Tunbridge Wells Borough Council

Statement of Community Involvement

October 2026

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1.0 Introduction

1.1 It is a requirement under the Planning and Compulsory Purchase Act 2004 (Section 18) for all local planning authorities (LPAs) to produce a Statement of Community Involvement (SCI), setting out its strategy for public participation in planning matters and associated decision making.

1.2 This SCI sets out how Tunbridge Wells Borough Council will involve the community in:

- the preparation and review of planning policy for the borough, through its Local Plan,
- Supplementary Plans which have replaced Supplementary Planning Documents (SPDs) under the new plan making system 2026,
- in support of neighbourhood planning,
- in the planning decision making process including consultations on planning applications, pre- applications and appeals, dealing with unauthorised developments and breaches of planning control, and
- general communication through emails and social media.

1.3 The SCI covers how the Borough Council is committed to public engagement in these areas:

a) Planning Policy

Development Plan documents set out the policy framework for future growth and development, including policies against which planning applications will be considered. These include both local plans and neighbourhood plans. The former are prepared by the Council as Local Planning Authority (LPA), and normally include the Council's growth strategy, strategic policies, site allocations and other non-strategic development management policies. Neighbourhood plans are led by a qualifying body (usually being the relevant town or parish council in a parished area), with advice and assistance provided by the Council. They allow local communities to take responsibility for land use planning in their area. The Council may also prepare Supplementary Plans (which have replaced Supplementary Planning Documents (SPDs)) to provide guidance and elaborate upon Local Plan policy requirements.

b) Development Management

This is the process under which planning, listed building and other applications and prior notifications are considered and determined. Planning applications are decided in accordance with the development plan, so it is important that the community and stakeholders are involved in both policy formulation and representations in relation to specific planning and other applications where appropriate. There are also specific criteria in how the consultation of applications is undertaken. The development management process also includes the pre-application process, the appeals system operated by the Planning Inspectorate and the role of planning enforcement.

The revision of the SCI

1.4 As the SCI was last updated in 2020, a review is now due. There is no statutory duty to consult on SCIs however the Council sought the views of relevant stakeholders and local residents in a public consultation (held between 10 April to 22 May 2026), to ensure inclusivity in the proposed engagement strategies within it.

Review of the National Planning Policy Framework (NPPF)

1.5 Since publication of the SCI in 2020, there have been a series of changes to national policy and guidance. In September and December 2023, December 2024 and in February 2025, updated versions of the National Planning Policy Framework (NPPF) were published. The NPPF was also reviewed and released for consultation in December 2025 and the new version of the NPPF subsequently published in August 2026. The updated SCI reflects some of the changes included in the NPPF. Policy PM6 (1)(d) of the new NPPF (August 2026) states the requirement to *"Engage positively with communities and other key stakeholders, at appropriate points during their preparation and using a range of methods, so that relevant issues are identified and addressed as early as possible during the plan-making process."*

New Plan-Making System

1.6 A further significant national change is the new regime relating to the plan-making system, set out in the Town and Country Planning (Local Planning) (England) Regulations 2026 which came into effect in 25 March 2026. The new plan-making and consultation requirements set out within these regulations will be used by the Council in the preparation of Local Plans going forward and the update to the SCI sets out how such requirements will be met (see Table 2 below). In line with the new regulations, the consultation methods to be used in the stages of local plan making will also be included in an Engagement Strategy (setting out how the Council will engage during the preparation of the Local Plan Review). This Strategy is in preparation and will be published in due course. The SCI will remain in place alongside the Engagement Strategy to ensure engagement on all aspects of planning are covered.

1.7 Government places great emphasis on the use of digital technology in the planning process. The Council will continue to use and further develop such technology in undertaking effective public engagement, alongside other forms of engagements including in-person events. This is considered to be particularly important in better engaging with younger people and other hard to reach groups.

1.8 The Council receives a very high volume of applications, emails and electronic communication in relation to Development Management matters, for planning and other applications. With the extensive range of matters that need to be considered within this element of the planning process, the expectations of the users of this service needs to be both managed and proportionate and is therefore set out within this revised SCI.

Our values for community involvement in the planning process

1.9 The Council is committed to using new and innovative ways of involving the community in the planning system and will use a combination of methods, such as public exhibitions, meetings and online consultations, as appropriate and proportionate to the nature of the document or proposal. The objective is to ensure that everyone with an interest in planning understands how they can contribute to, and influence, planning policy making and decision-making processes.

1.10 Consultation is carried out to provide people with information about policy documents and development management proposals; to enable the community to comment, contribute and inform such proposals and the policy making and decision-making process.

Hard to reach groups and equality

1.11 The Council recognises that particular parts of the community are more difficult to reach out to than others, due to their specific needs or because they may have been under-represented in the past. It is important that every section of the community has the opportunity to contribute to the planning process.

1.12 The Council also recognises that diversity and equalities are key considerations within the planning system and is committed to addressing these issues through the planning process. Local plan documents and planning decisions must comply with the general duty in the Equality Act 2010. The Council, when carrying out planning consultations, will be guided by certain principles and will seek to:

- make it clear what the consultation is about and why we are seeking views
- choose the most appropriate and proportionate method(s) of consultation for the subject/type of document and its intended audience
- raise awareness of consultations to make it as easy as possible to take part and ensure enough information is provided for people to give their views. While government wishes to increase the use digital techniques, the Council is aware that not everyone has access to digital platforms. Therefore, a variety of communication methods will be used to enable all members of the community to hear about and respond to consultations.
- analyse all consultation responses to ensure these are accurately represented
- publish consultation responses and provide feedback on any decisions taken or next steps
- monitor and evaluate the effectiveness of consultations to continue to improve work in a coordinated and joined up way within the Council and with partners

- ensure that involvement will be open to all, regardless of age, disability, gender reassignment, being married or in a civil partnership, pregnancy and maternity, race, religion and belief sex and sexual orientation.
- The Council will make documents available in accessible formats, such as large type, audio format and in other languages upon request.

Community Involvement

1.13 To ensure that communities, local residents, and other key stakeholders understand the process of decision making, this document sets out how and when people can get involved and acts as a framework to how decisions are made.

1.14 The benefits of community involvement include:

- widening public understanding of the planning system, its strengths and limitations
- drawing on local knowledge of issues and potential concerns
- increasing awareness and acceptance of decisions made locally
- being inclusive and ensuring that the needs of people who are harder to reach can be considered in the planning process
- minimising conflict through encouraging early engagement and joint working with local community groups and other organisations
- producing better outcomes that meet local aspirations and requirements.

2.0 The Planning Policy context for Tunbridge Wells

National Policy

2.1 The National Planning Policy Framework (NPPF) sets out the overarching framework for preparation of planning policy and the operation of the planning system, including decision making. It covers a range of issues including housing, economic growth, Green Belt/landscape (including designated National Landscape), heritage assets, design, biodiversity and transport. Account must be taken of the NPPF when preparing development plans and it is also a material consideration in the assessment of planning applications and other planning decisions.

Local Policy

The Development Plan

2.2 A Development Plan includes any adopted Local Plans, Neighbourhood Plans, and other Development Plan Documents. Planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

2.3 The current Development Plan for Tunbridge Wells borough consists of the following Documents:

Document	Description/Purpose
Tunbridge Wells Adopted Local Plan 2020-2038	The new Local Plan was adopted at Full Council on 10 December 2025. The Plan sets out the Council's proposed development strategy, distribution for growth and housing, employment and other needs for the borough and includes policies to be used in the assessment of planning applications.
Kent Minerals and Waste Local Plan 2024-to-2039 (March 2025)	The Kent Minerals and Waste Local Plan (KMWLP) was first published by Kent County Council in July 2016. It was then updated further in September 2020. Following a recent review, the new KMWLP was adopted in March 2025. The KMWLP identifies Mineral Safeguarding Areas to avoid the unnecessary sterilisation of

Document	Description/Purpose
	mineral resources and makes provision for safeguarding existing waste management and mineral plant infrastructure from incompatible development.
Neighbourhood Plans	These are development plan documents produced for a local area, usually by the relevant town/parish council. Once these plans are 'made' (approved) through a public referendum they form part of the Development Plan and policies in them carry full weight and must be used in the assessment of planning applications and other planning decisions. There are currently 12 'made' neighbourhood plans within Tunbridge Wells borough. Further details about the stages of NDP production can be found on page 30 below. More information about neighbourhood plans in the borough can be found on the Council's Neighbourhood Plans webpage.

Other documents produced by the Council

Local Plan Timetable

2.4 A requirement of the new plan-making process is for Councils to publish and keep an up to date Local Plan Timetable. This has replaced the requirement to provide a Local Development Scheme (LDS). The timetable provides information about:

- the Local Plan documents the Council is and/or will be preparing
- the geographical/administrative area to which the Local Plan documents relate
- the timetable for their preparation and adoption, including key milestones, consultation periods and outputs following gateways/examination

2.5 The Council's Local Plan Timetable came into effect on 26 June 2026. Further details can be found on the Council's Local Plan Timetable webpage.

2.6 The timetable was published alongside of the Notice of intention to commence Local Plan preparation. Separate timetables would also be required for Supplementary Plans (below).

Supplementary Plans (formerly Supplementary Planning Documents)

2.7 Under the new plan-making regime Supplementary Planning Documents (SPDs) are now replaced with Supplementary Plans (SPs) and these have the same status as local plans and are subject to independent examination. They set out detailed guidance to further explain policies and proposals in the Local Plan and are designed to allow planning authorities to respond quickly to changes in their area, such as regeneration opportunities, and to set authority-wide design policies.

2.8 Further details on the production stages of a Supplementary Plan can be found in Table 3 below.

2.9 There are a number of existing SPDs on the Council's Supplementary Planning Documents webpage. These will continue to be material considerations where relevant in the assessment of planning applications, until such time they are replaced by a Supplementary Plan and/or an update in the new Local Plan.

2.10 The Council may also produce other guidance documents such as topic papers and development briefs which may not be widely consulted upon. These documents would also be a material consideration in the assessment of planning applications.

Authority Monitoring Report

2.11 The Council's Authority Monitoring Report provides information on progress in preparing planning documents and considers how planning policies are meeting their aims and purpose. The most up-to-date monitoring information is available on the Council's Planning monitoring information webpage.

Sustainability Assessments and Habitats Regulation Assessment

2.12 Under the new plan-making system instead of being required to produce a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA), there is now a requirement to produce a SEA only, normally alongside each stage of the Local Plan process. The SEA Scoping Report is the first formal step in evaluating the environmental impact of a Local Plan and determining the need for SEA. It sets the baseline and methodology for future testing and ensures that environmental, social and economic factors are considered during plan preparation. Further details can be found on the Council's Strategic Environmental Assessment webpage.

2.13 A Habitats Regulation Assessment (HRA) identifies any adverse effects the Local Plan would have on the integrity of Natura 2000 sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites) and advises on appropriate mitigation measures in relation to these.

2.14 SEAs are proposed to be replaced by Environmental Outcome Reports (EORs) with the intention of creating a more effective tool for managing the effects of development on the natural environment and the improved delivery of infrastructure/ development. Provision is made for EORs under Part 6 of the Levelling-up and Regeneration Act

2023. However, no definitive timescale is provided in the new plan-making regulations on when EORs will replace SEAs and SAs.

3.0 Involvement in Planning Policy

3.1 The Council, as LPA, is required to produce a Local Plan for its area. The preparation of Supplementary Plans (formerly SPDs) are discretionary, being dependent on the need to add further detail to either topic or site-specific policies in the Local Plan. The Local Plan is subject to greater levels of public consultation than SPs. Local Plans and SPs would be examined by an independent Planning Inspector prior to being adopted as policy. The SP has the same status as a Local Plan.

3.2 Local communities can also decide to prepare a neighbourhood development plan (NDP) for their locality. Such plans are also subject to consultation and examination, as well as requiring approval via a local referendum. The LPA has an active role in assisting local communities with the production of their NDPs, covered later in this chapter.

3.3 Consultation must be carried out in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2026 (and other relevant regulations such as parts of the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012. These will be referred to as the Regulations thereafter in the following sections. The following indicators are used:

✓ *methods which will be used (required by Regulations)*

O methods which will possibly be used (above/beyond Regulations)

Who Do we consult?

3.4 As part of our consultation on local plans, neighbourhood plans and other planning policy documents, we contact a range of organisations and individuals, from local residents, communities and parish/town councils to technical and specialist bodies.

3.5 Planning regulations require LPAs to carry out certain levels of community involvement in policy making and specify a number of organisations/bodies who must be consulted on policy documents, known as statutory consultees. These include environmental and heritage bodies such as the Environment Agency, Historic England and Natural England; infrastructure and transport bodies such as National Highways, KCC Highways and rail/public transport operators; governance bodies such as neighbouring LPAs, County Councils, parish and town councils; public services such as the education authority and clinical commissioning groups; and other specialist groups and organisations. The Council will also consult with other non-statutory bodies such as Water companies.

3.6 The Requirement to Assist was also introduced under the new plan-making regime, as set out in The Requirement to Assist with Certain Plan Making (Prescribed Public Bodies) (England) Regulations 2026 , with the intention of supporting the timely flow of

relevant information during plan-making. It is a new obligation for prescribed bodies of a public nature to assist with plan-making when notified by a plan-making authority that assistance is required. The prescribed public bodies that can be required to assist are set out in the new regulations.

Cooperation on strategic issues

3.7 Under the new plan-making regime the Duty to Cooperate as set out in the Planning and Compulsory Purchase Act 2004, and amended in the Localism Act 2011, no longer exists. However, LPAs are still required to cooperate on cross boundary matters with neighbouring authorities and other bodies such as infrastructure, assisting with unmet housing need, the movement of people, vehicles and water, employment need and impact of ecological/environmental designations. The use of statements of common ground in demonstrating cooperation between plan-making authorities is likely to continue (as set out at policies PM10 and PM11 of the NPPF 2026). The Council will seek to cooperate on this basis.

Our consultation database

3.8 The Borough Council has a planning policy consultation database of individuals, organisations and interested bodies who have indicated they wish to be informed of emerging policy and with whom we consult on policy formulation. This is regularly updated and anyone who wishes to be added to the database or to have their details amended can do so by contacting the Planning Policy team on 01892 554056 or by email at planning.policy@tunbridgewells.gov.uk. All data stored and published will be compliant with the Council's Privacy and data protection policies.

Consultation Principles

3.9 The Council will set out clearly how people can get involved in planning policy formation, and at what stage of the consultation. It will provide clear and up-to-date timetables for consultation periods and participation exercises. It will provide appropriate and proportionate consultation documents as early as possible at each stage, to provide full opportunity to comment and engage in consultations.

3.10 To encourage the identification of issues and concerns at the earliest opportunity, the Council will follow two general principles:

1) To recognise the needs of different groups in the community by making communication timely, relevant, and accessible; and
2) To provide for community involvement in ways that make best use of people's time and available resources.

3.11 Furthermore, the Council will show how the views of the wider community and interested parties have been taken into account at the various stages of the evolution

of the plan making process through the publication of consultation statements, where relevant.

3.12 Under the requirements of the new plan-making regime, a summary of the comments received will be produced and published after each public consultation stage and include:

- details of the bodies/stakeholders invited to make representations
- how they were consulted
- a summary of the main issues raised in the representations received
- how the Council has had regard to the representations received

(See **Table 2** below for further detail of the relevant plan-making stages)

Consultation Methods for Plan-making

3.13 A range of consultation methods will be used during the preparation of local plans and other policy documents, as set out in Table 1 below. The type of consultation method used will be informed by the type and stage of the document in question. Further details are provided in the following sections below.

Table 1 Consultation methods used by TWBC for Plan-making

Consultation Method	Description
Council's website	The Council's website will be used to promote consultations, post the latest information, provide consultation documents and supporting evidence, and advice on opportunities for participation (see the Planning Policy web pages). This could include electronic surveys and interactive maps. The Council's consultation portal will be used to enable people to view and comment on draft documents online during the relevant consultation periods. As increasing use is being made of electronic communications, anyone interested in receiving notification of a consultation is encouraged to register themselves on the consultation portal or by contacting Planning Policy on 01892 554056 or by emailing planning.policy@tunbridgewells.gov.uk. The Council's website also makes provision to view responses to consultations (when closed) that others have made.
Emails/letters	The Council will seek to send letters out about the consultation by email or by post to all relevant consultee bodies and those individuals who are on the Council's

Consultation Method	Description
	database, informing them of the consultation and inviting them to comment. This could include emails to schools and other youth groups to encourage engagement with younger people or to local amenity or friends groups.
Social Media	Use will be made of the Council's Social Media accounts to publicise draft policy documents where appropriate and the wider use of social media will continue to be explored as a way of reaching a wider audience.
Publicity materials:	*Press releases* Information about the consultation will normally be advertised in one local newspaper. In addition, information will be provided in the 'Local' Magazine which is produced by the Council and posted in paper form to all 53,500 households across the borough on a quarterly basis and is also available to read electronically on the Council's website (if the publication timeline allows for this). *Newsletters* Consultations will be featured in the following: • TWBC online weekly newsletter (sent out as email alerts) which provides information on services, news and events across the borough. Local residents can sign up to receive the newsletter via the Council's website. • Planning and Building Control News page on the Council's website *Leaflets/posters* Leaflets and posters may be used to advertise events and provide key information about the Local Plan including consultations.
Hard/Paper copies	Hard copies of Planning Policy Documents: • The Council will ensure that paper copies of planning policy documents will be available for public viewing at the Town Hall, Mount Pleasant Road, Royal Tunbridge Wells; The Amelia Scott, Mount Pleasant Road, Royal Tunbridge Wells; and the Town Council Offices at Paddock Wood and Parish Council Offices at Cranbrook (view these

Consultation Method	Description
	locations). Other viewing locations may be added depending on the nature and content of the planning policy document being consulted upon. • The provision of paper copies of documents will be provided upon request to Parish and Town Council (free of charge). Individuals and community groups can request to purchase copies of documents, and the Council will respond to all requests as soon as reasonably practical. Making Representations: The preference is for representations to be submitted electronically using the Council's consultation portal. However, it is also possible to submit a response by: • A written response form (for filling in electronically or printing out) will be available for downloading on the Council's website or where paper versions are provided; • Written representations by postal letter or email.
Engagement events and briefings	In-person stakeholder events/exhibitions will be held in appropriate locations across the borough for key stages in the Local Plan-making process. The exact locations will be dependent on the content of the Plan. Such events would be organised in a way that seeks to ensure there is a range of times people can visit. The events will be publicised in advance on the website and through other media channels which could include social media channels, and posters and leaflets. Town and parish councils will also be made aware of such events and encouraged to publicise these on their own websites/noticeboards. Meetings and briefing sessions led by TWBC Officers may also be held with targeted groups such as neighbourhood and amenity groups.

Stages of consultation for Local Plans

3.14 **Table 2** below explains what happens at each stage of the new plan-making system and the consultation methods to be used by the Council at each stage in Local Plan preparation going forward:

✓ *methods which will be used (required by Regulations)*

O methods which will possibly be used (above/beyond Regulations)

Further details about Local Plan production timescales can be found on the Council's Local Plan Timetable webpage.

Table 2 Plan-making stages under the **new plan-making regime** 2026 and consultation methods

Plan Making Stage	Activity	Email or Letter	Council website	Social media	Publicity (press release newsletters/pages)	Further publicity (e.g. digital notifications, posters, leaflets)	Paper copies at appropriate locations	Engagement event
Preparation of Timetable/notice of intention	Publication of timetable and notice of intention to commence Local Plan preparation. Evidence gathering - The Council collects up-to-date information based on a range of social, economic, and environmental matters. This could include a call for sites exercise, requesting the submission of possible sites for development/ redevelopment for assessment and possible inclusion in the Local Plan.	✓	✓	○	✓	○	✓	
Scoping Consultation	Early engagement: The Council will give notice of the scoping consultation and invite representations on matters such as what the plan should contain and how future engagement on the plan should be carried out. These representations will be invited from defined general and specific consultation bodies, members of the public and other interested parties.	✓	✓	○	✓	○	✓	
Gateway 1 – self assessment of readiness for Local Plan preparation	A self-assessment summary setting out details of the Council's readiness for local plan preparation (including details of readiness in relation to		✓				✓	

Plan Making Stage	Activity	Email or Letter	Council website	Social media	Publicity (press release newsletters/pages)	Further publicity (e.g. digital notifications, posters, leaflets)	Paper copies at appropriate locations	Engagement event
	consultation and engagement) will be published on the Council's website and paper copies of it made available in appropriate locations.							
Scoping Consultation Summary	A summary of how the scoping consultation was undertaken, the comments received and how these were taken into account will be produced and published on the Council's website and paper copies of it made available in appropriate locations. These will then be considered in the preparation of the Plan.		✓				✓	
Consultation on proposed Local Plan content and evidence	Having considered the scoping consultation and having undertaken further work the Council will give notice of undertaking a public consultation (for a minimum period of six weeks) and invite representations on the proposed local plan content and evidence, which will include: • a proposed vision and any proposed aims and objectives to achieve the vision • proposed policies (including site allocation policies) • summary of evidence to support the Local Plan and any other supporting information • a map of proposed local plan policies	✓	✓	○	✓	○	✓	○

Plan Making Stage	Activity	Email or Letter	Council website	Social media	Publicity (press release newsletters/pages)	Further publicity (e.g. digital notifications, posters, leaflets)	Paper copies at appropriate locations	Engagement event
	The documents will be published on the Council's website and paper copies made available in appropriate locations.							
Summary of consultation on proposed local plan content and evidence	A summary of how the proposed Local Plan content and evidence consultation was undertaken and, the responses received, and how these have been taken into account will be produced and published on the Council's website and paper copies made available in appropriate locations prior to Gateway 2 (below). The responses received will be considered in the preparation of the Plan.		✓				✓	
Gateway 2 - Observations/ advice from an appointed person	Between the consultation on the proposed Local Plan and publication of the summary of consultation (below), the Council will seek observations and advice from a Gateway 2 assessor. As soon as is reasonably practicable after receiving the observations and advice, the Council will publish them on the website, make paper copies available in appropriate locations, notify any person who requested to be notified; and send a copy of the observations and advice to any person or body identified/referred to in them.	✓	✓				✓	

Plan Making Stage	Activity	Email or Letter	Council website	Social media	Publicity (press release newsletters/pages)	Further publicity (e.g. digital notifications, posters, leaflets)	Paper copies at appropriate locations	Engagement event
Consultation on the proposed Local Plan	Between Gateways 2 and 3, the Council will give notice and invite representations on a public consultation (for a minimum period of eight weeks) on the proposed Local Plan submission documents, including: • the proposed Local Plan and policies map • details of the evidence gathered to support the Plan and other relevant supporting documents • details relating to the scoping consultation and consultation on proposed local plan content and evidence (above), including a summary of the main issues raised and how these have been addressed in the proposed Local Plan. The documents will be published on the Council's website and paper copies made available in appropriate locations.	✓	✓	○	✓	○	✓	○
Summary of consultation on the proposed Local Plan	A summary of how the consultation was undertaken on the consultation of the proposed local plan, the responses received and how they were taken into account in the preparation of the Plan will be produced and published prior to Gateway 3 (below) on the Council's website and		✓				✓	

Plan Making Stage	Activity	Email or Letter	Council website	Social media	Publicity (press release newsletters/pages)	Further publicity (e.g. digital notifications, posters, leaflets)	Paper copies at appropriate locations	Engagement event
	paper copies made available in appropriate locations.							
Gateway 3- prescribed requirements assessment by an appointed person	The Council will seek observations and advice from a Gateway 3 assessor on whether the prescribed requirements are met in relation to the preparation of the proposed Local Plan. A statement of compliance and a statement of soundness and other supporting documents will be submitted including a summary of the consultation undertaken and responses received. Following confirmation from the Gateway 3 assessor that the prescribed requirements have been met, the Council will publish a statement confirming that Gateway 3 has been completed and the submission documents as they were submitted to the Gateway 3 assessor on the Council's website and make paper copies available in appropriate locations. The Council will also notify any person who requested to be notified; and send a copy of the observations and advice to any person or body identified/referred to in them*.	✓*	✓				✓	
Examination	When the Gateway 3 assessor concludes that the proposed Local Plan meets the prescribed	✓*	✓	○	✓		✓	

Plan Making Stage	Activity	Email or Letter	Council website	Social media	Publicity (press release newsletters/pages)	Further publicity (e.g. digital notifications, posters, leaflets)	Paper copies at appropriate locations	Engagement event
	requirements, then the Council will submit it for independent examination. This will include: • a summary of the consultation and engagement activities carried out • the local planning authority's summary of consultation on the proposed local plan The Council will publish notification of submission on their website, details of where submission documents can be inspected and notify any person who requested to be notified*. An Examination in Public will be held by an independent Inspector. Prior to the opening of the examination hearing, the Council will publish the date, time and place of where the hearing is to be held and make this information available in paper form at appropriate locations and notify any person who requested to be notified of this.							
Adoption	As soon as reasonably practicable after adoption of the Plan, an adoption statement will be published, paper copies of it made available at appropriate locations, and copies sent directly to those respondents who asked to be notified.	✓	✓	○	✓		✓	

Stages of consultation for Supplementary Plans (SPs)(formerly Supplementary Planning Documents (SPDS))

3.15 As set out above, the government has published reforms to the plan-making system. Under this, Supplementary Planning Documents (SPDs) are now replaced with Supplementary Plans (SPs). SPs are to have the same weight as local plans and will be subject to independent examination. They are designed to allow planning authorities to respond quickly to changes in their area, such as regeneration opportunities, and to set authority-wide design policies. Given they would have the same status as local plans, they would follow a similar plan-making approach as local plans. A summary of the process of SP production is set out at **Table 3** below.

Table 3 Stages of Supplementary Plan-making under the **new plan-making regime** 2026 and consultation methods

SP Making Stage	Activity	Email or letter	Council Website	Social media	Publicity (press release, newsletters/pages)	Paper Copies at appropriate locations	Engagement event
Notice of Intention/Timetable	The Council will publish a timetable and notice of intention to commence supplementary plan preparation (including the subject matter of the SP and the area and/or site(s) to which it will apply.	✓	✓				
Preparation of the draft SP	The Council will gather evidence and produce a draft version of the SP. Where necessary and depending on the subject of the SP, the Council may contact specialist bodies and/or other consultees during the preparation process*.	○*					
Consultation on the draft SP	The draft SP will be published, and the Council will undertake a public consultation for a minimum period of six weeks. The consultation documents will include: • the proposed supplementary plan and policies map • the evidence base to support it and any other relevant supporting documents The Council will consider which interested parties should be consulted and whether in-person engagement events/briefings should be held dependent on the proposed subject matter and geographical extent of the SP.*	✓*	✓	○	✓	✓	○*

SP Making Stage	Activity	Email or letter	Council Website	Social media	Publicity (press release, newsletters/pages)	Paper Copies at appropriate locations	Engagement event
	Any representations made will be considered and amendments will be made to the document where appropriate. A summary of the main issues raised and how they have been addressed will be produced.						
Submission	The Council will submit the following documents to the person appointed to carry out the examination of a supplementary plan: • the proposed supplementary plan and policies map • compliance statement • consultation statement setting out how the consultation was undertaken, the responses received and how these have been addressed • any other relevant supporting documents. The Council will publish notification of submission on their website, details of where submission documents can be inspected and notify any person who requested to be notified*.	✓*	✓			✓	
Examination	An Examination in Public will be held by an independent Inspector. Prior to the opening of the examination hearing, the Council will publish the date, time and place of where the hearing is to be held, make this information available in	✓*	✓	○		✓	

SP Making Stage	Activity	Email or letter	Council Website	Social media	Publicity (press release, newsletters/pages)	Paper Copies at appropriate locations	Engagement event
	paper form at appropriate locations and notify any person who requested to be notified of this*.						
Adoption	As soon as is reasonably practicable after adopting the SP, the Council will publish the adopted plan and an adoption statement as well as the recommendations and reasons of the examiner. The adoption statement must specify matters (stating the date of adoption and where it is available for inspection). A copy of the adoption statement will also be sent to any person that has asked to be notified*.	✓ *	✓	○	✓	✓	

Neighbourhood Development Plans

3.16 Neighbourhood Development Plans (NDPs), also known as 'Neighbourhood Plans', were introduced through the Localism Act 2011 as an opportunity to allow communities to take responsibility for land use planning in their area. At the same time, NDPs need to be in general conformity with the strategic policies of the LPA which are set out in its Local Plan (and cannot promote less development), as well as having regard to the NPPF and according with relevant legislation.

3.17 Neighbourhood plans, carry full weight in planning decisions as soon as they have been successful at referendum, and when finally approved (referred to as 'made'), become part of the statutory development plan.

3.18 The responsibility to produce a Neighbourhood Plan lies with the qualifying body (normally a parish council, a town council or, in a non-parished area, a neighbourhood forum).

3.19 The Borough Council will provide support to neighbourhood plan groups (the qualifying body) by:

- meeting with them to discuss their plan and how to progress with it
- sharing any evidence that can be used to inform their evidence base and/or draft NDP
- reviewing and providing feedback on their evidence base and draft content, from initial stages through to submission for examination, including work on reviewing and updating NDPs.

3.20 Consultation procedures for NDPs are set out in, the Neighbourhood Planning (General) Regulations 2012 (as amended), and Planning Practice Guidance

3.21 **Table 4** below explains the stages involved in the NDP making process and how the Borough Council will consult at each stage

✓ *methods which will be used (required by Regulations)*

○ methods which will possibly be used (above/beyond Regulations)

Table 4 Stages of NDP production and consultation methods

NDP Making Stage	Activity	Email or letter	Council Website	Social media	Publicity (press release, newsletters/pages)	Paper Copies (in appropriate locations)	Engagement event
Stage 1 - Application for the Area Designation (and neighbourhood forum designation for unparished areas)	Where an application for the Neighbourhood Area designation differs from parish or town council boundaries, the Council will undertake a consultation for a minimum of 6 weeks and publicise the application on the Council's website*. In unparished areas, a neighbourhood forum will also have to be designated before a neighbourhood plan can be produced. A consultation for a minimum of 6 weeks will also be undertaken by the Council for neighbourhood forum applications. A neighbourhood forum may be designated before or after an application for a neighbourhood area designation. However, if a neighbourhood area application is made before the designation of the neighbourhood forum, the applicant must demonstrate the group is capable of becoming the designated neighbourhood forum.	✓*	✓*				
Stage 2- First Draft Pre-submission consultation (Regulation 14)	Public consultation on the draft NDP, to be prepared and undertaken by the qualifying body (normally parish/town council or neighbourhood forum), not the Borough Council.						

NDP Making Stage	Activity	Email or letter	Council Website	Social media	Publicity (press release, newsletters/pages)	Paper Copies (in appropriate locations)	Engagement event
	Ahead of the consultation, the draft plan should be sent to the borough council. This is to carry out screenings to conclude whether a Strategic Environmental Assessment (SEA) and/or Habitats Regulation Assessment (HRA) is required based on the scope of the neighbourhood plan and the draft policies. For neighbourhood plans which do not propose to allocate sites, it is unlikely that a full SEA or HRA will be required.						
Stage 3 – Final Draft Submission (Regulation 15) and consultation (Regulation 16)	Following consideration of the comments made to the Pre-submission consultation (Regulation 14), the qualifying body will submit the plan, a consultation statement and basic conditions statement to the Borough Council under Regulation 15. The consultation statement should explain who was consulted and how, summarising the responses received and how these are taken into account in the updated version of the NDP. Once the Borough Council is satisfied that the submitted plan complies with all relevant legislation, it will undertake a consultation for a minimum period of 6 weeks and publish details of	✓*	✓	○	○	○	✓

NDP Making Stage	Activity	Email or letter	Council Website	Social media	Publicity (press release, newsletters/pages)	Paper Copies (in appropriate locations)	Engagement event
	this and all consultation documents on the Council's website. Only statutory consultees and respondents to the Regulation 14 consultation (who requested to be notified at the Regulation 16 stage) will be consulted at this stage. *						
Stage 4 - Examination	Independent examination of the NDP. The Council will: • appoint an examiner (in agreement with the NDP group) who will manage the examination process. The examination is normally done by written representations but the examiner may hold hearing session(s) if necessary. • publish details of the examination and the examiner's post examination report on the Council's website • pass any representations made at the Regulation 16 consultation to the examiner.		✓				
Stage 5 - Referendum	The community will vote whether a NDP should come into effect for the area covered by the Designated Area or not through a referendum.	✓	✓	○	○		✓

NDP Making Stage	Activity	Email or letter	Council Website	Social media	Publicity (press release, newsletters/pages)	Paper Copies (in appropriate locations)	Engagement event
	The Council will: • Organise and publicise the referendum • Publish the results of the referendum						
Stage 6 - Adoption 'making' of the NDP	Following a successful referendum, the Council will: • Proceed to 'make' and publish the 'made' (adopted) version of the NDP • Contact respondents who asked to be notified**	✓**	✓		○		

Feedback

3.22 In assessing responses and the outcome of statutory consultations, the Borough Council will:

- after a formal Local Plan consultation, summarise the comments received and its response to them in a consultation statement or other method as deemed appropriate for the consultation in question that will be made available on the Borough Council's website and paper copies will be made available in appropriate locations.
- publish representations received (redacted as necessary) on the Council's website.
- produce a consultation statement for SPs, setting out the outcome of engagement from interested people in the preparation of a draft SP.
- produce a statement setting out who, how, and when bodies and people were invited to make representations, when submitting a development plan document to the Secretary of State for examination.

3.23 Responses to consultation on the Strategic Environmental Assessment (SEA) (or Environmental Outcome Reports when they come into effect) will be taken into account during the preparation of the Local Plan.

3.24 When a document is adopted, a statement will be made available on the Council's website and at The Amelia Scott in Tunbridge Wells, including summarising how the SEA (or if applicable Environmental Outcomes Report) have been taken into account in the document's preparation.

Exceptional circumstances

3.25 There may be consultations where it is not possible to meet face to face or to publicise consultations by usual means, due to circumstances beyond the Council's control, (such as a health pandemic). In such circumstances, the Council will endeavour to use appropriate methods for consultation on its own and neighbourhood planning documents to ensure that it remains committed to effective community engagement. Such methods could include:

- digital and site notice publications
- virtual exhibitions
- digital consultations
- video conferencing
- use of social media
- providing documents for inspection on its website and paper copies for those without access to the internet (on request)

- where considered necessary, potential extension of the consultation period to allow access to consultation information/materials

How your comments help

3.26 The information the Council obtains through community and stakeholder engagement will be used to inform its decisions and shape the documents it produces. The Council acknowledges that an important part of community involvement is to report back to those who have taken the time to get involved. While comments are welcomed and encouraged, it may be difficult to find solutions that satisfy all, but the Council will listen and seriously consider all comments and suggestions that are put forward in response to consultations.

4.0 Consultation on planning applications and notifications

4.1 The community is also encouraged to be involved in the assessment of and process of determining planning and other applications considered by the Council as the Local Planning Authority (LPA).

Pre-application stage

4.2 The Council encourages applicants or their agents to discuss any proposals with the planning team before making a formal application in line with national policy requirements. Full details of procedures for this, including fees, are set out on our website (see Pre-Application Advice), where there is guidance on the submission requirements for pre-application advice, to ensure applications are properly made and can be progressed quickly. It is expected that the pre-application advice service offered, associated fees and response timescales will be updated and enhanced in the near future. Key stakeholders will be consulted on updated guidance and processes in line with the guidance in this document. The website will also be updated to reflect amendments to the pre-application service.

4.3 The Council has a key role to play in encouraging all parties to take full advantage of the pre-application stage. The more issues and opportunities that can be identified and addressed at this early stage the better as it assists in issuing timely decisions and helps to ensure that applicants are not met with unnecessary delays and costs. Engagement at pre-application stage has significant potential to improve the efficiency and effectiveness of the application process for all parties. Good quality pre-application discussion will result in better coordination between resources and different parties in the process, with improved outcomes for all.

4.4 Statutory planning consultees also need to take the same early, pro-active approach and provide advice in a timely manner throughout the development process, for their role in the planning system to be as effective as possible and for all opportunities to enhance prospective proposals throughout the development process

4.5 It is at this early stage in discussing planning applications that potential applicants will be encouraged and expected to engage effectively with communities, neighbours, parish or town councils, ward councillors, infrastructure providers and other interested parties in a clear and meaningful way from an early stage and then at the appropriate time(s) throughout the design and development process. Prospective applicants are also expected to undertake separate pre-application discussions with other consultees, where relevant to identify issues and opportunities such as Kent County Council Highways and Transportation or the Environment Agency.

4.6 The NPPF 2026, Policy DM1 (1)(a) states "*Proposals for major development should be informed by early engagement with neighbours and the local community, as well as*

with the local planning authority, statutory consultees, infrastructure providers, registered providers of social housing and other relevant bodies where appropriate, to identify and seek to resolve key planning matters prior to the submission of a planning application. This pre-application engagement should be proportionate to the nature of the proposal and those likely to be affected by it." When applications are received, they should be accompanied by a concise planning statement setting out, details of the engagement held, issues identified and how these have been addressed. If consultation is not carried out, the reasons should be included.

4.7 The Localism Act first made it compulsory for developers to consult local communities before submitting certain planning applications. The requirements cover:

- developers must consult communities before submitting certain planning applications, having regard to any advice that their local planning authority may provide
- they must consider any responses they receive before they finalise their proposals and submit their applications
- when submitting their application, they must account for how they have consulted the local community, what comments they have received, and how they have taken those comments into account
- The Localism Act does not define what form the consultation should take or how it should be managed.

4.8 The revised NPPF 2026 also identifies the need for early engagement. Policy DM1 (1)(a) sets out that major proposals should:

> *"Be informed by early engagement with neighbours and the local community, as well as with the local planning authority, statutory consultees, infrastructure providers, registered providers of social housing and other relevant bodies where appropriate, to identify and seek to resolve key planning matters prior to the submission of a planning application. This pre-application engagement should be proportionate to the nature of the proposal and those likely to be affected by it."*

4.9 Where a major or potentially controversial development is proposed, applicants will be expected to carry out community engagement, including with ward councillors, that is tailored to reflect the nature and scale of the proposed development as early as possible within the application development stages and before final options are considered, as required by Policy EN1: Sustainable Design of the Tunbridge Wells Borough Local Plan 2025 which sets out that all community engagement arrangements will be managed, organised and funded by the applicant. The Local Validation List will expect the submission of a Statement of Community Engagement for all major applications.

4.10 In other cases, for minor or non-controversial development, voluntary and proportionate consultation is recommended. This will vary dependent on the scale and location of the development, but it is an expectation that as a minimum the applicant discusses the proposals with their neighbours at the pre-application stage and before submission of a formal application. Ultimately, it is for the applicant to decide in what

ways they wish to undertake community engagement. This consultation should be recorded on the application, and if no consultation has taken place, the reason for this should be explained at the application stage

4.11 Early engagement has significant potential to improve the efficiency and effectiveness of the planning application process for all parties. Good quality pre-application discussion will result in better coordination between public and private resources and in improved outcomes for the community.

4.12 It is at this early stage, the local community can have the greatest influence on development proposals and feel engaged in the process, and where many matters can be resolved through a thorough understanding of issues from neighbours and stakeholders alike. Pre-application community involvement will give members of the public the opportunity to have their say while the details of the scheme are still being put together. The early exchange of information is likely to produce a scheme that better fits its local environment and is of higher quality design. Community involvement is also important from a business perspective in that it may prevent unnecessary work being carried out or unnecessary delay in the formal planning application process.

The application stage

Processing your application

4.13 Your application will be assessed for validity on receipt by the Technical Team, including the form, plans and fee. The LPA is renewing the local validation requirements which will set clear and enhanced expectations of the information that is necessary with which to validate an application. This updated guidance has been subject to a public consultation, and the guidance is expected to be adopted and used at the validation stage from 25th October 2026.

4.14 If an application is submitted that fails to meet the validation requirements, it will be made invalid. We will make contact in writing to advise you of the information that is required in order to make the application valid. If all of the information required to make the application valid is not received within 28 days of a written request, we will then close the application. This means that we will keep a digital copy of the documentation and subsequent correspondence submitted but the application will be closed on the Council's planning systems and will not progress for assessment and determination. We will deduct a charge from the planning fee submitted to cover the administrative time spent on assessing the validity of the application, before refunding the balance.

4.15 The only circumstance when we will not dispose of an invalid application after the 28 days is where there is written correspondence within the 28-day period and we are confident that the information which is outstanding to make the application valid will be received within a specified period.

4.16 You will receive an acknowledgement letter by email when your application has been validated. We normally have 8 weeks in which to reach a decision, 13 weeks for major

applications and in cases with an Environmental Statement 16 weeks. There are also other types of applications and prior approval applications, all with different timescales. More information about different types of planning applications can be found on the Planning Portal. The majority of decisions are made within these timescales or where necessary, the case officer will contact you to arrange an extension of time in which to determine the application. You will be able to see all application details on the Council's Planning Register or request an update from the case officer and they will respond as soon as possible depending on existing work commitments. If it subsequently becomes apparent after validation that anything is missing or incorrect, we will contact you as quickly as possible to get the matter resolved.

Consultation

4.17 The Council is required to consult with a range of consultees in relation to planning applications. This will be dependent on the type and scale of the proposals and any relevant site constraints – for example whether the site is located in the High Weald National Landscape or flood risk area. A list of Statutory Consultees is provided on the government website Consultation and pre-decision matters - GOV.UK (see Table 2 – statutory consultees on applications for planning permission).

How we will consult with neighbouring residents

4.18 The Council will publicise planning and other applications to meet our objective of involving the community in the planning application decision-making process. We welcome the views of members of the public whether they are in support or object to a proposal, as they can bring new factors to our attention and add to the quality of the decision made, although we can only take account of planning matters (known as 'material planning considerations'), see the Planning Portal for more information.

4.19 However, there are a number of different types of applications and notifications (i.e. not just planning applications), including a number of prior approval notifications introduced in recent years. Many of these are 'time limited' and have different legislative requirements in respect of consultation to planning applications and the matters which can be considered in their determination are often much narrower. The following information on consultation, therefore, relates predominantly to applications for planning permission. Consultation on other applications and notifications varies depending on the type of application/notification.

4.20 Consultation on planning applications is as follows:

- any resident registered through the Council's website https://tunbridgewells.gov.uk/planning/applications/notifications (and has set up an 'area of search') to receive planning notifications will receive an email notification
- at least one site notice will be placed at the property, which will be clearly visible and readable from a public place – see the section on site note guidance below for more information

- all applications are available on the Council's website via the Planning weekly list, and certain applications will also be advertised by press advertisement in the Kent Messenger
- the results of any such consultations will be reported and representations received taken into account when considering the application.

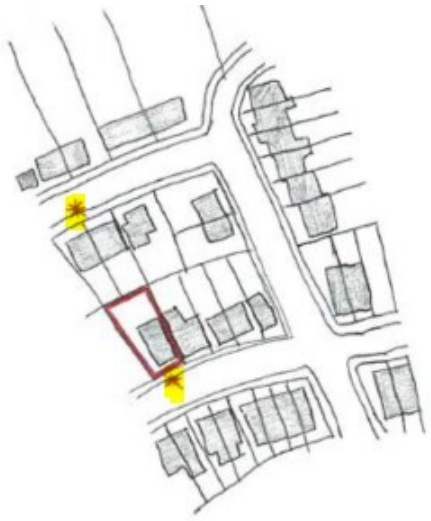
4.21 The local community and residents are recommended to register their interest, and to regularly review their registered email account. Registration can be undertaken by following the link: http://www.tunbridgewells.gov.uk/notify. This includes step by step guidance on how one can sign up to register for these emails. This information is also publicised periodically in the Council's Local magazine and weekly e-newsletter and in social media.

4.22 However, legislation still requires that letters are sent to neighbouring properties for the larger household extension notification under Part 1 of Schedule 2 to the General Permitted Development Order 2015 (as amended), so these are the only types of application/notification where neighbour consultation will continue to be undertaken by letter.

Site notice guidance

4.23 Once a valid application has been received one or more yellow site notices will be placed at the application site. Site notices will be placed to ensure they are visible to all properties which share a boundary with the application site. Where possible, and where street furniture is available in close proximity to the site this will mean that:

- Officers will seek to place a site notice in front of the application site at the boundary with the public highway.
- For application sites where there are properties located on an adjacent parallel road which share a (rear) boundary with the application site, a second site notice will also be placed on this parallel road:

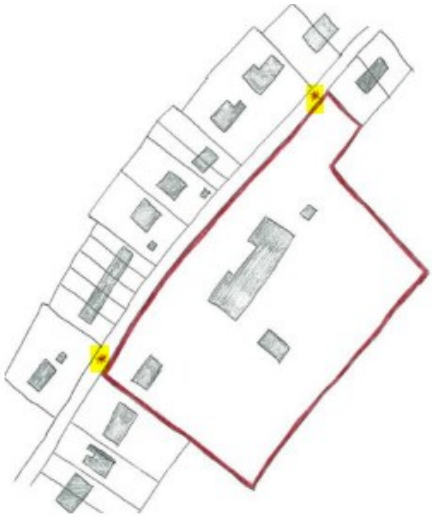


- For application sites on the corner of two roads, one will be placed on each road frontage:

- Where an application site is only adjoined by properties to either side, and with properties to the front, one site notice will be placed at the site frontage:

- Where there are adjacent properties to the application site which are on the parallel road to the rear, and the road to the side, three site notices will be placed:

- For sites with particularly long frontages, it may be necessary to erect site notices towards either end of the site, although this will be dependent on the characteristics of the site:



- Site notices will always be placed on the boundary of the application site on the closest fence or lamp post, telegraph pole or in a prominent location such as a road sign or tree. Occasionally where there is limited street furniture it may be necessary to deviate from the above examples and place a site notice a distance from the site, but at the closet point available to display a notice, depending on the specific site circumstances.

4.24 If additional information is submitted or amendments are made to an application this may require fresh consultation, or re-consultation. In these instances, different coloured site notices will be put up in similar positions to the initial yellow site notice. If you have already commented on the application, we do not write directly to inform you of the re-consultation. However, if you have registered your interest on the Council's website and are tracking that application, then you will be advised of any amendments

to plans or new information submitted. An orange site notice will also be posted in relation to appeals for which a hearing or inquiry is to be held.

4.25 These different site notices are shown in the table below:

Notice colour	Reason
Yellow	Valid application received
Blue	First re-consultation
Green	Second re-consultation
Pink	Third re-consultation
Orange	A planning appeal hearing or inquiry is to be held

Photographs will normally be taken of the notices posted in their locations at the time of posting to record their position and the fact they have been posted.

Making Comments

4.26 All comments must be made in writing, verbal comments cannot be accepted. You can submit your comments:

- online, by registering as a user of the site which will enable you to submit comments on current applications through the website
- by email to planning@tunbridgewells.gov.uk
- in writing, addressed to the case officer at Planning Services, Town Wells Borough Council, Town Hall, Mount Pleasant Road, Royal Tunbridge Wells, Kent. TN1 1RS

4.27 Sometimes comments can take longer to appear on the Council's website if submitted by letter or email, in most cases all comments carry the same weight no matter how they are submitted. All comments are public documents and will be publicised on the council's website.

4.28 If you submit a comment through the website, you will receive an automatically generated acknowledgement. If your comment is submitted by any other means, it will not be acknowledged.

a. Anonymous comments, or where a name is abbreviated will not usually be taken into account.

b. The address should be genuine. The Council does not have the resources to verify whether the authors of representations live at the stated address, but if we receive a complaint this will be addressed in the final planning report. However, we will not remove the representation from the website.

4.29 A weekly list of applications received can be searched online by ward and parish and all types of applications are available to view online. It is possible to search for applications and notifications in a number of ways, including by street, ward, or parish, or by viewing the online map, and to register through the website so you can be alerted to any applications or notifications within a particular locality (for example, near where you live). Application decisions can be searched in a similar way.

4.30 The Council's website can also be accessed from The Amelia Scott in Royal Tunbridge Wels, and in libraries across the borough for those without access to the

internet. Staff at The Amelia Scott will be able to assist with you using the website, although they cannot provide advice on the planning merits of the proposal.

4.31 Detailed information on how to comment on planning applications and advice on issues that are relevant to decisions on planning applications, is also available on the Council's Having your say webpage.

4.32 When assessing an application, we have a legal duty to consider all material planning matters and relevant national and local planning policies and guidance. All comments we receive about a planning application will be noted, but only material planning issues can be taken into account. Matters that are not considered to be material planning considerations and cannot be take into account include:

- matters controlled by Building Regulations or other non-planning laws such as structural issues and environmental protection/health
- private rights and issues between neighbours, including land ownership or boundaries, damage to property, private rights of way, covenants and private agreements
- loss of value of a property
- problems associated with building work, hours of work, noise, dust and construction vehicles (unless the proposal is for a significant major development, such as 50+ dwellings)
- loss of a view
- private interests of objectors and competition between companies

4.33 Due to the large number of responses received it is not possible to respond personally to matters/questions raised, and it will not be possible to enter into extended communications with local residents/neighbours. Your comments will be summarised in the final report and any significant and relevant matters will be addressed in the appraisal section of this report.

Timescales for comments

4.34 The period during which you will be able to submit comments ahead of a decision being made is 21 days from the date that the site notice is placed at the site, or if an application has to be advertised in the newspaper, from the date of that advert (whichever is the later). The application can be determined at any time after that 21 days from the application's valid date, although any comments will be taken into account that are received after the 21 days period until:

- (Delegated decisions) the time that a delegated report is signed off by a Senior Officer
- (Committee decisions) 17.00 on the day before Planning Committee where comments received after this time will not usually be reported to committee, but still considered.

4.35 If re-consultation is undertaken this will be for 14 or 21 days. Please note it is the discretion of the case officer to determine the re-consultation time period.

How we consult with statutory consultees

4.36 In line with national legislation and guidance, the council is required to consult with a range of consultees in relation to planning applications. This will be dependent on the type and scale of the proposals and any relevant site constraints – for example whether the site is located in the High Weald National Landscape or specific flood risk area. A list of Statutory Consultees is provided on the government website Consultation and pre-decision matters - GOV.UK (see Table 2 – statutory consultees on applications for planning permission). Regard is had to the comments received in the decision-making process.

4.37 Town and parish councils are important consultees on planning and other applications, and the Council considers all comments received. Most town and parish councils have open planning meetings where residents can speak. It is suggested any interested parties contact the local town or parish council to check specific arrangements. These meetings are related to the respective parish council only and may inform their formal comments in respect of a particular development, TWBC are however, the local planning authority.

4.38 In addition, local organisations are actively involved in planning matters and regularly make representations. These are varied but include: conservation area advisory committees; local amenity groups; and local resident associations. The Council will continue to ensure that these organisations are able to engage and have access to all relevant information via the website. As with all consultations there is a 21-day consultation period.

Making a planning decision

4.39 The majority of planning and other applications are determined under delegated powers by senior officers in Development Management, but some are determined by Planning Committee. In all cases a report is prepared by the case officer on behalf of the Head of Planning Services, which explains the application, gives a summary of the comments received and addresses all material planning matters and policies that apply. As most planning decisions are about balancing different views, the case officer will take account of the matters for and against a proposal, before reaching a recommendation. The purpose of planning control is to protect the interests of the public, not the private interests of an individual.

4.40 A new process, the National Scheme of Delegation (effective from 31st October 2026) sets out how planning and other applications are to be determined. The requirements are set out in legislation in the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 made on 15 July 2026. The level at which an application is considered is dependent on the type or nature of the application and applications can no longer be called into planning committee by elected members.

4.41 Applications will fall into either Schedule 1 or 2 cases and some minor cases do not fall into either category for example applications for Trees in conservation areas.

4.42 Schedule 1 applications - include planning applications for householder, minor residential and minor commercial development, and supplementary and technical consents such as discharge of planning conditions, reserved matter approvals (for non-phased development), lawful development certificates, and non-material amendments. These applications must be delegated by officers.

4.43 Schedule 2 applications - include major applications (10+ dwellings or more than 0.5 hectares in size, or more than 1,000 sqm of commercial floorspace or more than 1 hectare in size), applications to vary Schedule 2 applications (under S.73 of the Planning Act), applications to vary Schedule 2 planning obligations (or S106s), a reserved matters application for a large outline permission (more than 500 homes, or 50,000 sqm of floorspace).

4.44 Schedule 2 applications are expected to be delegated and only go to Planning Committee by exception. This happened by means of a referral test (see below).

4.45 In addition, own interest applications which cover those on behalf of either an authority officer, a member, on behalf of the authority itself or owned or controlled by the authority, or by its members or officers have separate provisions and do not automatically fall within Schedule 2; depending on the development type, they may belong to either Schedule 1 or Schedule 2. As set out in guidance in the interests of transparency and public accountability, own interest applications shall be considered at the referral test.

4.46 The Referral Test must be applied by the nominated officer and a nominated member for applications in Schedule 2, and a consensus decision made on the routing for that application will be decided– either delegated or committee. The nominated member is the chair of the Planning Committee or the vice chair or equivalent member. The nominated officer is the Chief Planning Officer (Head of Planning Services) or equivalent officer who has extensive professional planning experience.

The referral test will consider whether;

A. the application either

(i) raises one or more issues of economic, social or environmental significance to the local area; or

(ii) raises one or more significant planning matters having regard to the development plan and any other material considerations; or

(iii) is an own-interest application; and

B. the nominated officer and nominated member agree to the referral. Where agreement is not possible the case will be referred to the legal team and will be the decision of the Head of Planning Services.

4.47 The planning website will be updated on all decisions and outcomes made at the referral test and this will set out the reasons for the decision, along with the associated planning report. Where applications are determined by planning committee and the Head of Service will make a recommendation.

4.48 If you have submitted a comment on an application, and that application is to be determined by Planning Committee, we will write to/email you 5 working days before the date of the committee. This will not be publicised through a site notice. Applicants and those who have already made a representation, will have an opportunity to speak at the planning committee meeting when the application is reported. Full details, including how to register to speak, are available on the council's Committee Services webpage and organised by Democratic Services.

4.49 Committee meetings are also available to view online, both live at the time of the meeting and the recording is also available to view thereafter and can be found at Webcast library - Tunbridge Wells Borough Council Webcasting.

4.50 Minutes of the meeting will also be published once these are agreed by planning committee, these explain how the Planning Committee has reached its decision. As soon as a formal decision is made on an application, the decision notice will be published on the website, along with the relevant delegated or committee report. A decision notice will not be issued or published straight away where an approval is subject to resolution for a Section 106 legal agreement which will be completed and signed before a decision is issued first need resolution.

How can you find out about decisions?

4.51 The statutory target date for making a decision on any application can be found on the website under the tab entitled important dates. Whilst we determine most applications within the initial target time, this date can in some instances be extended or exceeded. The most efficient way to be notified is through registering your details on the Planning notifications webpage, setting up an area of search to be notified of any applications, and to track applications.

4.52 Other than when you register on the website, due to the number of applications we deal with, we will not notify you when the decision is made on an application. All decisions are supported by a planning report and decision notice, both of which will be available on the website.

4.53 If planning permission is granted there will usually be a 3-year period for work to start on site or the development to be implemented. Many decisions will include planning conditions which can require the submission of further details or impose limitations. The conditions relating to the decision are set out on the decision notice which can be viewed on the website. When any additional information that is required by a condition is submitted, the details will also be available on the website, but we do not carry out community consultation. The outcome of decisions on applications relating to conditions is also available on the website.

4.54 Sometimes an applicant will request that minor changes be made to the approved plans and/or details. Whether we carry out publicity in such circumstances is dependent on the nature of the change (non-material amendment application or minor material amendment applications, which is a variation of condition application). Details of these requests will also be displayed on the website, along with the planning decision once determined.

Planning appeals

4.55 If an application is refused, or it is granted with conditions, an appeal can be made to the Secretary of State against the refusal or the conditions attached. All appeals are considered separately by the Planning Inspectorate, independent of the Council. There are fast-track appeals normally for householder applications and written representation appeals and non-fast track appeals for more complex cases and appeals involving a hearing or public inquiry. For non-fast track appeals we will write to everyone who has made a representation on the application and notify them that there is an appeal as required by the Secretary of State. The appeal process, timescales and decisions are those of the Planning Inspectorate and all communication should be direct with them in respect of all appeal matters https://www.gov.uk/appeal-planning-inspectorate. There is no third part right of appeal against any type of application.

4.56 If a representation has already been submitted on an application, and an appeal is subsequently lodged against that decision, then we will write directly to advise of this and will set out how your original comments will be treated, and how to provide further information on the appeal and timescales. Depending on the method of the appeal, these may in some instances also be publicised through the erection of an orange site notice. This relates only to appeals considered by the public hearings or public inquiry procedures and not the written representations procedure. All representations received on the application before the decision was made will be forwarded to the Planning Inspectorate. All information relating to planning appeals is available on the above website, within the 'Documents' tab.

4.57 There are three different types of appeal:

- **Written representations** - the Inspector will decide the appeal based on written material provided by all parties. This is normally the simplest, quickest and most straightforward way of making an appeal. Most planning appeals proceed by the written procedure.
- **Hearings** – these are a structured discussion led by the Inspector. The Inspector identifies the issues for discussion based on the evidence received and any representations made. Interested parties can attend the hearing if the Inspector allows it.
- **Inquiries** - these are the most formal of the procedures, similar to the proceedings of a court of law. An inquiry is open to the public and provides for the investigation into and formal testing of evidence, usually through questioning ('cross examination') of expert and other witnesses. Parties may be formally represented by advocates.

4.58 If an appeal is made under the written representation procedure and your property adjoins the appeal site, we will write to you to advise that an appeal has been submitted but there will be no opportunity to make further representations.

Planning enforcement

4.59 National Planning Practice Guidance (NPPG) sets out the basic priorities of the enforcement of planning control. This can be found at www.gov.uk or by using the following link: https://www.gov.uk/guidance/ensuring-effective-enforcement . The NPPG advises:-

"There is a range of ways of tackling alleged breaches of planning control, and local planning authorities should act in a proportionate way. Local planning authorities have discretion to take enforcement action, when they regard it as expedient to do so having regard to the development plan and any other material considerations. This includes a local enforcement plan."

4.60 The NPPF states at policy DM8 that:

"1. Where there has been unauthorised development and local planning authorities are considering whether enforcement action is expedient, they should take account of their local enforcement plan, the impact of the breach of planning control, and the extent to which the breach would otherwise be acceptable.

2. In cases of unauthorised development where consideration is being given to an application for retrospective planning permission (or through an enforcement appeal, whether to grant planning permission in respect of a breach of planning control), if it is concluded based on evidence that the unauthorised development was intentional, that fact should be given substantial weight in considering whether to grant planning permission."

4.61 The Council's Planning Enforcement Strategy 2023 sets out how enforcement cases will be dealt with in terms of priorities, processes and indicative timescales. https://tunbridgewells.gov.uk/__data/assets/pdf_file/0011/343001/Planning-Services-Enforcement-Plan-2023.pdf

4.62 In addition, there is the Tunbridge Wells Enforcement and Prosecution Policy that also has to be considered https://tunbridgewells.gov.uk/__data/assets/pdf_file/0013/343003/TWBC-Enforcement-and-Prosecution-Policy.pdf

4.63 Most investigations result from complaints from the public, ward councillors or parish and town councils. All these individuals and groups have a role to play in planning enforcement, as they are the local 'eyes and ears' in the community. Their contribution towards planning enforcement is greatly appreciated. Planning Investigation Officers can be contacted by website, or e-mail. https://tunbridgewells.gov.uk/planning/support-services/enforcement

4.64 All planning enforcement activities are undertaken in accordance with the terms of these documents.

The objectives of planning enforcement are:

i. To investigate alleged breaches of planning control.

ii. For the type of enforcement action to be commensurate with the harm.

iii. To be fair and be applied equitably.

iv. For formal enforcement action to only be taken when significant planning harm is being caused and all other reasonable remedies have been exhausted.

v. For enforcement complaints to be prioritised.

vi. To operate efficiently and effectively.

4.65 All complaints will be acknowledged within 5 working days of receipt.

4.66 All investigations are carried out on a strictly confidential basis and complainants' details are never revealed to a third party during an investigation. The identity of any complainant is "Exempt Information" under Freedom of Information legislation as well as the Environmental Information Regulations 2004, General Data Protection Regulation (GDPR) through the Data Protection Act 2018, and the Council is not required to disclose these details.

4.67 Enforcement complaints are triaged into 4 categories, please see the Planning Enforcement Plan for more detailed consideration of these elements and the type of work that falls into these categories:

- Top priority – initial site visit undertaken within 1 working day
- High priority - initial site visit undertaken within 5 working days
- Medium priority – initial site visit undertaken within 10 working days
- Other Matters – initial investigation when appropriate.

4.68 There is no specified timescale set to respond to complaints, as enforcement cases can take many months to resolve, and the principal objective is to seek to resolve through negotiation whenever possible. It is only where the informal approach fails that formal action is then considered and only where it is expedient to do so.

4.69 Planning Investigation Officers will seek to resolve and update complainants as often as possible on the case, but the number of cases dealt with per officer is high and can often be complex to investigate. Enforcement is a lengthy process and can in some cases take years to resolve to the satisfaction of the LPA. Consequently, it can often appear that very little is happening, when, in fact, there is a lot of work and negotiation taking place in the background, and where procedures and processes need to be followed correctly before any formal action can be considered. This can be frustrating for all, but the system and processes are set out in national and local documents, set out above; and it is necessary for this to be applied in accordance with planning legislation and legal proceedings.

Expectations of communication

4.70 The Development Management team receive a very high volume of all forms of communications, in particular emails. All forms of communication should be courteous, professional and respectful, this includes incoming communication and the response provided by the Council. Inappropriate and aggressive communication will not be

tolerated and will be dealt with swiftly and may include a decision to cease that communication.

4.71 Any comments or communication that contains obviously personal, discriminatory (including racist, sexist, ageist language), defamatory, libellous (false or unfair statements that are likely to damage the reputation of a person or organisation), or derogatory material will be redacted (not published). Similarly swear words and the use of other obviously offensive terms will also be redacted. This also applies to photos that include images of people or any personal details. In extreme circumstances comments which breach these requirements will be totally disregarded. However, where it is not obvious that a comment or statement is derogatory, discriminatory, personal, defamatory or libellous there will sometimes be differences in opinion between individuals and different parties. In these instances, it is not the role of Planning Services to make the decision whether a comment or statement is personal, discriminatory, defamatory, libellous, derogatory or offensive: therefore, if we receive a complaint that someone considers a comment or statement to be as such, then that comment will be redacted. Interested parties will still be able to visit The Amelia Scott and ask to view a copy of the original representation. It is understood that search engines such as Google sometimes cache pages. In the event that a search engine has cached a representation as originally published, which has subsequently been redacted following a complaint, the Council accepts no responsibility if the representation, as originally published, can be found through a search engine's cached pages.

Timescales and email communication

4.72 As previously identified, there is a high level of email communication and traffic that needs to be managed and dealt with appropriately, often involving a number of different officers within the department. Most planning aspects are now dealt with in this format and matters can be dealt with very quickly. However, for the majority of email communication, due to the high volume, it is not possible to provide either a delivery reply or acknowledgement, and neither is it reasonable or practicable to provide an instant response. This should not be the expectation of any party involved in the planning process.

4.73 Planning case officers and senior managers have very high workloads and demands on their time and available resources. They manage multiple deadlines, cases and enquiries on a daily basis, along with report writing, site visits and assessment of applications which are often complex and multifaceted. All officers will seek to reply to email communication (and calls and messages) at the earliest opportunity and as soon as workload allows, but it is not possible to enter into extended or multiple communications with local residents or third parties. Replies could take a few days, or potentially longer if there is a period of leave. Please respect that it is not possible to be instantly available to everyone involved in the planning process and please be patient. All officers recognise the importance of responding to emails and all efforts will be made to address it at the earliest opportunity.

GDPR

How we deal with personal details

4.74 Any written comment about an application must, by law, be placed on the file and made available via the Council's website. This does not give permission for any re-use of the information, for any purpose. What this means is that:

- Your comment including your name and address will form part of the planning application documents and will be available for public inspection on the website.
- We will not publish the following personal information: signatures, phone numbers, email addresses on the website. To help us, please do not include personal telephone numbers and use a printed signature. Please note that all business contact details will normally be published.
- We also do not publish medical or commercially sensitive information – please consider the need to supply this information as part of a comment.
- Letters marked confidential (including in the text of emails) will not normally be taken into account as they cannot be made publicly available.
- Any comments received will be retained on the public file and will be kept publicly viewable during the appraisal period and after the decision has been made.
- As only planning matters can be considered, please ensure that your comments do not contain any comments which may be considered to be derogatory, discriminatory, personal, defamatory, libellous or offensive.

4.75 It may be possible for your name and address to be identified through a search on internet browsers such as Google, and the Council accepts no responsibility for this.

Customer service and feedback

4.76 In addition to consulting on individual planning applications, the Council seeks feedback from customers on the way the planning service is provided. We do/will do this in the following ways:

- Regular meetings with the chairs and clerks of Town and Parish Councils
- A focus group for planning agents (architects, and others who regularly submit applications), including the use of questionnaires

4.77 All forms of feedback are used for monitoring and review of the Development Management service.

5.0 Where can you get additional help and advice?

5.1 Principal government documents relating to the new planning system are the Localism Act 2011, the Levelling Up and Regeneration Act 2023, National Planning Policy Framework (NPPF) and National Planning Practice Guidance (which is regularly updated). The Ministry of Housing, Communities and Local Government (MHCLG), as the department responsible for planning and local government, is leading the changes in the planning system. The relevant government website is https://www.gov.uk/government/organisations/ministry-of-housing-communities-and-local-government.

5.2 If you wish to seek independent help and advice on any planning matter, you can contact:

Planning Aid England, RTPI
41 Botolph Lane
London EC3R 8DL
E-mail: southeast@rtpi.org.uk

View the Planning Aid website

5.3 Useful general information on the planning system can be found on the Planning Portal.

5.4 Also, the Tunbridge Wells Borough Council Website https://tunbridgewells.gov.uk/planning

5.5 Furthermore, you can contact the following planning service teams for help and further information at TWBC:

Development Management Team: Planning Services
Tunbridge Wells Borough Council Town Hall
Civic Way
Royal Tunbridge Wells Kent TN1 1RS

Telephone 01892 526121
Email: planning@tunbridgewells.gov.uk

Planning Policy Team:
Planning Policy
Planning Services
Tunbridge Wells Borough Council Town Hall
Civic Way
Royal Tunbridge Wells Kent TN1 1RS

Telephone: 01892 554056
E-mail: planning.policy@tunbridgewells.gov.uk

Appendices

Appendix 1: Glossary

Authority Monitoring Report (AMR)	Local planning authorities are required to produce regular reports, assessing progress with and the effectiveness of planning policy documents such as the Core Strategy and Site Allocations Development Plan Document. Formerly known as the Annual Monitoring Report.
Consultation	Procedure for assessing public opinion about a plan or development proposal, or in the case of a planning application, the means of obtaining the views of affected neighbours or others with an interest in the proposal.
Development Plan	As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan consists of the Development Plan Documents contained within its Local Development Framework.
Development Plan Document (DPD)	A Local Development Document, which must be subjected to a statutory adoption process before it can be formally adopted by the authority. The process consists of consultation, submission of the document to the Secretary of State, Independent Examination, receipt of Inspector's Report, and formal adoption. They can include a Core Strategy, Site Specific Allocations of land, Local Plans, Neighbourhood Plans and Minerals and Waste Local Plans.
Independent Examination (Examination in Public)	The process of formal consideration and examination of Development Plan Documents, conducted by an independent inspector, appointed by the Secretary of State, or by an independent Examiner in the case of neighbourhood plans.
Inspector's Report	A report issued by the Inspector who conducts the independent examination, setting out their conclusions on the matters raised at the examination and detailing the amendments which they require the local planning authority to make to the submitted document. The report is binding.
Local Development Scheme (LDS)	A document setting out the local planning authority's programme for the production of planning policy documents, including its Local Plan, and the timetable for their production (including public consultation) and review.
Local Plan timetable	This replaces the Local Development Scheme (LDS) under the former plan-making system and sets out defined plan-making milestones (such as when plan-making steps are undertaken, when consultation periods begin and end, and when outputs following gateways and examination are published).
Local Plan	A Development Plan Document that sets out the long-term spatial vision for the borough, the spatial objectives, and strategic and non-strategic policies to deliver that vision.
Major Development	As defined in the NPPF: For residential development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m2 or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). For sites located in the National Landscape, whether a proposal is 'major development' is a matter for the decision

	maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated (paragraphs 190 NPPF 2024 and Policy N4 of the consultation NPPF 2025).
National Planning Policy Framework (NPPF)	The document which sets out the Government's planning policies for England and how these are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in decisions on planning applications. Further guidance on particular topics, entitled Planning Practice Guidance, is provided on the Ministry of Housing, Communities and Local Government (MHCLG) website. This is intended to supplement the NPPF and be updated as necessary.
National Scheme of Delegation	This is a standardised regulatory framework (effective in England from October 31, 2026), which defines whether local planning applications are decided by planning officers or elected members on a planning committee. Applications are placed into 2 tiers – Schedule 1 (applications of a minor nature) and Schedule 2 applications (major applications and tree and listed building consent applications). Schedule 2 applications will be subject to a statutory referral test. The presumption is that the applications falling within Schedule 2 will be delegated to officers unless one of the criteria within the statutory test applies.
Neighbourhood Plan	Formally referred to as Neighbourhood Development Plans, Neighbourhood Plans were introduced into the planning system through the Localism Act 2011 as an opportunity to allow communities to set planning policies to guide development in their areas.
Notice of Intention to Commence	Local planning authorities must publish a notice of intention to commence local plan and supplementary plan preparation. The notice will give communities, and other stakeholders advance notice of plan-making so that they can understand when and how they can get involved in the process at an early stage.
Planning Inspectorate (PINS)	Government body whose main work is the processing of planning and enforcement appeals and holding inquiries into local development plans. They deal with a wide variety of other planning related casework including listed building consent appeals, advertisement appeals, and reporting on planning applications.
Statement of Community Involvement (SCI)	This sets out the methods and standards which the local planning authority intends to achieve in relation to involving the community in the preparation, alteration, and review of all policy documents and in the development management process.
Strategic Environmental Assessment (SEA)	A generic term used to describe environmental assessment as applied to policies, plans and programmes. The European ‘SEA Directive’ (2001/42/EC) requires a formal ‘environmental assessment of certain plans and programmes, including those in the field of planning and land use’. It is a tool for integrating environmental considerations into decision-making by ensuring that any significant environmental effects of the decision are taken into account. The Strategic Environmental Assessment must form an

	integral part of the adoption process for Development Plan Documents and must be taken into account from the initial stages of plan preparation.
Supplementary Plan	These are Plans to allow planning authorities to respond quickly to changes in their area, such as regeneration opportunities, and to set authority-wide design policies. Given they would have the same status as local plans, they would follow a similar plan-making approach as local plans. They will have the same weight as local plans and will be subject to independent examination.

If you require this document in another format, please contact:

Planning Policy

Planning Services

Tunbridge Wells Borough Council

Town Hall

Royal Tunbridge Wells

Kent TN1 1RS

Telephone: 01892 554056