

Tunbridge Wells Borough



Tunbridge Wells Borough Council

Duty to Cooperate Statement for Pre-Submission Local Plan

March 2021



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1.0 Introduction

- 1.1 The Localism Act, 2011, introduced a requirement for local planning authorities to cooperate, known as the 'Duty to Co-operate' (referred to as the Duty or DtC below), with other local planning authorities and prescribed public bodies to collaborate and address strategic issues that cross administrative boundaries, such as housing, employment and transport, in the preparation of a Local Plan.
- 1.2 The purpose of this Duty to Cooperate Statement is to identify and explain how Tunbridge Wells Borough Council (the Council) has collaborated, engaged and cooperated with neighbouring authorities, public bodies and other stakeholders, on an on-going basis, in meeting DtC requirements throughout the preparation of the Local Plan.
- 1.3 It is anticipated that such engagement will continue up to and beyond submission of the Local Plan, and will extend to include the masterplanning of strategic sites, as well as the preparation of neighbouring authorities' plans.
- 1.4 Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act) imposes a duty on local planning authorities to cooperate with other local planning authorities, county councils or other bodies/persons prescribed in Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The prescribed bodies are:
- Environment Agency
 - Historic England
 - Natural England
 - Mayor of London
 - Civil Aviation Authority
 - Homes and Communities Agency
 - Each Primary Care Trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section
 - Office of Rail Regulation
 - Transport for London
 - Each Integrated Transport Authority
 - Each highway authority within the meaning of section 1 of the Highways Act 1980
 - Marine Management Organisation
- 1.5 The Duty requires a local planning authority to engage constructively and on an on-going basis in the preparation of a development plan or other local development/plan documents, and activities which prepare for and support this in relation to a strategic matter(s).

- 1.6 For the purposes of the DtC, a strategic matter is defined as sustainable development, use of land or strategic infrastructure that has or would have a significant impact on at least two planning areas. These matters can relate to a number of issues such as housing, employment, transport, water/flooding and other forms of infrastructure, and strategic environmental and nature conservation issues. These matters are set out in more detail below.
- 1.7 Meeting the DtC is a legal obligation. Whilst the obligation is not a duty to agree, cooperation should produce effective and deliverable policies on cross boundary issues in accordance with Government policy in the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) below.
- 1.8 Under Section 20(5) (c) of the above Planning and Compulsory Purchase Act 2004, a Planning Inspector considers whether the Duty has been complied with up to the point the Local Plan is submitted as part of the Local Plan Examination.

2.0 Policy Background

National Planning Context

The National Planning Policy Framework (NPPF)

- 2.1 The latest version of the NPPF published in February 2019 confirms (in paragraphs 24 to 27) that local planning authorities and county councils (in two tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries. Paragraph 25 states that:
- ‘Strategic policy-making authorities should collaborate to identify the relevant strategic matters which need to be addressed in their plans. They should also engage with local communities and other relevant bodies, including Local Enterprise Partnerships, Local Nature Partnerships, the Marine Management Organisation, county councils, infrastructure providers, elected mayors and combined authorities.’*
- 2.2 Paragraph 26 recognises that effective and ongoing joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy, in particular when determining where infrastructure is necessary and whether development needs that cannot be fully met in one plan area can be met elsewhere.
- 2.3 In addition, paragraph 27 advises, that in order to demonstrate effective and ongoing joint working, strategic policy-making authorities should prepare and maintain one or more ‘Statements of Common Ground’, documenting the cross-boundary matters being addressed and progress in cooperating to address these. Such statements should be produced using the approach set out in national Planning Practice Guidance (PPG) below.

National Planning Practice Guidance (PPG)

- 2.4 The PPG provides further guidance on meeting the Duty to Cooperate (DtC), mainly advising on Statements of Common Ground and what information they should contain. Strategic policy-making authorities are expected to document the activities undertaken whilst cooperating on strategic cross-boundary matters, including:
- working together at the outset of plan-making to identify cross-boundary matters which will need addressing;
 - producing or commissioning joint research and evidence to address cross-boundary matters;
 - assessing impacts of emerging policies; and
 - preparing joint, or agreeing, strategic policies affecting more than one authority area to ensure development is coordinated
- These activities need to be tailored to address local circumstances.

Local Planning Context

The existing Development Plan

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

Tunbridge Wells Borough Local Plan 2006

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

Core Strategy 2010

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

Tunbridge Wells Site Allocations Local Plan 2016

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

The new Local Plan

- 2.9 The Pre-Submission Local Plan (PSLP) sets out the spatial vision, strategic objectives, and the overarching development strategy for the borough and establishes the planning policy framework necessary to deliver them. It covers the period between 2020 and 2038. It will replace the 'saved' policies of the Tunbridge Wells Borough Local Plan 2006, the Tunbridge Wells Borough Core Strategy 2010, and the Site Allocations Local Plan 2016 above.
- 2.10 The PSLP is the outcome of an extensive process, including public consultations and dialogue with key stakeholders, including DtC bodies, as well as the assimilation of substantial work undertaken to provide a robust evidence base that takes account of relevant national and local plans and strategies.

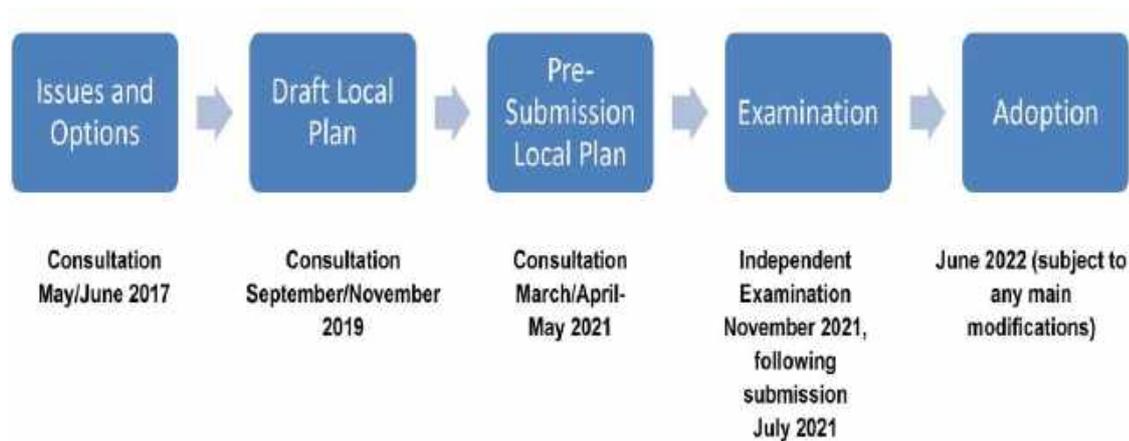


Figure 1: Local Plan Timescale

2.11 As Figure 1 shows, the preparation of the PSLP follows from the production and public consultation of, two earlier documents, as set out below.

Tunbridge Wells Borough Issues and Options consultation 2017

2.12 The Issues and Options consultation was the first borough-wide public consultation undertaken by the Council as part of the preparation of the new Local Plan in the summer of 2017. This consultation sought early views about the best way to approach the specific challenges, notably identified growth needs, for the borough. Most importantly, it proposed five possible spatial options for the location of new development across the borough. Around 6,700 responses (from 551 organisations and individuals) were received to this consultation. All the responses and representations received were carefully considered and taken into account in the preparation and development of the Regulation 18 Consultation Draft Local Plan 2019 (see below). The [Consultation Statement](#) relating to the Issues and Options consultation provides an overview and evaluation of the Issues and Options consultation, including the Council’s responses to the comments received.

Tunbridge Wells Draft Local Plan (Regulation 18)

2.13 A full Draft Local Plan was published in autumn 2019. It built on the Issues and Options document and the feedback received during the public consultation at stage one. It presented a preferred draft development strategy and a full suite of draft policies and proposed site allocations. The Draft Local Plan was subject to an eight-week public consultation, which ran from 20 September to 15 November 2019.

2.14 Over 8,000 individual comments, from over 2,000 individuals and organisations, were received to the Draft Local Plan public consultation. A full list of the responses received can be found on the Council’s website under [Previous stages](#).

2.15 The main issues raised in the responses to the Regulation 18 public consultation included concerns about the following matters:

- implications of the development strategy in relation to individual settlements or sites; overall housing numbers (too high), affordable housing, and housing types (particularly housing for older people and first-time buyers);
- the Plan's consistency with national policies in relation to the release of Green Belt land, as well as the number of major developments in the High Weald Area of Outstanding Natural Beauty (AONB), and the impact on its conservation;
- provision and timing of the range of infrastructure needed to support new development, such as highways, medical services, schools, drainage, and water supply;
- flooding;
- highway matters and transport provision on already congested roads;
- the impact of the Plan and all the proposed development on climate change and sustainability

- 2.16 All comments, including those from DtC bodies, have been carefully considered and taken into account in preparing the current Local Plan, as has relevant updated national planning policy and guidance, as well as further evidence gathered and evaluated by the Council.
- 2.17 The Consultation Statement published in conjunction with the Pre-Submission Local Plan provides an overview of the public consultation and identifies the main issues raised in responses received. All supporting documents referred to throughout this document can be found under Supporting Documents on the [Local Plan](#) web page.

Neighbourhood Development Plans

- 2.18 Neighbourhood Development Plans (NDPs) were introduced under the Localism Act 2011 above, to allow plan and decision making to be carried out at a more local level. NDPs need to conform with national policy, local adopted plans and other legal requirements. Amongst other things, these plans can be used to develop a shared local vision and may include identifying the location for any new non-strategic housing and employment/businesses developments. The Council has been working with a number of parish and town councils in the borough to progress their NDPs as well as liaising with adjoining authorities where cross boundary issues may occur in the preparation of an NDP.
- 2.19 Details of the Neighbourhood Plans within the borough can be found on the Council's website under [Neighbourhood Plans](#).
- 2.20 Further information on the relationship between the Local Plan and neighbourhood plans is set out in Section 4 of the Pre-Submission Local Plan at Policy STR 10: Neighbourhood Plans.

3.0 Tunbridge Wells area and context

3.1 The borough of Tunbridge Wells lies in the south west of Kent, bordering the county of East Sussex to the south. It covers an area of 126 square miles. The borough borders the adjoining local authorities of Sevenoaks, Tonbridge & Malling and Maidstone in Kent, and Rother and Wealden in East Sussex, as shown in Figure 2 below.

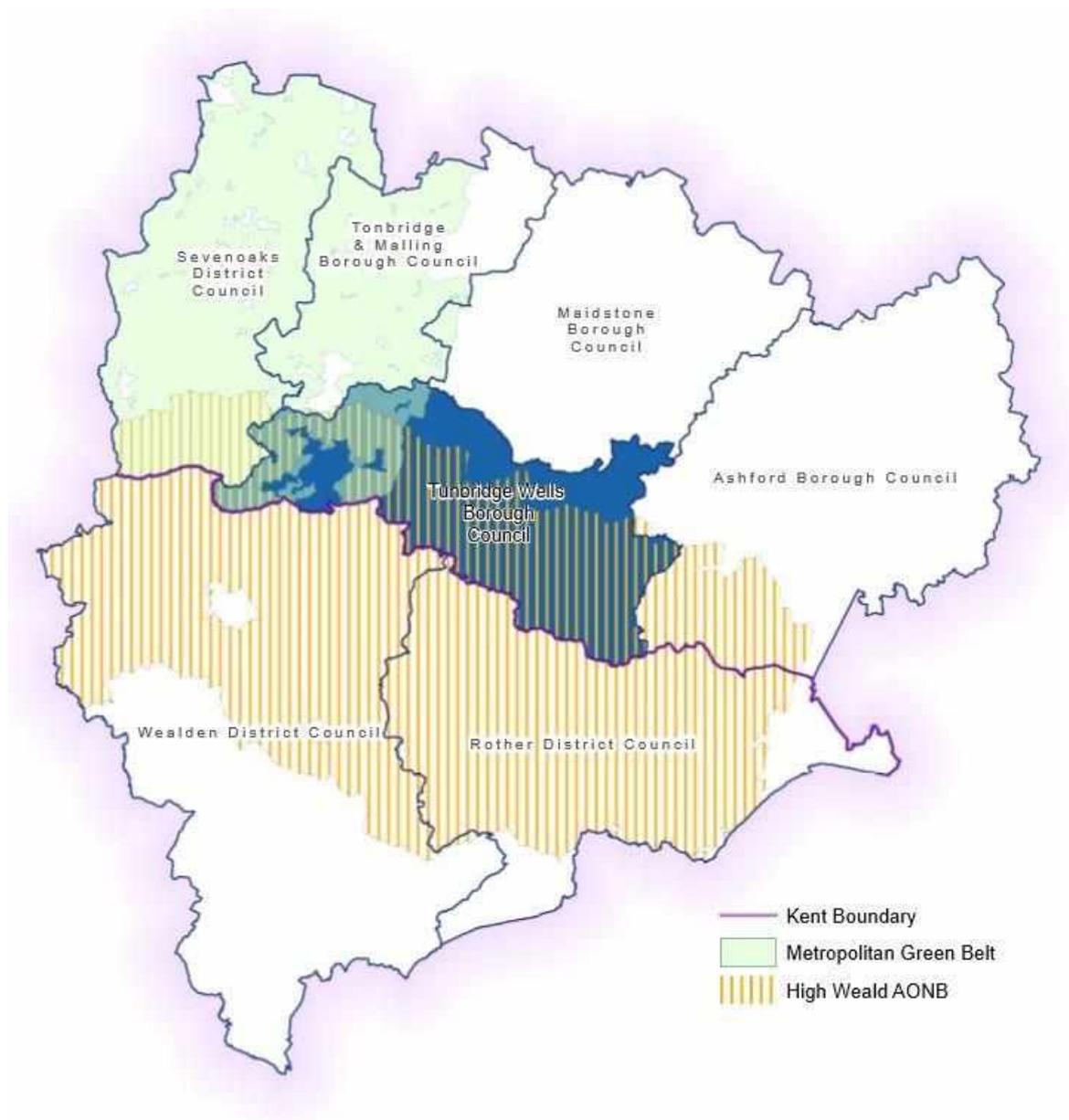
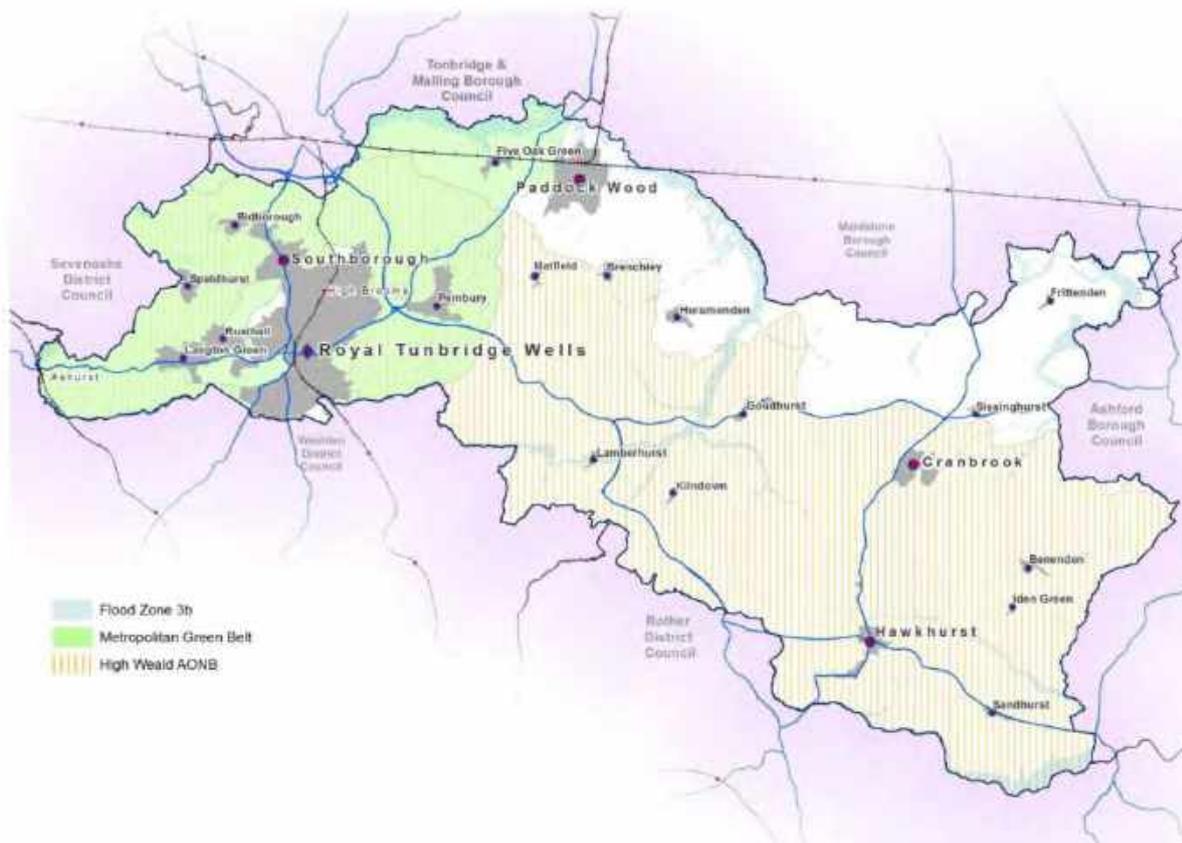


Figure 2 Borough Location

- 3.2 Figure 3 below shows an overview map of the borough and its main settlements and their relationship with key designations such as the High Weald AONB, Metropolitan Green Belt (Green Belt), flood zone areas, and main transport routes.
- 3.3 **Royal Tunbridge Wells**, located in the western part of the borough, is the principal town and administrative centre. Together with Southborough, it forms the 'main urban area' of the borough. It provides a large proportion of the social, cultural, and economic opportunities available in the borough. In addition to being the borough's main retail, leisure and cultural centre, the town provides a wide variety of services, including primary and secondary schools, sports and community facilities, and mainline train stations. Historical and architectural features, such as the Pantiles, also provide a high-quality environment that attracts a significant amount of tourism to the borough. There are also a number of parks and commons that are integral to the character of the town. The redevelopment of the museum and library underline the aspiration for the town to become the cultural centre of the High Weald.
- 3.4 **Southborough** lies to the north of Royal Tunbridge Wells, with its own, albeit smaller, town centre. As well as providing its own independent shopping facilities, Southborough also has a number of local and community services, such as primary schools and specialist education facilities, and a good range of recreational facilities, including a new community hub.
- 3.5 **Paddock Wood**, in the northern part of the borough, benefits from good transport links, including a mainline train station and wide range of facilities, including a secondary school and sports centre. There is a large employment area to the north of the railway line, which supports the town, the rural hinterland, and beyond. In addition to a supermarket, existing retailing is mainly devoted to the provision of local services. The western edge of the town abuts the Green Belt and, additionally, areas of the town and its surrounds fall within areas of flood risk.
- 3.6 **Cranbrook** is an attractive, vibrant rural town located within the High Weald AONB in the eastern part of the borough. The local architecture and features, such as the Cranbrook Windmill and nearby Sissinghurst Castle, give it a distinctive character. Cranbrook also benefits from a good range of independent shops, a supermarket, secondary schools, a sports centre, and other local services and facilities.
- 3.7 **Hawkhurst** is located within the High Weald AONB in the south eastern part of the borough and features local architecture, such as The Colonnade along its main shopping street, which is distinctive to the area. It functions as a rural service centre, supporting a wide rural hinterland and benefits from a primary school, small independent cinema, and two supermarkets, as well as a range of local services and facilities.
- 3.8 The borough is also home to several villages, each with its own distinctive character. Most of these villages are within the High Weald AONB, and some in the western part of the borough are also in the Green Belt. All provide some level of local services and facilities, such as a primary school, shops, community groups/buildings, public house, place of worship, and leisure and recreational facilities.

- 3.9 In addition, there are a number of hamlets and other, more remote, clusters of buildings and farmsteads dispersed across the borough, many of which are located within the High Weald AONB and/or Green Belt, and provide important features of the landscape.

Figure 3 Borough Overview



- 3.10 Both the natural and built environment of the borough are of high quality, and nearly 70% of the borough designated as High Weald AONB is of national significance, and all areas of the borough have distinct landscape and environmental characteristics much valued by residents, with commons, village greens, and parks providing important spaces and links to the countryside.
- 3.11 Around 22% of the western part of the borough surrounding Royal Tunbridge Wells, Southborough, Pembury and other villages, and abutting the western edge of Paddock Wood, is Green Belt.
- 3.12 Together, the AONB and Green Belt cover 75% of the borough, with substantial overlaps.
- 3.13 The borough is also rich in historic features and has a significant breadth of designated and non-designated heritage assets, including listed buildings, conservation areas, scheduled ancient monuments, historic parks and gardens, agricultural buildings and farmsteads, historic routeways, medieval field patterns, and ancient woodland.

3.14 The borough supports a wide network of biodiversity sites, including Sites of Special Scientific Interest, Local Wildlife Sites, Sites of Local Nature Conservation Value and four Local Nature Reserves. As well as having a number of parks and commons, the borough also has in excess of 650 Tree Preservation Orders, including substantial areas of ancient woodland.

4.0 Meeting the Duty to Cooperate

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

Cooperation between authorities

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

Kent Authorities

- Kent County Council (KCC)
- Sevenoaks District Council (SDC)
- Tonbridge & Malling Borough Council (TMBC)
- Maidstone Borough Council (MBC)
- Ashford Borough Council (ABC)

Authorities outside of Kent

- East Sussex County Council
- Rother District Council
- Wealden District Council

Authority related groups:

- **West Kent Duty to Co-operate meetings** – Tunbridge Wells Borough Council, Tonbridge & Malling Borough Council and Sevenoaks District Council
- **Ashdown Forest Working Group (To deal with Air Quality issues at Ashdown Forest Special Area of Conservation)** – Chaired by the South Downs National Park Authority (SDNPA)- Members: TWBC, SDPNA, Lewes DC, Eastbourne BC, Mid Sussex DC, Tandridge DC, Crawley BC, Sevenoaks DC, Rother DC, East Sussex County Council (Minerals and Waste), West Sussex County Council and Natural England. Not signed by Wealden District Council (WDC) but they have indicated a willingness to sign any future updates.
- **Strategic Access Management and Monitoring Strategy (SAMMS) partnership (To address recreational Impact on Ashdown Forest Special protection Area)** - TWBC, Lewes DC, Mid Sussex DC, Sevenoaks DC, Tandridge DC, Wealden DC and Natural England
- **Medway Flood Partnership** – Country Land and Business Association, Forestry Commission, Kent Association of Local Council's, Maidstone Borough Council, Natural England, Environment Agency, Joint Parish Flood Group, Kent County Council, National Farmers Union, Sevenoaks District Council, South East Rivers Trust, Tonbridge & Malling Borough Council, Upper Medway Internal Drainage Board, Southern Water, Tunbridge Wells Borough Council.
- **Medway Flood Action Group** - Country Land and Business Association, Forestry Commission, Kent Association of Local Council's, Maidstone Borough Council, Natural England, Environment Agency, Joint Parish Flood Group, Kent County Council, National Farmers Union, Sevenoaks District Council, South East Rivers Trust, Tonbridge & Malling Borough Council, Upper Medway Internal Drainage Board, Southern Water, Tunbridge Wells Borough Council
- **Kent Chief Planners Group** - all Kent authorities – meet approximately every two months
- **Kent Planning Policy Forum** - all Kent authorities - meet approximately every two months

Summary of DtC engagement and outcomes with neighbouring authorities:

4.4 This section sets out, on an authority-by-authority basis, the engagement with neighbouring authorities, in the following order:

- Sevenoaks District Council (SDC)
- Tonbridge & Malling Borough Council (TMBC)
- Maidstone Borough Council (MBC)
- Ashford Borough Council (ABC)
- Rother District Council (RDC)
- Wealden District Council (WDC)

4.5 To set this engagement in context, for each authority, it presents:

- Current Local Plan status, both adopted and, where appropriate, emerging
- That Council's own most recent DtC Statement
- Key cross-boundary issues
- Key opportunities and constraints
- Common membership of strategic groups
- Formal Local Plan consultations
- Engagement
- Statements of Common Ground
- Overview and Outcomes

4.6 There is a separate, later section that provides an overview by strategic matter for all authorities.

Sevenoaks District Council

Current Local Plan status:

Adopted Plan documents:

- Sevenoaks District Council Core Strategy February 2011

- Sevenoaks District Council Allocations and Development Management Plan February 2015

New Local Plan:

- Sevenoaks District Council Issues and Options Consultation Document July 2017
- Sevenoaks District Council Regulation 18 Consultation Local Plan July 2018
- Sevenoaks District Council Proposed Submission Version of the Local Plan (PSLP) (Regulation 19) December 2018

Most recent published DtC Statement: SDC Duty to Cooperate Statement May 2019 (submitted with SDC Regulation 19 Local Plan December 2018)

Key cross-boundary issues:

- Housing and Economic Development - part of established and recognised Housing Market Areas and Functional Economic Market Areas. SDC cannot meet own objectively assessed housing need. However, both can meet own economic needs - employment, retail and leisure and town centre uses
- Environment – Ashdown Forest issues: both members of Working Group including implementation of the actions of the SoCGs for this. AONB and flooding are also cross boundary issues
- Infrastructure – both authorities liaise on key cross boundary infrastructure matters highways, education, health, transport and water/flooding related infrastructure

Key opportunities and constraints:

- West Kent Partnership
- The Green Belt and High Weald AONB straddle the common boundary;
- Significant areas of Ancient Woodland and areas of potential archaeological importance straddle, adjoin or are in close proximity to common boundary
- SSSI 5 Km protection zone to west of Tunbridge Wells borough and east/south east of Sevenoaks district,
- Both fall within the Ashdown Forest 7km Zone of influence
- EA Flood Zones 2 and 3 (River Medway) straddle the common boundary particularly to the north. The Leigh Flood Storage Area in Sevenoaks district (which also serves Tonbridge & Malling borough) is located close to the common boundary at the eastern edge of Sevenoaks district
- Aquifer Protection Zone – Straddles the Common boundary in the north western area of TWBC.
- Historic Parks and Gardens adjacent to/straddling the common boundary – Swaylands, Danemore Park and Ashurst Park

- Significant number of Historic Farmsteads (in both authority areas) in close proximity to the common boundary
- Key roads: A21 runs from northern region of Tunbridge Wells borough north westwards through Tonbridge & Malling borough and beyond into the district of Sevenoaks; B2176 runs east-west from the A26 in Tunbridge Wells borough to Penshurst in Sevenoaks district; B2188 runs north from Fordcombe in Sevenoaks district south to the A264 in Tunbridge Wells borough
- The Hastings to Charing Cross railway line runs from Tunbridge Wells borough, through (the south west of) Tonbridge and Malling borough, and into Sevenoaks. From there it runs through south London to Charing Cross.
- Number of KCC PROWs run through the common boundary

Common membership of strategic groupings:

- West Kent Partnership – SDC, TWBC, TMBC
- Ashdown Forest Working Group
- Strategic Access Management and Monitoring Strategy (SAMMS) partnership for Ashdown Forest
- Kent Nature Partnership
- AONB Joint Advisory Committees
- Kent Gypsy and Traveller Planning Group
- Medway Flood Partnership
- Medway Flood Action Group
- Kent Chief Planners Group
- Kent Planning Policy Forum

Formal Local Plan consultations:

TWBC responses to SDC consultations:

- TWBC response to SDC Issues and Options September 2017 – see **Appendix B1**
- TWBC response to SDC Local Plan Regulation 18 Consultation September 2018 – see **Appendix B2**
- TWBC response to SDC Local Plan regulation 19 Consultation – see **Appendix B3**

SDC responses to TWBC consultations:

- SDC response to TWBC Issues and Options Consultation June 2017 – see **Appendix B4**
- SDC response to TWBC Regulation 18 Draft Local Plan Consultation 15 November 2019 – see **Appendix B5**

Engagement:

The DtC engagement log between TWBC and SDC is attached at **Appendix B6**

Statements of Common Ground (SOCGs):

- SoCG between TWBC and SDC May 2019 - see **Appendix A1**
- SoCG signed by Members of the Ashdown Forest Air Quality working group - Prepared by South Downs National Park Authority (SDNPA) and signed by Members of the Ashdown Forest Working Group- TWBC, SDNPA, Lewes DC, Eastbourne BC, Mid Sussex DC, Tandridge DC, Crawley BC, Sevenoaks DC, Rother DC, East Sussex County Council (Minerals and Waste), West Sussex County Council and Natural England - see **Appendix A7**
- SoCG signed by Members of the Strategic Access Management and Monitoring Strategy (SAMMS) partnership for Ashdown Forest (Recreational Impact): TWBC, Lewes DC, Mid Sussex DC, Sevenoaks DC, Tandridge DC, Wealden DC and Natural England – see **Appendix A8**
- An updated SoCG between TWBC and SDC is currently being prepared, but is delayed due to ongoing legal action by SDC following an adverse decision by the High Court in relation to its own Local Plan. An interim SoCG is expected to be signed imminently.

Overview and Outcomes:

- Outcome – as above, both Councils expected to sign a SoCG. Subject to progress of the SDC proceedings, this may itself be an interim SoCG in certain respects.
- TWBC is aiming to meet its own objectively assessed need. SDC has requested TWBC (and others) to meet its unmet need. TWBC has considered this, through its site assessments and Sustainability Appraisal. It has advised SDC of the work undertaken in the site assessment and Sustainability Appraisal, and position in relation to allocations in the PSLP. While there is ongoing communication on the matter, SDC's next steps are very much dependent on the outcome of its application to the Court of Appeal.
- Both Councils are seeking to meet their own need for permanent Gypsy and Traveller pitches.
- Both Councils seeking to meet their employment needs in full.
- Retail provision focused on existing principal towns.
- Recognise importance of rail and A21 links.
- Existing joint working in relation to AONB, Ashdown Forest and flooding involves both authorities.

- SoCG to be reviewed in due course, once clarity on SDC Local Plan, or ahead of TWBC Examination, whichever is the earlier.

Tonbridge & Malling Borough Council

Current Local Plan status:

Adopted Plan documents:

- Tonbridge & Malling Core Strategy 2007
- Tonbridge & Malling Development Land Allocations April 2008
- Tonbridge Central Area Action Plan April 2008
- Compendium of Saved Policies April 2010

New Local Plan Review:

- Tonbridge & Malling Local Plan The Way Forward (Issues and Options) September 2016
- No Regulation 18 Draft Local Plan
- Tonbridge & Malling Local Plan Submission Version (LPSV) January 2019
- The TMBC LPSV was submitted to the Planning Inspectorate in January 2019 for examination (to be accessed against the requirements of the NPPF 2012). The examination hearings due to take place in November 2020 were cancelled and a letter was sent from the Examination Inspector on 18 December 2020 requesting that the Plan be withdrawn. TMBC responded to this letter on 1 February 2021. The Inspectors wrote to TMBC on the 2nd March 2021 in response to the TMBC letter. TMBC responded on 11th March. The final report from the Planning Inspectors is awaited.

Most recent published DtC Statement:

TMBC Duty to Cooperate Statement January 2019 (submitted with the TMBC LPSV above).

Key cross-boundary issues:

- Housing and Economic Development - part of established and recognised Housing Market Areas and Functional Economic Market Areas. Both aiming to meet own objectively assessed housing and economic needs - employment, retail and leisure and town centre uses. Master planning important for strategic sites at Paddock Wood and Tudeley in close proximity to Tonbridge & Malling. Liaison between both authorities in respect of Gypsy and Traveller needs
- Environment – AONB and flooding are cross boundary issues
- Infrastructure – both authorities liaise on key cross boundary infrastructure matters – highways, education, health, transport, water/flooding related infrastructure

Key opportunities and constraints:

- West Kent Partnership
- The Green Belt and High Weald AONB straddle almost the full length of the common boundary;
- Significant areas of Ancient Woodland and several areas of potential archaeological importance straddle, adjoin or are in close proximity to common boundary
- EA Flood Zones 2 and 3 (River Medway) straddle the common boundary and extend significantly beyond it in the eastern parts of both authorities. This is also the case at the western end of the common boundary at Upper Hayesden. Much of the central area of Tonbridge also lies within these flood zones. The Leigh Flood Storage Area in Sevenoaks district (which also serves Tonbridge & Malling borough) is located close to the common boundary at the western edge of Tonbridge & Malling.
- Aquifer Protection Zone – covers a significant catchment area across the common boundary of both authority areas mainly at Upper Hayesden, Tudeley and the central area of Tonbridge
- Historic Parks and Gardens adjacent to/straddling the common boundary - Somerhill Park (Somerhill School Buildings are Listed) and Mabledon (also Listed)
- Scheduled Monument – Castle Hill in Tunbridge Wells borough also relatively close to common boundary
- Significant number of Historic Farmsteads (in both authority areas) in close proximity to the common boundary
- Key roads: A26 – runs north-south from Royal Tunbridge Wells through Southborough and through the centre of Tonbridge. It also meets the A21 just north of the common boundary in Tonbridge & Malling which runs north west to the M25 and south east through the southern edge of Pembury and to Hastings beyond
- A228 – Runs north from the A21 and Pembury to East Peckham in the eastern part of Tonbridge & Malling and beyond.
- B2017 – runs from eastern edge of Tonbridge through Capel (Five Oak Green) to Paddock Wood
- B2160 – runs north-south from Paddock Wood where it links with the A228 to the north, on the south eastern edge of Tonbridge & Malling borough.
- Tonbridge Railway Station used by TW commuters, especially in the north of Tunbridge Wells borough. The train line from Tonbridge runs east-west through to Paddock Wood, Maidstone Stations (Marden, Staplehurst, Headcorn) and Ashford beyond. The Hastings to Charing Cross railway line runs from Tunbridge Wells borough, through (the south west of) Tonbridge and Malling borough onto Sevenoaks through south London to Charing Cross.

- Number of KCC PROWs run through the common boundary
- Significant number of schools (both primary and secondary) on the southern edge of the built up area of Tonbridge, relatively close to the common boundary
- As above, proposals for strategic growth in the north-eastern part of Tunbridge Wells borough require cross boundary discussion, including in relation to social and medical infrastructure.

Common membership of strategic groupings:

- West Kent Partnership – SDC, TWBC, TMBC
- Ashdown Forest Working Group (Air Quality)–
- Kent Nature Partnership
- AONB Joint Advisory Committees
- Kent Gypsy and Traveller Planning Group
- Medway Flood Partnership
- Medway Flood Action Group
- Kent Chief Planners Group
- Kent Planning Policy Forum

Formal Local Plan consultations:

TWBC responses to TMBC consultations:

- TWBC Response to TMBC Issues and Options November 2016 – see **Appendix C1**
- TWBC Response to TMBC Regulation 19 Pre-Submission Plan November 2018 – see **Appendix C2**

TMBC responses to TWBC consultations:

- TMBC response to TWBC Issues and Options 2017 – see **Appendix C3**
- TMBC response to TWBC DLP Regulation 18 consultation October 2019 (letter) – see **Appendix C4**
- TMBC response to TWBC DLP Regulation 18 consultation October 2019 (response form) – see **Appendix C4**

Engagement:

The DtC engagement log between TWBC and Tonbridge & Malling BC is attached at **Appendix C5**.

Statements of Common Ground (SoCGs):

- Memorandum of Understanding between TWBC and TMBC January 2020 (will be attached as Appendix A3) – **see Appendix A2**
- New draft SoCG between TWBC and TMBC is in preparation and is due to be formally considered by TMBC in May 2021.

Overview and Outcomes:

- Outcome – both Councils are committed to updating the current MoU through a new SoCG, and as above, it is expected that this will be formally considered by TMBC in May 2021.
- Both Councils are aiming to meet own objectively assessed need. However, the TMBC Local Plan is currently at examination and its Inspectors have expressed the view that TMBC has not met the Duty to Cooperate in respect of the unmet housing need at SDC. TMBC has questioned this position. The Inspector's decision notice is agreed.
- Both Councils are seeking to meet their own needs for permanent Gypsy and Traveller pitches.
- Both Councils seeking to meet their employment needs in full.
- Retail provision focused on existing principal towns.
- Recognise importance of rail and A21 links.
- Existing joint working in relation to AONB, Ashdown Forest and flooding involves both authorities.
- SoCG to be reviewed in due course, once clarity on TMBC Local Plan or ahead of TWBC Examination, whichever is the earlier.

Maidstone Borough Council

Current Local Plan status:

Adopted Local Plan:

- Maidstone Borough Local Plan October 2017

New Local Plan:

- Local Plan Review: Regulation 18b Preferred Approach Consultation 1 December 2020 - 8 January 2021
- **Most recent published DtC Statement:** Maidstone Duty to Cooperate Compliance Statement May 2016 (submitted with the Maidstone Borough Local Plan October 2017)

Key cross-boundary issues:

- Housing and Economic Development – Both aiming to meet own objectively assessed housing and economic needs - employment, retail and leisure and town centre uses. Liaison between both authorities in respect of Gypsy and Traveller needs.
- Environment – Flooding a cross boundary issue
- Infrastructure – both authorities liaise on key cross boundary infrastructure matters highways, education, health, transport, water/flooding related infrastructure

Key opportunities and constraints:

- The Green Belt adjoins the common boundary (in Tunbridge Wells borough, but not Maidstone) at the south western tip of Maidstone borough to the north west of Paddock Wood in Tunbridge Wells borough;
- Significant areas of Ancient Woodland and areas of potential archaeological importance straddle, adjoin or are in close proximity to common boundary
- EA Flood Zones 2 and 3 straddle much of the common boundary and extend significantly beyond in both authorities, particularly in the area north of Paddock Wood in Tunbridge Wells borough;
- Significant number of Historic Farmsteads (in both authority areas) in close proximity to the common boundary
- Key roads: A229 runs north-south from Hawkhurst in Royal Tunbridge Wells to Staplehurst and beyond in Maidstone borough; B2162 runs north-south from Lamberhurst in Tunbridge Wells borough to Yalding in Maidstone borough; B2079 runs north-south from the Goudhurst area of Tunbridge Wells borough to Marden in Maidstone borough

- Train stations at Marden, Staplehurst and Headcorn, located along the mainline running east-west through Maidstone borough are used by Tunbridge Wells residents particularly in the north of Tunbridge Wells borough.
- Number of KCC PROWs run through the common boundary

Common membership of strategic groupings:

- East Kent Authorities Partnership
- AONB Joint Advisory Committees
- Kent Gypsy and Traveller Planning Group
- Medway Flood Partnership
- Medway Flood Action Group
- Kent Chief Planners Group
- Kent Planning Policy Forum

Formal Local Plan consultations:

TWBC responses to MBC consultations:

- TWBC response to MBC Regulation 19 consultation March 2016 – see **Appendix D1**:
- TWBC response to Main Modifications to MBC Local Plan May 2017 – see **Appendix D2**
- TWBC response to MBC – Local Plan review –Scoping, Themes and Issues public consultation 2019 – see **Appendix D3**
- TWBC response to MBC Gypsy and Traveller consultation May 2020 – see **Appendix D4**
- TWBC additional response to MBC Gypsy and Traveller consultation May 2020 – see **Appendix D5**
- TWBC response to MBC Local Plan Regulations 18b Preferred Approaches December 2020 – see **Appendix D6**

MBC responses to TWBC consultations:

- MBC Response to TWBC Issues and Options Consultation 2017 – see **Appendix D7**
- MBC Response to TWBC Regulation 18 Consultation 2019 – see **Appendix D8**

Engagement:

The DtC engagement record between TWBC and Maidstone BC is attached at **Appendix D9**.

Statements of Common Ground (SoCGs):

- SoCG signed between TWBC and MBC August 2016 - see **Appendix A3**
- A new SoCG between TWBC and MBC is being prepared and is expected to be signed shortly.

Overview and Outcomes:

- Both Councils aiming to meet their own objectively assessed housing needs through forthcoming plans.
- TWBC seeking to meet its own need for permanent Gypsy and Traveller pitches; MBC not yet in a position (due to stage of Gypsy and Traveller and Travelling Showpeople Accommodation Assessment and forthcoming Gypsy, Traveller and Travelling Showpeople DPD) to determine whether it can meet its needs for G&T and Travelling Showpeople.
- Both seeking to meet their own employment needs.
- Retail provision focused on existing principal towns.
- Agreed that the two garden settlements proposed in the MBC Regulation 18b Local Plan will not give rise to any strategic cross boundary matters with Tunbridge Wells borough, and TWBC has and will continue to work closely on strategic growth at Paddock Wood.
- MBC is not proposing any amendments to the Green Belt, and the land proposed to be removed from the Green Belt in TW borough will not materially affect the purposes of the Green Belt in Maidstone borough.
- Proposals for development in the TWBC Local Plan will not impact on the setting of the High Weald AONB in Maidstone, and the focus of MBC's growth in Maidstone borough has directed it away from the High Weald AONB and its setting.
- Existing joint working in relation to flooding, biodiversity and infrastructure.
- SoCG to be signed shortly and ahead of submission of the TWBC Local Plan (and, if necessary, updated ahead of MBC Regulation 19 consultation).

Ashford Borough Council

Current Local Plan status:

Adopted Local Plans:

- Ashford Local Plan adopted February 2019

Local Plan review:

- Ashford Gypsy and Traveller Accommodation Local Plan Options Report (regulation 18 Consultation) January 2020 – see **Appendix E3** (and TWBC response below)
- **Most recent published DtC Statement:** Ashford BC Duty to Cooperate Statement December 2017 (submitted with the Ashford Local Plan adopted February 2019 above)

Key cross-boundary issues:

- Housing and Economic Development - Both aiming to meet own objectively assessed housing and economic needs - employment, retail and leisure and town centre uses. Liaison between both authorities in respect of Gypsy and Traveller needs.
- Environment – AONB and flooding are cross boundary issues
- Infrastructure – both authorities liaise on key cross boundary infrastructure matters highways, transport, water/flooding related infrastructure

Key opportunities and constraints:

- AONB straddles common boundary south of Golford Road (TWBC) and Cranbrook Road (ABC)
- Significant areas of Ancient Woodland and several areas of potential archaeological importance straddling, adjoining or in close proximity to common boundary
- EA Flood Zones 2 and 3 – Hammer Stream
- Key Roads - A262 through/from Sissinghurst runs north eastwards to Biddenden in Ashford Borough; the A268 runs through Sandhurst then east/south-east through Ashford Borough then southwards through to Rother District beyond; and the B2086 through/from Benenden runs south eastwards to Rolvenden in Ashford Borough
- Number of KCC PROWs run through the common boundary

Common membership of strategic groupings:

- East Kent Authorities Partnership

- Kent Gypsy & Traveller Planning Group
- Kent Nature Partnership
- High Weald and North Downs AONB Joint Advisory Committees
- Kent Planning Officers Group
- Kent Planning Policy Forum

Formal Local Plan consultations:

TWBC responses to ABC consultations:

- TWBC response to ABC Regulation 19 Consultation August 2016 – see **Appendix E1**
- TWBC response to ABC Regulation 19 Consultation August 2017 – see **Appendix E2**
- TWBC response to ABC Gypsy and Traveller Accommodation Local Plan Consultations Options Report February 2020 – see **Appendix E3**

ABC responses to TWBC consultations:

- No ABC response to TWBC Issues and Options Consultation 2017
- ABC response to TWBC Draft Local Plan Regulation 18 Consultation 6 November 2019 – see **Appendix E4**

Engagement:

The DtC engagement log between TWBC and Ashford BC is attached at **Appendix E5**.

Statements of Common Ground (SoCGs):

- A new SoCG between TWBC and ABC has recently been signed and is attached as **Appendix A4**.

Overview and Outcomes:

- Outcome – as mentioned above, an up-to-date signed SoCG is in place (**Appendix A4**)
- Both Councils aiming to meet their own objectively assessed housing needs through forthcoming (TWBC) and adopted (ABC) plans. ABC at too early a stage in Local Plan review to conclude for next Local Plan
- TWBC seeking to meet its own need for permanent Gypsy and Traveller pitches; ABC not yet in a position (due to stage of Gypsy and Traveller Accommodation Local Plan) to determine whether it can meet its needs for G&T and Travelling Showpeople;

- Both seeking to meet their own employment needs;
- Retail provision focused on existing principal towns;
- Existing joint working in relation to AONB;
- Protected sites (Ashdown Forest and Stodmarsh) generating strategic cross boundary matters, but not between ABC and TWBC;
- SoCG to be reviewed in due course, once clarity on ABC Local Plan timetable, or ahead of examination of TWBC Local Plan, whichever is the earlier.

Rother District Council

Current Local Plan status:

Adopted Plans:

Rother Core Strategy 2014

The Rother Development and Site Allocations Local Plan adopted 2019 implements the development strategy and core policies of the Core Strategy

New Local Plan:

RDC has commenced preparation on a new Local Plan that will cover the period 2019 to 2039. A targeted Early Engagement was undertaken for this in October 2020 (see below for TWBC response).

Most recent published DtC Statement: a DtC Statement was produced for the Core Strategy 2012 but is no longer available on RDC website)

Key cross-boundary issues:

- Housing and Economic Development - Both aim to meet own objectively assessed housing and economic needs - employment, retail and leisure and town centre uses
- Environment – Ashdown Forest issues both members of Air Quality Working Group including implementation of the actions of the SoCG for this. AONB and flooding are also cross boundary issues
- Infrastructure – both authorities liaise on key cross boundary infrastructure matters highways (A21/Flimwell junction), education, health, transport, water/flooding related infrastructure

Key opportunities and constraints:

- Ashdown Forest Air Quality Group – see SoCG below;
- High Weald AONB straddles full length of common boundary;
- Significant areas of Ancient Woodland (including Bedgebury) and several areas of potential archaeological importance straddling, adjoining or in close proximity to common boundary;
- Bewl Water reservoir
- River Rother runs along common boundary at the eastern end of TW borough – so EA Flood Zones 2 and 3 run along the full length and straddle the common boundary; River Rother is joined by the Kent Ditch which also runs along a significant part of the common boundary;

- Key roads - A229 through Hawhurst which links with the A21 to the south in Rother District; B2244 (Hastings Road) from Hawhurst which runs south through Rother District; the Flimwell crossroads (A21/A268, located in Rother District) has implications for access/traffic/highway safety, especially large vehicles, as above;
- Number of KCC PROWs run through the common boundary;
- Kent and East Sussex Railway Line in Rother runs in close proximity to the common boundary at the eastern end of Tunbridge Wells borough;
- Lillesden Historic Park and Garden, south of Hawhurst and Bodiam Castle in Rother District are located in close proximity to the common boundary.

Common membership of strategic groupings:

- East Sussex Strategic Planning Group
- Ashdown Forest Air Quality Group
- High Weald AONB Joint Advisory Committee
- High Weald AONB steering group

Formal Local Plan consultations:

TWBC responses to RDC consultations:

- TWBC response to RDC DaSA Local Plan Regulation 19 Consultation December 2018 – see **Appendix F1**
- TWBC response to RDC Sustainability Scoping Report May 2020 – see **Appendix F2**
- TWBC response to RDC Targeted Early Engagement for Local Plan October 2020 – see **Appendix F3**

RDC responses to TWBC consultations:

- TWBC Issues and Option consultation 2017 – no response
- RDC response to TWBC Regulation 18 Consultation 2019 – see **Appendix F4**

Engagement:

The DtC engagement log between TWBC and Rother DC is attached at **Appendix F5**.

Statements of Common Ground (SoCGs):

- SoCG Prepared by South Downs National Park Authority (SDNPA) and signed by Members of the Ashdown Forest Air Quality Working Group- TWBC, SDPNA, Lewes DC, Eastbourne BC, Mid Sussex DC, Tandridge DC, Crawley BC, Sevenoaks DC, Rother DC, East Sussex County Council (Minerals and Waste), West Sussex County Council and Natural England – see **Appendix A7**

- SoCG was signed between TWBC and Rother DC in October 2020 – **see Appendix A5**

Overview and Outcomes:

- Outcome – both Councils have recently signed the SoCG above (**Appendix A5**)
- Both Councils aiming to meet their own objectively assessed housing needs although RDC at an early stage of their Local Plan review
- Both Councils are also seeking to meet their own need for permanent Gypsy and Traveller pitches; also, an unlikely overlap in relation to any transit needs
- Complementary employment provisions focused on main towns
- Mutually important role of A21 recognised, and support in principle for improvements
- Existing joint working in relation to AONB and Ashdown Forest SPA involves both authorities
- SoCG to be reviewed ahead of RDC Local Plan Regulation 18 consultation

Wealden District Council

Current Local Plan status:

Adopted Local Plans:

Wealden Local Plan adopted 1998

Wealden District Core Strategy Local Plan 2013

Affordable Housing Delivery Local Plan 2016

New Local Plan:

Withdrawn February 2020 and documents also withdrawn from website

Most recent published DtC Statement: (Not available – as all Planning documents withdrawn from website following withdrawal of LP)

Key cross-boundary issues:

- Housing and Economic Development – TWBC Housing Market Area overlaps with that of WDC. Both TWBC and WDC intend to meet their own objectively assessed housing needs. Liaison between both authorities in respect of Gypsy and Traveller needs
- Environment – Ashdown Forest issues for both air quality and recreational pressure on SPA and SAC, members of groups with SoCG. AONB and flooding are also cross boundary issues.
- Infrastructure – both authorities liaise on key cross boundary infrastructure matters highways, education, health, transport, green and water/flooding related infrastructure

Key opportunities and constraints:

- The High Weald AONB straddles much of the common boundary;
- Significant areas of Ancient Woodland and areas of potential archaeological importance straddle, adjoin or are in close proximity to common boundary
- SSSI 5 Km protection zone across common boundary
- Ashdown Forest Zone of Influence
- Scheduled Ancient Monuments along common boundary: High Rocks prehistoric rock shelters and hillfort in Tunbridge Wells borough and Bayham Abbey in Wealden district
- EA Flood Zones 2 and 3 straddle the common boundary particularly to the east and west.

- Historic Parks and Gardens adjacent to/straddling the common boundary – Groombridge Place in Tunbridge Wells borough and Bayham Abbey in Wealden district
- Significant number of Historic Farmsteads (in both authority areas) in close proximity to the common boundary
- Bewl Water reservoir
- Key roads: A26 runs north-south from Royal Tunbridge Wells to Crowborough and beyond; A264 runs east-west from Ashurst in Tunbridge Wells borough to East Grinstead in Wealden; A267 runs north-south from Royal Tunbridge Wells through Wealden district to the Heathfield area; B2110 which forks westwards to Hartfield and eastwards to merge into the B2188 which runs north-south from the Langton Green area of Tunbridge Wells to the Black Hill area of Wealden; B2169 which runs northwest-southeast from the A267 in Royal Tunbridge Wells, through Wealden District then back into the Lamberhurst area of Tunbridge Wells borough.
- Number of KCC PROWs run through the common boundary

Common membership of strategic groupings:

- Ashdown Forest (Recreation SAMMS) Group
- High Weald AONB Joint Advisory Committee

Formal Local Plan consultations:

TWBC responses to WDC consultations:

- TWBC response to Wealden Open Space Study June 2016 (response form) – see **Appendix G1**
- TWBC Response to WDC Reg. 19 Consultation October 2018 – see **Appendix G2**
- Joint response to WDC Regulation 19 consultation from TWBC, South Downs National Park Authority and Lewes District Council 2 October 2018 - see **Appendix G3**
- TWBC response to WDC Call for Sites/draft SHELAA consultation June 2020 – see **Appendix G4**
- TWBC response to WDC Draft SA Scoping Report July 2020 – see **Appendix G5**
- TWBC response to WDC Direction of Travel Consultation November 2020 – see **Appendix G6**

WDC responses to TWBC consultations:

- No response from WDC on TWBC Issues and Options Consultation 2017
- WDC response to TWBC Regulation 18 consultation 2019 (response form) – **see Appendix G7**

Engagement:

The DtC engagement log between TWBC and Wealden DC is attached at **Appendix G8**.

Statements of Common Ground (SoCGs):

- SoCG signed by Members of the Strategic Access Management and Monitoring Strategy (SAMMS) partnership (Recreational Impact): TWBC, Lewes DC, Mid Sussex DC, Sevenoaks DC, Tandridge DC, Wealden DC – **see Appendix A8**
- A new SoCG between TWBC and WDC has been signed and is attached at as **Appendix A6**

Overview and Outcomes:

- Outcome – There is a recently signed SoCG as above (**Appendix A6**).
- Both aiming to meet own objectively assessed need, although WDC at early stage of its Local Plan review.
- Evidence base briefs and outcomes for landscape studies have been shared to ensure a common understanding of landscape resources proximate to the RTW/Wealden boundary.
- Both Councils are seeking to meet their own need for permanent Gypsy and Traveller pitches.
- Both Councils seeking to meet their employment needs in full.
- Retail provision focused on existing principal towns.
- Existing joint working in relation to AONB and Ashdown Forest to address visitor pressure from new development and recreational pressure involves both authorities as part of wider partnerships supported by Natural England.
- Information is shared on planning applications and any site submitted for Local Plan preparation where they fall on or close to the joint administrative boundary especially at Royal Tunbridge Wells where the town is hard up against the District boundary.

Shared Production of evidence

- 4.7 For some evidence base work and to aid the assessment of strategic housing and economic need issues, it has been useful to undertake work with others; such as the following studies commissioned in partnership with Sevenoaks District Council:
- Strategic Housing Market Assessment 2015
 - Economic Needs Study 2016
 - Historic Environment Review (Part 1) 2017
- 4.8 These studies and how TWBC has cooperated on strategic issues with some of the above authorities are discussed in more detail below under the themed headings: Housing, Economy, Infrastructure etc.
- 4.9 The Council has also been involved in, and continues to undertake, extensive duty to cooperate discussions with Kent County Council in terms of its role as the upper tier local authority, minerals and waste local planning authority, and infrastructure provider.

Cooperation between prescribed bodies and other bodies

4.10 Regular dialogue has been carried out with the following bodies:

List of Prescribed Bodies Relevant to TWBC

- Environment Agency
- Highways England
- Historic England
- KCC Highways
- Natural England
- Network Rail and South Eastern Rail
- Kent and Medway Clinical Commissioning Group (CCG) and NHS Trust
- East Sussex County Council Highways

List of other bodies relevant to TWBC

- High Weald AONB Unit
- KCC Education
- KCC Flooding
- KCC Heritage
- Kent Nature Partnership
- South East Water
- Southern Water
- Upper Medway Internal Drainage Board
- West Kent Partnership for Infrastructure and Transport
- A21 Reference Group
- Planning Advisory Service

4.11 Table 2 sets out a list of the on-going engagement with the prescribed bodies and Table 3 for other bodies. Further detail of their engagement is also explained in the cross boundary strategic issues section below.

Table 1: Prescribed bodies (under Section 33A)

Prescribed Body	Engagement/Discussion dates	Involvement/key outcomes
Environment Agency	Early engagement November 2016 TWBC Issues and Options consultation 2017 TWBC Draft Local Plan	Flooding is an issue which could have implications for TWBC and other neighbouring authorities such as TMBC and SDC. There have been specific on-going discussions and engagement with KCC and the EA in relation to the

Prescribed Body	Engagement/Discussion dates	Involvement/key outcomes
	<p>Consultation 2019</p> <p>Stakeholder IDP consultation with infrastructure providers in:</p> <ul style="list-style-type: none"> – July/August 2018 – March/April 2019 – June 2019 – October 2020 <p>Ongoing discussions during site allocation and policy formulation and as part of the SFRA production work and the Strategic Sites Working Group.</p> <p>See engagement record at Appendix H1</p>	<p>Strategic Flood Risk Assessment (SFRA) work undertaken by TWBC, in particularly in relation to the Capel/Paddock Wood and Tudeley area and Royal Tunbridge Wells. Outcomes include: flood alleviation schemes for Paddock Wood and Five Oak Green and other minor alleviation/culverting schemes; and proposed flood mitigation measures recommended in the SFRA such as flood defence and strategic storage, for the Paddock Wood area in response to the proposed growth strategy.</p> <p>The EA are also involved in the Strategic Sites Working Group masterplanning for the identified growth at the strategic sites at Paddock Wood and east Capel and Tudeley Village and further modelling work carried out (See engagement record at Appendix J1)</p>
Historic England (HisE)	<p>Early engagement from 2016 through to June 2020</p> <p>Issues and Options Consultation 2017</p> <p>TWBC Draft Local Plan Consultation 2019</p> <p>See engagement record at Appendix H3</p>	<p>Early engagement involved discussion and recommendations on how the Council's emerging Heritage Strategy should be taken forward. A Historic Environment Study was commissioned jointly by TWBC and SDC.</p> <p>Policy recommendations in HisEs response to the Issues and Options were considered in the formulation of new development management policies relating to the historic environment/heritage assets in the Local Plan.</p> <p>Meeting to review Historic England's comments on Reg 18 Local Plan, June 2020. (notes)</p> <p>Discussion of draft revised policies, by email October – December 2020, resolving HE concerns.</p>
Natural England (NE)	<p>Issues and Options Consultation 2017</p> <p>TWBC Draft Local Plan</p>	<p>Policy recommendations in NEs response to the Issues and Options were considered in the formulation of new development management policies</p>

Prescribed Body	Engagement/Discussion dates	Involvement/key outcomes
	<p>Consultation 2019</p> <p>Involved in regular meetings as a member of the Ashdown Forest Working Group (above)</p> <p>Stakeholder IDP Consultation with infrastructure providers in October 2020</p> <p>See engagement record at Appendix H5</p>	<p>such as EN11 Net gains: biodiversity in the Local Plan.</p> <p>Involved in discussions on cross boundary environmental issues relating to the Ashdown Forest resulting in the production of relevant studies, policies and two SoCGs (as above – see also Appendices A7 and A8)</p>
<p>Health related bodies – NHS Kent and Medway Clinical Commissioning Group (CCG) and NHS Trust</p>	<p>Early engagement November 2016</p> <p>Issues and Options consultation 2017</p> <p>TWBC Draft Local Plan Consultation 2019</p> <p>Stakeholder IDP consultation with infrastructure providers in:</p> <ul style="list-style-type: none"> – July/August 2018 – March/April 2019 – June 2019 – October 2020 <p>Continuous engagement with CCG throughout strategy development</p> <p>See engagement record at Appendix H7</p>	<p>Continuous engagement with CCG in relation to emerging strategy and implications for primary care provision. Outcomes – GP surgeries (some of the existing GP surgeries are used by residents outside the borough): development, improvements, extensions to a number of existing GP surgeries, and new surgeries where applicable e.g Hawkhurst, Cranbrook, RTW, Capel/Paddock Wood Area and safeguarding of land for new surgery in Horsmonden. Hospital and other services – identified existing hospital at Pembury may need to be extended to serve the West Kent Area (including areas outside the borough) and Local Care Hubs which will be located nearby but outside the borough and will serve Tunbridge Wells residents</p> <p>The CCG are also involved in the Strategic Sites Working Group masterplanning for the identified growth at the strategic sites at Paddock Wood and east Capel and Tudeley Village and further modelling work carried out (See engagement record at Appendix J1)</p>
<p>Network Rail, South Eastern Rail and KCC (Railways)</p>	<p>IDP consultation 2019</p> <p>IDP consultation with infrastructure providers in October 2020</p> <p>Series of meetings were held</p>	<p>Local Plan Growth Strategy indicates that Network Rail will undertake further modular studies in coming years to look in more detail at particular areas of the network in Kent.</p> <p>Ongoing liaison with Network Rail</p>

Prescribed Body	Engagement/Discussion dates	Involvement/key outcomes
	<p>during 2018, 2019 and 2020 with Network Rail.</p> <p>See engagement record at Appendix H6</p>	<p>throughout the process in relation to the strategy and on particular sites.</p> <p>Network Rail are also involved in the Strategic Sites Working Group masterplanning for the identified growth at the strategic sites at Paddock Wood and east Capel and Tudeley Village and further modelling work carried out (See engagement record at Appendix J1)</p>
Highways England (HE)	<p>Issues and Options consultation 2017</p> <p>TWBC Draft Local Plan Consultation 2019</p> <p>Meetings with TWBC in 2016, 2020 and 2021</p> <p>Stakeholder IDP consultation with infrastructure providers in October 2020</p> <p>See engagement record at Appendix H2</p>	<p>HE responded to Issues and Options 2017 and Reg 18 consultation and there has been ongoing liaison throughout the process. Agreed to assess impact of proposed growth strategy on A21 and concluded no additional works needed to A21.</p> <p>Highways England are also involved in the Strategic Sites Working Group masterplanning for the identified growth at the strategic sites at Paddock Wood and east Capel and Tudeley Village and further modelling work carried out (See engagement record at Appendix J1)</p>
KCC Highways	<p>TWBC Draft Local Plan Consultation 2019</p> <p>Numerous meetings with TWBC over the Local Plan review process, including meeting with HE above and stakeholder consultation as with infrastructure providers at the various stages in local plan preparation.</p> <p>See engagement record at Appendix H4</p>	<p>Worked as part of Officer Working Group on Transport Strategy.</p> <p>Assessment of over 300 sites submitted as part of the call for sites. Have worked closely with consultants on a Transport Assessment in relation to the Local Plan's proposed growth strategy and mitigation measures (including cross boundary issues).</p> <p>KCC Highways are also involved in the Strategic Sites Working Group masterplanning for the identified growth at the strategic sites at Paddock Wood and east Capel and Tudeley Village and further modelling work carried out (See engagement record at Appendix J1)</p>
East Sussex County Council (ESCC) Highways	<p>Responded to IDP consultation in 2019</p>	<p>ESCC are considering a study/bid for major works to the A26 in East Sussex.</p> <p>They have been involved in ongoing discussions in respect of the Hawkhurst crossroads and nearby Flimwell</p>

Prescribed Body	Engagement/Discussion dates	Involvement/key outcomes
		junction.

Table 2: Other Bodies

Other bodies	Engagement/Discussion dates	Involvement/key outcomes
Kent Nature Partnership (KNP)	<p>TWBC Officers have an active role in the partnership. Regular meetings have taken place over the course of development of the Local Plan to progress various work streams including a Kent Biodiversity Strategy and a Biodiversity net gain policy</p> <p>See engagement record at Appendix I 4</p>	<p>KNP policy recommendations and advice have been incorporated into some of the new development management policies in section 6 of the Local Plan and some outcomes underpin the evidence base. The Partnership, together with the Kent Wildlife Trust also oversees the Local Wildlife Site System on behalf of the LPAs in Kent</p>
High Weald AONB Unit	<p>Members and officers attend twice annual meetings of the JAC and officers are active members of the Officer Steering Group which meet at least twice annually. TWBC officers have been active members of project sub-groups including those for Design and Biodiversity Net gain. TWBC collaborate on projects of the AONB unit and have worked closely on evidence base documents.</p> <p>TWBC Draft Local Plan Consultation 2019</p> <p>See engagement record at Appendix I 1</p>	<p>Data from the Unit on AONB components has informed site assessments. Work with the Unit has informed evidence base documents and SPDs, including the Historic Landscape Characterisation Study, Landscape Character Assessment SPD, Landscape Sensitivity Studies, and Farmstead SPD as set out in paragraph 4.55 below. The AONB Unit's recommendations and advice have contributed to relevant development management policies in section 6 of the Local Plan and there are strong links to the AONB Management Plan and supporting documents. Comments of the Unit have had a strong influence on site-specific studies and the AONB setting study for the Local Plan.</p>
Upper Medway Internal Drainage Board (Flood Risk)	<p>See EA section above and KCC Flooding section below</p> <p>See engagement record at Appendix I 7</p>	<p>As per the EA section above and KCC Flooding section below</p> <p>The Drainage Board are also involved in the Strategic Sites Working Group masterplanning for the identified growth at the strategic sites at Paddock Wood</p>

Other bodies	Engagement/Discussion dates	Involvement/key outcomes
		and east Capel and Tudeley Village and further modelling work carried out (See engagement record at Appendix J1)
Southern Water (waste water)	<p>Early engagement November 2016</p> <p>Issues and Options consultation 2017</p> <p>TWBC Draft Local Plan Consultation 2019</p> <p>Stakeholder IDP consultation with infrastructure providers in:</p> <ul style="list-style-type: none"> – July/August 2018 – March/April 2019 – June 2019 – October 2020 <p>Ongoing engagement throughout the process, particularly in regard to development at Paddock Wood.</p> <p>See engagement record at Appendix I 6</p>	<p>No major growth schemes committed at present but works are due to be carried out (next year) in the Paddock Wood area to increase pipe capacity. Further details are awaited in respect of reviewing the capacity network for the proposed growth at Capel/Paddock Wood.</p> <p>Southern Water are also involved in the Strategic Sites Working Group masterplanning for the identified growth at the strategic sites at Paddock Wood and east Capel and Tudeley Village and further modelling work carried out (See engagement record at Appendix J1)</p>
South East Water (water supply)	<p>Early engagement November 2016</p> <p>TWBC Draft Local Plan Consultation 2019</p> <p>Stakeholder IDP consultation with infrastructure providers in:</p> <ul style="list-style-type: none"> – July/August 2018 – March/April 2019 – June 2019 – October 2020 <p>See engagement record at Appendix I 5</p>	<p>The provision of water supply/service for the proposed growth strategy in the Local Plan can be accommodated satisfactorily within the requirements of the SE Water Management Plan 2019 and Revised Water Resources Management Plan 2020-2080</p>

Other bodies	Engagement/Discussion dates	Involvement/key outcomes
KCC Education	<p>Early engagement November 2016</p> <p>Issues and Options consultation 2017</p> <p>TWBC Draft Local Plan Consultation 2019</p> <p>Stakeholder IDP consultation with infrastructure providers in:</p> <ul style="list-style-type: none"> – July/August 2018 – March/April 2019 – June 2019 – October 2020 <p>Ongoing engagement with the West Kent Area Education Officer throughout the process and as part of the Strategic Sites Working Group.</p> <p>See engagement record at Appendix I 2</p>	<p>Liaison with KCC (Education) has been a continuous process over the development of the Draft Local Plan – individual meetings, specific site discussions and district liaison meetings. Outcomes: proposed extension and provision of a number of new primary schools; extension of existing secondary schools and new secondary school within Tudeley Village; new learning hub in RTW for adult education (all of which may serve residents outside the borough)</p> <p>KCC Education are also involved in the Strategic Sites Working Group masterplanning for the identified growth at the strategic sites at Paddock Wood and east Capel and Tudeley Village and further modelling work carried out (See engagement record at Appendix J1)</p>
KCC – Leading Local Flood Authority	<p>Early engagement November 2016.</p> <p>TWBC Draft Local Plan Consultation 2019</p> <p>Stakeholder IDP consultation with infrastructure providers in:</p> <ul style="list-style-type: none"> – July/August 2018 – March/April 2019 – June 2019 – October 2020 <p>Ongoing engagement throughout the process and as part of the Strategic Site Working Group.</p>	<p>Flooding is an issue which could have implications for neighbouring authorities such as TMBC and SDC.</p> <p>Specific on-going discussions and engagement with KCC and the EA in relation to the Strategic Flood Risk Assessment (SFRA) work undertaken by TWBC, in particular in relation to the Capel/Paddock Wood and Tudeley area and Royal Tunbridge Wells. Outcomes include: flood alleviation schemes for Paddock Wood and Five Oak Green and other minor alleviation/culverting schemes; and proposed flood mitigation measures recommended in the SFRA such as flood defence and strategic storage, for the Paddock Wood area in response to the proposed growth strategy.</p> <p>KCC Flooding are also involved in the</p>

Other bodies	Engagement/Discussion dates	Involvement/key outcomes
	See engagement record at Appendix I 3	Strategic Sites Working Group masterplanning for the identified growth at the strategic sites at Paddock Wood and east Capel and Tudeley Village and further modelling work carried out (See engagement record at Appendix J1)
KCC - Heritage	TWBC Issues and Options consultation 2017 TWBC Draft Local Plan Consultation 2019	Discussion following the Draft Local Plan consultation in relation to the DM Policies for the Historic Environment and Heritage Assets. KCC Heritage has also provided advice on archaeological matters and work undertaken in relation to Historic Parks and Gardens and historic landscape characterisation as set out in paragraph 4.56 below.
West Kent Partnership Infrastructure and Transport Group (includes Bus Operators and KCC Public Transport Team)	Meeting held with a number of bus operators in January 2019 to discuss proposed growth strategy in Local Plan IDP consultations in 2018 and 2019 and 2020 See engagement record at Appendix I 8	Funding for enhanced bus services (cross boundary) Looking at ways to improve services to rural areas
A21 reference group	Quarterly meetings going back 10 years	This is a discussion group made up of several MPs, County Councillors (KCC and East Sussex) and Borough Councillors (TWBC, TMBC, SDC, RDC, Hastings BC) Mainly to drive the A21 bypass and other improvement and maintenance works and funding
Planning Advisory Service (PAS)	3 meetings held in early 2018 See engagement records for SDC (Appendix B6 and TMBC Appendix C5)	Statement of Common Ground Pilot Programme for TWBC, SDC and TMBC: PAS provided advice on the formulation and review of SoCGs in relation to cross boundary strategic issues

Cross boundary strategic issues

Housing

- 4.12 Meeting housing needs is a strategic matter, with cross-boundary implications where identified needs are not being fully met, where strategic growth (such as new settlements) is being proposed or where development will straddle or be close to local planning authority boundaries.
- 4.13 In respect of overall housing needs, TWBC has identified sufficient sites to meet its local housing need, as set by the Standard Method, in full.
- 4.14 This involves the removal of land from the Green Belt and some major developments in the High Weald AONB where, in both cases, both strategic and local exceptional circumstances exist. It follows on from previously asking all the neighbouring councils identified above whether they could assist in meeting the level of housing need involved in such proposals. Their replies – none of which were positive – are provided in the respective appendices.
- 4.15 TWBC has been working closely with other authorities in discussions on meeting their objectively assessed housing need, including those identified through the Council's Strategic Housing Market Assessment (SHMA) as being within the same housing market area, namely the 'West Kent Housing Market Area' (HMA), which includes SDC, TMBC and TWBC and extends to include parts of WDC and RDC.
- 4.16 As indicated above, only SDC of TWBC's neighbouring LPAs has either not produced a local plan which looks to fully meet their own housing needs or has indicated that they do not expect to be able to meet their local housing needs.
- 4.17 The focus of consideration has therefore been on Sevenoaks DC. It has a housing need of 707 dwellings/year, equivalent to 11,312 dwellings over its plan period (2019-2035), but its identified supply leaves a shortfall of some 1,900 dwellings.
- 4.18 SDC made a formal request to TWBC (and other neighbouring LPAs) as to whether it could meet any of its unmet need in April 2019. It does not have any arrangement in place to meet this unmet need at the present time, and the (SDC) strategy which resulted in the unmet need has not been subject to Examination.
- 4.19 TWBC has considered if it could meet some or all of this identified unmet need through its new Local Plan. It has:
- a) assessed the potential for higher rates of housebuilding through a commissioned Review of Housing Needs Study
 - b) not set limits on the overall scale of development on suitable sites
 - c) assessed different scales and distributions of development, including ones that included unmet needs from Sevenoaks (or elsewhere – see below)

- 4.20 The findings of this work have been that:
- there are real doubts about whether the higher rates of growth that would be involved in meeting SDC’s unmet need would be deliverable, given the substantial increase in supply already required to meet local needs over what has been achieved in recent years
 - the higher scales of development have increasingly negative sustainability impacts, as set out in the SA (which has regard to the assessments of individual sites), in large part due to the adverse landscape, biodiversity, air quality, use of resources and accessibility impacts
- 4.21 Consequently, it is concluded that the Pre-Submission Local Plan should set a (minimum) housing requirement at the level of the housing need for the borough, as per the Government’s ‘standard method’ – that is, for 678 dwellings pa. Delivery of the sites and allowances within the Local Plan to meet this target, which provide some flexibility, will be regularly monitored to ensure that local housing needs are met as far as possible.
- 4.22 Statements of Common Ground have been or are being updated with all neighbouring LPAs as part of what has been a continual engagement process. Details of these processes are set out above and in the respective appendices.
- 4.23 TWBC has also considered, and discussed with the relevant LPAs, how to address the SDC unmet housing need. The most pertinent points in relation to this are regarded as being:
- a) The SDC Local Plan, which indicates the shortfall, has not been found sound
 - b) The SDC LP Inspector properly puts the focus on SDC to seek to address the shortfall and finds that it has not adequately reviewed all options
 - c) The Inspector specifically finds that SDC has been limiting in its approach to the potential for Green Belt releases, beyond that set out in the NPPF
 - d) While TWBC is similarly constrained by Green Belt (and further constrained by the AONB designation), it has identified (following more detailed levels of study) some releases, including for strategic growth
- 4.24 Notwithstanding that TWBC has considered increasing its housing growth by some 1,900 dwellings (and more), it is evident that there is currently some uncertainty as to whether there is a proven need for SDC’s neighbouring LPAs (of which TWBC is one of seven) to need to assist.
- 4.25 In conclusion, TWBC has fulfilled its legitimate expectations under DtC in relation to meeting housing needs and that it remains to be fully tested what, if any, unmet need there is from SDC. While TWBC has been an “active engager” with SDC it remains SDC’s responsibility, rather than TWBC’s, to lead on resolving its own housing needs. Discussions with SDC will continue on this matter ahead of submission of the TWBC Local Plan.

- 4.26 Further detail and justification for the Council’s proposed growth strategy and housing need is set out in the Development Strategy Topic Paper and Housing Needs Assessment Paper.
- 4.27 In relation to accommodation for Gypsies and Travellers, a needs assessment has been undertaken, which shows an outstanding locally derived need for additional permanent pitches over the plan period in the borough. TWBC plans to meet this need within the borough.
- 4.28 As regards transit provision, the very low level of unauthorised encampments in the borough suggests that there is no need for a transit site. TWBC is aware of somewhat higher levels of movement in other Kent districts and boroughs to the east and has indicated a willingness to continue to work together with other Kent authorities to support meeting any wider need that may be identified. At the same time, there have been no requests from neighbouring LPAs for help in meeting transit site needs.
- 4.29 As set out in the Development Strategy Topic Paper, TWBC is proposing two strategic housing-led growth areas, one through the transformational expansion of Paddock Wood and a new village, based on garden settlement principles, at Tudeley between Paddock Wood and Tonbridge. Given the proximity of these to Tonbridge & Malling borough, there has been regular dialogue with TMBC. This is articulated in the relevant Appendix C as well as in the Strategic Sites Topic Paper.
- 4.30 Elsewhere, in view of the close proximity of Royal Tunbridge Wells (RTW) to the boundary with Wealden, there has been particular focus in the dialogue with WDC on proposals on the southern edge of the town, in both LPAs’ area. Again, the details are set out in the relevant Appendix G as well as in the Statement of Common Ground at **Appendix A6**.

Economic development/Employment

- 4.31 The Economic Needs Study (2016) (ENS) which was commissioned to inform the Local Plan was carried out jointly with SDC by consultants, Turleys. It was considered that the assessment of economic needs across Functional Economic Market Areas (FEMAs) aligns with the guidance in the PPG.
- 4.32 Although there is no standard approach to defining such geographical relationships, TWBC considers that Sevenoaks district and Tunbridge Wells borough share important economic linkages which also extend to cover parts of neighbouring Tonbridge & Malling borough. This reflects evidence of commuting patterns and flows, and has become defined as a sub-regional economy through the West Kent Partnership which all three authorities are actively involved in. Although not part of the joint ENS, Tonbridge & Malling BC also used Turleys for their economic needs work, enabling some consistency across the Functional Economic Market Area.
- 4.33 Parts of Wealden and Rother districts also form part of the ‘Travel to Work Area’ for Tunbridge Wells, particularly for employment at the town of Royal Tunbridge Wells. Discussions have taken place with Wealden and Rother throughout the Plan

preparation process and TWBC has input as necessary to neighbouring evidence base studies.

- 4.34 As part of the ENS work, the consultants carried out a stakeholder workshop on the 16 March 2016 with a range of stakeholders who were invited to explore a number of topics by way of facilitated discussions in relation to employment provision within the borough. Local business groups, significant employers, landowners, agents, neighbouring authorities and Kent County Council all attended the session which received positive feedback and fed into the study findings.
- 4.35 With regard to Retailing and Town Centres, the Council has again commissioned a number of studies – the Retail and Leisure Study 2017, and a further updated ‘Retail, Commercial Leisure and Town Centre Uses Study’ (2021). In line with the DtC, Nexus (the consultants appointed on behalf of TWBC for both of these studies) worked in collaboration with officers from TWBC in engaging with neighbouring local authorities in order to identify future capacity and pipeline schemes within neighbouring and competing town centres. The pipeline schemes of interest were considered to be those of a nature and scale which could have the effect of consolidating their retail offer and enhancing their market share. Nexus also engaged with local Town and Parish Councils, as well as the RTW Town Forum in relation to this work.
- 4.36 Additionally, TWBC has provided comments to neighbouring authorities on their methodology and catchments for the production of retail and leisure studies to inform the work of other local planning authorities in the production of their Local Plans in particular with Wealden, Rother and Maidstone whose rural populations form part of the catchment area of Tunbridge Wells borough, in particular the town of Royal Tunbridge Wells in retailing and leisure terms.
- 4.37 In terms of employment land provision, TWBC is planning positively to meet the identified needs, by way of allocation of suitable sites across the borough which provide in excess of the minimum requirement of 14 hectares over the Plan period. This includes the release of Green Belt land within the borough and some development in the AONB, including major development by way of a strategic expansion into the Green Belt on land at Kingstanding Way, Royal Tunbridge Wells.
- 4.38 Also at a strategic scale, both Tonbridge & Malling BC and Maidstone BC, have been engaged in the Strategic Masterplanning process for the extension of Paddock Wood and east Capel and the garden village at Tudeley.
- 4.39 Further detail and justification for the Council’s proposed growth strategy including in relation to meeting employment land needs can be found in the Development Strategy Topic Paper 2021 and Economic Development Topic Paper 2021.

Infrastructure, including transport

- 4.40 There are a number of infrastructure issues which are particularly relevant to cross boundary considerations – including in the main, transport, health and education as well water supply and flood risk.

- 4.41 As part of the production of the Council's Infrastructure Delivery Plan (IDP), the relevant service providers have been engaged throughout the process through ongoing discussions, a number of specific stakeholder consultations as well as the more formal consultation stages. They have been engaged in the overall strategy for growth and input to the draft policies and proposed site allocations in the Local Plan. Summarised details of this are set out in the Prescribed Bodies and Other Bodies Tables 2 and 3 above. Full details of this process are set out in the Council's IDP which details the infrastructure requirements across the borough over the plan period.
- 4.42 Additionally, as part of the Local Plan preparation work, a Strategic Sites Working Group ('SSWG') was established in July 2019, following the finalisation of the Regulation 18 Draft Local Plan which set out the approach to growth around Paddock Wood and east Capel, and Tudeley Village. The SSWG provides a forum that facilitates collaborative working in the delivery of the two strategic sites. A range of interested parties are members of this group, including representatives from Tonbridge & Malling BC (Policy Manager) and Maidstone BC (Principal Policy Officer) as the two boroughs are in close proximity to the strategic sites. Meetings are held monthly, providing a forum to update and discuss key items in progressing the strategic sites through the Local Plan and beyond. All members have agreed to work positively and proactively in moving the sites forward – **see Appendix J1**
- 4.43 There has been ongoing engagement with Kent County Council (KCC) throughout the process on a number of county matter infrastructure issues. East Sussex County Council (ESCC) has also been consulted on any cross-boundary issues through the stakeholder consultation that has been carried out to determine if there are any impacts on neighbouring East Sussex.
- 4.44 By its nature, transport and highways have a number of cross boundary considerations, which have been explored as part of DtC discussions. In relation to the principal highways network, including the A21 Trunk Road, ongoing discussions have been had with Tonbridge & Malling to the north and Rother to the south, particularly in relation to the Flimwell Crossroads and impacts on the crossroads at Hawkhurst, as well as with each of the affected highway authorities (KCC, ESCC and Highways England).
- 4.45 In terms of rail connections, again TWBC has explored any cross-boundary concerns with those authorities along the strategic rail network including Ashford BC and Tonbridge & Malling BC. Similarly in regard to strategic bus services, the relevant operators have been engaged throughout the process and neighbouring authorities have been involved in strategic service level discussions.
- 4.46 In addition, transport connections, both local and of a strategic cross boundary nature have been a key consideration of the Strategic Sites Working Group as referred to above, involving a number of neighbouring authorities and KCC Highways. Integral to the masterplanning work for the growth of the strategic sites has been ongoing discussions with the borough's consultant preparing the Local Cycle Walking and Infrastructure Plan, which looks at active travel routes beyond

the borough boundary and have been developed through ongoing engagement with Tonbridge & Malling BC.

- 4.47 The provision of education has been addressed through collaborative working with the West Kent Area Education Officer at KCC who has input throughout the process. The provision of a new secondary school at Tudeley Village and expansion of Mascalls at Paddock Wood, as well as expansions of the secondary schools in Royal Tunbridge Wells also serve the wider West Kent area and have been discussed with Tonbridge & Malling BC as part of the DtC and specific discussions as part of the Strategic Sites Working Group.
- 4.48 In terms of health, the NHS Kent and Medway Clinical Commissioning Group (CCG) has also been involved throughout the process and has assessed the proposals against their practice mapping which covers a number of geographical areas also extending into neighbouring authorities as well as discussions with their counterparts in East Sussex. Specific discussions have also been held with neighbouring Tonbridge & Malling Borough Council in relation to the provision of a new medical centre at Tudeley to serve the garden village on the edge of the boundary of the borough. The CCG is also a member of the Strategic Sites Working Group.
- 4.49 In relation to water – TWBC has had ongoing discussions with Southern Water and South East Water in relation to connections and services. In terms of flooding and flood risk, discussions have been held with the Environment Agency and Kent County Council as the Lead Local Flood Agency in the production of the Council's Strategic Flood Risk Assessment (SFRA) and the Strategic Sites Working Group. The Council is also part of the Medway Flood Partnership and Medway Flood Action Group dealing with such issues as the Leigh Expansion and Hildenborough Expansion Scheme– with a number of other local authorities affected – including TMBC and SDC. In addition, all West Kent Authorities used the same consultant, JBA, for their SFRA work, allowing consistency across the West Kent area, in terms of sharing knowledge, the methodology used and addressing any cross-boundary issues.
- 4.50 Infrastructure issues, and in particular any cross boundary issues relating to transport, water/flood risk, education and health have also formed a standard discussion point with neighbouring authorities as part of regular DtC meetings and any potential issues/concerns have been raised at these meetings and discussed/actioned as appropriate.

Environmental Issues

- 4.51 A key part of the Councils cooperation and delivery on environmental issues takes place through the Kent High Weald Partnership (KHWP) a small team tasked with work on environmental education, conservation and community engagement. Jointly funded by TWBC and KCC with support from the High Weald AONB Unit and the Forestry Commission the KHWP works mostly in the Borough but on strategic projects such as River Catchment Management Plans and District Licensing for

Great Crested Newts the group will work on cross boundary sites. Also, as part of a system of countryside management teams across Kent they will often work on and support Kent wide schemes.

- 4.52 As noted above, the Council has been actively involved on wider duty to cooperate matters affecting the environment in particular there has been work on water, air quality, landscape, heritage and biodiversity.
- 4.53 **Water** - As set above under Infrastructure, there has been widespread cooperation on the production of the Councils SFRA and associated work. In addition, through the KHWP, the Council has supported the works of the Catchment Management Plans with works on the Teise and Beult and has supported the installation of Natural Floods Measures around Royal Tunbridge Wells.
- 4.54 **Air Quality** – The Council has no cross-boundary Air Quality Management Areas. As a result of concerns raised a few years ago regarding the effects of atmospheric pollution on Ashdown Forest a Europeans site for Nature Conservation the Council has been working with a wide group of Local Planning Authorities and Natural England as the Ashdown Forest Working Group, referred to above, to understand to better understand the issues and to collaborate on future studies and assessments.
- 4.55 **Landscape** – The Council has been careful to consult with adjoining authorities in the preparation of landscape evidence base documents including landscape sensitivity studies and landscape character assessments taking note of the evidence available from adjoining authorities. The Council is a key partner of the High Weald Joint Advisory Committee for the High Weald AONB with Officers and Members attending JAC meetings and officers attending separate Officer Steering Group Meetings to oversee the work of the AONB Unit and to support and participate in new studies or guidance. Council officers have been part of subgroups working on Biodiversity Net Gain and a Housing Design Guide. The Council has worked specifically with the AONB Unit to produce a Farmsteads Guidance SPD and a Historic Landscape Characterisation Study.
- 4.56 **Heritage** – The Council works closely with KCC Heritage who provide the Council’s advice service in respect of archaeology. The KCC team has supported the work on Historic Landscape Characterisation by the Council and has in partnership with the Council (and Historic England) helped with the Review of the KCC Compendium of Historic Parks and Gardens for Tunbridge Wells Borough. The project was specifically designed as a Pilot that would build capacity in the voluntary sector that could and has been used by other Kent LPAs. TWBC and KCC also collaborated on an industrial archaeological study of the former Paddock Wood to Hawkhurst Railway Line in support of a community group promoting the former railway line for education and recreation.
- 4.57 The Council has engaged closely with Historic England (HE) to ensure that the development strategy, site allocations and development management policies have due regard to the historic environment/heritage assets of the borough. Meetings followed both Issues and Options and Draft Local Plan stages, and have led to further revisions to address HE concerns (see **Appendix H3**).

- 4.58 **Biodiversity** – As mentioned above the Council is a member of the Ashdown Forest Working group that is concerned with potential issues of air pollution at Ashdown Forest a European Site. That partnership has 12 members from Planning Authorities around the Ashdown Forest plus Natural England and has its own SoCG signed in 2019 (**see Appendix A7**). There is a smaller partnership of LPAs who are much closer to Ashdown Forest who work together as the Strategic Access Management and Monitoring (SAMMS) Partnership to address visitor pressure. The partnership includes Wealden DC, Lewes DC, Mid Sussex DC, Sevenoaks DC, Tandridge DC, TWBC and the Conservators of Ashdown Forest as well as Natural England. The group work together to address visitor pressure which is an identified impact from development in the area and have jointly commissioned studies and agreed policies. The group has a SoCG signed in 2019 (**see Appendix A8**) and for the purposes of collecting and distributing tariffs has a formal legal agreement.
- 4.59 The Council is an active Member of the Kent Nature Partnership whose recent activities have included developing the Kent Biodiversity strategy and developing a biodiversity net gain approach for Kent with support from Natural England. KNP also acts as a panel to oversee the Local Wildlife Site System on behalf of all Kent authorities and the Council has a Service Level Agreement with Kent Wildlife Trust to undertake surveys and make recommendations for changes to Local Wildlife Sites (see **Appendix I 4**).
- 4.60 The Council's Biodiversity Evidence base has been prepared with significant input from The Kent and Medway Biological Records Centre who provide species and habitat monitoring data. The Kent Wildlife Trust is working in partnership with the Council on biodiversity net gain on development sites and on an interim off-site net gain project.

5.0 Conclusions

- 5.1 This Duty to Cooperate Statement sets out the Council's approach, actions, and outcomes in relation to undertaking the DtC with neighbouring authorities and other relevant bodies, in accordance legislation and with Government guidance.
- 5.2 The information included in this Statement demonstrates that TWBC has actively undertaken a process of on-going collaborative, constructive engagement working with others in progressing cross boundary strategic matters in the preparation of the Pre-Submission Local Plan. This Statement is a live document and will be reviewed and updated alongside the on-going Duty and engagement with neighbouring authorities and other relevant bodies as the Plan progresses to adoption and beyond, including its five-year post adoption review.

6.0 Appendices

List of appendices:

Appendix A – Statements of Common Ground (SoCGs)

Appendix A1: Sevenoaks DC - Signed SoCG between TWBC and SDC May 2019

Appendix A2: Tonbridge & Malling BC - Signed Memorandum of Understanding January 2020

Appendix A3: Maidstone BC - Signed SoCG between TWBC and MBC August 2016

Appendix A4: Ashford BC - Signed SoCG between TWBC and ABC 22 March 2021

Appendix A5: Rother DC - Signed SoCG between TWBC and RDC October 2020

Appendix A6: Wealden DC - Signed SoCG between TWBC and WDC 8 February 2021

Appendix A7: Ashdown Forest Working Group (Air Quality) - SoCG Prepared by South Downs National Park Authority (SDNPA) and signed by Members of the Ashdown Forest Working Group- TWBC, SDPNA, Lewes DC, Eastbourne BC, Mid Sussex DC, Tandridge DC, Crawley BC, Sevenoaks DC, Rother DC, East Sussex County Council (Minerals and Waste), West Sussex County Council and Natural England

Appendix A8: Ashdown Forest Working Group (Recreational Impact) - SoCG signed between TWBC, Lewes DC, Mid Sussex DC, Sevenoaks DC, Tandridge DC, Wealden DC

Appendix B – Sevenoaks District Council (SDC)

Appendix B1 – TWBC response to SDC Issues and Options consultation 2017

Appendix B2 - TWBC response to SDC Local Plan Regulation 18 Consultation September 2018

Appendix B3 - TWBC response to SDC Local Plan regulation 19 Consultation January 2019

Appendix B4 - SDC response to TWBC Issues and Options Consultation June 2017

Appendix B5 - SDC response to TWBC Regulation 18 Draft Local Plan Consultation 15 November 2019

Appendix B6 – DtC engagement record between TWBC and SDC

Appendix C – Tonbridge & Malling Borough Council (TMBC)

Appendix C1 - TWBC Response to TMBC Issues and Options November 2016

Appendix C2 - TWBC Response to TMBC Regulation 19 PreSubmission Plan November 2018

Appendix C3 – TMBC response to TWBC Issues and Options 2017

Appendix C4 - TMBC response to TWBC DLP Regulation 18 consultation October 2019 (Letter and Response Form)

Appendix C5 - DtC engagement record between TWBC and TMBC

Appendix D – Maidstone Borough Council (MBC)

Appendix D1: TWBC response to MBC Regulation 19 consultation March 2016

Appendix D2: TWBC response to Main Modifications to MBC Local Plan May 2017

Appendix D3: TWBC response to MBC – Local Plan review – Scoping, Themes and Issues public consultation 2019

Appendix D4: TWBC response to MBC Gypsy and Traveller consultation May 2020

Appendix D5: TWBC additional response to MBC Gypsy and Traveller consultation May 2020

Appendix D6: TWBC response to MBC Local Plan Regulations 18b Preferred Approaches December 2020

Appendix D7: MBC Response to TWBC Issues and Options Consultation 2017

Appendix D8: MBC Response to TWBC Regulation 18 Consultation 2019

Appendix D9: DtC engagement record between TWBC and MBC

Appendix E – Ashford Borough Council (ABC)

Appendix E1: TWBC response to ABC Regulation 19 Consultation August 2016

Appendix E2: TWBC response to ABC Regulation 19 Consultation August 2017

Appendix E3: TWBC response to ABC Gypsy and Traveller Accommodation Local Plan Consultations Options Report February 2020

Appendix E4: ABC response to TWBC Draft Local Plan Regulation 18 Consultation 6 November 2019

Appendix E5: DtC engagement record between TWBC and ABC

Appendix F – Rother District Council (RDC)

Appendix F1: TWBC response to RDC DaSA Local Plan Regulation 19 Consultation December 2018

Appendix F2: TWBC response to RDC Sustainability Scoping Report May 2020

Appendix F3: TWBC response to RDC Targeted Early Engagement for Local Plan October 2020

Appendix F4: RDC response to TWBC Regulation 18 Consultation 2019

Appendix F5: DtC engagement record between TWBC and RDC

Appendix G – Wealden District Council (WDC)

Appendix G1: TWBC response to Wealden Open Space Study June 2016 (Response Form)

Appendix G2: TWBC Response to WDC Reg. 19 Consultation October 2018

Appendix G3: Joint response to WDC Regulation 19 consultation from TWBC, South Downs National Park Authority and Lewes District Council 2 October 2018

Appendix G4: TWBC response to WDC Call for Sites/draft SHELAA consultation June 2020

Appendix G5: TWBC response to WDC Draft SA Scoping Report July 2020

Appendix G6: TWBC response to WDC Direction of Travel Consultation November 2020

Appendix G7: WDC response to TWBC Regulation 18 consultation 2019 (email)

Appendix G8: DtC engagement log between TWBC and Wealden DC

Appendix H – Appendices for DtC prescribed bodies

Appendix H1: DtC engagement record for the Environment Agency

Appendix H2: DtC engagement record for Highways England

Appendix H3: DtC engagement record for Historic England

Appendix H4: DtC engagement record for KCC Highways

Appendix H5: DtC engagement record for Natural England

Appendix H6: DtC engagement record for Network Rail and South Eastern Rail

Appendix H7: DtC engagement record for the Kent and Medway Clinical Commissioning Group (CCG) and NHS Trust

Appendix I – Appendices for other bodies

Appendix I1: DtC engagement record for High Weald AONB Unit

Appendix I2: DtC engagement record for KCC Education

Appendix I3: DtC engagement record for KCC Flooding

Appendix I4: DtC engagement record for Kent Nature Partnership

Appendix I5: DtC engagement record for South East Water

Appendix I6: DtC engagement record for Southern Water

Appendix I7: DtC engagement record for Upper Medway Internal Drainage Board

Appendix I8: DtC engagement record for West Kent Partnership for Infrastructure and Transport

Appendix J – Strategic Sites Working Group (SSWG)

Appendix J1: DtC Engagement record for the SSWG