

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**RECORD OF DECISION**

**Decision Taken By: Cabinet Member for Strategic Planning and Infrastructure**

**Decision No:  
D210064MEM**

**Date: 29 June 2021**

**Decision(s) and Reason(s)**

**Tunbridge Wells Local Plan Statement of Common Ground**

**(Report of Director of Planning, Housing and Environmental Health)**

**The report provided a summary of the Statement of Common Ground between Tunbridge Wells and Tonbridge and Malling and sought approval for it to be returned to Tunbridge Wells Borough Council to accompany its Local Plan submission to the Secretary of State. In response to comments regarding the Governance arrangements the Planning Policy Manager advised that the text of Section 7 would be amended to extend the level of Member involvement. The Portfolio Holder agreed to consider any further suggested amendments from Members up to mid-July in order that the Statement could be finalised and returned to Tunbridge Wells Borough Council before the submission of their Local Plan in August.**

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure resolved that:

- (1) the content of the report be noted; and
- (2) subject to the amendment of section 7 and any further proposed changes, the Statement of Common Ground with Tunbridge Wells Borough Council, as set out at Annex 1 to the report, be approved.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 June 2021.

Signed Cabinet Member for  
Strategic Planning and  
Infrastructure

D Lettington

Signed Leader:

N Heslop

Signed Chief Executive:

J Beilby

Date of publication: 2 July 2021

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

**Decision Taken By: Cabinet Member for Strategic Planning and Infrastructure**

**Decision No:  
D210065MEM**

**Date: 29 June 2021**

**Decision(s) and Reason(s)**

**Housing Delivery Test Action Plan**

**(Report of Director of Planning, Housing and Environmental Health)**

**The report provided an explanation of the Government's Housing Delivery Test which provided an annual measurement of housing delivery at local level. The report sought endorsement of the preparation of an Action Plan which identified the profile of housing supply within the Borough and actions to be taken to boost delivery.**

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure resolved that:

- (1) the draft Housing Delivery Test Action Plan, set out at Annex 1 to the report, be endorsed; and
- (2) following engagement with relevant stakeholders, the Director of Planning, Housing and Environmental Health, in consultation with the Cabinet Member for Strategic Planning and Infrastructure and the Chairman of the Planning and Transportation Advisory Board, be authorised to agree the final version of the Action Plan.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 June 2021.

Signed Cabinet Member for Strategic Planning and Infrastructure      D Lettington

Signed Leader:      N Heslop

Signed Chief Executive:      J Beilby

Date of publication:      2 July 2021

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**Decision Taken By: Cabinet Member for Strategic Planning and Infrastructure**

**Decision No:  
D210066MEM**

**Date: 29 June 2021**

**Decision(s) and Reason(s)**

**Borough Green Gardens**

**(Report of Director of Planning, Housing and Environmental Health)**

**The report provided an update on the garden communities work undertaken to support the delivery of development at Borough Green Gardens, a significant strategic allocation in the Council's draft Local Plan. The report informed Members about the creation of a Project Board to enable discussion with technical consultees and delivery partners involved in the Garden Communities project. In addition it was reported that, in order to progress the draft Development Brief towards formal public consultation later in 2021, it was important to seek the views of the local community, including businesses, residents and community groups so that benefits for existing and future residents could be maximised.**

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure resolved that:

- (1) the content of the report be noted; and
- (2) the project next steps and timetable be endorsed to allow community engagement activities to commence.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 June 2021.

Signed Cabinet Member for Strategic Planning and Infrastructure      D Lettington

Signed Leader:      N Heslop

Signed Chief Executive:      J Beilby

Date of publication:      2 July 2021

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**Date: 29 June 2021**

**Decision(s) and Reason(s)**

**Review of Planning Enforcement Plan and associated protocols**

**(Report of Director of Planning, Housing and Environmental Health)**

**The report provided an update on the activities undertaken by the Planning Enforcement Team over the past 12 months, with particular reference to the effectiveness of the adopted Planning Enforcement Plan and the publication of additional guidance in respect of the issuing of Cautions. Additionally, the report sought approval to the adoption of a Tree Protection Enforcement Protocol.**

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure resolved that:

- (1) the principle of a Tree Protection Enforcement Protocol be adopted subject to
  - consideration by the Cabinet of any necessary amendments to the draft document to reflect all feedback from the Planning and Transportation Advisory Board to ensure it was fit for purpose; and
  - a 6-month review period following the successful appointment to the Tree and Landscape Officer post;
- (2) the Director of Planning, Housing and Environmental Health be granted delegated authority to approve the final protocol in consultation with the Cabinet Member for Strategic Planning and Infrastructure; and
- (3) the Simple Cautions and Planning Enforcement Guidance Note, as attached at Annex 2 to the report, be adopted.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 June 2021.

Signed Cabinet Member for Strategic Planning and Infrastructure      D Lettington

Signed Leader:      N Heslop

Signed Chief Executive: J Beilby

Date of publication: 2 July 2021

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**Date: 29 June 2021**

**Decision(s) and Reason(s)**

**Tree Related Service Improvements and Tree Preservation Order Protocol**

**(Report of Director of Planning, Housing and Environmental Health)**

**The report provided an update on the ongoing review into how the service dealt with all tree related matters and outlined proposed changes to processes and procedures to facilitate improvements. Additionally, the report outlined the terms and scope of a Protocol intended to provide a clear and transparent framework on the administration of Tree Preservation Order work.**

Following consideration by the Planning and Transportation Advisory Board, the Cabinet Member for Strategic Planning and Infrastructure resolved that:

The proposed strategy in respect of tree related matters, as set out in the report, be approved as follows:-

- (1) the principle of a Tree Preservation Order Protocol be adopted, subject to
  - consideration by the Cabinet of any necessary amendments to the draft document to reflect all feedback from the Planning and Transportation Advisory Board to ensure it was fit for purpose; and
  - a 6-month review period following the successful appointment to the Tree and Landscape Officer post;
- (2) the Director of Planning, Housing and Environmental Health be granted delegated authority to approve the final protocol in consultation with the Cabinet Member for Strategic Planning and Infrastructure;
- (3) Officers seek to develop a new Protocol further to the adopted Planning Enforcement Plan setting out in detail how alleged unauthorised works to protected trees will be investigated and how any evidenced breaches will be addressed;
- (4) Officers progress on-site Member training event(s) to enhance the information provided within the Member Briefing Note at a practical level following the successful appointment to the Landscape Officer post. Final arrangements for how the training event(s) will take place to be delegated to the Director of Planning, Housing and Environmental Health in consultation with the Cabinet Member for Strategic Planning and Infrastructure;

- (5) Officers continue to develop detailed parameters for the review of historic TPOs across the Borough reflecting all feedback from the Planning and Transportation Advisory Board to ensure it is suitably focused and has a defined and achievable scope;
- (6) Officers build into 1 and 3-5 (inclusive) a review period to take place 6 months following the successful appointment to the Landscape Officer post to be reported to the Planning and Transportation Advisory Board for consideration of an updated, refined Protocol as necessary; and
- (7) Officers continue to review and improve all tree-related internal processes and administrative work to ensure that Members are regularly updated on improvements made.

Reasons: As set out in the report submitted to the Planning and Transportation Advisory Board of 29 June 2021.

Signed Cabinet Member for Strategic Planning and Infrastructure      D Lettington

Signed Leader:      N Heslop

Signed Chief Executive:      J Beilby

Date of publication:      2 July 2021

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