statement [[TWLP 72](#)], **DLP\_538**, was submitted against the Draft Local Plan (DLP) Policy EN18 (landscape within the built environment) and not the Submission Local Plan, although the correct representation (**DLP\_537**, submitted against Policy EN 17 (Local Green Space) is exactly the same, both of which were submitted by Councillor Frank Williams. The hearing statement should then have referred to representation **DLP\_537** rather than representation **DLP\_538** but as they are both the same the point made in the hearing statement regarding Councillor support is unchanged. Both representations can be found [here](#). Councillor Williams’ representation stated that both Policies EN 17 and EN 18 “*are welcome reinforcements of the current position*”, adding that “*open space is needed to promote the discrete area of green fields between the settlements of Sherwood (Tunbridge Wells) and Pembury.*” While site 217 was not specifically referenced, it is considered by the Council that the representation clearly includes this site.
- 2.6 As the Council referred to within its hearing statement, general support for all sites proposed as Local Green Space within the settlement of Royal Tunbridge Wells was also received by the Royal Tunbridge Wells Town Forum but links to those representations were not provided.
- 2.7 For completeness the Town Forum’s Draft Local Plan representation (DLP\_1847) can be found [here](#). As above, this representation included general support for all sites proposed as Local Green Space within the settlement of Royal Tunbridge Wells, given their particular value in relation to health and wellbeing of residents. The Town Forum also submitted a very similar representation during the Regulation 19 consultation on the Pre-Submission Local Plan (PSLP\_739; found [here](#) [CD 3.125a(vi)]).

- 2.8 The Council notes that there were a number of other comments received, including during informal consultation with Parish and Town Councils, Neighbourhood Development Plan Groups, and other community groups during December 2020 which were not specifically referred to within the hearing statement. This included the Culverden Residents Association which, similar to the Town Forum, provided a general comment in support of all sites identified for Local Green Space designation within the settlement of Royal Tunbridge Wells. Their representation (DLP\_5228) can be found [here](#).
- 2.9 Given the above, the Council considers that the representation references are correct (albeit DLP\_537 should have been referred to rather than DLP\_538, notwithstanding that both representations are identical). The representations referred to above by the Town Forum, a resident, and a Councillor clearly show support for the Local Green Space designations around Royal Tunbridge Wells, including those that cover Site 217. In addition, general support is also given by the Culverden Residents Association.

## Evidence of Landowner Consultation regarding Local Green Space Site 217

- 2.10 Within the hearing session, it was also agreed during discussion that the Council would confirm what contact was made with the landowner for site 217.
- 2.11 The letters the Council sent can be found in **Appendix 1** (with addresses and surnames redacted for data protection), with the site plan provided within each letter found in **Appendix 2**. Two letters were sent to the two registered landowners for site 217 using information obtained from HM Land Registry. These letters were sent out on 29 July 2019 (ahead of the Regulation 18 Draft Local Plan consultation). The Council did not receive a response from the landowners.
- 2.12 As was noted by the developer (with an option on site 217) during the hearing session, paragraph 28 of the Council's Hearing Statement states that the landowner provided representations during the Local Plan consultations. However, it was stated by the developer that this is incorrect; the developer responded, not the landowner. The Council accept this point as needing a correction within the hearing

statement. Despite this, as above, the Council can confirm that the landowners were appropriately consulted.

## 3.0 Local Green Spaces in Neighbourhood Plans

- 3.1 During the same Local Green Space hearing session referred to above, Council officers agreed with the Inspector that they would cross check the plans for Local Green Space (LGS) sites designated within 'made' Neighbourhood Plans, and those within ones which have been found suitable within an Examiner's Report, against LGS plans in the Submission Local Plan (SLP) to see if there were any discrepancies between the plans.
- 3.2 **Table 1** below reviews each site individually (including site 102 in Goudhurst which was not found suitable by the Neighbourhood Plan Examiner and which the Council therefore proposes to remove from its list) and compares the areas in the respective plans.
- 3.3 It should be noted that the mapping used varies considerably between various Neighbourhood Plans, which also differs to the Borough Council's mapping produced within ArcGIS, which is significantly more accurate. Therefore, there may inevitably be some minor discrepancies. However, these differences are generally a question of scale and therefore any correction is generally considered to be graphical only rather than of any substance. For example, Site AS\_44 is shown rather crudely on an aerial photograph in the Neighbourhood Plan but when mapped in ArcGIS by the Council develops a more refined shape, as can be seen on **Table 1** below. They both effectively identify the same area of land. Such minor discrepancies are considered to be acceptable, occurring commonly when using different map bases or scales. Critically, they make no material difference to the application of Policy. These sites are noted in the table as a 'MATCH'.
- 3.4 There are however a small number of sites where there is an identifiable difference between the mapping in the SLP and that in a Neighbourhood Plan (e.g., sites 3, 11, and 15), in that the Neighbourhood Plan either omits part of the area proposed

by the SLP or adds additional land to that shown in the SLP. These differences effectively mean that the area of land to which the respective Plans are attempting to identify for these sites are materially different.

- 3.5 The Council is continuing to work with Neighbourhood Plan Groups to obtain/confirm boundaries where the GIS shapefile data has not already been provided to the Council. However, in all cases, the Council will seek to reflect accurately the Local Green Space boundaries provided in Neighbourhood Plans on the Council's Policies Map.




## Requested Clarification from the Inspector







- 3.6 There was discussion at the hearing session, with regard to how the Council should present the sites in **Table 1** in the new Local Plan (i.e., those sites already designated in 'made' Neighbourhood Development Plans and/or found suitable within an Examiner's Report, or which have not been found suitable within either (Site 102).
- 3.7 With regard to the very minor discrepancies with the boundaries of some sites, essentially due to the use of different map bases and scales, in representing these sites on the Council's interactive Policies Map the Council will liaise with the relevant Parish Councils to ensure an accurate and consistent interpretation of the plans.
- 3.8 However, regarding the three sites (sites 3, 11, and 15) where there are material differences between the Borough Council's and the NDP's boundaries, the Council is happy to support the boundaries which the Examiners have endorsed through the respective NDP examinations. For Site 3, the NDP has excluded the access and area of car parking which is not considered to be of significant value in the context of the site taken as a whole. For Site 11, it is noted that the NDP Examiner has supported the LGS put forward in the NDP and that, while this excludes the bowling green, it is noted that this is protected under the Council's OSSR1 Policy. Finally, the Council supports the NDP's extended area of Site 15, which can be seen to form part of the site and is of particular local value.

- 3.9 Therefore, as stated in the Submission Local Plan, the Council intends to put forward modifications that propose to delete all LGS sites (including 3, 11, and 15) within the Local Plan which have been found suitable by Examiners for NDPs. (As for all made NDP designations, boundaries will be duly shown on the interactive Policies Map.)
- 3.10 For completeness, the Council recognises, however, that no further deletions can readily take place following the agreement of Local Plan modifications. Therefore, if any further NDPs are found suitable by Examiners subsequent to the Borough Council's approval of proposed modifications, these would remain in both Plans. In these situations, the NPPF is clear that the latest Plan takes precedence (Paragraph 30).





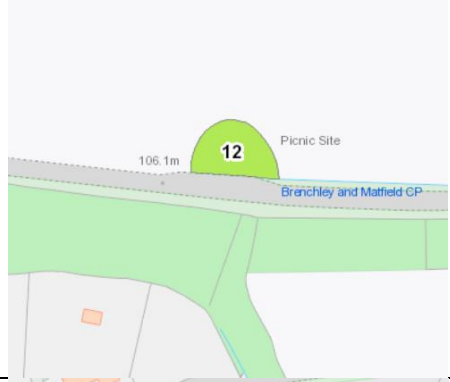
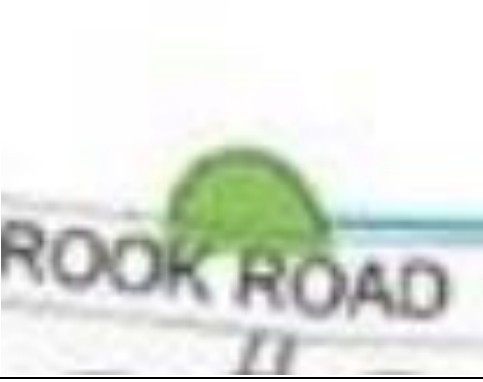


**Table 1 - Review of Boundaries of Local Green Space Sites Designated Within 'Made' Neighbourhood Development Plans or Found Suitable Within an Examining Inspector's Report (Also Including Site 102)**

Parish	Settlement	Site Number	Site Name	Status in NDP	TWBC Mapping (From <a href="#">LGS Interactive Map</a> )	NDP Mapping	Do the Boundaries Match?
Benenden	Benenden	3	Benenden Recreation Ground	Designated in 'Made' NDP			SLIGHT VARIATION; TWBC site includes recreation ground car park/site access.  For NDP boundaries, see <a href="#">link</a> .
		4	Glebe Field/Playing Field	Designated in 'Made' NDP			SLIGHT VARIATION: Minor differences on western boundary.  For NDP boundaries, see <a href="#">link</a> .
		AS_41	Catholic Church Grounds	Designated in 'Made' NDP			<b>MATCH WITH SLIGHT CARTOGRAPHIC VARIATIONS.</b>  For NDP boundaries, see <a href="#">link</a> .


Parish	Settlement	Site Number	Site Name	Status in NDP	TWBC Mapping (From <a href="#">LGS Interactive Map</a> )	NDP Mapping	Do the Boundaries Match?
		AS_44	Goddards Green	Designated in 'Made' NDP			<b>MATCH WITH SLIGHT CARTOGRAPHIC VARIATIONS.</b>  For NDP boundaries, see <a href="#">link</a> .
		AS_45	New Pond Corner	Designated in 'Made' NDP			<b>MATCH WITH SLIGHT CARTOGRAPHIC VARIATIONS.</b>  For NDP boundaries, see <a href="#">link</a> .
		AS_50	Cherryfields	Designated in 'Made' NDP			<b>MATCH WITH SLIGHT CARTOGRAPHIC VARIATIONS.</b>  For NDP boundaries, see <a href="#">link</a> .

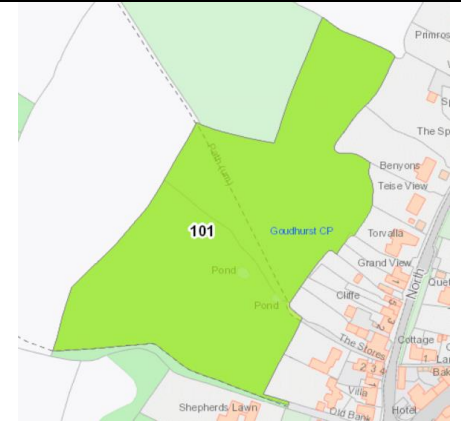
Parish	Settlement	Site Number	Site Name	Status in NDP	TWBC Mapping (From <a href="#">LGS Interactive Map</a> )	NDP Mapping	Do the Boundaries Match?
		AS_52	Beacon Field	Designated in 'Made' NDP			<b>MATCH WITH SLIGHT CARTOGRAPHIC VARIATIONS.</b>  For NDP boundaries, see <a href="#">link</a> .
	Ilden Green	5	Ilden Green Recreation Ground	Designated in 'Made' NDP			<b>MATCH WITH SLIGHT CARTOGRAPHIC VARIATIONS.</b>  For NDP boundaries, see <a href="#">link</a> .
	East End	AS_42	East End Cricket Pitch	Designated in 'Made' NDP			<b>MATCH WITH SLIGHT CARTOGRAPHIC VARIATIONS.</b>  For NDP boundaries, see <a href="#">link</a> .



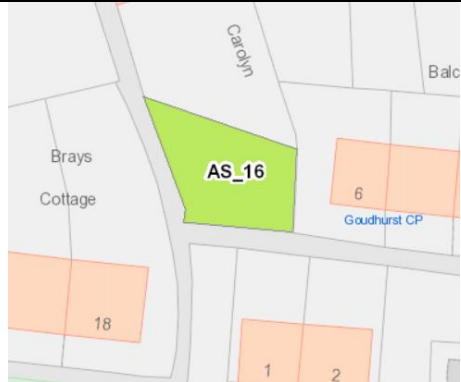




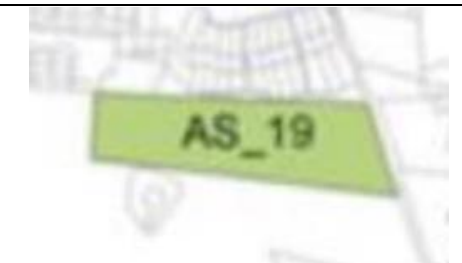
Parish	Settlement	Site Number	Site Name	Status in NDP	TWBC Mapping (From <a href="#">LGS Interactive Map</a> )	NDP Mapping	Do the Boundaries Match?
Brenchley and Matfield	Brenchley	11	Brenchley Memorial Hall Sports Ground	Found Suitable in Examiner's Report			SLIGHT VARIATION: TWBC boundary includes Tennis Hut and Bowling Green.  For NDP boundaries, see <a href="#">link</a> .
		12	Picnic area/viewpoint, Crook Road	Found Suitable in Examiner's Report			<b>MATCH.</b>  For NDP boundaries, see <a href="#">link</a> .
		14	Market Heath Recreation Ground	Found Suitable in Examiner's Report			<b>MATCH.</b>  For NDP boundaries, see <a href="#">link</a> .

Parish	Settlement	Site Number	Site Name	Status in NDP	TWBC Mapping (From <a href="#">LGS Interactive Map</a> )	NDP Mapping	Do the Boundaries Match?
		15	Jack Verrall Memorial Garden	Found Suitable in Examiner's Report			VARIATION; B&M site is a larger extent (approx. double the size).  For NDP boundaries, see <a href="#">link</a> .
		AS_28	Branchley War Memorial	Found Suitable in Examiner's Report			<b>MATCH.</b>  For NDP boundaries, see <a href="#">link</a> .
	Matfield	20	Woodland to north of Wish Court	Found Suitable in Examiner's Report			SLIGHT VARIATION; B&M boundary extends into area of built development  For NDP boundaries, see <a href="#">link</a> .


Parish	Settlement	Site Number	Site Name	Status in NDP	TWBC Mapping (From <a href="#">LGS Interactive Map</a> )	NDP Mapping	Do the Boundaries Match?
		AS_27	Matfield War Memorial	Found Suitable in Examiner's Report			<b>MATCH.</b> For NDP boundaries, see <a href="#">link</a> .
	Petteridge	23	Porters Wood Playing Field, Petteridge	Found Suitable in Examiner's Report			<b>MATCH.</b> For NDP boundaries, see <a href="#">link</a> .
Goudhurst	Goudhurst	99	The Old Cricket Pitch	Designated in 'Made' NDP			<b>MATCH</b> (based on mapping previously provided by TWBC). For NDP boundaries, see <a href="#">link</a> .



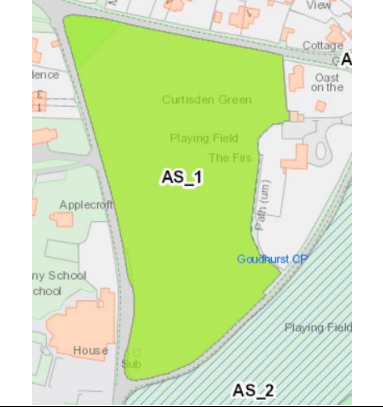



Parish	Settlement	Site Number	Site Name	Status in NDP	TWBC Mapping (From <a href="#">LGS Interactive Map</a> )	NDP Mapping	Do the Boundaries Match?
		101	Goudhurst Green Field (west of North Road)	Designated in 'Made' NDP			<b>MATCH</b> (based on mapping previously provided by TWBC).  For NDP boundaries, see <a href="#">link</a> .
		102	Goudhurst Green Field (north of Church Road)	Not Found Suitable by Examining Inspector			<b>MATCH</b> ; note: site found unsuitable by Examining Inspector/to be removed from TWBC Local Plan; NDP boundaries based on mapping previously provided by TWBC.  For NDP boundaries, see <a href="#">link</a> .
		103	Tattlebury Triangle	Designated in 'Made' NDP			<b>MATCH</b> (based on mapping previously provided by TWBC).  For NDP boundaries, see <a href="#">link</a> .



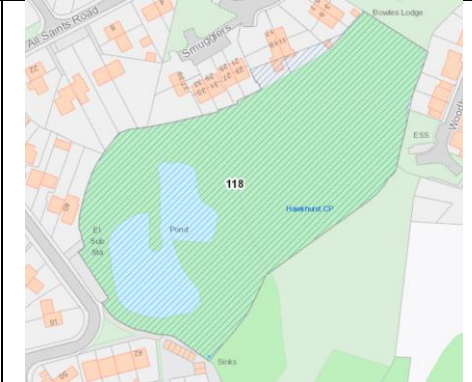


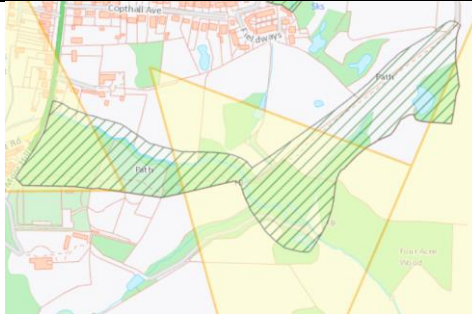


Parish	Settlement	Site Number	Site Name	Status in NDP	TWBC Mapping (From <a href="#">LGS Interactive Map</a> )	NDP Mapping	Do the Boundaries Match?
		AS_16	Informal Green Space Between Mary Day's and Balcombes Lane	Designated in 'Made' NDP			<b>MATCH</b> (based on mapping previously provided by TWBC).  For NDP boundaries, see <a href="#">link</a> .
		AS_18	Informal green space adjacent to Culpepers	Designated in 'Made' NDP			<b>MATCH</b> (based on mapping previously provided by TWBC).  For NDP boundaries, see <a href="#">link</a> .
		AS_19	Recreation Ground (Hilliers Ground), Lurkins Rise	Designated in 'Made' NDP			<b>MATCH</b> (based on mapping previously provided by TWBC).  For NDP boundaries, see <a href="#">link</a> .


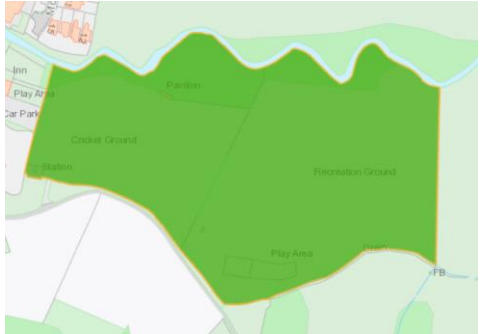






Parish	Settlement	Site Number	Site Name	Status in NDP	TWBC Mapping (From <a href="#">LGS Interactive Map</a> )	NDP Mapping	Do the Boundaries Match?
		AS_22	Lower Glebe Field	Designated in 'Made' NDP			<b>MATCH</b> (based on mapping previously provided by TWBC).  For NDP boundaries, see <a href="#">link</a> .
	Kilndown	104	Kilndown Quarry Pond	Designated in 'Made' NDP			<b>MATCH</b> (based on mapping previously provided by TWBC).  For NDP boundaries, see <a href="#">link</a> .
		106	Millennium Green	Designated in 'Made' NDP			<b>MATCH</b> (based on mapping previously provided by TWBC).  For NDP boundaries, see <a href="#">link</a> .

Parish	Settlement	Site Number	Site Name	Status in NDP	TWBC Mapping (From <a href="#">LGS Interactive Map</a> )	NDP Mapping	Do the Boundaries Match?
		107	The Cricket Pitch	Designated in 'Made' NDP			<b>MATCH</b> (based on mapping previously provided by TWBC).  For NDP boundaries, see <a href="#">link</a> .
	Curtisden Green	AS_1	The Firs Pitch	Designated in 'Made' NDP			<b>MATCH</b> (based on mapping previously provided by TWBC).  For NDP boundaries, see <a href="#">link</a> .
		AS_3	Green triangle area by Curfew Cottage	Designated in 'Made' NDP			<b>MATCH</b> (based on mapping previously provided by TWBC).  For NDP boundaries, see <a href="#">link</a> .

Parish	Settlement	Site Number	Site Name	Status in NDP	TWBC Mapping (From <a href="#">LGS Interactive Map</a> )	NDP Mapping	Do the Boundaries Match?
Hawkhurst	Hawkhurst	117	Hawkhurst Church Pond	Designated in 'Made' NDP (as at Regulation 19 stage of TWBC Local Plan)			<b>MATCH WITH SLIGHT CARTOGRAPHIC VARIATIONS</b>  For NDP Boundaries, see <a href="#">SLP Interactive Map</a> .
		118	All Saints Pond	Designated in 'Made' NDP (as at Regulation 19 stage of TWBC Local Plan)			<b>MATCH WITH SLIGHT CARTOGRAPHIC VARIATIONS</b>  For NDP Boundaries, see <a href="#">SLP Interactive Map</a> .
		126	Little Switzerland, Including Bridge and Valley	Designated in 'Made' NDP (as at Regulation 19 stage of TWBC Local Plan)			<b>MATCH WITH SLIGHT CARTOGRAPHIC VARIATIONS</b>  For NDP Boundaries, see <a href="#">SLP Interactive Map</a> .



Parish	Settlement	Site Number	Site Name	Status in NDP	TWBC Mapping (From <a href="#">LGS Interactive Map</a> )	NDP Mapping	Do the Boundaries Match?
Lamberhurst	Lamberhurst	142	Chequers Field (Cricket Field) and Playing Fields	Designated in 'Made' NDP			<b>MATCH</b> For NDP Boundaries, see <a href="#">SLP Interactive Map</a> .
		AS_33	Victoria Walk and War Memorial	Designated in 'Made' NDP			<b>MATCH</b> For NDP Boundaries, see <a href="#">SLP Interactive Map</a> .
		AS_34	Brewer Street North Allotments	Designated in 'Made' NDP			<b>MATCH</b> For NDP Boundaries, see <a href="#">SLP Interactive Map</a> .

Parish	Settlement	Site Number	Site Name	Status in NDP	TWBC Mapping (From <a href="#">LGS Interactive Map</a> )	NDP Mapping	Do the Boundaries Match?
		AS_36	The Slade Allotments	Designated in 'Made' NDP			<b>MATCH</b> For NDP Boundaries, see <a href="#">SLP Interactive Map</a> .

# Appendices

# **Appendix 1: Evidence of Landowner Consultation for Site 217 (July 2019) – Two Letters**

Please see next page.

John [REDACTED]

Contact Details:

Planning Officer: Thomas Vint

Telephone: 01892 554156

Email: [localgreenspace@tunbridgewells.gov.uk](mailto:localgreenspace@tunbridgewells.gov.uk)

Date: 29 July 2019

Dear Sir/Madam

### **LOCAL GREEN SPACE: THIS MAY AFFECT LAND THAT YOU OWN**

As you may be aware, Tunbridge Wells Borough Council has undertaken the process of producing a draft new Local Plan to guide development in the borough to 2036. This draft Plan is now publicly available on the Council's website ahead of the statutory Regulation 18 public consultation in September 2019. This will replace the current Local Plan adopted in 2006 once it has been examined by the Planning Inspectorate in spring 2021.

In the new Local Plan, the Council is introducing a new **Local Green Space** designation resulting from the Localism Act 2011 and further detailed within the National Planning Policy Framework (2019). This will give particular green and open spaces that are demonstrably special to a local community a new level of protection within the planning system. This level of protection will be similar to that of Green Belt, meaning that development would only be permitted on a site designated as **Local Green Space** in very special circumstances and/or where it is consistent with **Local Green Space** policy.

We are writing to you as the Council recently conducted a land registry search which identified you as the registered owner of land that is likely to be proposed in whole or part for **Local Green Space** designation. The area(s) of land referred to is/are as follows:

#### ***Proposed Local Green Space Site(s): 217 (Green Space near Sandown Park)***

In reference to the above given site(s), please view the **DRAFT Local Green Space Assessment July 2019** and **Local Green Space Designation Methodology July 2019** documents that can be found under the 'Evidence Studies' sub-section of the following link on the Council's website:  
<http://www.tunbridgewells.gov.uk/residents/planning/planning-policy/new-local-plan>.

A map for the site(s) referred to above has been included within this letter. All proposed **Local Green Spaces** will be on the Policies Map that accompanies the draft Local Plan.

Please note that designation of this land as **Local Green Space** will not result in any duty imposed on the registered landowner regarding maintenance of the site, or require the provision of public access over and above any that already exists.

Continued.

Town Hall Royal Tunbridge Wells Kent TN1 1RS

switchboard 01892 526121 SMS (text) 07870 526121

DX 3929 Tunbridge Wells website [www.tunbridgewells.gov.uk](http://www.tunbridgewells.gov.uk)



As part of the draft Local Plan public consultation, the Council will be seeking views on the proposed **Local Green Space** policy as well as those sites proposed as **Local Green Space**, and the methodology used to select them, across the borough. Consequently, the purpose of this letter is to inform you that there will be an opportunity to provide any comments and if you wish, to register your support or objection to the proposed designation of the above land as **Local Green Space**, during this consultation period via our online consultation portal. This period will run from **20 September to 1 November 2019**. If you are not yet registered on the consultation portal to comment and/or receive updates on the new Local Plan timetable and consultation periods, then you may sign up here: <https://consult.tunbridgewells.gov.uk/portal/>.

More information on **Local Green Spaces** can be found online under the Ministry of Housing, Communities and Local Government's planning practice guidance: <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>.

In the meantime, if you have any questions or concerns, then please do not hesitate to contact me on the contact details above.

Yours faithfully

Thomas Vint  
**Planning Officer**  
**Planning Services**

Sylvia

Contact Details:

Planning Officer: Thomas Vint

Telephone: 01892 554156

Email: [localgreenspace@tunbridgewells.gov.uk](mailto:localgreenspace@tunbridgewells.gov.uk)

Date: 29 July 2019

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A map for the site(s) referred to above has been included within this letter. All proposed **Local Green Spaces** will be on the Policies Map that accompanies the draft Local Plan.

Please note that designation of this land as **Local Green Space** will not result in any duty imposed on the registered landowner regarding maintenance of the site, or require the provision of public access over and above any that already exists.

Continued.

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Yours faithfully

Thomas Vint  
**Planning Officer**  
**Planning Services**

# **Appendix 2: Site Plan Appended to Letters Sent to Landowners of Site 217 (July 2019)**

Please see next page.

# TWBC Draft Local Plan; Proposed Local Green Space Allocations

Site No: 217; Green Space near Sandown Park

