

PLANNING APPLICATIONS COMMITTEE

Wednesday, 4th December, 2019

10.00 am

**Council Chamber, Sessions House, County Hall,
Maidstone**





AGENDA

PLANNING APPLICATIONS COMMITTEE

Wednesday, 4th December, 2019, at 10.00 am
Council Chamber, Sessions House, County Hall, Maidstone

Ask for: **Andrew Tait**
Telephone: **03000 416749**

Tea/Coffee will be available from 9:30 outside the meeting room

Membership (13)

Conservative (10): Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman),
Mrs R Binks, Mr A Booth, Mr P C Cooper, Mr M D Payne,
Mr H Rayner, Mr C Simkins, Mrs P A V Stockell and Mr J Wright

Liberal Democrat (1): Mr I S Chittenden

Labour (1) Mr J Burden

Independents (1) Mr P M Harman

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

A. COMMITTEE BUSINESS

1. Substitutes
2. Declarations of Interests by Members in items on the Agenda for this meeting.
3. Minutes - 6 November 2019 (Pages 7 - 14)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

1. General Matters

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

1. Application TW/19/2511 (KCC/TW/01892/2019) - Change of use of land from existing aggregate recycling facility to a waste transfer station for the acceptance, storage and treatment of non-hazardous household, commercial and industrial wastes at Omni Recycling Ltd, North Farm Lane, Tunbridge Wells; Omni Recycling Ltd (Pages 15 - 52)
2. Applications TM/19/1931 and TM/19/1932 (KCC/TM/0171/2019 and KCC/TM/0172/2019) - (a) Variation of Conditions W2, W3, W4 and W6 of Permission TM/18/2549 relating to vehicular access to the West Lake area and (b) Variation of Conditions W2, W4 and W6 and removal of Conditions W7 and W8 of Permission TM/18/2555 relating to vehicular access to the West Lake area and output of minerals at Aylesford Quarry, Rochester Road, Aylesford; Aylesford Heritage Ltd (Pages 53 - 84)

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal DOV/19/01120 (KCC/DO/0195/2019) - Demolition of existing school buildings and erection of a part 3, part 4-storey teaching block with attached sports hall and associated hard and soft landscaping, a new Multi Use Games Area (MUGA) together with parking and ancillary works at Dover Grammar School for Boys, Astor Avenue, Dover; KCC and Keir Construction (Southern) (Pages 85 - 118)

E. MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (Pages 119 - 122)
2. County Council developments
3. Screening opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2017
4. Scoping opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2017

F. KCC RESPONSE TO CONSULTATIONS

1. Application 19/01476/AS - detailed application for a mixed-use development (1-18 storeys) comprising:- (i) 7,440sqm of film/TV Studios with 7,125sqm associated post production offices (Use Class B1) and 3,830sqm associated workshop and media village (Use Class B1); (ii) 120 bedroom hotel (Use Class C1) including 1,150sqm reception/ancillary space and food and beverage space, 500sqm restaurant, 360sqm leisure facilities and 449sqm event/conference space; (iii) 62 services apartments (Use Class C3); (iv) a 336 space multi-storey carpark; (v) change of use, internal and external alterations to the listed Locomotive Shed buildings, including increasing the height by an additional two storeys, to provide 7,030sqm of flexible commercial floorspace for use in connection with the film/tv studios (Use Class B1/D1) and 303 residential units (Use Class C3) comprising 130 x 1 bedroom and 173 x 2 bedroom units and 322 internal parking spaces; (vi) change of use, internal and external alterations to (Pages 123 - 132)
2. Environmental Impact Assessment Scoping Opinion for Land to the South West of Birchington (Pages 133 - 152)
3. Tunbridge Wells Borough Council Draft Local Plan (Pages 153 - 222)

G. OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Benjamin Watts
General Counsel
03000 416814

Tuesday, 26 November 2019

(Please note that the background documents referred to in the accompanying papers may be inspected by arrangement with the Departments responsible for preparing the report. Draft conditions concerning applications being recommended for permission, reported in sections C and D, are available to Members in the Members' Lounge.)

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KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 6 November 2019.

PRESENT: Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman), Mr P Bartlett (Substitute for Mr M D Payne), Mrs R Binks, Mr A Booth, Mr J Burden, Mr I S Chittenden, Mr P C Cooper, Mr H Rayner and Mr J Wright

ALSO PRESENT: Ida Linfield

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mrs A Hopkins (Principal Planning Officer), Mr P Hopkins (Principal Planning Officer), Mr J Bickle (Senior Planning Officer), Mrs L Cook (Senior Planning Officer), Mr M Bembridge (Transport and Development Planner) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

51. Minutes 9 October 2019
(Item A3)

RESOLVED that the Minutes of the meeting held on 9 October 2019 are correctly recorded and that they be signed by the Chairman.

52. Dates of future meetings
(Item A4)

The Committee noted the following future meeting dates:-

Wednesday, 4 December 2019;	Wednesday, 15 January 2020;
Wednesday, 5 February 2020;	Wednesday, 4 March 2020;
Wednesday, 1 April 2020;	Wednesday, 13 May 2020;
Wednesday, 17 June 2020;	Wednesday, 15 July 2020;
Wednesday, 12 August 2020 (Provisional);	Wednesday, 16 September 2020;
Wednesday, 14 October 2020;	Wednesday, 4 November 2020;
Wednesday, 9 December 2020;	Wednesday, 13 January 2021;
Wednesday, 10 February 2021;	Wednesday, 17 March 2021;
Wednesday, 21 April 2021; and	Wednesday, 16 June 2021.

53. General Matters

(Item B1)

(1) The Head of Planning Applications Group reported that the Examination Hearing stage of the *Kent Minerals and Waste Plan Early Partial Review* had now concluded with some minor modifications being made as a result of the Examination process. These would be subject to public consultation in late 2019 and any views received would be forwarded to the Planning Inspectorate so that the Inspector could consider them in finalising his report. This report was expected in early 2020 which, subject to his views, would allow the Local Plan to be adopted.

(2) The Head of Planning Applications Group then informed the Committee that, following a request made by a member of the public for the Secretary of State to call in the Maidstone Girls Grammar School and the Maplesden Noakes School, Maidstone applications (Minutes 20/47 and 20/48), the Secretary of State had decided not to do so.

54. Application SW/19/500380 (KCC/SW/05/2018) - Change of use of land from storage and parking of HGVs to a small-scale waste management facility at Units 1 and 2 Marshbank Industrial Estate, Old Ferry Road, Iwade; ADS Skip Hire

(Item C1)

(1) The Head of Planning Applications Group informed the Committee of correspondence from the Local Member, Mr M J Whiting raising no objection to the application provided that the conditions were such as to assure that the operation remained small-scale and that the site was regularly monitored.

(2) The Head of Planning Applications Group reported correspondence from Swale BC reaffirming its objection to the application.

(3) The Committee amended the recommendations by specifying that the proposed planting was to be delivered and maintained for at least 7 years; that no waste was to be burned on site; that there was to be no occupation or residency of the office or accommodation outside working hours; that records were to be kept of all the tank inspections and made available to KCC upon request; and that the netting on the fencing was to be maintained in a good state of repair.

(4) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried as amended in (3) above by 7 votes to 2.

(5) RESOLVED that the Appropriate Assessment made under The Conservation of Habitats and Species Regulations (2017) be endorsed as appended to the report and that permission be granted to the application subject to conditions, including conditions covering the permission being implemented within 3 years; the development being carried out in accordance with the submitted documentation and plans; no waste being imported until the site infrastructure (including waste reception bay, concrete pad, drainage channels, silt traps, underground storage tank, sleeper walls and dust suppression system) is provided and that it be maintained in a good state of repair thereafter; the submission, as referenced in the supporting statement, of a site management plan consolidating the mitigation measures, including

amongst other matters, the measures set out in the document titled 'Supplementary Information: Dust Management' dated 26 April 2019 (Reference: 2917); overall throughput being restricted to a maximum of 5,000 tpa; no skips, containers or waste / recyclable materials stored exceeding 3m in height; a copy of the permission being made available on site; withdrawal of permitted development rights; a maximum of 22 HGV movements per day (11 In / 11 Out); records of all HGV movements being kept by the site operator; HGVs being routed north along the Old Ferry Road toward the A249 corridor, unless delivering / collecting locally within Iwade or Lower Halstow; measures being taken to ensure that vehicles connected with the use do not deposit mud or other materials on the public highway; all loaded HGVs entering or leaving the site being enclosed, covered or sheeted; the site access road being upgraded and repaired within 4 months of the permission; the provision and permanent retention of the vehicle parking and vehicle loading/unloading and turning facilities; operating hours being limited to between 0700 and 1700 on Mondays to Fridays, 0700 and 1300 on Saturdays with no operations on Sundays and Bank Holidays; entrance gates being closed outside of permitted operational hours; the employment of Best Practicable Means (BPM) to minimise noise, including all vehicles, plant and machinery being fitted with closed engine covers, effective silencers and being effectively maintained; plant, equipment and vehicles only working from ground level and not operating on stockpiles or stored materials; waste types being restricted to those applied for; any contaminant quantities of putrescible waste received being removed to an authorised facility within 48 hours; all incoming waste being deposited within the waste reception bay, with no waste destined for landfill being stored beyond the concrete pad; all other sorted waste being stored within the bay or the storage containers proposed; no waste being deposited or stored directly on the ground outside the reception bay; no waste being burned on site; site infrastructure, including hard surfaced areas, drainage channels, silt traps and the storage tank being maintained in a good state of repair and inspected regularly, with any damage being repaired immediately; the underground surface water storage tank being emptied when necessary with the contents being transported to a licenced facility for disposal all through the lifetime of the development; measures to be taken if unidentified contamination is found to be present during construction; records being kept of all the tank inspections and made available to KCC on request; all foul drainage being connected to mains drainage or a sealed cesspool; all fuel, oil or chemicals being stored in accordance with Government Guidance/ Regulations; no external lighting or flood lighting (except for the low-level lighting proposed in the application) being installed on site without prior written approval from the County Planning Authority; the submission of an archaeological watching brief and its subsequent implementation; the proposed planting being delivered within the first planting season following completion of the development and being maintained for at least 7 years thereafter, with any diseased or dying plants being replaced with suitable planting stock; and the office building and fencing being finished in a dark green colour with the netting on the fencing being maintained in a good state of repair; and there being no occupation or residency of the office or accommodation outside working hours.

55. Proposal CA/19/1633 (KCC/CA/0166/2019) - 5 FE secondary school comprising 3-storey building, separate sports hall, MUGA, creation of two new vehicular accesses and associated parking landscaping and ancillary work at former Chaucer Technology School, Spring Lane, Canterbury; Kent County Council and Keir Construction (Southern)

(Item D1)

(1) Ida Linfield was present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(2) The Head of Planning Applications Group informed the Committee that the applicants had agreed to include photovoltaic panels as part of the development. This necessitated an additional condition requiring the submission of details and that they be installed when the development was completed and the deletion of the relevant recommended Informative.

(3) In unanimously agreeing the recommendations of the Head of Planning Applications Group, the Committee amended the conditions by specifying the replacement of any plants or trees that died within 7 years after planting; that the vehicular accesses were to be kept open for *at least* 30 minutes before opening and closing time; and that a *minimum* of 2 electronic charging points were to be provided prior to occupation of the development. The Committee also added two Informatives. The first of these specified that the School Travel Plan should include a review of the efficiency of the 30-minute opening and closing of the vehicular accesses and the need for longer opening times as well as the adequacy of the facilities for pedestrians in the vicinity of the site. The second Informative encouraged the applicants to consider the provision of additional electronic charging points, including the installation of passive infrastructure for such works as part of the development.

(4) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard 3 year time limit for implementation; the development being carried out in accordance with the permitted details; no development taking place until the applicant has secured a programme of archaeological work in accordance with a written specification and timetable to be approved in writing by the County Planning Authority; no development taking place until a detailed sustainable surface water drainage scheme has been submitted for approval, and thereafter being implemented as approved; the landscape scheme set out in the Landscape Submission being implemented as set out within the first available planting season once the development is occupied; the replacement of any plants or trees that die within the first 7 years after planting; details of how the development will enhance biodiversity being submitted to and approved by the County Planning Authority prior to the completion of the development; no tree removal during the bird breeding season; details of any external lighting to be provided; no further development taking place if contamination not previously identified is found to be present, until a remediation strategy has been agreed with the County Planning Authority; no infiltration of surface water drainage into the ground being permitted other

than with the written consent of the County Planning Authority; no piling or penetrative foundation methods being used on site without the prior written consent of the County Planning Authority; no building on any phase being occupied until a Verification Report has been submitted and approved by the County Planning Authority; no development taking place until a construction management plan (including lorry routing, access, parking and circulation within the site for contractors and other vehicles related to construction operations, timings of deliveries, provision of wheel washing facilities, and temporary traffic management/signage) has been submitted for approval and implemented as approved; measures to prevent mud and debris being taken onto the public highway; hours of working during construction being restricted to between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; measures to protect the existing trees during construction; the provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to occupation of the school; the provision and permanent retention of secure, covered cycle parking facilities as shown on the submitted plans prior to the occupation of the school; the provision and permanent retention of vehicle loading/unloading and turning facilities, as shown on the submitted plans, prior to the occupation of the school; the completion and maintenance of the accesses shown on the submitted plans prior to the occupation and use of the site commencing; all the highway works/changes, including the amended accesses and footways, being completed via a Section 278 Agreement with the Highway Authority at the applicant's expense and as shown in Drawing Number 133693 H-01 Rev P4, with a timeframe for the implementation of these works being submitted to the County Planning Authority; gates opening away from the highway and being set back a minimum of 6 metres away from the edge of the carriageway; the vehicular accesses being open during the school start and finish times and for at least 30 minutes prior to school opening and closing times in order to allow use by parents/guardians of dropping off/collecting facilities for pupils within the school grounds, to reduce congestion and inconsiderate parking/stopping on the public highway; at least 2 electronic vehicle charging points being provided prior to occupation; the submission to the KCC *Jambusters* website of the School Travel Plan, the implementation of this Plan and the measures therein within 6 months of the occupation of the development and its regular review thereafter; and submission of details of PV Panels to be installed when the development is constructed: and

- (b) the applicants be advised by Informative that:-
- (i) the School Travel Plan should include a review of the efficiency of the 30-minute opening and closing of the vehicular accesses and the need for longer opening times as well as the adequacy of the facilities for pedestrians in the vicinity of the site;
 - (ii) consideration should be given to the provision of additional electronic charging points, including the installation of

- passive infrastructure for such works as part of the development;
- (iii) consideration should be given to the inclusion of species that encourage bees during preparation for submission of the required scheme of landscaping;
 - (iv) the Highways Authority has advised that visibility and access into the site may be impeded by inconsiderately parked vehicles on Spring Lane. They must use their best endeavours to progress the installation of double yellow lines parking restrictions in Spring Lane as shown on the submitted Drawing Number 13693 H-01 Rev P4, to ensure safe access to the proposed development;
 - (v) it is their responsibility to ensure, before the development is commenced, that all the necessary highway approvals and consents are obtained and that the limits of the highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority;
 - (vi) the Environment Agency has further advised that piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Therefore, it should be demonstrated that any proposed piling will not result in contamination of groundwater. If piling is proposed, a Piling Risk Assessment must be written for submission in accordance with EA guidance document "*Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance in Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73*"; and
 - (vii) the CL:AIRE Definition of Waste: "*Development Industry Code of Practice (version 2)*" provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice, excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution. Treated materials can be transferred between sites as part of a hub and cluster project, and some naturally occurring clean material can be transferred directly between sites. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. The Environment Agency recommends that developers should refer to the Position statement on the Definition of Waste: "*Development Industry Code of Practice and the Environmental regulations page on GOV.UK.*"

56. Matters dealt with under delegated powers

(Item E1)

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) County Council developments;
- (c) Screening Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017; and
- (d) Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (None).

57. KCC responses to consultations

(Item F1)

RESOLVED to note Kent County Council's responses to the following consultations:-

- (a) Application TM/17/01595/OAEA - Outline application: The erection of up to 840 dwellings (including affordable home) with public open space, landscaping, sustainable drainage systems, land for a Primary School, doctors surgery and for junction improvements at Hermitage Lane/A20 junction, and a link road between Poppy Fields roundabout and Hermitage Lane. Vehicular accesses into the site from Poppy Fields Roundabout and Hermitage Lane. All matters reserved with the exception of means of access at Land South of London Road and East of Hermitage Lane, Aylesford;
- (b) Application CA/18/00868/FOS - Hybrid planning application comprising: detailed planning application for 456 residential dwellings (405 houses and 512 flats) with associated open space, landscaping, car parking, access and other infrastructure (following demolition of 52 Shalloak Road, existing agricultural buildings and structures); outline planning application (with all matters reserved) for the development of a commercial area with up to 212sqm of retail and 617sqm of office/light industrial use at Broad Oak Farm, Sweechgate, Broad Oak, Sturry;
- (c) Application CA/17/01383/OUT - Outline application (with all matters reserved) for the development of up to 650 houses and associated community infrastructure comprising primary school, community building, public car park and associated amenity space, access, parking and landscaping; and detailed/full application for the construction of part of the Sturry Link Road and a local road from the Sturry Link Road to Shalloak Road at Land at Sturry/Broad Oak, Sturry;
- (d) Application CA/17/01866/FOS - Mixed use development including up to 955 dwellings comprising: Detailed proposals for 194 new dwellings, 1

Local Equipped Area of Play, new vehicular access (via priority junction) into Sweechbridge Road (north), realigned vehicular access to Sweechbridge Road (south), new westbound on -slip to and modified off-slip from A299 Thanet to Heart in Hand Road, upgraded alignment of May Street, associated internal roads/footpaths/cycleways, sustainable drainage system, earthworks, public open space landscaping (inc woodland) and street lighting. Outline application for up to 761 additional dwellings with all matters reserved excess access (excluding internal circulation) also including up to 33,000sqm of employment/commercial floorspace with associated parking spaces comprising employment units (within Use Class B1(a), B1 (c) B2 and B8) (27,000 sqm) and 65-bed care home (Use Class C2) (4,500sqm) at Land at Hillborough, Sweechbridge Road, Herne Bay; and

- (e) Benenden Neighbourhood Development Plan - Regulation 14

SECTION C
MINERALS AND WASTE MANAGEMENT

Background Documents - the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

Item C1

Change of use of land from an existing aggregate recycling facility to a waste transfer station for the acceptance, storage and treatment of non-hazardous household, commercial and industrial wastes at Omni Recycling Ltd, North Farm Lane, Royal Tunbridge Wells, Kent TN2 3EE TW/19/2511 (KCC/TW/0182/2019)

A report by Head of Planning Applications Group to Planning Applications Committee on 4th December 2019.

Application by Omni Recycling Limited for the Change of use of land from an existing aggregate recycling facility to a waste transfer station for the acceptance, storage and treatment of non-hazardous household, commercial and industrial wastes at Omni Recycling Ltd, North Farm Lane, Royal Tunbridge Wells, Kent TN2 3EE (KCC/TW/0182/2019)

Recommendation: Permission be granted, subject to conditions

Local Member: Mr Barrington-King

Classification: Unrestricted

Site

1. The application site is located at land off North Farm Lane at the north eastern edge of Tunbridge Wells. It is located within the industrial area which contains a number of other waste management facilities including metal recycling to the north east and a Household Waste Recycling Centre at the southern end of North Farm Lane. To the immediate north is a concrete batching plant, to the south west is a wastewater treatment plant, to the immediate south west is the rear of a B&Q store on Great Lodge Retail Park.
2. The application site measures 0.45 hectares and is currently part of an existing aggregates recycling facility (ARF) that also includes land to the east. The proposed access to the site is via the existing entrance off North Farm Lane and the access road that currently serves the aggregates recycling facility.
3. The nearest residential properties are at The Avenue, approximately 570m from the site beyond the retail park and industrial uses on Longfield Road. Residential properties at Juniper Close and Hornbeam Avenue are approximately 600m to the south west of the site. The site is not subject to any environmental designations and does not host any mature trees or semi-natural habitats. Part of the site is within Flood Zone 3 with an annual probability of fluvial flooding of 1% or greater. A Flood Risk Assessment accompanies the application and is considered further in the discussion section of this report.

**Waste management facility at Omni Recycling, North Farm Lane,
Royal Tunbridge Wells (KCC/TW/0182/2019)**

Background / Recent Site History

4. The application site currently operates as part of an aggregate recycling facility granted consent in April 2016 by permission TW/15/509988 (KCC/TW/0337/2015). The permission is subject to 10 conditions including:
 - Condition 8 limiting operations to between 07.30 and 18.00 Monday-Saturday, with no operations on Sundays or Bank Holidays.
 - Condition 9 limiting HGV movements to 40 per day (20 in / 20 out)
5. The permission required the development to be carried out in accordance with, among other things, an approved Dust Management Plan, Traffic Management Plan, Flood Risk Assessment, and Noise Management Plan submitted in support of that application. It also included a s106 agreement requiring the applicant to pay £20,000 Highways Contribution towards traffic modelling or highway works within one mile of the site within a year of commencement of the development.
6. The majority of the application site is within this existing waste and minerals management (aggregates recycling) site. However, the boundary of the extant permission is slightly different (smaller) to that included in the site location and site layout plans submitted with this application and included in this report, with part of the application site not within the area that benefits from planning permission for the aggregates recycling facility.

Proposal

7. The application is for change of use of land from part of an existing aggregates recycling facility to a waste transfer station for the acceptance, storage and treatment of non-hazardous household, commercial and industrial wastes. An existing office and weighbridge, and parking area is included within the application site but will also continue to be shared with the aggregates recycling operation which will continue on the land to the immediate east.
8. The proposal is for installation of hardstanding and mobile machinery to provide for the acceptance, storage and mechanical treatment of mixed, dry, non-hazardous household, industrial and commercial (HIC) wastes. The planning application is supported by site location and layout plans, and technical reports, including:
 - Planning, Design and Access Statement
 - Transport Statement
 - Dust Management Plan
 - Odour Management Plan
 - Noise and Vibration Management Plan
 - Flood Risk Assessment
 - Surface Water Drainage Plan
9. The applicant states that no hazardous, liquid or clinical wastes will be accepted at the site and strict identification and quarantine procedures will ensure any non-conforming wastes are dealt with appropriately and without risk to human health or the environment. The site operator has an Environmental Permit which has been issued and regulated by the Environment Agency to ensure the site is operated with due consideration for the environment and the amenity of the surrounding area. The

Waste management facility at Omni Recycling, North Farm Lane, Royal Tunbridge Wells (KCC/TW/0182/2019)

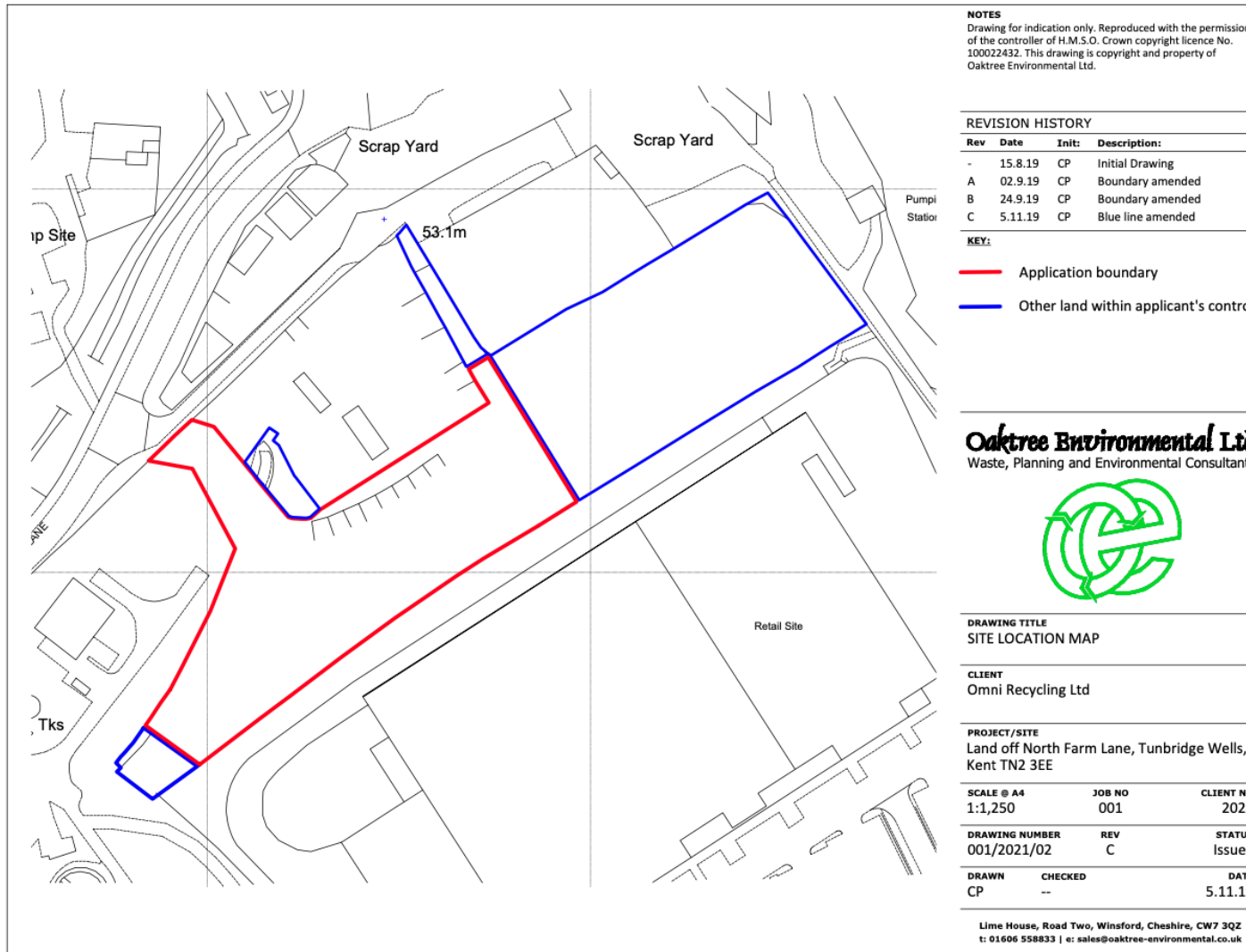
Environmental Permit is accompanied by an Odour Management Plan, Noise and Vibration Management Plan, and Dust Management Plan and requires operation to be in accordance with these.

10. The proposed development is set out in the Proposed Layout Plan (drawing reference 001/2021/03 REVC) and would comprise:
 - A new concrete hardstanding area: This would measure approximately 1,500m² for the acceptance, storage and treatment of HIC waste, storage bays and vehicle turning area during operational hours. The area would drain to a perimeter trench then discharge to the foul sewer on North Farm Lane incorporating measures to attenuate the rate of discharge;
 - A mobile mechanical treatment plant comprising a hopper, trommel, blower, overband magnet and enclosed picking line, with associated conveyors to transport waste and hook-loader skips for collection of sorted materials, located on the concrete hardstanding (I note that part of the area in which the plant is proposed is outside of the site boundary of the extant ARF planning permission);
 - Site office: The existing two-storey modular cabins serving the existing ARF would be retained in their current location within this site. The existing modular cabin which is used by drivers for welfare would be retained;
 - Weighbridge & wheelwash: The existing weighbridge and wheelwash would be retained adjacent to the offices at the site entrance;
 - Staff parking: The site will retain existing parking and create additional parking spaces to the southern boundary of the site, totalling 19 spaces (I note that the area in which the spaces are located and proposed is outside of the site boundary of the extant ARF planning permission);
 - Legio block reception and storage bays (3.2 metres height): To be used for reception of delivered waste and storage of recycled materials arising from the treatment plant prior to removal to onward destination sites. Existing bays along the northern boundary of the site would be used for storage of recycled materials prior to export;
 - Dust/litter netting 2 metres above the existing palisade fencing on the southern and western boundaries of the site (so up to 4.4m height in total).
11. On-site mobile machinery used for loading, initial sorting and moving material would include a loading shovel, a 21 tonne 360° excavator and a 13 tonne 360° excavator.
12. The site would be operated as a recycling separation facility for the skip waste inputs. Recyclables such as plastics, wood, metals, paper and cardboard would be separated both by hand and by the proposed plant, stored and sent on to other reprocessing facilities. Inert waste would be separated for use as recycled aggregate and soil. Following initial sorting, the mechanical treatment plant and picking line will further separate the mixed waste which can be bulked up and sent to a suitably permitted site for further processing. Storage of materials would be up to 3 metres height within bays of 3.2 metres height.
13. The typical process for the reception and processing of waste delivered to the site would be:
 - Once a load is accepted, the contents of the delivery vehicle would be unloaded into the waste reception area (south west corner of the site);
 - The waste in the reception area would be crudely sorted into recyclable materials such as paper/ cardboard, plastics, wood/timber, metals and green waste and transferred into the appropriate recycling skips;

Waste management facility at Omni Recycling, North Farm Lane, Royal Tunbridge Wells (KCC/TW/0182/2019)

- Loads containing predominantly inert waste would be directed to relevant storage bay for storage prior to further recycling on or off site (adjacent ARF);
 - The mixed material from the reception area is then loaded into the hopper using the loading shovel or 360° grab for mechanical sorting;
 - The waste would then transfer directly into a trommel where <75mm fines are separated in the trommel and discharged via conveyor to the ground. The larger material then travels along a separate conveyor where the light waste is transferred to a steel cage via a fan blower;
 - The resultant material would then divert 90° via the conveyor where recyclables would be hand-picked via a picking line and deposited into a bay below;
 - The remaining waste should then consist of either bulky waste or scrap metal. Scrap metal will be collected via an overband magnet and deposited in the bay below and the bulky/inert waste will drop off at the end of the conveyor;
 - Recyclable wastes, following deposit in the bays, will then be transferred to larger recycled product storage bays (eastern part of the site) to await onward distribution to an appropriate recycling/recovery facility.
14. The proposed throughput of the site is 45,000 tonnes of HIC waste per annum. Based on this figure it is proposed that the site would accept up to 30 loads in any one working day (maximum), which equates to 60 vehicle movements in total (30 in/ 30 out). The applicant claims that this figure would be the maximum in the event of busy periods and it is likely movements would range between 40 and 60 per day for the skip hire/waste transfer business.
15. Waste would be delivered to the site using the applicant's own vehicles which consist of 8-wheeled skip wagons carrying 4, 6, 8 and 12 cubic yard skips and smaller commercial transit vans for small domestic clearance jobs.
16. The proposed vehicle movements associated with the proposal would be in addition to the existing movements associated with the ARF which would continue to operate on the adjacent site to the east. There would be a small number of movements between the ARF and the proposed recycling facility.
17. The applicant currently operates a skip hire business using two standard skip lorries and a van. These vehicles are parked at the site overnight and then depart during operational hours. The vehicles collect waste in skips, bags or loose and deliver the waste to North Farm Lane and tip into the adjacent facility (operated by *We Load and Go*) to the North, which can number 40 two-way movements per day.
18. Access to the site is from North Farm Lane to the north as shown on Drawing No. 001/2021/03 (Site Layout Plan). The proposed development will continue to use this access allowing a flow of vehicles around the site for collection/delivery vehicles which the applicant claims will improve efficiency and safety at the site. A 20m diameter turning circle and waiting area has been proposed on the application site, which together with retaining the office building away from the entrance and re-orientating the staff welfare building, is proposed to help to avoid queueing of vehicles on North Farm Lane.
19. As an existing operational inert waste management and aggregates recycling site, it already benefits from an existing 2.4m palisade steel perimeter fence, lockable gates and 24 hour CCTV.

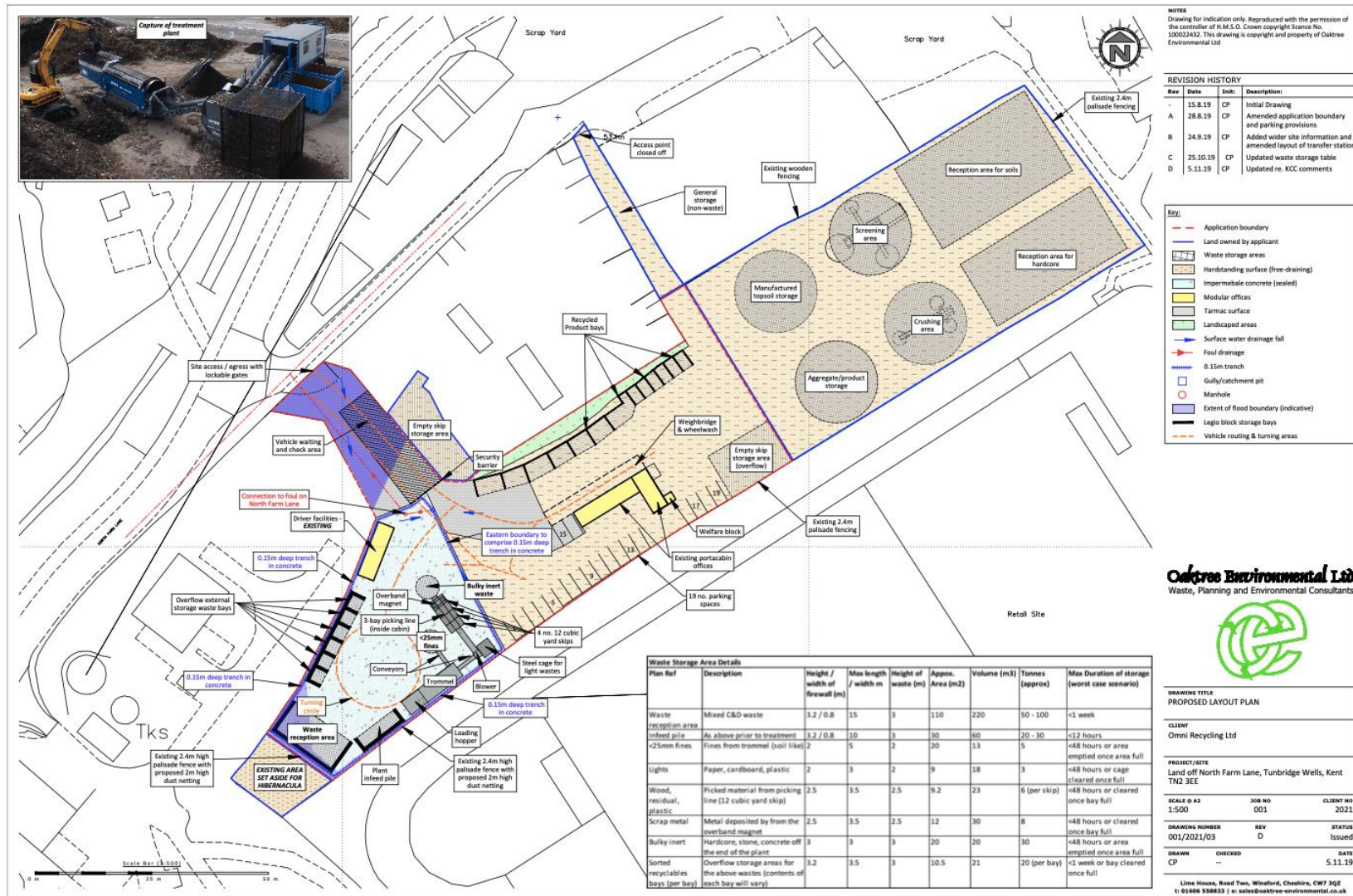
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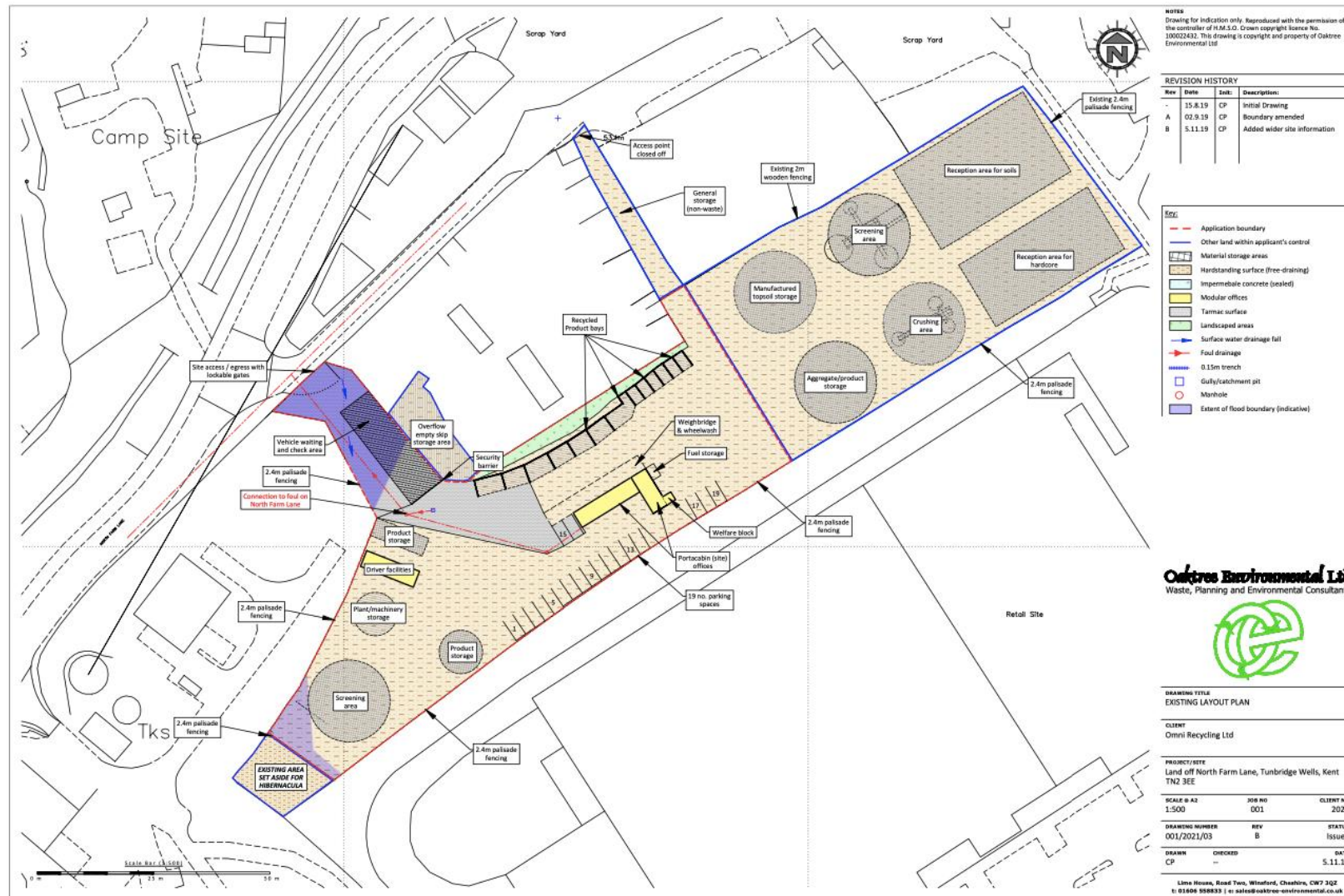
Site Location Plan

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Proposed Site Layout Plan

Waste management facility at Omni Recycling, North Farm Lane, Royal Tunbridge Wells (KCC/TW/0182/2019)



Existing Site Layout

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20. The proposed hours of operation, including delivery and receipt of waste, depositing, sorting, moving, storing and removing materials, are 07.30-16.30 Monday to Saturday, with no operation on Sundays or Bank Holidays. The applicant confirms that 7 people would be employed at the site.

PLANNING POLICY

21. The most relevant Government Guidance and Development Plan Policies are summarised below and are essential to the consideration of this application:
22. **National Planning Policies** – the most relevant National Planning Policies are set out in the National Planning Policy Framework (2019) (NPPF), National Planning Policy for Waste (2014) (NPPW) and the associated Planning Practice Guidance (PPG). Other documents include Clean Air Strategy (2019), Our Waste, Our Resources: A Strategy for Waste (2018) and Noise Policy Statement for England (2010) (NPSE). Government policy and guidance are material planning considerations.
23. **Kent Minerals and Waste Local Plan 2013-30 (July 2016) (KMWLP)** – Policies: CSW 1 (Sustainable Development); CSW 2 (Waste Hierarchy); CSW 3 (Waste Reduction); CSW 4 (Strategy for Waste Management Capacity); CSW 6 (Location of Built Waste Management Facilities); CSW 7 (Waste Management for Non-hazardous Waste); CSW 16 (Safeguarding of Existing Waste Management Facilities); DM 1 (Sustainable Design); DM 2 (Environmental and Landscape Sites of International, National and Local Importance); DM 3 (Ecological Impact Assessment); DM 5 (Heritage Assets); DM 8 (Safeguarding Minerals Management, Transportation Production and Waste Management Facilities); DM 10 (Water Environment); DM 11 (Health and Amenity); DM 12 (Cumulative Impact); DM 13 (Transportation of Minerals and Waste); DM 15 (Safeguarding of Transport Infrastructure) and DM 16 (Information Required In Support of an Application).
24. **Emerging – Partial Review of the Kent Minerals and Waste Local Plan 2013-30 (November 2018 - Pre-Submission Draft) (EPRMWLP)** - the Partial Review proposes changes to (amongst other matters) Policies CSW4 (Strategy for Waste Management Capacity), CSW6 (Location of Built Waste Management Facilities), CSW7 (Waste Management for Non-hazardous Waste), CSW8 (Other Recovery Facilities for Non-hazardous Waste) and DM8 (Safeguarding Minerals Management, Transportation Production & Waste Management Facilities). One of the reasons for the Partial Review was to update the assumptions about waste management capacity underlying Policies CSW7 and CSW8 and the consequent impact on the need for a Waste Sites Plan. The EPRMWLP was submitted to the Planning Inspectorate in May 2019 and was subject to Public Examination hearings in October 2019.
25. **Tunbridge Wells Core Strategy 2010** - Policies Core Policy 1 (Delivery of Development), Core Policy 3 (Transport Infrastructure), Core Policy 4 (Environment), Core Policy 5 (Sustainable Design & Construction), Core Policy 7 (Employment Provision) and Core Policy 9 (Development in Royal Tunbridge Wells).
26. **Tunbridge Wells Local Plan 2006 (Saved Policies)** – Policy EN1 (General Development Control Criteria), Policy EN 16 (Protection of Groundwater and other watercourses), Policy EN18 (Flood Risk), Policy ED3 (Economic Development) and Proposals Map Inset 1, Policy TP4 (Access to the road network).

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27. **Tunbridge Wells Site Allocations Local Plan 2016 – Policy AL/RTW27** (Key Employment Areas – North Farm/Longfield Road).

Consultations

28. **Tunbridge Wells Borough Council (Planning) – No objection** subject to consultees being satisfied with the proposals submitted.
29. **Tunbridge Wells Borough Council Environmental Health Officer – no comments**
30. **Kent County Council Highways and Transportation – No objection** – initially raised a number of questions over the operation of the site in relation to the existing operation and associated transport movements and parking provision, including requesting clarification on the total trip generation proposed. In addition, it raised concerns over the access and parking that was initially proposed and identified that alternative arrangements were required to avoid congestion at the site entrance and queueing onto North Farm Lane, particularly with regard to ensuring a portacabin proposed near the entrance.
31. In response, the applicant submitted revised Site Layout Plans and swept path analysis and amended TS which sought to address these issues as well as responding to other queries concerning the number of HGV movements raised by myself and KCC Highways & Transportation. The applicant confirmed that the site would use vehicle tracking technology and have an on-site transport manager at all times which would enable management of vehicles in real time and reduce risk of congestion. The applicant also proposed further amendments to the layout to retain the office in its current location away from the entrance. Conditions are recommended to limit the number of HGV movements per day as set out in the TS (100 in total, 50 in and 50 out) and also ensure that the additional parking is provided as shown on the revised plans.
32. KCC Highways & Transportation subsequently confirmed that with regard to traffic generation associated with the development it would result in the order of 10 additional trips, of which 8 will be HGV's, in both the am and pm peak periods and on this basis the highway authority would not seek to raise objection. It also considered that the proposals would not have an impact on the network to such a degree, that a further contribution to the North Farm Masterplan would be requested. With regard to the revised layout provided, it concluded that the retention of the site office and weighbridge in its existing location would improve access to the site.
33. **Environment Agency (Kent Area): Flood risk – No objection** subject to inclusion of a condition requiring the development to be carried out in accordance with the submitted flood risk assessment (ref.001-2021-F v1.1) and the following mitigation measures it details:
- No plant, machinery or containers will be placed in areas designated as Flood Zone 3 at any time, as stated in section 2.5.1 of the Flood Risk Assessment.
 - Site layout should be as set out as shown in the Proposed Layout Plan ref: no. 001/2021/04 Date: 15 August 2019. Note that the site layout plan was amended 23rd September 2019, and again 24th October (to provide clarity).
 - Offices that are partially located in the flood zone are to be raised up to avoid any reduction in flood storage (see section 2.5.2 of the Flood Risk Assessment).

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- A flood and evacuation plan should be in place as detailed in section 3 of the Flood Risk Assessment.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

34. **Environment Agency (Kent Area): Groundwater and Contaminated Land – No objection**
35. **Kent County Council's Ecological Advice Service – No objection** - the proposed development has limited potential to result in ecological impacts and as such we are satisfied that there is no requirement for an ecological survey to be carried out. The site is already in commercial use, lacks features of potential ecological interest, i.e. no vegetation, and has poor habitat connectivity. Our comments are also based on the assumption that the existing mitigation area (situated adjacent to the south-west boundary) and the hedgerow/trees along the southern boundary will be retained.
36. **Kent County Council's Air Quality and Odour Consultants (Amey)** provided the following advice:

Air Quality and Dust – Provided the mitigation set out in the Dust Management Plan accompanying the application is implemented effectively, these measures will ensure that dust emissions are managed and the risk of impact to neighbouring facilities would be low (not significant). There are clear procedures outlining how complaints should be dealt with, how investigations are carried out and responsible persons identified. Amey initially sought clarification on the impact of increased traffic volumes on the A26, which runs through the town centre of Royal Tunbridge Wells, due to the Air Quality Management Area (AQMA) status, and the need to ensure that the Institute of Air Quality Management's criteria for an assessment of HGV movements is not breached (25 trips). In addition, they recommended that the applicant provides details regarding air quality in the construction phase of the development, particularly dust and emissions associated with construction vehicles. The applicant provided additional information in response to these comments including a routing plan avoiding the town centre with just 6 skip lorry movements per day through Tunbridge Wells and confirmation that routing will be managed using software in each vehicle and in the site office. Amey subsequently confirmed that if assurance could be provided that traffic would be routed and spread as proposed, resulting in 6 HGV movements per day through this part of the A26 AQMA (so below the threshold), would overcome the concerns.

Odour - The applicant has confirmed that the residual waste will not be stored on site for longer than 48 hours and confirm that high volumes of putrescible waste will not be processed at the facility. In line with definitions provided by the Institute of Air Quality Management (IAQM), neighbouring facilities are classed as industrial and, therefore, are assigned a low sensitivity classification. Sensitive receptors have been identified at residential and small retail blocks to the south and north west. The odour Management Plan provided by the applicant specifies potential sources, release points, the procedure for dealing with complaints and how a complaint can be raised and handled. Amey confirmed that they are satisfied that the risk to neighbouring facilities from air quality and odour exposure are low.

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37. **Kent County Council's Noise Consultants (Amey)** – provided the following advice: The site is located within an existing industrial area which contains a number of other waste management facilities along with more general industrial operations. The nearest noise sensitive receptors are approximately 550 metres to the south of the application site, this being a school. Other receptors, predominately dwellings are between 570 and 880 metres distance. The Noise & Vibration Management Plan accompanying the application is considered appropriate as a Noise Management Plan for the proposed operations. The applicant will need to provide a noise assessment to ensure the potential impact from what is actually being applied for is identified and where necessary mitigated. The applicant subsequently provided additional information on noise levels generated by the machinery proposed in the application, along with comparison with the existing consented machinery associated with the ARF. Amey confirmed that the noise emission data for the proposed waste transfer operations and the basic noise assessment to determine the level at the nearest noise sensitive location confirms that lower levels of noise would occur from the WTS in comparison to the aggregate recycling operations currently permitted. Therefore, they are satisfied that the concerns have been adequately addressed and the proposals are acceptable in noise terms.
38. **Kent County Council Flood and Water Management – No Objection** - initially issued a holding objection pending further details on drainage and discharge of water from the site including details as to attenuation or flow controls. As the proposal consists of draining additional surface water into the foul sewer, Southern Water should be consulted to determine that sufficient capacity exists and whether any reinforcement works maybe required. In response the applicant provided additional information on the proposed drainage scheme including calculation of the volume of run-off that would be generated by the concrete pad, taking account of extreme events and climate change, and of the storage volume required to attenuate the discharge. As a result, the drainage scheme incorporates installation of an 29.6m³ volume attenuation tank and orifice plate to restrict discharge to the sewer. KCC, as Lead Local Flood Authority, subsequently confirmed that no condition would be required to secure a drainage strategy, but that a verification report to confirm its implementation and installation of the structures proposed should be subject to a condition.
39. **Southern Water – No objection** but make the following comments: Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. They request that should this application receive planning approval, an informative is attached to the consent explaining the need to apply for connection to the public sewerage system, and requirements for design and maintenance of SuDS. In addition, Southern Water requests that the following condition is attached to any consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

Local Member

40. The local County Member for Tunbridge Wells, Mr Paul Barrington-King.
41. Councillor Frank Williams (Tunbridge Wells Borough Council - Sherwood) raised concerns over highways impacts, particularly the 7.5 tonne limit along Birken Road

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and Liptraps Lane and the need for HGV movements to avoid these and be routed to and from the site from the A21.

Publicity

42. The application was publicised by the posting of a site notice, an advertisement in a local newspaper, and the individual notification of 31 nearby properties.

Representations

43. In response to the publicity 5 letters of objection (including three from one objector and 2 from another) to the application have been received.

The key points raised can be summarised as follows:

Site and Location

- The site is inadequate in size to accommodate the proposed throughput of waste and storing of skips;
- The site is not allocated for waste use in the development plan;

Transport and HGV movements

- The increase in vehicle movements associated with the development is underestimated in the Transport Statement accompanying the application; The tonnage each vehicle would carry means that a greater number of vehicles would service the site than the applicant suggests;
- A separate Technical Note, produced on an objector's behalf by a transport consultant and including a critique of the Transport Statement, is included which estimates that HGV movements would be 170 additional two-way movements per day (based on an assumption each vehicle would carry a smaller load than the applicant assumes, and that the applicant has under-counted export movements);
- The increase in vehicle movements (as proposed in the application, and an additional amount calculated by the objector) would lead to congestion of North Farm Lane and potentially Dowding Way; This would interfere with free flow of traffic and the proposed development would not comply with the development plan (Policy DM13 of KMWLP and Policy TP4 of the Tunbridge Wells Local Plan);
- The associated turnaround (arrival and departure) would not be able to be accommodated on the site and so would cause congestion at the site entrance and access track, impeding the operation of the existing businesses, and so the proposed development would not comply with the development plan (Policy DM13 of KMWLP and Policy EN1 of the Tunbridge Wells Local Plan) and policy that requires existing uses are safeguarded (Policy DM8 of KMWLP);
- The cumulative impact on the local highway network would be contrary to the Policies DM12 and DM12 of KMWLP and the National Planning Policy Framework;
- There would be congestion and potential hazard of lorries queueing on North Farm Lane and poor visibility. No Road Safety Audit has been provided, and the proposed development would not comply with the development plan (Policy DM13 of KMWLP and Policy TP4 of the Tunbridge Wells Local Plan);

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Loss of aggregate recycling capacity/safeguarding of existing minerals management, transportation, production and waste management facilities

- The proposed development would result in loss of an existing aggregates recycling facility, and the requirements of KMWLP Policy DM8 (safeguarding of existing facilities) are not met

Noise

- Lack of noise assessment and no evidence that it would be unlikely to generate unacceptable adverse impacts from noise, and so would not comply with development plan policy (Policy DM11 of KMWLP);

Odour, litter and pests

- The potential for odour and pests arising from acceptance, storage and treatment of non-hazardous waste;
- The potential for litter/light waste to be blown into neighbouring land and contaminate aggregate used in concrete manufacture.

Operation

- The operation would be unlikely to contribute to achieving higher levels of recycling and diversion from landfill as the waste is recycled elsewhere. The site is providing an alternative location for recycling;
- One objector's site is a safeguarded waste site and its operation could be threatened;
- A larger proportion of incoming waste could end up as trommel fine material that would need to be disposed of;
- Movement of vehicles between the retained ARF and the recycling facility will lead to congestion and affect operational capacity;
- The site layout (as revised) with the 'vehicle waiting and check area' at the site entrance and weighbridge at its current location would obstruct vehicle movement onto and around the site;
- The site is too small for the proposed operation

General

- Lack of policy case for the development and the proposal is not consistent with the development plan;
- The site boundaries do not appear to match those covered by the extant planning permission (TW/15/509988);
- Scale of the proposed development is marginally below thresholds for Environmental Impact Assessment (EIA) and that with the existing Aggregate Recycling Facility a full EIA may be required.

Discussion

44. The application proposes the change of use of an area of land, which currently forms part of an existing aggregates recycling facility, to a waste transfer station for the acceptance, storage and treatment of non-hazardous household, commercial and industrial wastes.
45. The proposal is for installation of hardstanding and machinery to provide for the acceptance, storage and mechanical treatment of mixed, dry, non-hazardous

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household, industrial and commercial (HIC) wastes. The planning application is supported by site location and layout plans, and technical reports, including:

- Planning, Design and Access Statement;
- Dust Management Plan
- Transport Statement
- Odour Management Plan
- Noise and Vibration Management Plan
- Flood Risk Assessment
- Surface Water Drainage Plan

46. The application is being reported to the Planning Applications Committee as a result of objections received from two neighbouring business.
47. In considering this proposal regard must be had to the Development Plan Policies outlined in the Planning Policy section above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that applications are determined in accordance with the development plan, unless material considerations indicate otherwise. The proposal needs to be considered in the context of the development plan policies and other material planning considerations, including national planning policy and those arising from consultation and publicity summarised above.
48. In accordance with Government guidance, the Waste Planning Authority has engaged with the applicant and other interested parties to address issues arising during the processing of this planning application to ensure Members are appropriately informed when the Committee makes its decision.
49. In this instance, the key material planning considerations in this case can be summarised by the following headings:
- Policy / Need / Location, and potential effect on safeguarded waste and aggregates recycling facilities;
 - Highways and access;
 - Air emissions, including dust and odour;
 - Noise;
 - Protection of water quality and resources and flood risk management; and
 - Visual and other amenity considerations

Policy / Need / Location

50. Paragraphs 7 – 14 of the NPPF sets out national policy on achieving sustainable development, including the three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways. The presumption in favour of sustainable development means approving development proposals that accord with an up-to-date development plan without delay. Paragraph 80 of the NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and wider opportunities for development.

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51. Paragraphs 182 - 183 require planning decisions to ensure new development can integrate with existing business and community facilities. Where there are significant adverse effects the applicant should be required to provide suitable mitigation as part of the development. The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes, as in this case). Planning decisions should assume that these regimes will operate effectively.
52. Paragraph 1 of the NPPW states that positive planning plays a pivotal role in delivering the country's waste ambitions through:
- delivery of sustainable development and resource efficiency, including provision of modern infrastructure, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy;
 - ensuring that waste management is considered alongside other spatial planning concerns, such as housing and transport, recognising the positive contribution that waste management can make to the development of sustainable communities;
 - providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste, including by enabling waste to be disposed of in line with the proximity principle; and
 - helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment, amongst other matters.
53. Paragraphs 4 – 5 of the NPPW requires waste planning authorities to consider new waste management facilities in appropriate locations, including industrial sites, the re-use of previously developed land, employment uses, and redundant agricultural and forestry buildings. Assessing the suitability of the site against the extent to which it would be supported by other policies in the NPPW; the physical and environmental constraints, including existing and proposed neighbouring uses and factors (including the water environment, landscape and visual impacts, nature conservation, historic environment, traffic and access, air emissions, odours, noise, light and potential land use conflict); transport infrastructure; and the cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community, including significant adverse impacts on environmental quality, social cohesion and economic potential.
54. Paragraph 7 states that in determining applications, Waste Planning Authorities (WPAs) should:
- only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan.
 - consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B (see sub-sections below);
 - ensure waste management facilities are well-designed, so that they contribute positively to the character and quality of the area; and
 - concern themselves with implementing the planning strategy and not with the control of processes which are a matter for the pollution control authorities.
55. Policy CSW1 and CSW2 of the KMWLP reflect the national requirements on sustainable waste development, including driving waste management up the waste hierarchy. Policy CSW4 states that the strategy for waste management in Kent is to provide enough waste management capacity for at least the equivalent of the waste

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arising in Kent, plus some residual non-hazardous waste from London. It is also, as a minimum, to achieve the targets for recycling and composting, re-use and landfill diversion identified in the Kent Joint Municipal Waste Management Strategy. The Kent Waste Needs Assessment (Sept 2018 Update): Non-Hazardous Waste Recycling/Composting Capacity Requirement concludes that the combined consented recycling/composting capacity would be enough to meet the overall recycling/composting targets associated with the management of non-hazardous waste over the KMWLP period as proposed in the revision to Policy CSW4. Therefore, net self-sufficiency in recycling/composting capacity could be achieved in Kent without provision for additional capacity. The preamble to Policy CSW4 (as amended by EPRMWLP) reflects this conclusion.

56. Notwithstanding the above, Policy CSW7 and the associated preamble (taking into account both the adopted MWLP and the amendments proposed by the EPRMWLP) seek to allow provision of new waste management capacity recognising the need to drive waste up the hierarchy. The supporting text (para 6.7.4) makes it clear that, in terms of additional waste management capacity, there is no intention to restrict the amount of new capacity for recycling or preparation of waste for reuse or recycling. The MWLP indicates this approach will reduce the amount of Kent waste going to landfill and so conserve existing non-hazardous landfill capacity for any waste that cannot be reused, recycled, composted or recovered.
57. Policy CSW 6 of the MWLP (and the EPRMWLP) requires waste development that (amongst other matters):
 - does not give rise to significant adverse impacts upon national and international designated sites, local wildlife sites, AQMAs and groundwater resources.
 - is well located in relation to Kent's Key Arterial Routes, avoiding proposals which would give rise to significant numbers of lorry movements through villages or on unacceptable stretches of road.
 - avoids Groundwater Source Protection Zone 1 or Flood Risk Zone 3b.
 - avoids sites on or in proximity to land where alternative development exists/ has planning permission for alternate uses that may prove to be incompatible with the proposed waste management uses on the site.
 - takes account of the ability of the landscape to accommodate built development after mitigation.
58. Taking the above into account, subject to no '*unacceptable*' adverse impact on the environment and communities and where such uses are compatible with the development plan: CSW6 supports waste development within or adjacent to existing mineral development or waste management uses, within existing industrial estates, other previously developed, contaminated or derelict land not allocated for another use. Policy CSW16 provide safeguarding of existing waste management facilities. The application site is currently used for construction, demolition and excavation waste processing and production of recycled aggregates and soils, this activity will be maintained on the eastern part of the site, with the proposed development providing new capacity for management of mixed dry non-hazardous household, industrial and commercial wastes.
59. The KMWLP (and EPRMWLP) policies seek to drive a major change in the way that waste is managed in Kent in accordance with national policy. Helping to enable a change in perception of waste from being something that must be disposed of, to something that can be used as a resource.

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60. The application proposes to provide new waste management capacity for the initial sorting and bulking-up of recyclable and reusable wastes for the onward transportation to suitable processing facilities and would provide additional capacity to deal with local waste. The above policy considerations establish that the adopted KMWLP (and further supported by emerging policy in the EPRMWLP) seeks to encourage additional waste capacity in the County under the right circumstances. The proposed location is in the main an existing operational waste site within an existing industrial estate so would receive in principle support from the NPPW and Policy CW6 of KMWLP.
61. The site is not subject to environmental or protective planning designations. Part of the site is at the edge of a Mineral Safeguarding Area (MSA) for sub-alluvial river terrace sand and gravel, to which KMWLP Policy DM7 applies. As a relatively small site with an existing permitted waste use affecting a very small part of the MSA, located in an industrial estate allocated for employment use in the Local Plan (Tunbridge Wells Site Allocations Local Plan and Saved Policies), with proximate retail and utility development I consider that the amount of mineral potentially sterilised is not of economic value and that it is very unlikely its extraction would be viable or practicable, meeting the tests set out in the policy.
62. The site is within an industrial estate in proximity to Tunbridge Wells, close to the strategic road network. Core Policy 1 of the Tunbridge Wells Core Strategy prioritises release of previously developed land, while Core Policy 7 safeguards for employment use areas in existing employment use that are well located. Core Policy 9 provides more detail on development in Tunbridge Wells including maintenance of existing employment in Key Employment Areas (including North Farm/Longfield Road Industrial Area).
63. Saved Policy ED3 of the Tunbridge Wells Local Plan provides for general industrial uses within the Economic Development Areas as defined on the Proposals Map which includes the North Farm Lane area and the site. The supporting text recognises that general industrial uses may cause disturbance if located in residential areas, depending on the level of associated noise, vibration, smell, fumes or other emissions, and may be capable of being satisfactorily located in the Economic Development Areas, as defined on the Proposals Map, subject to its environmental impact on the locality. The Tunbridge Wells Site Allocations Plan Policy AL/RTW27 also designates North Farm/Longfield Road as a Key Employment Area to which Saved Policies ED1, ED2 and ED3 of the Local Plan apply and where employment uses are to be retained.
64. Thus, the site has general support from the relevant Tunbridge Wells Local Plan Policies in terms of its general location.
65. The site has previously been accepted as suitable for part of an inert waste processing and transfer (as an Aggregate Recycling Facility), with planning permission granted by the Waste Planning authority in April 2016, which is a material consideration when assessing the acceptability or otherwise of this current location.
66. Three representations from the same neighbouring business raise objections to the proposed development, including questioning the suitability of the site and the proposed facility for recycling HIC waste, and whether it would be effective in moving waste management up the waste hierarchy and avoiding landfill largely on the grounds that sufficient capacity exists elsewhere. It also claims that this development would

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reduce the capacity of the existing ARF facility and result in congestion on North Farm Lane and resultant disruption to the neighbouring operations. The applicant responded to these objections and provided additional information which I consider satisfactorily addressed the concerns raised, including demonstration of the suitability of the site and the machinery to undertake the management of waste that is proposed.

67. As discussed above, while there may be capacity elsewhere, including on neighbouring property, the KMWLP emphasises that there is no intention to restrict the amount of new capacity for recycling or preparation of waste for reuse or recycling. The proposed development would mechanically sort skip waste containing plastic, wood, metal, soil and concrete (HIC waste) and the separated material would then be stored before export to facilities for further recycling, which the applicant claims would result in approximately 90% of waste received being sent for recycling. It would thus accord with the development plan in terms of providing additional capacity.
68. I consider that the proposed site layout demonstrates that the site is of adequate size and arrangement to accommodate the facility proposed and enable safe and efficient access, turning and egress of vehicles.
69. The 'in principle' support for new waste capacity in an industrial location, described above, is subject the development being in accordance with other relevant Development Plan Policies considered in more detail below (including any conflicts with existing land uses or the local environment in terms of traffic and access; emissions to air, noise, landscape and visual impacts, water quality (ground conditions), ecology and archaeology).
70. Another neighbouring business has objected on the grounds that the proposed development would result in the loss of the Aggregate Recycling Facility (ARF), contrary to KMWLP policy DM 8. The applicant has stated that they intend to maintain the throughput of the aggregates recycling facility and concentrate this operation in the eastern part of the existing permitted site. The existing HGV movements associated with this use, and associated inputs of material, will be maintained. The application site includes the existing office, weighbridge, and parking that will be shared with the ARF, and I consider that the facilities would operate in a complimentary way through enabling treatment of different fractions of mixed loads. The area which would be lost from the permitted ARF would constitute approximately 1,500m² (the area of the new concrete slab) which represents a third of the application site area, and approximately a sixth of the current ARF area. Therefore, I consider that the proposed development would not result in a loss of capacity of the ARF and so would not be incompatible with safeguarding of minerals management or waste management facilities, and so would be in accordance with KMWLP Policy DM8.

Highways and access

71. Paragraphs 108 - 109 of the NPPF states development should promote sustainable transport modes, taking account of the type of development and its location; ensure safe and suitable access; and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. It states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 7 of the NPPW states that consideration

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should be given to the likely impact on the local environment and on amenity against the criteria set out in Appendix B of that document. In terms of highways and access, Appendix B states that considerations will include the suitability of the road network and the extent to which access would require reliance on local roads, the rail network and transport links to ports.

72. Policy CSW6 of the KMWLP states that planning permission will be granted for uses identified as appropriate to the sites allocated in the Waste Sites Plan providing such proposals (amongst other things) are well located to Kent's Key Arterial Routes, avoiding proposals which would give rise to significant numbers of lorry movements through villages or on unacceptable stretches of road. Emerging Policy CSW6 of the Partial Review of the Kent MWLP removes any reference to the need for a Waste Sites Plan but retains the same criteria for decision making in respect of this application.
73. Policy DM13 of the KMWLP states that (amongst other matters) proposals will be required to demonstrate that: the proposed access arrangements are safe and appropriate to the scale and nature of movements associated with the development, and the highway network is able to accommodate the traffic flows that would be generated and the impact of traffic generated does not have an unacceptable adverse impact on the environment or local community. Policy DM15 states that development will be granted planning permission where it would not give rise to unacceptable impacts on road transport or where these impacts are mitigated.
74. Core Policy 3 of the Tunbridge Wells Core Strategy requires development proposals with significant transport implications to be accompanied by a transport assessment and travel plan, and where transport infrastructure is not available provision or contributions towards measures to address inadequacies will be sought. Saved Local Plan Policy TP4 requires the road hierarchy and routes to have adequate capacity, proposals to have safely located access with adequate visibility, and traffic generated to not significantly worsen traffic conditions, not compromise safe and free flow of traffic or safe use of road by others. Where highway improvements are deemed necessary, the developer will be required to meet the costs where these are related to the development. Saved Policy EN1 of the Tunbridge Wells Local Plan also requires development proposals to avoid significant harm to amenity or character of the area in terms of excessive traffic generation.
75. The development management policies of the KMWLP have similar objectives and requirements. Policy DM11 requires development that would increase travel demand to be supported by a suitable travel / highway assessment. Policy DM12 requires development proposals to be assessed based on suitable access to the highway network and seeks to prevent proposals that would result in a significant increase in the risk of crashes or traffic delays unless these can be mitigated. Policy DM 13 requires development to include appropriate parking provision.
76. Access to the site is via an un-named track off North Farm Lane to the north-west of the site. The access point with North Farm Lane provides 7.3m width to allow two HGVs to pass in free flow. The access point also serves neighbouring We Load and Go and Mid Kent Metals waste recycling sites.
77. The Transport Statement (TS), as amended, accompanying the application includes details of the access arrangements, reproduced below. This indicates that with

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relocation of parking away from the access track and relocation of the weighbridge and portacabin office adequate space exists for the largest type of tipper vehicle to access and exit the site, illustrated in the swept path drawings.

78. North Farm Lane itself serves a number of industrial uses to the north of the site, and has a carriageway width of approximately 6.8m and benefits from a footway, a designated cycle path and street lighting on the north western side of the road. The entire length of North Farm Lane is protected by double yellow 'No Waiting at Any Time' traffic regulation orders so as to prevent employees of the industrial estate from parking on the highway. North Farm Lane is subject to a 30mph speed limit.
79. North Farm Lane connects with Dowding Way 1.5km to the south east of the site, which then connects to Longfield Road and on to the A21 some 1.5km to the east of the site. The Dowding Way / North Farm Lane junction is a priority-controlled junction with Dowding Way forming the major arm and North Farm Lane the minor arm. The Dowding Way / North Farm Lane junction benefits from a ghost island right turn and a pedestrian refuge for pedestrians crossing the minor arm of the junction. The Transport Statement identifies that one slight traffic accident has occurred at the junction between North Farm Lane and Dowding Way over the last 5 years, indicating there would not be significant concerns over safety that may be affected by the proposed development.
80. The application seeks planning permission for a throughput of up to 45,000 tonnes per annum with associated HGV movements of 60 per day (30 In / 30 Out). This would include all deliveries and removals from the proposed waste management facility. The majority of waste will be delivered in fixed body 8-wheeled tipper vehicles carrying a maximum payload of 20 tonnes. The applicant currently tips skip waste at a neighbouring site, and the proposed development would enable these loads to be tipped and processed at the application site instead. The applicant estimates current tipping at the neighbouring site accounts for up to 40 two-way trips, which would be transferred to the application site.
81. HGV movements associated with the existing permission for the ARF are restricted by condition to 40 HGV movements per day (20 in / 20 out). It is proposed to maintain the existing movements associated with the ARF and so the proposal involves an additional 60 HGV movements per day, with a combined total of 100 movements per day (50 in, 50 out) using North Farm Lane and the access track into the applicant's site. There would also be 2-3 movements between the ARF and the proposed transfer station each day, which would be on-site and not affect the public highway.
82. The TS considers the additional HGV movements associated with the development which are presented in terms of overall movements, as described above, and as hourly rates. An amended TS was provided by the applicant on request following initial consultation with County Council Highways, in order to clarify the HGV movements associated with the development. The amended TS estimates that based on a 9 hour day, an additional 60 HGV movements per day are likely to generate an additional 8 trips per hour, equating to an additional HGV movement per 7-8 minutes although as highlighted above, this would include movements associated with loads currently tipped at the neighbouring waste site. When combined with the current permitted movements associated with the ARF the total HGV movements to and from the site would be 14 per hour (7 in and 7 out) based on a 9-hour working day. The applicant

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has stated that the maximum proposed increase in HGV movements would likely to occur over 3-5 years as the business develops.

83. The TS concludes that this increase in HGV movements would not be considered significant or have a material effect on the operation or safety of the local highway network.
84. The proposed development is expected to employ 7 staff, which are estimated to generate 14 two-way movements per day. An additional 7 staff parking spaces are proposed which would be located on the southern boundary of the site together with 12 relocated existing parking spaces, providing parking for employees of both the proposed recycling facility and the ARF (totalling 33 staff). The TS estimates that staff movements would result in two arrivals per hour in the morning, and two departures per hour during the afternoon (assuming no arrivals in the afternoon and no departures in the morning) which combined with HGV movements totals an additional 10 two-way movements during morning and afternoon peak hours (8 of which would be HGVs), equivalent to one additional vehicle movement every 6 minutes in peak hours.
85. Additional supporting information provided by the applicant also concerns the routing of vehicles to and from the site. The applicant states that all of the HGV movements would be via North Lane Farm and Longfield Road, heading east to the A21 with approximately 45% travelling north on the A21 and 55% travelling south. This would result in vehicles largely avoiding the A26 through Tunbridge Wells and the Air Quality Management Area, with an estimated 6 tow-way vehicle movements per day. The County Council's technical air quality advisor (Amey) is satisfied that this level of additional vehicle movements would be below Institute of Air Quality Management guidelines (25 Annual Average Daily Traffic count) that would trigger a requirement for a detailed assessment of effects on the AQMA.
86. Initially, KCC Highways and Transportation (Kent Highways) raised a number of issues in its response to consultation and contents of the Transport Statement, including seeking clarification over the number of vehicle movements, location of parking and the office, and associated potential for congestion at the site entrance. These were addressed by the applicant in in the amended Transport Statement and subsequent correspondence, and provision of an amended Site Layout Plan.
87. The applicant highlighted that a swept path analysis contained in the TS illustrated that the largest tipper trucks expected to service the site can pass safely at the site access road. In addition, the applicant has advised that he holds a FORS (Freight Operator Recognition Scheme) accreditation with drivers using electronic devices and software which give live traffic information, route scheduling and instant notification of any delays ahead. Vehicles have trackers and the site office has a live map displaying the location and status of all the vehicles, and also enables monitoring of driver behaviour. This ensures the applicant has complete control of movements in and out of the site and, if needed, the HGV can be redirected from site to avoid an accumulation of vehicles on North Farm Lane. There is also a transport manager on site during all operational hours who ensures all vehicles manoeuvre safely around the site. This also enables management and monitoring of HGV routing.
88. Three representations objecting to the application were received (including one representor making three related objections – see 'Representations' section above), focusing on the increase in HGV movements proposed and asserting that these are

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under-estimated, and on the potential effect on their businesses through increased congestion and free flow of traffic on North Farm Lane and potentially Dowding Way, as well as at the shared site entrance off North Farm Lane. A particular concern is of vehicles having to queue to access the site, as a consequence of under-estimation of movements and site layout), resulting in congestion and poor visibility on North Farm Lane.

89. In response to the objections the applicant provided a breakdown of vehicle movements estimated to be generated by the 45,000 tonnes per annum throughput of the site, based on average loads likely to be delivered to the site (reflecting current tipping weights at the neighbouring site). While the majority of deliveries may be in tipper trucks (up to 20 tonnes), based on a scenario where deliveries were in skips with an average load of 6 tonnes, the applicant calculates that 30 deliveries per day (30 x 6 = 180 tonnes) over a week (x 5.5 days = 990 tonnes/week) would provide for delivery of over 50,000 tonnes in a year.
90. Having reviewed the data, I consider that the estimates of vehicular movements provided by the applicant and subject to assessment in the Transport Statement appear to be realistic and reasonable and can be controlled through use of a condition on a planning permission limiting the number of daily movements. Kent County Council Highways and Transportation are also satisfied with the clarification of the anticipated vehicular movements provided in the revised Transport Statement.
91. If permission were to be granted my recommendation below includes the following highway conditions: no more than 100 HGV movements (50 in / 50 out) per day (to account for total movements to site as a whole, including the 60 additional movements proposed in this application); records to be maintained of all HGV movements and made available to the Waste Planning Authority upon request; all loaded HGVs entering or leaving to be enclosed, covered or sheeted.
92. The provision of additional capacity for sorting and processing for onward recycling of household, industrial and commercial waste capacity would help contribute to moving management up the waste hierarchy. Given the local Highway Authority's comments, subject to the conditions recommended above, I am satisfied that the application would not have an unacceptable impact on the highway network. The proposals would have a safe and suitable access to the public highway and would not result in any significant capacity, congestion or safety concerns. I am satisfied that the site has good access to the arterial / primary road network and that the network has capacity to accommodate an increase of 60 HGV movements per day.
93. The applicant has demonstrated to my satisfaction that the site layout (as amended) provides suitable space for access, waiting, turning and egress of vehicles so that queueing at the entrance, access track or on North Farm Lane would be unlikely to arise. I am also satisfied that the proposed machinery is suitable for the purpose intended. The use of vehicle tracking and monitoring technology, already employed by the applicant in its vehicles and on the ARF site, would further help to ensure that congestion and delay at the site entrance and approach would be avoided as it is in their commercial interest to avoid such issues arising and causing delay. In addition, the use of the technology would enable vehicle routing to be managed to avoid adverse effects on the AQMA.

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94. I therefore consider there to be no highways grounds for not approving the application and I am satisfied that the application would accord with the relevant Development Plan Policies relating to highways and access, including those set out above.

Air emissions, including dust and odour

95. The proposed development has the potential to generate dust, odour and litter through the delivery and processing of mixed, dry waste and the storage and export of sorted material. This potential is exacerbated by the facility being open air and not contained within a building.
96. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural environment by (amongst other things) preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution and that development should, wherever possible, help to improve local environmental conditions such as air and water quality. Paragraph 180 states that planning decisions should ensure that new development is appropriate for its location considering the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Paragraph 181 states planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking account of the presence of Air Quality Management Areas (AQMAs) and Clean Air Zones (CAZs), and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.
97. Paragraph 183 states that the focus should be on whether the proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes) and that planning decisions should assume that these regimes will operate effectively.
98. Paragraph 7 of the NPPW states that consideration should be given to the likely impact on the local environment and on amenity against the criteria set out in Appendix B. Appendix B states that the proximity of sensitive receptors, including ecological as well as human receptors, and the extent to which adverse emissions (including odour) can be controlled using appropriate and well-maintained and managed equipment and vehicles, should form part of the decision process.
99. The NPPG on Air Quality indicates consideration should be given to whether development would introduce a new point source of pollution, would expose people or biodiversity to pollutants and if there would be significant effects on traffic both in the immediate vicinity and further afield, including congestion, changes in volume, vehicle speed or significantly altering the traffic composition on local roads. The NPPG seeks local planning authorities to work with applicants to consider appropriate mitigation to ensure that new development is appropriate for its location and unacceptable risks are prevented.
100. The Government's recently published Clean Air Strategy (2019) acknowledges that transport is a significant source of emissions of air pollution. The strategy seeks to minimise the impact of petrol and diesel vehicles in the short term by ensuring that the cleanest conventional vehicles are driven on our roads, whilst working towards the

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Road to Zero Strategy, which sets out plans to end the sale of new conventional petrol and diesel cars and vans by 2040.

101. Policy DM11 of the MWLP seeks development that does not generate unacceptable adverse impacts from dust, odour, emissions, traffic or exposure to health risks and associated damage to the qualities of life and wellbeing to communities and the environment. Waste development should ensure that there is no unacceptable adverse impact on other land uses. Policy DM12 states that waste development should not result in an unacceptable adverse, cumulative impact on the environment or communities. Policy DM13 seeks development that demonstrates emissions associated with road transport movements are minimised as far as practicable, including emission control and reduction measures (where relevant), such as deployment of low emission vehicles and vehicle scheduling to avoid movements in peak hours.
102. Policy CSW 6 of the MWLP (and the EPRMWLP) requires waste development that (amongst other matters):
 - Does not give rise to significant adverse impacts upon national and international designated sites, local wildlife sites, AQMAs and groundwater resources.
 - Avoids sites on or in proximity to land where alternative development exists/ has planning permission for alternate uses that may prove to be incompatible with the proposed waste management uses.
103. Core Policy 5 of the Tunbridge Wells Core Strategy expects all new development to manage and seek to reduce air, light, soil and noise pollution levels. Saved Policy EN1 of the Tunbridge Wells Local Plan sets out criteria that development proposals must satisfy, including compatibility with neighbouring uses and that significant harm to amenity or character of the area would not be caused in terms of noise, smell, health impacts or excessive traffic generation.
104. No objections to the application have been received specifically on grounds of dust or odour, although concerns were raised in one objection from a neighbouring waste business.
105. The applicant holds an Environmental Permit for the site, issued and enforced by the Environment Agency, which includes the operation of a household, commercial and industrial waste transfer and treatment facility. This requires the site to operate in accordance with an approved Fire prevention Plan, Odour Management Plan and Dust Management Plan, as well as surfacing and drainage details.

Air Quality

106. The County Council's Air Quality Consultants (Amey) requested that the Transport Statement considers potentially increased traffic volumes on the A26, which runs through the town centre of Royal Tunbridge Wells, due to the Air Quality Management Area (AQMA) status, to ensure that the Institute of Air Quality Management's criteria for an assessment of HDV movements is not breached (25 trips), and that details regarding air quality in the construction phase of the development, particularly dust and emissions associated with construction vehicles.
107. The applicant provided a routeing plan illustrating that all of the HGV movements would be via North Lane Farm and Longfield Road, heading east to the A21 with

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approximately 45% travelling north on the A21 and 55% travelling south, this avoiding the A26.

108. Considering the recommendations of Amey, I am satisfied that the development would not have an unacceptable impact on air quality, subject to a condition limiting the development to 100 HGV movements (50 In / 50 Out) incorporating the additional 60 movements associated with the proposed development, and securing a Traffic Management Plan to ensure all but a small number of vehicles are routed away from Tunbridge Wells and the AQMA as proposed.

Dust

109. The proposed development has the potential to generate dust and particulates during its operation from vehicle movements and operations on site particularly waste tipping, operation of mechanical treatment plant, storage and loading of wastes, and manoeuvring vehicles on site. In terms of the construction phase which would involve laying of the concrete slab, the scale of activity would be small and its duration limited. The surrounding area and uses are industrial including other types of waste management, and the rear and service areas of the adjoining retail park, and so of low sensitivity.
110. The application is supported by a Dust Management Plan in which the applicant identifies dust generating activities and proximate receptors that could be affected. The closest potentially sensitive receptors are residential properties 570 metres south and 630 metres west of the site, and a primary school 550 metres south of the site.
111. The Dust Management Plan sets out measures that would be implemented to control dust originating from operation of the site. These include:
- Staff training: Using only trained operators of equipment, and daily site inspections to ensure good housekeeping and to monitor dust and debris;
 - Boundary fencing/containment:
 - Delivery of waste into 3-side legio block bay (3.2m height) and storage of waste restricted to 3m height in dedicated bays or sealed skips;
 - Installation of 2-metre-high dust/debris netting to the west and south perimeters above the boundary fencing (so to a height of 4.4m).
 - Site surfacing and drainage: Sealed concrete surface draining into the foul sewer to reduce risk of airborne debris and dust from mud and stones being tracked around the site.
 - Site surfaces and vehicle movements:
 - Permanent water supply to use for dust suppression/dowsing;
 - Mechanical sweeping of surfaces daily;
 - Vehicle speed restricted to 5mph;
 - Manual checking of vehicles before they leave site;
 - All incoming and outgoing delivery vehicles to be sheeted;
 - Mud or dust on the public highway to be monitored and cleaned by operatives when necessary
 - Use of mobile water bowser to be used constantly in periods of dry and windy weather or if otherwise required;
 - Storage of waste:
 - Stockpiles not stored higher than 3 metres and their storage bay or container (3.2 metre height);

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- Stockpiles sprayed during dry and windy conditions or if otherwise required including prior to loading
 - Drop heights kept to a minimum;
 - Storage of sorted/separated waste in dedicated bays with suitable freeboard to prevent waste exceeding height of bay;
 - Loading and unloading of vehicles:
 - Directing vehicles to position and location to reduce wind whipping of loaded material during dry and windy weather;
 - Damping of stockpiles prior to loading if necessary;
 - Drop heights kept to minimum
112. The Dust Management Plan includes a risk assessment that considers the consequences, effect and probability of a dust hazard occurring and takes into account the measures proposed to mitigate this risk. It concludes that with these measures implemented the risk of dust hazard occurring is low. It also includes monitoring and reporting procedures. Monitoring will involve staff continually visually assessing the site to prevent dust arising. During periods of high wind speed (over 30mph) sorting, processing and treatment of wastes likely to be blown around site will cease, and in the event of very high wind speeds the site may close temporarily. Complaints will be logged and investigated, with records available to the Environment Agency or Local Authority upon request.
113. It should be noted notes that the development would operate under an Environmental Permit, which would ensure air quality, dust and odour are controlled and not identified beyond the site boundary.
114. The County Council's technical adviser Amey confirm that the mitigation measures proposed in the Dust Management Plan, if implemented effectively would ensure that dust emissions are managed and the risk of impacts to neighbouring facilities would be low and not significant. There are clear procedures outlining how complaints should be dealt with, how investigations are carried out and responsible persons identified, and they are satisfied that risk to neighbouring facilities from air quality exposure is low.
115. Subject to a condition securing implementation of the development in accordance with the Dust Management Plan, I am satisfied that the mitigation measures proposed in the Dust Management Plan and through operating in accordance with the Environmental Permit, would afford sufficient control to ensure that the development would not result in an unacceptable impact from dust emissions. I am therefore content that the proposals are in accordance with the development plan policies relating to dust emissions.

Odour

116. The proposed development has the potential to generate odour, through management of household, industrial and commercial wastes. Although it is proposed that putrescible and potentially odorous waste (mixed paper and packaging, biodegradable, market and street- cleaning waste), would be excluded from the site as separate loads, which would reduce the potential for odour, there could be such materials in mixed skip deliveries. In addition, odour could be released due to excessively hot, dry or windy weather, machinery breakdown or human error.

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117. An Odour Management Plan accompanying the application sets out measures to reduce the potential for odours including:
- no separate loads of odorous waste accepted to site – these would be rejected and removed from site within 12 hours;
 - all waste tipped and stored inside concrete bays and not stored for excessive periods (no more than 48 hours);
 - following mechanical treatment only non-odorous waste deposited in lights cage and emptied within 48 hours or sooner when full;
 - all other external waste bays only contain metal, paper and hardcore;
 - odorous waste (food waste, black bag) to be rejected for treatment and consigned to sealed and covered skip for removal within 48 hours.
118. The Odour Management Plan includes a risk assessment identifying the closest receptors and their sensitivity, sources of odour and the effectiveness of pathway to the receptors, and the likely odour effects. In addition to implementing the measures described above, it identifies that low storage volumes and rapid (within 12 hours) turnaround of wastes reduce the risk of odorous emissions. With these measures implemented, a 'slight adverse' likely odour effect on the surrounding industrial and commercial uses is identified. A 'negligible' risk and effect on other receptors, including the closest residential properties and Skinners' primary school to the south of the site, due there not being an effective pathway for odour to reach these areas.
119. The Odour Management Plan also sets out arrangements and responsibilities for implementation, monitoring and reporting of odour control and management, as well as contingency plans to deal with instances where monitoring indicates a potential odour source is not completely under control, meteorological conditions are unfavourable, or that adverse impact has occurred.
120. The County Council's technical adviser (Amey) note that the odour assessment has been carried out in accordance with IAQM guidance. They do identify that the Odour Management Plan an risk assessment principally focuses on individual's level of amenity rather than the potential impact on manufacturing process or storage facilities, but are satisfied that risk to neighbouring facilities from odour exposure is low.
121. Subject to a condition securing implementation in accordance with the Dust Management Plan and given that the site would be covered by the provisions of the Environmental Permit, I am content that the proposed development would not result in significant or unacceptable odour concerns and would be in accordance with the development plan policies.

Noise

122. Paragraph 170 of the NPPF seeks development that prevents new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 180 of the NPPF states that new development should be appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment. It states that development should: mitigate and reduce to a minimum potential adverse impacts resulting from noise – and avoid noise giving rise to significant adverse impacts on health and the quality of life; and identify and protect tranquil areas.

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123. Appendix B of the NPPW requires consideration of the proximity of sensitive receptors. It states the operation of large waste management facilities can produce noise affecting both the inside and outside of buildings, including noise and vibration from goods vehicle traffic movements to and from a site. Intermittent and sustained operating noise may be a problem if not properly managed, particularly if night-time working is involved.
124. Policy DM11 of the MWLP states waste development will be permitted if it can be demonstrated that it is unlikely to generate unacceptable adverse impacts from noise and illumination, amongst other matters. Policy CSW 6 of the MWLP (and the EPRMWLP) requires waste development that (amongst other matters): avoids sites on or in proximity to land where alternative development exists/ has planning permission for alternate uses that may prove to be incompatible with the proposed waste management uses on the site.
125. Core Policy 5 of the Tunbridge Wells Core Strategy expects all new developments to manage and seek to reduce noise pollution levels. Saved Policy EN1 of the Tunbridge Wells Local Plan sets out criteria that development proposals must satisfy, including compatibility with neighbouring uses and that significant harm to amenity or character of the area would not be caused in terms of noise, smell, health impacts or excessive traffic generation.
126. The proposed development has the potential to generate noise through the movement of waste/recyclable materials to and from the site by up to 60 additional HGV movements per day, and the operation of mobile machinery to unload and load, move and sort materials (shovel and excavators), and further sort and process materials on site particularly the use of a trommel, picking line and conveyors.
127. The application is accompanied by a Noise and Vibration Management Plan that identifies the closest receptors, the noise sources associated with the proposed development, and the existing noise climate on and around the site. It considers the consequences of noise pollution affecting receptors and sets out a range of measures to reduce and manage noise from each activity:

Delivery and tipping of waste

- Waste tipping into concrete reception bay;
- Only one vehicle depositing waste at a time , with engines off
- Access road maintained to prevent noise generation (rattling etc);
- Applicant's lorry fleet fitted with chain socks to prevent bangs and rattles and with white noise reversing alarms

Loading waste into plant or containers

- Drop heights minimised;
- Operatives trained to avoid scraping loading shovels on floor and minimise plant movements.

128. The Noise and Vibration Management Plan also includes details of responsibilities for its implementation and procedures for logging and dealing with and investigating complaints.

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129. An objection has been received from a neighbouring business on grounds of the potential impact on amenity caused by noise and lack of a noise assessment against which to consider compliance with KMWLP Policy DM11. No objections were received from other neighbouring businesses or local residents.
130. The County Council's technical adviser (Amey) noted that the site is located within an existing industrial area which contains a number of other waste management facilities along with more general industrial operations, with the nearest noise sensitive receptors (the primary school) approximately 550 metres to the south of the application site and other receptors, predominately dwellings, between 570 and 880 metres away. Taking this into account, it considers the Noise Management Plan as appropriate for the proposed operations but in its initial comments raised concerns over the absence of a noise impact assessment that identifies the noise levels associated with the proposed development and their mitigation.
131. In response the applicant provided details of the plant and equipment to be used on the site, namely the trommel and picking line. This demonstrated that the noise levels these would generate would be significantly lower than by the equipment currently used on site as permitted by the existing planning permission, namely a concrete crusher and screener. The resultant reduction in noise 10 metres from the site would be up to 30dB lower (at 47.5-63.9dB) than noise levels generated by the existing operational equipment (screener 72-77.6dB). In terms of potential impact on the closest receptors, taking account of the distance and screening provided by buildings, this is likely to result in a reduction in noise experienced at the nearest residential properties and the primary school, and so have no adverse noise impact. It was also highlighted that the facility will operate in accordance with the Environmental Permit and associated Noise and Vibration Management Plan.
132. Following receipt of this additional information, Amey confirmed that lower levels of noise would occur from the proposed Waste Transfer Station in comparison to the aggregate recycling operations currently permitted and are satisfied that their concerns had been adequately addressed and that the proposals are acceptable in noise terms.
133. Taking account of the County Council's noise consultants (Amey), and subject to a condition securing implementation in accordance with the Noise and Vibration Management Plan, I am satisfied that the impact of the development on noise levels during the hours proposed would not have an adverse or unacceptable impact and is in accordance with development plan policies, including those outlined above.

Protection of water quality and resources and flood risk management

134. Paragraph 163 of the NPPF states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural environment by (amongst other things) preventing new and existing development from contributing to unacceptable levels of soil or water pollution and that development should wherever possible help to improve local environmental conditions, such as water quality. Paragraph 178 states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination (including risks arising from former activities such as mining). Paragraph 180 states that planning decisions should ensure that new development is appropriate for its location

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considering the likely effects (including cumulative effects) of pollution on the natural environment. Paragraph 183 states that the focus should be on whether the proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes) and that planning decisions should assume that these regimes will operate effectively.

135. Paragraph 7 of the NPPW states that when determining waste planning applications Waste Planning Authorities should consider the likely impact on the local environment and on amenity against various locational criteria and other matters relating to protection of water quality and resources and flood risk management. Key locational considerations set out in Appendix B of NPPW, include the proximity of vulnerable surface and groundwater or aquifers, and the suitability of locations subject to flooding, with issues relating to the management of potential risks posed to water quality from waste contamination requiring particular care. Paragraph 7 also re-iterates that waste planning authorities should concern themselves with implementing the planning strategy and not with the control of processes which are a matter for the pollution control authorities.
136. Policy CSW6 of the Kent MWLP states that planning permission will be granted for uses identified as appropriate to the sites allocated in the Waste Sites Plan providing (amongst other things) the proposals do not give rise to significant adverse impacts on groundwater resources and avoid Groundwater Source Protection Zone 1 or Flood Risk Zone 3b. Draft (modified) Policy CSW6 of the Early Partial Review of the Kent MWLP removes any reference to a Waste Sites Plan but retains the same criteria for decision making. Policy DM1 states that minerals and waste proposals should demonstrate that they have been designed to incorporate measures for water recycling where possible and utilise sustainable drainage systems wherever practicable. Policy DM10 states that permission will be granted for minerals and waste development where it does not: result in the deterioration of the physical state, water quality or ecological status of any waterbody; have an unacceptable impact on groundwater Source Protection Zones; or exacerbate flood risk.
137. Core Policy 5 of the Tunbridge Wells Core Strategy expects all new developments to be located in accordance with the sequential test and generally to be outside of high risk flood zones, produce no negative effects on existing flood patterns, and where necessary apply mitigation and adaptation measures to reduce potential flood risk. Saved Policy EN16 of the Tunbridge Wells Local Plan requires development to have no unacceptable effect on groundwater or water quality, and in appropriate locations to incorporate sustainable drainage systems for disposal of surface water. Saved Policy EN18 of the Local Plan requires development in areas at high risk of flooding to contain effective flood protection and mitigation measures including to prevent the risk of flooding elsewhere.
138. The application is accompanied by a Flood Risk Assessment (FRA) that identifies that as the development is proposed in an area of consented Class B2 / B8 development and the current aggregates recycling facility use, it is not necessary to apply to the development proposals the sequential test which applies only to new development. It identifies that parts of the site are within Flood Zone 3 which is defined in the National Planning Policy Framework (NPPF) and associated PPG in respect of Flood Risk and Coastal Change respectively as land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding. These include the site access, 10m² of the proposed office, 30m² of the weighbridge and wheelwash, and a small part of the external waste

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reception area (south west corner of site). It also identifies that there are no recorded flood events at or adjacent to the site, and its elevation indicates risk of sewer flooding is unlikely to be significant, so there is no significant risk of flooding from non-fluvial sources.

139. The FRA proposes mitigation and avoidance measures including no plant or machinery to be within areas of Flood Zone 3 and for the office to be on a raised base. An emergency and evacuation plan is proposed, setting out measures that will be taken in the event of flood warnings being received. The proposed development would not result in changes to ground levels within Flood Zone 3. It concludes that the proposed development would not increase flood risk at the site or elsewhere.
140. In terms of surface water management, the proposed concrete area would have a drainage trench on its perimeter draining to a catchment pit prior to discharge into the foul sewer.
141. The Environment Agency raise no objection to the application on grounds of flood risk or groundwater and contaminated land, subject to a condition requiring the development to be carried out in accordance with the FRA and the mitigation measures it includes (summarised in para 116 above) to be implemented prior to occupation. Southern Water (foul drainage provider) responded to the application advising an application for connection to the public sewerage system is required, and I understand that the applicant has submitted an application. I note that it would be for the applicant to agree any approach directly with the water company and have been informed by the applicant that this is underway.
142. Kent County Council Flood and Water Management initially recommended that the drainage system should be re-designed to include attenuation measures to restrict run-off discharge in line with greenfield rates where possible. The applicant provided further information, including the impermeable nature of the site, its current use, and underlying geology resulting in a very low infiltration rate which is unlikely to be affected by the proposed laying of the concrete pad. In order to reduce run-off the applicant subsequently proposed installing a flow control device and storage tank to attenuate run-off rates including in the event of a 1 in 100 year rainfall event plus an allowance climate change. The County Council Flood and Water Management subsequently agreed to this approach being appropriate if subject to a condition requiring verification report confirming installation of the drainage scheme and structures proposed.
143. Subject to the conditions recommended by the EA, and additional condition requiring submission of a surface water drainage system verification report, I am content that the proposed development could be made acceptable in terms of flood risk, surface and ground water protection. There are no concerns about flood risk implications from the development, particularly given the attenuation measures proposed to reduce the rate of surface water runoff, which would be directed to the mains sewage system. Consequently, the application is considered to be in accordance with the development plan policies referenced above.

Nature conservation

144. Paragraph 170 of the NPPF states that planning decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 175 states that (amongst other

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matters) local planning authorities should seek opportunities to incorporate biodiversity improvements in and around developments. Paragraph 7 of the NPPW states (amongst other things) that Waste Planning Authorities should consider the likely impact of a development on the local environment and on amenity against the criteria set out in Appendix B of the NPPW. In terms of nature conservation, Appendix B seeks to protect ecological networks and protected species. Policies DM1, DM2 and DM3 of the KMWLP seek to protect and enhance biodiversity interests or mitigate and if necessary, compensate for any predicted loss. Core Policy 9 of the Tunbridge Wells Core Strategy requires development within Tunbridge Wells to conserve and enhance biodiversity.

145. The application site is an existing operational waste site with no vegetation or nature conservation interest. To the immediate south west of the site is a dedicated reptile hibernacula required under permission TW/15/509988. Kent County Council Ecological Advice Service confirm that the proposed development has limited potential to result in ecological impacts and there is no requirement for ecological surveys, on the assumption that the hibernacula area will not be affected.
146. Based on the above, the application is considered acceptable in terms of nature conservation and would accord with the relevant development plan policies.

Other considerations**Litter and vermin**

147. Appendix B of the NPPW states that some waste management facilities, especially landfills which accept putrescible waste, can attract vermin and birds and can also cause concern about litter. It states that the primary aim is to guard against new or increased hazards caused by development whilst taking account of the proximity of sensitive receptors. Policy DM11 of the MWLP states that waste development will be permitted if (amongst other matters) it can be demonstrated that they are unlikely to generate unacceptable adverse impacts on quality of life and wellbeing to communities and the environment, including neighbouring land uses.
148. As described above under the discussion of odour, the proposed development is for a waste transfer station to deal with household, commercial and industrial wastes. The facility would not accept separate loads of biodegradable and putrescible waste, including food waste, but there is the potential for such waste to be contained within mixed skip loads. The applicant has submitted an Odour Management Plan which sets out measures to control and manage odorous materials, which are also the most likely to attract vermin, including that such material would be separated and stored in a sealed skip prior to export to a suitable facility within 48 hours, and in the Design and Access Statement accompanying the application, states that daily inspections will be undertaken for the presence of vermin.
149. Given the limited space within the site it is in the applicant's interest to process material as quickly as possible once on site to free up space and skips. The regular throughput of material would serve to reduce opportunities for vermin and the escape of litter. The above measures plus good housekeeping, and regular inspections should help to minimise the potential for any impacts. In the unlikely event vermin become a problem the applicant has confirmed it would employ a specialist pest

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control subcontractor. The control of pests and vermin is also required by provisions of the Environmental Permit for the site.

150. As the site is open-air and not contained within a building (although the picking line would be enclosed) and given the nature of wastes that would be accepted (light wastes including paper and card), there is a risk of lighter material escaping the site and resulting in litter. The greatest risk would occur during windy conditions. The risk of light waste being blown from the site and causing littering and contamination of aggregates stockpiles on neighbouring land has been raised in objections from neighbouring businesses. The Design and Access Statement sets out measures that the applicant would implement to control and manage litter and aim to reduce the risk to low/negligible levels. This includes installing 2-metre-high dust netting above the existing 2.4 metre palisade fencing on the south and west boundaries of the site to ensure material remains within the site. Daily inspections would be undertaken by site staff and litter collected and put in skips. The proposed treatment plant includes a blower directing the light fraction of waste into a cage for collection, and an enclosed picking line.
151. The Dust Management Plan accompanying the application sets out measures that would also control and manage the risk of litter arising from the operation. I consider that the measures proposed by the applicant, which would be secured through suitable conditions on any permission, provide adequate measures to ensure the risk of littering is managed and minimised.

Visual Impact

152. Appendix B of the NPPW identifies that landscape and visual impacts are a consideration when determining planning applications for waste facilities, particularly where these may affect landscape character or protected landscapes, neither of which are relevant to this location and application. Policy DM11 of the KMWLP provides for development to be permitted if it is unlikely to generate unacceptable adverse impacts including from visual intrusion. Policy EN1 of the Tunbridge Wells Local Plan requires avoidance of significant harm to amenities and character of an area.
153. As discussed previously, the site is an existing inert waste management use and on an industrial estate. There is limited visibility into the site from the highway (North Farm Lane) and from the neighbouring retail park (the rear loading and storage area of B&Q). No new buildings are proposed as part of the development (the existing office buildings will be retained in their current position), although new legio block bays would be constructed to a height of 3.2 metres around the edge of the site in which waste and sorted material would be stored prior to export. Waste and sorted materials would be stored below the height of the bays, in line with the Dust Management Plan.
154. Therefore, I consider that the site is suitable in principle for waste management and has low sensitivity in terms of its landscape value or visibility. The proposed development would not be prominent or noticeable, particularly in terms of the change from the existing use for aggregates recycling, and so would not result in an adverse visual impact and would thus be in accordance with development plan and national policy.

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Environmental Impact Assessment

155. Concern has been raised regarding the potential need for the application to be accompanied by an Environmental Statement. The application has been considered in accordance with the requirements of the Environmental Impact Assessment legislation and I am satisfied that the application does not need to be accompanied by an Environmental Statement.

Conclusion

156. The application proposes a change of use of land from part of an existing aggregates recycling facility to a waste transfer station for the acceptance, storage and treatment of non-hazardous household, commercial and industrial wastes. This includes the installation of hardstanding storage bays and machinery to provide for the acceptance, storage and mechanical treatment of mixed, dry, non-hazardous household, industrial and commercial (HIC) wastes.
157. The development proposes to process up to 45,000 tonnes per annum of inert / semi inert non-hazardous waste. This would generate a maximum of 60 HGV movements per day (30 In / 30 Out) which would be in addition to 40 movements associated with the aggregates recycling facility which would continue to operate on the land to the east of the site and share the same entrance and access road. The application proposes hours of operation between 0730 and 1630 Monday – Saturday, with no working on Sundays or Bank Holidays. These are slightly shorter than those permitted under the current permission for the aggregates recycling facility currently operating on the site (0730 - 1800).
158. The majority of the application site has been granted planning permission by the Waste Planning Authority for a waste management use (aggregates recycling). During the processing of this application, negotiations have taken place between the applicant, KCC officers and technical consultees in an attempt to secure a sustainable development. This has resulted in clarification of a number of issues that have enabled initial concerns to be addressed satisfactorily.
159. The development plan and national planning policy and guidance establishes support for waste sites that seek to improve capacity to sought waste to help encourage reuse and recycling and divert residuals from landfill. The location, within an industrial estate and an existing waste use on land at the edge of Tunbridge Wells, with good access to the primary and strategic road networks, also receives policy support.
160. The application would result in a net increase in HGVs over the existing permitted arrangements of 60 movements (30 In / 30 Out) per day. Kent Highways and Transportation were involved in the negotiations referenced above and are content that the application would not have unacceptable impacts on highway safety, capacity or congestion, subject to the conditions discussed above.
161. The Environment Agency and the County Council's technical consultants on air quality (including dust and odour) and noise, have all considered the implications of the development as proposed. Subject to conditions that are reflected in the recommendation below, the technical consultees are content that the application would be acceptable and raise no objections.

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162. Whilst I note the objections received from two neighbouring businesses, having considered the evidence submitted with the application and additional information provided by the applicant during my consideration of the application, and the recommendations of the technical consultees, I am satisfied that the application would represent sustainable development and could be controlled by the imposition of conditions and operation of the Environmental Permit, such that it would not have unacceptable or significant impacts on the local land uses, including residential development. Any residual impacts would not be dissimilar to those experienced in connection with the established industrial estate that surrounds the site. I am satisfied that, subject to the conditions included in my recommendation below, the application accords with the Development Plan and there are no material planning considerations that indicate the application should be refused. I therefore recommend planning permission be granted.

Recommendation

1. I RECOMMEND that PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- The development shall be commenced within 3 years.
- The development shall be carried out and completed in accordance with the submitted details, documents and plans.

Throughput

- Maximum throughput of 45,000 tonnes of mixed, dry, non-hazardous household, industrial and commercial (HIC) wastes per annum.

Highways and access

- No more than 100 HGV movements/day to site as a whole (50 in / 50 out).
- Securing a Traffic Management System and Plan to be maintained and implemented to ensure that HGVs to be routed east to the A21 via Longfield Road so that the IAQM Guideline figure of 25 Annual Average Daily Traffic threshold for the AQMA is not exceeded. Records shall be maintained of all HGV movements and the information made available to the Waste Planning Authority.
- Measures shall be taken to ensure that vehicles leaving the site do not deposit mud or other materials on the public highway.
- All loaded HGVs entering or leaving the site shall be enclosed, covered or sheeted.
- No delivery of waste to the site by members of the public.
- Areas shown for vehicle access, parking, turning, manoeuvring, loading and unloading to be provided and retained.
- Measures to prevent the discharge of surface water into the public highway.
- Fleet management measures proposed to ensure no queuing on the public highway shall be implemented and maintained.

Hours of operation

- Core operating hours – 07:30 – 16:30 hours Monday to Saturday and nil on Sundays, Bank and Public Holidays.

Land use

- Use of facility restricted to waste use.

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Waste types

- Waste types restricted to those applied for – mixed, dry, non-hazardous household, industrial and commercial (HIC) waste and to exclude residual (putrescible) and black bag waste, unless in contaminant quantities.
- Any putrescible (residual) waste received shall be removed from site to an authorised waste disposal facility within 48 hours.
- No materials shall be stockpiled or stored at a height greater than 3 metres when measured from adjacent ground level and shall then only be in the locations identified on site layout plan

Dust, Odour and Litter Control

- Construction and operation to be undertaken in accordance with the submitted Dust Management Plan
- Stockpiles to be no greater than 3m in height
- The development to be carried out in accordance with the submitted Odour Management Plan.

Ground and surface water protection

- Development to be undertaken in accordance with the submitted Flood Risk Assessment
- Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.
- Submission of a Drainage Scheme Verification Plan prior to the first use of the development

Noise Controls

- Construction and operation of the development to be undertaken in accordance with the Noise Management Plan submitted with the application
- Noise generated shall not exceed 60dB(A)LAeq, 1hr at the closest office building

Other Operational Controls

- A copy of the permission and the approved plans to be made available in the operator's site office.
- Withdrawal of permitted development rights.
- All vehicles, plant and machinery to be maintained and serviced and fitted with closed engine covers and effective silencers.
- No external floodlighting lighting to be installed without approval.

Construction Phase

- Construction or demolition operations restricted to 0730 - 1630 Monday to Saturday, with no operations on Sundays and Bank Holidays unless approved.

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Informatives

I FURTHER RECOMMEND that an informative be added that:

- Explains that the 100 HGV movements referred to in the condition above incorporates the additional 60 movements associated with the proposed development and the 40 HGV movement associated with the existing Aggregates Recycling Facility.

Case Officer: Mr David Payne

Tel. no: 03000 413468

Background Documents: see section heading

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Item C2

The variation of conditions on planning permissions TM/18/2549 and TM/18/2555 relating to vehicular access to the West Lake area at Aylesford Quarry, Rochester Road, Aylesford, Kent – TM/19/1931 (KCC/TM/0171/2019) and TM/19/1932 (KCC/TM/0172/2019)

A report by Head of Planning Applications Group to Planning Applications Committee on 4 December 2019.

Applications by Aylesford Heritage Ltd for:

- (i) the variation of conditions W2, W3, W4 and W6 of planning permission TM/18/2549 relating to vehicular access to the West Lake area – **TM/19/1931** (KCC/TM/0171/2019); and
- (ii) the variation of conditions W2, W4 and W6 and the removal of conditions W7 and W8 of planning permission TM/18/2555 relating to vehicular access to the West Lake area and output of minerals – **TM/19/1932** (KCC/TM/0172/2019);

at Aylesford Quarry, Rochester Road, Aylesford, Kent, ME20 7DX.

Recommendation: Permissions be granted subject to conditions.

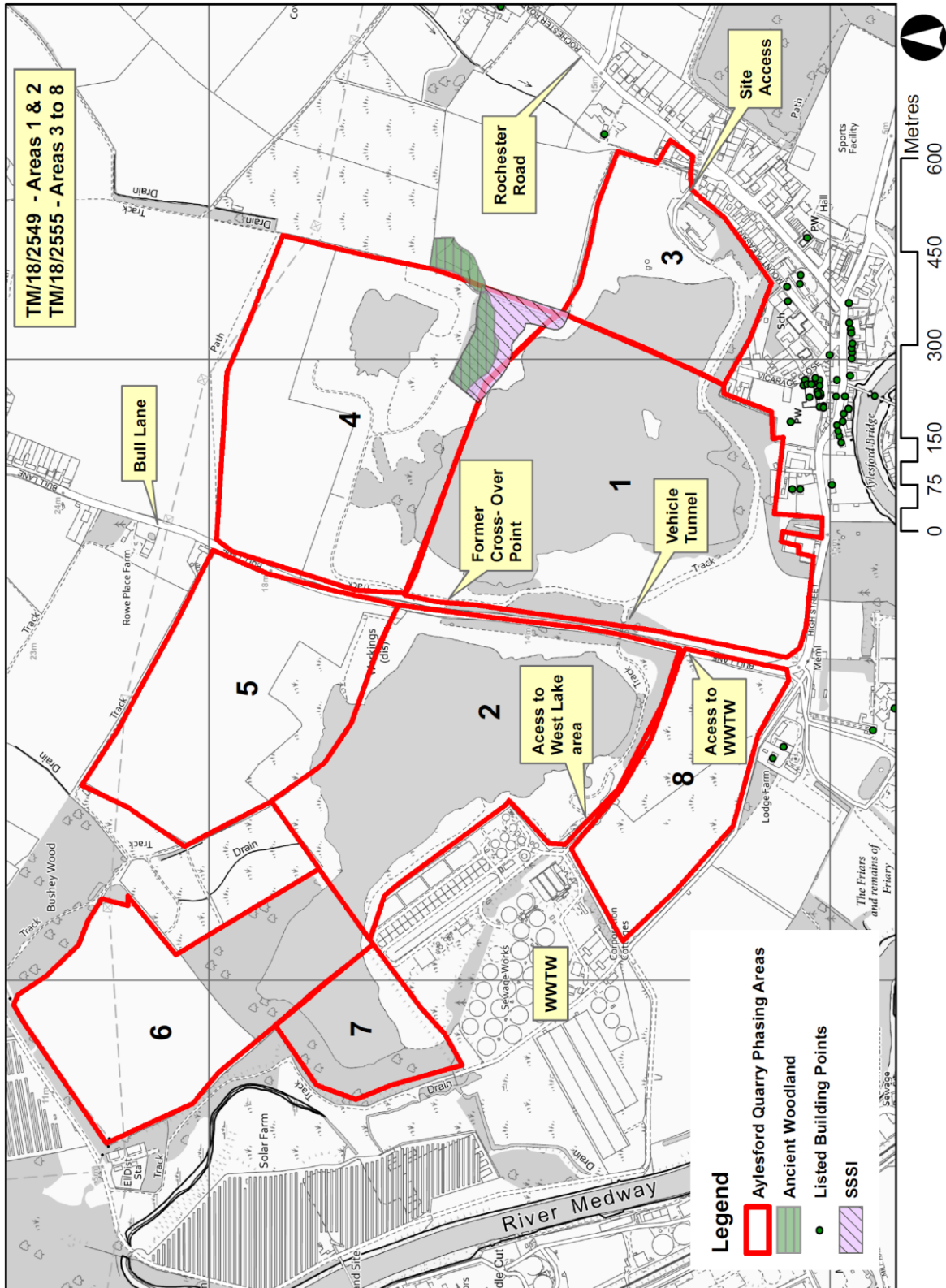
Local Member: Mr P Homewood

Unrestricted

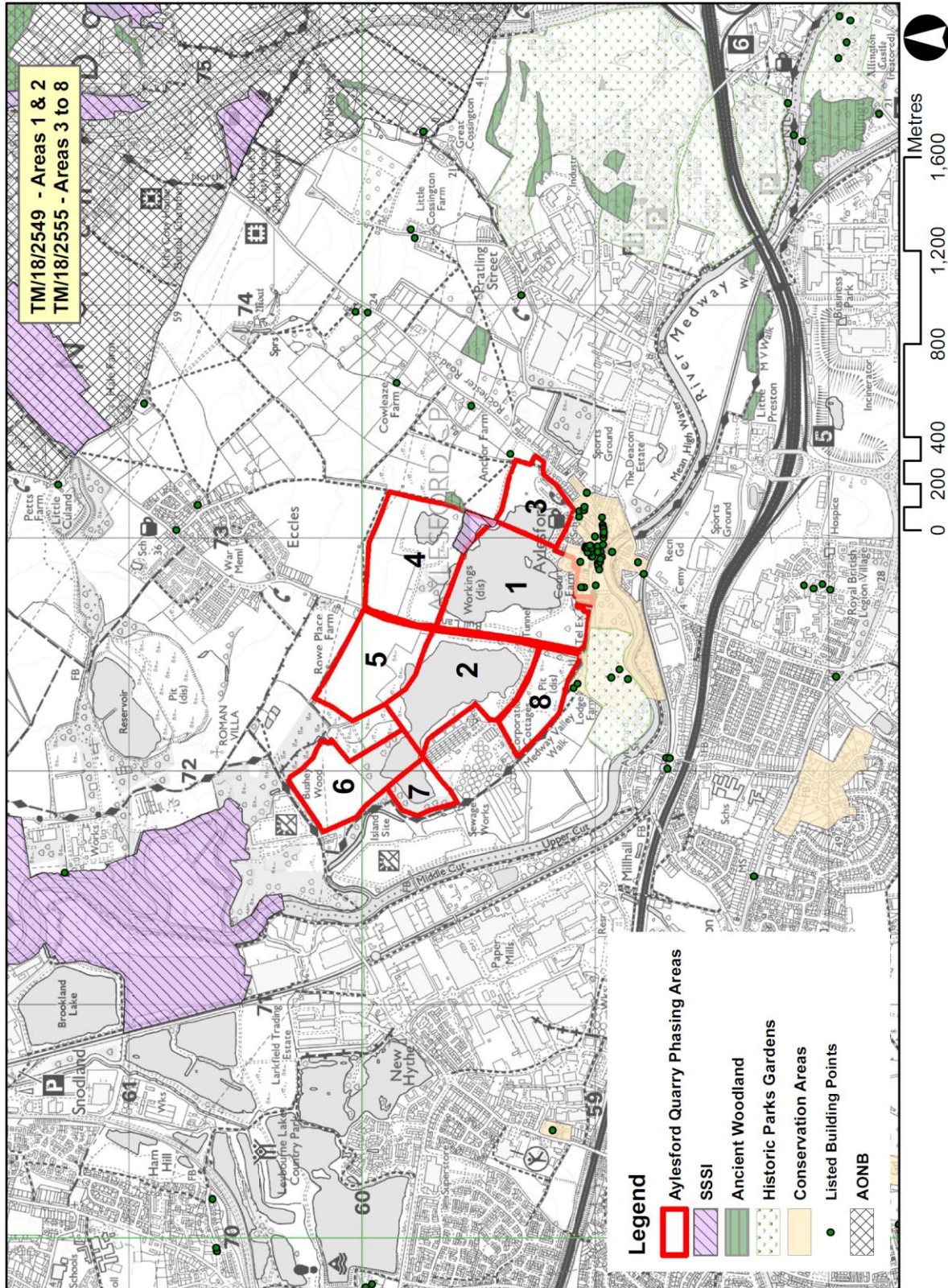
Site description

1. Aylesford Quarry lies approximately 5 kilometres to the north west of Maidstone, between Aylesford and the River Medway (to the south) and Eccles (to the north). It includes land to the east and west of Bull Lane. The eastern area of the quarry lies between Rochester Road and Bull Lane and the western area between Bull Lane and Aylesford Wastewater Treatment Works (WWTW) and Bushey Wood. Each of the areas contains a large lake created by soft sand working above and below water table, whilst the eastern area also contains a smaller lake created by clay extraction. The land around the lakes has either been worked or disturbed by quarry activities, was subject to earlier restoration (which has subsequently been disturbed to some degree) or has not been worked and remains in agricultural use. The quarry offices, workshop and staff car park lie at the eastern end of the site near Rochester Road.
2. The main access to the eastern area of the quarry is via Rochester Road which provides access to the A229. The western area of the quarry can be accessed from Bull Lane via the Aylesford WWTW access. The two areas are linked by a vehicle tunnel under Bull Lane although this is not wide enough to accommodate most modern quarry plant, machinery, equipment and vehicles. The two areas were also previously linked by a crossing point over Bull Lane (for quarry plant, machinery, equipment and vehicles too large to use the tunnel), although this can no longer be used due to extraction that has taken place to the west of Bull Lane. Although the eastern area of the quarry contains no public rights of way, it is largely surrounded by public footpaths. The western area of the quarry is surrounded by a combination of bridleways, restricted byways and footpaths.

The variation of conditions on planning permissions TM/18/2549 and TM/18/2555 relating to vehicular access to the West Lake area at Aylesford Quarry, Rochester Road, Aylesford, Kent – TM/19/1931 (KCC/TM/0171/2019) and TM/19/1932 (KCC/TM/0172/2019)



The variation of conditions on planning permissions TM/18/2549 and TM/18/2555 relating to vehicular access to the West Lake area at Aylesford Quarry, Rochester Road, Aylesford, Kent – TM/19/1931 (KCC/TM/0171/2019) and TM/19/1932 (KCC/TM/0172/2019)



The variation of conditions on planning permissions TM/18/2549 and TM/18/2555 relating to vehicular access to the West Lake area at Aylesford Quarry, Rochester Road, Aylesford, Kent – TM/19/1931 (KCC/TM/0171/2019) and TM/19/1932 (KCC/TM/0172/2019)



The variation of conditions on planning permissions TM/18/2549 and TM/18/2555 relating to vehicular access to the West Lake area at Aylesford Quarry, Rochester Road, Aylesford, Kent – TM/19/1931 (KCC/TM/0171/2019) and TM/19/1932 (KCC/TM/0172/2019)

3. The land at Aylesford Quarry is not allocated for any specific purpose in the Tonbridge and Malling Local Development Framework (TMBC LDF) nor the Kent Minerals and Waste Local Plan (Kent MWLP), although the majority of the site is identified as being within a Mineral Safeguarding Area in the Kent MWLP (relating to Silica Sand / Construction Sand associated with Sandstone from the Folkestone Formation and of River Terrace Deposits). Those parts of the quarry to the west of Bull Lane also lie within the Bushey Wood Area of Opportunity identified in the TMBC Core Strategy which safeguards a much larger area of land for residential needs after 2021 and within the Bushey Wood Area of Opportunity and associated Masterplan Area identified in the emerging TMBC Local Plan which may accommodate residential development after 2031. However, the land is outside the Bushey Wood Strategic Site identified in the emerging Local Plan further north (to the north, west and south of Eccles).
4. Aylesford Quarry is identified as containing a Regionally Important Geological Site (RIGS) and being within the Strategic Gap in the Tonbridge and Malling Local Plan. The eastern part of the quarry contains a Geological Site of Special Scientific Interest (SSSI) and an area of Ancient Woodland. The eastern section of the southern boundary of the eastern area of the quarry is subject to a linear group Tree Preservation Order (TPO). The Kent Downs Area of Outstanding Natural Beauty lies approximately 1 kilometre to the north west of the most northerly part of the quarry and the Aylesford Village Conservation Area lies just to the south. The Friars Historic Park and Garden (part of which is within the Aylesford Village Conservation Area) lies to the south of the site at Aylesford Priory. The Aylesford Village Conservation Area contains a number of listed buildings. These include the main block and gatehouse at the Friars and the Church of St Peter to the north of the High Street which are Grade 1, Court Farmhouse which is Grade 2* and 22 to 32 Mount Pleasant and numerous other properties and features which are Grade 2. There are also two Grade 2 listed buildings on Bull Lane in Eccles (the Red Bull Public House and the Eccles War Memorial Clock Tower).

Planning History and Background

5. Mineral working at Aylesford Quarry has taken place in one form or another for over 100 years. Planning permission was first granted under the Interim Development Order (IDO) arrangements in the mid-1940's and a number of other planning permissions for mineral working and processing were subsequently granted. However, the Quarry is now subject to two extant planning permissions which provide for the extraction of minerals (TM/93/612 and TM/97/751/MR102). Each of the permissions includes land to the east and west of Bull Lane. Both of these permissions represents an "update" to the earlier planning permissions in that TM/93/612 was issued under the terms of the Planning and Compensation Act 1993 (updating the permissions granted before 1 July 1948) and TM/97/751/MR102 under the Environment Act 1995 (updating those granted after 30 June 1948).
6. Planning permissions TM/18/2549 and TM/18/2555 were granted on 11 March 2019 having been considered by KCC's Planning Applications Committee on 6 March 2019. Planning permission TM/18/2549 "amended" TM/93/612 by "varying" conditions 20, 28

The variation of conditions on planning permissions TM/18/2549 and TM/18/2555 relating to vehicular access to the West Lake area at Aylesford Quarry, Rochester Road, Aylesford, Kent – TM/19/1931 (KCC/TM/0171/2019) and TM/19/1932 (KCC/TM/0172/2019)

and 32 of that planning permission to provide a revised restoration and aftercare scheme and consistent noise limits for temporary operations such as restoration with those provided for by planning permission TM/97/751/MR102 for that part of Aylesford Quarry to the East of Bull Lane. Planning permission TM/18/2555 “amended” TM/97/751/MR102 by “varying” conditions 36 and 39 and “deleting” condition 44 of that planning permission to provide a revised restoration and aftercare scheme for that part of Aylesford Quarry to the East of Bull Lane. It should be noted that planning permissions TM/18/2549 and TM/18/2555 are constructed in two parts. Those conditions relating to that part of Aylesford Quarry to the East of Bull Lane (the “East Lake area”) are prefixed with “E” whereas those relating to that part of Aylesford Quarry to the West of Bull Lane (the “West Lake area”) are prefixed with “W”. The conditions relating to the East Lake area were “amended” to reflect the revised restoration and aftercare scheme and consistent noise limits. However, those relating to the West Lake area remained largely unaffected although the opportunity was taken to identify any details that had been approved pursuant to conditions attached to the earlier planning permissions and update the relevant conditions accordingly. Planning permissions TM/18/2549 and TM/18/2555 have yet to be formally implemented but are the subject of the current applications.¹

7. The extent of the areas covered by planning permissions TM/18/2549 (TM/93/612) and TM/18/2555 (TM/97/751/MR102), the phasing areas within these and a number of the key features referred to in this report (including access and proposed routeing) are shown on the drawings on pages C2.2 to C2.4.
8. Other extant planning permissions at Aylesford Quarry include TM/00/2827 which “amended” TM/98/462 on appeal under reference APP/W2275/A/01/1070715 and TM/19/23. The former relates to a new access to the Quarry from Rochester Road (which has been implemented but never completed) and the latter relates to the site offices (which may be retained until 21 February 2042 or within 6 months of the permanent cessation of mineral working, whichever is the sooner). KCC also gave approval for a new storage, garaging and workshop building and the repair and refurbishment of the existing yard area to be used ancillary to the new building pursuant to condition E35 of planning permission TM/18/2555 on 8 October 2019, although this has yet to be implemented.
9. Planning permissions TM/18/2549 and TM/18/2555 include conditions which require the cessation of mineral working by 21 February 2042. Restoration is effectively required by that date or within 2 years of the completion of mineral working at Aylesford Quarry (whichever is the sooner). The restoration and aftercare requirements for the East and West Lake areas were approved at different times. The East Lake area is to be restored in accordance with details specifically referred to in planning permissions TM/18/2549 and TM/18/2555 (including further details specifically required by conditions E40, E41, E42 and E45 of TM/18/2549 and E47, E48, E49 and E52 of TM/18/2555 relating to ecology, landscape, aftercare and protection fencing for the SSSI). The working, restoration and aftercare requirements

¹ The terms “amended”, “varying” and “deleting” used above are intended to enable easier understanding of the effect of the new planning permissions that were granted. In law, the new permissions (also referred to in some cases as “Section 73 permissions”) are planning permissions in their own right.

The variation of conditions on planning permissions TM/18/2549 and TM/18/2555 relating to vehicular access to the West Lake area at Aylesford Quarry, Rochester Road, Aylesford, Kent – TM/19/1931 (KCC/TM/0171/2019) and TM/19/1932 (KCC/TM/0172/2019)

for the West Lake area rely on approvals given on 1 November 1995, 22 October 2002 and 8 January 2003 (although they are effectively the same for each of planning permissions TM/18/2549 and TM/18/2555). The further details required to address the above conditions were approved on 7 November 2019.

10. Planning permissions TM/18/2549 and TM/18/2555 include a large number of other conditions relating to all aspects of the working, restoration and aftercare of Aylesford Quarry. Those of particular relevance to the current applications are as follows:

TM/18/2549

- W2. The only access to and egress from the site shall be by way of the existing quarry access and crossing point as referred to in letter dated 26 January 1994 and shown on revised Drawing No. P1/1192/6.
- W3. The concrete surfacing of the site access road shall be maintained in a good state of repair and kept clean and free of mud and other dirt and debris at all times to the satisfaction of the County Planning Authority.
- W4. Adequate measures shall be taken to the satisfaction of the County Planning Authority to ensure that vehicles leaving the site shall not deposit mud or other materials on the public highway. Wheel and chassis cleaning equipment installed at the Rochester Road access shall be maintained for the duration of operations until final restoration of the site is complete.
- W6. Within 6 months of the date of this permission a sign directing all HGV vehicles to turn left into Rochester Road shall be erected at the site exit and maintained in position for the duration of operations until final restoration of the site is complete.
- W16. No operations including vehicle movements shall take place on the site except between 0700 and 1800 hours Monday to Friday and 0700 to 1300 hours on Saturdays; no operations shall take place on Saturday afternoon, Sunday, Bank Holidays and National Holidays without the prior approval in writing of the County Planning Authority.
- W17. Notwithstanding the provisions of condition W16 above the drying plant identified on Drawing No. P1/1192/6 shall only be operated in accordance with the details submitted in the letter of 26 January 1994 unless otherwise approved by the County Planning Authority.
- W18. Notwithstanding the provisions of condition W16 above, no more than 5 lorry loads of sand shall leave the site between 0530 and 0700 hours Monday to Friday and no more than 3 sand tankers shall leave the site between 1800 and 0700 hours nightly other than with the approval in writing of the County Planning Authority.

The variation of conditions on planning permissions TM/18/2549 and TM/18/2555 relating to vehicular access to the West Lake area at Aylesford Quarry, Rochester Road, Aylesford, Kent – TM/19/1931 (KCC/TM/0171/2019) and TM/19/1932 (KCC/TM/0172/2019)

TM/18/2555

- W2. Prior to the bringing into use of the new Quarry access to Rochester Road provided for under planning permission TM/98/462 as amended by Appeal Decision APP/W2275/A/01/1070715 granted on 23 November 2001, the only vehicular access to and egress from the site shall be by way of the access to Rochester Road shown on Dwg. No. P2/1192/3/1. Thereafter the Quarry access shall only be as provided for under planning permission TM/98/462 as amended by Appeal Decision APP/W2275/A/01/1070715. The only exception shall be the access to Area 8 where access shall be obtained from the private road serving Aylesford Waste Water Treatment Works as shown on plan no. P2/1192/3/1.
- W4. Vehicles leaving the site shall not deposit mud or other materials on the public highway. Wheel and chassis cleaning equipment installed in Area 3 adjacent the access to Aylesford Sand Quarry shall be maintained for the duration of operations until final restoration of the Quarry is complete. Separate wheel and chassis cleaning provision shall be provided for Area 8 prior to any resumption of mineral extraction pursuant to condition W15 below.
- W6. Pending the opening of the new access road provided for by planning permission TM/98/462, as amended by Appeal Decision APP/W2275/A/01/1070715, the sign provided pursuant to condition 6 of Interim Development Order permission TM/93/612 directing all HGV vehicles to turn left into Rochester Road shall be maintained in position at the site exit for the duration of operations until final restoration of the site is complete.
- W7. Prior to the bringing into use of the new Quarry access to Rochester Road as provided for in planning permission TM/98/462, as amended by Appeal Decision APP/W2275/A/01/1070715, the output of all mineral leaving the Aylesford Sand Quarry shall not exceed a level of 275,000 tonnes over a twelve month period starting from the date clay output commenced, and over each subsequent twelve month period whilst it continues.
- W8. Prior to the bringing into use of the new Quarry access to Rochester Road as provided for in planning permission TM/98/462, as amended by Appeal Decision APP/W2275/A/01/1070715, the operators shall continue to maintain records of their monthly output of minerals from Aylesford Sand Quarry and shall make them available to the County Planning Authority at any time upon request. All records shall be kept for at least twelve months.
- W22. No operations including vehicle movements shall take place on the site except between 0700 and 1800 hours Monday to Friday and 0700 to 1300 hours on Saturdays; no operations shall take place on Saturday afternoon, Sunday, Bank Holidays and National Holidays without the prior approval in writing of the mineral planning authority.
- W23. Notwithstanding the provisions of condition W22 above not more than 5 lorry loads of sand shall leave Aylesford Sand Quarry between 0530 and 0700 hours

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Monday to Friday and no more than 3 sand tankers shall leave the Aylesford Sand Quarry between 1800 and 0700 hours nightly other than with the approval in writing of the mineral planning authority.

11. Operations at Aylesford Quarry ceased in 2012 when the previous owner (Cemex UK) decided to sell the site. The majority of the Quarry (east and west of Bull Lane) and some adjoining land was purchased by Aylesford Heritage Limited (AHL) in 2013. Those parts it did not acquire are either unworked (e.g. agricultural land to the north) or previously restored areas with the benefit of more recent planning permissions (e.g. the area to the west of Bull Lane and south of the WWTW access road used to train electrical field operatives how to erect and cable telegraph poles which broadly equates to Area 8). Since 2012, no silica sand extraction has occurred (below water), limited quantities of construction sand have been extracted (above water) and various site management works have been undertaken. AHL made representations on the draft Kent MWLP and appeared at the Local Plan Inquiry in 2015. It argued that the silica sand resource at the site was not workable (unviable) and that only 150,000 – 200,000 tonnes (t) of building (soft) sand (i.e. construction sand) remained within the consented area. This position was accepted by the Inspector and resulted in Aylesford Quarry no longer being included in calculations of permitted silica sand reserves. However, he considered that the presence of a relatively limited amount of recoverable mineral meant that the site should remain within a Mineral Safeguarding Area (as now reflected in the adopted Plan). A drawing showing the location of the remaining mineral (soft sand) in Area 5 (West Lake area) is included at [Appendix 2](#).
12. As reported in March 2019, AHL has aspirations to develop parts of Aylesford Quarry for non-minerals development. However, the appeal held in March 2019 (APP/H2265/W/18/3209279) on the outline planning application (TM/17/02971) submitted to Tonbridge and Malling Borough Council (TMBC) seeking planning permission for residential and other development in the south eastern part of the East Lake area was dismissed. AHL's aspirations are also illustrated by its promotion of the appeal site and other areas of Aylesford Quarry for inclusion in the emerging TMBC Local Plan. Any decisions on the promoted sites will be for TMBC to determine having regard to an Inspector's Report following a Local Plan Inquiry.

The Proposal

13. The applications propose:
 - (i) the variation of conditions W2, W3, W4 and W6 of planning permission TM/18/2549 relating to vehicular access to the West Lake area – TM/19/1931 (KCC/TM/0171/2019); and
 - (ii) the variation of conditions W2, W4 and W6 and the removal of conditions W7 and W8 of planning permission TM/18/2555 relating to vehicular access to the West Lake area and output of minerals – TM/19/1932 (KCC/TM/0172/2019);at Aylesford Quarry.

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14. In seeking to vary condition W2 of TM/18/2549 and condition W2 of TM/18/2555, the applications propose to allow the remaining mineral (soft sand) to be removed from the West Lake area via the existing access from the Aylesford WWTW private access road onto Bull Lane rather than as currently required through the East Lake area via the existing vehicle tunnel under Bull Lane or former crossing point over Bull Lane and onto Rochester Road. This would require HGVs associated with transporting the mineral to travel north through Eccles and use the Bull Lane / Pilgrims Way junction to access the A229 (Blue Bell Hill) via Pilgrims Way or the A228 (to the west of the River Medway) via Court Road, Hall Road and Peter's Bridge (according to destination). The access to the West Lake area and Aylesford WWTW private access road were previously used by lorries and tankers transporting dried sand from the former drying plant.
15. The proposed variation of condition W3 of TM/18/2549 would simply reflect that the access to the East Lake area from the WWTW access road is compacted hardcore as opposed to concrete. The proposed variation of condition W4 of TM/18/2549 would remove the specific reference to the retention of wheel and chassis cleaning equipment at the Rochester Road entrance from the condition whilst still requiring that adequate measures be taken to ensure that vehicles leaving the West Lake area do not deposit mud or other materials on the public highway. The proposed variation to condition W6 of TM/18/2549 would replace the requirement for a sign requiring drivers to turn left into Rochester Road with one requiring drivers to turn left into Bull Lane.
16. The proposed variation of condition W4 of TM/18/2555 would remove the specific reference to the retention of wheel and chassis cleaning equipment in Area 3 (i.e. in the East Lake area) and for similar equipment to be provided for Area 8 (i.e. in that part of the West Lake area which is now being used as a training ground in accordance with a more recent planning permission (TM/14/909)) prior to the resumption of mineral working in that area from the condition whilst still requiring that adequate measures be taken to ensure that vehicles leaving the site do not deposit mud or other materials on the public highway. The proposed variation of condition W6 of TM/18/2555 would replace the requirement for a sign requiring drivers to turn left into Rochester Road with one requiring drivers to turn left into Bull Lane.
17. The proposed removal of conditions W7 and W8 of TM/18/2555 is intended to reflect the fact that these conditions (which relate to an output limit of 275,000 tonnes per annum (tpa) and associated record keeping) would no longer be necessary since access would be via Bull Lane and only about 148,000 tonnes (t) of mineral remains to be worked.
18. The applicant states that the tunnel under Bull Lane is only 2.5 metres (m) wide and is too narrow to be used by HGVs or modern quarry dump trucks and that on this basis it is necessary to use Bull Lane if the remaining sand deposits (which lie in the southern part of Area 5 adjacent to the West Lake) are to be worked and delivered by road to end users. It also states that the quantity of remaining sand in the West Lake area makes it uneconomic to carry out anything other than simple processing (e.g. screening). It envisages that the remaining sand would be worked on a campaign basis to supply a number of large construction projects, meaning that there would be

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periods when no mineral working or associated HGV movements take place.

19. The applicant proposes that mineral working would take place between 07:00 and 18:00 hours Monday to Friday and between 07:00 and 13:00 hours on Saturdays, with none on Sundays or Public Holidays (i.e. as provided for by condition 16 of TM/18/2549 and condition 22 of TM/18/2555). However, to reflect the presence of the primary school in Eccles and concerns about traffic in peak periods, it proposes that HGV traffic associated with mineral working in the East Lake area would avoid the times between 08:15 and 09:00 hours and between 15:00 and 16:00 hours on weekdays in term time. It also proposes that HGVs would not travel in convoy (i.e. 2 or more vehicles together in the same direction) and that drivers would be instructed to wait at least 5 minutes before following an inbound or outbound vehicle. These and a number of other measures intended to minimise the impact of HGVs travelling along Bull Lane through Eccles and an associated complaints procedure are included in a document titled “Aylesford Heritage Limited: Eccles Village Voluntary Traffic Management Scheme for West Lake, Aylesford Quarry” which the applicant has stated it would accept being imposed by way of an enforceable condition if planning permissions are granted. A copy of the Voluntary Traffic Management Scheme is included in [Appendix 1](#).
20. The applicant further states that if the proposed access arrangement is not found to be acceptable and planning permission is refused, it will not be practicable to extract the remaining safeguarded sand reserves in the West Lake area of Aylesford Quarry (i.e. the reserves would be sterilised) and the safeguarding exemption provisions of Policy DM7 of the Kent MWLP will apply to the reserves.

Planning Policy Context

21. **National Planning Policies** – the most relevant National Planning Policies are set out in the National Planning Policy Framework (July 2018) and the National Planning Practice Guidance. These are material planning considerations.
22. **Kent Minerals and Waste Local Plan 2013-30 (July 2016)** – Policies CSM1 (Sustainable development), CSM5 (Land-won mineral safeguarding), DM1 (Sustainable design), DM2 (Environmental and landscape sites of international, national and local importance), DM3 (Ecological impact assessment), DM5 (Heritage assets), DM7 (Safeguarding mineral resources), DM10 (Water environment), DM11 (Health and amenity), DM12 (Cumulative impact), DM13 (Transportation of minerals and waste), DM14 (Public rights of way), DM16 (Information required in support of an application), DM18 (Land stability), DM19 (Restoration, aftercare and after-use)
23. **Tonbridge and Malling Borough Council LDF Core Strategy (September 2007)** – Policies CP1 (Sustainable development), CP2 (Sustainable transport), CP5 (Strategic gap), CP7 (AONBs), CP8 (SSSIs), CP16 (Bushey Wood area of opportunity) and CP25 (Mitigation of development impacts).
24. **Tonbridge and Malling LDF Managing Development and the Environment DPD (April 2010)** – Policies CC3 (Mitigation – Sustainable drainage), NE1 (Local sites of

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wildlife, geological and geomorphological interest), NE2 (Habitat networks), NE3 (Impact of development on biodiversity), NE4 (Trees, hedgerows and woodland), SQ1 (Landscape and townscape protection and enhancement), SQ2 (Locally listed buildings), SQ3 (Historic parks and gardens), SQ4 (Air quality) and SQ8 (Road safety).

25. **Early Partial Review of the Kent Minerals and Waste Local Plan 2013-30 Pre-Submission draft (November 2018)** – Draft (modified) Policy DM7 (Safeguarding mineral resources). The Early Partial Review of the Kent MWLP is currently at the Examination Stage of the plan making process with hearings having taken place in October 2019.
26. **Kent Mineral Sites Plan Pre-Submission Draft (December 2018)** – The Draft Mineral Sites Plan proposes to allocate one new site for soft sand working at Chapel Farm, Lenham. The Kent MSP is currently at the Examination Stage of the plan making process with hearings having taken place in October 2019.
27. **Tonbridge and Malling Borough Council Local Plan Regulation 19 Pre-Submission Publication (September 2018)** – Draft Policies LP1 (Presumption in favour of sustainable development), LP11 (Designated areas), LP12 (Areas of Outstanding Natural Beauty), LP13 (Local natural environment designations), LP18 (Sustainable drainage systems (SUDS)), LP19 (Habitat protection and creation), LP20 (Air quality), LP21 (Noise quality), LP22 (Contamination), LP23 (Sustainable transport), LP24 (Minerals and waste), LP25 (Housing Allocations – Overview), LP27 (Strategic Site – Bushey Wood, Eccles) and LP33(a) Bushey Wood, Eccles (Areas of Opportunity).

Consultations

28. **Tonbridge and Malling Borough Council** – Objects to both applications due to the potential impact of the additional HGVs from the quarry on the village of Eccles and also the junction of Bull Lane and Pilgrims Way. It also states that if KCC is minded to grant planning permission, it should be satisfied that the additional HGV movements would not give rise to adverse highway issues in the area.
29. **Aylesford Parish Council** – Objects to both applications as they seek to increase HGV traffic movements along Bull Lane, through Eccles Village, through the recognised dangerous junction of Bull Lane / Rochester Road / Pilgrims Way and along the equally dangerous Pilgrims Way. It states that Bull Lane and Pilgrims Way are already used by HGVs from the Sewage Works and the increased traffic arising using the Peters Village bridge as a rat run to Maidstone, which causes significant distress to local residents and increasing danger to other traffic users. It also states that retention of the access through Rochester Road would cause significantly less distress to local residents and danger to other traffic users.
30. **Burham Parish Council** – Objects to both applications and considers what is proposed to be totally unacceptable. It states that the additional 100 HGV movements per day would be combined with the current tanker HGVs using Bull Lane and the Pilgrims Way and that the road infrastructure is not sufficient to cover the current

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volume of traffic. It also states that major investment is required as the roads were built for minimal use by local village motorists not hundreds of HGVs.

31. **KCC Highways and Transportation** – No objection to the applications subject to the following conditions:

- Prior to commencement, details of wheel and chassis washing shall be submitted for approval. The measures shall be implemented and available for use prior to commencement.
- Prior to commencement, a method for recording vehicle movements and estimating excavation tonnages shall be submitted for approval. This shall also include a method for making this information available and shall include reports of any incidences as itemised in the voluntary traffic management plan.
- Details shall be submitted (perhaps by signage and documentation), which communicate to staff the voluntary traffic management plan including the proposed exclusion times of 08:15hrs and 09:00hrs and 15:00hrs and 16:15hrs.

It also recommends that an informative be applied advising the applicant of the need to ensure that all necessary highway approvals and consents are obtained (where required) and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

In commenting on the Voluntary Traffic Management Scheme, it advises that no more than 50 vehicles in and 50 vehicles out each weekday and 30 vehicles in and 30 vehicles out on Saturdays should be permitted (to avoid uncertainty) and that for both traffic and amenity reasons quarrying campaigns should be forward planned to ensure that they can be undertaken within these parameters.

It notes that the application is essentially to remove 148,000 tonnes of sand from the West Lake area of Aylesford Quarry over a period of at least 30 weeks and by no later than 2042. It also notes that based on the maximum rates / minimum period the proposal to not exceed 50 lorry loads per weekday (100 movements) is consistent with a payload of 17.5 tonnes per lorry, which is consistent with the payloads of 4 axle rigid HGVs. It notes that 100 movements over a 9-hour day (i.e. 07:00 to 18:00 minus 08:15hrs to 09:00hrs and 15:00hrs to 16:15hrs), would equate to an average of 11 movements per hour. It therefore has no objection in terms of traffic generation. On the issue of safety, it notes that the 3-year injury crash record submitted for Bull Lane (including its junction with Pilgrims Way) shows low incidences of injury crash (i.e. two incidents on Bull Lane classified as “slight” in severity relating to vehicles turning out of Greenfield Close and Mackenders Lane onto Bull Lane and a third on Pilgrims Way classified as “serious” in severity when a stationary vehicle was hit from behind by a drunk driver whilst waiting at temporary traffic lights). It advises that an analysis of goods vehicle crashes (using www.crashmap.co.uk) shows that there have been no crashes at the junction with Pilgrims Way involving goods vehicles over a 20-year period, despite the junction being used by slow moving (including laden) HGVs associated with Aylesford WWTW.

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It advises that paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. It does not consider that the proposed development would constitute a severe impact on the highway or that an assertion that it does could be sustained. As a result, it considers that there is no evidence or tangible reasoning to contend that the proposal constitutes an unacceptable impact on highway safety.

32. KCC Noise Consultant – No objection to the applications.

It has advised that it is satisfied that no significant adverse noise effect would occur from the proposals to route an additional 100 HGVs along Bull Lane through Eccles each day.

It has also advised that although the additional HGV movements would increase the total number of vehicles using Bull Lane and the percentage of those vehicles that are HGVs, this would have a minimal effect on noise levels, possibly 1 to 1.5dB higher than currently, but still below the 3dB necessary to be perceptible based on the methodology contained in the Calculation of Road Traffic Noise Manual.

33. KCC Air Quality Consultant – No objection to the applications.

It advises that although the applications are not accompanied by any detailed information on air quality, any air quality screening assessment undertaken on the proposed HGV movements would conclude that the air quality impacts would be negligible. On that basis, further information on the air quality impact of the HGV movements is not required.

Neither the proposed development itself nor the vehicle route which would be used to transport mineral from the West Lake area via Bull Lane and Pilgrims Way is within or adjacent to an AQMA. The proposed HGV movements are below the screening criteria (100 AADT) for a full air quality assessment for HGV movements outside an air quality management area (AQMA) (beyond 200m).

The Institute of Air Quality Management Guidance “Land-Use Planning & Development Control: Planning For Air Quality” (January 2017) suggests that an air quality assessment should be required for developments not located within AQMAs where the annual average daily traffic (AADT) flow of Heavy Duty Vehicles (HDVs) would increase by more than 100. Since the AADT figure is an annual daily average, this means that more than 36,500 annual HGV movements would be required before an air quality assessment would normally be required outside and not adjacent to an AQMA. Even if all the remaining mineral were to be extracted and removed from the West Lake area in a single campaign in one year, the proposed development would only generate 16,914 movements (8,457 loads), representing an AADT of 46. As such, a detailed air quality assessment is not required.

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34. Environment Agency – No comments to make.

Representations

35. The application was publicised by site notice and newspaper advertisement and the occupiers of all properties within 250 metres of the West Lake area were notified in August 2019.

36. 107 representations (all objections) have been received on application TM/19/1931 (KCC/TM/0171/2019) and 55 representations (all objections) on application TM/19/1932 (KCC/TM/0172/2019). Since the applications are complementary and some, but not all, respondents have commented on both applications, it is assumed that the main reason for difference in numbers relates to the fact that more people have submitted comments on the earlier numbered application. The responses include a letter from the MP for Chatham and Aylesford (Tracey Crouch).

37. The objections and concerns can be summarised as follows:

- Access from / to and use of Bull Lane (relating to concerns about HGV and other traffic on Bull Lane through and near Eccles and at the junction between Bull Lane and Pilgrims Way and other minor junctions in Eccles);
- HGV movements, traffic and congestion on unsuitable local roads more generally (exacerbated by the opening of Peter's Bridge);
- Danger to other road users, pedestrians, cyclists and horse riders;
- Impact on children and others using the local school, pre-school, playing field and other facilities in Eccles;
- Conflict with other traffic due to lawfully parked cars on Bull Lane in Eccles;
- Lack of a pedestrian crossing in Eccles;
- Increased noise and pollution impacts on people and local properties;
- Health impacts;
- Vehicle speeds too high;
- Damage to the road;
- The need for road improvements (which have previously been requested but denied);
- The cumulative impact of other proposed development (e.g. new housing); and
- Concerns about lack of consultation (i.e. not all Bull Lane / Eccles residents were notified by letter) and time allowed to comment.

Local Member

38. County Council Member Mr P Homewood (Malling Rural North East) was notified in August 2019.

Discussion

39. The applications are being report to KCC's Planning Applications Committee for determination as planning objections have been received from Tonbridge and Malling

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Borough Council, Aylesford Parish Council, Burham Parish Council and those who have submitted representations.

40. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In the context of this application, the development plan policies outlined in paragraphs 22 to 24 above are of most relevance. Material planning considerations include the national planning policies referred to in paragraph 21 and the draft development plan policies in paragraphs 25 to 27.
41. The applications propose amendments to and the deletion of conditions imposed on planning permissions TM/18/2549 and TM/18/2555 in so far as they relate to how mineral (soft sand) is transported from the West Lake area at Aylesford Quarry. It is not proposed to alter other conditions relating to the West Lake area or those relating to the East Lake area, although I will refer to some of these as necessary later in this report. The main issues that require consideration in determining the applications are therefore as follows:
- The impact on mineral resources; and
 - The impact of HGVs using Bull Lane (in terms of highway safety and capacity, amenity and the environment).

The impact on mineral resources

42. Paragraph 203 of the National Planning Policy Framework (NPPF) states that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs and that since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation. Paragraph 204 states (amongst other things) that planning policies should seek to safeguard mineral resources by defining Mineral Safeguarding Areas, that policies should be adopted to avoid sterilisation and that the prior extraction of minerals should be encouraged where practical and environmentally feasible. Paragraph 206 states that local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working. Paragraph 207 states that Mineral Planning Authorities should plan for a steady and adequate supply of aggregates by (amongst other things): (a) preparing an annual Local Aggregate Assessment to forecast future demand, based on a rolling average of 10 years' sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources); (c) making provision for the land-won and other elements of their Local Aggregate Assessment in their mineral plans, taking account of the advice of the Aggregate Working Parties and the National Aggregate Co-ordinating Group as appropriate. Such provision should take the form of specific sites, preferred areas and/or areas of search and locational criteria as appropriate; (e) using landbanks of aggregate minerals reserves principally as an indicator of the security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction

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and alternative supplies in mineral plans; (f) maintaining landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised; (g) ensuring that large landbanks bound up in very few sites do not stifle competition; and (h) calculating and maintaining separate landbanks for any aggregate materials of a specific type or quality which have a distinct and separate market.

43. Ensuring the delivery of adequate and steady supplies of sand and gravel and the safeguarding of economic mineral resources for future generations are included in the spatial vision and strategic objectives of the Kent Minerals and Waste Local Plan (Kent MWLP). Policy CSM2 of the Kent MWLP seeks to ensure the supply of (amongst others) soft sand, sharp sand and gravel and silica sand. Policies CSM5 and DM7 of the Kent MWLP and draft (modified) Policy DM7 of the Early Partial Review of the Kent MWLP 2013-30 Pre-Submission draft (November 2018) seek to ensure that economic mineral resources are not unnecessarily sterilised.
44. Whilst Aylesford Quarry was previously worked for soft sand above and below water table (with that below water table being silica sand), it has been accepted by KCC following the Kent MWLP Examination in 2015 that the only viable mineral reserves remaining at the quarry are a relatively limited amount of soft (building) sand above the water table primarily in the West Lake area. However, even though the amount of recoverable mineral may be small (now stated to be 148,000 tonnes (t)), the site is still within a Mineral Safeguarding Area because of the remaining reserves of soft sand (including silica sand). The remaining mineral reserves at Aylesford Quarry represent a small but recognised part of the soft sand landbank in Kent County Council.
45. The latest published figures for soft sand sales and reserves are set out in KCC's (6th) Local Aggregate Assessment 2018 (October 2018) (the "Kent LAA 2018") which is based on the most recent data from the end of 2017. This shows that permitted soft sands reserves were 8.85mt at the end of 2017 and that there was a 17 year landbank (based on permitted reserves divided by sales in 2017), representing a 15.57 year landbank (based on current reserves and 10-year average sales as advocated by the NPPF). The Kent LAA 2018 also states that permitted soft sand reserves will fall below the 7-year landbank required by the NPPF in 6 or 7 years at the current 10-year average rates of sales (extraction). The Kent MSP proposes to allocate one new site for soft sand working at Chapel Farm, Lenham (with an estimated yield of 3.2mt) in order to ensure that the required quantity of soft sand is appropriately planned for. If Chapel Farm is allocated and subsequently brought forward for development with planning permission this would provide a surplus of around 0.7mt over the Plan period. Any final decision on which site(s) will be included in the Kent MSP will be made by KCC once the Inspector's Report following the Local Plan Examination has been received and considered.
46. The remaining soft sand reserves in the West Lake area lie within Area 5 of the TM/18/2555 (TM/97/751/MR102) planning permission area (i.e. to the north of the western lake and immediately to the west of Bull Lane). However, they would need to be removed from the site via Area 2 of the TM/18/2549 (TM/93/612) planning permission area since direct access to the East Lake area or Bull Lane is not possible

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from Area 5. As explained earlier in this report the extant planning permissions are clear that, with the exception of that from Area 8 (which will no longer take place), mineral must leave Aylesford Quarry via either the existing or permitted (but not yet completed) access onto Rochester Road. This requirement is reflected in the approved schemes of working, restoration and aftercare which rely on sand from the West Lake area being transported by dump truck through the tunnel under Bull Lane or via a crossing point over Bull Lane. It is accepted that modern dump trucks are too large to travel through the tunnel and that it is no longer possible to use the crossing point as a result of the extraction that has already taken place in the West Lake area.

47. In reporting applications TM/18/2549 and TM/18/2555 to KCC's Planning Applications Committee on 6 March 2019, I advised (paragraph 70 of that report) that the alternatives to the permitted / approved arrangement were to remove the sand via Bull Lane (as is now proposed) or to employ a relatively short length of field conveyor through the tunnel and for the excavated sand to be fed via a field hopper onto the conveyor for onward transportation through the East Lake area or for use as part of future development in the East Lake area (such as that proposed by planning application TM/17/02971 / appeal APP/H2265/W/18/3209279). In respect of the use of Bull Lane, I advised that considerable local objection had been received due to the perception that those applications were proposing that mineral be removed using Bull Lane (which was not the case) and that although Bull Lane was the signed HGV route to the Island Site (to the south west of Aylesford Quarry) and KCC had previously granted planning permission necessitating the use of Bull Lane to serve temporary waste management development at the Island Site (with restrictions on the number of HGV movements each day and the timing of such movements), it was by no means certain that planning permission could be secured. In respect of a field conveyor, I advised that the applicant had indicated verbally that if planning permission was secured for the proposed residential development but not to allow the soft sand to be removed via Bull Lane, the remaining soft sand reserves might be used as part of that development (thereby making the multiple handling associated with use of a conveyor economically viable). As a result, I advised that there remained a reasonable prospect of the remaining soft sand being worked (either via Bull Lane or through the tunnel).
48. As noted in paragraph 12 above, the appeal in respect of the residential development envisaged by the applicant taking place in the East Lake area was dismissed earlier in 2019. Whilst the applicant still has aspirations to secure an allocation(s) for residential development in the East Lake area (and elsewhere at Aylesford Quarry) which might enable sand from the quarry to be used on site, this is not supported by TMBC. Given that the use of the sand is now unlikely to be used for development within the East Lake area in the foreseeable future, I consider it is reasonable to conclude that transporting the mineral via a field conveyor through the tunnel will not happen. Given this, if planning permission is not granted to allow the use of Bull Lane the remaining mineral (148,000t of soft sand) is likely to be sterilised (as stated by the applicant).
49. If planning permission is refused, the applicant could reasonably assert that the remaining mineral is not of economic value and that its extraction would not be viable or practicable. This would effectively mean that the mineral safeguarding exemption provisions of points 1 and 2 of Policy DM7 of the Kent MWLP (which are the same in

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draft (modified) Policy DM7 of the Early Partial Review of the Kent MWLP) would apply. This would have the effect of removing the mineral safeguarding that currently applies to Aylesford Quarry and, in all probability, result in no further mineral working in the West Lake area (other than in terms of restoration and aftercare). Whilst planning permissions TM/18/2549 and TM/18/2555 include conditions precluding further mineral working in the East Lake area unless otherwise approved by KCC, further extraction of sand or hoggin in that part of the quarry could still conceivably take place if approved or in accordance with planning permissions TM/93/612 and TM/97/751/MR102. However, this would have no effect on the soft sand landbank (since it is already assumed that no viable soft sand exists in that part of the quarry) and would rely on the use of Rochester Road rather than Bull Lane.

50. Sterilisation of the remaining soft sand in the absence of compelling reasons would be contrary to the objectives of paragraphs 203 and 207 of the NPPF and Policies CSM2 and CSM5 of the Kent MWLP. It would also have the effect of reducing the soft sand landbank (by about 3 months) and bringing forward the date at which further soft sand reserves would need to be allocated or permitted (by a similar period). The question of whether or not there are any compelling reasons for HGVs not to use Bull Lane to transport the remaining 148,000t of soft sand from Aylesford Quarry can only be determined having regard to the potential impacts associated with this. As noted above, the main impacts relate to highway safety and capacity, amenity and the environment. These are addressed in the following section.

The impact of HGVs using Bull Lane

Highway safety and capacity

51. Paragraph 108 of the NPPF states that in assessing applications, it should be ensured that safe and suitable access to the site can be achieved for all users and that any significant impacts from the development on the transport network (in terms of capacity or congestion) or any highway safety can be cost effectively mitigated to an acceptable degree. Paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
52. Policy DM13 of the Kent MWLP states that minerals development will be required to demonstrate that emissions associated with road transport movements are minimised as far as practicable and by preference being given to non-road modes of transport. Where development requires road transport, proposals will be required to demonstrate that: (1) the proposed access arrangements are safe and appropriate to the scale and nature of movements associated with the proposed development such that the impact of traffic generated is not detrimental to road safety; (2) the highway network is able to accommodate the traffic flows that would be generated, as demonstrated through a transport assessment, and the impact of traffic generated does not have an unacceptable adverse impact on the environment or local community; and (3) emission control and reduction measures, such as deployment of low emission vehicles and vehicle scheduling to avoid movements in peak hours. Particular emphasis will be given to such measures where development is proposed within an AQMA.

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53. Policy CP2 of the TMBC Local Development Framework (LDF) Core Strategy states that new development that is likely to generate a significant number of trips should (amongst other things) be compatible with the character and capacity of the highway network in terms of the volume and nature of traffic generated. Policy SQ8 of the TMBC LDF Managing Development and the Environment (MDE) Development Plan Document (DPD) states that: (1) proposals will need to demonstrate that any necessary transport infrastructure (the need for which arises wholly or substantially from the development) is in place or is certain to be provided; (2) proposals will only be permitted where they would not significantly harm highway safety and where traffic generated by the development can adequately be served by the highway network; and (5) where significant traffic effects on the highway network and / or the environment are identified, the development shall only be allowed with appropriate mitigation measures and these must be provided before the development is used or occupied. Policy CP16 of the TMBC LDF Core Strategy states that land at Bushey Wood is identified as an Area of Opportunity containing land with potential for meeting residential needs in the post 2021 period, that land will only be released for housing development through the preparation of an Area Action Plan and that development will not be permitted within this area which might prejudice its long term development potential. Paragraph 6.3.22 of the associated text states that assessment of the future development potential of this area will need to have regard to (amongst other things) the provision of adequate access to the area from the principal road network and the M20 motorway avoiding the village of Eccles. Draft Policy LP27 of the emerging TMBC Local Plan states that land at Bushey Wood, Eccles, will be allocated and identified as an area of opportunity for development of approximately 1,514 dwellings (900 of which are expected to be completed by 2031, with the remainder built in the post-plan period). It also states that the prospective applicant should prepare a masterplan which addresses all relevant policy requirements and delivers the necessary infrastructure to meet the needs of the development, including road links to Bull Lane (north and south) and Court Road and other mitigation and improvement measures on the local network arising from a Transport Assessment.
54. TMBC has objected to the applications due to the potential impact of HGVs on Eccles and the junction of Bull Lane and Pilgrims Way. However, it has not sought to substantiate the objection in any detail and has also stated that if KCC is minded to grant planning permission it should be satisfied that the additional HGV movements would not give rise to adverse highway issues in the area. Aylesford PC, Burham PC and a large number of local residents have objected to the applications for reasons which include highway safety and capacity concerns. They consider that the roads are not suitable for the current volume of traffic (exacerbated by “rat running” between the Peter’s Village Bridge and Maidstone and HGVs already using the Aylesford WWTW), let alone the proposed HGV movements. Local residents have also referred to conflict with other traffic and congestion due to lawfully parked cars on Bull Lane in Eccles; dangers to other road users, pedestrians, cyclists and horse riders; the impact on children and others using the local school, pre-school, playing field and other facilities in Eccles; the lack of a pedestrian crossing in Eccles; the speed of vehicles being too high; damage to the road; the need for road improvements (which have previously been requested but denied); and the cumulative impact with other proposed development (primarily the new housing development proposed in the emerging TMBC

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Local Plan).

55. Notwithstanding the above concerns, KCC Highways and Transportation (H&T) has raised no objection in terms of highway safety and traffic generation subject to appropriate wheel and chassis cleaning arrangements, a method for recording HGV movements and tonnages and details of how the requirements of the traffic management plan would be communicated being submitted, approved and implemented, as well as compliance with the proposed Traffic Management Scheme, including a maximum of 100 HGV movements per day (50 in / 50 out) Monday to Friday and 60 movements (30 in / 30 out) on Saturdays. In terms of the relevant policy tests above, this equates to no objection on grounds of highway safety and capacity. KCC H&T has also advised that refusal of the proposed development could not be sustained in terms of highway safety and capacity having regard to paragraph 109 of the NPPF. Its reasons are set out in greater detail in paragraph 31 above.
56. HGVs associated with transporting mineral from the West Lake area would all travel north on Bull Lane from the Aylesford WWTW access due to weight and width restrictions on Aylesford High Street. Having passed through Eccles, they would either travel east (to the A229 via Pilgrims Way) or west (to the A228 via Court Road, Hall Road and Peter's Bridge) from the Bull Lane / Pilgrims Way junction depending on where the mineral was to be delivered to. Neither of these routes is subject to any HGV restrictions. Although dependent on final destination, this would be likely to result in HGVs using both routes and associated impacts being shared between the two.
57. The proposed Traffic Management Scheme includes a number of measures intended to minimise highway safety and capacity concerns in addition to the maximum number of HGV movements each day. These include a voluntary 20mph speed limit through Eccles, avoiding peak times during the school term, giving way to other traffic at pinch points (unless unsafe to do so), avoiding convoys and correct loading and sheeting arrangements being employed. The measures are very similar to those included in the "SCA Packaging: Eccles Village Voluntary Constraints" Code which was encapsulated in planning permissions TM/03/487 and TM/03/2653 relating respectively to the reinstatement of temporary storage lagoons and the restoration of land at the Island Site in 2003 when HGVs associated with those operations had to travel on Bull Lane through Eccles.
58. Although the timing of when the remaining mineral would be extracted and removed from Aylesford Quarry from the West Lake area via Bull Lane is uncertain and may not be undertaken immediately, I believe it is reasonable to assume that it would take place relatively quickly if planning permission is granted since this would secure income for the applicant and enable it to better plan for the future development of its land. Although the proposed development at Bushey Wood / Eccles has the potential to have a significant impact on the area if unconstrained, I note that it would need to be the subject of a masterplan and include appropriate road links, mitigation and improvement measures on the local network informed by a Transport Assessment before any development could take place. Any such masterplan and transport assessment would need to have regard to the proposed mineral development (if permitted). For these reasons, and as the mineral extraction and removal would be

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temporary, I am satisfied that the proposed development would not give rise to significant cumulative impact in terms of highway safety and capacity.

59. As a result of the advice from KCC H&T I must conclude that the proposed development is acceptable in terms of highway safety and capacity and is consistent with the above planning policies subject to the imposition of conditions to secure the terms of the proposed Traffic Management Scheme (with conditions reinforcing the maximum number of HGV movements each day) and those requested by KCC H&T. Since the potential impact of the proposed development has been assessed on the basis of the need to transport an estimated 148,000t of mineral (soft sand) from the West Lake area it would also be appropriate to include a condition which limits the transportation of mineral from the West Lake area via Bull Lane to a maximum of 148,000t unless the written approval of KCC is first obtained to exceed that amount. This would enable KCC to consider the implications of any additional impact in this eventuality.

Amenity impacts

60. Paragraph 205 of the NPPF states that when considering proposals for mineral extraction, mineral planning authorities should (amongst other things) ensure that there are no unacceptable adverse impacts on the natural and historic environment and human health and that any avoidable noise, dust and particle emissions are controlled, mitigated or removed at source.
61. Policy DM13 of the Kent MWLP states (amongst other things) that where development requires road transport, proposals will be required to demonstrate that the impact of traffic generated does not have an unacceptable adverse impact on the environment or local community. It also encourages vehicle scheduling to avoid movements in peak hours. Policy DM11 states minerals development will be permitted if it can be demonstrated that it is unlikely to generate unacceptable adverse impacts from noise, dust, vibration, illumination, visual intrusion, traffic or exposure to health risks and associated damage to the qualities of life and wellbeing to communities and the environment. It also states that mitigation measures may be required through planning condition and / or planning obligation. It further states that proposals will also be required to ensure that there is no unacceptable adverse impact on the use of other land for other purposes.
62. Policy CP1 of the TMBC LDF Core Strategy states that in determining planning applications, the quality of residential amenity will be preserved and wherever possible enhanced. Policy SQ4 of the TMBC LDF MDE DPD states that development will only be permitted where (amongst other things) the proposed use would not result in a significant deterioration of the air quality of the area (either individually or cumulatively with other proposals or existing uses in the vicinity). Draft Policy LP14 of the emerging TMBC Local Plan states that development must (amongst other things) protect the amenity of the local area. Draft Policy LP20 states that development (either individually or cumulatively with other proposals or existing uses in the vicinity) that could directly or indirectly result in material additional air pollutants and a significant worsening of levels of air quality within the area surrounding the development site will

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not be permitted unless evidenced, specifically identified and detailed measures to offset or mitigate those impacts are introduced as part of the proposal. Draft Policy LP21 states that development will only be permitted if it can be demonstrated, to the satisfaction of the Council having regard to the relevant British Standards and other relevant national guidance and good practice at the time the planning application is determined, that it is located, designed and controlled to minimise the impact of noise on neighbouring properties and the prevailing acoustic environment.

63. TMBC has objected to the applications due to the potential impact of HGVs on Eccles and the junction of Bull Lane and Pilgrims Way. However, it has not sought to substantiate the objection in any detail and has also stated that if KCC is minded to grant planning permission it should be satisfied that the additional HGV movements would not give rise to adverse highway issues in the area. Aylesford PC, Burham PC and a large number of local residents have objected to the applications for reasons which include amenity concerns. They consider that the proposed development would lead to increased noise and pollution impacts on people and local properties and associated health impacts. They also refer to the potential cumulative impact of other proposed development (primarily the new housing development proposed in the emerging TMBC Local Plan).
64. Notwithstanding the above concerns, KCC's Noise and Air Quality Consultants have raised no objection in terms of noise and air quality impacts provided the HGV movements are as proposed (i.e. a maximum of 100 movements (50 in / 50 out) each day). In terms of noise impact, the advice is that the proposed routeing of an additional 100 HGV movements along Bull Lane through Eccles each day would give rise to no significant adverse noise effect. KCC's Noise Consultant has advised that although the additional HGV movements would increase the total number of vehicles using Bull Lane and the percentage of those vehicles that are HGVs, it would have a minimal effect on noise levels (possibly 1 to 1.5dB higher than currently, but still below the 3dB necessary to be perceptible based on the methodology contained in the Calculation of Road Traffic Noise Manual). This advice was given having regard to traffic flow data for Bull Lane from 2016 and 2019.
65. KCC's Air Quality Consultant has advised that although the applications are not accompanied by any detailed information on air quality, any air quality screening assessment undertaken on the proposed HGV movements would conclude that the air quality impacts would be negligible. On that basis, it is satisfied that further information on the air quality impact of the HGV movements is not required. Neither the proposed development itself nor the vehicle route which would be used to transport mineral from the West Lake area via Bull Lane and Pilgrims Way is within or adjacent to an AQMA. The proposed HGV movements are below the screening criteria (100 AADT) for a full air quality assessment for HGV movements outside an air quality management area (AQMA) (beyond 200m). The Institute of Air Quality Management Guidance "Land-Use Planning & Development Control: Planning For Air Quality" (January 2017) suggests that an air quality assessment should be required for developments not located within AQMAs where the annual average daily traffic (AADT) flow of Heavy Duty Vehicles (HDVs) (i.e. HGVs) would increase by more than 100. Since the AADT figure is an annual daily average, this means that more than 36,500

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annual HGV movements would be required before an air quality assessment would normally be required outside and not adjacent to an AQMA. Even if all the remaining mineral were to be extracted and removed from the West Lake area in a single campaign in one year, the proposed development would only generate 16,914 movements (8,457 loads), representing an AADT of 46. As such, a detailed air quality assessment is not required.

66. Condition W16 of TM/18/2549 and condition W22 of TM/18/2555 only allow operations (including vehicle movements) to take place in the West Lake area between 0700 and 1800 hours Monday to Friday and between 0700 and 1300 hours on Saturdays. No operations can take place on Saturday afternoon, Sunday, Bank Holidays and National Holidays without the prior approval in writing of the County Planning Authority. The same operating hours apply to the East Lake area. No change is proposed to these conditions and they would continue to apply if planning permissions are granted. However, it is now additionally proposed that HGV movements associated with the transportation of mineral from the West Lake area would not take place through Eccles between 08:15 and 09:00 hours and between 15:00 and 16:00 hours on weekdays in term time. This and a number of other elements of the Traffic Management Scheme would assist in minimising adverse amenity impacts and can be secured by conditions if planning permission is granted.
67. Although no variations are proposed to conditions W17 and W18 of TM/18/2549 (relating to operations at the former drying plant and the provision for HGVs to leave the West Lake area outside normal operating hours) and condition W23 of TM/18/2555 (also relating to the latter) I consider it appropriate for these conditions to be deleted if planning permissions are granted. This would remove the possibility of HGVs entering or leaving the West Lake area outside normal operating hours. Other conditions relating to working, restoration and aftercare in the West Lake area (such as those relating to noise and dust controls on site) would be unaffected and would need to be replicated in any new planning permissions.
68. For the reasons given in paragraph 58 above in respect of potential cumulative impact of the proposed development with that envisaged at Bushey Wood, Eccles in the emerging TMBC Local Plan, I am also satisfied that the proposed development would not give rise to significant cumulative impact on amenity. As noted in paragraph 56 above, the impact of HGV movements on Pilgrims Way, Court Road and Hall Road are likely to be shared. Whilst it is not possible to know the percentage which would travel in each direction (as the final destination of the mineral is not known at this stage), it would clearly be no greater than the number travelling through Eccles.
69. As a result of the advice from KCC's Noise and Air Quality Consultants I must conclude that the proposed development is acceptable in terms of amenity and is consistent with the above planning policies subject to the imposition of conditions to secure the terms of the proposed Traffic Management Scheme and those conditions referred to elsewhere in this report.

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Environmental impacts

70. Paragraph 205 of the NPPF states that when considering proposals for mineral extraction, mineral planning authorities should (amongst other things) ensure that there are no unacceptable adverse impacts on the natural and historic environment and that any avoidable noise, dust and particle emissions are controlled, mitigated or removed at source. Paragraph 170 states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity value and valued landscapes and recognising the intrinsic character and beauty of the countryside. Paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs. Paragraph 175 states that when determining planning applications, local planning authorities should refuse development which that would result in significant harm to biodiversity if this cannot (as a last resort) be compensated for.
71. Policy DM2 of the Kent MWLP states that proposals for minerals development will be required to ensure that there is no unacceptable adverse impact on the integrity, character, appearance and function, biodiversity interests, or geological interests of sites of international, national and local importance. It states that AONBs are to have the highest level of protection in relation to landscape and scenic beauty and that proposals outside, but within the setting of, AONBs will be considered having regard to the effect on the purpose of conserving and enhancing the natural beauty of the AONB. It further states that the consideration of such applications will assess (amongst other things) the need for the development. Policy DM5 states proposals for minerals development will be required to ensure that Kent's heritage assets and their settings, including locally listed heritage assets, registered historic parks and gardens, Listed Buildings, conservation areas, Scheduled Ancient Monuments and archaeological sites and features are conserved in a manner appropriate to their significance. It also states that proposals should result in no unacceptable adverse impact on Kent's historic environment and, wherever possible, opportunities must be sought to maintain or enhance historic assets affected by the proposals. Minerals and/or waste proposals that would have an impact on a heritage asset will not be granted planning permission unless it can be demonstrated that there is an overriding need for development and any impacts can be mitigated or compensated for, such that there is a net planning benefit.
72. Policy CP1 of the TMBC LDF Core Strategy states that in determining planning applications, the quality of the natural and historic environment, the countryside and land, air and water quality will be preserved and, wherever possible, enhanced. Policy SQ2 of the TMBC LDF MDE DPD states that listed buildings will be retained wherever possible and protected from development that would harm their setting or local historic or architectural interest. Policy SQ4 states that development will only be permitted where (amongst other things) there is no impact on the air quality of internationally, nationally and locally designated sites of nature conservation interest or appropriate mitigation is proposed to alleviate any such impact. Draft Policy LP11 of the emerging TMBC Local Plan states that the Council will apply the relevant policy for various designations and listed buildings in the NPPF or whatever represents the relevant national planning policy at the time the planning application is determined and that if a

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development proposal is in conflict with the relevant national policy then it will be in conflict with this Policy. Draft Policy LP12 seeks to protect AONBs and their settings. Draft Policy LP13 seeks to protect and where possible enhance Local Wildlife Sites (LWS), Regionally Important Geological Sites (RIGS) and Priority Habitats. Draft Policy LP14 seeks to protect the local distinctiveness of the area including the setting and pattern of the settlement and its historical and architectural interest and the landscape character, as well as any important prevailing features or characteristics of the area.

73. Although the objections raised by TMBC, Aylesford PC, Burham PC and local residents primarily relate to concerns about highway safety and capacity and amenity, the proposed development is also capable of having other impacts on the environment. The proposed development would result in HGVs travelling past two Grade 2* listed buildings on Bull Lane in Eccles (i.e. the Red Bull Public House and the Eccles War Memorial Clock Tower). It would also result in HGVs travelling within the setting of the AONB.
74. Advice obtained from KCC's Noise and Vibration Consultant in respect of an application elsewhere in Kent that proposed HGVs being routed past a large number of listed buildings clearly indicated that whilst traffic vibration (airborne and ground borne) can cause nuisance to occupants there was no evidence that traffic vibration causes significant damage to buildings. It also advised that reducing vehicle speeds to 20mph and ensuring that the road surface was well maintained would assist in minimising any vibration. In this case, the Traffic Management Scheme proposes that HGVs travel at 20mph through Eccles. Given this, the advice received from KCC's Noise Consultant on the impact of the current applications and subject to KCC H&T ensuring that the highway is appropriately maintained, I am satisfied that there is no reason why the proposed development should significantly affect the listed buildings (or indeed any other buildings).
75. HGVs transporting mineral from Aylesford Quarry would travel within the setting of the AONB (and partially within it) regardless of whether they use Bull Lane or Rochester Road, although the use of Pilgrims Way (between Bull Lane and the A229) would increase the time that HGVs would be within its setting and involve them being closer to it for longer. The use of Court Road and Hall Road would result in HGVs being further from the AONB boundary than when using Pilgrims Way, although still within its setting. However, when considered in the context of other traffic and the vegetation immediately to the north of Pilgrims Way and built development and topography to the north of Court Road and Hall Road, I do not consider any additional impact to be significant. I am also satisfied that the proposed development would have no significant impact on other aspects of the environment such as biodiversity or the water environment.
76. For the reasons given in paragraph 58 above in respect of potential cumulative impact of the proposed development with that envisaged at Bushey Wood, Eccles in the emerging TMBC Local Plan, I am also satisfied that the proposed development would not give rise to significant cumulative impact on the environment. As noted in paragraph 56 above, the impact of HGV movements on Pilgrims Way, Court Road and

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Hall Road are likely to be shared. Whilst it is not possible to know the percentage which would travel in each direction at this stage, I do not consider that this is significant in terms of potential impact on the environment.

77. In view of the above, I am satisfied that the proposed development is acceptable in terms of its potential environmental impacts and is consistent with the above planning policies subject to the imposition of conditions to secure the terms of the proposed Traffic Management Scheme and those conditions referred to elsewhere in this report.

Other issues

78. The adequacy of consultation: As noted in paragraph 37 above, concerns have been expressed by local residents about the lack of consultation and the time allowed for comment on the applications. All properties within 250m of the West Lake area were notified, a joint site notice was erected and a joint newspaper advertisement published. This accords with KCC's Statement of Community Involvement and goes beyond that required by legislation. Notwithstanding this, it is clear from the large number of responses that the local community is aware of the proposed development and has had plenty of time to comment.
79. The working and restoration of the West Lake area: The proposed development would have no direct impact on the actual working of the mineral and restoration of the West Lake area and all relevant conditions in respect of those operations would continue to apply. Notwithstanding this, it is possible that there may be a need for minor alterations to the approved schemes of working, restoration and aftercare for the West Lake area depending on exactly how much further mineral extraction takes place. I am satisfied that this can and should most appropriately be addressed as necessary once the current applications have been determined.
80. The relationship between the West and East Lake areas: The conditions relating to the East Lake area (pre-fixed "E") would remain largely unaffected by the proposed development and would need to be repeated in any new planning permissions that are granted. Those relating to the West Lake area (pre-fixed "W") would be amended or deleted as proposed or replicated if unaffected. Any new conditions would be pre-fixed "W" and included in the relevant section of each decision notice. It would also be desirable to make minor amendments to conditions E2 and E7 of TM/19/1931 and E2 and E9 of TM/19/1932 (to remove reference to aspects of development in the West Lake area which are already covered by those prefixed W elsewhere in the permissions), as well as to reflect the approvals given pursuant to that planning permission on 7 November 2019.

Conclusion

81. The primary purpose of the applications in seeking amendments to and the deletion of conditions imposed on planning permissions TM/18/2549 and TM/18/2555 is to enable the remaining 148,000t of mineral (soft sand) to be removed from the West Lake area via the existing access from the Aylesford WWTW private access road onto Bull Lane rather than as currently required through the East Lake area via the existing vehicle

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tunnel under Bull Lane or former crossing point over Bull Lane and onto Rochester Road. This would require HGVs associated with transporting the mineral to travel north through Eccles and use the Bull Lane / Pilgrims Way junction to access the main road network.

82. The proposed amendments would also provide for a number of consequential changes to what is currently permitted in terms of measures intended to ensure that HGVs do not track mud or other materials onto the highway and ensure that HGV routing is implemented and signed. They would also remove a current limit on annual output from the West Lake area (which is greater than the quantity of remaining mineral in that part of the site). The applicant proposes to implement a Traffic Management Scheme to minimise impacts on the local community which includes a maximum of 100 HGV movements (50 in / 50 out) each day and avoiding peak periods during school term time.
83. The applicant states that the tunnel under Bull Lane is too narrow to be used by HGVs or modern quarry dump trucks and that it is necessary to use Bull Lane if the remaining sand deposits are to be worked. It envisages the remaining sand being worked on a campaign basis. The applicant also states that if planning permission is refused, it will not be practicable to extract the remaining safeguarded sand reserves in the West Lake area of Aylesford Quarry (i.e. the reserves would be sterilised) and the safeguarding exemption provisions of Policy DM7 of the Kent MWLP will apply to the reserves.
84. The main issues when determining the applications are the impact on mineral resources and the impact of HGVs using Bull Lane (in terms of highway safety and capacity, amenity and the environment).
85. Whilst objections have been received from TMBC, Aylesford PC, Burham PC and a large number of local residents, there are no technical objections to the applications from KCC H&T and KCC's Noise and Air Quality Consultants subject to conditions (including implementation of the Traffic Management Scheme). In the absence of any technical reasons for refusal and given the planning policy presumption of working the remaining mineral (soft sand), I have no option other than to recommend that planning permission be granted.
86. Having considered all relevant issues, I am satisfied that the proposed development is acceptable subject to the re-imposition of the majority of conditions on planning permissions TM/18/2549 and TM/18/2555, the deletion of conditions relating to operations at the former drying plant and the provision for HGVs to leave the West Lake area outside normal operating hours and the imposition of new conditions.

Recommendation

87. I RECOMMEND that:
 - (i) PERMISSION BE GRANTED for the variation of conditions W2, W3, W4 and W6 of planning permission TM/18/2549 relating to vehicular access to the West Lake

The variation of conditions on planning permissions TM/18/2549 and TM/18/2555 relating to vehicular access to the West Lake area at Aylesford Quarry, Rochester Road, Aylesford, Kent – TM/19/1931 (KCC/TM/0171/2019) and TM/19/1932 (KCC/TM/0172/2019)

area at Aylesford Quarry (application TM/19/1931), SUBJECT TO conditions covering amongst other matters:

- The existing conditions on planning permission TM/18/2549 continuing to apply to the East Lake area (subject to minor alterations to remove reference to aspects of development in the West Lake area which are already covered by those prefixed W elsewhere in the permissions and to reflect the approvals given pursuant to that planning permission on 7 November 2019);
 - The existing conditions on planning permission TM/18/2549 continuing to apply to the West Lake area (except where proposed to be amended by TM/19/1931 and therefore to be replaced / supplemented);
 - The development not commencing until details of wheel and chassis washing have been submitted to and approved in writing by KCC and any approved measures being available and implemented for the duration of the development;
 - The development not commencing until a method for recording vehicle movements, estimating excavation tonnages and making this information available with reports of any incidences itemised in the Voluntary Traffic Management Scheme have been submitted to and approved in writing by KCC and any approved details being implemented for the duration of the development;
 - The development not commencing until details have been submitted to and approved in writing by KCC setting out how the terms of the Voluntary Traffic Management Scheme will be communicated to staff / drivers;
 - No more than a combined total of 100 HGV movements per day (50 in / 50 out) Monday to Friday and 60 HGV movements (30 in / 30 out) on Saturdays;
 - The Voluntary Traffic Management Scheme being complied with for the duration of the proposed development;
 - No more than a combined total of 148,000t of mineral being exported from the West Lake area via Bull Lane, unless approved in writing by KCC;
 - The deletion of conditions W17 and W18 of TM/18/2549 (relating to operations at the former drying plant and the provision for HGVs to leave the West Lake area outside normal operating hours); and
- (ii) PERMISSION BE GRANTED for the variation of conditions W2, W4 and W6 and the removal of conditions W7 and W8 of planning permission TM/18/2555 relating to vehicular access to the West Lake area and output of minerals at Aylesford Quarry (TM/19/1932), SUBJECT TO conditions covering amongst other matters:
- The existing conditions on planning permission TM/18/2555 continuing to apply to the East Lake area (subject to minor alterations to remove reference to aspects of development in the West Lake area which are already covered by those prefixed W elsewhere in the permissions and to

The variation of conditions on planning permissions TM/18/2549 and TM/18/2555 relating to vehicular access to the West Lake area at Aylesford Quarry, Rochester Road, Aylesford, Kent – TM/19/1931 (KCC/TM/0171/2019) and TM/19/1932 (KCC/TM/0172/2019)

reflect the approvals given pursuant to that planning permission on 7 November 2019);

- The existing conditions on planning permission TM/18/2555 continuing to apply to the West Lake area (except where proposed to be amended by TM/19/1932 and therefore to be replaced or, in the case of conditions W7 and W8, deleted);
- The development not commencing until details of wheel and chassis washing have been submitted to and approved in writing by KCC and any approved measures being available and implemented for the duration of the development;
- The development not commencing until a method for recording vehicle movements, estimating excavation tonnages and making this information available with reports of any incidences itemised in the Voluntary Traffic Management Scheme have been submitted to and approved in writing by KCC and any approved details being implemented for the duration of the development;
- The development not commencing until details have been submitted to and approved in writing by KCC setting out how the terms of the Voluntary Traffic Management Scheme will be communicated to staff / drivers;
- No more than a combined total of 100 HGV movements per day (50 in / 50 out) Monday to Friday and 60 HGV movements (30 in / 30 out) on Saturdays;
- The Voluntary Traffic Management Scheme being complied with for the duration of the proposed development;
- No more than a combined total of 148,000t of mineral being exported from the West Lake area via Bull Lane, unless approved in writing by KCC;
- The deletion of condition W23 of TM/18/2555 (relating to the provision for HGVs to leave the West Lake area outside normal operating hours); and
- the following informative (on each):
 - The applicant being advised of the need to ensure that all necessary highway approvals and consents are obtained (where required) and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Case Officer: Jim Wooldridge

Tel. no. 03000 413484

Background Documents: see section heading.
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Appendix 1 to Item C2

The variation of conditions on planning permissions TM/18/2549 and TM/18/2555 relating to vehicular access to the West Lake area at Aylesford Quarry, Rochester Road, Aylesford, Kent – TM/19/1931 (KCC/TM/0171/2019) and TM/19/1932 (KCC/TM/0172/2019)

Aylesford Heritage Limited: Eccles Village Voluntary Traffic Management Scheme for West Lake, Aylesford Quarry

- Haulage vehicles will be required to approach the West Lake site from the north along Bull Lane and to leave the site towards the north along Bull Lane.
- Haulage vehicles to comply with a voluntary speed limit of 20mph through the village of Eccles.
- A maximum per day of 50 vehicles in and 50 vehicles out each weekday, and a maximum of 30 vehicles in and 30 vehicles out on Saturdays all within the permitted operating hours for Aylesford Quarry.
- Haulage vehicle movement through Eccles between 08:15hrs and 09:00hrs and 15:00hrs and 16:15hrs will be avoided other than in exceptional circumstances.
- Haulage vehicles will, where there are pinch points (including on-street parking) in Eccles Village, give way to other oncoming vehicles unless it would not be safe to do so.
- Aylesford Parish Council Clerk to be notified in a timely way of the need for any additional daily vehicle movements when required for operational reasons.
- Vehicles to travel separately and not in convoy (that is two or more vehicles following each other all bound to or from the West Lake of Aylesford Quarry).
- Haulage vehicles will be filled flat and loads sheeted prior to exiting the West Lake of Aylesford Quarry.
- Commitment to record all complaints and investigate all legitimate complaints with the results being reported to Aylesford Parish Council.

If residents identify a breach of the above conditions, please record:

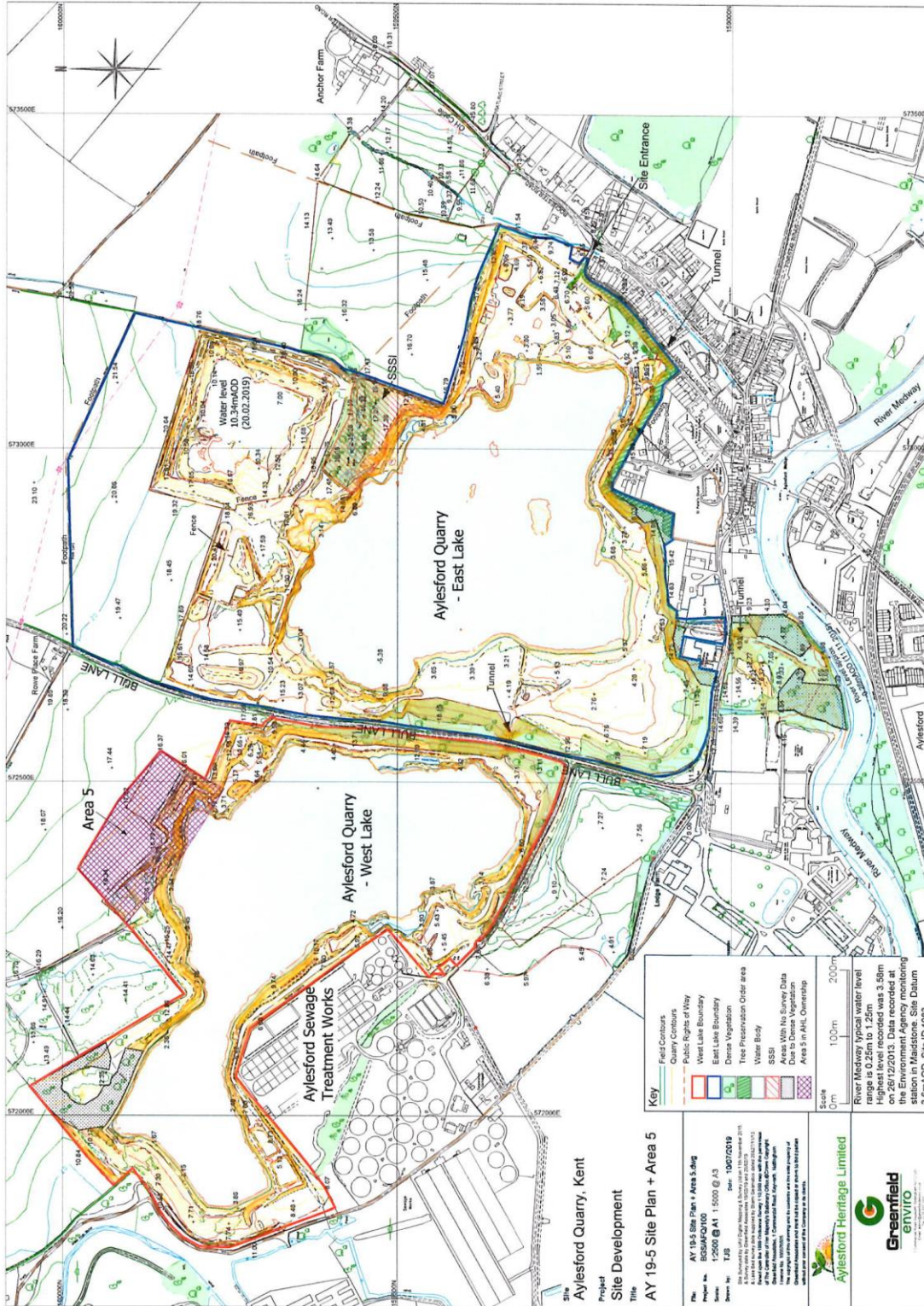
- (1) Exact date and time (to the nearest minute);
- (2) Name of haulier;
- (3) Vehicle registration number;
- (4) Nature of complaint.

Register the complaint by telephoning 01622 812285.

Appendix 2 to Item C2

The variation of conditions on planning permissions TM/18/2549 and TM/18/2555 relating to vehicular access to the West Lake area at Aylesford Quarry, Rochester Road, Aylesford, Kent – TM/19/1931 (KCC/TM/0171/2019) and TM/19/1932 (KCC/TM/0172/2019)

Location of remaining mineral (soft sand) in Area 5 (West Lake area)



SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents: the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

Item D1

Demolition of existing school buildings and proposed erection of a part three part four-storey teaching block with attached sports hall and associated hard and soft landscaping, a new Multi Use Games Area (MUGA) together with parking and ancillary works at Dover Grammar School for Boys, Astor Avenue, Dover, Kent CT17 0DQ – DOV/19/01120 (KCC/DO/0195/2019)

A report by Head of Planning Applications Group to Planning Applications Committee on 4th December 2019.

Application by Kent County Council & Kier Construction (Southern) for Demolition of existing school buildings and proposed erection of a part three part four-storey teaching block with attached sports hall and associated hard and soft landscaping, a new Multi Use Games Area (MUGA) together with parking and ancillary works at Dover Grammar School for Boys, Astor Avenue, Dover, Kent CT17 0DQ – 19/01120 (KCC/DO/0195/2019).

Recommendation: SUBJECT to Historic England determining that the existing school buildings are not of listable quality, that permission be granted subject to conditions.

Local Members: Mrs Pauline Beresford & Mr Nigel Collor

Classification: Unrestricted

Site

1. Dover Grammar School for Boys is a selective secondary school catering for boys aged 11-16 years old, with a mixed gender 6th Form. The school is located on the western outskirts of Dover on a prominent slope which overlooks the town including the docks and Dover Castle. The School site is formed of three terraces – the top terrace houses the original school buildings which are located at the north-western end of the site where Noah's Ark Road runs along the school site boundary. The middle and lower terraces provide playing field facilities for the school and are known as the 'upper' and 'lower' fields, each separated by a steeply sloping vegetated bank. Astor Avenue runs along the south-eastern boundary of the school grounds. In addition to these terraces, the School grounds also include Leney's Field, which lies to the south of the lower terrace. This field is scrubby and undulating in nature and is not currently used for any formal sport. Leney's Field is separated from the rest of the school site by the access road serving Astor College.
2. The school was completed in the early 1930's and is of a traditional style constructed from stone, flint, render and brick. It is linear in footprint across the site and due to the change in levels across the site is built over 6 storeys. There are two main three storey ranges built at right angles around a quad (used as a playground) and these are rendered and white washed, with red tiled pitched roofs. Underneath the quad are a further three storeys with the lower level characterised by a series of semi-circular arches and the level above flanked by a colonnade of pointed arches. There is a white

Demolition of existing school and proposed erection of a part three part four-storey teaching block, attached sports hall, hard and soft landscaping, new Multi Use Games Area (MUGA), parking & ancillary works at Dover Grammar School for Boys, Astor Avenue, Dover, Kent CT17 0DQ – DOV/19/01120 (KCC/DO/0195/2019)

painted stair tower at the south eastern end which is very prominent and has the appearance of a castle wall or church tower. A second, shorter staircase tower is located at the north-western end of the school, erected in 2000/2001 to aid movement around the building, which incorporates the school motto and a checkerboard of tiles which are also visible on the gable ends of parts of the rest of the building. A detached gymnasium is located to the south-west of the original staircase tower and a number of mobile classrooms are sited within the school grounds, both on the edge of the upper playing field and to the south-west of the main school.

3. To the south-west of the Grammar School is Astor College a co-educational secondary school and beyond this an area of residential development. To the north-west the site is also bounded by residential development, whilst to the north-west, beyond Noah's Ark Road, is an area of open space designated as a local nature reserve – 'Whinless Down and Long Wood' Local Wildlife Site (LWS). The school lies wholly within the designated settlement policy boundary of the Local Plan and the playing fields and Leney's Field are covered by the 'existing open space' designation.
4. Vehicular access to the school is from Noah's Ark Road, where there are access controlled gates. There is an internal access road within the site along the north-east edge of the grounds, which links to a maintenance gate accessed from Astor Avenue by the lower playing field. Pedestrian access can be gained from both Noah's Ark Road and Astor Avenue. The vehicular access provides entry to an area of on-site parking predominantly located along the north-west edge of the site. There is current provision for 63 cars on site and 2 minibus spaces. An additional area of student and visitor parking is located outside of the main school grounds, just to the north of the site behind properties on Anselm Road, which is also accessed from Noah's Ark Road.
5. The school has a 4 Form Entry with a published admission number (PAN) of 860; 600 pupils for years 7-11 and 260 for the sixth form. There are 62 full time equivalent staff.

Demolition of existing school and proposed erection of a part three part four-storey teaching block, attached sports hall, hard and soft landscaping, new Multi Use Games Area (MUGA), parking & ancillary works at Dover Grammar School for Boys, Astor Avenue, Dover, Kent CT17 0DQ – DOV/19/01120 (KCC/DO/0195/2019)

General Location Plan



Item D1

Demolition of existing school and proposed erection of a part three part four-storey teaching block, attached sports hall, hard and soft landscaping, new Multi Use Games Area (MUGA), parking & ancillary works at Dover Grammar School for Boys, Astor Avenue, Dover, Kent CT17 0DQ – DOV/19/01120 (KCC/DO/0195/2019)

Proposed Site Layout Plan



Item D1

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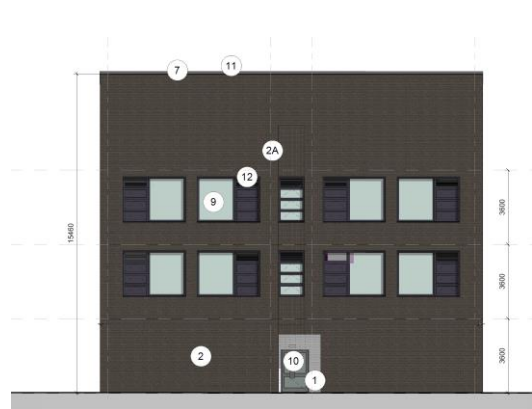
Proposed Elevations



East Elevation



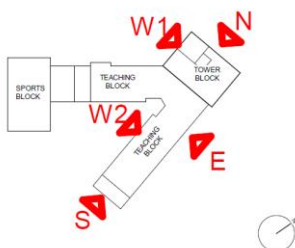
North Elevation



South Elevation



West 2 Elevation



Item D1

Demolition of existing school and proposed erection of a part three part four-storey teaching block, attached sports hall, hard and soft landscaping, new Multi Use Games Area (MUGA), parking & ancillary works at Dover Grammar School for Boys, Astor Avenue, Dover, Kent CT17 0DQ – DOV/19/01120 (KCC/DO/0195/2019)

Proposed Elevations



North West Elevation



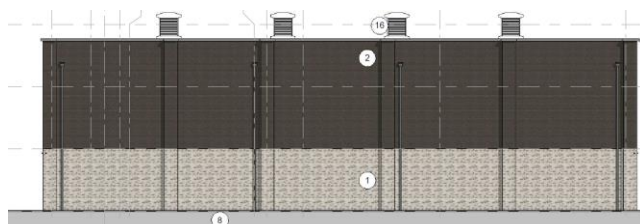
South East Elevation



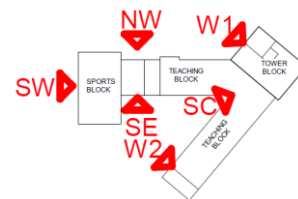
West 1 Elevation



South Courtyard Elevation



South West Elevation



Demolition of existing school and proposed erection of a part three part four-storey teaching block, attached sports hall, hard and soft landscaping, new Multi Use Games Area (MUGA), parking & ancillary works at Dover Grammar School for Boys, Astor Avenue, Dover, Kent CT17 0DQ – DOV/19/01120 (KCC/DO/0195/2019)

Recent Site History

6. The recent planning history for the site relates mainly to the provision of or retention of the mobile classrooms on site, along with permission for improvements to the external security fencing and access on site. In 2015 permission was given for a new sports hall, changing rooms and additional on-site parking, but this sports hall has not been constructed.

Background

7. On 1st May 2015 the Minister of State for Schools announced that the Government would fund a further phase of the Priority School Building Programme (PSBP), with a value of around £2 billion. The new phase is a five-year programme (operating between 2015-2021) to undertake major rebuilding and refurbishment projects in those schools and sixth form colleges in the very worst condition. PSBP is a condition led, block replacement programme with the aim of replacing time-expired buildings. The programme guidelines as set by the Secretary of State do not allow PSBP to provide facilities other than those required for the School's Published Admissions Number (PAN) in 2014.
8. As part of the programme, 277 schools nationally have been selected to have at least one of their buildings (or blocks) rebuilt or refurbished, and this includes Dover Grammar School for Boys. Subsequent meetings have established that although it has been highlighted that there should be a 'like for like' replacement of teaching facilities, the current school building is considered unsuitable by the PSBP programme to be refurbished meaning a new school is required.

Proposal

9. The application seeks approval for the demolition of the existing school buildings, the removal of all temporary classrooms from site along with the old gymnasium and their replacement with a new part three and part four storey school, with an attached sports hall. In order for the school to operate whilst the new school is being built the proposed new building would be sited on the upper playing field. The school would decant into this upon completion, following which the existing school would be demolished. The proposed new school would have a roughly inverted V-shaped footprint which would form the main teaching block, with the sports hall located at the south-western end, and a courtyard would be created in between the two wings. Due to the change in levels across the site the main visitor and staff entrance from the school's access from Noah's Ark Road would enter at second floor level across a bridge link. The reception and staff offices would be located on this second floor, whilst first floor and ground floor levels would provide the teaching spaces. The small section of the building which would be four storeys in height would be located at the northern point of the new school where the main hall would be located.
10. The primary pupil entrance would be at ground floor level on the south-eastern side of the building. The majority of children currently enter the site from Astor Avenue as this is where the bus route runs, therefore the proposed pupil entrance would be provided to

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facilitate this flow of pupils. Improvements would be made to the internal route through the school from Astor Avenue, with a ramped walkway with steps being provided for access between the lower field and the new school down the steep embankment. The attached sports hall would provide 4 sports courts and a new 2 court MUGA would be provided just to the south-east of the hall which would be enclosed by 3m high fencing. No floodlighting is proposed for the MUGA. In order to address the loss of the upper sports field, Leney's Field would be regraded and drained to provide football and rugby pitches to the required Sport England standard. There would be no access control or fencing provided to this area, maintaining the current situation.

11. The school would have a modern design with features included to replicate the existing school, including a taller 'tower' feature at the northern end of the site. The three storey elements would be book-ended by slightly taller elements constructed with different materials to break up the façade and provide definition to the design. There would be an element of full height glazing on the southern-eastern elevation and a mixture of dark and light grey brickwork. An asymmetric roof design would provide an additional feature to the building. A number of features of the original school, referred to as 'legacy items', would be moved to the new building, including two stained glass windows, the honour boards and the large organ from the main hall.
12. The proposed new school would accommodate community use, both for sports facilities and use by the Combined Cadet Force (CCF). There would be controlled access to the main school to allow use of a classroom and activity studio for the CCF and the internal sports hall and changing rooms. The changing rooms would also be accessible from outside in association with use of the external sports facilities. Community use of the main hall would also be provided.
13. Upon completion of the new school, the existing school would be demolished and this area would be remodelled to provide a new parking area and landscaped setting for the new building. There would be a slight uplift in parking provision on site of 4 spaces, and there would be provision for two electric vehicle charging spaces.
14. Amended plans were submitted in early October, following dialogue with Dover District Council and an Independent Design Review Panel. The amendments include the removal of the proposed cladding to the 'tower' element and the use of an all-masonry exterior with a simpler palette of materials; the slightly amended design of the focal 'tower' in order to create more impact; enhancements to the entrance and reception area to create more light through the provision of a roof light; and the provision of a biodiverse green roof on the majority of all flat roof areas of the scheme. A number of detailed technical reports have been submitted in support of the application including a Heritage Assessment, Flood Risk Assessment, Transport Statement, Drainage Statement, Contamination Report, Agronomist Report (for Leney's Field), Archaeological Desk Based Assessment, Ecological Impact Assessment and Habitat Reports.

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Planning Policy

15. The following Guidance/Statements and Development Plan Policies summarised below are relevant to the consideration of the application:

- (i) **National Planning Policy Framework (NPPF) February 2019** and the **National Planning Policy Guidance** (March 2014), sets out the Government's planning policy guidance for England, at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning applications but does not change the statutory status of the development plan which remains the starting point for decision making. However, the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

In determining applications, the NPPF states that local planning authorities should approach decisions in a positive and creative way, and decision takers at every level should seek to approve applications for sustainable development where possible.

In terms of delivering sustainable development in relation to this development proposal, the NPPF guidance and objectives covering the following matters are of particular relevance:

- That development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road would be severe (para 109);
- That the creation of high quality places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (para 124);
- That access to high quality open spaces and opportunities for sport and recreation are important in their contribution to health and well-being, and therefore that existing open space, sports and recreation facilities should not be built on unless the loss would be replaced by equivalent or better provision in terms of quantity and quality (para 96,97);
- That in determining applications account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses; the positive contribution that conservation of heritage assets can make to sustainable communities; and the desirability of new development making a positive contribution to local character and distinctiveness (para 192);
- That the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application; and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (para 197).

In addition, Paragraph 94 states that: *The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive,*

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positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools.

- (ii) **Policy Statement – Planning for Schools Development** (15 August 2011) sets out the Government’s commitment to support the development of state-funded schools and their delivery through the planning system. It is the Government’s view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations.

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.
- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.
- Local authorities should make full use of their planning powers to support state-funded school applications. This should include engaging in preapplication discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community.
- Local authorities should only impose conditions that clearly and demonstrably meet the tests set out on the Planning Practice Guidance website. Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms.
- Local authorities should ensure that the process for submitting and determining state-funded schools’ applications is as streamlined as possible, and in particular be proportionate in the information sought from applicants.
- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority. Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.

- (iii) The adopted **Dover Core Strategy (adopted 24th February 2010)**

Policy CP1 Settlement Hierarchy: The location and scale of development in the District must comply with the settlement hierarchy. The hierarchy should also be used by infrastructure providers to inform decisions about the provision of their services. Dover is identified as the top of the hierarchy, being a Secondary Regional Centre and the ‘major focus for development in the District, suitable for the largest scale development’.

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Policy CP5 Sustainable Construction Standards: New non-residential development over 1,000 square metres gross floorspace permitted after adoption of the strategy should meet BREEAM very good standards (or any future equivalent). Where it can be demonstrated that a development is unable to meet these standards, permission will only be granted if the applicant makes provision for compensatory energy and water savings elsewhere in the District. For developments of 1,000 square metres or less gross floorspace, the Council will encourage proposals to incorporate energy and water efficiency measures.

Policy DM1 Settlement Boundaries: Development will not be permitted on land outside the urban boundaries and rural settlement confines as shown on the settlement maps unless specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.

Policy DM13 Parking Provision: Provision for parking should be a design-led process based upon characteristics of the site, the locality, the nature of the proposed development and its design objectives. Provision for non-residential development should be informed by Kent County Council Guidance SPG4 (Kent Vehicle Parking Standards, July 2006 which allows for a maximum provision of 1 space per member of staff plus 10%), or any successor.

Policy DM16 Landscape Character: Development that would harm the character of the landscape, as identified through the process of landscape character assessment will only be permitted if (i) it is in accordance with allocations made in Development Plan Documents and incorporates any necessary avoidance and mitigation measures; or (ii) it can be sited to avoid to reduce the harm and/or incorporate design measures to mitigate the impacts to an acceptable level.

Policy DM17 Groundwater Source Protection: Within Groundwater Source Protection Zones the policy sets out what would and would not be allowed in order to safeguard against possible contamination.

Policy DM25 Open Space: Proposals for development that would result in the loss of open space would not be permitted unless - there is no identified deficiency in public open space (quantitative or qualitative); where there is a deficiency the site is incapable of contributing to making it good; where there is a deficiency and the site is capable of contributing to making it good, a replacement area with at least the same qualities and equivalent community benefit can be made available; and in the case of a school site the development is for education purposes.

Demolition of existing school and proposed erection of a part three part four-storey teaching block, attached sports hall, hard and soft landscaping, new Multi Use Games Area (MUGA), parking & ancillary works at Dover Grammar School for Boys, Astor Avenue, Dover, Kent CT17 0DQ – DOV/19/01120 (KCC/DO/0195/2019)

- (iv) The new **District Local Plan 2014-2037**. The Council is in the process of preparing a new District Local Plan to cover the period 2014-2037, which will set out key policies for the District. The emerging Local Plan is not due to be adopted until 2022, therefore it is at a very early stage and as such does not carry any material weight.

Consultations

16. **Dover District Council** raise no objection subject to the imposition of conditions to address the full recording of the existing building, including a photographic record, prior to demolition; the submission for approval of architectural details including roof parapet, window and door openings and reveals and external materials to be agreed in consultation with Dover District Council; no plant or machinery to be installed on the roof without prior agreement with the County Planning Authority; the provision and retention of the open space and sports facilities as required by Sport England; a scheme for the ongoing maintenance and management of Leney's Field to ensure public access doesn't undermine its role as a playing field; the retention of trees and implementation of the landscaping strategy; archaeological investigation; details of external lighting, hours of use and level of illumination and ongoing control over any new lighting; appropriate mitigation in relation to ecological and habitat surveys; the incorporation of energy saving measures including some renewables, and at least one electric vehicle charging point (and their long term retention and monitoring); the building to meet BREEAM very good standard; a construction management plan; and investigation and mitigation of contamination and ground conditions.

Dover Town Council has not provided any comments on the application.

KCC Highways and Transportation Officer raises no objection to the application subject to the imposition of conditions requiring the submission of a Demolition and Construction Management Plan; a revised School Travel Plan; the provision and permanent retention of the approved vehicle parking and cycle spaces within 3 months of the demolition of the original school building; that the car and cycle parking be made available for community use in association with the community use of the sports facilities outside of school hours; and that the new access gates from the existing driveway serving Astor College are only used for maintenance purposes, and not for access to the school by staff or pupils at drop off and pick up times.

KCC Biodiversity Officer raises no objection to the application subject to the imposition of conditions to secure recommendations in the Ecological Impact Assessment for the protection, mitigation and compensation for impacts to bats and their roosts; that mitigation measures for badgers are carried out in accordance with the recommendations of the Ecological Impact Assessment; that safeguarding measures for the Local Wildlife Site are undertaken in accordance with the Ecological Impact Assessment; and that details are submitted within 6 months of any decision to secure ecological enhancement measures. In addition, an informative is proposed in relation to nesting and breeding birds in accordance with the Wildlife and Countryside Act. Finally, if the applicant has not been able to finalise details of an agreed reptile receptor site prior to the committee meeting a pre-commencement condition is also required to agree the receptor site before works can commence on site.

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KCC Conservation Officer's views are summarised as follows: Replacement of the existing school with a modern, functional building at a lower level of the slope would destroy the landscape value and landmark quality of the existing structure. The school was designed to be seen and it is clearly visible from the Western Heights Fort, from Dover Castle and from many other key positions in the town. Its loss would have a minor, but measurable, negative effect on the settings of these key assets. A less tangible impact would be experienced as a result of the building's present community value and the strong sense of loss that would be felt by many residents of the area. The proposed development does not meet any of the three key elements of paragraph 192 of the NPPF, as it will result in the total loss to the community of a heritage asset and will make a negative contribution to local character and distinctiveness.

Paragraph 197 of the NPPF relates specifically to non-designated heritage assets and requires the scale of harm or loss, and the significance of the asset, to be taken into account. In this case additional research is required to properly assess the significance of the heritage asset, in the form of a programme of historic building recording to Historic England Level 3, given that the scale of harm is high, as its demolition will result in the total loss of the asset.

The information submitted as part of the current proposal is insufficient to support the conclusions drawn in the Heritage Statement that the existing building is not significant on a regional or national level and is not of listable quality. In order for the application to be determined correctly the building's heritage value must be confirmed, and the views of Historic England should be sought to see if the building is of listable quality.

KCC County Archaeological Officer states that given the site's archaeological potential, further archaeological work is warranted at the site, but is content that such works could be undertaken following determination of the planning application. As such no objection is raised subject to the imposition of a condition requiring a programme of archaeological works and that no development should take place until a programme of building recording for the three sets of WW2 air-raid shelters is secured.

Environment Agency (Kent Area) raise no objection subject to the imposition of a condition to ensure that any contamination found on site which has not been previously identified, is addressed through a remediation strategy to be agreed by the County Planning Authority; and that there be no infiltration of surface water into the ground without permission of the County Planning Authority. In addition informatives in relation to the demolition of the existing school and removal of waste materials from site are proposed.

KCC Flood and Water Management Officer raises no objection subject to the submission of a detailed sustainable surface water drainage scheme prior to the commencement of development; and that no building shall be occupied until a verification report pertaining to the sustainable drainage system has been submitted to and approved by the County Planning Authority.

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Sport England raise no objection to the proposal subject to the imposition of a condition to ensure that Leney's Field is bought back into use prior to the first occupation of the new school and that the land shall thereafter be retained and maintained for playing field use; and that prior to the first occupation of the new school, a community use scheme be submitted to and approved by the County Planning Authority to secure the community use of the indoor and outdoor sports facilities, car parking and changing facilities.

KCC Transport Planner Schools has commented on the submitted draft travel plan, which requires some additional information to be submitted. A condition requiring an updated School Travel Plan is recommended.

Local Member

17. The local County Members for Dover Town, Mrs Pauline Beresford and Mr Nigel Collor were notified of the application. No written comments have been received.

Publicity

18. The application was publicised by the posting of four site notices, an advertisement in a local newspaper, and the individual notification of 215 nearby properties. Following the submission of amended plans all neighbours and consultees were reconsulted.

Representations

19. In response to the publicity, 4 letters have been received objecting to the application, a further 3 letters commenting on the application and 25 letters of support. The key points raised can be summarised as follows:

Support

- Fully support the proposals to provide pupils and staff with a learning and working environment fit for purpose;
- Existing building no longer suitable for modern teaching and retaining it would put students at a disadvantage;
- Whilst the current building is beautiful and full of character it is unable to support the full potential of its students whereas the new build has that as its key focus;
- Current classrooms are below minimum size, heating is unreliable, classrooms leak, and there is a lack of modern resources for PE and sport;
- There is a degree of sadness that the scheme will require the demolition of the quirky yet decrepit set of buildings, but consider the benefits of the modern and attractive proposed facilities will make it a school fit for teaching;
- Wonderful opportunity for students at Dover Grammar School for Boys and the surrounding communities;
- Indoor sports facilities are among the poorest in the country and therefore put a strain on the playing fields which are then over-used – the need for improved sports facilities are required and would benefit the school and the community;

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- The current school and sports facilities are inevitably a limiting factor on attainment;
- Plans will give students a chance to excel both academically and physically and equip them for the future;
- Design of new school impressive and will give students and staff a strong sense of pride;
- Plans aim to maintain some of the original features of the existing school which will maintain its historical past;
- Proposals have been designed sympathetically and been rationally thought through;
- Extra space designed in the new school for learning support is a big benefit;
- Encouraging to see the sports facilities proposed which would be excellent for local community sport groups;
- The redevelopment of Leney's field for sports is long overdue;
- Existing school is expensive to maintain and was designed for the priorities and needs of an earlier era;
- Even if the existing school were refurbished it would not deliver facilities to meet modern standards;
- The disruption caused to the boys teaching by a refurbishment of the existing school would be a major concern for parents;
- Old Pharosians' Association (a registered charity whose members are former pupils and staff of Dover Grammar School for Boys) fully support the proposals to rebuild the school on the upper sports field;
- The existing school has been in disrepair for over 30 years;
- This project should have happened years ago;
- Current school is very inaccessible and anyone with mobility issues is confined to a small area of the school, making it difficult for staff, students, parents and visitors;
- The proposed new school would provide the new head teacher an opportunity to ensure the school succeeds in the future;
- If this scheme doesn't happen now, fear that the school will not be able to continue too far into the future;
- The old building looks venerable from afar but it is a crumbling edifice – the new building would be just as impressive on the hill.

Comment

- The Dover Society (a community/amenity organisation in Dover) raise a mix of views as some of the older members of the group do not wish to see the original building demolished and would prefer the building to be renovated, but the younger members support the provision of a new school. All agree that the new facility would be of significant importance to the town and would, as a Society, therefore lean to support the application.
- Disappointing that a pitched roof design has not been proposed. The new high point of the building which is supposed to reflect the original tower should have a crenelated profile as the original does.
- Hope the original architects plans and drawings have been consulted in connection with the proposed demolition to identify any unknown underground utilities, asbestos etc.

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- Query whether the applicants can be satisfied that the upper plateau would be stable for future foundations, especially given the reported subsidence of the existing school tower;
- Suggest more car parking should be provided to ensure visitors to the school park off Noah's Ark Road to ensure neighbours are inconvenienced as little as possible.

Objection

- Existing building is a non-designated heritage asset of local importance and should be retained;
- The proposed replacement building is a square box with no aesthetic merit and would be ugly like Astor College;
- If the building had been maintained properly it would have lasted longer;
- Existing school in disrepair due to lack of maintenance - if they can't look after what they've got why will they look after the new building;
- Would be better to carry out the remedial works required and keep the school, and build the sports hall that already has permission;
- Concerned over the impact of demolition on the wildlife at the school;
- The building in its current form has allowed wildlife to flourish - birds, bats, slow worms, badgers and lizards;
- There is a bigger picture to consider in terms of wildlife and our planet;
- Demolition and construction of new school will cause disruption and inconvenience to neighbouring properties;
- Problems such as increased noise pollution, dust ingress and invasion of privacy.

Discussion

20. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 15 above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The proposal therefore needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
21. This application is being reported for determination by the Planning Applications Committee due to the objections received as set out in paragraph 19 above. In my opinion, the key material planning considerations in this particular case are the principle of development and the need for education facilities; the loss of the existing building including heritage considerations; the siting and design of the new building and any impact on the wider area and residential amenity; loss of open space and provision of sports facilities; ecological matters; and any highway and transportation implications linked to the proposal.

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Principle of Development and Education Need

22. Planning policy guidance in the form of both the NPPF and the Policy Statement for School Development are strongly worded to ensure that proposals for the development of state funded schools should, wherever possible, be supported. The guidance is set out in paragraph 15 above and in summary states that there should be a presumption in favour of the development of state funded schools; that planning authorities should take a proactive, positive and collaborative approach to meeting this requirement; and that any refusal would have to be clearly justified.
23. The existing school has undergone structural inspections which have shown that there are a number of health and safety concerns relating to asbestos used in construction, water ingress and concrete structure defects. Detailed analysis was undertaken at the pre-application stage to assess whether there would be the possibility of delivering the much needed new accommodation without demolishing the existing school, however the Feasibility Study concluded that this was neither feasible or viable within the requirements of the Priority Schools Building Programme. As a result a proposed new school was the preferred option for the Department for Education rather than refurbishment for a number of reasons, including:
- To provide the school with a new purpose-built facility to current design and space standards for pupils and staff;
 - A new building more flexible and adaptable to accommodate future changes to curriculum;
 - Space to accommodate expansion, if needed, at a later date;
 - A new facility will attract future pupils and parents, helping to ensure the future viability of the school;
 - Design life of 40-60 years in line with Department for Educations Output Specification;
 - Reduced energy consumption and improved carbon footprint;
 - Reduced ongoing maintenance costs;
 - Focuses development spend into one area;
 - The school would not be spread out across the site;
 - Preservation of the school identity on site;
 - Opportunity to create a landmark school;
 - Existing parking provision maintained;
 - Lowest loss of open space land provision;
 - Most cost effective development options.
24. The feasibility study and the poor state of repair of the existing school has therefore resulted in the proposal for a new school building, however consideration has also been given to whether the existing building could be retained for an alternative use given its local designation as a non-designated heritage asset.
25. The viability of an alternative use has been assessed by a company of Chartered Surveyors appointed by the Department for Education, who considered whether a residential use would be viable. Commercial, retail and industrial uses were not considered appropriate given the site's location outside of the main town and built on a hill; in addition residential development would be the most valuable option. However,

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even for a residential scheme the viability assessment showed that substantial deficits would be incurred for any developer (even assuming 0% affordable housing), there being little market demand for refurbished buildings of this scale and in this location, and as such would be mathematically considered as non-viable. Retaining the building for an alternative use would also present significant operational difficulties for the proposed new school in terms of access, security and safeguarding, and an alternative area would be needed for car parking and circulation space, which would result in more outdoor space for the school being lost.

26. There is a recognised support for the need for new school facilities at this site, especially given the funding being proposed through the PSBP scheme, and it is important to provide such facilities in the vicinity of the existing school. It is therefore considered that the need for new school facilities has been established, and that they should be provided on this existing education site.

Heritage Issues for Loss of the Existing Building

27. The main objections to the scheme that have been received centre on the loss of the original school building which is not a listed building, but as stated above, is considered to be a non-designated heritage asset, which is a prominent and landmark building. In light of this, the application was supported by the submission of a Heritage Statement. The Heritage Statement was produced by Mott MacDonald Ltd on behalf of the Education and Skills Funding Agency and formed part of the feasibility study for the project at the detailed design stage. The Heritage Assessment includes a Statement of Significance which states:

“The building’s heritage significance lies in its evidential, aesthetic and communal value, as a very late example of Victorian/Edwardian style medievalism and a striking local landmark. The architectural similarities with Dover Castle and the Fort at Western Heights demonstrate the idea to associate the school with other regional and national landmarks. However, the building exhibits architecture influenced by aesthetic principles, and not thorough historic architectural knowledge. The building is not a particularly good example of medievalism and, built in the 1930’s, is a particularly late example of this style. Its position on high ground, strong architectural style, association with a locally prominent person (Fred Whitehouse, the first headmaster of the school), the fact it has retained its intended use, and its communal association for generations of pupils in the local area has resulted in its being of high local significance, however, this does not extend to a regional or national scale and is not of listable quality.”

28. As set out in the Consultation section (paragraph 16) the County Council’s Conservation Officer considers that there is insufficient information on which to arrive at this view, without the provision of a programme of historic building recording (to Historic England Level 3 – an analytical record which includes drawings, photographs and a written account). This would provide a record of the historic fabric of the building upon which a decision could be made regarding its suitability to be listed. He also recommended that Historic England’s views should be sought to establish whether the building should be listed. Contact has been made with Historic England who have advised that a request

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by members of the public has already been made to them for an assessment of the building's suitability for listing. They have confirmed the process they are now undertaking which is set out below:

- When a request is made to them they make an initial assessment about whether there is enough information for them to look at the request or not.
 - If there is enough information they would make one of two decisions - whether it is unlikely to be listable, or if there is a possibility the building is listable.
 - If they decide the latter they would then proceed to the full assessment and would write to all concerned to advise they are undertaking the full assessment which could take a couple of months.
 - If they take the view that they think it is unlikely to be listable Historic England will write a recommendation to this effect which gets passed to the Department for Culture, Media and Sport and the final decision is made by them.
29. Historic England have determined that they have enough information to consider the request and are at the stage where they are making a decision about whether the building is of insufficient heritage quality to be listed or whether a full assessment is required. In the light of the objections received from the Conservation Officer and other members of the public, a decision from Historic England would be welcomed as it would establish definitively whether there would be any overriding objection to the demolition on heritage grounds.
30. Notwithstanding this matter which will be assessed by Historic England, paragraph 197 of the NPPF states that a balanced judgement should be made as to whether the significance of the asset outweighs other planning and public benefits to the scheme. Should the decision by Historic England be that the building is not of listable quality, this assessment therefore needs to be made. There are no local policies for the protection of non-designated heritage assets. The proposal is for the demolition of the original school which would, by its very nature, result in substantial harm to the local heritage asset. However, this loss at the local level needs to be weighed against the educational needs of Dover Grammar School for Boys, which is the sole function of the building. If the school is no longer fit for purpose and doesn't provide the pupils and staff with the necessary modern-day facilities and requirements then it is failing in its core purpose. The assessments undertaken have demonstrated that it would not be financially viable to refurbish the existing school buildings, but more importantly even if it were refurbished it would still fail to deliver the modern education facilities that are required and expected for sustainable communities. The reuse of the school buildings for residential purposes have also been demonstrated to be unviable financially, but moreover if the existing school is retained for an alternative use, then the access and parking provision for the school would have to be provided elsewhere on site and this would inevitably result in the loss of more of the outdoor space.
31. The fact the school has been selected as part of the Government's Priority School Building Programme (PSBP) means that the quality of the existing buildings are substandard. This programme targets funding to those schools which are in the worst condition in the Country. The District Council's Core Strategy highlights the importance of having sufficient school spaces for pupils within the district to ensure that they receive

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the highest education standard possible and further acknowledges the need for some schools within Dover to rejuvenate and in some cases be replaced. NPPF paragraph 94 makes it clear that great weight should be given to proposals which widen choice in education and provide quality educational environments, and the Planning Policy Statement for Schools Development states that the creation of state funded schools is strongly in the national interest and that decision makers should support that objective and apply a presumption in favour of development. Taken together these amount to a very clear message that proposals such as this should be supported. Whilst it would be regrettable to lose the building given its local importance, it is considered that it is necessary to provide the education facilities required for Dover Grammar School for Boys and therefore my balanced judgement is that the demolition of the school and its replacement is acceptable in principle in accordance with paragraphs 94 and 197 of the NPPF, provided the building is not considered listable by Historic England. We have been advised that a decision by Historic England (or the Department of Culture Media and Sport) is unlikely to reach us before the Planning Application Committee therefore the recommendation to Members would be that permission be granted subject to Historic England determining that the buildings are not of listable quality.

Siting and Design of New Building

32. The proposed replacement building would be sited on the upper field as described in the proposal section above and has been designed to create flexible and functional spaces, which would provide for the educational needs of all users of the site and create an innovative and inspiring environment. The current building is an important landmark in the town, but due to the logistics of building the new school whilst using the existing one, the proposed school cannot be sited in the same position and as such would have to be sited at a lower level. As a result it would be slightly less visible than the existing school when viewed from a distance, but it would still be prominent against the hillside and the choice of materials, with a strong colour contrast, would enhance the appearance of the school and make it stand out from distant views. Once the existing school has been demolished and the site landscaping completed, the new school would benefit from an improved backdrop which would also enhance the overall appearance. The building has been designed to be multi-sided, which would ensure that the appearance of the school would be to a high standard regardless of the viewpoint. In order not to detract from this design, and its setting against the backdrop, Dover District Council have requested a condition be imposed restricting the positioning of any roof plant on the roof other than that shown on the submitted drawings. Those elements that are included relate to ventilation extracts from the science labs on the second floor, soil vent pipes from the toilets and condensing units. In these cases the elements on the roof are either located tight up against the roof parapet so as not to be visible, or in the case of the soil pipes have a minimal projection which would be obscured once the green roof has established itself. The wind catchers for the main hall and sports hall would project above the roof slope in a location where they wouldn't be wholly obscured as the other items above, but they are required for ventilation for these spaces, and would not be located on the primary flat roof element of the building. Provided no additional plant is permitted on the roof, as proposed by the suggested condition, it is considered that these wind catchers would not detract from the overall appearance of the building and would be acceptable.

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33. In its location on the upper field, the visual impact of the school on surrounding residential properties would be reduced from its prominent current location. The building would be set away from the site boundaries as a result of the existing access road which runs along the northern boundary of the site, thereby keeping the built form away from the closest residential properties which are those in Anselm Road, Hamilton Road and Chamberlain Road. There is existing mature landscaping along this boundary as well, which combined with the topography of the site would prevent any direct views into the residential properties and would therefore not result in any loss of privacy. Distances of more than 40m between the new school and the residential properties to the north would ensure any impact on the residential amenity of these residents is not adversely affected. Furthermore, the new pedestrian link from Astor Avenue via the proposed steps and walkway up the bank between the lower and upper fields would direct the pupils away from the access road and this boundary closest to the residential properties, and directly across to the primary pupil access.
34. In terms of the design of the school itself, it is considered that this has been produced to a modern high standard whilst having reference to the design of the original school it would replace. A modern tower feature would be included to reference the existing stair tower. Whilst it has been suggested in the representations received that this should have a similar crenelated style as the original, it is considered that replicating it in such detail would be inappropriate and compromise the modern design of the school as a whole. The height and material choice of this element gives the impression of the tower, which along with the location of the school emblem would create the visual effect. The full height glazing element for the dining hall (which has a void over) would contrast with the brick colours for the rest of this elevation and internally would provide views across Dover to the Castle and the port.
35. Elements of the existing school fabric have been designated to be removed and would be included in the proposed new school, to ensure the continuity of the historic legacy of the school. This would include the pipe organ which would be housed on the third floor of the new school by the main hall, the 'fiat lux Pharos' stained glass window from the current library which would be situated in the new reception area and the large stained glass window currently located on the existing stairs to the library which would be hung above the focal staircase at second floor level.
36. A hard surfaced courtyard would be created between the two wings of the proposed school and the MUGA would be located to the south of this. The layout of the classrooms internally would result in a uniform window appearance to the building wings. From the northern side of the site, the main entrance and approach from Noah's Ark Road has also been emphasised through the design. As amended, the main entrance would be enhanced with more light from a proposed roof light above the reception and once inside there would be views across the dining room atrium to Dover Castle and the port. A bridge across from the parking area, which would be accessed from Noah's Ark Road, would lead straight to the reception area and provide access for all staff, parents and visitors as well as late students. The majority of the flat roof elements of the building are now proposed to be planted with a biodiverse green roof (outlined further in the landscape section in paragraph 51). Once demolished the

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footprint of the original school would be landscaped and the existing vehicle entrance (and gates which are to remain) would lead to areas of on-site car parking.

37. It is considered that the proposed design and siting of the school would meet the aims of Policy DM16 of the Core Strategy in that it would respond positively to the character and appearance of the locality and it would retain the character of a prominent building on the elevated parts of the site. The building would be comfortably accommodated within the site, such that it would not result in any overdevelopment of the site and would be sufficiently well separated from the boundaries. The proposal would be constructed of materials which would provide a contemporary appearance in keeping with the bespoke, modern design. It is therefore considered to comply with the local planning guidance as well as section 12 of the NPPF which states that good design is a key aspect of sustainable development.

Sports Provision and Loss of Open Space

38. The proposed development would be sited on the 'upper' playing field which would result in the loss of this existing playing field and sports facility. This part of the site is classified as 'Existing Open Space' in the proposals map for Dover and as such is covered by Policy DM25. As set out in paragraph 15, Policy DM25 states that proposals for development which would result in the loss of open space will not be permitted unless in the case of a school site the development is for education purposes. Given that this proposal relates directly to the provision of new educational facilities it is considered that it would meet this exception to Policy DM25. Notwithstanding this, the scheme has been designed to minimise the amount of open space that would be lost and by siting the new school on the upper field the built form would be kept on the periphery of the wider open space designation. Mitigation for the loss of the open space would also be provided through the development of the four court sports hall, MUGA and the enhancements to Leney's Field. Currently the school has a very aged and dilapidated sports hall and no external court provision, and both aspects of the proposed new school would be available for community use. Given the proposed new facilities, it is considered that the scheme would accord with the guidance of the NPPF as well, which states that existing open space, sports and recreation facilities should not be built on unless the loss would be replaced by equivalent or better provision in terms of quantity and quality.
39. Sport England fundamentally oppose development which would result in the loss of, or would prejudice the use of, all or any part of a playing field in all but exceptional cases whether the land is in public, private or educational use. Policy P1 of the Sport England Policy Statement sets out the exceptions to their general presumption against the loss of playing fields, and these are:
- E1 A carefully quantified and documented assessment of current and future needs has demonstrated to the satisfaction of Sport England that there is an excess of playing field provision in the catchment, and the site has no special significance to the interests of sport.

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- E2 The proposed development is ancillary to the principal use of the site as a playing field or playing fields and does not affect the quantity or quality of pitches or adversely affect their use.
- E3 The proposed development affects only land incapable of forming or forming part of a playing pitch, and does not result in the loss of or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing areas of any playing pitch or the loss of any other sporting/ancillary facilities on the site.
- E4 The playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to commencement of development.
- E5 The proposed development is for an indoor or outdoor sports facilities, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.
40. Sport England were consulted on the application and advise that in their view the application relates to the loss of existing playing fields and/or the provision of replacement playing fields, and therefore the application has been considered against exception E4 of the above policy. Although they acknowledge that Leney's Field has not been marked out as playing fields since 2003, they would still meet the formal definition of a playing field and thus are considered as such by Sport England. However, they also recognise that it is not useable as a playing field, in that it would require significant work, beyond simply mowing the grass and marking out pitches to allow formal sport to continue there. A Quality Assessment Report (by TGMS) was submitted with the planning application which summarised the scope of works to the field which would ensure that the replacement facility would meet Sport England's performance quality standards and could, in fact, be provided to a better standard than the upper playing field.
41. Sport England have confirmed that the proposals, with its redevelopment of Leney's Field for playing fields and the provision of the new sports hall and MUGA would be of sufficient 'development to sport' to outweigh the loss of the upper playing field and would therefore meet the exception policy E4. Conditions have been requested to ensure that the scheme for bringing Leney's Field back into use would be carried out in accordance with the TGMS' Quality Assessment Report and provided prior to the first occupation of the new school, and that thereafter the land be maintained and made available for sport. In addition, a condition requiring both the indoor and outdoor sports facilities, changing facilities and car parking to be made available for community use in accordance with a Community Use Agreement (to be submitted prior to the first occupation of the school) is also requested. Dover District Council have also requested a condition to ensure that public access to Leney's Field would not affect the ability to use the field for sports provision (given that it would not be fenced or enclosed), and this could be achieved through a scheme for the ongoing maintenance and management of

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the site, to be agreed by the County Planning Authority prior to occupation of the new school. In the light of these comments it is considered that the proposed development would be in accordance with Sport England's Planning Policy.

Access, Parking and Highways

42. The application has been accompanied by a Transport Technical Note which has been considered by the County's Highways and Transportation department. The Technical Note clarifies the position that the number of staff and pupils that would be accommodated on site as a result of this proposal would not change. No changes are proposed to the existing vehicular access arrangements for the site, with the primary vehicle access being taken from Noah's Ark Road, and the access gates on Astor Avenue only being used for service vehicles and maintenance purposes. The internal roads within the site would be reconfigured to align with the new building, and pedestrian access would still be provided from both Astor Avenue and Noah's Ark Road.
43. A new internal loop road would be provided on the site of the existing building, once demolished, leading to the revised on-site parking layout, which would see an uplift of 4 parking spaces over the original provision. The existing informal parking area provided off site would be retained under the new scheme, as per the existing situation, providing 17 parking spaces for sixth form students. In total 67 car parking spaces would be provided on site: 20 in the proposed new main car park, including 5 disabled spaces, and 43 in the existing two areas of hardstanding which would be retained. Four further spaces located to the west of the new car park would also be retained. Dover District Council have requested the provision of at least one vehicle charging point to be provided within the school site. The applicants were informed of this request and have agreed to provide 2 active electric vehicle charging points on site with infrastructure in place for a further 3 spaces for the future. No dedicated motor bike parking spaces are allocated at present but should a demand arise for these there would be sufficient space on site to accommodate them in the future. A total of 36 cycle parking spaces are proposed on site, to the west of the proposed main car park. Space on site to accommodate a further 84 bicycles is allocated to the east of the proposed new building and further provision to the west of the main car park (should they be required) which would represent a significant increase over the existing provision.
44. A new set of double maintenance gates would be fitted to the boundary fence to the south-west of the proposed MUGA onto the access drive for Astor College. The agent has clarified that these would be for maintenance purposes only and not used for access at start and drop off times for staff and pupils. Delivery and service vehicles would continue to access the site from both Noah's Ark Road and Astor Avenue, as per the existing situation. The refuse store would be located to the east of the proposed school building next to the internal access road, and a turning head for emergency vehicles is also proposed in this area. Vehicle swept path analysis plans accompanied the application demonstrating that a fire engine could manoeuvre within the site.
45. A Construction Method Statement has been submitted which sets out the logistics for carrying out the construction and demolition of the school, should planning permission be given. This advises that articulated lorries would access the site from Astor Avenue

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whilst all other construction vehicles would enter from Noah's Ark Road. Furthermore it states that deliveries would be timed to be outside of school drop off and pick up times and that there would be wheel wash facilities on site.

46. The Highways and Transportation Officer has considered the information and plans submitted and confirms that given there would be no change to the number of staff and pupils on site, or the access arrangements for the school, there is no objection to the scheme on highway grounds. However a number of conditions are proposed which include ensuring the on site car and cycle parking would be provided within 3 months of the demolition of the original school, and thereafter maintained; that the Construction Method Statement be implemented as submitted; that the on site vehicle and cycle parking be made available for community use outside of school hours in association with use of the facilities on site; that the School Travel Plan be updated on the County Council's 'Jambusters' Scheme; and a condition to ensure that the proposed new maintenance gates on the Astor College service road are not used for pupil or staff access to the school.
47. The scheme is considered to be in accordance with Local Planning Policy DM13 and Kent's Parking Policy in that the number of parking spaces on site would accord with the maximum standards given, and would accord with the NPPF in that the scheme would not result in any 'severe' highway impacts.

Flood Risk and Drainage

48. The application was supported by the submission of a Flood Risk Assessment which identifies that the site is entirely within Flood Zone 1, where there is the lowest risk of flooding. Table 2 of the NPPF Planning Practice Guidance lists this type of education development as 'more vulnerable' and such development is considered appropriate in areas classified as Flood Zone 1. Overall the FRA has demonstrated that the development should not be precluded on flood risk grounds.
49. The application has also been accompanied by a Drainage Strategy and associated drainage layout drawings, which have been considered by the County's Flood and Water Management Team. The documents provide a detailed description of the foul and surface water drainage systems for the proposed development and the report highlights that the site has unrestricted surface water connection to the existing public sewer on site. All existing surfaces on site would drain as existing and the foul drainage from the new building would drain into the existing sewer network, replacing the current school connection. The Flood and Water Management Team have advised they have no objection to the principles of the drainage scheme proposed in the report, but have requested the imposition of two conditions should planning permission be granted - to secure the submission of a detailed surface water drainage scheme prior to commencement of development, and the submission of a verification report relating to the drainage scheme prior to occupation of the new school.

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Landscape and Trees

50. The application has been supported by the submission of detailed landscape masterplan drawings, an Arboricultural Impact Assessment and Tree Protection and Removal Plans. The tree plans and report indicate that the proposals would require the removal of one tree, an elder, located close to the internal access road close to Astor Avenue, and the selective removal of some trees within the woodland group located on the bank between the existing upper and lower playing fields. The remainder of the existing trees and woodland groups on site would be retained and enclosed by tree protection fencing. The report also highlights that 18 trees and 3 groups on the existing school site would have their root protection areas breached during the demolition process, but the protection of these trees could be further secured via the submission of an Arboricultural Method Statement if permission were granted.
51. The existing trees and hedges which mark the boundaries of the site would therefore on the whole be retained and the proposed landscape scheme would seek to further enhance the landscaping on the site and to reinforce the siting of the new school within the site, especially when viewed from distance against the hillside. Following the demolition of the existing school this part of the site would need extensive landscaping and retaining works to accommodate the change in levels across the site, and this has been designed with a series of terraces and a variety of retaining features surrounding the loop access road. The amended plans included a revision to the roof design to include a biodiverse green roof on the majority of the flat roof sections, following the Dover Design Review Panel. The green roof system would be a shallow, lightweight and low maintenance system that would support a diverse mix of native wildflowers and grasses, which would create a range of ecological habitats for wildlife. The proposed seedling and plug planting would establish an initial population, which would then over time be followed by natural colonisation as a result of wind dispersal or introduced by birds and other animals. The proposal being that eventually a balanced population of species would develop. A landscape scheme to secure the use of native species of planting appropriate for a school setting, along with plants suitable for bee pollination (including those for the proposed green roof), could also be secured via a condition. As such it is considered that the scheme would accord with the aims of Policy DM16 of the Core Strategy.

Archaeology

52. The application has been supported by an Archaeological Desk Based Assessment which confirms that the chalk down-land landscape upon which the site is located is generally rich in archaeological remains including finds of Neolithic and Bronze Age date. The KCC Archaeological Officer has considered the report and advises that whilst the construction of the terraces upon which the existing school and playing fields are built (formed by cut and fill excavation) would have had a significant impact on archaeological survival, it is likely that there will be areas within the site where archaeological remains might survive, unaffected by such terracing. In addition the Officer notes that the school buildings were requisitioned by the Royal Navy as a station for the WRNS during WW2 and the plans indicate the location of three sets of buried air raid shelters on the site. These shelters are of archaeological and historic interest and

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where they survive could contain evidence of their use, potentially including graffiti by those who sheltered there.

53. Given the site's archaeological potential the Archaeological Officer recommends that further archaeological work is warranted on the site, but states that this could be undertaken following determination of the planning application, through the imposition of conditions. These would include a condition to secure a programme of archaeological works in accordance with a specification and timetable to be agreed with the County Planning Authority; and also a condition to secure a programme of building recording of the WW2 air raid shelters on the site to ensure these are properly examined and recorded.

Ecology

54. The application was supported by the submission of a Preliminary Ecological Appraisal, an Ecological Impact Assessment, Bat Report, Hazel Dormouse Report and Reptile Report, all of which have been considered by the County Council's Biodiversity Officer. The Reptile survey found a 'good' population of both common lizard and slow worms on site, predominantly on Leney's Field but also within the landscaped bank between the upper and lower playing fields and in a landscaped area to the east of the existing school buildings. The areas in which the reptiles have been found are all areas which would be lost or affected as part of the development, therefore there is a need to implement mitigation measures. The reptiles would need to be translocated to an alternative location off site and therefore a receptor site needs to be agreed. The County's Biodiversity Officer is satisfied with the proposed reptile trapping and methodology as set out in the Reptile Report but as details of the receptor site have not yet been finalised the suitability of the site and therefore the long term viability of the population cannot be guaranteed. As a result a pre-commencement condition has been suggested that would preclude any start of development on site before a suitable receptor site has been agreed in writing with the County Council.
55. The submitted bat report showed common pipistrelle bats emerging from the existing buildings on site and given that bats are a protected species, there is again a need to implement mitigation measures. A European Protected Species Mitigation (EPSM) licence would therefore be required to carry out the development due to the impacts upon roosting bats. As the competent authority in determining the application, KCC must have regard to the requirements of the Habitats Directive in the exercise of their functions and as such they must consider whether it is likely that an EPSM licence from Natural England would be granted. The proposed mitigation measures proposed in the Ecological Impact Assessment (EIA) would include the removal of potential roost features by hand and under supervision by an experienced ecologist, the provision of bat boxes on nearby trees, and a sensitive lighting scheme reviewed by an experienced ecologist. The Biodiversity Officer's view is that the mitigation measures are adequate to maintain the favourable conservation status of bats on site, provided a condition is imposed on any planning permission to ensure the development is carried out in accordance with the EIA unless varied by a European Protected Species licence subsequently issued by Natural England.

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56. An active badger sett was identified on site on the bank between the upper and lower playing fields. The proposed MUGA would be located within the recommended 30m exclusion zone for badger setts, however the sett is on a steep bank and the tunnels run away from the proposed MUGA. The Ecological Impact Assessment recommends that the construction of the MUGA be reviewed by an experienced Ecologist to ensure the badger sett would not be adversely affected and provided this is condition it is considered that there would be no significant impact on badgers. The site also has habitat features within it that would provide opportunities for breeding birds, therefore any works to vegetation should be carried out outside of the breeding bird season. If this isn't possible then the areas affected should be examined by an ecologist prior to work commencing and an informative advising the applicant of this is proposed, should permission be given.
57. Conditions are also proposed to secure the safeguarding of the woodland blocks on site with protective fencing in accordance with the EIA and one to secure details of the enhancement measures and management of biodiversity on site in accordance with the recommendations made in the Preliminary Ecological Appraisal. Subject to the imposition of such conditions, the County Biodiversity Officer raises no objection to the scheme, which it is considered could be carried out with suitable mitigation to ensure no protected species are harmed and would therefore accord with policy and guidance of the NPPF.

Noise and Construction

58. A Noise Impact Assessment was prepared to accompany the application, to assess the sites suitability for education use in respect of the impact of noise. The assessment has been undertaken in light of the advice in the NPPF which states that planning policies and decisions should aim to avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new development. The report looked at a suitable ventilation strategy to achieve indoor ambient noise levels in accordance with Building Bulletin 93 (Acoustic Design of Schools) and the data was also used to outline suitable building orientations and layout for acoustics. Subject to the use of natural, hybrid and mechanical ventilation systems for teaching spaces, the report concludes that the site would be suitable for school development.
59. The site would retain its education use, and therefore ambient noise levels for residential properties would not be significantly different to that already experienced. The topography of the site and the distances between the proposed building and the site boundary, particularly to the north, would ensure that there would be no loss of amenity or overbearing impact from the new school on these residents. The relocation of the upper sports pitches to Leney's Field would in fact move the noise associated with the outdoor sports further away from the residential properties to the north.
60. One of the neighbour comments raised was in relation to dust control measures for the site. The control of dust during demolition and construction would be dealt with under normal construction practices (and is addressed in the submitted Construction Method Statement) and it is considered unnecessary to impose any additional controls on the development as part of the planning permission.

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61. A Construction Method Statement (CMS) has been submitted as part of the planning application to establish the construction details now rather than leave them to be agreed as a condition. Highways and Transportation state that construction works would need to be carefully planned and managed to ensure the safety of pupils, staff and residents. The submitted CMS includes amongst other matters that no traffic movements, including deliveries, should occur during school start and finish times; the location of parking and turning areas for construction and delivery vehicles and for site personnel and visitors; and the provision of wheel washing facilities. Given that there are neighbouring residential properties to the site, if planning permission is granted it is considered appropriate to restrict the hours of construction to protect residential amenity (Monday to Friday between 0800 and 1800; Saturday 0900 to 1300; and no operations on Sundays or public holidays), and this has also been set out in the CMS. The submitted Construction Method Statement additionally outlines how the construction company would liaise with the school to ensure noisy construction works would cease during the summer GCSE and A-Level exam period, given the proximity of the proposed new building to the existing school.

Contamination

62. An Intrusive Geo-Environmental and Geotechnical Site investigation has been carried out on the site and the report makes a series of recommendations for further investigation works to assess the mining history of the local area and immediate site environs. It has also recommended that a robust and comprehensive ground model and geotechnical parameters for the detailed foundation design be carried out, including defining the change in chalk strength across the top field. The report has been assessed by the Environment Agency, who have raised no objection subject to the imposition of conditions to ensure that any contamination found during development that hadn't previously been identified be dealt with in accordance with a remediation strategy to be agreed by the County Planning Authority, and that there be no infiltration of surface water drainage into the ground other than with permission of the County Planning Authority; along with informatives regarding the removal of waste from the site during demolition works.
63. Comments received as a result of the consultation process regarding ground stability on the upper plateau and the possibility of unknown underground facilities would be established through the proposed works outlined above, which would be secured through a suitably worded condition should permission be granted.

Sustainability

64. Planning policy at all levels recognises the need to address climate change and to reduce the amount of energy consumed by development. The NPPF places a presumption in favour of development that is sustainable and planning policy CP5 states that any new non-residential development over 1000sqm should meet the BREEAM 'very good' standard. The proposed scheme has been designed to offer a sustainable solution, which is practical and meets the needs of the school. The Department for Education do not request formal BREEAM certification, and therefore the proposed

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scheme has not followed this process. However, the development does have to adhere to the Department for Education's 'Government Output Specification 2017', which sets out detailed specifications of new buildings. The applicants state that when the energy requirements for schools are assessed against an environmental assessment like BREEAM it inevitably achieves a minimum BREEAM rating of 'very good'. Given the above, it is not considered necessary to impose the BREEAM condition suggested by Dover District Council.

65. The energy approach for the new school is predominantly a passive one using a fabric first approach. The thermal mass would be maximised by using concrete structures for the floor and ceilings (to all floors), the use of natural ventilation to the majority of areas, an energy efficient heating system, and an energy efficient LED lighting system coupled with the provision of natural daylight to spaces. Measures which minimise the buildings' carbon footprint would include the use of thermal mass, solar shading in the summer, night cooling, high efficiency plant and equipment, and advantageous solar gain in the winter. Energy saving products and techniques would also be integrated into the buildings design to achieve reductions in CO2 emissions, and these include movement and absence sensors for lighting control, heat recovery mechanical ventilation, low energy lighting, and high efficiency water heating plant.
66. The application has been supported by the submission of a Design Proposal Environmental Summary and an Environmental Strategy. Given that the new building would incorporate energy saving features that would be equivalent to achieving a 'very good' BREEAM rating it is considered that additional Low and Zero Carbon technologies are not necessary in this instance. However, it should be reiterated that the building is designed to limit energy consumption in the first place, and this is achieved through the construction methods and features listed above. In addition, the school are able to provide two electric vehicle charging points on site now and infrastructure for a further three spaces in the future and this combined with the energy saving building design and provision of a biodiverse green roof demonstrate that the applicant's have had consideration to energy consumption and have adopted a proportionate and positive approach. It is also considered that it would be to the detriment of the overall design of the building to have solar panels located on the roof, given its prominent and visible position. With the introduction of the green roof any PV panels would have to be raised on mounts and would therefore sit proud of the roof thus making them much more visible. The suggested condition from Dover District Council (DDC) regarding the restrictions to on-roof plant equipment has been requested in order to avoid more plant being installed on the roof due to the negative impact in design terms this might have, therefore it would be perverse to insist on PV panels in this instance. It is considered unnecessary to impose the condition requested by DDC for renewable provision in full, but rather the recommended condition would be used to secure the provision and retention of the electric vehicle charging points and this has been discussed and agreed with DDC. It is therefore considered that the proposed development would meet the aims of Policy CP5 of the Core Strategy and the guidance of the NPPF.

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Community Use

67. The school is currently used by the Combined Cadet Force and the design of the new school would allow for this existing community use to continue, as well as now providing use of the new sports facilities. The proposed school has been designed to ensure that the relevant spaces (main hall, sports hall, classroom, changing rooms etc) can be accessed independently from the teaching areas to ensure site security. A condition to secure the community use of the sports facilities, in agreement with Sport England, has been proposed under the recommendations in paragraph 70.

Conclusion

68. In my view the key determining factors for this proposal are the principle of the demolition of the existing building and the heritage impact of this loss, alongside the appropriateness of the design and siting of the new school against the strong policy support for education facilities to meet the needs of existing communities. Policy requires great weight to be attached to the need to create, expand or alter schools. In my view, whilst the local history of the 1930's building making it a local heritage asset is recognised, the retention of the original building on this basis would not be sufficient to outweigh the need for the existing school buildings to be demolished due to their poor state of repair and the health and safety concerns this brings with it. The submitted reports have established that the buildings are no longer fit for purpose. This has been recognised by Central Government in that the project is being promoted as part of the PSBP2 which seeks to replace education buildings that are nationally recognised as no longer fit to meet current educational needs. The proposed building would be sustainable through its construction methods, utilising energy efficient design, and the design of the building would still meet an equivalent 'very good' BREEAM rating.

69. The proposed development does not involve any increase in school roll and therefore brings with it no additional impact in terms of school traffic and parking issues. There would be an overall increase in sports provision on site as a result of the new sports hall, MUGA and regrading of Leney's Field, which would compensate for the loss of the upper field. The sports facilities would be available for community use and therefore of benefit to the wider community. The Construction Management Plan would address the short-term impact of construction on the surrounding area. The development can be accommodated without impact to ecology, landscape, controlled waters, ground stability, contamination, or archaeology, all of which can be suitably mitigated by the proposed conditions, and it would be sustainable. In my view the development would result in a new building which would be a worthy replacement of the existing one, and the scheme would be in accordance with the aims of the NPPF and the Development Plan policies. There are no material planning considerations that indicate that the conclusion should be made otherwise, and I therefore recommend that subject to Historic England determining that the existing buildings are not of listable quality, planning permission be granted subject to the conditions suggested.

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Recommendation

70. I RECOMMEND that SUBJECT TO Historic England determining that the existing buildings are not of listable quality that PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- The standard 3 year time limit;
- The development to be carried out in accordance with the permitted details;
- The submission and approval of details of all construction materials to be used externally and architectural details including the roof parapet, window and door openings and reveals;
- No additional plant or machinery shall be installed on the roof without prior approval of the County Council;
- The removal of all temporary buildings from the site within three months of occupation of the new school;
- The provision and permanent retention of the vehicle parking spaces as shown on the submitted plans within 3 months of the demolition of the existing school and their retention thereafter;
- The provision and permanent retention of secure, covered cycle parking facilities as shown on the submitted plans within 3 months of the demolition of the existing school and their retention thereafter;
- The vehicle and cycle parking spaces shall be made available for use outside of school hours in association with using the community facilities on site;
- Within three months of the demolition of the existing school, at least two electric vehicle charging points shall be provided on site (with infrastructure for a further three being made available for the future) and shall thereafter be retained and kept available for electric car use only;
- The new access gates from the existing driveway serving Astor College are for maintenance purposes only and shall not be used for pupil or staff access at school drop off or pick up times;
- The submission of a detailed review of the School Travel Plan incorporating measures to encourage sustainable transport;
- The implementation of the submitted Construction Method Statement for the duration of the construction activities on site;
- That works shall only be carried out on site between the hours of 0800 to 1800 Monday to Friday; 0900 to 1300 on Saturdays; and no operations on Sundays or public holidays;
- Details of a lighting scheme to be submitted including hours of use, level of illumination and ongoing control over any new lighting on site;
- Submission of a detailed surface water drainage scheme;
- Submission of a verification report covering this scheme to be approved in consultation with the Lead Local Flood Authority;
- No infiltration of surface water drainage into the ground, other than with the written approval of the County Planning Authority and shall only be used in those areas where there would be no unacceptable risk to controlled waters or ground stability;
- The development shall not commence until a scheme to connect the building to foul and surface water drainage systems has been submitted and approved by the County Planning Authority;

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- If during development contamination not previously identified is found to be present, then no further development shall take place until a remediation strategy has been agreed with the County Planning Authority;
- Further investigation to be undertaken in accordance with the Geo-Technical and Geo-Environmental Investigation reports;
- No demolition shall take place until a full recording of the existing building to Historic England Level 3 requirements has been made, including a photographic record;
- No demolition shall take place until a building recording of the three sets of WW2 air-raid shelters have been undertaken;
- No development shall commence until a programme of archaeological work is submitted and agreed in writing by the County Planning Authority;
- No development shall commence until details of a receptor site for the translocation of reptiles has been approved in writing by the County Planning Authority;
- Recommendations be carried out, as set out in the Ecological Impact Assessment, for the protection, mitigation and compensation for impacts to bats;
- Mitigation measures for badgers are carried out in accordance with the recommendations of the Ecological Impact Assessment;
- That the safeguarding measures for the Local Wildlife Site are undertaken in accordance with the Ecological Impact Assessment;
- That within 6 months of the date of the planning permission details be submitted to secure ecological enhancement measures;
- Leney's Field shall be bought back into use prior to the first occupation of the new school and the land shall thereafter be retained and maintained for playing field use;
- Prior to occupation of the new school a scheme of ongoing maintenance and management of Leney's Field shall be submitted to the County Planning Authority, to ensure public access doesn't undermine it's role as a sports facility;
- Prior to occupation of the new school a community use agreement shall be submitted to the County Planning Authority for the community use of the sports facilities, changing facilities and on site car parking in agreement with Sport England;
- The protection and retention of all trees on site not shown to be removed as part of the planning application;
- The submission of a method of construction and protection for the trees whose root protection areas would be encroached by the development;
- The submission of a detailed soft landscape scheme, detailing native species planting and species suitable for bee pollination;
- That any plants, trees or shrubs that die or are removed within 5 years of planting are replaced;

71. I FURTHER RECOMMEND that the following INFORMATIVES be added:

- That the applicant ensures that all necessary highway approvals and consents are obtained;
- To ensure that works to trees are carried out outside of the breeding bird season and if this is not possible that an ecologist examines the site prior to works commencing;
- The applicant be provided with the CL:ARE definition of waste for the removal of materials from the site;

Item D1

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- Contaminated soil that is, or must be, disposed of is waste and therefore its handling, transport, treatment and disposal is subject to waste management legislation.

Case Officer: Mrs Helen Edwards

Tel. no: 03000 413366

Background Documents: see section heading

E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED/REFUSED UNDER DELEGATED POWERS - MEMBERS' INFORMATION

Since the last meeting of the Committee, the following matters have been determined by me under delegated powers:-

Background Documents - The deposited documents.

- MA/18/503420/R11 Details of a Site Management Plan pursuant to Condition 11 of planning permission MA/18/503420.
Allington Depot, Liphook Way, St Laurence Avenue, Maidstone, Kent ME16 0JZ
Decision: Approved
- TM/02/2663/97 /R/R3 Details of revised agricultural restoration and planting plans pursuant to condition 3 of planning permission TM/02/2663/MR97/R.
Park Farm Quarry, Platt Industrial Estate, Maidstone Road, Platt, Borough Green, Sevenoaks, Kent
Decision: Approved
- TM/18/2549/REVAR Details of an Ecological Mitigation Strategy and a Site Wide Management Plan (Condition E40), Landscaping Scheme (Condition E41), Aftercare Programme (Condition E42) and details of fencing in the vicinity of the SSSI and RIGS Sand Face and signage in the vicinity of these and the main East Lake (Condition E45) pursuant to planning permission TM/18/2549.
Aylesford Quarry, Rochester Road, Aylesford, Kent ME20 7DX
Decision: Approved
- TM/18/2555/REVAR Details of an Ecological Mitigation Strategy and a Site Wide Management Plan (Condition E47), Landscaping Scheme (Condition E48), Aftercare Programme (Condition E49) and details of fencing in the vicinity of the SSSI and RIGS Sand Face and signage in the vicinity of these and the main East Lake (Condition E52) pursuant to planning permission TM/18/2555.
Aylesford Quarry, Rochester Road, Aylesford, Kent ME20 7DX
Decision: Approved

**E2 COUNTY COUNCIL DEVELOPMENT APPLICATIONS AND DETAILS
PURSUANT PERMITTED/APPROVED UNDER DELEGATED POWERS
MEMBERS' INFORMATION**

Since the last meeting of the Committee, the following matters have been determined by me under delegated powers:-

Background Documents – The deposited documents.

- | | |
|----------------|---|
| SE/19/2195 | Installation of four canopies.
St Johns CEP School, Bayham Road, Sevenoaks, Kent, TN13 3XD
Decision: Permitted |
| TM/19/2270 | Proposed introduction of windows to existing facade & a glazed canopy over an existing door together with minor internal alterations.
Kings Hill Primary School, Crispin Way, Kings Hill, West Malling, Kent ME19 4LS
Decision: Permitted |
| TW/18/2129/R9 | Details of Drainage pursuant to condition 9 of planning permission TW/18/2129.
St Gregory's Roman Catholic Comprehensive School, Reynolds Lane, Tunbridge Wells, Kent TN4 9XL
Decision: Approved |
| TW/18/7023/R3 | Details of a Noise Assessment pursuant to condition 3 of planning permission TW/18/7023.
Hawkenbury Farm, Hawkenbury Road, Tunbridge Wells, Kent TN3 9AD
Decision: Approved |
| TW/18/7023/R27 | Details of a piling/foundation design pursuant to condition 27 of planning permission TW/18/7023.
Hawkenbury Farm, Hawkenbury Road, Tunbridge Wells, Kent TN3 9AD
Decision: Approved |

E3 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 – SCREENING OPINIONS ADOPTED UNDER DELEGATED POWERS

Background Documents –

- *The deposited documents.*
 - *Town and Country Planning (Environmental Impact Assessment) Regulations 2017.*
 - *The Government’s Online Planning Practice Guidance-Environmental Impact Assessment/Screening Schedule 2 Projects*
- (a) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does not constitute EIA development and the development proposal does not need to be accompanied by an Environmental Statement:-
- KCC/CA/0166/2019 Proposed erection of a 5FE Secondary School comprising a 3 storey building and a separate sports hall together with hard and soft landscaping, a new Multi-Use Games Area (MUGA), creation of two new vehicular accesses on Spring Lane together with parking and ancillary works.
Former Chaucer Technology School, Spring Lane, Canterbury, Kent CT1 1SU
- KCC/DA/0232/2019 Full planning application for a new tunnel (the Bean Road Tunnel) and associated road works to include bus, cycling and pedestrian access to the east of Bluewater Shopping Centre to link to the Eastern Quarry development, including tree planting at land adjacent to lake 5 and tunnel infilling.
Bluewater Shopping Centre, Bluewater Parkway, Dartford, Greenhithe, Kent DA9 9ST
- KCC/SCR/MA/0199/2019 Request for a Screening Opinion to determine whether the proposed Kent Medical Campus to the M20 Junction 7 Improvement Scheme constitutes EIA Development.
Kent Medical Campus to M20 Junction 7 and A249 Bearsted Road, Maidstone, Kent ME14 5LH
- KCC/SCR/SW/0235/2019 Request for a Screening Opinion as to whether the use of the proposed site as a Materials Recovery Facility (MRF) and the construction of associated infrastructure requires an Environmental Impact Assessment.
Land at Queenborough Business Park, Queenborough, Isle of Sheppey, Kent ME11 5DY
- (b) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does constitute EIA development and the development proposal does need to be accompanied by an Environmental Statement:-

None

E4 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 – SCOPING OPINIONS ADOPTED UNDER DELEGATED POWERS

- (b) Since the last meeting of the Committee the following scoping opinions have been adopted under delegated powers.

Background Documents -

- *The deposited documents.*
- *Town and Country Planning (Environmental Impact Assessment) Regulations 2017.*
- *The Government's Online Planning Practice Guidance-Environmental Impact Assessment/Preparing an Environmental Statement*

None

SECTION F KCC RESPONSE TO CONSULTATION

Background Documents - the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

KCC Response to Consultations

Reports to Planning Applications Committee on 4 December 2019.

These reports set out KCC's responses to consultations.

Recommendation: To note the reports

Unrestricted

1. Introduction and Supporting Documents.

The County Council has commented on the following planning matters. A copy of the response is set out in the papers. These planning matters are for the relevant District/Borough or City Council to determine.

F1 Application 19/01476/AS - Detailed application for a mixed-use development (1-18 storeys) comprising;- (i) 7,440sqm of film/TV Studios with 7,125sqm associated post-production offices (Use Class B1) and 3,830sq.m associated workshop and media village (Use Class B1); (ii) 120 bedroom hotel (Use Class C1) including 1,150sqm reception/ancillary space and food and beverage space, 500sqm restaurant, 360sqm leisure facilities and 449sqm event/conference space; (iii) 62 serviced apartments (Use Class C3); (iv) a 336 space multi-storey carpark; (v) change of use, internal and external alterations to the listed Locomotive Shed buildings, including increasing the height by an additional two-storeys, to provide 7,030sqm of flexible commercial floorspace for use in connection with the film/tv studios (Use Class B1/ D1) and 303 residential units (Use Class C3) comprising 130 x 1 bedroom and 173 x 2 bedroom units and 322 internal parking spaces; (vi) change of use, internal and external alterations to listed Engine Shed building, including increasing the height by an additional two storeys, to provide 1,050sqm gym/restaurant (Use Class D2/A3) and 1,500sqm of commercial floorspace (Use Class B1); (vii) change of use, internal and external alterations of the Paint Shop building (114sqm), Acetylene Store (57sqm) and Clock Tower (73sqm) listed buildings to provide ancillary uses to the film/TV studios; plus associated infrastructure including open space, landscape and public realm provision, external parking, servicing, pedestrian and vehicular access and associated engineering, utilities and infrastructure works at Newton Railway Works, Newton Road, Ashford.

F2 Environment Impact Assessment Scoping Opinion for Land to the South West of Birchington.

F3 Tunbridge Wells Borough Council Draft Local Plan

Recommendation: To note the reports

Background documents; As set out in the reports.



Ashford Borough Council

Civic Centre
Tannery Lane
Ashford
Kent
TN23 1PL

Highways and Transportation

Ashford Highway Depot
4 Javelin Way
Ashford
TN24 8AD

Tel: 03000 418181

Date: 5 November 2019

Application - 19/01476/AS

Location - Newtown Railway Works, Newtown Road, Ashford, Kent, TN24 0PN

Proposal - Detailed application for a mixed-use development (1-18 storeys) comprising;- (i) 7,440sqm of film/TV Studios with 7,125sqm associated post-production offices (Use Class B1) and 3,830sq.m associated workshop and media village (Use Class B1); (ii) 120 bedroom hotel (Use Class C1) including 1,150sqm reception/ancillary space and food and beverage space, 500sqm restaurant, 360sqm leisure facilities and 449sqm event/conference space; (iii) 62 serviced apartments (Use Class C3); (iv) a 336 space multi-storey carpark; (v) change of use, internal and external alterations to the listed Locomotive Shed buildings, including increasing the height by an additional two-storeys, to provide 7,030sqm of flexible commercial floorspace for use in connection with the film/tv studios (Use Class B1/ D1) and 303 residential units (Use Class C3) comprising 130 x 1 bedroom and 173 x 2 bedroom units and 322 internal parking spaces; (vi) change of use, internal and external alterations to listed Engine Shed building, including increasing the height by an additional two storeys, to provide 1,050sqm gym/restaurant (Use Class D2/A3) and 1,500sqm of commercial floorspace (Use Class B1); (vii) change of use, internal and external alterations of the Paint Shop building (114sqm), Acetylene Store (57sqm) and Clock Tower (73sqm) listed buildings to provide ancillary uses to the film/TV studios; plus associated infrastructure including open space, landscape and public realm provision, external parking, servicing, pedestrian and vehicular access and associated engineering, utilities and infrastructure works.

Dear Roland,

Thank you for the consultation on the above planning application. This proposal has been subject to extensive pre-application discussions with Kent County Council Highways and Transportation to agree the scope of the submitted of the Transport Assessment, access arrangements for the site, levels of car parking and traffic impact of the proposed development. Nonetheless I have the following comments to make on the planning application:-

Transport Assessment

General - The proposed access arrangements for the site need to be subject to a Stage 1 Road Safety Audit together with a Designer's Response by PBA. This includes the signalised main access by the clocktower, the HGV access and the residential access via Samuel Peto Way.

The proposed traffic signal scheme over the hump back bridge on Crowbridge Road should also be subject to a Stage 1 Road Safety Audit.

Paragraph 3.7.2 (Servicing) - It is not clear how the proposed residential aspect of the site will be served by refuse vehicles. Vehicle tracking for an 11.35 metre long refuse vehicle therefore needs to be submitted to show how it will serve this element of the site.

Paragraph 4.1.9 (Parking) - The residential aspect of the site requires 364 parking spaces. This is based on standards of 1 space per unit together with 0.2 visitor spaces which has been previously agreed with the applicant. However, the accommodation schedule in Figure 3.1 on page 10 states that 354 parking spaces are being provided. Please clarify with the applicant as to which parking provision is being provided on site.

Section 4.2 (Parking Accumulation Study) - KCC Highways and Transportation is accepting a total parking provision of 354 spaces for the land uses beside the residential units. This is more than the parking accumulation study which suggests a maximum demand of 320 spaces between 1 and 2pm. However, in order to ensure that parking is contained within the site, the applicant is required to provide parking restrictions in the form of double yellow lines along Newtown Road from the existing double yellow lines up to the junction with Samuel Peto Way. A plan therefore should be produced by the applicant showing the provision of these double yellow lines.

Table 4.1 - The parking provision for the residential uses is suggested as 362 spaces which is again different to the accommodation schedule.

Table 4.4 (Cycle Parking) - A total of 485 bicycle parking spaces are being provided on-site but these have not been specifically marked up on the site layout plan and so it is difficult to understand where exactly these are being provided. A separate plan should therefore be provided showing the location of the cycle parking spaces. KCC Highways and Transportation would expect all of the residential cycle parking spaces to be secured and covered. The commercial cycle parking spaces should be covered as a minimum.

Table 6.1 (TEMPRO Growth Factors) - The 2019-2030 growth factor is incorrect and the correct figure should be supplied. Please ask the applicant to clarify if the correct growth factor has been used for all junction capacity assessments in Section 9 of the Transport Assessment.

Section 6.3 (Committed Development) - The list of committed developments is acceptable.

Section 7 (Permitted Traffic Generation) - The permitted traffic generation is acceptable based on the existing lawful planning use that was used in the previous planning application for the site (05/01798/AS) together with a 30% traffic reduction as a result of the Samuel Peto Way development as the Samuel Peto Way development accounts for roughly 30% of the whole site.

Paragraph 8.17 (Traffic Generation and Distribution) - The proposed use of the serviced apartments will need to be controlled in such a way that they are only used by employees associated with the film studios and associated uses. This is because the Transport Assessment has not allocated any traffic movements with the serviced apartments. They therefore cannot be let for the general market or via holiday accommodation web-sites such as AirBnB.

Paragraph 8.1.12 (Trip rate for the commercial constituent) - The proposed trip rate is too low as it based on TRICS sites with a far greater population range than Ashford with likely lower levels of car ownership and better public transport links. Sites only with a population range of

up to 125,000 within 5 miles should be used for this TRICS assessment. This alters the trip rate for the commercial uses slightly to a total of 69 movements in the AM peak (57 arrivals and 12 departures) and 57 movements in the PM Peak (9 arrivals and 48 departures). The applicant should therefore amend the TRICS assessment, total trip rate and residual trip rate accordingly. I am happy to discuss this matter in more detail with the applicant.

Section 8.5 (Trip Distribution) - It is not appropriate to further reduce traffic flows of the network as a result of a travel plan for the proposed development. The travel plan is currently not of a sufficient detail in order for KCC to ascertain whether or not it will lead to any modal shift. Furthermore, there are currently no implementable measures in the Travel Plan and so therefore the trip distribution and resultant junction capacity assessments will not be assessed with the travel plan scenarios for robustness purposes.

Paragraph 9.1.8 (Junction Capacity Assessment) - The junction of Samuel Peto Way and Newtown Road also needs to be subject to a junction capacity assessment because the proposed 303 residential units will be directly served off Samuel Peto Way.

Section 9.2 (Site Access) - The junction capacity assessment for the proposed signal junction onto Newtown Road demonstrates that there will be sufficient capacity for a 2030 future year scenario with development. This is acceptable to KCC Highways and Transportation.

Section 9.3 (Priority roundabout of A2042 Ave Jacques Faucheux / A2042 Bad Munstereifel Road / Malcolm Sergeant Road) - The junction capacity assessment demonstrates that in a 2030 baseline future year scenario the roundabout will operate in excess of capacity in both the AM and PM peaks. The capacity will slightly worsen as a result of the proposed development.

Kent County Council has been informed by Ashford Borough Council that pooling restrictions are due to be removed as of 1st September 2019.

The maximum impact on this roundabout from the development is 36 movements in the PM Peak as set out in the turning flow diagrams.

The promoters of the Waterbrook Park site have devised an enlarged signalised roundabout scheme together with a left hand filter lane from Romney Marsh Road onto Bad Munstereifel Road. This scheme has also been subject to an independent Stage 1 Road Safety Audit. An outline scheme cost of £6,181,391 has been identified of which £1 million has been secured from the Waterbrook Park development and £105,083 secured from the Park Farm South East development. The County Council has identified 4 further sites that can contribute towards this improvement as they will have a significant effect on this roundabout:

1. Court Lodge (Policy S3 of the Local Plan)
2. Kingsnorth Green (Policy S4 and 55 of the Local Plan)
3. Finberry (Policy S15 of the Local Plan)
4. Land South of Brockman's Lane (Policy S45 of the Local Plan)

The identified number of vehicle movements at the Malcolm Sergeant roundabout in the PM peak period (this is the worst peak in terms of capacity) because of these sites has been identified by Kent County Council as below:

- Court Lodge – 217 movements
- Kingsnorth Green – 195 movements
- Finberry – 64 movements
- Land South of Brockman's Lane - 16 movements

Based on a total of 36 movements being generated from this site a contribution of £346,112 is required on a pro-rata basis based on the outstanding funding gap of £5,076,308.

Section 9.4 (Priority roundabout of Ave Jacques Faucheux A2042 / Norman Road / Kimberley Walk) - The junction capacity assessment for the recently upgraded roundabout junction demonstrates that there will be sufficient capacity for a 2030 future year scenario with development. This is acceptable to KCC Highways and Transportation.

Section 9.5 (Signal controlled junction of A2042 Ave Jacques Fauchueux / Newtown Road) - The junction capacity assessment for the recently upgraded signal junction demonstrates that there will be sufficient capacity for a 2030 future year scenario with development. This is acceptable to KCC Highways and Transportation.

Section 9.6 (Signal controlled junctions of Station Approach / A2042 Station Road / Elwick Road and of Victoria Road / Beaver Road / A2042 Ave Jacques Faucheux) - The junction capacity assessment demonstrates that in a 2030 baseline future year scenario the signal junction will operate in excess of capacity in both the AM and PM peaks. The capacity will worsen as a result of the proposed development particularly on the Station Road left / ahead arm in both the AM and PM Peaks, Station access in the AM Peak and Beaver Bridge ahead / right in both the AM and PM Peaks.

As such a mitigation scheme for this signal junction is required. This junction has been discussed with colleagues in the traffic signals team at KCC Highways and Transportation who note that the junction has not been correctly modelled as per the as-built drawing of the junction shows that the Beaver Road arm of the junction runs in stage four (all movements, ahead, left and right) whereas currently the right hand turn from Beaver Road runs at Stage 2 and the left and straight on runs as Stage 1. The junction should therefore be re-modelled accordingly. My colleague Paul Thrower can be contacted to obtain a copy of the as built drawing and the traffic signal controller specification. Please note that there is a charge for the applicant to obtain this data. The applicant is therefore required to re-visit the proposed mitigation. There are current safety issues with this junction with traffic blocking the junction as a result of queuing from the station access signal junction. It is felt that a box junction at the Victoria Road / Beaver Road junction will prevent any further blocking of this junction and should be provided as part of this development.

Section 9.7 (Signal Junction of A2070 / The Boulevard) - The junction capacity assessment demonstrates that in a 2030 baseline future year scenario the signal junction will operate in excess of capacity in both the AM and PM peaks. The only arm of this junction that is currently within the ownership of KCC Highways and Transportation is the The Boulevard arm. The development is particularly affecting the Boulevard Left Ahead Right arm in the PM peak with the average delay increasing by 43 seconds and the mean max queue increasing by 17 vehicles. As such a mitigation scheme for this signal junction is required.

Section 9.8 (Priority roundabout of Crowbridge Road / The Courtyard / The Long Barrow / The Boulevard) - The junction capacity assessment for the roundabout junction demonstrates that there will be sufficient capacity for a 2030 future year scenario with development. This is acceptable to KCC Highways and Transportation.

Section 9.9 (Priority roundabout of The Boulevard / Hall Avenue / Monument Way) - The junction capacity assessment for the roundabout junction demonstrates that there will be sufficient capacity for a 2030 future year scenario with development. This is acceptable to KCC Highways and Transportation.

Section 10.1 (Crowbridge Road Humpback Bridge) - The applicant is promoting a traffic signal scheme at this location comprising of a three arm junction with the Gladstone Road arm as southbound only, stopping up Gladstone Road northbound at the north end. This scheme also

involves road widening along the northern carriageway of Crowbridge Road from the junction with Mead Road to up to 0.5m to the southbound signal stop-line. The road widening will result in approximately a 5.5m wide carriageway which is adequate to allow a 16.5m long articulated vehicle to pass a line of large SUVs. The proposals also include a formal pedestrian crossing and footway on the north side of the humpback bridge, completing an existing missing footway link. A small section of parking restrictions will be required on Gladstone Road as shown on drawing number 44922_5501_016 Revision B which is available to view in Appendix EE of the Transport Assessment. This will result in the removal of approximately 3 on-street parking spaces on Gladstone Road. It should be noted that no-one has a right to park on the highway and these parking restrictions are required to provide a safe operation of the proposed traffic signal junction.

Nonetheless KCC Highways and Transportation have requested the applicant to undertake a parking beat survey of Gladstone Road. This was undertaken on Wednesday 11th and Thursday 12th September and can be found in Appendix FF of the Transport Assessment. This shows that approximately 90% of space along each side of Gladstone Road is utilised. On average the surveys found that three vehicle spaces are available on Gladstone Road and so therefore the scheme should not result in any loss of parking amenity for existing residents whilst still maintaining access for refuse vehicles into Gladstone Road. A Stage 1 Road Safety Audit needs to be undertaken by the applicant for the proposed traffic signal scheme. KCC Highways and Transportation has costed the submitted scheme and the total scheme cost is approximately £185,000. This should be secured through the necessary Section 106 agreement for the site and should be payable prior to the commencement of development on-site. The development of the Klondyke Works site has yet to commence and so KCC Highways and Transportation is prepared to enter into a payback mechanism whereby when this development comes forward the Section 106 money received from the Klondyke Works site will be paid directly back to the applicant.

This traffic signal scheme provides adequate capacity for a 2030 future year scenario with development and is therefore acceptable in principle to KCC Highways and Transportation.

Section 10.3 (Bellamy Gurner Scheme) - A mitigation scheme has been proposed for this junction in the form of changing the staging order. However this has resulted in a worsening in capacity on The Boulevard right arm with an increase in delay of 42 seconds and an increase in queuing of 6 vehicles. The mitigation scheme should be altered to provide additional capacity on this arm of the junction.

Section 10.5 (Improved Road Signage) - The applicant is agreeing to additional road signage from the A2070 to the site. This is supported in principle by KCC Highways and Transportation and should be subject to a planning condition requiring further details of improved signage to be submitted.

Section 10.6 (Local Parking Amenity Protection) - There is currently an issue with unsafe vehicle parking on Samuel Peto Way with residents parking cars at 45 and 90 degree angles in the parallel parking bays and also parking over the 3 metre wide footway / cycleway blocking access for pedestrians and cyclists. This is unacceptable and is a highway safety issue and needs to be addressed as part of this planning application given that the proposed residential development will be served off Samuel Peto Way and lead to a significant intensification in the use of Samuel Peto Way. It is KCC Highways and Transportation view that Samuel Peto Way should be subject to a restricted parking zone with parking only in marked bays and no parking outside of these bays. You should therefore consult the parking services team at Ashford Borough Council regarding these proposals as they will be responsible for enforcing any restricted parking zone. They will be best placed to advise on the required Section 106 contribution for the investigation and introduction of a restricted parking zone. This is required

to provide a safe pedestrian, cycle and vehicle access into the application site.

Section 10.7 (Bus Facility Improvements) - Stagecoach East Kent will respond on improvements to bus service provision required as a result of this development. KCC Highways and Transportation notes that the applicant will improve local bus facilities by adding raised kerbs and shelters to the existing stop on Newtown Road and the two stops on Alfred Road. Further details of these required improvements should be subject to an appropriately worded planning condition rather than being part of the Section 106 legal agreement.

Section 11 (Travel Plan) - The required detailed Framework Travel Plan should be secured through the Section 106 legal agreement. The Local Highway Authority will require a robust monitoring regime over a 5 year period (with the first monitoring period taking place six months post first occupation of the site) so that the number of movements associated with the development can be assessed yearly over a 5 year period to ensure that the actual number of movements is not greater than those predicted in the Transport Assessment. Therefore on-site multi-modal counts will be required at the vehicle and pedestrian site access points at yearly periods over that 5 year monitoring period. Upon final occupation of the last dwelling on-site, the applicant will be required to undertake a fully complaint TRICS survey for the site. This should be sent to TRICS for validation to enable this site to be uploaded to the TRICS database. The travel plan should be secured through the proposed Section 106 legal agreement together with a £5,000 monitoring fee (£1,000 per annum over a 5 year period) so that KCC Highways and Transportation can effectively monitor the travel plan to ensure that the initial trip rates are met.

The travel plan should also be updated to include a commitment for each household to have the option of a cycle voucher towards a new bicycle from a local bike shop or the choice of a 3 month free bus pass on the Stagecoach East Kent network, up to the value of £100 per dwelling. Given the relatively sustainable location of the site it is also felt that a car club should be provided on site. The applicant should therefore discuss the potential for a car club to be provided on site with the various car club operators.

Site Layout Plan (19.020.100.03 Revision P1)

The parallel parking spaces in the railway sheds do not meet minimum size requirements of 2.7 metres in width as they are obstructed by piers supporting the building. This is likely to make the spaces unusable and therefore a different design solution for these spaces needs to be found.

The Local Highway Authority is more than happy to meet to discuss these issues further with the applicant.

Electric vehicle charging points must be provided at a rate of 10% active and 10% passive if the parking spaces are being provided on a communal basis. No details have been provided by the applicant of electric charging points.

Motorycle parking parking spaces should also be provided at a rate of 1 space + 1 space for every 20 car parking spaces provided.

Notes:

The Highway Authority will not adopt the access roads serving the site as it is not in the public interest to adopt these roads.

Yours faithfully

Matt Hogben
Principal Transport & Development Planner

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Environment, Planning and Enforcement

Emma Fibbens
Thanet District Council
Council Offices
Cecil Street
Margate
Kent
CT9 1XZ

Invicta House
County Hall
MAIDSTONE
Kent ME14 1XX

Phone: 03000 419225
Ask for: Francesca Potter
Email: Francesca.Potter@kent.gov.uk

BY EMAIL ONLY

4 November 2019

Dear Emma,

Re: EIA Scoping Opinion for Land to the South West of Birchington, Kent

Thank you for consulting Kent County Council (KCC) on the request for a Scoping Opinion relating to an outline planning application for the erection of up to 1,600 dwellings, the creation of a new link road between Minnis Road and the A28, and the A28 and B2050 Manston Road, small scale retail provision, a two-form entry primary school and land for expansion of Birchington medical centre, new pedestrian and cycle access, provision of open spaces, sustainable urban drainage systems, associated landscaping, infrastructure and earthworks (all matters reserved apart from access).

The County Council has reviewed the Environmental Impact Assessment (EIA) Scoping Report and sets out its comments below, which follow the chapters set out in the Scoping Report.

Topics to be scoped in

Cultural Heritage (Built Heritage and Archaeology)

The County Council has responded directly to Thanet District Council on 29 October 2019 as part of its Heritage Advice Service (Appendix 1).

Ecology and Biodiversity

The County Council responded directly to Thanet District Council on 21 October 2019 as part of its Ecological Advice Service (Appendix 2).

Human Health

The County Council would like to ensure that the proposal has consideration of how the development can respond to the need to support active lifestyles. There is a clear link between inactivity and physical and mental health so the development should seek to provide a mix of formal and informal areas and open spaces, including walking and cycling routes, where residents can be active. The applicant should also consider Sport England guidance¹, which focusses on tackling inactivity and encouraging under-represented groups to be active.

Socio-economics

The County Council has also provided an initial assessment of the development contributions required to ensure the necessary infrastructure is in place to support the proposal (Appendix 3).

Traffic and Transport – Highways and Transportation

The scale of the proposed development is such that a planning application will require the submission of a full Traffic and Transport Impact Assessment, which can form part of a separate chapter within the EIA. This chapter should consider the impact that the development would have on the local and wider strategic highway network, including any public transport requirements. Continued pre-application dialogue with KCC as the Local Highway Authority is strongly recommended, including the potential use of the Thanet Strategic Highway Model (TSHM) to inform final outputs of any highway impact appraisals, as outlined within the scoping document. Outputs from the TSHM are likely to require a level of interpretation at a local level, which can be discussed with the County Council as Local Highway Authority in due course.

The criteria for ascertaining significant effect on the highway network capacity should not solely be identified using generic industry guidelines. The breadth of highway network assessment for this purpose will need to be scoped with the Local Highway Authority once the trip impact and distribution of likely development trips has been identified and subsequently agreed.

Traffic and Transport – Public Rights of Way (PRoW)

Public footpaths TM37, TM32 and TM31 would all be directly affected by the proposed development. The County Council recommends that the EIA should consider the following:

- TM37, TM32 and TM31 - consideration must be given to ensure that countryside views from the PRoW are retained as much as possible. For all PRoW, any design

¹<https://www.sportengland.org/facilities-planning/planning-for-sport/playing-fields-policy/>
<https://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/>
<https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/playing-pitch-strategy-guidance/>
<https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/facilities-planning-model/>
<https://www.sportengland.org/facilities-planning/active-design/>

should ensure that routes are accommodated within wide green corridors of open space away from access roads to help mitigate the loss of amenity and countryside views as a result of the development. PRow should not be confined behind rear gardens and adjacent properties should overlook the public areas to ensure natural surveillance.

- TM37, TM32 and TM31 – to help mitigate the pressures from increased use that the proposed development will have on the PRow within and adjacent to the site, KCC requests that the PRow are surfaced with a suitable surface for required use. The developer will also be expected to upgrade the surface to a minimum width of 2m for footpaths and 3m for bridleways.
- TM32 and TM31 – the upgrading of these footpaths to bridleway should be considered, providing links to bridleways in the surrounding area as well as to the Shottendane Road improvements. This will provide shared use pedestrian and cycle access and by extension, provide sustainable access from the site to employment, education and recreation for pedestrians, cyclists and equestrian users. Upgrading footpath TM31 to a bridleway would also connect the network with bridleways TM28 and TM25 to the east of the development site.
- TM37 and TM35 - it is essential that consideration is given to the likely impact of a development of this size on the nearby rail crossing points. Early interaction with Network Rail is imperative to ensure appropriate consideration of the increase in pedestrian, cycle and equestrian use from south of the railway to the well-used coast with its numerous leisure and recreation opportunities for all members of the community.

The County Council would like the applicant to give consideration to the PRow network of the area as a whole, with reference to the connectivity of the site itself, to complement and enhance the surrounding natural environment, improving active travel access to the Viking Coastal Trail and the coastal recreation in close vicinity of the site. KCC would also like to draw the applicant's attention to the proposed England Coast Path, which would follow a large extent of the existing Viking Coastal Trail. This Coast Path is a new long-distance National Trail currently being developed by Natural England, which is expected to open in 2020.

KCC recommends that the applicant considers that the scale of this development and therefore increased population will add to the pressure on and importance of the PRow network, with new residents seeking opportunities for active travel and outdoor recreation. It would therefore be expected that the applicant will consider improvements to the wider PRow network surrounding the proposed development site, to support sustainable growth in this area.

Any proposed work on the surface of the paths must be approved and authorised by the Local Highway Authority - in this case Kent County Council's Countryside Access Service. PRow diversions or extinguishments should be considered at an early stage. Whilst it is

probable that consent will be granted, it is sensible to initiate consultation on proposed alterations to the path network as soon as possible. It is important that Thanet District Council is in a position to make the necessary Orders at the point at which consent is given.

Finally, the County Council requests early and direct engagement with the applicant prior to submission of the planning application to discuss the matters highlighted in this response, including the section 106 matters relating to PRow set out in Appendix 3.

Topics to be scoped out

Water Resources, Drainage and Flood Risk

The Scoping Report states that a Flood Risk Assessment (FRA) will be required and the County Council is therefore satisfied with the scope of the forthcoming EIA from a flooding/drainage perspective.

The Scoping Report references the presence of a potential overland surface water flow path. Any further assessment must evidence the presence of this flow path and its magnitude, and subsequently demonstrate how development will accommodate the flow path without creating or increasing flood risk.

The County Council anticipates that infiltration will be a key drainage technique for managing surface water runoff generated by the development. Although infiltration tests have been undertaken, the implications and application to development are not discussed. Superficial deposits are distributed across the site, but they are expected to be poorly draining and less than 3m in thickness. The ability to discharge to ground may have a significant impact on any proposed development layout and ability to accommodate 1,600 units. It is strongly recommended that the Drainage Strategy submitted with an application is sufficiently detailed to indicate how surface water will be accommodated and discharged appropriately.

Whilst KCC has no preference as to whether the FRA/Drainage Strategy forms part of the EIA or is submitted as a standalone document, it is recommended that the applicant engages with the County Council at their earliest convenience to discuss the surface water management at this site and any associated implications for KCC as Lead Local Flood Authority.

It must be ensured the drainage of the site is considered from the outset (at the masterplanning stage), and that sufficient room is allocated for appropriate drainage features.

The County Council will continue to work closely with the District Council to help to ensure the delivery of new housing and infrastructure in response to local needs. The County

Council will welcome further engagement with the District Council and the applicant as this planning application progresses.

If you require any further information or clarification on any matter, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K Stewart'.

Katie Stewart

Director for Environment, Planning and Enforcement

Encs:

Appendix 1: KCC Heritage Response dated 29 October 2019

Appendix 2: KCC Biodiversity Response dated 21 October 2019

Appendix 3: KCC Infrastructure Assessment

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Emma Fibbens
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Email: simon.mason@kent.gov.uk
Ask for: Simon Mason
Your Ref:
Our Ref:
Date: 29th October 2019

BY EMAIL

Dear Emma

Land to the South West of Birchington, Kent : Scoping Request – “Outline planning application all matters reserved apart from access, for the erection of up to 1600 dwellings, creation of a new link road between Minnis Road and the A28, and the A28 and B2050 Manston Road, provision of small scale retail provision, a 2-form entry primary school and land for expansion of Birchington medical centre. New pedestrian and cycle access and the provision of open spaces, sustainable urban drainage systems, associated landscaping, infrastructure and earthworks.”.

Thank you for your letter regarding the request for a Scoping Opinion for land to the South West of Birchington in Thanet. Please note that I am also providing advice to Francesca Potter for inclusion within the Kent County Council response.

I have been involved in early discussions with the applicants and their archaeological / heritage consultants since early 2017 principally in terms of their seeking to extend the allocation site and the scope of assessment, survey and evaluation work to inform the allocation considerations.

It should be noted that although I was involved in agreeing the scope of the evaluation fieldwork and its subsequent monitoring, the present submission is the first I have seen of the results of that work and therefore my comments are based on only a brief review of the work to date.

EIA Scoping Report October 2019

I note that the scheme is for a proposed outline submission for approximately 1600 dwellings, a new link road, small scale retail provision, 2 form entry primary school and expansion of a medical centre along with access, open spaces, SUDS, landscaping and infrastructure.

I note from the accompanying letter that master planning is to be evolved through consultation and engagement taking account of the site's constraints. This is important as the prior engagement I had with the applicant had identified areas of archaeological significance where preservation was to be achieved and these were removed from the scope of evaluation at that time. When presenting parameters for approval as described in para 32 of the report it will be important to ensure that these have been developed in reflection of cultural heritage constraints and that where preservation in situ is required or retained as a future option there is the flexibility within development parameters to achieve this.

We welcome that Cultural Heritage is being included within the Environmental Topics to be considered. As well as archaeology and built heritage it is important that the topic covers historic and ancient landscapes as there are features present in the site that relate to past landscapes and the development covers a large part of the landscape south west of Birchington.

We note the key features and designations listed in Table 1 of the Scoping Report but feel that this represents a small degree of the Cultural Heritage involved in this rich archaeological landscape and does not take account of the context of the assets stated and their association with the two Scheduled Monuments. It should be noted that the assets stated are those that arise from the trial trenching that was in itself very much limited and targeted on specific issues and for example does not account for the features identified in the site through cropmarks or by the geophysical survey. For example, see figure 2 of the evaluation report in appendix.

Baseline Conditions – Archaeology

We welcome the accompanying reports of the work undertaken to date. These include as set out in para 147 a revised desk-based assessment (June 2017) which includes an initial geophysics report (dated June 2017) for one field in the south west of the site. A further geophysics survey was undertaken which has not been reported or included in the appendices. A plot of this helped to inform the evaluation trenching strategy and some illustration can be seen in the evaluation report. The evaluation took place up to May 2018 (report dated August 2018) and there is a report that has been submitted for a subsequent small area of geophysics outside the trenched area. This latter report identifies further archaeology that was not tested by the evaluation.

It is important that the baseline study for the EIA takes account of all work in combination so that a true understanding of the buried archaeological landscapes and their significance is properly understood. The present baseline description set out in para 148 is focused only on a part of the evidence and there needs to be wider and more thorough assessment of the archaeology within and outside the site, the unique nature of the archaeological heritage of Thanet, the association of features within the site to those that are nearby designated. It will be important to update the desk-based assessment with the results of more recent work and ensure that there is an overall mapping at a reasonable scale that illustrates and models all the archaeology and articulates it into the landscape form. I will be happy to meet and discuss this further with the applicant's cultural heritage consultants during the compilation of the EIA. It will be important to draw together all the current understanding at an early stage in this process so that we can review where there may be any significant gaps in our knowledge that may need to be addressed further in light of the potential development parameters.

Baseline Conditions – Built Heritage

We note that the baseline conditions are based on the review carried out for the desk based assessment. Our principle discussions previously focused on the relationship of the rising farmland to the south of the Gore End Farm assets and this has been set out in the DBA. The effect of the development and its mitigation on built heritage assets will be primarily a matter for Thanet District Council's Conservation team to advise on however the KCC Conservation Officer has reviewed the scoping report and briefly visited the application area. He notes that while the farmhouse is in presently good condition the barn is not in good repair and that there may be benefits that could be secured as part of the mitigation of effects for that building. The significance of the views and the relationship of the farm buildings to the farmed land should be included in any statement of significance and the effects of development and any proposed mitigations should be included in that assessment. KCC would welcome being involved in discussion on this aspect but the lead should be with Thanet District Council.

Baseline Conditions – Historic landscape

This is not considered within the scoping report section on Cultural Heritage but is an important aspect that needs to be considered. This is particularly so given the scale of development proposed. The desk study pays some reference to the later development of the landscape from historic maps however it is important that the archaeological evidence is used to illustrate the earlier landscapes that are present both in buried form but also visible as crop mark complexes in early aerial photographs and also as visible features such as footpaths and trackways through the development that are of medieval origins. It may be that these heritage elements can contribute positively towards future master planning.

Receptors – Archaeology

It is our view that further consideration is needed to be given to the significance of the archaeological receptors on the site. The character of Thanet archaeology is such that often undesignated archaeology of regional and national importance can be found. The development site includes areas of medieval settlement that are relatively unique to Thanet and some areas of the north Kent coast and have been defined as low significance in Table 6. They are parts of an emerging landscape first properly recognised on the nearby Thanet Earth development and increasingly being seen in this area on cropmark evidence. The development will include a large area of such landscape.

The study for the EIA needs to include a thorough assessment of significance based on current Historic England guidance and how that significance will be affected by the development proposals. It should be noted that there are also remains on the site that extend out from the Scheduled Monuments or are characteristic of archaeology within those designated sites. We are pleased to see reference to the HE guidance in para 166 and agree that professional judgement should be applied. We will be pleased to discuss the significance of the archaeological heritage further with the applicant's consultants and assist with their understanding of the local and regional context of the assets.

Study Area

While the 1km study area from the site's boundary is sufficient for the archaeological base line, it is important that the report's authors also consult key excavation publications or reports from the Isle of Thanet that will provide suitable context and understanding of the rich resource

available. In particular the investigation of the following sites: Thanet Way 7A, East Kent Access Road, Ramsgate Harbour Approach Road, Cliffsend Farm, Thanet Earth and the Weatherlees to Margate WWT pipeline all provide important context for the archaeology of Thanet.

Method of Assessment

I refer to my comments above concerning the updating of the baseline conditions and reviewing the works to date to establish that baseline. The archaeological works need to be brought together and considered in the context of the archaeology surrounding. The archaeology needs to be properly modelled on the site, taking account of topography and any evident gaps. The significance of the modelled archaeology needs to be thoroughly assessed both in terms of impact on individual identified assets and cumulatively on groups of assets and their landscape.

With an understanding of the significance and the ways in which that significance may be affected it is important that mitigation looks at opportunities for preservation and for enhancement where this is appropriate.

Archaeological mitigation

Given the scale of development proposed in what is a rich archaeological landscape it is inevitable that substantial areas of investigation are likely to be needed to mitigate impacts other than those where preservation in situ is appropriate and agreed. Such archaeological investigation would need to be undertaken to an appropriately high archaeological standard and make provision for publication and archiving of results. The development proposals should include consideration of what additional benefits can emerge from archaeological works including on site interpretation, enhancement of adjacent heritage assets and engagement and involvement of the local community in the archaeology.

I hope that this is sufficient for present purposes and will be happy to discuss further. As noted above we would be happy to engage further with the applicant and their consultants. It would be useful if a meeting with them included Historic England and Thanet District Council so that matters touched on with relation to the Listed Buildings and Scheduled Monuments can be considered together.

Yours sincerely

Simon Mason
Principal Archaeological Officer



ECOLOGICAL ADVICE SERVICE

TO: *Emma Fibbens*

FROM: *Helen Forster*

DATE: *21 October 2019*

SUBJECT: *Land to the South West of Birchington, Kent*

The following is provided by Kent County Council's Ecological Advice Service (EAS) for Local Planning Authorities. It is independent, professional advice and is not a comment/position on the application from the County Council. It is intended to advise the relevant planning officer(s) on the potential ecological impacts of the planning application; and whether sufficient and appropriate ecological information has been provided to assist in its determination. Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed in every instance to the Planning Officer, who will seek input from the EAS where appropriate and necessary.

We have reviewed the information submitted with the scoping opinion and had detailed discussions with the ecologist and we are satisfied with the range of ecological surveys which have been carried out and the information which is proposed to be submitted will provide a good understanding of the ecological impacts associated with the proposed developments.

The scoping opinion has confirmed the following:

- Reptile, bat, wintering and breeding bird and botanical surveys have been carried out.
- A current Preliminary Ecological Appraisal and KMBRC data search will be submitted to demonstrate that the specific surveys are still valid.
- The mitigation hierarchy has been taken into consideration when designing the proposed development and details of on or off-site species mitigation will be submitted with the planning application.
- The report will assess the impact the proposed development will have on all designated sites (including Local Wildlife Sites and Ancient Woodland).
- The assessment will consider the conclusions of other technical assessments (including noise and air quality)
- A biodiversity net gain calculation will be carried out on the site.
- Information to inform a Habitat Regulations Assessment will be submitted with the planning application.

In addition to the above we recommend the following:

- An overview of how the on site habitat and off site mitigation areas will be managed and monitored as part of any application.
- The applicants ecologist is involved in the design of the proposed development to ensure that, where possible, ecological impacts can be designed out of the proposed development (as per the mitigation hierarchy)
- Connectivity is maintained throughout the site – through the implementation of green corridors and the use of “hedgehog highways”.

If you have any queries regarding our comments, please do not hesitate to get in touch.

Helen Forster MCIEEM
Biodiversity Officer

This response was submitted following consideration of the following documents:
EIA scoping opinion; Trium Environmental Consulting; October 2019

Infrastructure Assessment of Land to the South West of Birchington, Kent

The County Council has assessed the implications of this proposal in terms of the delivery of its education and community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

1. Necessary,
2. Related to the development, and
3. Reasonably related in scale and kind

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements

	Per pupil	Per Applicable House	Per applicable flat	Total pupils (1600 houses)	Project
Nursery	26 place Nursery at each new 2 Form Entry Primary School				
Primary Education	£16,198	£4535	£1134	448	New on-site 1No. 2 FE Primary School
Primary Land	1 No. 2FE Primary School site of 2.05ha at 'nil' cost to the County Council				
Special Education Needs	£67,379	£1078	£270	26	Contribution towards the expansion of an existing special needs school serving this development
Secondary Education	£23,434	£4687	£1172	320	Contributions towards a new secondary School in the vicinity
Secondary Land		2773.81	693.25	N/A	Contributions towards a new secondary school site in the planning group

'Applicable' excludes 1 bed units of less than 56 sqm GIA, and sheltered accommodation.

	Per Dwelling		Project
Community Learning	£20.63	Free use of on-site Community facilities for classes	Towards additional equipment and resources for Adult Education Centres locally
Youth/Early Help	£65.50	Free use of on-site Community facilities for youth sessions	Towards additional resources for the Thanet Youth service
Libraries	£55.45	Free use of on-site Community facilities for library purposes	Towards additional Library equipment, stock, services including digital infrastructure, shelving and resources for the new borrowers
Social Care	£146.88	Free use of new Community facilities on-site for meetings, group and therapy sessions	Towards additional specialist care accommodation in the Borough

	All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2)	
On-site Community Buildings specification:	*Design that is Dementia friendly with dementia friendly decoration and signage. *A catering area which is DDA Compliant including adjustable height work surfaces, wash areas, cupboards etc. *Toilets and changing facilities for the severely disabled in accordance with the Changing Places specification set out in Kent County Council's Kent Adult Social Services Glossary document dated October 2008 or any successor document or as modified by legislation or best practice or otherwise agreed which are DDA Compliant.	
Waste	£237.54	Towards increases in capacity at the Household Waste Recycling Centres the District.
Heritage	Heritage interpretation and archaeological storage space on site	
Broadband:	INFORMATIVE: Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that gigabit capable fibre to the premise Broadband connections. Access to gigabit broadband is an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest gigabit connection. We understand that major telecommunication providers are now offering fibre to the premise broadband connections free of charge to the developer. For advice on how to proceed with providing broadband access please contact broadband@kent.gov.uk	
Highways	<i>Kent Highway Services will respond separately</i>	

Please note that these figures:

- are subject to review and are currently **index linked by the BCIS General Building Cost Index from Oct 2016 to the date of payment** (Oct-16 Index 328.3)
- are valid for 3 months from the date of this letter after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.

Justification for infrastructure provision/development contributions requested

Primary Education

The proposal gives rise to up to **448** additional primary school pupils during occupation of the development. This need can only be met through the on-site provision of initially a 2-form entry Primary School (2.05 ha) in accordance with KCC site transfer and service requirements (see Appendix A and B respectively).

This proposal has been assessed in accordance with the KCC Development Contributions Guide methodology of '*first come, first served*' assessment; having regard to the indigenous pupils, overlain by the pupil generation impact of this and other new residential developments in the locality.

The County Council requires a financial contribution towards construction of the new school at **£4535.00 for each 'applicable' house** and **£1134 for each applicable flat** ('applicable' means: all dwellings except 1 bed of less than 56sqm GIA).

The County Council also requires delivery of a regularly shaped 2.05 ha Primary School site at no cost to KCC delivered in accordance with attached KCC site transfer and service requirements.

Please note this process will be kept under review and may be subject to change (including possible locational change) as the Local Education Authority has to ensure provision of

sufficient pupil spaces at an appropriate time and location to meet its statutory obligation under the Education Act 1996 and as the Strategic Commissioner of Education provision in the County under the Education Act 2011

KCC will commission additional pupil places required to mitigate the forecast impact of new residential development on local education infrastructure generally in accordance with its Commissioning Plan for Education Provision 2019-23 and Children, Young People and Education Vision and Priorities for Improvement 2018-2021.

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Special Educational Needs (SEN) and Special Schools

A contribution is sought based upon the additional need required, where the forecast SEN pupil product from new developments in the locality results in the maximum capacity of SEN provision serving this locality being exceeded.

The proposal is projected to give rise to up to **26** additional SEN pupils from the date of occupation of this development. This need can only be met through the expansion of provision.

The County Council requires a financial contribution towards **expansion of an existing facility of £1078.00 for each 'applicable' house & £270.00 for any 'applicable' flats** ('applicable' means: all dwellings, except 1 bed units of less than 56 sqm GIA, and any sheltered accommodation).

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Secondary School Provision

A contribution is sought based upon the additional need required, where the forecast secondary pupil product from new developments in the locality results in the maximum capacity of local secondary schools being exceeded.

The proposal is projected to give rise to up to **320** additional secondary school pupils from the date of occupation of this development. This need can only be met through the delivery of a new Thanet Secondary School.

The County Council requires a financial contribution towards **a new Thanet Secondary School of £4687 for each 'applicable' house & £1172 for any 'applicable' flats** ('applicable' means: all dwellings, except 1 bed units of less than 56 sqm GIA, and any sheltered accommodation).

The County Council also requires proportionate contributions towards the new Secondary School land acquisition cost at **£2773.01 per applicable house** and **£693.25 per applicable flat**.

The site acquisition cost is based upon current local land prices and any section 106 agreement would include a refund clause should all or any of the contribution not be used or required. The school site contribution will need to be reassessed immediately prior to KCC taking the freehold transfer of the site to reflect the price actually paid for the land.

Please note where a contributing development is to be completed in phases, payment may be triggered through occupation of various stages of the development comprising an initial payment and subsequent payments through to completion of the scheme.

The new secondary school accommodation will be provided through **the new Thanet Secondary School** and delivered in accordance with the Local Planning Authority's Infrastructure Delivery Plan (where available); timetable and phasing.

Please note this process will be kept under review and may be subject to change as the Local Education Authority will need to ensure provision of the additional pupil spaces within the appropriate time and at an appropriate location.

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Community Learning

There is an assessed shortfall in provision for this service: the current adult participation in both District Centres and Outreach facilities is in excess of current service capacity.

To accommodate the increased demand on KCC Adult Education service, the County Council requests **£20.63 per dwelling** towards additional equipment (including portable teaching and mobile IT equipment), additional sessions, resources and venues for the delivery of Adult Education courses in the local area.

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Libraries

KCC is the statutory Library Authority. The Library Authority's statutory duty in the Public Libraries and Museums Act 1964 is to provide 'a comprehensive and efficient service'. The Local Government Act 1972 also requires KCC to take proper care of its libraries and archives.

Borrower numbers are in excess of capacity, and bookstock in Birchington Library at 699 items per 1000 population is below the County average of 1134 and both the England and total UK figures of 1399 and 1492 respectively.

To mitigate the impact of this development, the County Council requests **£55.45 per household** to address the direct impact of this development, towards additional Library equipment, stock, services including digital infrastructure, shelving and resources for the new users generated from the development.

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Youth Service

To accommodate the increased demand on KCC services the County Council requests **£65.50 per dwelling** towards additional resources to enable youth outreach provision in the vicinity of the development.

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Social Care

The proposed development will result in additional demand upon Social Care (SC) (older people, and also adults with Learning or Physical Disabilities) services, however all available care capacity is fully allocated already, and there is no spare capacity to meet additional demand arising from this and other new developments which SC are under a statutory obligation to meet. In addition, the Social Care budgets are fully allocated, therefore no

spare funding is available to address additional capital costs for social care clients generated from new developments.

To mitigate the impact of this development, KCC Social Care requires:

- a proportionate monetary contribution of **£146.88 per household** towards additional specialist housing provision in the Borough for older people, those with dementia, and adults with Learning and/or Physical Disabilities.
- The **Ministry of Housing, Communities and Local Government** identified in June 2019 guidance *Housing for older and disabled people* the need to provide housing for older & disabled people is critical. **Accessible and adaptable housing** enables people to live more independently and safely. Accessible and adaptable housing provides safe and convenient homes with suitable circulation space and suitable bathroom and kitchens. Kent Social Care request these dwellings are built to Building Reg Part M4(2) standard to ensure they remain accessible throughout the lifetime of the occupants to meet any changes in the occupant's requirements.

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Waste

Kent County Council is a statutory 'Waste Disposal Authority', responsible for the safe disposal of all household waste arising in Kent, providing Household Waste Recycling Centres (HWRC) and Waste Transfer Stations (WTS). Each household produces an average of a quarter of a tonne of waste per year to be processed at HWRC's and half a tonne per year to be processed at WTS's. Existing HWRC's and WTS's will be over capacity by 2020 and additional housing will have a significant impact on the manageability of waste in Kent.

A contribution of **£237.54 per household** is required towards the extension and upgrading of the existing Household Waste Recycling Centre (HWRC) in Margate, to mitigate the impact arising from this development, and accommodate the increased waste throughput within the Borough.

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Broadband: Fibre to the premise/gigabit capable

The Department for Culture, Media and Sport requires fibre to the premise/gigabit capable fibre optic connection for all.

Please include within any Planning Consent the requirement to provide 'fibre to the premise' broadband connections to all premises of gigabit capacity.

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Implementation

The County Council is of the view that the above contributions comply with the provisions of CIL Regulation 122 and are necessary to mitigate the impacts of the proposal on the provision of those services for which the County Council has a statutory responsibility. Accordingly, it is requested that the Local Planning Authority seek a section 106 obligation with the developer/interested parties prior to the grant of planning permission. The obligation

should also include provision for the reimbursement of the County Council's legal costs, surveyors' fees and expenses incurred in completing the Agreement.

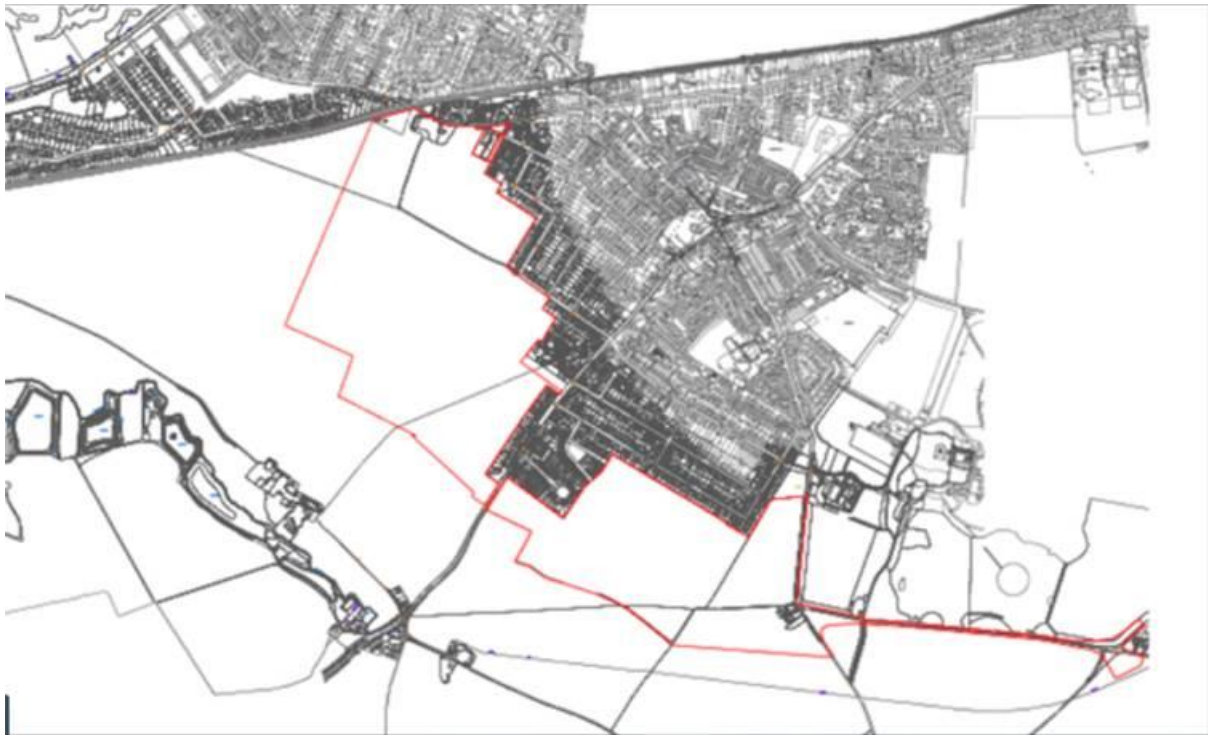
Would you please confirm when this application will be considered and provide us with a draft copy of the Committee report prior to it being made publicly available. If you do not consider the contributions requested to be fair, reasonable and compliant with CIL Regulation 122, it is requested that you notify us immediately and allow us at least 10 working days to provide such additional supplementary information as may be necessary to assist your decision making process in advance of the Committee report being prepared and the application being determined.

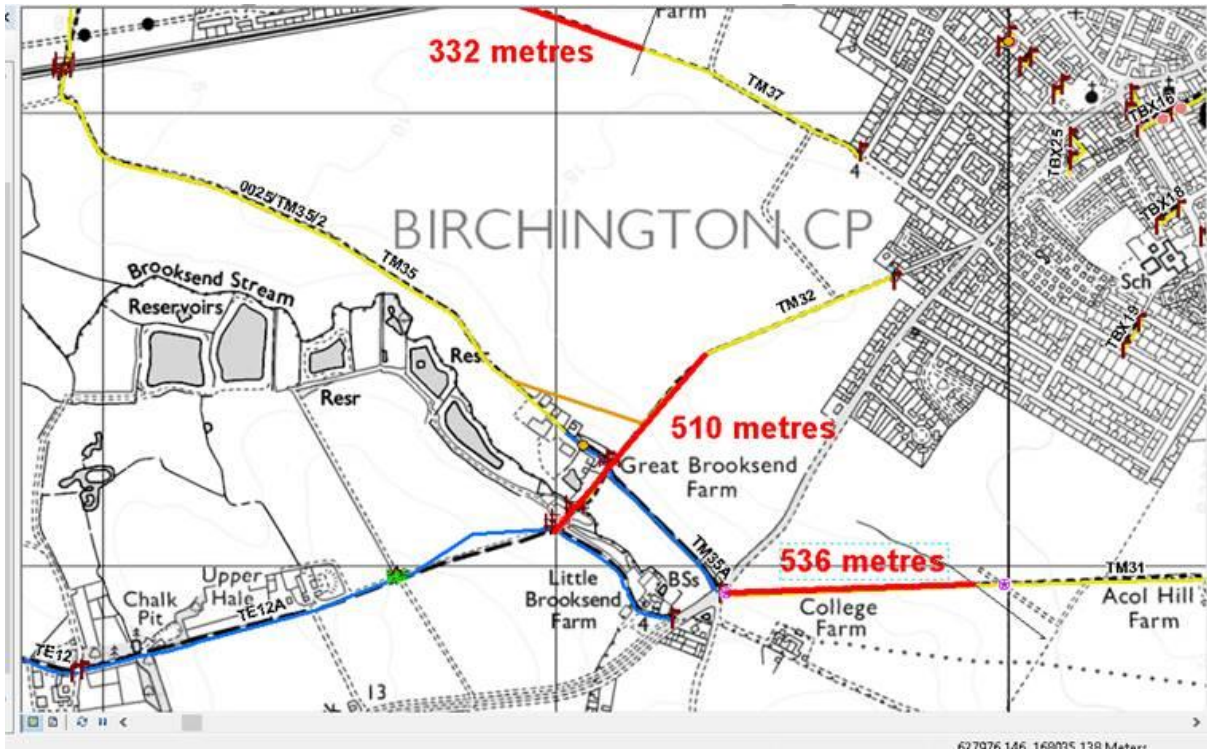
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PROW

Section 106 Request:

Path Number	Description	Cost (£)
TM37	Resurface path 322m x 2m x £45 (+ 15%) (bridleway)	33,327
TM32	Upgrade to Bridleway (legal cost)	1,000
TM32	Resurface path 510m x 3m x £45 (+ 15%) (bridleway)	79,177.50
TM31	Upgrade to Bridleway (legal cost)	1,000
TM31	Resurface path 536m x 3m x £45 (+ 15%) (bridleway)	83,214
Total		£198,000





Off-Site Public Rights of Way Pedestrian, Equestrian and Cycle Links

The County Council covenants with the Paying Owners to spend the monies received on Public Rights of Way improvements for both utilitarian and recreational purposes.

Improving pedestrian, cycle and equestrian provision throughout and linking to the Site to help mitigate the impacts of the development and secure improvements that are related in scale and kind, to encourage walking, cycling and riding in line with the aims and objectives of the Rights of Way Improvement Plan 2018 – 2018.

Indicative schemes will include public rights of way within and linking to the development and to the following key locations and services:

- Transport hubs including Birchington train station. It is essential that consideration is given to the likely impact of the development on the nearby rail crossing point and the potential impact that the development will have on increasing use. It may be that this development contributes to an improved rail crossing to help mitigate the impact.
- Access to leisure and recreation including Quex Park and the Viking Coastal Trail.
- Access to areas of education and employment.
- Access to the coast and wider countryside.

Improvements to the condition, connectivity and usability of the Public Right of Way Network linking to the site will be achieved through surfacing works, upgrading of existing routes or creation of new routes and improved signage and crossing points. A contribution in the sum of £198,000 (indexed) towards the cost of such works.

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Stephen Baughen
Head of Planning Services
 Local Plan, Planning Policy,
 Planning Services,
 Tunbridge Wells Borough Council,
 Town Hall, Civic Way,
 Royal Tunbridge Wells,
 Kent TN1 1RS

Growth, Environment & Transport

Room 1.62
 Sessions House
 County Hall
 Maidstone
 Kent ME14 1XQ

Phone: 03000 415981
 Ask for: Barbara Cooper
 Email: Barbara.Cooper@kent.gov.uk

14 November 2019

BY EMAIL ONLY

Dear Stephen

Re: Tunbridge Wells Borough Council – Draft Local Plan

Thank you for inviting Kent County Council (KCC) to comment on the Tunbridge Wells Borough Council – Draft Local Plan Regulation 18 Consultation.

The County Council recognises the role and importance of the Local Plan in guiding and managing sustainable development in the Borough up to 2036.

The proposed spatial strategy for growth is characterised by a mix of dispersed growth across the majority of settlements in the Borough, a new 'standalone' garden settlement and the transformational expansion of an existing settlement using garden settlement principles. The County Council recognises the challenges for the Borough Council to allocate sites that will meet the identified housing requirement but would strongly emphasise the necessity for a robust approach to the identification, funding and delivery of necessary infrastructure and services to support the delivery of truly sustainable new communities. It will be imperative that this approach provides a strategic focus for the planning and delivery of KCC infrastructure and services in an effective and timely manner.

The County Council recognises that the Borough Council has commissioned specialist consultant advice on whether it is most appropriate to secure infrastructure through CIL, section 106 agreements, or a combination of both for the site allocations within the Draft Local Plan. The County Council would strongly recommend that the section 106 agreement approach is the most effective approach to secure development contributions towards infrastructure in a timely manner to deliver sustainable growth in the Borough, and this must be a vital component of the master-planning work of the strategic sites, going forward.

The County Council has reviewed the relevant consultation documents and provides a full technical commentary on the Draft Local Plan in the attached appendices, which include a Technical Schedule of Policy Commentary and comments on the Infrastructure Delivery Plan (IDP).

Highways and Transportation

The County Council as Local Highway Authority provides comments on this Local Plan consultation with reference to the Draft Local Plan and accompanying documents¹. The Draft Local Plan and accompanying documents have been valuable in determining the need for public transport, cycling and walking infrastructure to be dramatically improved in order to achieve the modal shift required to make the Local Plan work. They have also been important in identifying the junctions and links that require further investigation before the Local Highway Authority can be confident mitigation is possible to alleviate severe impact on the network. It is hoped that work will continue on these points prior to the Regulation 19 consultation to give reassurance to the County Council as Local Highway Authority that the modal shift and highway mitigation required to make the Local Plan growth targets is deliverable.

New Settlement at Tudeley Village (AL/CA1) / Paddock Wood (AL/PW 1)

The proposed Colts Hill bypass and a direct public transport link between Tonbridge town centre/station, Tudeley and Paddock Wood town centre/station are absolutely key to the delivery of Tudeley settlement and the Paddock Wood extension. Whilst the opportunity exists to deliver dedicated and direct bus routes through the allocated sites, little work has been done on connections into the existing town centre networks. This should be a priority as part of the upcoming masterplanning exercise programmed for these allocations.

There is currently no reference to a new rail station at Tudeley Village in the Draft Local Plan or IDP. The inclusion of an additional stop on this line in the heart of the new Tudeley settlement would make a considerable difference to the road traffic generated by these developments and exploration into the feasibility for a station should be pursued in conjunction with the masterplanning exercise, prior to the Regulation 19 consultation. Without this station, the 11% modal shift would be even more difficult for the very limited remaining public transport options to deliver.

Consideration should also be given to trips heading north on the A228 into Maidstone/Tonbridge and Malling to understand the impact on the wider road network and whether mitigation is required.

Royal Tunbridge Wells

There is concern over the cumulative impact of the allocations in the town centre, Pembury and Southborough, coupled with the trips that would be generated by the new settlement at Tudeley Village and the Paddock Wood housing allocations – particularly with regard to congestion on the A26 and A264. Where junction upgrades on the A26 and A264 are referred to, these are identified as requiring mitigation (identified in the SWECO Local Plan Transport Evidence Base). However, at this stage, no work has been done to identify if and how improvements can be made and the costs of such improvements. Further work will be required to show how capacity can be increased whilst maintaining or improving safety.

¹ TWBC Draft Local Plan: Regulation 18 Consultation Draft, SWECO Local Plan Transport Plan Evidence Base, TWBC Infrastructure Delivery Plan – August 2019 and other supporting documents

With respect to the A26, the IDP states the intention for the 'reallocation of road space with smart traffic management to improve journey time reliability and provide infrastructure for sustainable modes (walk, cycle and bus)'. The County Council as Local Highway Authority is not confident that this methodology will improve flows on the A26 enough to mitigate the additional traffic generated by Local Plan growth. The addition of smart traffic management (such as MOVA or SCOOT) to junctions that currently do not have signals in order to control the corridor could add delays that cannot be mitigated against, and may not bring benefits to this corridor either in the current situation or with the housing growth and associated trips applied.

This is not acceptable and mitigation measures should be explored before the Regulation 19 consultation, in order to provide assurance to KCC as Local Highway Authority that the impact of growth will not result in unacceptable safety or congestion issues on the A264, A26 and other key junctions in the town.

To assist at this stage, KCC as Local Highway Authority has provided site specific comments on all policies (Appendix 1).

Hawkhurst

The IDP sets out that new infrastructure is required in the form of a new relief road through the Hawkhurst Golf Club site, linking the A268 High Street and A229 Cranbrook Road and new junction with the existing A229 Cranbrook Road.

The reference to the new section of road being a 'relief' road is misleading. It is not yet evident that the changes to the main junction (proposed through the Hawkhurst Golf Club planning application (Ref: 19/02025/HYBRID)) will be acceptable in achieving nil detriment or decrease the level of traffic/congestion/journey time through the junction - thereby not causing a severe impact for the number of dwellings proposed on the Golf Club site. It also does not take into account the further allocations in the area that would affect the junction. There is a presumption that the road diversion will relieve the junction significantly in order to allow more development in the village. However, this has not yet been demonstrated to the Local Highway Authority's satisfaction.

Until the Hawkhurst Golf Club application is properly assessed, the cumulative impact of all the allocations at Hawkhurst would be likely to cause a severe impact on the junction, in lieu of suitable mitigation proposals. KCC Highways and Transportation Officers are currently awaiting more information on the Golf Club application which will assist in this assessment.

To assist Tunbridge Wells Borough Council and KCC in understanding the impact of development in this area, it is recommended that Tunbridge Wells Borough Council undertakes:

- An assessment of the cumulative impact of all proposed allocations (excluding the Golf Club) on the junction as it is currently; and
- An assessment of the cumulative impact of all proposed applications (including the Golf Club) with the proposed A229 diversion across the Golf Club site in place.

As it stands, this matter has resulted in an objection from the County Council as Local Highway Authority, to all residential allocations in Hawkhurst (as set out in Appendix 1).

It is also pertinent to mention that whilst developer contributions towards much needed public transport services have, to date, been a suitable mitigation measure in relation to the most recent small site applications in the village, this is not an effective mitigation for the level of growth proposed through the Local Plan allocations as part of a plan-led approach. Public transport improvements are likely to always be required through developer contributions, but

highway infrastructure improvements are key to sustainably delivering the growth planned for Hawkhurst.

Car-dependant locations

In response to the “Issues and Options” consultation in Spring 2017, the County Council as Local Highway Authority raised concern that, in relation to the option for dispersed growth (Option 3), without significant growth in individual areas, services (including health centres, retail facilities and education facilities) are likely to be a car-drive away, and so this option would be likely to cause the most significant increase in vehicular trips to the Borough.

Since the consultation, the County Council as the Local Highway Authority has continued to raise concerns about new residential development in locations across the Borough (Sissinghurst, Frittenden, Beneden, Goudhurst, Sandhurst and Brenchley/Matfield) that have no, or very few, facilities. With only a very few non-residential allocations that would provide services and facilities within these settlements, such housing growth would result in a large percentage of car borne trips.

Whilst the County Council has provided comments on individual sites in these villages (Appendix 1), Tunbridge Wells Borough Council is asked to consider the implication of locating housing sites that are a car drive away from key facilities.

The Park and Ride site at Woodsgate Corner (Policy AL/PE 7)

KCC as Local Highway Authority agrees with the ambitions of Tunbridge Wells Borough Council to maintain and enhance the rail and bus networks and services and to ‘encourage an efficient and improved strategic public transport network and safeguard any routes that may be required in the future, in places that will cater to those who commute, and will encourage a reduction in the necessity for the private car’ (paragraph 4.60).

However, the allocation of the Park and Ride site at Woodsgate Corner (Policy AL/PE 7) as car showrooms goes against this objective. The proposed removal of the Park and Ride site effectively removes the chance of an improved direct public transport service into the town. With the levels of proposed growth to the north of this site further along the A228 corridor, the safeguarding of this well located site for Park and Ride (or innovative alternative) is vital. The inability to deliver a Park and Ride site could compromise the Borough Council’s ability to deliver the preferred growth strategy.

Impact on adjacent districts

The impact of the proposed settlement in Tudeley will have an impact on Tonbridge town and this impact will need to be assessed in much greater detail prior to the Regulation 19 consultation. In addition, impacts resulting from the Tudeley Village and Paddock Wood allocations on the road network in Tonbridge and Malling Borough and Maidstone Borough should also be assessed.

Developer contributions and mitigation

Throughout the Draft Local Plan, many of the policies state that ‘*It is expected that contributions will be required towards the following if necessary, to mitigate the impact of the development...*’. This wording is not acceptable to the County Council as Local Highway Authority. It is suggested instead that the policies state that ‘*It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate*’.

Summary

The County Council as the Local Highway Authority has fundamental concerns that the impact of the additional vehicular traffic brought about by the preferred growth strategy has not yet been effectively addressed in the Draft Local Plan by clearly defined mitigation measures. KCC would welcome continued dialogue to address these matters as the Local Plan progresses.

Education

Proposed growth within Paddock Wood and Tudeley Village (Policy STR/PW 1) is forecast to generate the combined need for an additional eight forms of entry of secondary provision. It is proposed that two forms of entry are provided through the expansion of the existing Mascalls School prior to the establishment of a new six form entry secondary school within the area. The total level of growth cannot be accommodated through the expansion of Mascalls School alone and therefore Policy STR/PW 1 relating to growth in Paddock Wood must reflect the need for sites relating to the policy to contribute financially to the provision of the new six form secondary school.

The policy referring to Land to east of Tonbridge/west of site for Tudeley Village (Policy AL/CA 2) relates to land proposed for the establishment of a new six form entry secondary school. The establishment of a new school is wholly required to support the proposed level of growth. It would be advantageous for the school to be located closer to the proposed development towards the east; this would increase the likelihood of more sustainable modes of travel being used by students. However, the geographic location of the school is acceptable in order to meet the additional need for school places. However, the identified site is significantly constrained - consisting of two sites separated by a railway line with deep embankments, the southerly part of the site containing a sizeable area of Ancient Woodland, a high pressure gas pipeline runs from south to north through the western side of the site and the south of the site is identified as an area of potential archaeological importance.

It would not be KCC's preferred option to establish a new school on split sites and the site's additional constraints are likely to make design and construction of a new secondary school far more challenging. The maintenance and management of the Ancient Woodland could not be the responsibility of the school, nor could the maintenance of the bridge that crosses the railway line. However, the school would require security that the bridge will be maintained in perpetuity and there is potential that a second bridge over the railway would be required within the school site to overcome some of the site's constraints; this would enable students to cross the two sites without leaving the safeguarding line of the school during the school day.

Delivery of a secondary school at this location is therefore highly likely to cost significantly more than that of a regularly shaped and unconstrained single site; the school will need to be wholly funded by development and therefore the financial contributions from contributing developments would need to be increased to cover the additional costs derived from both the site's abnormalities and the likely need to deviate from the Department of Education's baseline design. In order for the County Council to confirm that the necessary secondary provision could be provided within the proposed site, it is suggested that prior to the Regulation 19 stage, the Borough Council undertakes a detailed design and costing exercise relating to the site, or that an alternative site with fewer physical constraints is identified within the area.

Provision and Delivery of County Council Community Infrastructure

The County Council generally favours growth strategies that include sustainable, larger development sites as they are more capable of supporting new infrastructure, including schools, early years, childcare, libraries and community centres. KCC supports the objective to

establish garden settlements as a model of future delivery, provided that they are suitably located with respect to existing infrastructure and that upgrades to existing infrastructure are properly assessed for their ability to cope with new development. New supporting infrastructure must be appropriate in terms of scale. The Paddock Wood and Tudeley Village developments will be considerable, so it is critical that KCC services are considered at an early stage and that they are commensurate with the scale of the development and future proofed to cater for the growing community.

The County Council is responsible for ensuring the provision of Community Learning (formerly known as adult education), as well as Early Help for young people (from birth to 25 years old). Early Help duties include the delivery and commissioning of children's centre services, other specialist children's services, youth services and wider public health services. KCC also has a duty to ensure early years childcare provision in Kent, as set out in the Childcare Acts (2006 and 2016).

The County Council would like to see continued support for funding towards multi-functional Cultural Hubs at Tunbridge Wells, Cranbrook and Southborough. These provide an excellent mix of services including social care, libraries and education facilities.

KCC would emphasise the need for close collaboration between key partners to ensure that required infrastructure is planned, funded and delivered in a timely manner – this is critical to the success of new developments, ensuring a sustainable community is created and maintained.

Youth Services

There does not appear to be specific reference to youth services within the consultation document. There is a county wide need to make appropriate consideration for youth services – and youth services should clearly be seen as an essential element of community services.

Adult Social Care

The County Council has adult social care responsibilities (delivered through the Kent Accommodation Strategy for Adult Social Care) to ensure adequate facilities for older persons in the County. The Borough Council should have regard to the Kent Accommodation Strategy for Adult Social Care in determining housing options for adult social care clients.

The Local Plan should also reference "Your Life Your Well-Being" - Kent County Council's strategy for Adult Social Care. The strategy seeks to 'help people to improve or maintain their well-being and to live as independently as possible'. Its vision is for people to live independently in their own home receiving the right care and support and the strategy sets out the strategic direction for suitable housing and care home provision for all Adult Social Care client groups. It identifies the need for more extra care housing and to explore the opportunities to develop mixed tenure models of extra care housing. It is important to support older persons' care homes in the areas where there is a need for specific support, including for people with dementia that presents as challenging. High quality, affordable dementia care is needed across Kent. In Tunbridge Wells, the average cost for care home beds is significantly higher than the Kent average and this creates a challenge for the County Council to place people in suitable, affordable residential care. The County Council is keen to work with the Borough Council to ensure an adequate, affordable supply of housing options are delivered through the Local Plan.

Broadband and mobile connectivity

KCC welcomes the inclusion of the policy ED 3 (Digital Communications and Fibre to the Premises), as there is a need to ensure that new development has either full fibre (FTTP) or gigabit capable connections. Given the recent shift in Government policy (set out in the Future Telecoms Infrastructure Review) from superfast speeds (in excess of 24mbps) to 'gigabit-capable' speeds (delivered either via wired i.e. FTTP or wireless solutions), the County Council would request that the references to 24mbps, high speed and 'next generation-access' are replaced with the term 'gigabit-capable'. This will help ensure that the plan is in keeping with current and emerging national digital infrastructure policy.

The County Council also considers that, given the increasing importance of mobile connectivity, developers should be strongly encouraged at an early stage to discuss mobile coverage and capacity with mobile network operators to ensure that new development has the mobile connectivity that businesses and residents would expect.

Sustainable Businesses and Communities

KCC is supportive of the Plan's approach to sustainable development. The Plan's policies to support the transition to a zero-carbon economy to promote environmental sustainability, through requiring high standards of energy and water efficiency, improving climate change resilience, incorporating green infrastructure and supporting innovative low carbon transport options and renewable energy are particularly welcomed. These measures align with and support the priorities of the Kent Environment Strategy and the draft Kent and Medway Energy and Low Emissions Strategy, which sets a vision for achieving net-zero carbon emissions by 2050.

The draft Kent and Medway Energy and Low Emissions Strategy seeks to ensure that the decisions and plans made for the future embrace clean growth and allow the development of a clean, affordable and secure energy future. This can only be achieved through informed planning decisions, good quality sustainable design, investment in new technologies and cleaner fuels.

The Local Plan presents a real opportunity to progress future low carbon energy infrastructure such as district heating schemes, hydrogen grids and local energy centres supplied by locally produced renewable energy sources. The draft Local Plan could further support the zero-carbon agenda by identifying where there is potential for new settlements to become zero-carbon development hubs, for instance, utilising district heating networks or hydrogen energy grids. This could encourage investment in trials and pilots of new zero-carbon technologies and infrastructure. The County Council would be keen to explore these opportunities further with the Borough Council to support the transition to a zero-carbon economy.

Place shaping and design

The County Council strongly supports the Local Plan's ethos of place shaping and good design. Kent Design Guidance is being refreshed for publication in 2020 and there is opportunity to make appropriate reference to ensure that development is aligned to the principles set out in the Kent Design Guidance.

Minerals and Waste

There are economic mineral deposits that are potentially threatened with sterilisation by the allocations in the Draft Local Plan. The safeguarding of these potentially economic minerals is required by Policy CSM 5 of the adopted Kent Minerals and Waste Local Plan 2013-30 (KMWLP). Whilst the KMWLP is referenced at paragraph 6.1 and in Policy EN 32 of the consultation document, it does not evidence that any assessments against the criteria of

Policy DM 7 have been carried out to determine if there are grounds for exemption from the presumption to safeguard the potentially affected minerals. Given the economic resources affected, it is possible that an argument could potentially be advanced that the sandstone formations are not threatened with sterilisation in any meaningful manner. This is because they are massive crustal sedimentary units that do not require a maintained landbank in the County as required by aggregate minerals.

The County Council has submitted a Mineral Sites Local Plan to the Secretary of State, which is currently under examination. It identifies two allocations in the vicinity of the proposed Tudeley Village allocation (CA1). Whilst policy STR/CA1 does identify that this allocation is in the vicinity of the mineral site allocations and should have regard to them, it is unclear as to whether there may be any conflict with the mineral site allocations; their accessibility in the future; or whether there is any significant potential for adverse impacts on their future potential to supply mineral to the market as required by National Planning Policy Framework (paragraph 207).

Given the implications for mineral and waste safeguarding and the need for both local planning authorities to work together on this strategic matter, the County Council's Waste and Minerals Planning Policy team would be grateful to be kept engaged as the Tunbridge Wells Borough Local Plan progresses.

Sustainable Urban Drainage Systems

The magnitude of the impacts of flood risk and surface water flooding within the considered and understood within the Draft Local Plan to the satisfaction of the County Council. The Draft Local Plan recognises the importance of ensuring that the necessary infrastructure is in place to accommodate new development. The Draft Local Plan recognises that for a number of developments, an improvement in the existing flood alleviation situation in the area must be evidenced. Multi-functionality within sustainable drainage schemes and/or integration within open space should be considered.

Heritage and Conservation

The County Council supports the inclusion of a strategic objective to protect the valued heritage and built and natural environments of the Borough, and the recognition that design must take account of the outstanding built and historic environment of the Borough.

Some sites have been identified as having major or sensitive archaeological issues and some that KCC recommends should be withdrawn on heritage grounds, or for which an allocation will need to be supported by an Archaeological Desk-based Assessment. Full comments on policies are provided in Appendix 1.

Public health and air quality

It will be essential for the growth strategy to address health and wellbeing – and this must capture wider determinants of health, such as access to green space and air quality. It is considered that this could be brought out more explicitly as a priority in the Vision of the Local Plan. The County Council supports the recognition in the Plan of the role of open space and the recognition of the need to enhance opportunities to provide linkages between cycle and pedestrian routes to help improve public health and air quality in the Borough. The inclusion of active travel in the vision of the Local Plan is welcomed - active travel can help reduce vehicle congestion on roads, alleviate air quality issues and improve the health and well-being of the public.

The County Council also welcomes the incorporation of air quality policies EN 23 and EN 24 - to mitigate air quality issues and control development in Air Quality Management Areas (AQMA). Air quality issues identified in the consultation document must be addressed and

mitigated against – they will need to be managed through a range of means and this can include engineering solutions, reduction in emissions from vehicles and access to cleaner forms of transport (such as electric vehicles).

The County Council recognises the role and importance of the emerging Local Plan in guiding and managing sustainable development in the Borough up to 2036. The County Council will continue to work closely with the Borough Council to ensure the delivery of new housing, employment and required infrastructure and services across the Plan period.

If you require any further information or clarification on any matter, please do not hesitate to contact me.

Yours sincerely



Barbara Cooper
Corporate Director – Growth, Environment and Transport

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[Appendix 1: KCC Technical Schedule of Policy Comments](#)
[Appendix 2: KCC Comments on the Infrastructure Delivery Plan](#)

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APPENDIX 1: KCC response: schedule of technical comments –Tunbridge Wells Local Plan Consultation October 2019

Page	Chapter	Policy / paragraph	Respondent	Commentary
19	Section 1: Introduction Producing a new Local Plan	Neighbourhood Plans	Provision and Delivery of County Council Community Services	The County Council considers that whilst neighbourhood level funding for park benches and planters is important - KCC considers that in some instances, critical infrastructure such as education facilities should take precedence.
24	Section 2: Setting the Scene Challenges and Opportunities		Waste Management	<p>The significant development within the borough will undoubtedly put pressure on the waste services provided by KCC in this area. KCC as the Waste Disposal Authority provides a Waste Transfer Station (WTS) at North Farm for the receipt of kerbside waste collected by Waste Collection Authorities (both Tunbridge Wells Borough Council and some of Tonbridge and Malling Borough). There is also a co-located Household Waste and Recycling Centre for residents to dispose of household waste. Both of these facilities are strategic, serving not only the whole of Tunbridge Wells Borough area but also parts of adjoining Districts.</p> <p>Paragraph 2.10 and 2.11 refer to a Development Constraints Study of October 2016. KCC would like to see consideration of Waste Infrastructure. KCC is pleased to see that Waste Infrastructure is referred to in Section 2.17 and is included in the new Infrastructure Delivery Plan dated August 2019.</p>
25	Section 2: Setting the Scene Challenges and Opportunities	Sustainable Development	Provision and Delivery of County Council Community Services	The County Council requests that reference is made to the Kent Design Guide (currently being refreshed for 2020 publication).
26	Section 2: Setting the Scene Borough Profile and Context	Challenges and Opportunities Transport	Transport Policy	<p>The County Council is generally supportive of the policies set out as part of the Draft Plan, which mirror KCC priorities from a transportation policy perspective.</p> <p>In 2017, KCC published and adopted its Local Transport Plan 4 (2017) <i>Delivering Growth without Gridlock 2016-2031</i>. It would therefore be preferable for this document to be referenced instead. This should be referred to within the Local Plan and supporting evidence base as opposed LTP3.</p>
26	Section 2: Setting the Scene Borough Profile and Context	Challenges and Opportunities Town Centres and Retail	Provision and Delivery of County Council Community Services	The County Council would like to see consideration of how the Borough Council, working with KCC as appropriate, will be looking to revitalise the town centre, creating a range of uses that are resilient to the changing needs of the high street.
29	Section 2: Setting the Scene Borough Profile and Context	Challenges and Opportunities Natural, built and historic environment	Heritage Conservation	Paragraph 2.42 'Archaeological sites' should be added to the list of heritage assets in the Borough.
31	Section 3: Vision and Objectives Vision	Vision and Objectives 1	Provision and Delivery of County Council Community Services	<p><u>Bullet 2 and 3</u> –</p> <p>The scale of development at Paddock Wood and Tudeley Village is considerable, it is therefore <u>critical</u> that KCC services are considered at an early stage for education, communities, youth, social care and broadband infrastructure to be commensurate with the scale of the development and future proofed to cater for the growing community</p>
			Sustainable Business and Community	<p>KCC is supportive of the Plan's approach to sustainable development and welcomes the Plan's policies to support the transition to a zero-carbon economy; including high standards of energy and water efficiency, improving climate change resilience, biodiversity and green infrastructure, supporting innovative low carbon transport options and renewable energy and tackling poor air quality.</p> <p>The Plan sets out proposals for the development of new garden village settlements, as well as significant expansion to existing urban areas. The Plan could further support the zero-carbon agenda by identifying where there is potential for these new settlements to become zero-carbon development hubs. This would demonstrate the Borough's support for and encourage investment in trials and pilots of new zero-carbon technologies and infrastructure.</p>

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				The transport challenge and opportunities section (paragraphs 2.23-2.27) must acknowledge the rapidly changing nature of transport. In particular, the section should acknowledge that the period of transition to electric and alternatively fuelled vehicles and that there is increasing use of shared/on demand vehicles. Whilst these issues are included in later paragraphs and policies, the rapid transformation expected during the Plan's lifetime is significant enough to warrant inclusion within this high level section.
			Heritage Conservation	KCC welcomes the recognition that the design of all developments must be of high-quality design and must take account of the outstanding built and historic environment of the Borough.
32	Section 3: Vision and Objectives Strategic Objectives	Vision and Objectives 2	Provision and Delivery of County Council Community Services	Paragraph 9 - KCC supports the objective to establish garden settlements as a model of future delivery, providing they are suitably located with respect to existing infrastructure; upgrades to existing infrastructure are properly assessed for their ability to cope with new development and new supporting infrastructure is appropriate in terms of scale. Appropriate land requirements to provide self-contained education facilities in particular (including parking and drop off) need to be considered.
			Heritage Conservation	The inclusion of Strategic Objective 6 is welcomed - "To protect the valued heritage, and built and natural environments of the borough, including the AONB and to achieve net gains for nature."
42	Section 4: The Development Strategy and Strategic Policies The Development Strategy	Policy STR 1	Highways and Transportation	The County Council, as Local Highway Authority objects to the policy. The policy states under paragraph 4 "...delivery of significant infrastructure improvements in the form of a relief road from Cranbrook Road to Rye Road, providing significant improvements to the crossroads in the centre of Hawkhurst (Highgate)". Based on assessments to date, the provision of the new road as part of the live Hawkhurst Golf Club application (Ref 19/02025/HYBRID) does not achieve any improvement to the flow of traffic through the junction. The Hawkhurst Golf Club allocation, plus subsequent allocations in Hawkhurst, will not be supported by the Local Highway Authority owing to the severe cumulative impact on the crossroads in the village.
			Provision and Delivery of County Council Community Services	Paragraph 5 - The County Council would welcome more specific commentary about the social care and community facilities requirement within this policy.
47	Section 4: The Development Strategy and Strategic Policies Delivering Sustainable Development	Policy STR 2	Highways and Transportation	The Local Highway Authority supports the policy.
"	Section 4: The Development Strategy and Strategic Policies Masterplanning and use of Compulsory Purchase powers	Policy STR 3	Highways and Transportation	The Local Highway Authority supports the policy.
			Provision and Delivery of County Council Community Services	KCC is supportive of the proposal to use Compulsory Purchase Powers if and where required to positively secure land for infrastructure development.
50	Section 4: The Development Strategy and Strategic Policies The borough's Green Belt	Policy STR 4	Highways and Transportation	The Local Highway Authority does not have any comment on this policy.
51	Section 4: The Development Strategy and	Policy STR 5	Highways and Transportation	The Local Highway Authority conditionally supports this policy.

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	Strategic Policies Essential infrastructure and connectivity			<p>The following amendments should be made:</p> <p>Paragraph 2 – “Detailed specifications of the <i>site specific mitigation schemes/contributions required</i> should be include within the Policy”</p> <p>Paragraph 5 – “New residential and commercial development will be supported if sufficient infrastructure capacity is either available, or can be provided in time to serve the development. For those strategic sites where the provision of infrastructure is required <i>to mitigate the impact of the development</i>, the delivery of this will be agreed through a masterplanning process.”</p>
			Provision and Delivery of County Council Community Services	<p>The County Council is supportive of references to essential infrastructure and connectivity.</p> <p>The County Council considers that the health paragraph provides a specific opportunity to reference the social care elements of provision here including Extra Care accommodation and wheelchair accessible and adaptable homes</p>
			Waste Management	<p>The County Council requests the inclusion of Waste in this policy, suggested text is as follows:</p> <p><i>Provision will be made for sufficient waste capacity in the form of expanded or new waste infrastructure, with all relevant developments contributing to these through land and/or contributions and strategic developments providing land and contributing to the cost of delivering new waste infrastructure. Any new provision will be determined through consultation with KCC.</i></p>
54 Page 165	Section 4: The Development Strategy and Strategic Policies Transport	Policy STR 6	Highways and Transportation	<p>Paragraph 4.60 - KCC as Local Highway Authority agrees with the ambitions of Tunbridge Wells Borough Council, as set out in this paragraph to maintain and enhance the rail and bus networks and services and “encourage an efficient and improved strategic public transport network and safeguard any routes that may be required in the future, in places that will cater to those who commute, and will encourage a reduction in the necessity for the private car”.</p> <p>However, the allocation of the Park & Ride site at Woodsgate Corner (AL/PE 7) as car showrooms goes against the objectives of this paragraph. The proposed removal of this Park & Ride site from the Local Plan effectively removes the chance of an improved direct public transport service into the town. With the levels of proposed growth to the north of this site further along the A228 corridor, the safeguarding of this well located site for Park & Ride (or innovative alternative) is vital. The inability to deliver a Park and Ride site could put uncertainty on the Borough Councils ability to deliver the preferred growth strategy.</p> <p>STR 6</p> <p>The Local Highway Authority conditionally supports this policy. The following amendments should be made:</p> <p>Paragraph 1 – “Continue to develop and provide an integrated strategic <i>walking and</i> cycling network in accordance with the latest Cycling Strategy and Local Cycling and Walking Infrastructure Plan...”</p> <p>Paragraph 8 - “Pursue improvements to <i>sustainable</i> transport links in the rural areas of the borough...”</p> <p>Paragraph 8, part f - “Ensure that transport infrastructure development or improvement schemes (including public realm and other works to historic routes, surfaces, and street furniture) take every opportunity to improve or enhance the historic environment, green, grey, and blue infrastructure, and landscape connectivity in accordance with the <i>relevant guidance</i>”</p> <p>Note: there is a reference to table 8 at the end of this policy text. Please see paragraph 6.511 comments to review commentary that has suggested removing this table from the Local Plan.</p>
			Public Rights of Way and Access Service	<p>As a general statement the Kent County Council Public Rights of Way (PRoW) and Access Service is keen to ensure that their interests are represented within the local policy frameworks of the Districts and Boroughs in Kent. The team is committed to working in partnership with Local Councils to achieve the aims contained within the ‘Rights of Way Improvement Plan 2018 – 2028 (ROWIP)’ and contribute towards ‘Increasing Opportunities, Improving Outcomes: Kent County Council’s Strategic Statement (2015-2020)’. KCC seeks to promote the protection and enhancement of the network. As highway authority for the PRoW network, KCC is not seeking to have the planning system carry out those statutory duties which it performs under the various Acts</p>

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				<p>relating to PRoW. However, experience shows that local planning policy support for the work it does is very helpful in both protecting the network and negotiating enhancements to it, through new development.</p> <p>The proposed plan makes no reference to the County Council’s Rights of Way Improvement Plan (ROWIP). The Borough has received significant benefits through the joint delivery of this strategic plan and its omission could result in significant loss of access to additional funding and opportunities. The Service therefore strongly urges the Borough to ensure that reference to the Plan is included. This will enable the successful joint partnership working to continue to deliver improvements to the Boroughs’ PRoW network. ne</p> <p>The proposal to develop the cycle network and enhance Public Rights of Way (PRoW) for Non-Motorised Users (NMUs) is strongly supported.</p>
56	Section 4: The Development Strategy and Strategic Policies Place shaping and design	Policy STR 7	Highways and Transportation	The Local Highway Authority supports the policy.
			Provision and delivery of County Council Community Services	KCC supports the ethos of place shaping and design as laid out in paragraph 4.63 onwards and Policy STR 7, but would further request that appropriate reference is made to the Kent Design Guide.
			Heritage Conservation	The general commitment in this policy, to ensure that new development is well designed and is complementary to existing character, is welcomed. In attempting to “respond positively to local character” (clause 1) applicants and the Council should draw upon the Historic Landscape Characterisation for Tunbridge Wells that has been developed by the Council in partnership with the High Weald AONB Partnership and KCC. The characterisation identifies those landscape features that contribute to the historic character of the Borough such as tracks, lanes and field boundaries which can be incorporated in new development so that the new build fits into the grain of the existing settlements and landscape. Please see https://beta.tunbridgewells.gov.uk/local-plan/evidence/resources/environment-and-landscape/historic-landscape-characterisation-2017 for more details.
58 Page 166	Section 4: The Development Strategy and Strategic Policies Conserving and enhancing the natural, built, and historic environment	Policy STR 8	Heritage Conservation	<p>This policy is welcomed, though it needs to be strengthened by including archaeological assets in the text. Archaeological assets are also heritage assets and constitute a key component in the Borough’s historic environment providing a tangible connection with the Borough’s more distant past.</p> <p>The provisions of clause 3 apply to all heritage assets, not just to proposals that impact on the landscape. As stated in the National Planning Policy Framework (NPPF), any development that impacts on heritage assets should be accompanied by a Heritage Statement and, where appropriate, by a desk-based assessment, possibly including the results of fieldwork. Such assessments should identify the impact on the heritage, consider methods for avoiding such impact and where the impact is unavoidable provide a clear justification. KCC is currently developing advice for applicants writing heritage statements and officers will be happy to forward it to the Borough Council in due course.</p>
			Public Rights of Way and Access Service	The development principle that prioritises the needs of pedestrians and cyclists is supported.
60	Section 4: The Development Strategy and Strategic Policies Limits to Built Development	Paragraph 4.82	Sustainable Urban Drainage Systems	Paragraph 4.82 - As Lead Local Flood Authority, KCC requests that the paragraph recognises all sources of flooding.
62	Section 4: The Development Strategy and Strategic Policies Limits to Built Development	Policy STR 10	Highways and Transportation	<p>The following sentence appears in many of the policies and is not acceptable to KCC Highways:</p> <p><i>It is expected that contributions will be required towards the following if necessary, to mitigate the impact of the development...</i></p> <p>The standard paragraph regarding contributions should be expressed as - <u><i>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</i></u></p>
63	Section 5: Place Shaping Policies		Provision and Delivery of County Council Community Services	<p>Changing Places Where developments include community/village hall/sports hall provision by developers, KCC would welcome the inclusion of facilities for disabled users to meet the Changing Places specification.</p> <p>This can be found at: http://www.changing-places.org/</p>

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Page	Chapter	Policy / paragraph	Respondent	Commentary										
				<p><u>Youth services</u> The County Council notes the absence of references to youth services. There is a county wide need to make appropriate consideration for Youth Services, no less so in Tunbridge Wells – and youth services should clearly be seen as an essential element of the sustainable mix of community services. In general terms, there is a <i>'need for additional resources for youth services'</i>. In order to provide this service, s106 funding is much more usefully used to provide staffing/youth workers rather than capital for buildings as this is the way the Youth Service is now orientated.</p> <p>Specifically to Tunbridge Wells, KCC would like to see continued support for the channelling of funding towards multi-functional Cultural Hubs at Tunbridge Wells, Cranbrook and Southborough. These provide an excellent mix of services including social care, libraries and education facilities.</p>										
Page 167			Heritage Conservation	<p>The County Council has carried out an initial appraisal of sites within the Draft Local Plan considering conservation matters.</p> <p>The Preliminary Archaeological Assessment has been undertaken primarily from readily available resources held by the Kent County Council Historic Environment Record, including early OS maps, aerial photographs and British Geological Society data. It is not a detailed appraisal but merely provides a broad initial view on the sensitivity of the archaeological resource and the way in which this should be approached for each of the options. The sensitivity of particular sites may change following more detailed appraisal and in light of new information. The process of assessment will be reviewed and refined as the Local Development Framework process continues.</p> <p>For each site, preliminary archaeological data, scale and notes are considered</p> <p>A crude 5 point scale has been used to rank the options with regard to archaeology. This is:</p> <p>Scale</p> <table border="0"> <tr> <td>1</td> <td>Development of this site (or part of) should be avoided</td> </tr> <tr> <td>2</td> <td>Pre-determination assessment should be carried out to clarify whether development of any part of the site is possible.</td> </tr> <tr> <td>3</td> <td>Significant archaeology could be dealt with through suitable conditions on a planning approval.</td> </tr> <tr> <td>4</td> <td>Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.</td> </tr> <tr> <td>5</td> <td>No known archaeological potential on the site or part of it.</td> </tr> </table> <p>Note that for each described site several 'Scales' may be noted reflecting the varying potential across the site. For consideration of the site as a whole the lowest numerical 'Scale', i.e. that with the highest archaeological sensitivity, has been used.</p> <p>There are some sites which have major or sensitive archaeological issues. There are also some allocations for which KCC recommends either withdrawal on heritage grounds or that any decision for allocation needs to be supported by an Archaeological Deskbased Assessment (DBA). These sites include:</p> <p><u>AL/RTW 18 Land to the west of Eridge Road at Spratsbrook Farm Site Number 137</u> This allocation site contains the designated heritage asset of High Rocks hillfort; a Scheduled Monument of Iron Age date. The Scheduled Ancient Monument boundary focuses on the hillfort earthworks themselves but there is also high potential for associated remains to survive adjacent. In accordance with NPPF, there should be no impact on designated heritage assets and as such I recommend that this scheme is removed from allocations. If it is decided to proceed with decision to allocate, KCC recommends Historic England is consulted and a full Archaeological DBA is essential prior to finalising the decision.</p> <p><u>AL/RTW 6 Part of SALP AL/RTW 2A and Site Number 264 The Civic Complex - The Town Hall, Assembly Hall, and Police Station</u> This Site contains three designated heritage assets and Grade II listed buildings, therefore careful consideration of conservation issues is required, and advice should be sought from the relevant Conservation Officer. Archaeological issues are considered minimal, but if any groundworks some potential for post medieval.</p> <p><u>Tudeley Village: STR/CA 1 The Strategy for Capel Parish</u> Prior to allocation, this site requires a full Archaeological, Archaeological Landscape and Historic Building Assessment and a Geophysical Survey to locate any industrial remains close to All Saints Church Tudeley. There is high potential for significant archaeology to survive on this site, some of which may need to be preserved in situ. In addition, the impact on the historic settlement pattern of this area of Capel could be highly negative. The historic landscape in this area is complex and rural and the wider impacts of this scheme need to be thoroughly considered prior to any decision on allocation made.</p>	1	Development of this site (or part of) should be avoided	2	Pre-determination assessment should be carried out to clarify whether development of any part of the site is possible.	3	Significant archaeology could be dealt with through suitable conditions on a planning approval.	4	Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.	5	No known archaeological potential on the site or part of it.
1	Development of this site (or part of) should be avoided													
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				<p><u>AL/CA 3 Land at Capel and Paddock Wood and AL/PW 1 Land at Capel and Paddock Wood</u> Site Numbers 142, 309, 310, 311, 312, 313, 314, 316, 317, 318, 319, 51,315, 402, 340, 347, 218, 220, 374, 79, 47, late site 26, 371, 344, 376, 212, 342</p> <p>Although this allocation site surrounds the existing modern town of Paddock Wood, it could have a major negative impact on the surrounding rural landscape. The scale and size of the allocation means major impacts on the surrounding land including the lanes, historic buildings, field boundaries and historic land use. Prior to allocation, KCC recommends an Archaeological DBA is undertaken to inform the process.</p> <p><u>AL/HO 3 Land to the east of Horsmonden Site Numbers 82, 108, 297, 324</u> This allocation site contains part of the Hawkhurst to Paddock Wood Hop Line, a railway specifically built to serve 19th and 20th century hop pickers. The site may also contain remnants of Horsmonden Station. The railway line and station are important local heritage assets and they should be preserved in situ and preferably conserved through a programme of heritage enhancement and interpretation. This allocation needs to be supported by a full Archaeological DBA and assessment of the railway heritage.</p> <p>Based on present information, all other sites or areas could be developed mostly with archaeological measures in place and in a number of cases as long as there is no impact on the setting of Listed Buildings and Conservation Areas (Scales 3, 4 and 5).</p> <p>As part of the decision making process on these Site Allocations, the County Council recommends the following reports are consulted as supporting information:</p> <ul style="list-style-type: none"> • Historic Towns Survey (Kent County Council/English Heritage) • Historic Parks and Gardens Survey (Tunbridge Wells BC/KCC/Kent Gardens Trust) • Farmstead Survey (English Heritage Jeremy Lake)
64	Section 5: Place Shaping Policies Royal Tunbridge Wells	Overview	Waste	KCC would wish to see the North Farm Waste Transfer Station and Household Waste and Recycling Centre included in the Overview Table, as it is a key piece of infrastructure that serves the whole of the District.
Page 168	Section 5: Place Shaping Policies The Strategy for Royal Tunbridge Wells	Policy STR/RTW 1	Highways and Transportation	<p>Comments on sites mentioned in this policy are set out in individual policy comments.</p> <p>The County Council agrees with the 'Contributions required' introductory paragraph with the following alterations:</p> <p>“In order to mitigate the impact on infrastructure, for the development of sites allocated under Policies AL/RTW 1 to AL/RTW 32, and all other development within Royal Tunbridge Wells that creates a requirement for new or improved infrastructure beyond existing provision, <u>mitigation measures must be implemented by the developer to address that impact</u>, including for...”</p> <p>As Local Highway Authority, KCC considers paragraph a) to be acceptable but the particular reference to cycling amended as follows:</p> <p>“enabling means of active and sustainable <u>travel infrastructure</u>...”</p>
73	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Mount Pleasant car park, surgery in The Lodge, public toilets, Mount Pleasant Road, Calverley Grounds, Great Hall car park and Hoopers' car park/service yard	Policy AL/RTW 1	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following amendments are requested:</p> <p>Paragraph 4 - “Vehicular access/egress to/from the office and underground car park shall be via the northern Mount Pleasant Avenue/<u>Mount Pleasant Road junction</u>.”</p> <p>Paragraph 5 – “The theatre shall be serviced from Grove Hill Road, through Hoopers' car park/service yard. <u>The section of highway between 36 Mount Pleasant Road and the Great Hall Arcade shall be predominantly for pedestrian access to the development and Calverley Grounds...</u>”</p>
			Heritage Conservation	<p>Scale 2 - Pre-determination assessment should be carried out to clarify whether development of any part of the site is possible.</p> <p>Potential for prehistoric remains and especially Post Medieval remains associated with spa town and designated landscape of Calverley Park. Remains associated with Calverley Park of particular sensitivity in heritage and archaeological landscape terms.</p>

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				Pre-determination heritage assessment essential including desk-based assessment (DBA) and fieldwork
75	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at Royal Victoria Place Shopping Centre, Calverley Road	Policy AL/RTW 2	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Additional paragraph - <u>All servicing and delivery activity to be contained within the site boundary.</u> The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u>
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval There is potential for Post Medieval industrial heritage remains. An Archaeological DBA is recommended.
77	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Former Cinema Site, Mount Pleasant Road	Policy AL/RTW 3	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Additional paragraph - <u>All servicing and delivery activity to be contained within the site boundary.</u> The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u>
Page 169			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval An Archaeological DBA is recommended.
79	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Torrington and Vale Avenue	Policy AL/RTW 4	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Additional paragraph - <u>All servicing and delivery bays to be contained within the site boundary.</u> This policy states that “Proposals must be informed by a Transport Assessment”. This does not feature in every policy. Either this should be removed and the requirement for a Transport Assessment be accepted throughout, or it should be repeated for all major site policies. The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u>
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval There is potential for Post Medieval industrial heritage remains. An Archaeological DBA is recommended which should include a review of the extent of previous groundworks. Site may be entirely truncated.
82	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre	Policy AL/RTW 5	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u>

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	Cultural and Learning Hub (The Amelia Scott)			
84	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre The Civic Complex: the Town Hall, Assembly Hall Theatre, and Police Station	Policy AL/RTW 6	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Reference is to be made to parking requirements within the policy. For certain use classes it may not be suitable to rely solely on the town centre public car parks. The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u>
			Heritage Conservation	Scale 1 - Development of this site (or part of) should be avoided The site contains three designated heritage assets; Grade II listed buildings; careful consideration of conservation issues required and advice of Conservation Officer essential. Archaeological issues minimal but if any groundworks some potential for post medieval.
86	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at Goods Station Road	Policy AL/RTW 7	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following change is requested: The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u>
Page 170	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at Lifestyle Ford, Mount Ephraim/Culverden Street/Rock Villa Road	Policy AL/RTW 8	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 3 - "Pedestrian access shall be provided through the site from west to east, providing a pedestrian link from Royal Wells Park to Rock Villa Road, and from there to Grosvenor Road and the town centre, <u>including improvements to the existing pedestrian network where required.</u> " Additional paragraph - <u>Vehicular access, delivery and servicing from Culverden Street.</u> The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u>
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval The Site of Tunbridge Wells United Reformed Church which is a building highlighted as being of local importance. Potential for Post medieval remains. An Archaeological DBA is recommended.
90	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at 1 Meadow Road and 8 Upper Grosvenor Road	Policy AL/RTW 9	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Additional paragraph - <u>Consideration to be given to adequate space for congregation of pedestrians.</u> The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u>

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92	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at the Auction House, Linden Park Road	Policy AL/RTW 10	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Additional paragraph - <u>All servicing and delivery activity to be contained within the site boundary.</u> The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u>
			Heritage and Conservation	Archaeological DBA is requested.
94	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Former Plant & Tool Hire, Eridge Road	Policy AL/RTW 11	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Additional paragraph - <u>All servicing and delivery activity to be contained within the site boundary.</u> Additional paragraph - <u>Suitable pedestrian links from the west to be provided.</u> The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u>
Page 171	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land adjacent to Longfield Road	Policy AL/RTW 12	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 2 - “non-motorised route” should amended to read <u>non-motorised user (NMU) route.</u> Additional paragraph - <u>The Transport Assessment should communicate how the development would use sustainable transport principles to minimise additional vehicular trips on the network.</u> Additional paragraph - <u>The Developer will be required to consider the impact of this development on the wider road network, such as the A21 junctions at Pembury and Tonbridge.</u> The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u>
			Public Rights of Way and Access Service	The County Council requests that PRoW enhancements are included in the list of expected contributions, to mitigate the impact of future development.
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval The site has potential for prehistoric and post medieval remains. A prehistoric trackway may survive at northern end and evidence of ridge and furrow to the south. Site also may contain remnants of designed landscape associated with Colebrooke. Archaeological and Archaeological Landscape Assessment essential with fieldwork potentially also required.
99	Section 5: Place Shaping Policies Allocation policies for Royal	Policy AL/RTW 13	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested:

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	Tunbridge Wells Town Centre Land at Colebrook House, Pembury Road			Paragraph 2 - “non-motorised route” should amended to read <u>non-motorised user (NMU) route</u> Additional paragraph - <u>The Transport Assessment should communicate how the development would use sustainable transport principles to minimise additional vehicular trips on the network.</u> Additional paragraph - <u>The developer will be required to consider the impact of this development on the wider road network, such as the A21 junctions at Pembury, North Farm and Tonbridge.</u> The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u>
			Public Rights of Way and Access Service	The County Council requests that PRoW enhancements are included in the list of expected contributions, to mitigate the impact of future development.
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval There is potential for archaeology, historic structures and archaeological landscape features associated with Colebrooke, post medieval residence. DBA is requested to better inform decisions.
101	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at the former North Farm landfill site, North Farm Lane and land at North Farm Lane, North Farm Industrial Estate	Policy AL/RTW 14	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Additional paragraph - <u>The Transport Assessment should communicate how the development would use sustainable transport principles to minimise additional vehicular trips on the network.</u> Additional paragraph - <u>The developer will be required to consider the impact of this development on the wider road network, such as the A21 junctions at Pembury, North Farm and Tonbridge.</u> The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u>
			Public Rights of Way and Access Service	The County Council requests that PRoW enhancements are included in the list of expected contributions, to mitigate the impact of future development.
			Heritage Conservation	Scale 5 - No known archaeological potential on the site or part of it.
103	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at Knights Park	Policy AL/RTW 15	Highways and Transportation	The Local Highway Authority conditionally supports this policy. There is concern about loss of parking on this site in order to develop further A3 uses. It is requested that something is included in the policy to ensure this is a key consideration. The County Council as Local Highway Authority is also considering this (with Arriva) as a potential Park and Ride site owing to parking for leisure related uses being mostly during evenings and car park being relatively free during office hours. The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u>
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.
105	Section 5: Place Shaping	Policy AL/RTW	Highways and	The Local Highway Authority conditionally supports this policy.

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	Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at Wyevale Garden Centre, Eridge Road	16	Transportation	<p>The following changes are requested:</p> <p>Paragraph 8 – “Means of access, including secondary/emergency access, to be <u>informed by a Transport Assessment: it is likely that the scale of any development may be limited by quality of access arrangements that can be achieved within the confines of the site. There is a crash record at the access junction and the railway bridge affects visibility to the west when exiting. An emergency access is likely to be required to the north. Pedestrian and cycle access into the town requires improvement.</u>”</p> <p>Additional paragraph: <u>Provision of pedestrian and cycle access to the north.</u></p> <p>The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u></p>
			Public Rights of Way and Access Service	KCC supports the specific policy reference to PRoW (Statement 4), including the provision of an east-west green route and new connections with the existing PRoW network.
			Heritage Conservation	<p>Scale 2 - Pre-determination assessment should be carried out to clarify whether development of any part of the site is possible.</p> <p>The site lies south of Nevill Park and east of High Rocks Iron Age hillfort and is in an archaeologically sensitive area. Predetermination DBA and fieldwork is required to be carried out.</p>
107 Page 173	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at 36-46 St John's Road	Policy AL/RTW 17	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following changes are requested:</p> <p>Additional paragraph: <u>All servicing and delivery activity to be contained within the site boundary.</u></p> <p>Additional paragraph. <u>Principal vehicular access from Woodbury Park Road.</u></p> <p>The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u></p>
109	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land to the west of Eridge Road at Spratsbrook Farm	Policy AL/RTW 18	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following changes are requested:</p> <p>Paragraph 2 – “Links from the site to be provided to the existing public footway network in the vicinity of the site and cycle and pedestrian links between the site, the adjacent Ramslye estate <u>and into the town centre and train station.</u>”</p> <p>Additional paragraph: <u>Improved public transport links are required to serve the residential aspect and the secondary school. Provision of a bus only link between the school site and Ramslye Road.</u></p> <p>The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate.</u></p>
			Public Rights of Way and Access Service	KCC supports the specific policy reference to PRoW in paragraph 2, as new path links would be a valuable addition to the existing PRoW network. However, attention is drawn to the railway line along the northern boundary of the site, which currently acts as a barrier to north-south movements. Consideration should be given to policy measures that can address this barrier and improve connectivity with the surrounding PRoW network.
			Heritage Conservation	<p>Scale 1 - Development of this site (or part of) should be avoided</p> <p>Site contains designated heritage asset of High Rocks hillfort and Scheduled Monument of Iron Age date. Associated remains are likely to survive on this</p>

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				<p>site and there is potential for early prehistoric remains.</p> <p>The County Council from a heritage perspective would prefer that this site is removed from allocations.</p> <p>Archaeological DBA essential. The County Council considers that safeguarding measures are needed to ensure no impact on the Scheduled Ancient Monument. Historic England must be consulted and predetermination works essential.</p>
111	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at 77 Mount Ephraim (Sturge House, Brockbourne House)	Policy AL/RTW 19	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following change is requested:</p> <p>The standard paragraph regarding contributions should also feature in this policy - <u><i>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</i></u></p>
			Heritage Conservation	<p>Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval</p> <p>The site is within the grounds of Oakhurst, post medieval residence including designed formal gardens. Assessment of remaining historic landscape required.</p>
113	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at Tunbridge Wells Telephone Engineering Centre, Broadwater Down	Policy AL/RTW 20	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The address should be Underwood Rise, not Broadwater Down.</p> <p>The following changes are requested:</p> <p>Paragraph 1 - "Provision of pedestrian link between <u><i>Broadwater Lane</i></u> and Linden Garden;"</p> <p>The standard paragraph regarding contributions should also feature in this policy - <u><i>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</i></u></p> <p>The County Council notes that the site does not appear to abut the public highway: access section of Underwood Rise and Linden Gardens are private roads.</p>
			Heritage Conservation	<p>Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval</p> <p>Some archaeological potential for post medieval railway/industrial heritage remains requires further archaeological assessment.</p>
115	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at Culverden Stadium, Culverden Down	Policy AL/RTW 21	Highways and Transportation	<p>The Local Highway Authority objects to this policy.</p> <p>The existing vehicular and pedestrian access to site inadequate (Note re paragraph 5: Pillars are at entrance to adjacent site)</p>
			Heritage Conservation	<p>Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.</p>
117	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre	Policy AL/RTW 22	Highways and Transportation	<p>The Local Highway Authority objects to this policy.</p> <p>There is no footway either side of Bayham Road. KCC as the Local Highway Authority cannot support allocation without significant work to provide footway along Bayham Road or to provide alternative footway link to highway network.</p>
			Heritage Conservation	<p>Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.</p>

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	Land at Bayham Sports Field West			
119	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land to the north of Hawkenbury Recreation Ground	Policy AL/RTW 23	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following changes are requested:</p> <p>Paragraph 1 – “Development shall implement schemes/contribute <u>to schemes</u> to make substantial improvements to local road junctions and crossings within the immediate area, and to other traffic or sustainable transport measures; to <u>include the access junction with High Woods Lane, High Woods Lane/Halls Hole Road, Halls Hole Road/Forest Road, Halls Hole Road/ A264 Pembury Road (and/or contribution to junction improvement investigation/implementation on A264 Pembury Road) (see Policies TP1: Transport Assessments, Travel Plans and Mitigation and TP2: Transport Design and Accessibility)”</u></p> <p>Additional paragraph - <u>Widening of High Woods Lane to the west of the site access from single-way working to cater for additional trips.</u></p> <p>Additional paragraph - <u>Provision of overspill parking area.</u></p> <p>The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u></p>
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.
121	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at Cadogan Sports Field, St John's Road	Policy AL/RTW 24	Highways and Transportation	<p>The Local Highway Authority objects to this policy.</p> <p>The existing vehicular and pedestrian access to site are inadequate.</p>
Page 175			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.
123	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at Colebrook Sports Field, Liptraps Lane	Policy AL/RTW 25	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following changes are requested:</p> <p>Paragraph 2 – “Opportunities to be explored for improving pedestrian and cycle access onto Dowding Way <u>and creating a new vehicular link between Dowding Way and Clifton Road”</u></p> <p>Additional paragraph - <u>Safeguard land to the west of the site for possible future pedestrian/cyclist/vehicular link between Dowding Way to Clifton Road.</u></p> <p>The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u></p>
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.
125	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre	Policy AL/RTW 26	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following changes are requested:</p> <p>Additional paragraph - <u>Position of new vehicular and pedestrian access points to be determined through a Transport Assessment.</u></p>

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	Land at Cemetery Depot, Benhall Mill Road			Additional paragraph - <u>Provision of adequate visibility splays within site and/or highway land (again see criterion 5 of Policy EN 1: Design and other development management criteria</u> The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
127	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at Hawkenbury, off Hawkenbury Road/Maryland Road	Policy AL/RTW 27	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: <u>Additional paragraph - Development shall deliver/contribute to substantial improvements to local road junctions and crossings within the immediate area, and to other traffic or sustainable transport measures; to include contribution to junction improvement investigation/implementation on A264 Pembury Road (see Policies TP1: Transport Assessments, Travel Plans, and Mitigation and TP2: Transport Design and Accessibility.</u> The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Heritage and Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval Site has high potential for remains associated with a late 19 th to early 20 th century community associated with the brickworks. Some of brickworks survive at depth. Previous archaeological works undertaken should be consulted for reference
129	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at Rowan Tree Road, Showfields Road	Policy AL/RTW 28	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: <u>Additional paragraph- Development needs to address operational parking and servicing.</u> The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
131	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at former Gas Works, Sandhurst Road	Policy AL/RTW 29	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 2 –“Transport improvements: development shall <u>deliver/contribute</u> to transport improvements, to include improvements to road junctions and crossings adjacent to the site and within the surrounding area, as informed by Transport Assessments (see Policies TP 1: Transport Assessments, Travel Plans, and Mitigation and TP 2: Transport Design and Accessibility)” <u>Paragraph 4 - Improvements to vehicular, cycle, and pedestrian links under the railway line at Sandhurst Road/Upper Grosvenor Road junction</u> The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Heritage and Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval Potential for post medieval industrial heritage. Some assessment of archaeology needed.
133	Section 5: Place Shaping Policies	Policy AL/RTW 30	Highways and Transportation	The Local Highway Authority conditionally supports this policy.

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	Allocation policies for Royal Tunbridge Wells Town Centre Land at Medway Road			The following changes are requested: Additional paragraph - <u>Parking, deliveries and drop off to be accommodated from Medway Road.</u> The standard paragraph regarding contributions should also feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
135	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at 123-129 Silverdale Road	Policy AL/RTW 31	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following change is requested The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
137	Section 5: Place Shaping Policies Allocation policies for Royal Tunbridge Wells Town Centre Land at Beechwood Sacred Heart School	Policy AL/RTW 32	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following change is requested The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Heritage and Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval Potential for remains associated with post medieval residence and designed landscape. Some archaeological assessment needed.
142	Section 5: Place Shaping Policies Southborough The Strategy for Southborough	Policy STR/SO 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. Comments on sites mentioned in this policy are set out in individual policy comments. The following changes are requested: Paragraph - "Maintenance and enhancement of, and/or linkages to, <u>public footway network</u> , public rights of way and the local strategic cycle network in accordance with Policy TP 2: Transport Design and Accessibility" The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Public Rights of Way and Access Service	KCC supports and welcomes the specific reference to PRow in paragraph 8.
145	Section 5: Place Shaping Policies Allocation policies for Southborough Southborough Hub, London Road	Policy AL/SO 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Additional paragraph - <u>The development shall incorporate a segregated cycle route between The Ridgeway and the A26 London Road at which point a toucan crossing shall be implemented by the developer.</u> The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>

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				KCC notes that the policy does not feature “Proposals must be accompanied by a Transport Assessment”. Either all large sites should state this, or none of them (in which case it would be taken for granted that a Transport Assessment is required).
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval Very high potential for Mesolithic and Neolithic remains. Also potential for post medieval remains associated with Bell Inn PH identifiable of 1st Ed OS map. Predetermination Archaeological DBA is required.
147	Section 5: Place Shaping Policies Allocation policies for Southborough Speldhurst Road former allotments (land between Bright Ridge and Speldhurst Road)	Policy AL/SO 2	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 1 – “Vehicular access from Bright Ridge” The standard paragraph regarding contributions should feature in this policy - <i>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</i>
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.
149	Section 5: Place Shaping Policies Allocation policies for Southborough Land at Mabledon and Nightingale	Policy AL/SO 3	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 1 – “Provision of safe and acceptable access arrangements from the A26 for the proposed development with, where required, a <u>secondary/emergency</u> access” Paragraph 2 – “Provision of safe and accessible pedestrian and cycle linkages <u>including crossing points</u> to Southborough and Tonbridge (see Policy TP 2: Transport Design and Accessibility)” The standard paragraph regarding contributions should feature in this policy - <i>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</i>
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.
152	Section 5: Place Shaping Policies Allocation policies for Southborough Land at Mabledon House	Policy AL/SO 4	Highways	The Local Highway Authority conditionally supports this policy. The following changes are requested: 8. “ <u>Provision of safe and accessible pedestrian and cycle linkages and crossing points</u> to Southborough and Tonbridge...” The standard paragraph regarding contributions should feature in this policy - <i>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</i>
			Public Rights of Way and Access Service	KCC supports and welcomes the specific reference to PRow in paragraphs 6 and 7
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Potential for late post medieval remains associated with Mabledon House and park
156	Section 5: Place Shaping	Policy STR/CA 1	Highways and	The Local Highway Authority conditionally supports this policy

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Page 179	Policies Capel (including Tudeley Village) The Strategy for Capel Parish	Policy AL/CA 1	Transportation	<p>Paragraph 6 of Strategy for Capel lists destinations to provide strategic transport links to. It should possibly include destinations to the north (Maidstone, Kings Hill, M20). Further work is required to assess this. KCC recommends this paragraph begins with the following statement: <u>Strategic transport links and junctions shall be provided/improved between....</u></p> <p>Further additional changes are requested:</p> <p>Paragraph 6 – “Strategic transport links <u>and junctions</u> shall be provided/<u>improved</u> between Tonbridge, Tudeley Village, the A228, Five Oak Green, Royal Tunbridge Wells/Southborough, <u>destinations to the north in Tonbridge & Malling and Maidstone boroughs</u>, land at Capel and Paddock Wood and Paddock Wood Town Centre. To include the provision of an offline A228 strategic link. <u>The exact location of such a link has not been determined</u>. Links from Tudeley Village to the east should minimise the impact on the road network in the settlement of Five Oak Green and have regard to Kent County Council minerals allocations in the vicinity. <u>The exact location of such a link has not been determined</u>”</p> <p>Additional paragraph – <u>Strategic sustainable transport infrastructure (dedicated public transport routes, segregated footways and cyclerooutes) shall be provided/improved between Tonbridge, the proposed secondary school, Tudeley Village, Paddock Wood and Tunbridge Wells</u></p> <p>Additional paragraph - <u>Provision of improved vehicle and cycle parking at Paddock Wood station and Tonbridge Station.</u></p> <p>Additional paragraph - <u>Opportunities will be explored for a train station at Tudeley Village on the Southeastern Main Line route. If deemed suitable developers will deliver through contributions. If deemed possible for construction in the future, land will be safeguarded.</u></p>
			Education	Proposed growth within Paddock Wood and Tudeley Village is forecast to generate the combined need for an additional eight forms of entry of secondary provision. It is proposed two forms of entry are provided through the expansion of the existing Mascalls School prior to the establishment of a new 6FE secondary school within the area. The total level of growth cannot be accommodated through the expansion of Mascalls alone and therefore Policy STR/PW 1 relating to growth in Paddock Wood must reflect the need for sites relating to the policy to contribute financially to the provision of the new 6FE secondary school.
			Heritage Conservation	<p>Scale 1 - Development of this site (or part of) should be avoided</p> <p>Major heritage issues to consider, especially impact on historic landscape. There are many designated heritage assets directly adjacent or perhaps within this site, farmsteads and church. There is a potential sensitive WWII crash site as well, with high potential for as yet unknown significant archaeological remains. Proposed Tudeley Village has potential for multi-period remains. It has not been subject to detailed formal archaeological investigations and as such KCC's understanding of the heritage of this site is limited. Factors KCC are aware of include: potential for early prehistoric in the River Terrace Gravels; on topographical grounds there is potential for later prehistoric; 13th century or earlier community focused around the church with some bloomeries identified to the north; post medieval farmsteads and small industrial complexes; WWII crash site near Bank Farm</p> <p>Prior to allocation, this site requires a full Archaeological, Archaeological Landscape and Historic Building Assessment; a Geophysical Survey to locate any industrial remains close to All Saints Church Tudeley.</p> <p>In addition, the impact on the historic settlement pattern of this area of Capel could be very high.</p> <p>The historic landscape in this area is of considerable importance with a strong horticultural and post medieval industrial character. Given the size of this proposed development scheme, there is a need for detailed consideration of the impact on the surrounding historic landscape, including nearby villages, key historic buildings, sensitive archaeological landscapes, including lanes, field boundaries and historic land use features.</p>
160	Section 5: Place Shaping Policies Allocation policies for Capel Parish Tudeley Village		Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following changes are requested:</p> <p>Paragraph 2 (Transport bulletpoint) – “Integrated, forward looking, and accessible transport options that support economic prosperity, wellbeing for residents, <u>and aim to minimise use of the private car</u>. This should include the <u>early integration and</u> promotion of public transport, walking, and cycling (<u>following PTOD principles</u>) so that settlements are easy to navigate, and facilitate simple and sustainable access to jobs, education, and services”</p> <p>PTOD is Public Transport Orientated Design i.e. putting PT at the fore of the masterplanning process to ensure buses, trains (if applicable) and</p>

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				<p>cycling/walking are well planned for and do not need to be retro fitted which is an impossible task</p> <p>Paragraph 5 - reference to be included to PTOD principles to ensure early planning of key transport corridors within the sites and vicinity, and further assessment of possible highway network improvements</p> <p>Paragraph 9 – “Transport provision shall be delivered on a strategic basis, taking account of the impact of proposed development at land at Capel and Paddock Wood, with transport infrastructure links between Paddock Wood, Tudeley Village, Tonbridge, and Royal Tunbridge Wells. A key element will be determining the most appropriate route to link to the road network to the east, which shall minimise the impact on the existing highway network through Five Oak Green, and should seek to reduce traffic levels through this settlement, and have regard to Kent County Council minerals allocations in the vicinity and sensitive receptors such as Capel Primary School. <u>Developers will be required to provide (or contribute towards - depending on the success of additional funding bids) the potential offline A228 strategic link, the eastward link to the A228; and all other associated highway and sustainable transport infrastructure required to mitigate the impact of development resulting from this allocation</u>”</p>
			Public Rights of Way and Access Service	<p>Paragraphs 2 and 10 are supported, but there is no reference to PRoW within the policy text. KCC considers reference should be made considering the scale of the proposed development and the existence of the PRoW that pass through the identified sites. It should be expected that the PRoW network will be positively accommodated within the development and enhanced. The creation of new path links should also be considered, to provide ample opportunities for active travel and outdoor recreation. Additional text should be inserted into the policy text to stipulate this requirement.</p>
164	Section 5: Place Shaping Policies Allocation policies for Capel Parish Land to east of Tonbridge/west of site for Tudeley Village	Policy AL/CA 2	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following changes are requested:</p> <p>Paragraph 3 - “Suitable provision shall be made for <u>vehicular, pedestrian and cycle</u> access into <u>and through</u> the site, <u>and between the northern and southern parcels of land.</u>”</p> <p>Additional paragraph - <u>Vehicular access to be informed by a Transport Assessment</u></p> <p>Additional paragraph - <u>Development shall provide improvements to local road junctions and pedestrian footway crossings, and to other traffic or sustainable transport measures</u></p> <p>The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u></p>
			Education	<p>This policy relates to land proposed for the establishment of a new 6FE secondary school. The establishment of a new school is wholly required to support the proposed level of growth. It would be advantageous for the school to be located closer to the proposed development towards the East; this would increase the likelihood of more sustainable modes of travel being used by students. However, the geographic location of the school is acceptable in order to meet the additional need for school places.</p> <p>The identified site is significantly constrained consisting of two sites separated by a railway line with deep embankments, the southerly part of the site contains a sizeable area of Ancient Woodland, a high pressure gas pipeline runs from south to north through the western side of the site and the south of the site is identified as an area of potential archaeological importance.</p> <p>It is not preferable to establish a new school on split sites and the site’s additional constraints are likely to make design and construction of a new secondary school far more challenging. The maintenance and management of the ancient woodland could not be the responsibility of the school. Nor could the maintenance of the bridge that crosses the railway line; however the school would require security that the bridge will be maintained in perpetuity and there is potential that a second bridge over the railway would be required within the school site to overcome some of the site’s constraints; this would enable students to cross the two sites without leaving the safeguarding line of the school during the school day.</p> <p>Delivery of a secondary school at this location is therefore highly likely to cost significantly more than that of a regularly shaped and unconstrained single site; the school will need to be wholly funded by development and therefore the financial contributions from contributing developments would need to be increased to cover the additional costs derived from both the site’s abnormalities and the likely need to deviate from the DfE’s baseline design. In order for the County Council to confirm that the necessary secondary provision could be provided within the proposed site it is suggested that prior to Regulation 19, the Borough Council undertakes a detailed design and costing exercise relating to the site or that an alternative site with fewer physical constraints is identified within the area.</p>

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			Public Rights of Way and Access Service	Attention is drawn to the existence of Public Footpath WT163, which connects the two sites. Whilst this right of way is highlighted within paragraph 5.6.1, Policy AL/CA 2 makes no reference to this path, which would increasingly serve as a sustainable transport link. Additional text should therefore be inserted into this policy, requesting that enhancements are made to this right of way, in preparation for the expected increase in use. Consideration should also be given to upgrading the status of this route, to enable access for cyclists and equestrians.
			Heritage Conservation	Scale 2 - Pre-determination assessment should be carried out to clarify whether development of any part of the site is possible. Potential for significant archaeology including industrial landscape features and buried archaeology. The site lies in an area of complex geology with gravels and head deposits along a river valley, which is favourable for prehistoric and later industrial and settlement activity. There is Postern Forge within the northern part of the north site and there are designated historic farm complexes adjacent with associated historic farmland and field boundaries.
166	Section 5: Place Shaping Policies Allocation policies for Capel Parish Land at Capel and Paddock Wood	Policy AL/CA 3	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 2 (Transport bulletpoint) – “integrated, forward looking, and accessible transport options that support economic prosperity, wellbeing for residents, <i>and aim to minimise use of the private car</i> . This should include the <i>early integration and</i> promotion of public transport, walking, and cycling (<i>following PTOD principles</i>) so that settlements are easy to navigate, and facilitate simple and sustainable access to jobs, education, and services” The policy should also include reference to PTOD feasibility to ensure early planning of key transport corridors within the sites and vicinity, and further assessment of possible highway network improvements. Paragraph 9. “Transport provision shall be delivered on a strategic basis, taking account of the impact of proposed development at land at Capel and Paddock Wood, with transport infrastructure links between Paddock Wood, Tudeley Village, Tonbridge, and Royal Tunbridge Wells. A key element will be determining the most appropriate route to link to the road network (A228 and beyond) to the east of Tudeley village, which shall minimise the impact on the existing highway network through Five Oak Green, and should seek to reduce traffic levels through this settlement, and have regard to Kent County Council minerals allocations in the vicinity and sensitive receptors such as Capel Primary School. <i>Developers will be required to provide (or contribute towards - depending on the success of additional funding bids) the potential offline A228 strategic link, the link between Tudeley village and the A228; and all other associated highway and sustainable transport infrastructure required to mitigate the impact of development resulting from this allocation</i> ”
			Public Rights of Way and Access Service	Paragraphs 2 and 10 are supported, but there is no reference to PRoW within the Policy text. KCC recommends reference is made in consideration of the scale of the proposed development and the existence of the PRoW that pass through the identified sites. It should be expected that the PRoW network will be positively accommodated within the development and enhanced. The creation of new path links should also be considered, to provide ample opportunities for active travel and outdoor recreation. Additional text should be inserted into the policy text to stipulate this requirement.
			Heritage Conservation	Scale 2 - Pre-determination assessment should be carried out to clarify whether development of any part of the site is possible. This site is a composite site surrounding Paddock Wood. There is potential for prehistoric remains in the River Terrace Gravels and there is potential for prehistoric and later activity along the river channels. This area is known to have been utilised in the Medieval and Post Medieval Periods for industrial activity. There are many historic farm holdings in the area some of which are moated complexes suggesting medieval origins. The historic landscape in this area is of considerable importance with a strong horticultural and post medieval industrial character. Given the size of this proposed development scheme, there is a need for detailed consideration of the impact on the surrounding historic landscape, including nearby villages, key historic buildings, sensitive archaeological landscapes, including lanes, field boundaries and historic land use features. Prior to allocation of this site, there needs to be a thorough Archaeological, Historic Buildings and Archaeological Landscape DBA and fieldwork.
170	Section 5: Place Shaping Policies	Policy STR/PW 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested:

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Page 182	Paddock Wood The Strategy for Paddock Wood			<p>Paragraph 5 of 'Strategy for Paddock Wood' lists destinations to provide strategic transport links to. KCC recommends this should include destinations to the north (Maidstone, Kings Hill, M20). Further work is required to assess this. KCC recommends the paragraph opens with the following: <u>'Strategic transport links and junctions shall be provided/improved between....'</u></p> <p>Paragraph 5 – "Strategic transport links and junctions shall be provided/improved between Tonbridge, Tudeley Village, the A228, Five Oak Green, Royal Tunbridge Wells/Southborough, <u>destinations to the north in Tonbridge & Malling and Maidstone boroughs</u>, land at Capel and Paddock Wood and Paddock Wood Town Centre. This will include the provision of an offline A228 strategic link. <u>The exact location of such a link has not been determined</u>. Links from Tudeley Village to the east (into the centre of Paddock Wood) should minimise the impact on the road network in the settlement of Five Oak Green and have regard to Kent County Council minerals allocations in the vicinity. <u>The exact location of such a link has not been determined</u>"</p> <p>Additional paragraph - <u>Developers to implement improvements to road junctions and links in the town centre (subject to further assessment during the masterplanning exercise).</u></p> <p>Additional paragraph - <u>Strategic sustainable transport infrastructure (dedicated public transport routes, segregated footways and cyclist routes) shall be provided/improved between Tonbridge, the proposed secondary school, Tudeley Village, Paddock Wood and Tunbridge Wells.</u></p> <p>Additional paragraph- <u>Opportunities will be explored for a train station at Tudeley Village on the Southeastern Main Line route. If deemed suitable developers will deliver through contributions. If deemed possible for construction in the future, land will be safeguarded</u></p>
			Education	Proposed growth within Paddock Wood and Tudeley Village is forecast to generate the combined need for an additional eight forms of entry of secondary provision. It is proposed two forms of entry are provided through the expansion of the existing Mascalls School prior to the establishment of a new 6FE secondary school within the area. The total level of growth cannot be accommodated through the expansion of Mascalls alone and therefore Policy STR/PW 1 relating to growth in Paddock Wood must reflect the need for sites relating to the policy to contribute financially to the provision of the new 6FE secondary school.
			Public Rights of Way and Access Service	While the proposals within the Transport section of this Policy are supported, there is no specific reference to PRoW. KCC recommends that PRoW is referenced considering the scale of the proposed development and the existence of the PRoW that pass through the identified sites. It should be expected that the PRoW network will be positively accommodated within the development and enhanced. The creation of new path links should also be considered, to provide ample opportunities for active travel and outdoor recreation. Additional text should be inserted into the policy text to stipulate this requirement.
175	Section 5: Place Shaping Policies Allocation policies for Paddock Wood Land at Capel and Paddock Wood	Policy AL/PW 1 and AL/PW 1 Table 4	Highways and Transportation	<p><u>Table 4</u></p> <p>The Local Highway Authority conditionally supports this table and provides the following comments on Highways/Sustainable transport sections for individual sites:</p> <p>Parcel 1- Optimum access point/s should be decided as part of the masterplanning - not at this stage. Dedicated bus route through site could be a result of masterplanning exercise, plus segregated footway/cycleway routes.</p> <p>Parcel 2 - Optimum access point/s should be decided as part of the masterplanning - not at this stage. Dedicated bus route through site could be a result of masterplanning exercise, plus segregated footway/cycleway routes.</p> <p>Parcel 3 - Optimum access point/s should be decided as part of the masterplanning - not at this stage. Dedicated bus route through site could be a result of masterplanning exercise, plus segregated footway/cycleway routes. Pedestrian permeability vital for potential Primary School site.</p> <p>Parcel 4 - Optimum access point/s should be decided as part of the masterplanning - not at this stage. Dedicated bus route through site could be a result of masterplanning exercise, plus segregated footway/cycleway routes. Assessment of junction has not been undertaken, and reference to this should be removed. Assessment should take place as part of masterplanning exercise.</p> <p>Parcel 5 - Optimum access point/s should be decided as part of the masterplanning - not at this stage. Dedicated bus route through site could be a result of masterplanning exercise, plus segregated footway/cycleway routes. For this parcel, the 'Use' is down as ED, but housing is subsequently</p>

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Page 183				<p>mentioned. Different transport requirements: will need further defining at Masterplanning stage.</p> <p>Parcel 6 - Optimum access point/s should be decided as part of the masterplanning - not at this stage. For this parcel, the 'Use' is down as ED, but housing is subsequently mentioned. Likely to be unsuitable for housing from a transport perspective: remote from town and key facilities owing to location between two railway tracks.</p> <p>Parcel 7 - Optimum access point/s should be decided as part of the masterplanning - not at this stage. Dedicated bus route through site could be a result of masterplanning exercise, plus segregated footway/cycleway routes. Assessment of junction has not been undertaken, and reference to this should be removed. Assessment should take place as part of masterplanning exercise.</p> <p>Parcel 8 - Assessment of junction has not been undertaken, and reference to this should be removed. Assessment should take place as part of masterplanning exercise.</p> <p>Parcel 9 - Optimum access point/s should be decided as part of the masterplanning - not at this stage. Dedicated bus route through site could be a result of masterplanning exercise, plus segregated footway/cycleway routes - especially if developed as a neighbourhood centre. Assessment of junctions/widening have not been undertaken, and reference to this should be removed. Assessment should take place as part of masterplanning exercise.</p> <p>Parcel 10 - Assessment of junction has not been undertaken, and reference to this should be removed. Assessment should take place as part of masterplanning exercise.</p> <p>Parcel 11 - No built development proposed. Assessment of junction has not been undertaken, and reference to this should be removed. Assessment should take place as part of masterplanning exercise.</p> <p>Parcel 12 - For this parcel, the 'Use' is down as School Expansion Only, but housing is subsequently mentioned. Unlikely that school access could be jointly used for residential access.</p> <p><u>Policy AL/PW 1</u></p> <p>The following changes are requested:</p> <p>Paragraph 2 - “Transport – integrated, forward looking, and accessible transport options that support economic prosperity, wellbeing for residents, and aim <i>to minimise use of the private car</i>. This should include the <i>early integration and promotion of public transport, walking, and cycling (following PTOD principles) so that settlements are easy to navigate, and facilitate simple and sustainable access to jobs, education, and services.</i></p> <p>Reference should also be made to PTOD principles to ensure early planning of key transport corridors within the sites and vicinity, and further assessment of possible highway network improvements.</p> <p>Paragraph 9 – “Transport provision shall be delivered on a strategic basis, taking account of the impact of proposed development at land at Tudeley Village, with transport infrastructure links between Paddock Wood, Tudeley Village, Tonbridge, and Royal Tunbridge Wells. A key element will be determining the most appropriate route to link to the road network to the east, which shall minimise the impact on the existing highway network through Five Oak Green, and should seek to reduce traffic levels through this settlement, and have regard to Kent County Council minerals allocations in the vicinity and sensitive receptors. <u>Developers will be required to fund and construct the potential offline A228 strategic link, the eastward link to the A228; and all other associated highway and sustainable transport infrastructure required to mitigate the impact of development resulting from this allocation</u>”</p> <p>Paragraph 10 – “A strategic approach to increase walking and cycling permeability <u>that is accessible to all and permeable by all modes</u> will be included in the masterplanning (see Policy TP 2: Transport Design)”</p>

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			Public Rights of Way and Access Service	The County Council recommends tha considering the scale of the proposed development and the existence of the PRoW that pass through the proposed development sites, reference should be made to PRoW within this policy. It should be expected that the PRoW network will be positively accommodated within the development and enhanced. The creation of new path links should also be considered, to provide ample opportunities for active travel and outdoor recreation. Additional text should be inserted into the policy text to stipulate this requirement.
			Heritage and Conservation	<p>Scale 2 - Pre-determination assessment should be carried out to clarify whether development of any part of the site is possible.</p> <p>This site is a composite site surrounding Paddock Wood and there is potential for prehistoric remains in the River Terrace Gravels and there is potential for prehistoric and later activity along the river channels. This area is known to have been utilised in the Medieval and Post Medieval Periods for industrial activity. There are many historic farm holdings in the area some of which are moated complexes suggesting medieval origins.</p> <p>The historic landscape in this area is of considerable importance with a strong horticultural and post medieval industrial character. Given the size of this proposed development scheme, there is a need for detailed consideration of the impact on the surrounding historic landscape, including nearby villages, key historic buildings, sensitive archaeological landscapes, including lanes, field boundaries and historic land use features.</p> <p>Prior to allocation of this site, there needs to be a thorough Archaeological, Historic Buildings and Archaeological Landscape DBA and fieldwork.</p>
				The County Council would like to ensure that there is an adequate supply of open space across Tunbridge Wells, including at Paddock Wood. Studies have shown that green spaces provide considerable health and well-being benefits for the public, but it is acknowledged that these spaces are facing increasing pressures from new developments and a growing population. There is a risk that the attractive qualities of green spaces will deteriorate unless appropriate steps are put in place to protect the sites and manage access. To cope with the increasing demands of a growing population, it is recommended that Local Plan ensures that adequate green open spaces are provided across the borough.
190	Section 5: Place Shaping Policies Allocation policies for Paddock Wood Paddock Wood Town Centre	Policy AL/PW 2	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following changes are requested:</p> <p>This policy requires a reference to public transport improvements. If aspirations for a dedicated bus route from the wider area are to be realised, this allocation is the prime destination for Paddock Wood Station and town centre. This may require new hub for buses, bus lanes, improved pedestrian crossing facilities etc, subject to masterplanning exercise.</p> <p>Additional paragraph - <u>The masterplan shall include a servicing strategy.</u></p>
			Heritage Conservation	<p>Scale 2 - Pre-determination assessment should be carried out to clarify whether development of any part of the site is possible.</p> <p>The site contains a designated war memorial and a sensitive WWII crash site. In addition there are likely to be post medieval industrial remains.</p> <p>The station and a small holding are identifiable on the 1st Ed. OS map and remnants may survive and could be of local heritage importance.</p> <p>This town centre scheme should be informed by a full Heritage Assessment to inform details of the scheme.</p>
192	Section 5: Place Shaping Policies Allocation policies for Paddock Wood Land at Mascalls Farm	Policy AL/PW 3	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following changes are requested:</p> <p>Additional paragraph - <u>In line with planning permission and legal agreements relating to application 17/03480 for 309 units, major/minor (depending on various growth scenarios) improvements to the Badsell Road/Maidstone Road/Mascalls Court Road junction and the Colts Hill roundabout are to be partly funded by this site. A Transport Assessment to consider additional trips in relation to proposals beyond 309 units will be required, and further contributions may be required. However, this junction will be assessed further as part of the masterplanning exercise and any additional costs should be shared with other developers.</u></p>

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				Last paragraph – “In addition to contributions towards the Foal Hurst Wood Local Nature Reserve to address the need for ecological mitigation, <u>delivery of schemes/contributions towards schemes</u> will be sought to mitigate the impact on transport...”
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval This site contains evidence of medieval and later activity and there is a known WWII crash site which needs to be dealt with considerately. Archaeological Assessment works have taken place but not been completed. Reference to the findings of the previous archaeological works is essential to inform this development
194	Section 5: Place Shaping Policies Allocation policies for Paddock Wood Land at the Memorial Field, west of Maidstone Road	Policy AL/PW 4	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following change is requested: Additional paragraph: <u>Improvements to the access will be required to cater for the additional trips associated with the proposed development. The entrance should be wide enough for two vehicles to pass. Appropriate levels of parking to be provided.</u>
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval The site has potential for prehistoric and later remains but especially post medieval remains. There are several designated historic buildings around the site. Archaeological DBA would be useful to inform details of the proposals.
6185	Section 5: Place Shaping Policies Cranbrook and Sissinghurst The Strategy for Cranbrook and Sissinghurst Parish	Policy STR/CRS 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested Paragraph 3 - “All development proposals will be required to establish the impact of the proposed development upon the <u>Hawkhurst crossroads junction (A229/A268) and the Flimwell crossroads junction (A21/A268)</u> ” Paragraph 7 - “Maintenance and enhancement of, and/or linkages to, <u>public footway network</u> , public rights of way and the local strategic cycle network..” Additional paragraph - <u>The impact of the development in Cranbrook on the Hawkhurst junction is a concern. However, a blanket objection by the Local Highway Authority to all residential allocations in Cranbrook would be unsuitable owing to the likelihood of the majority of traffic from each site heading north rather than south on the A229.</u>
			Public Rights of Way and Access Service.	The specific reference to PRoW in paragraph 7 and the expected contributions towards PROW enhancements, including the proposed Bedgebury to Sissinghurst cycle route (g), are supported.
202	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst Land adjoining Wilsley Farm, adjacent to Angley Road and Whitewell Lane	Policy AL/CRS 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 1 – “Minimal vehicular access points into the site <u>in the interests of highways safety and</u> to reduce any impact upon the Conservation Area...” The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>

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			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval The site has some potential for prehistoric and later remains, especially post medieval remains associated with the neighbouring post medieval farms and parklands. Archaeological programme of works may be required.
204	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst Big Side Playing Field, adjacent to Quaker Lane and Waterloo Road	Policy AL/CRS 2	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 9 - "The provision of a pedestrian footway from Waterloo Road to Angley Road such that pedestrians can avoid the unsafe route along Quaker Lane, <u>and from the southwest of the site linking to the town centre...</u> " The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval The site has potential for prehistoric and later remains especially associated with the discovery of some Neolithic flints on the site itself. There is some potential for post medieval burials as there is a known Quaker burial site on the site of Quaker House. It may be that some of these burials have extended southwards in to the allocation site. An Archaeological DBA would be appropriate to inform details of this scheme.
206	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst Jaegers Field, Angley Road	Policy AL/CRS 3	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following change is requested: The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval There is some potential for prehistoric and later remains.
208	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst Turnden Farm, Hartley Road	Policy AL/CRS 4	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Additional paragraph: <u>The speed limit reduction scheme proposed as part of the planning application 18/02571 should be carried forward as part of this allocation.</u> Additional paragraph: <u>The impact on the Hawkhurst junction will require assessment.</u> The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Public Rights of Way and Access Service	The specific references to PRoW in paragraphs 6 and 7 are supported. In addition to these requirements, it is requested that PRoW enhancements are included in the list of expected contributions, to mitigate the impact of future development.
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval

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				There is some potential for prehistoric and later remains.
210	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst Land adjoining Cranbrook Primary School, Quaker Lane	Policy AL/CRS 5	Highways and Transportation Public Rights of Way and Access Service Heritage Conservation	The Local Highway Authority objects to this policy. The existing vehicular and pedestrian access to site are inadequate. Vehicular access to Angley Road has been considered at pre-stage and not supported by Local Highway Authority as only a very narrow frontage. Quaker Lane also unsuitable. Improvements should be made to the PRow that pass through the site. It is also requested that PRow enhancements are included in the list of expected contributions, to mitigate the impact of future development. Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval There is some potential for prehistoric and later remains
212	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst Gate Farm, adjacent to Hartley Road and Glassenbury Road, Hartley (plus Bull Farm)	Policy AL/CRS 6	Highways and Transportation Public Rights of Way and access Service Heritage Conservation	The Local Highway Authority objects to this policy. This should be split into two sites to the east and west of the A229. With regard to eastern site - an appeal dismissed regarding access to Hartley Road for NE portion, and KCC as Local Highway Authority raised objection to proposed access to south west section also from Hartley Road. Relocation of speed limit has not been supported by Kent Police. Local Highway Authority has had no involvement in western site to date. Public Bridleway WC127 is located along the southern boundary of this proposed development site, providing access to a wider network of Public Bridleways to the west. These paths offer excellent opportunities for recreational cycling and equestrian activity. Considering the proximity of the site to this access resource, it should be expected that the development will contribute towards off-site PRow enhancements, in preparation for their expected increase in use. Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval There is potential for prehistoric and later remains, especially associated with medieval and post medieval activity. The site seems to include the site of a 16th century beacon, which it would be preferable to retain.
214	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst Land off Golford Road	Policy AL/CRS 7	Highways and Transportation Public Rights of Way and access Service Heritage Conservation	The Local Highway Authority objects to this policy. This is unsuitable for sustainable development as part of a plan led approach, owing to there being no key facilities or bus route within safe walking distance, as only a narrow, substandard footway into Cranbrook. This will result in car borne trips. Given the scale of the proposed development, this development will not be acceptable unless a minimum 1.8m wide footway can be achieved between the site and the existing footway network west of Tilsden Lane. This facility would be preferable on the northern side of Golford Road. It is unlikely that this facility can be achieved within site ownership/highway land. It should be expected that improvements will be made to the PRow that pass through the site and contributions will be made for off-site PRow network improvements that surround the site. Attention is also drawn to the High Weald Landscape Trail (HWLT) promoted route, which passes along Golford Road. It is requested that the HWLT is realigned within the site, along a new traffic-free walking route to be provided by the developer, to avoid walking along Golford Road. Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval There is some potential for prehistoric and later remains
216	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst	Policy AL/CRS 8	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Additional paragraph - <u>Proposals to include a servicing strategy across the site.</u>

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	Former Cranbrook Engineering Site and Wilkes Field			The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Public Rights of Way and access Service	It should also be expected that improvements will be made to the PRoW that pass through the site. It is also requested that PRoW enhancements are included in the list of expected contributions, to mitigate the impact of future development.
			Heritage Conservation	Scale 2 - Pre-determination assessment should be carried out to clarify whether development of any part of the site is possible. This site has considerable potential for medieval and post medieval remains associated with the development of Cranbrook as a medieval market town and centre for the cloth industry. The site has been subject to some archaeological assessment and this must be referenced to inform any detailed design
218	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst Land adjacent to the Crane Valley	Policy AL/CRS 9	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: The County Council requests that there is mention the consent for Brick Kiln Farm (180 dwellings) in this policy. The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
Page 188			Public Rights of Way and access Service	It should be expected that improvements will be made to the PRoW that pass through the site. It is also requested that PRoW enhancements are included in the list of expected contributions, to mitigate the impact of future development.
			Heritage Conservation	Scale 2 - Pre-determination assessment should be carried out to clarify whether development of any part of the site is possible. The site includes a post medieval brickwork. Some areas have been quarried out but there is very high potential for large industrial kilns and brick drying and making structures to survive. In addition, this is a largescale site directly adjacent to the historic town of Cranbrook. The impact on the significance of Cranbrook as a medieval market town needs to be thoroughly assessed. Archaeological DBA and Archaeological Landscape are essential to inform this development scheme.
220	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst Cranbrook School	Policy AL/CRS 10	Highways and Transportation	The Local Highway Authority supports this policy.
			Heritage Conservation	Scale 2 - Pre-determination assessment should be carried out to clarify whether development of any part of the site is possible. There is potential for prehistoric and later archaeology, particularly associated with the post medieval development of Cranbrook. There are farms and small holdings identifiable on the 1st Ed OS map which are of local heritage importance although some are designated. The size and scale of this proposal should lead to consideration of the wider impact of the scheme on the significance of Cranbrook itself and its surrounds. A Full Heritage Assessment should be undertaken to inform this allocation.
222	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst Sissinghurst Castle Garden	Policy AL/CRS 11	Highways and Transportation	The Local Highway Authority supports this policy.
			Public Rights of Way and access Service	KCC welcomes the specific reference to local footpath improvements in paragraph 3, but the text should be strengthened to include the term 'Public Rights of Way' as there are also Public Bridleways passing through the site.
			Heritage Conservation	Scale 2 - Pre-determination assessment should be carried out to clarify whether development of any part of the site is possible.

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				This is a highly sensitive site including designated heritage assets. Any proposals should be informed by an Archaeological DBA
224	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst Land on the east side of Mill Lane	Policy AL/CRS 12	Highways and Transportation	The Local Highway Authority objects to this policy. The Local Highway Authority considers this site unsuitable for residential development. The location of the site significantly limits use of sustainable modes and as a result residents will be largely car dependent; the environment on Mill Lane and the A268 and the lack of footway links to local facilities raise the issue of highway safety; there is currently an unofficial link to the rear of the school via Mill Lane but this is not a PRow and its future is not secure; the Mill Lane/A262 junction is extremely hazardous with no footway provision and very poor visibility.
			Public Rights of Way and access Service	KCC supports the proposal to provide new link with Public Footpath WC75. It should also be expected that contributions will be made towards off-site improvements along Footpath WC75, to mitigate the impact of future development.
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval The site lies between some post medieval heritage sites including Crampton Mill and Farm complex. Archaeological DBA would be advisable to inform detailed application
226	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst Land east of Camden Lodge, adjacent to Mill Lane and Sissinghurst Road	Policy AL/CRS 13	Highways and Transportation	The Local Highway Authority objects to this policy. KCC considers this site unsuitable for residential development. The location of the site significantly limits use of sustainable modes and as a result residents will be largely car dependent; the environment on Mill Lane and the A268 and the lack of footway links to local facilities raise the issue of highway safety; there is currently an unofficial link to the rear of the school via Mill Lane but this is not a PRow and its future is not secure; the Mill Lane/A262 junction is extremely hazardous with no footway provision and very poor visibility; the visibility splays required for the measured speed of traffic on the A262 where the site access road would be located cannot be accommodated within the site boundary/highway ownership.
			Public Rights of Way and access Service	KCC supports the proposal to create link with Public Footpath WC75. It should also be expected that contributions will be made towards off-site improvements along Footpath WC75, to mitigate the impact of future development.
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval There is potential for prehistoric and later remains, especially associated with the development of the historic settlement of Sissinghurst.
228	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst Land south of The Street	Policy AL/CRS 14	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: <u>Additional paragraph - Provision of adequate visibility splays within site and/or highway land (again see criterion 5 of Policy EN 1: Design and other development management criteria)</u> The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Public Rights of Way and access Service	Provision of a pedestrian link to Public Right of Way WC104, is supported. It should also be expected that contributions will be made towards off-site improvements along Footpath WC104, to mitigate the impact of future development.
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval There is potential for prehistoric and later remains, especially associated with the development of the historic settlement of Sissinghurst.
230	Section 5: Place Shaping Policies Allocation policies for	Policy AL/CRS 15	Highways and Transportation	The Local Highway Authority objects to this policy. The Local Highway Authority considers this site unsuitable for residential development: <ul style="list-style-type: none"> The location of the site significantly limits use of sustainable modes and as a result residents will be largely car dependent.

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	Cranbrook and Sissinghurst Oak Tree Farm, The Common, Wilsley Pound			<ul style="list-style-type: none"> The environment on the A229 and the lack of footway links to local facilities raise the issue of highway safety. Access would be taken from a strategic route currently within a 50mph limit (although the 40mph limit has recently been extended north) and it is unlikely that KCC would accept a 30mph limit with the scale of development proposed. Therefore an access here would not be in keeping with MFS design ethos. Pedestrian linkages are poor (there are level differences to the south of the site which may make extension to the footway on the west side of A229 difficult to deliver and to the east of A229 the existing footway is narrow, with spot checks measuring under 1.0m and this would also require improvement). The rural character and lack of footways along Mill Lane and Frittenden Road further limit opportunities to walk into the village and school; there is currently an unofficial link to the rear of the school via Mill Lane but this is not a PRow and its future is not secure. The Mill Lane/A262 junction is extremely hazardous with no footway provision and very poor visibility. Bus services do not currently pass the site and it is unlikely that any diversion away from the village centre will be feasible.
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.
232	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst Land at Boycourt Orchards, Angley Road, Wilsley Pound	Policy AL/CRS 16	Highways and Transportation	<p>The Local Highway Authority objects to this policy.</p> <p>The Local Highway Authority considers this site unsuitable for residential development:</p> <ul style="list-style-type: none"> The location of the site significantly limits use of sustainable modes and as a result, residents will be largely car dependent. The environment on the A229 and the lack of footway links to local facilities raises the issue of highway safety; access would be taken from a strategic route currently within a 50mph limit (although the 40mph limit has recently been extended north) and it is unlikely that KCC would accept a 30mph limit with the scale of development proposed. Therefore an access here would not be in keeping with MFS design ethos. Pedestrian linkages are poor (there are level differences to the south of the site which may make extension to the footway on the west side of A229 difficult to deliver and to the east of A229 the existing footway is narrow, with spot checks measuring under 1.0m and this would also require improvement). The rural character and lack of footways along Mill Lane and Frittenden Road further limit opportunities to walk into the village and school; there is currently an unofficial link to the rear of the school via Mill Lane but this is not a PRow and its future is not secure. The Mill Lane/A262 junction is extremely hazardous with no footway provision and very poor visibility. Bus services do not currently pass the site and it is unlikely that any diversion away from the village centre will be feasible.
Page 190			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.
234	Section 5: Place Shaping Policies Allocation policies for Cranbrook and Sissinghurst Land adjacent to Orchard Cottage, Frittenden Road, and land at junction of Common Road and Frittenden Road	Policy AL/CRS 17	Highways and Transportation	The Local Highway Authority supports this policy.
			Heritage Conservation	<p>Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval</p> <p>Site lies close to a Roman road alignment and there is potential for prehistoric and later remains.</p>
239	Section 5: Place Shaping Policies Hawkhurst The Strategy for Hawkhurst Parish	Policy STR/HA 1	Highways and Transportation	<p>The Local Highway Authority objects to this policy.</p> <p>It is not yet evident that the changes to the main junction proposed through the Golf Club application will be acceptable (i.e. achieve nil detriment or decrease the level of traffic/congestion/journey time through the junction thereby not causing a severe impact) for the number of dwellings proposed on the Golf Club site - not including further allocations affecting the junction. There is a presumption that the road diversion will relieve the junction significantly in order to allow more development in the village. This is not the case at the time of writing. Until the Golf Club application is assessed (currently awaiting more information,) the cumulative impact of all allocations at Hawkhurst would be likely to cause a severe impact on the junction with no mitigation proposed. KCC as Local Highway Authority therefore objects to the allocation of these sites and any subsequent planning applications.</p> <p>It is recommended that the Borough Council undertake:</p> <p>a) an assessment of the cumulative impact of all proposed allocations - excluding the Golf Club - on the junction as it is currently, and</p>

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				<p>b) assessment of the cumulative impact of all proposed applications - including the Golf Club - with the proposed A229 diversion across the Golf Club site in place.</p> <p>This will assist Tunbridge Wells Borough Council and KCC Highways in understanding the impact of development in this area.</p>
			Public Rights of Way and Access Service	The specific reference to PRow in paragraph 10, including contributions towards the proposed Bedgebury to Sissinghurst cycle route, is supported.
243	Section 5: Place Shaping Policies Allocation policies for Hawkhurst Land forming part of the Hawkhurst Golf Course to the north of the High Street	Policy AL/HA 1	Highways and Transportation	<p>The Local Highway Authority objects to this policy.</p> <p>The current application on this site does not support the claim that the road will relieve congestion at the junction, and the proposed development may make congestion worse. Therefore, this allocation cannot be supported by the County Council.</p>
			Public Rights of Way and Access Service	Paragraphs 1 and 9 are supported. Further, it is requested that opportunities for the provision of a new link with Public Bridleway WC219 are explored and, if feasible, provided. This is because the right of way provides access to a valuable network of walking, cycling and equestrian routes to the west, which would provide significant outdoor recreation opportunities for Hawkhurst residents. It is also requested that PRow enhancements are included in the list of expected contributions, to mitigate the impact of future development.
			Heritage Conservation	<p>Scale 2 - Pre-determination assessment should be carried out to clarify whether development of any part of the site is possible.</p> <p>This is a large proposed development which could have an impact on the rural historic setting of Hawkhurst and the surrounding small holdings and farm holdings, some of which are historic complexes.</p> <p>There is also some potential for prehistoric and later remains.</p> <p>An Archaeological DBA including an Archaeological Landscape Assessment would be advisable to inform this allocation</p>
246	Section 5: Place Shaping Policies Allocation policies for Hawkhurst Land at The White House, Highgate Hill	Policy AL/HA 2	Highways and Transportation	<p>The Local Highway Authority objects to this policy.</p> <p>The cumulative impact of 681-731 new dwellings as a result of site allocations AL/HA 1 to AL/HA 6 and AL/HA 9 will cause a severe impact on the local road network - specifically at the A268/A229 Hawkhurst crossroads, with or without the addition of a new road and the stopping up of the northern arm of the junction as proposed in AL/HA 1.</p>
			Heritage Conservation	<p>Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.</p> <p>Potential for prehistoric or later remains</p>
248	Section 5: Place Shaping Policies Allocation policies for Hawkhurst Land to the east of Hartenoak	Policy AL/HA 3	Highways and Transportation	<p>The Local Highway Authority objects to this policy.</p> <p>The cumulative impact of 681-731 new dwellings as a result of site allocations AL/HA 1 to AL/HA 6 and AL/HA 9 will cause a severe impact on the local road network - specifically at the A268/A229 Hawkhurst crossroads, with or without the addition of a new road and the stopping up of the northern arm of the junction as proposed in AL/HA 1.</p>
			Heritage Conservation	<p>Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.</p> <p>Potential for prehistoric or later remains</p>
250	Section 5: Place Shaping Policies Allocation policies for Hawkhurst Land at Fowlers Park	Policy AL/HA 4	Highways and Transportation	<p>The Local Highway Authority objects to this policy.</p> <p>The cumulative impact of 681-731 new dwellings as a result of site allocations AL/HA 1 to AL/HA 6 and AL/HA 9 will cause a severe impact on the local road network - specifically at the A268/A229 Hawkhurst crossroads, with or without the addition of a new road and the stopping up of the northern arm of the junction as proposed in AL/HA 1.</p>
			Public Rights of Way and	Paragraph 3 and 10 are seeking the provision of pedestrian links between the site and PRow WC187, are supported. Contributions should also be made towards off-site improvements along Footpath WC187 to mitigate the impact of future development.

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			Access Service	
			Heritage Conservation	<p>Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval</p> <p>There are multi period metal artefacts known from the fields to the north and there may be associated archaeology in the allocation site. There is potential for prehistoric or later remains.</p> <p>In view of the size of this development there may be an impact on the historic character of Hawkhurst as a medieval market town. Consideration of historic landscape issues would be essential</p> <p>In view of the size of this proposed allocation KCC recommends the need for an Archaeological DBA to inform the allocation.</p>
252	Section 5: Place Shaping Policies Allocation policies for Hawkhurst Brook House, Cranbrook Road	Policy AL/HA 5	Highways and Transportation	<p>The Local Highway Authority objects to this policy.</p> <p>The cumulative impact of 681-731 new dwellings as a result of site allocations AL/HA 1 to AL/HA 6 and AL/HA 9 will cause a severe impact on the local road network - specifically at the A268/A229 Hawkhurst crossroads, with or without the addition of a new road and the stopping up of the northern arm of the junction as proposed in AL/HA 1.</p>
			Heritage Conservation	<p>Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval</p> <p>Some potential for prehistoric or later remains.</p>
254	Section 5: Place Shaping Policies Allocation policies for Hawkhurst Land off Copthall Avenue and Highgate Hill	Policy AL/HA 6	Highways and Transportation	<p>The Local Highway Authority objects to this policy.</p> <p>The cumulative impact of 681-731 new dwellings as a result of site allocations AL/HA 1 to AL/HA 6 and AL/HA 9 will cause a severe impact on the local road network - specifically at the A268/A229 Hawkhurst crossroads, with or without the addition of a new road and the stopping up of the northern arm of the junction as proposed in AL/HA 1.</p>
Page 192			Public Rights of Way and Access Service	<p>Contributions should also be made towards off-site improvements along Footpath WC189 to mitigate the impact of future development.</p>
			Heritage Conservation	<p>Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval</p> <p>Site contains some post medieval brickworks and substantial industrial structures may survive on site.</p> <p>Archaeological DBA would be appropriate</p>
256	Section 5: Place Shaping Policies Allocation policies for Hawkhurst Sports Pavilion, King George V Playing Fields, The Moor	Policy AL/HA 7	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>This site raises less concern than the residential sites in the village, owing to the spread of trips throughout the day (without a concentration during the AM and PM peaks) but any development proposal needs to be supported by a Transport Assessment including an impact assessment on the Hawkhurst junction.</p> <p>The following change is requested:</p> <p><u>Additional paragraph - <i>Proposals for the development of this site shall be supported by a Transport Assessment including an impact assessment on the Hawkhurst junction.</i></u></p>
			Heritage Conservation	<p>Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval</p> <p>Some potential for prehistoric and later remains.</p>
258	Section 5: Place Shaping Policies	Policy AL/HA 8	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p>

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	Allocation Policies for Gill's Green Hawkhurst Station Business Park			<p>This site raises less concern than the residential sites in the village, owing to the spread of trips throughout the day (without a concentration during the AM and PM peaks) but any development proposal needs to be supported by a Transport Assessment including an impact assessment on the Hawkhurst junction.</p> <p>The following changes are requested:</p> <p><u>Additional paragraph - <i>Proposals for the development of this site shall be supported by a Transport Assessment including an impact assessment on the Hawkhurst junction.</i></u></p> <p>The standard paragraph regarding contributions should feature in this policy - <u><i>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</i></u></p>
			Heritage Conservation	<p>Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval</p> <p>Some potential for prehistoric and later remains</p>
260	Section 5: Place Shaping Policies Allocation Policies for Gill's Green Land at Santers Yard, Gill's Green Farm	Policy AL/HA 9	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The cumulative impact of 681-731 new dwellings as a result of site allocations AL/HA 1 to AL/HA 6 and AL/HA 9 will cause a severe impact on the local road network - specifically at the A268/A229 Hawkhurst crossroads, with or without the addition of a new road and the stopping up of the northern arm of the junction as proposed in AL/HA 1.</p>
			Heritage Conservation	<p>Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.</p> <p>Some potential for prehistoric or later remains</p>
262 263	Section 5: Place Shaping Policies Allocation Policies for Gill's Green Site at Limes Grove	Policy AL/HA 10	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>This site raises less concern than the residential sites in the village, owing to the spread of trips throughout the day (without a concentration during the AM and PM peaks) but any development proposal needs to be supported by a Transport Assessment including an impact assessment on the Hawkhurst junction.</p> <p>The following changes are requested:</p> <p><u>Additional paragraph - <i>Proposals for the development of this site shall be supported by a Transport Assessment including an impact assessment on the Hawkhurst junction.</i></u></p> <p>The standard paragraph regarding contributions should feature in this policy - <u><i>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</i></u></p>
			Heritage Conservation	<p>Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.</p> <p>Some potential for prehistoric or later remains</p>
265	Section 5: Place Shaping Policies Benenden The Strategy for Benenden Parish	Policy STR/BE 1	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following changes are requested</p> <p>Paragraph 5 – “Maintenance and enhancement of, and/or linkages to, <u>public footway network</u>, public rights of way and the local strategic cycle network...”</p> <p>The standard paragraph regarding contributions should feature in this policy - <u><i>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</i></u></p>

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			Public Rights of Way and Access Service	The specific reference to PRow in paragraph 5 is supported. It is requested that PRow enhancements are also included in the list of expected contributions, to mitigate the impact of future development.
268	Section 5: Place Shaping Policies Allocation Policies for Benenden Land at Walkhurst Road	Policy AL/BE 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested Paragraph 2 - "Provision of an internal footway and extension of footway in Walkhurst Road <u>to link to existing footway</u> to the south" The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Some potential for prehistoric or later remains
270	Section 5: Place Shaping Policies Allocation Policies for Benenden Land adjacent to New Pond Road (known as Uphill)	Policy AL/BE 2	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested Paragraph 2 - "The provision of a pedestrian footway from the site entrance, past Hortons Close, to the junction of New Pond Road and the B2086 (on <u>highways</u> land). This shall..." The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u> With regards to point b in this policy, KCC is unaware of any works proposed for this junction. Therefore the removal and change to <u>Any other highway works</u> is requested.
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Some potential for prehistoric or later remains
272	Section 5: Place Shaping Policies Allocation Policies for Benenden Feoffee Cottages and land, Walkhurst Road	Policy AL/BE 3	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following change is requested: The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Some potential for prehistoric or later remains
274	Section 5: Place Shaping Policies Allocation Policies for Benenden Land at Benenden Hospital	Policy AL/BE 4	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following change is requested: The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Heritage	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval

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			Conservation	Some potential for prehistoric or later remains. The 1st Ed OS map records a smithy on the site and remains associated with post medieval activity may survive on site.
277	Section 5: Place Shaping Policies Bidborough The Strategy for Bidborough Parish	Policy STR/BI 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 4 – “Maintenance and enhancement of, and/or linkages to, <u>public footway network</u> and public rights of way and the local strategic cycle network in accordance with Policy TP 2: Transport Design and Accessibility” The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Public Rights of Way and Access Service	The specific reference to PRow in paragraph 4 and the expectation that contributions will be made towards PRow to mitigate the impact of development (f) is supported.
281	Section 5: Place Shaping Policies Brenchley and Matfield Parish The Strategy for Brenchley and Matfield Parish	Policy STR/BM 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following change is requested: Paragraph 6 - “Maintenance and enhancement of, and/or linkages to, <u>public footway network</u> and public rights of way and the local strategic cycle network in accordance with Policy TP 2: Transport Design and Accessibility”
Page 195			Public Rights of Way and Access Service	The specific reference to PRow in paragraph 6 is supported. It is requested that PRow enhancements are included in the list of expected contributions, to mitigate the impact of future development.
284	Section 5: Place Shaping Policies Allocation policies for Brenchley and Matfield Parish Land between Brenchley Road, Coppers Lane, and Maidstone Road	Policy AL/BM 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: <u>Paragraph 2 - Improved pedestrian access to include works at junction of Maidstone Rd/Brenchley Rd and Chestnut Lane and along Maidstone Rd and also to include crossing points</u> Points 5, 6 and 7 should be removed. The Transport Assessment will highlight specific mitigation measures: should not be pre-empted at this stage. The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.
286	Section 5: Place Shaping Policies Allocation policies for Brenchley and Matfield Parish Matfield House orchards and land, The Green	Policy AL/BM 2	Highways and Transportation	The Local Highway Authority objects to this policy. This is a landlocked site. The site does not abut Chestnut Lane and the narrow farm access is outside the red line boundary.
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.
288	Section 5: Place Shaping Policies	Policy AL/BM 3	Highways and Transportation	The Local Highway Authority conditionally supports this policy.

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	Allocation policies for Brenchley and Matfield Parish Ashes Plantation, Maidstone Road			<p>The following changes are requested:</p> <p>Paragraph 1 – “Vehicular access into the site to be informed by <u>a Transport Assessment, to include assessment of junction of Maidstone Road/Oakfield Road</u>”</p> <p>Paragraph 3 – “Provision of pedestrian access to Maidstone Road <u>including assessment and provision of pedestrian crossing points</u>”</p> <p>Paragraph 5 – “<u>Contributions (50%) towards the</u> provision of a pedestrian access to the existing children's play space at Maidstone Road”</p> <p>Points 6 and 7 should be removed. The Transport Assessment will highlight specific mitigation measures: should not be pre-empted at this stage.</p> <p>The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u></p> <p>In Point a – reference to traffic calming should be removed.</p>
			Heritage Conservation	<p>Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.</p> <p>Potential for remains associated with post medieval activity</p>
290	Section 5: Place Shaping Policies Allocation policies for Brenchley and Matfield Parish Land at Maidstone Road	Policy AL/BM 4	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following changes are requested:</p> <p>Paragraph 1 – “Vehicular access into the site <u>to be informed by Transport Assessment, to include assessment of junction of Maidstone Road/Oakfield Road, including assessment/construction of pedestrian crossing points</u>”</p> <p>Points 3, 4 and 5 should be removed. The Transport Assessment will highlight specific mitigation measures: should not be pre-empted at this stage.</p> <p>The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u></p> <p>In Point a – reference to traffic calming should be removed</p>
			Heritage Conservation	<p>Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.</p> <p>Potential for remains associated with post medieval activity</p>
292	Section 5: Place Shaping Policies Frittenden The Strategy for Frittenden Parish	Policy STR/FR 1	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following changes are requested:</p> <p>Paragraph 4 – “Maintenance and enhancement of, and/or linkages to, <u>public footway network</u> and public rights of way and the local strategic cycle network in accordance with Policy TP 2: Transport Design and Accessibility”</p> <p>The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u></p>
			Public Rights of Way and Access Service	<p>The specific reference to PRoW in paragraph 4 is supported. It is requested that PRoW enhancements are also included in the list of expected contributions, to mitigate the impact of future development.</p>

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295	Section 5: Place Shaping Policies Allocation policies for Frittenden Parish Land at Cranbrook Road	Policy AL/FR 1	Highways and Transportation	The Local Highway Authority objects to this policy. KCC considers this site unsuitable for residential development: The policy makes no mention of footway links to the existing network. A link would be vital to access local facilities and it is doubtful that the site can deliver this. The location of the site significantly limits use of sustainable modes and as a result residents will be largely car dependent without a footway connection. The lack of footway links to local facilities raises the issue of highway safety.
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Low archaeological potential
299	Section 5: Place Shaping Policies Goudhurst The Strategy for Goudhurst Parish	Policy STR/GO 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 6 - "Maintenance and enhancement of, and/or linkages to, <u>public footway network</u> and public rights of way and the local strategic cycle network in accordance with Policy TP 2: Transport Design and Accessibility" The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Public Rights of Way and Access Service	The specific reference to PRoW in paragraph 6 is supported. It is requested that PRoW enhancements are also included in the list of expected contributions, to mitigate the impact of future development.
302	Section 5: Place Shaping Policies Allocation policies for Goudhurst Parish Land east of Balcombes Hill and adjacent to Tiddymotts Lane	Policy AL/GO 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 1 – " <u>Use of existing access point from the minor access road off Balcombes Hill. The scheme also to provide improved visibility splays at the junction with Balcombes Hill...</u> " Paragraph 3 – "Location and design of pedestrian access to reflect the significant level changes into the site, <u>and improvements to footway links into the village to be provided including improved crossing point on Balcombes Hill.</u> " The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval The site has potential for prehistoric remains as a hoard of Bronze Age palstaves was located on or near to the site. The 1st Ed OS map indicates a small holding and quarry on the site and there may be remains of Medieval or post medieval activity. Archaeological DBA would be appropriate
304	Section 5: Place Shaping Policies Allocation policies for Goudhurst Parish	Policy AL/GO 2	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following change is requested: The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>

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	Land at Triggs Farm, Cranbrook Road		Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Low potential for archaeological remains.
307	Section 5: Place Shaping Policies Horsmonden The Strategy for Horsmonden Parish	Policy STR/HO 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: The policy should include consideration of the provision of pedestrian links from the site. Paragraph 5 – “Maintenance and enhancement of, and/or linkages to, <u>public footway network</u> and public rights of way and the local strategic cycle network in accordance with Policy TP 2: Transport Design and Accessibility” The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Public Rights of Way and Access Service	The specific reference to PRoW in paragraph 5 is supported. While contributions towards feasibility studies for enhancing PRoW are welcomed, it is requested that PRoW enhancements are included in the list of expected contributions, to mitigate the impact of future development.
309	Section 5: Place Shaping Policies Allocation policies for Horsmonden Parish Land adjacent to Furnace Lane and Gibbet Lane	Policy AL/HO 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following change is requested: The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
Page 198			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Low potential for archaeological remains.
311	Section 5: Place Shaping Policies Allocation policies for Horsmonden Parish Land south of Brenchley Road and west of Fromandez Drive	Policy AL/HO 2	Highways and Transportation	The Local Highway Authority objects to this policy. KCC as Local Highway Authority is unable to support without a footway link into the settlement. It appears the site is unable to deliver a pedestrian link to any existing facilities which are some distance from the site. Currently appears any link to Fromandez Drive is outside of site boundary. Paragraph 9 - suggests opportunities for parking - this would require good pedestrian links to key facilities Paragraph 10 - suggests a replacement village hall may be sited on this site - this must be safely accessible by foot from the residential areas of the village.
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval The site lies adjacent to historic gardens of Sprivers and also contains a spring and small water channel. There is potential for prehistoric or later activity.
313	Section 5: Place Shaping Policies Allocation policies for Horsmonden Parish	Policy AL/HO 3	Highways and Transportation	The Local Highway Authority conditionally supports this policy. KCC would prefer to see these sites split owing to the fact they are not joined and will have different access requirements. The following changes are requested:

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Page 199	Land to the east of Horsmonden			<p>Paragraph 1 – <u>“The vehicular access points into the two parcels of lane will be required to accommodate any existing uses which continue to take access through the sites. A Highways Assessment will inform the location of the access points”</u></p> <p>Paragraph 3 – “Provision of pedestrian links <u>between the sites and</u> Bassetts Farm..”</p> <p>The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u></p>
			Public Rights of Way and Access Service	<p>Paragraph 4 requirement for development to preserve the amenity of PRoW WT340A and WT341 is supported. It is also requested that improvements are also made to these PRoW, where there pass through the development site.</p> <p>Paragraph 5 should be amended and strengthened. The section of Hop Pickers Line that passes through the development site should be dedicated as a Public Bridleway by the developer and surfaced to an appropriate specification, to be agreed by the KCC PRoW and Access Service. This would provide a sustainable transport link through the village of Horsmonden and contribute towards the long term aspiration to create a sustainable cycle route along the Hop Pickers line.</p> <p>Off-site PRoW enhancements should also be included in the list of expected contributions, to mitigate the impact of future development.</p>
			Heritage Conservation	<p>Scale 2 - Pre-determination assessment should be carried out to clarify whether development of any part of the site is possible.</p> <p>The site has some potential for prehistoric and later remains. It also contains part of the Hawkhurst to Paddock Wood Hop Line, a railway specifically built to serve 19th and 20th century hop pickers. The site may also contain remnants of Horsmonden Station.</p> <p>The railway line and station are important local heritage assets and they must be preserved in situ.</p> <p>This allocation needs to be supported by a full Archaeological DBA and assessment of the railway heritage.</p>
316	Section 5: Place Shaping Policies Lamberhurst The Strategy for Lamberhurst Parish	Policy STR/LA 1	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following changes are requested:</p> <p>Paragraph 5 - “Maintenance and enhancement of, and/or linkages to, <u>public footway network</u> and public rights of way and the local strategic cycle network in accordance with Policy TP 2: Transport Design and Accessibility”</p> <p>The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u></p>
			Public Rights of Way and Access Service	<p>The specific reference to PRoW in paragraph 5 is supported. It is requested that PRoW enhancements are also included in the list of expected contributions, to mitigate the impact of future development.</p>
318	Section 5: Place Shaping Policies Allocation policies for Lamberhurst Parish Land to the west of Spray Hill	Policy AL/LA 1	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following changes are requested:</p> <p>Paragraph 1 - “The provision of pedestrian links <u>from the proposed residential area in the south through the site to the north leading to the village, and from the site westwards</u> along Sand Road to link into the wider footway network”</p> <p>Paragraph 4 - “Residential development to be located on the southern part of the site only, with <u>location of access to be informed by a Transport Assessment</u>”</p>

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				The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Public Rights of Way and Access Service	The provision of pedestrian and cycle linkages to PRow WT387 and WT388 are supported, but consideration will need to be given to upgrading these Public Footpaths for cycling access, to enable onward connectivity. It is requested that enhancements will be made to the PRow, where they pass through the site. Contributions will also need to be made towards off-site PRow improvements to improve their accessibility, facilitate cycle access and improve active travel links with the Scotney Castle Estate.
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval The site has potential for post medieval remains associated with the settlement of Lamberhurst. There are several designated historic buildings adjacent or close to the site. Development should be supported by an Archaeological DBA
320	Section 5: Place Shaping Policies Allocation policies for Lamberhurst Parish Misty Meadow, Furnace Lane	Policy AL/LA 2	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Additional paragraph - <u>Link to existing footway network on Furnace Lane must be achieved.</u> The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Public Rights of Way and Access Service	The policy requirement to protect and enhance the amenity of PRow WT383 (paragraph 4) is supported. The expectation that contributions will be required towards improved access and footpaths is also welcomed.
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Low archaeological potential
324	Section 5: Place Shaping Policies Pembury The Strategy for Pembury Parish	Policy STR/PE 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 5 - "Maintenance and enhancement of, and/or linkages to, <u>public footway network and</u> public rights of way and the local strategic cycle network in accordance with Policy TP 2: Transport Design and Accessibility. To include development of <u>a segregated</u> cycle route..." Paragraph 7- "Measures to be taken to reduce the impact of proposed development on <u>the local and strategic road networks at key links and junctions.</u> " Additional paragraph (i) - <u>Public transport service and infrastructure improvements.</u> The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Public Rights of Way and Access Service	The specific reference to PRow and Tunbridge Wells Circular route (paragraph 5) is supported. It is requested that PRow enhancements are also included in the list of expected contributions, to mitigate the impact of future development.
327	Section 5: Place Shaping Policies	Policy AL/PE 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested:

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	Allocation policies for Pembury Parish Land rear of High Street and west of Chalket Lane			<p>Paragraph 1 - <u>Vehicular access onto High Street from western point to be informed by a Transport Assessment. Village Hall access to be emergency/pedestrian/cyclist route only.</u></p> <p>Paragraph 2 – “Provision of links to the <u>wider public footway network</u>, public right of way network, and cycle network...”</p> <p>Paragraph 4 - “Opportunities for the provision of a <u>segregated cycle route linking to the A264 Pembury Road cycle route into the town centre to be explored and where feasible, provided</u>”</p> <p>The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u></p>
			Public Rights of Way and Access Service	The provision of new links between the site and the wider PRow network is supported. It should also be expected that contributions will be made towards off-site improvements along PRow.
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Low archaeological potential
329	Section 5: Place Shaping Policies Allocation policies for Pembury Parish Land at Hubbles Farm and south of Hastings Road	Policy AL/PE 2	Highways and Transportation	<p>The Local Highway Authority conditionally supports this policy.</p> <p>The following changes are requested:</p> <p>Paragraph 1 - “Vehicular access onto <u>Hastings Road to be informed by a Transport Assessment. A suitable stagger will be required between the new access road and Belfield Road</u>”.</p> <p>Paragraph 3 – “Provision of pedestrian and cycle link to west to join existing Public Right of Way WT240 <u>and the wider footway/cycleway network</u>”</p> <p>Paragraph 4 - “Provision of pedestrian and cycle link to south to join Public Right of Way WT239 and east to join WT237 <u>and the wider footway/cycleway network</u>”</p> <p>Paragraph 5 – “Opportunities for the provision of a <u>segregated</u> cycle route linking to the <u>A264 Pembury Road cycle route into the town centre to be explored and where feasible, provided.</u>”</p> <p>Additional paragraph - <u>Provision of adequate visibility splays within site and/or highway land (again see criterion 5 of Policy EN 1: Design and other development management criteria)</u></p> <p>Paragraph 2 should be removed. The Transport Assessment will highlight specific mitigation measures: should not be pre-empted at this stage.</p> <p>The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u></p>
			Public Rights of Way and Access Service	<p>The requirement to provide pedestrian/cycle links with the surrounding PRow network is supported. However, the surrounding Public Footpaths will need to be upgraded to facilitate cycling and enable onward connectivity. It is therefore requested that contributions will be made towards off-site improvements along PRow.</p> <p>Opportunities for upgrading the PRow network surrounding the development site, including the establishment a Bridleway link with PRow WB43, should be explored and, if feasible, provided. This is because Public Bridleway WB43 provides a valuable walking, cycling and equestrian link with Hawkenbury/South East Tunbridge Wells. Establishing higher access rights would unlock opportunities for active travel and outdoor recreation.</p>
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval.

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				Low archaeological potential
331	Section 5: Place Shaping Policies Allocation policies for Pembury Parish Land north of the A21, south and west of Hastings Road	Policy AL/PE 3	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 3 - "Provision of links to the <u>public footway network (to include crossing points on Hastings Road) and public rights of way and the local strategic cycle network</u> in accordance with Policy TP 2: Transport Design and Accessibility" The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Public Rights of Way and Access Service	The requirement to provide pedestrian/cycle links with the surrounding PRow network (paragraph 2) is supported. However, the surrounding Public Footpaths will need to be upgraded to facilitate cycling and enable onward connectivity. It is therefore requested that contributions will be made towards off-site improvements along PRow. Opportunities for upgrading the PRow network surrounding the development site and establishing a Bridleway link with PRow WB43 should be explored and, if feasible, provided. This is because Public Bridleway WB43 provides a valuable walking, cycling and equestrian connection with Hawkenbury/South East Tunbridge Wells. Establishing higher access rights would unlock new opportunities for active travel and outdoor recreation.
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Low archaeological potential
333	Section 5: Place Shaping Policies Allocation policies for Pembury Parish Land at Downingbury Farm, Maidstone Road	Policy AL/PE 4	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 4 – "Provision of links to <u>the public footway network</u> and public rights of way and the local strategic cycle network in accordance with Policy TP 2: Transport Design and Accessibility" The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
Page 202			Public Rights of Way and Access Service	The specific references to PRow in paragraphs 2 and 3 are supported.
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Low archaeological potential
335	Section 5: Place Shaping Policies Allocation policies for Pembury Parish Land at Sturgeons fronting Henwood Green Road	Policy AL/PE 5	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 4 – "Provision of links to <u>the public footway network</u> and public rights of way and the local strategic cycle network in accordance with Policy TP 2: Transport Design and Accessibility" Additional paragraph - <u>Small business units to be located on the north western part of site (subject to evidence of demand) with adequate on site parking and servicing facilities</u> The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the</u>

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				<i>developer. A contribution may be taken if appropriate</i>
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Low archaeological potential
337	Section 5: Place Shaping Policies Allocation policies for Pembury Parish Land at Tunbridge Wells Hospital, Pembury and adjacent to Tonbridge Road	Policy AL/PE 6	Highways and Transportation	The Local Highway Authority conditionally supports this policy. This policy should be split into 3: Hospital land, Notcutts and Owl's Nest. Preferable in highway terms to understand proposed land use of each site and respond accordingly. The following changes are requested: Paragraph 5.133: "Tonbridge Road crosses through the site, <u>linking this allocation to the A21</u> , a major Public Highway controlled by Highways England" Paragraph 2 – <u>Provision of a new/improved segregated cycle route to Royal Tunbridge Wells</u> Additional paragraph - <u>Maintenance and enhancement of, and/or linkages to, public footway network, public rights of way</u> Additional paragraph - <u>Proposals must be informed by a Transport Assessment and Travel Plan...</u> Additional paragraph - <u>Access arrangements to Owl's Nest to be incorporated into the existing signalised junction serving the hospital</u> The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Public Rights of Way and Access Service	The specific reference to PRow in paragraph 1 is supported.
			Heritage Conservation	Scale 2 - Pre-determination assessment should be carried out to clarify whether development of any part of the site is possible. There is potential for prehistoric remains and there may remnants of the earlier hospital structures. If remains survive they would be of local heritage interest and need to be appropriately considered. An Archaeological DBA would be helpful with clarification of the extent of previous ground disturbance.
339	Section 5: Place Shaping Policies Allocation policies for Pembury Parish Woodsgate Corner	Policy AL/PE 7	Highways and Transportation	The Local Highway Authority objects to this policy. This site is in the current Site Allocations as a Park & Ride. The proposed removal of this Park & Ride allocation from the new Local Plan effectively removes the chance of an improved direct public transport service into the town. With the levels of proposed growth to the north of this site further along the A228 corridor, the safeguarding of this well located site for Park & Ride (or innovative alternative) is vital. The inability to deliver a Park & Ride site could put uncertainty on the Borough Council's ability to deliver the preferred growth strategy. In addition, the current live application for this site does not show how new trips on this part of the network can be mitigated.
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Low potential for archaeological remains
341	Section 5: Place Shaping Policies Rusthall The Strategy for Rusthall	Policy STR/RU 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 5 – "Maintenance and enhancement of, and/or linkages to, <u>public footway network</u> , public rights of way..."

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	Parish			The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Public Rights of Way and Access Service	The specific reference to PRoW in paragraph 5 is supported. It is requested that PRoW enhancements are included in the list of expected contributions, to mitigate the impact of future development.
344	Section 5: Place Shaping Policies Allocation policies for Rusthall Parish Lifestyle Motor Europe, Langton Road	Policy RU 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 1 - <u>Suitable location of vehicular access to be established through a Transport Assessment.</u> Additional paragraph - <u>Provision of adequate visibility splays within site and/or highway land (again see criterion 5 of Policy EN 1: Design and other development management criteria)</u> The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval There is potential for prehistoric remains and for structural remains associated with the post medieval activity on the site. An Archaeological DBA would be useful to support application
346	Section 5: Place Shaping Policies Sandhurst The Strategy for Sandhurst Parish	Policy STR/SA 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 4 - “Maintenance and enhancement of, and/or linkages to, <u>public footway network</u> , public rights of way...” The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u> The specific speed limit changes and call for traffic calming requested in point e) are not acceptable to the Local Highway Authority and should be removed. The Transport Assessment will highlight specific mitigation measures: should not be pre-empted at this stage.
			Public Rights of Way and Access Service	The specific reference to PRoW in paragraph 4 is supported. It is requested that PRoW enhancements are included in the list of expected contributions, to mitigate the impact of future development.
349	Section 5: Place Shaping Policies Allocation policies for Sandhurst Parish Land on the south side of Sayville, Rye Road and west of Marsh Quarter Lane	Policy AL/SA 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 1 – “Provision of vehicular access informed by Highways Assessment (<u>to include assessment of junction with A268</u>) and landscape and visual impact assessment” Paragraph 2 – “ <u>Investigation and</u> provision of <u>pedestrian</u> crossing facilities on Rye Road” Paragraph 3 – “ <u>Scheme to demonstrate (or provide for) pedestrian connectivity between the site and Sandhurst Primary School</u> ” The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>

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			Public Rights of Way and Access Service	The provision of pedestrian links between the site and Public Footpath WC295 are supported. It is requested that contributions will also be made towards off-site improvements along this PRoW, to mitigate the impact of the development.
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Low archaeological potential
351	Section 5: Place Shaping Policies Allocation policies for Sandhurst Parish Land adjacent to Old Orchard and Stream Pit Lane	Policy AL/SA 2	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u> It should also be noted that Old Orchard appears to be a private drive.
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Low archaeological potential
355	Section 5: Place Shaping Policies Speldhurst The Strategy for Speldhurst Parish	Policy STR/SP 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 4 – “Maintenance and enhancement of, and/or linkages to, <u>public footway network</u> , public rights of way...” The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Public Rights of Way and Access Service	The specific reference to PRoW in paragraph 5 is supported. It is requested that PRoW enhancements are included in the list of expected contributions, to mitigate the impact of future development.
358	Section 5: Place Shaping Policies Allocation policies for Speldhurst Parish Land to the west of Speldhurst Road and south of Ferbies	Policy AL/SP 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following change is requested The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Low archaeological potential
360	Section 5: Place Shaping Policies Allocation policies for Speldhurst Parish Land north of Langton House	Policy AL/SP 2	Highways and Transportation	The Local Highway Authority supports this policy.
			Heritage Conservation	Scale 3 - Significant archaeology could be dealt with through suitable conditions on a planning approval Some Mesolithic flints are recorded from this site and there may be further associated remains.

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362	Section 5: Place Shaping Policies Allocation policies for Speldhurst Parish Land adjacent to Rusthall recreation ground, Southwood Road	Policy AL/SP 3	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested: Paragraph 2 - “The provision of details for any additional on-site car parking, <u>to include area for overspill parking</u> ” The standard paragraph regarding contributions should feature in this policy - <u>It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate</u>
			Heritage Conservation	Scale 4 - Low level archaeology anticipated which could be dealt with through suitable conditions on a planning approval. Low archaeological potential
365	Section 6: Development Management Policies Environment Design and other development management criteria	Policy EN 1	Highways and Transportation	The Local Highway Authority conditionally supports this policy. The following changes are requested at Part 5 – Transport: Paragraph 1 – “Vehicular access, parking provision, and pedestrian movement should be safely accommodated. <u>Traffic from new development should not cause material harm to the operation and safety of the local highway network</u> in accordance with Policies TP 2: Transport Design and Accessibility and TP 3: Parking Standards; and” Paragraph 2 – “Any car parking or servicing should be appropriate to the context of the site, and designed and located so as not to cause material harm <u>to the safe operation of the highway</u> or visual amenity and dominate the street scene and public realm; and”
			Public Rights of Way and Access Service	Paragraph 614 -It is requested that the KCC PRow and Access Service Good Design Guide is added to the list of guidance. The purpose of this guide is to aid decision making and promote good design in public path and countryside access management. Applying to both urban and rural locations, the design guide is intended to complement and, where appropriate, draw together relevant technical and design information, both national and local, that has already been published. <u>Policy EN1</u> The specific reference to PRow in Part 7 is supported. The Design Criteria should be strengthened by including a requirement for development applications to show recorded PRow on their plans. Where PRow would be directly affected by development proposals, planning applications should clarify intentions for positively accommodating, diverting or enhancing paths.
			Sustainable Urban Drainage Systems	Water/Flooding Features the recent revisions to the NPPF highlight the need for consideration of multi-functionality within sustainable drainage schemes. The policy should seek to ensure the multi-functionality and/or integration of SuDS within open space.
			Heritage Conservation	Paragraph 6.7 - It is suggested that <u>archaeological sites</u> be added to the list of heritage types in the first sentence. Paragraph 6.12 - It should be noted that the ‘grain’ in the Borough is not only ‘urban grain’ as stated in the current text. The countryside has its own grain consisting of settlements, tracks, lanes and field boundaries that has evolved over many centuries. This grain is identified in the Historic Landscape Characterisation mentioned above (see ‘Policy STR 7 Place shaping and design’). For new development to be successfully integrated into the Borough’s existing settlements and communities it is important that it works with this grain. Policy EN 1 <u>Part 1 Character and site context</u> Paragraph 2 - In accordance with the comments under paragraph 6.12 above, it is suggested that clause 2 be amended to “ <u>The siting, layout, density,</u>

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Page 207				<p><i>spacing, orientation, and landscaping must respect the characteristics of the site, including its topography and any natural features, its relationship with immediate surroundings, historic setting, and where appropriate, views into and out of the site;</i>“</p> <p>Paragraph 4 - The historic environment has a significant role to play in the conservation of resources required for development and also in energy efficiency. Old buildings can often be more energy efficient than newer ones and of course have already been built with the embodied carbon that implies. It may take fewer overall resources to adapt an old building than to demolish it and build a completely new one. Historic England has produced guidance ('Climate Change and the Historic Environment', 2008) that reviews the threats to the historic environment posed by climate change. The guidance also demonstrates that historic structures, settlements and landscapes can in fact be more resilient in the face of climate change, and more energy efficient, than more modern structures and settlements.</p> <p><u>Part 2 Water/flooding features</u></p> <p>SuDS may have both direct and indirect impacts on the historic environment. Direct impacts could include damage to known heritage assets – for example if a historic drainage ditch is widened and deepened as part of SuDS works. Alternatively, they may directly impact on unknown assets such as when SuDS works damage buried archaeological remains. Indirect impacts are when the ground conditions are changed by SuDS works, thereby impacting on heritage assets. For example, using an area for water storage, or improving an area's drainage can change the moisture level in the local environment. Archaeological remains in particular are highly vulnerable to changing moisture levels which can accelerate the decay of organic remains and alter the chemical constituency of the soils. Historic buildings are often more vulnerable than modern buildings to flood damage to their foundations.</p> <p>When SuDS are planned, it is important that the potential impact on the historic environment is fully considered and any unavoidable damage is mitigated. This is best secured by early consideration of the local historic environment following consultation with the Kent Historic Environment Record (HER) and by taking relevant expert advice. KCC has recently produced guidance for SUDS and the historic environment. It provides information about the potential impact of SuDS on the historic environment, the range of mitigation measures available and how developers should proceed if their schemes are believed likely to impact on heritage assets.</p>
			Sustainable Business and Communities	This policy could be strengthened to highlight the multiple benefits from well designed landscaping and tree planting; with potential benefits for air quality, biodiversity, carbon reduction, flood and heatwave mitigation.
370	Section 6: Development Management Policies Environment Sustainable Design and Construction	Policy EN 2	Sustainable Business and Communities	<p>Paragraph 6.13 – this paragraph could be strengthened to highlight the multiple benefits from well designed landscaping and tree planting; with potential benefits for air quality, biodiversity, carbon reduction, flood and heatwave mitigation.</p> <p>Paragraph 6.18 - this paragraph does not acknowledge that biomass burning can have a detrimental impact on air quality and is consequently not suitable in air quality management areas. This paragraph seems to be in conflict with paragraph 6.243, which acknowledges the impacts.</p> <p>Policy EN2 paragraph 5 – KCC considers that “minimising carbon dioxide emissions” will not be sufficient to achieve KCC’s and the Borough Council’s own zero-carbon commitments, and therefore suggests that this step be re-worded to prioritise development achieving net-zero.</p> <p>Policy EN2 paragraph 6 – This should be reworded to define the climate risks (heat and flood), to ensure the risks from overheating are not overlooked.</p>
			Heritage Conservation	<p>Paragraph 6.21 – Refer to comments under Policy EN 1, Part 1, paragraph 4 with regard to this paragraph.</p> <p>Paragraph 6.38 - Refer to comments under Policy EN 1, Part 1, paragraph 4 with regard to this paragraph.</p>
374	Section 6: Development Management Policies Environment Energy Reduction in New Buildings	Policy EN 4	Sustainable Business and Communities	The County Council is supportive of the policies within the Climate Change Mitigation section. These policies will support the implementation of the Kent Environment Strategy. It should be noted that paragraph 6.31 should be updated to reflect changes to the Climate Change Act, which has been revised to include a carbon reduction target of net-zero by 2050.
376	Section 6: Development	Policy EN 5		

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	Management Policies Environment Climate Change Adaptation			
379	Section 6: Development Management Policies Environment Historic Environment	Policy EN 6	Heritage Conservation	<p>Paragraph 6.45 - The historic environment of the Borough is not only 'valuable', it is irreplaceable. Once lost it cannot be recreated which makes it different from many other aspects of the environment. It is therefore suggested that the word <i>irreplaceable</i> be added to the first sentence of this paragraph.</p> <p>As elsewhere in the Draft Local Plan, the text does not mention archaeological sites. These heritage assets are reviewed in the response to Policy STR 8 and it is suggested that a new bullet point be added to the text:</p> <p>Archaeological sites, including such diverse sites as iron age hillforts, medieval moated sites, Tudor furnaces and post-medieval woodland management features.</p> <p>Paragraph 6.48 - The intention to produce a Historic Environment SPD and Framework is welcomed. It is to be hoped that together these will comprise a Heritage Strategy for Tunbridge Wells Borough and indeed it might be preferable to combine them into a single strategy. Irrespective of whether a single strategy is published, or broken down into separate SPDs and other documents, the approach should have a series of goals, some of which have already been met in the Historic Environment Review:</p> <ul style="list-style-type: none"> • To assess the role that heritage can play in in regeneration and tourism • To identify heritage assets' vulnerabilities and the opportunities they provide • To inform site allocations within the district • To support policy development <p>If the Authority decides not to pursue a Heritage Strategy, then it is essential that the Local Plan underpins the conservation and enjoyment of the historic environment in all relevant sections. The sections will need to describe the contribution that the historic environment can make as well as the issues that need to be considered to ensure appropriate conservation of heritage assets.</p> <p>These should include:</p> <ul style="list-style-type: none"> • Building design (eg the need for new build to respect local character in terms of form, size, materials, massing and orientation) • Settlement hierarchy and design (eg the benefits of new development respecting the layout of boundaries, roads and lanes so that they fit into the grain of existing settlement) • Landscape and green infrastructure (eg using aspects of the historic landscape to promote connectivity and ensure that historic character is enhanced) • Natural environment and coasts (eg recognising the wealth of heritage assets along the Medway and that these can take the form of settlement, maritime or military sites) • Tourism and economy (eg identifying those heritage assets that can play a greater economic role in the area by promoting them as tourist sites or re-using historic buildings for new purposes). • Sustainability and climate change (eg bringing together recent research by Historic England on the energy savings often inherent in existing buildings compared with the cost of demolition and new build but also the need for historic buildings to be treated sympathetically when energy improvements are being made) • Flood risk (eg the need for SUDS permissions to take account of the impact they can have on historic structures and archaeological sites. Guidance on this is available from KCC Heritage Conservation) <p><u>Policy EN 6</u></p> <p>KCC is concerned by the text "All new development shall commit to the overall conservation and, where possible, enhancement, of the historic environment of the borough..". This could be interpreted as saying that development will be permitted provided that the heritage of the Borough as a whole is enhanced, even if the heritage of the site is damaged.</p> <p>KCC would suggest this be re-phrased as: <u>"All new development shall contribute to the overall conservation and, where possible, enhancement, of the historic environment of the borough, by demonstrating how their proposals have had regard to the advice set out in current government historic environment policy and guidance"</u>.</p>

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				<p>This would make it clear that developers need to follow the requirements of the NPPF for their own individual sites fully, but that the results of this work will be to enhance the historic environment of the Borough.</p> <p>The final paragraph of the policy should be clear, KCC as suggested the following rewrite:</p> <p><u>All proposals shall demonstrate:</u></p> <ol style="list-style-type: none"> <u>An understanding of the heritage assets affected by the proposal including their local and regional context</u> <u>How the heritage assets and their setting will be enhanced by the proposal. If it is not possible to enhance the heritage, then it should be demonstrated what options for doing so have been considered and why they are inappropriate.</u> <u>How the heritage assets and their setting will be impacted by the proposal if it is not possible to enhance them.</u>
384	Section 6: Development Management Policies Environment Heritage Assets	Policy EN 7	Heritage Conservation	<p>Heritage Assets</p> <p>Paragraph 6.57 - It should be noted that for some proposals affecting heritage assets a Heritage Statement will be insufficient. Where proposals affect sites of archaeological interest it is probable that a desk-based assessment and possibly fieldwork will be needed. KCC Heritage Conservation is currently producing advice on writing Heritage Statements and will also be publishing advice that will help applicants identify whether a desk-based assessment and/or fieldwork will be needed.</p> <p>Listed Buildings</p> <p>Many Listed Buildings will have an archaeological relevance – either below ground remains within the structure itself or below the immediate environs, or above ground remains in terms of the structure of the building and what it can tell us about construction techniques etc. In such circumstances a building recording survey will be required to ensure that important information is not lost. It would be helpful if the text could reflect that some form of recording may be required as part of the Council’s response to Listed Building applications.</p> <p>Conservation Areas</p> <p>Paragraph 6.64 - KCC welcomes the commitment to review and complete the Borough’s Conservation Area Appraisals.</p> <p>Scheduled Monuments</p> <p>It would be helpful if the text could mention that the Borough may contain archaeological sites or monuments that are not currently Scheduled but which are of comparable significance and that such sites will be treated as though they were in fact scheduled by both Historic England and by the Borough Council.</p> <p>Archaeological sites</p> <p>Paragraphs 6.70 – 6.74 - The summary of the archaeological heritage of the Borough in this section is succinct but effective. It would be helpful if it could be repeated earlier in the text under ‘Conserving the Built, Natural and Historic Environment’ where information about the archaeological heritage is currently lacking.</p> <p>One addition to the text that KCC would recommend is that it refer to the Borough’s more recent archaeological heritage in the form of industrial, civil and military sites of the 19th – 21st centuries. These include hospitals, non-denominational churches, hop-pickers huts, Second World War pillboxes etc.</p> <p>Paragraph 6.75 - It is not clear what is meant by “Areas of greatest sensitivity to change will be agreed with a view to undertaking a focused desktop review of assets by number and by type, with reference to the Kent Historic Environment Record. This work will form the basis for new Archaeological Notification Areas, which will be in place by March 2020.” The development of the Archaeological Notification Areas will indeed identify areas of greatest sensitivity to change (as KCC understand them at the time the Archaeological Notification Areas (ANA) are issued) but KCC are not intending to carry out a review of assets by number and type and the completion of the ANAs is not conditional on such a Review. The County Council requests clarity from the Borough Council on this matter.</p> <p>Conserving and enhancing the natural, built, and historic environment</p>

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				<p>This section should include details of the Borough's archaeological heritage. KCC would suggest that the succinct summary currently presented much later in the text in sections 6.70 to 6.74 is replicated or made reference to.</p> <p>Policy EN 7</p> <p>The text currently states: "Proposals that affect a designated or non-designated heritage asset, or its setting, will only be permitted where the development conserves or enhances the character, appearance, amenity, and setting of the asset; and in the case of historic parks and gardens, provides, where possible, improvement of access to it."</p> <p>This approach may not be sustainable. The reality is that the Borough Council will regularly grant planning permission to proposals that lead to damage to heritage assets and such a strong opening statement would seem to undermine the credibility of the policy.</p> <p>The text also states that applications will be assessed with reference to the following:</p> <p>"1. The historic and/or architectural significance of the asset; 2. The prominence of its location and setting; and 3. The historic and/or architectural significance of any elements to be lost or replaced."</p> <p>These three clauses are more appropriate to built heritage than to archaeological or landscape heritage. Many archaeological assets, for example, are buried in woodlands or entirely below the ground and so clause 2 will be inappropriate. Certainly, the significance of an archaeological assets is rarely related to its 'prominence'. Clause 3 would seem to contradict the opening paragraph of the policy.</p>
394 Page 210	Section 6: Development Management Policies Environment Net Gains for Nature: biodiversity	Policy EN 11	Biodiversity	<p>As part of the Net Gain Task and Finish Group, KCC Biodiversity will be providing more detailed comments to the Borough Council's landscape officer.</p> <p><u>Policy EN11</u></p> <p>KCC is supportive of the inclusion of a Net Gain policy – it links in to the NPPF and the forthcoming biodiversity net gain mandate.</p> <p>It is recommended that the Plan either includes the minimum % of net gain required or specify when that will be agreed (e.g. future SPD).</p> <p>It is recommended that the Plan clarifies how developments can demonstrate that it will result in net gain – e.g. ecological surveys/use of the revised Net Gain Metric</p> <p>It should also be made clear that monitoring will be implemented as part of the net gain process.</p>
397	Section 6: Development Management Policies Environment Protection of Designated Sites and Habitats	Policy EN 12	Biodiversity	<p>It is recommended that the Plan clarifies what information must be submitted to assess the impact on designed sites.</p> <p>The Biodiversity Net Gain Metric cannot be used to assess loss of designated sites – the policy must be clear on this point.</p> <p>The policy states the following: The need for the development would clearly outweigh the affected nature conservation interest of the site; KCC considers that the policy needs to be strong setting out what "need" means.</p> <p>There is no policy requiring the submission of ecological surveys/mitigation strategies. KCC highlights that currently, the National Biodiversity Net Gain consultation indicates that there will be developments that net gain is not required for - this includes extensions and brown field sites. It should be noted that brownfield sites can have high biodiversity value and buildings may be used by roosting bats. Therefore, areas which may not be required to be considered under the national net gain policy may then be excluded for local net gain policy. KCC highlights that in this situation, there is a need to ensure that there is local policy to ensure appropriate ecological information is submitted to enable the Local Planning Authority to consider the impact associated with the development.</p>
405	Section 6: Development Management Policies Environment	Policy EN 17	Strategic and Corporate Services	<p>Rusthall Green Space – Site Number 226</p> <p>The Rusthall Remote Playing Field (MUGA) for St Pauls School, Edward Street, Rusthall has been combined with the neighbouring land (adjacent to Colbran Way) to form Site 226 "Rusthall Green Space". The County Council does not think it is appropriate to combine the land with the neighbouring</p>

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	Local Green Space			<p>open space adjacent to Colbran Way. KCC acknowledges that the parcels of land that make up Site 226 are in close proximity to the community served and that neither area is extensive. The County Council is not comfortable that there is adequate evidence offered to support the NPPF requirement for it to be “<i>demonstrably special</i>” and hold “<i>particular local significance</i>” to the local community.</p> <p>The County Council considers that Rusthall MUGA does not meet the tests set for a Local Green Spaces designation in accordance with the National Planning Policy Framework (NPPF) paragraph 100, and therefore should not be allocated as a Local Green Space within the Local Plan.</p>
422	Section 6: Development Management Policies Environment Conservation of Water Resources	Policy EN 27	Sustainable Business and Community	Paragraph 6.261 - KCC fully supports the inclusion of an optional technical standard for water efficiency, which will support delivery of the Kent Environment Strategy.
423	Section 6: Development Management Policies Environment Flood Risk	Policy EN 28	Sustainable Urban Drainage Systems	The Policy requires that a Flood Risk Assessment (FRA) is completed for sites that may be subject to other sources of flooding. KCC is supportive this approach as it provides for technical assessment of sites which may have surface water flooding. KCC requires that such an assessment should be carried out if the site is shown within the EA Map for Surface Water Flooding to have areas within an overland surface water flow path.
426	Section 6: Development Management Policies Environment Sustainable Drainage	Policy EN 29	Sustainable Urban Drainage Systems	This Policy provides detailed requirements for sustainable drainage provision. Therefore, KCC has no further comments on this policy.
			Heritage Conservation	Please see KCC's comments on Sustainable Urban Drainage Systems made in relation to Policy EN 1.
431	Section 6: Development Management Policies Environment Minerals and Waste	Policy EN 32		<p>Following a review of the Kent Minerals and Waste Local Plan Tunbridge Wells Borough-Mineral Safeguarding Areas (that are based on the British Geological survey economic geology data) KCC confirm that there are economic mineral deposits that are potentially threatened with sterilisation by the allocations in the Draft Plan. The relevant potentially economically important mineral deposits are as follows:</p> <ul style="list-style-type: none"> • Superficial Sub-Alluvial River Terrace deposits (river valley terrace sands and gravels) [SARTSSG] • Sandstone-Tunbridge Wells Sand Formation [TWSS] • Sandstone -Ardingly Sandstone Formation [ASS] • Sandstone -Ashdown Formation [ASH] • Limestone- Pauldina Limestone, Weald Clay Formation [PLS] <p>The following proposed development allocations in the Plan have coincidence with one or more of the above safeguarded minerals. They are;</p> <ul style="list-style-type: none"> Land adjacent to Longfield Road <ul style="list-style-type: none"> • RTW12 TWSS Land at Colebrook House <ul style="list-style-type: none"> • RTW13 TWSS Land at Wyevale Garden Centre, Eridge Road <ul style="list-style-type: none"> • RTW16 TWSS SARTSSG Land to the west of Eridge Road at Spratsbrook Farm <ul style="list-style-type: none"> • RTW18 TWSS ASS Land at Culverden Stadium, Culverden Down <ul style="list-style-type: none"> • RTW21 ASS Land at Bayham Sports Field West <ul style="list-style-type: none"> • RTW22 ASH Land at Hawkenbury, off Hawkenbury Road/Maryland Road <ul style="list-style-type: none"> • RTW23 TWSS

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Page 212				<p>Land at Cemetery Depot, Benhall Mill Road</p> <ul style="list-style-type: none"> • RTW26 ASH <p>Land at Hawkenbury, off Hawkenbury Road/Maryland Road</p> <ul style="list-style-type: none"> • RTW27 TWSS <p>Speldhurst Road former allotments (land between Bright Ridge and Speldhurst Road)</p> <ul style="list-style-type: none"> • SO2 TWSS <p>Land at Mabledon and Nightingale</p> <ul style="list-style-type: none"> • SO3 ASS <p>Land at Mabledon House</p> <ul style="list-style-type: none"> • SO4 TWSS <p>Tudeley Village</p> <ul style="list-style-type: none"> • CA1 TWSS <p>Land to east of Tonbridge/west of site for Tudeley Village (strategy Policy STR/CA1 does recognise the proximity of Mineral Site Plan allocations at Moat Farm and Stonecastle Farm)</p> <ul style="list-style-type: none"> • CA2 TWSS SARTSSG <p>Land at Capel and Paddock Wood</p> <ul style="list-style-type: none"> • PW1-1 TWSS • PW1-2 TWSS • PW1-7 SARTSSG • PW1-12 SARTSSG <p>Land adjoining Wisley Farm, adjacent to Angley Road/Whitewell Road</p> <ul style="list-style-type: none"> • CRS1 TWSS <p>Playing field adjacent Quakers Lane/Waterloo Road</p> <ul style="list-style-type: none"> • CRS2 TWSS <p>Jaegers Field, Angley Road</p> <ul style="list-style-type: none"> • CRS4 TWSS <p>Turnden Farm, Hartley Road</p> <ul style="list-style-type: none"> • CRS4 TWSS (limited) <p>Land Adjoining Cranbrook Primary School, Quaker Lane</p> <ul style="list-style-type: none"> • CRS5 TWSS <p>Land at Gate farm, adjacent to Hartley Road and Glassenbury Road, Hartley</p> <ul style="list-style-type: none"> • CRS6 TWSS <p>Land at Golford Road</p> <ul style="list-style-type: none"> • CRS7 TWSS <p>Land adjacent to the Crane Valley</p> <ul style="list-style-type: none"> • CRS9 TWSS and SARTSSG (minor impact) <p>Land at Mill lane</p> <ul style="list-style-type: none"> • CRS 12 TWSS <p>Land at Camden Lodge, adjacent to Mill Lane</p> <ul style="list-style-type: none"> • CRS13 TWSS <p>Land South of the Street</p> <ul style="list-style-type: none"> • CRS14 TWSS <p>Wilsley Road</p> <ul style="list-style-type: none"> • CRS15 TWSS <p>Land at Boycourt Orchards, Wilsely Road</p> <ul style="list-style-type: none"> • CRS16 TWSS <p>Land adjacent to Orchard Cottage</p> <ul style="list-style-type: none"> • CRS17 TWSS <p>Hawkhurst Golf Course</p> <ul style="list-style-type: none"> • HA1 TWSS and SARTSSG (minor impact) <p>Land east of Hartenoak</p> <ul style="list-style-type: none"> • HA2 TWSS

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Page 213				<p>Land at Fowlers Park</p> <ul style="list-style-type: none"> • HA4 TWSS <p>Slip Hill Road</p> <ul style="list-style-type: none"> • HA8 TWSS <p>Land at Santers Yard, Gills Green Farm</p> <ul style="list-style-type: none"> • HA9 TWSS <p>Land at Limes Grove, Hawkhurst</p> <ul style="list-style-type: none"> • HA10 TWSS <p>Beneden Hospital</p> <ul style="list-style-type: none"> • BE4 TWSS <p>Land between Brenchley Road, Coppers Road, Maidstone Road</p> <ul style="list-style-type: none"> • BM1 TWSS <p>Matfield House, the Green</p> <ul style="list-style-type: none"> • BM2 TWSS <p>Ashes Plantation, Matfield</p> <ul style="list-style-type: none"> • BM3 TWSS <p>Land at Maidstone Road</p> <ul style="list-style-type: none"> • BM4 TWSS <p>Land at Cranbrook Road</p> <ul style="list-style-type: none"> • FR1 PLS <p>Land adjacent to Balcombes Hill and adjacent to Tiddymotts Lane</p> <ul style="list-style-type: none"> • GO1 TWSS <p>Land at Triggs Farm, Cranbrook Road</p> <ul style="list-style-type: none"> • GO2 TWSS <p>Land at Furnace Lane/Gibbet Lane</p> <ul style="list-style-type: none"> • HO1 TWSS <p>Land East of Horsmonden</p> <ul style="list-style-type: none"> • HO3 TWSS <p>Land to the west of Spray Hill</p> <ul style="list-style-type: none"> • LA1 TWSS <p>Land at Misty Meadow/Furnace lane</p> <ul style="list-style-type: none"> • LA2 TWSS <p>Land at Chalket Lane</p> <ul style="list-style-type: none"> • PE1 TWSS <p>Hubbles Farm, Hastings Road</p> <ul style="list-style-type: none"> • PE2 TWSS <p>Land North of the A21, Hastings Road</p> <ul style="list-style-type: none"> • PE3 TWSS <p>Downingbury farm, Maidstone Road</p> <ul style="list-style-type: none"> • PE4 TWSS <p>Land at Sturgeons front, Henwood Green Road</p> <ul style="list-style-type: none"> • PE5 ASS <p>Tunbridge Wells Hospital</p> <ul style="list-style-type: none"> • PE6 ASS <p>Woodgate Corner (partly within urban area that is exempt)</p> <ul style="list-style-type: none"> • PE7 ASS <p>Land south of Sayville Road, Rye Road and west of Marsh Quarter Lane</p> <ul style="list-style-type: none"> • SA1 TWSS <p>Land at Old Orchard and Stream Pit lane</p> <ul style="list-style-type: none"> • SA2 TWSS <p>Land west of Speldhurst Road and south of Ferbies</p> <ul style="list-style-type: none"> • SP1 ASS <p>Land north of Langton House</p>

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Page 214				<ul style="list-style-type: none"> • SP2 ASS <p style="text-align: center;">Land adjacent to Rusthall recreation ground, Southwood Road</p> <ul style="list-style-type: none"> • SP3 ASS <p>The safeguarding of these potentially economic minerals is required by Policy CSM 5 of the adopted KMWLP 2013-30. The County Council recognises the inclusion of paragraph 6.295 and Policy EN 32 -Minerals and Waste.</p> <p>The Draft Local Plan does not evidence that any assessments against the criteria of Policy DM 7, have been carried out to determine if there are grounds for exemption from the presumption to safeguard the potentially affected minerals. It could, be argued that this makes the Draft Plan deficient against the adopted policies of the Development Plan (that includes the KMWLP). However, given the economic resources affected, it is possible that an argument could potentially be advanced that the sandstone formations, as listed below are not threatened with sterilisation in any meaningful manner as they are massive crustal sedimentary units that do not require a maintained landbank in the County as do aggregate minerals:</p> <ul style="list-style-type: none"> • Sandstone-Tunbridge Wells Sand Formation [TWSS] • Sandstone - Ardingly Sandstone Formation [ASS] • Sandstone Ashdown Formation [ASH] <p>These minerals were used historically as a local building material. There are no modern planning permissions for the quarrying of these materials in Kent and there are two quarrying operation in West Sussex that produce specialist building materials from these sandstone formations. It is known that these operators supply sandstone construction materials (paving slabs, blocks, and other specialist building components) for specialist bespoke building projects and historic building restoration. Given that the demand is probably being met from these operators in West Sussex and that the amount of sterilisation in Kent in comparison to the geographical extent of these massive crustal geologies, it is not considered that supply of specialist building stone, of this type, is likely to be compromised in the future. The Draft Plan should make reference to this to ensure it demonstrates that it has considered the matter.</p> <p>With regard to the superficial Sub-Alluvial River Terrace deposits (river valley sands and gravels), again the Draft Plan is silent on their safeguarding. Though the coincidence of this aggregate mineral with the number of proposed allocations is not significant, the sites where it occurs should reference the need for Mineral Assessments to determine if the mineral is indeed of economic character and can potentially be prior extracted ahead of any development of the site. Essentially the tests of Policy DM 7 should be referenced in this regard.</p> <p>Only one allocation is coincident with the safeguarded Pauldina Limestone, Weald Clay Formation (Land at Cranbrook Road, Allocation FR1). This is a specialist building material that is of importance due to its use in historic ecclesiastical buildings. The geological unit is not widespread, unlike the sandstones, though not in high demand due to its use in historic restoration. There is no requirement to maintain a landbank and there are limited or no records of where, historically, this material was extracted in Kent. It is considered that the allocation, in all probability, does not threaten the supply of this material. However, the Draft Plan should make reference to this safeguarded geology in this context.</p> <p>With regard to safeguard waste management and mineral processing and transportation infrastructure (safeguarded by Policies CSW 16, CSM 7 of the adopted KMWLP) the Draft Plan is essentially silent (apart from Policy EN 32 above). KCC confirms that proposed allocation RTW 12 North Farm/Longfield Road is within 250 metres of Mid Kent Metal Recycling Ltd, Skip Hire/Omni Recycling, North Farm Waste Recycling Facility (adjacent to the former North farm Landfill Site) and the waste water treatment works at North Farm Lane. The allocation is for B1 (a) B2 (b) and B8 Use Classes, not residential. However, there still may be a degree of impact of these lawfully operating waste uses on the proposed allocation. The Draft Plan should identify that an Infrastructure Assessment should be undertaken to establish whether or not the proposed uses are compatible with the established lawful and safeguarded waste activities. This is set out in Policy DM 8 of the KMWLP.</p> <p>The County Council has submitted a Mineral Sites Local Plan to the Secretary of State, the examination of which is currently undergoing. This Plan identifies two allocations in the vicinity of the proposed Tudeley Village allocation (CA1). While it is noted that the strategic policy STR/CA1 of the Draft Plan does make the point that this allocation is in the vicinity of the mineral site allocations, and should have regard to them, it is unclear as to whether there may be any conflict with these mineral site allocations and/or their accessibility in the future (assuming all are adopted in the respective plans). Or whether it is considered that there is any significant potential for adverse impacts on their future potential to supply mineral to the market in a steady and adequate way, as required by the NPPF (see para. 207). Given the implications for mineral and waste safeguarding and the need for both local planning authorities to work together on this strategic matter, KCC would welcome the Borough Council keeping the County Council as Minerals and Waste Planning Authority informed of the Local Plan progress.</p>
	444	Section 6: Development Management Policies	Policy H 9	Provision and Delivery of

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	Housing Housing for Older People		County Council Community Services and Strategic Commissioning	<p>Tunbridge Wells. The second key area is high quality nursing care that is affordable. In Tunbridge Wells at present, the average cost for care home beds is significantly higher than the Kent average.</p> <p>The Local Plan should also reference Your Life Your Well-Being which is Kent County Council’s strategy for Adult Social Care.</p> <p>Its vision is ‘To help people to improve or maintain their well-being and to live as independently as possible’ and is achieved through three themes.</p> <ol style="list-style-type: none"> Promoting well-being Promoting independence Supporting independence <p>The vision is that people should live independently in their own home receiving the right care and support and it sets out the strategic direction for suitable housing and care home provision for all Adult Social Care client groups. The strategy concludes a need for more extra care housing and exploring the opportunities to develop mixed tenure models of extra care housing.</p> <p><u>For Extra Care housing</u></p> <p>Typically KCC Social Care is increasingly minded to use section 106 contributions for supporting the capital expenditure for the build of Extra Care accommodation, which will also use a combination of funding streams.</p> <p>Following table shows forecast demand showing places required for Extra Care accommodation to 2031 across all districts with Tunbridge Wells shown (currently a gap of 138 places):</p> <table border="1"> <thead> <tr> <th rowspan="3">District</th> <th colspan="4">Supply (Units)</th> <th colspan="5">Demand</th> </tr> <tr> <th colspan="4">Updated June 2018</th> <th colspan="5">65 years + Single Forecasting System (SFS)</th> </tr> <tr> <th>Current Position</th> <th>Planning Permissions Granted/ Under Construction</th> <th>Applications and Proposals</th> <th>Total Potential Supply</th> <th>2021</th> <th>2026</th> <th>2031</th> <th>Total Estimated Demand 2031</th> <th>Gap in Supply for Demand</th> </tr> </thead> <tbody> <tr> <td>Ashford</td> <td>181</td> <td>0</td> <td>80</td> <td>261</td> <td>257</td> <td>365</td> <td>428</td> <td>428</td> <td>167</td> </tr> <tr> <td>Canterbury</td> <td>40</td> <td>157</td> <td>50</td> <td>247</td> <td>175</td> <td>315</td> <td>388</td> <td>388</td> <td>141</td> </tr> <tr> <td>Dartford</td> <td>80</td> <td>0</td> <td>0</td> <td>80</td> <td>122</td> <td>192</td> <td>226</td> <td>226</td> <td>146</td> </tr> <tr> <td>Dover</td> <td>161</td> <td>69</td> <td>0</td> <td>230</td> <td>251</td> <td>361</td> <td>423</td> <td>423</td> <td>193</td> </tr> <tr> <td>Gravesham</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>186</td> <td>253</td> <td>281</td> <td>281</td> <td>281</td> </tr> <tr> <td>Maidstone</td> <td>97</td> <td>0</td> <td>18</td> <td>115</td> <td>218</td> <td>358</td> <td>431</td> <td>431</td> <td>316</td> </tr> <tr> <td>Sevenoaks</td> <td>52</td> <td>48</td> <td>51</td> <td>151</td> <td>120</td> <td>213</td> <td>256</td> <td>256</td> <td>105</td> </tr> <tr> <td>Folkstone and Hythe</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>142</td> <td>252</td> <td>309</td> <td>309</td> <td>309</td> </tr> <tr> <td>Swale</td> <td>51</td> <td>0</td> <td>0</td> <td>51</td> <td>149</td> <td>264</td> <td>325</td> <td>325</td> <td>274</td> </tr> <tr> <td>Thanet</td> <td>89</td> <td>0</td> <td>0</td> <td>89</td> <td>205</td> <td>333</td> <td>403</td> <td>403</td> <td>314</td> </tr> <tr> <td>Tonbridge and Malling</td> <td>0</td> <td>180</td> <td>0</td> <td>180</td> <td>99</td> <td>195</td> <td>244</td> <td>244</td> <td>64</td> </tr> <tr> <td>Tunbridge Wells</td> <td>48</td> <td>89</td> <td>20</td> <td>157</td> <td>141</td> <td>239</td> <td>295</td> <td>295</td> <td>138</td> </tr> <tr> <td>TOTAL</td> <td>799</td> <td>543</td> <td>219</td> <td>1,561</td> <td>2,065</td> <td>3,340</td> <td>4,009</td> <td>4,009</td> <td>2,448</td> </tr> </tbody> </table> <p>In terms of Social Care, it is therefore <u>imperative</u> that the Borough Council understands and supports new government legislation that all future housing must be built to Building Reg Part M4(2) standard – see following narrative:</p> <p><i>The Ministry of Housing, Communities and Local Government identified in June 2019 guidance Housing for older and disabled people the need to provide housing for older & disabled people is critical. Accessible and adaptable housing enables people to live more independently and safely. Accessible and adaptable housing provides safe and convenient homes with suitable circulation space and suitable bathroom and kitchens. Kent Social Care request these dwellings are built to Building Reg Part M4(2) standard to ensure they remain accessible throughout the lifetime of the occupants to meet any changes in the occupant’s requirements.</i></p> <p><u>Developer contributions (s.106) for KCC Social Care</u></p> <p>In light of the increasing client numbers and desire to promote independence within this group, KCC has reviewed the projects it seeks s.106 contributions for, resulting in five priorities:</p> <ol style="list-style-type: none"> 1. Provision of Specialist Housing 	District	Supply (Units)				Demand					Updated June 2018				65 years + Single Forecasting System (SFS)					Current Position	Planning Permissions Granted/ Under Construction	Applications and Proposals	Total Potential Supply	2021	2026	2031	Total Estimated Demand 2031	Gap in Supply for Demand	Ashford	181	0	80	261	257	365	428	428	167	Canterbury	40	157	50	247	175	315	388	388	141	Dartford	80	0	0	80	122	192	226	226	146	Dover	161	69	0	230	251	361	423	423	193	Gravesham	0	0	0	0	186	253	281	281	281	Maidstone	97	0	18	115	218	358	431	431	316	Sevenoaks	52	48	51	151	120	213	256	256	105	Folkstone and Hythe	0	0	0	0	142	252	309	309	309	Swale	51	0	0	51	149	264	325	325	274	Thanet	89	0	0	89	205	333	403	403	314	Tonbridge and Malling	0	180	0	180	99	195	244	244	64	Tunbridge Wells	48	89	20	157	141	239	295	295	138	TOTAL	799	543	219	1,561	2,065	3,340	4,009	4,009	2,448
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				<p>2. Changing Places 3. Adapting Community Facilities 4. Digital Technology 5. Sensory Facilities</p> <p>It is this change to care provision that has resulted in an increase in the s.106 contributions being requested from Quarter 3 2019. These contributions will be requested for the five priorities above and will be calculated per dwelling.</p>
465	Section 6: Development Management Policies Employment Digital Communications and Fibre to the Premises (FTTP)	Policy ED 3	Broadband	<p>KCC welcomes the inclusion of policy ED 3 (Digital Communications and Fibre to the Premises) as there is a need to ensure that new development has either full fibre (FTTP) or gigabit capable connections.</p> <p>Given the recent shift in Government policy (set out in the Future Telecoms Infrastructure Review) from superfast speeds (in excess of 24mbps) to 'gigabit-capable' speeds (delivered either via wired i.e. FTTP or wireless solutions) KCC would request that the references to 24mbps, high speed and 'next generation-access' are replaced with the term 'gigabit-capable'. This will help ensure that the plan is in keeping with current and emerging national digital infrastructure policy.</p> <p>KCC also believes, given the increasing importance of mobile connectivity, that developers should be strongly encouraged, at an early stage, to discuss mobile coverage and capacity with mobile network operators to ensure that new development has the mobile connectivity that businesses and residents would expect.</p>
488	Section 6: Development Management Policies Transport and Parking Transport Assessments, Travel Plans, and Mitigation	Policy TP 1	Highways and Transportation	<p>Paragraph 6.511 - Instead of this paragraph and subsequent table, following text should be provided:</p> <p><u>Transport assessments and travel plans will be expected to accompany all planning applications for new developments where the location of the development has existing traffic issues or lack of transport infrastructure, or in any circumstances at the request of KCC Highways. Where appropriate, new development proposals will be expected to enter into legal agreements to secure the delivery of mitigation to address both their direct and cumulative impacts on the transport network. The Local Planning Authority may also seek to secure construction and environment management plans (as requested and developed with Kent County Council) to minimise impacts from new major developments during construction.</u></p> <p><u>Policy TP 1</u></p> <p>The Local Highway Authority conditionally supports this policy.</p> <p>The following amends should be made:</p> <p>Paragraph 1 – “Demonstrate that the impacts of trips generated to and from the development are <u>accommodated or mitigated to prevent significant impacts, including where necessary an exploration of delivering mitigation measures ahead of the development being occupied; and</u>”</p> <p>Paragraph 2 “Provide a satisfactory Transport Assessment for <u>proposals as required by KCC Highways</u> “ (see paragraph 6.511 above).</p> <p>The County Council also requests the inclusion of the following wording:</p> <p><u>Where adequate transport infrastructure is not available to serve the development, the Local Planning Authority will seek the provision of, or contributions towards, appropriate measures that will address the identified inadequacy, and which will enable active travel and provide other highway improvements. As such, where a proposal necessitates highway improvements, the developer will be required to meet the cost of the improvements and deliver the identified scheme where these are fairly and reasonably related to the development.</u></p> <p>It should also be noted that the County Council considers that point 3 should be deleted as a development should comply with all relevant policies, not just this one. KCC also considers that is no need for paragraph beginning “Furthermore, all development...” as this is repetition of paragraph 2.</p>
			Public Rights of Way and	<p>While the general content of this Transport Policy is supported, additional consideration should be given to the impact of development on Non-Motorised Users (NMUs) along rural lanes. This is because rural lanes provide useful connections for NMUs travelling between off-road PRoW routes. The potential</p>

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			Access Service	for increased vehicular traffic along these quiet country lanes, resulting from development, is therefore a concern. Increased vehicle movements could introduce safety concerns for NMUs and potentially deter public use of the PRow network. Applications for development should therefore be expected to include traffic impact studies. Where negative impacts are identified, developers should provide or contribute towards appropriate mitigation measures.
489	Section 6: Development Management Policies Transport and Parking Transport Design and Accessibility	Policy TP 2	Highways	<p>Paragraph 6.512 - The recommended amendments are as follows:</p> <p>“The design of new development plays an important role in making it a sustainable place. Good design will ensure it is safe for all users and reduce the impact on the surrounding road network, as well as creating a high quality built environment that enhances the public realm and conserves the character of historic routes and the public realm, which greatly contribute to the attractive character of the borough. Equally, the design of our neighbourhoods can influence physical activity levels, travel patterns, social connectivity, mental and physical health, and wellbeing outcomes. <u>The Council will apply the appropriate highway guidance on an individual scheme basis that takes into account local context....</u>”</p> <p>The above amendment has removed the list of documents for reference as this is not a conclusive list and is likely to change during the plan period.</p> <p>Paragraph 6.513</p> <p>The recommended amendments are as follows:</p> <p>“All developments must also be designed in a way that accommodates and enables sustainable travel, including active travel and public transport as alternative modes of transport to the private car. Developments must therefore have safe and secure accessibility for all modes of transport, as well as ensuring permeability through the site, including, where possible, maintenance and enhancement of, and/or linkages to, <u>public footway network</u>, public rights of way or the local strategic cycle network.”</p> <p>The rest of the paragraph is not considered required by KCC as it repeats that which has already been covered.</p> <p>Policy TP 2</p> <p>The following amends are recommended:</p> <p>Paragraph 1 – “The development is accessible to all and permeable by all relevant modes of transport, with priority given to active forms of travel in accordance with the Kent County Council’s Design Guide. This will include suitable arrangements for access by large vehicles. This will take account of public transport (buses), goods, emergency, and waste collection vehicles for delivery, servicing, and drop-off. The development must also be able to accommodate the swept path of vehicles on proposed new infrastructure. This should include the largest vehicles expected to access the area; and”</p> <p>Paragraph 2 - <u>There is pedestrian access to public transport services and infrastructure;</u></p> <p>Paragraph 3 – “If located on, or adjacent to, an identified cycle route, the development will provide a segregated link to (via the development site), the cycle route with reference to the Council’s latest Cycling Strategy. Maintenance will be delivered through commuted sums to Kent County Council; and)”</p> <p>Paragraph 4 - <u>The existing public footway network and the public rights of way network should be safeguarded. Any re-routing of these will be permitted provided that the network is overall enhanced. The development should provide new footway links to connect to or enhance the existing local network. Where appropriate, financial contributions to improvements to off-site public rights of way, including signage, will be sought; and</u></p> <p>Paragraph 5 - “Roads and junctions within the development, <u>and those to be altered or added as a result of the development</u>, are designed and delivered in...”</p>
			Public Rights of Way and Access Service	Paragraph 4 reads that PRow diversions to enable development will only be permitted if the overall network is enhanced. While the intentions of this statement maybe positive, the text will need to be revised. This is because it may not always be feasible for development to positively enhance the overall PRow network. Suggested text below:

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				<p><i>“Where already in existence, the PRow network should be safeguarded. Development should secure positive outcomes for the PRow network, adhere to good design principles and contribute towards the delivery of ROWIP objectives. Opportunities should be taken through development to enhance the PRow network, including improvements to signage, surfacing and the creation of new path links that improve connectivity. Where appropriate, financial contributions for off-site PRow improvements will be sought”</i></p> <p>It is also requested that additional text is inserted into the policy wording, stipulating that applicants for new developments engage with the KCC PRow and Access Service at the earliest opportunity. This would allow the County Council to review proposals for access improvements (including PRow diversions) and consider appropriate financial contributions for off-site PRow network enhancements.</p>
492	Section 6: Development Management Policies Transport and Parking Parking Standards	Policy TP 3	Highways and Transportation	<p>It would be beneficial if KCC standards and Borough Council's proposed standards converged. In line with proposed new KCC parking standards, this would mean a requirement of two spaces where TP3 asks for 1.5 spaces, and bringing the 2.5 spaces for a 4-bed house down to 2 spaces. It is suggested that the word 'Mandatory' is changed to 'Maximum' to allow less parking where appropriate.</p> <p>Also, it should be noted that the new KCC Parking standards state: In suburban and rural locations in particular, the Local Highway Authority will not count garages as formal car parking spaces.</p>
496	Section 6: Development Management Policies Transport and Parking Public Car Parks	Policy TP 4	Highways and Transportation	The Local Highway Authority is supportive of this policy.
Page 218	Section 6: Development Management Policies Transport and Parking	Policy TP 5	Highways and Transportation	The Local Highway Authority is supportive of this policy.
	Railways		Public Rights of Way and Access Service	Inclusion of this policy text, that safeguards the 'Hop Pickers' Line, is supported.
499	Section 6: Development Management Policies Transport and Parking Safeguarding Roads	Policy TP 6	Highways and Transportation	KCC agrees with Colts Hill and A21 safeguarding, as work has been done on possible alignments and feasibility studies have commenced. However, if Halls Hole Road is to feature in this policy, a number of other potential road widening schemes should also feature i.e. Cornford Lane, Reynolds Lane, railway bridge at North Farm etc. Consideration of these are required.
503	Section 6: Development Management Policies Open Space, Sport, and Recreation The provision of publicly accessible open space and recreation	Policy OSSR 2	Public Rights of Way and Access Service	<p>Additional wording should be included within this policy text to ensure that publicly accessible open space and recreation opportunities are easily accessible to everyone. There should be sustainable transport connections available, so that visitors are not dependant on private vehicle use to access these sites.</p> <p>To encourage active travel, there should be good walking and cycling connections with open spaces. Alternatively, good public transport links with open spaces should be made available, so that the public are not dependent on private vehicle use for visiting these sites. Development should be expected to provide or contribute towards the creation of new sustainable transport links if necessary.</p> <p>Studies have shown that green spaces provide considerable health and well-being benefits for the public, but these spaces will face increasing pressures from new developments and a growing population. There is a risk that the attractive qualities of green spaces will deteriorate, unless appropriate steps are put in place to protect the sites and manage access. To cope with the increasing demands of a growing population, it is recommended that the Local Plan seeks an increase in open space provision above that currently sought.</p> <p>Research has also identified a correlation between deprivation, access to greenspace and good health, where less deprived areas have good access to green space and better health. Local populations with a relatively high level of physical inactivity have limited access to natural greenspace that is 'close to home'. The Local Plan for Tunbridge Wells should therefore aim to increase the provision of accessible green spaces and improve opportunities to access this resource in relatively deprived areas.</p>

APPENDIX 1: KCC response: schedule of technical comments –Tunbridge Wells Local Plan Consultation October 2019

Page	Chapter	Policy / paragraph	Respondent	Commentary
			Kent Sport and Physical Activity	<p>It is important to ensure that these strategies and any subsequent developments take account of the Sport England Guidance that is available as follows:</p> <ul style="list-style-type: none"> > https://www.sportengland.org/facilities-planning/planning-for-sport/playing-fields-policy/ > https://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/ > https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/playing-pitch-strategy-guidance/ > https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/facilities-planning-model/ > https://www.sportengland.org/facilities-planning/active-design/ <p>All are relevant, but of particular interest may be the final two regarding Sport England's Facilities Planning model and Active Design guidance. It is also worth raising that Government's and Sport England's strategies for sport are very much focussed on tackling inactivity and supporting/encouraging under-represented groups to be active. Through the national Active Lives Survey, latest figures from April 2019 show that, 25.1% of people nationally are inactive. In Tunbridge Wells this figure is 18.1% and this contributes to significant impact on physical and mental health, as well as individual and social/community development. Therefore, any development needs to consider this and seek to provide a mix of formal and informal areas/spaces (indoor and out) where people can be active, including walking and cycling routes, open spaces and water based activity.</p>

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Tunbridge Wells Borough Council Infrastructure Delivery Plan – August 2019

Page	Chapter	Policy / paragraph	Respondent	Commentary
23	Theme 1: Transport Additional future requirements needed to deliver growth proposed in the Draft Local Plan	Paragraph 3.50	Highways and Transportation	<p>The paragraph aims to increase bus patronage proposing several schemes (such as a dedicated bus right turn lane at Woodsgate Corner, and the closure of Calverley Park Gardens to all traffic except for buses and access) – however these have not been fully explored.</p> <p>Also, there is no mention of Park & Ride for Royal Tunbridge Wells and the surrounding areas, which could be a key tool in managing traffic growth. KCC as Local Highway Authority agrees with the ambitions of Tunbridge Wells Borough Council to maintain and enhance the rail and bus networks and services and “encourage an efficient and improved strategic public transport network and safeguard any routes that may be required in the future, in places that will cater to those who commute, and will encourage a reduction in the necessity for the private car”.</p> <p>However, the allocation of the Park & Ride site at Woodsgate Corner (AL/PE 7) as car showrooms goes against the objectives of this paragraph. The proposed removal of this Park & Ride site from the Local Plan effectively removes the chance of an improved direct public transport service into the town. With the levels of proposed growth to the north of this site further along the A228 corridor, the safeguarding of this well located site for Park & Ride (or innovative alternative) is vital. The inability to deliver a Park & Ride site could put uncertainty on the Borough Council’s ability to deliver the preferred growth strategy.</p>
26	Theme 1: Transport Additional future requirements needed to deliver growth proposed in the Draft Local Plan	Paragraph 3.60	Highways and Transportation	<p>This paragraph refers to the North Farm Masterplan. This document will be superseded by the schemes resulting from the ongoing SWECO Local Plan Transport Evidence Base, a separate study on the North Farm area commissioned by KCC Highways and the Longfield Road business park planning application (TW/19/02267).</p>
26	Theme 1: Transport Table 3 Transport needs for the settlements within Tunbridge Wells borough	Table 3	Highways and Transportation	<p>KCC recommends that this table should be amended to refer to <u>improvements to the public footway network and PRow network across the Borough</u>. There is also reference to schemes (i.e. bus priority, A26, North Farm Masterplan, Hawkhurst junction) that should be amended in line within comments within Appendix 1.</p>
26	Theme 1: Transport Table 3 Transport needs for the settlements within Tunbridge Wells borough	Table 3	Highways and Transportation	<p>The IDP states: “A26 - reallocation of road space with smart traffic management to improve journey time reliability and provide infrastructure for sustainable modes (walk, cycle and bus)” KCC, as Local Highway Authority does not have confidence that this methodology will improve flows on the A26 enough to mitigate the additional traffic generated by Local Plan growth. The addition of smart traffic management (i.e. MOVA or SCOOT) to junctions that currently do not have signals in order to control the corridor will add delays that cannot be mitigated by such control systems.</p> <p>This is not acceptable and mitigation measures should be explored before the Regulation 19 consultation to provide reassurance to KCC as Local Highway Authority that the impact of growth will not result in unacceptable safety or congestion issues on the A264, A26 and other key junctions in the town.</p>
26	Theme 1: Transport Table 3 Transport needs for the settlements within Tunbridge Wells borough	Table 3	Highways and Transportation	<p>A need for “New relief road through the Hawkhurst Golf Club site linking the A268 High Street and A229 Cranbrook Road and new junction with the existing A229 Cranbrook Road” is included within the IDP.</p> <p>The reference to the new section of road being a ‘relief’ road is misleading. It is not yet evident that the changes to the main junction proposed through the Golf Club application will be acceptable (i.e. achieve nil detriment or decrease the level of traffic/congestion/journey time through the junction thereby not causing a severe impact) for the number of dwellings proposed on the Golf Club site - not including further allocations affecting the junction: there is a presumption that the road diversion will relieve the junction significantly in order to allow more development in the village. This is not the case at the time of writing.</p> <p>Until the Golf Club application is assessed (KCC is currently awaiting more information) the cumulative impact of all allocations at Hawkhurst would be likely to cause a severe impact on the junction with no mitigation proposed. KCC as Local Highway Authority therefore objects to the allocation of these sites and any subsequent planning applications. It is recommended that Tunbridge Wells Borough Council undertakes:</p>

				<p>a) an assessment of the cumulative impact of all proposed allocations - excluding the Golf Club - on the junction as it is currently, and</p> <p>b) an assessment of the cumulative impact of all proposed applications - including the Golf Club - with the proposed A229 diversion across the Golf Club site in place. This will assist Tunbridge Wells Borough Council and KCC Highways in understanding the impact of development in this area.</p> <p>As can be seen in Appendix 1, this has resulted in an objection to all residential allocations in Hawkhurst at this stage.</p>
79	Theme 9: Waste and Recycling Overview of existing provision	Paragraph 3.247	Waste Management	KCC would like to provide update in respect of Waste to ensure the IDP is reflecting the most recent information. This paragraph notes the unprecedented demand for KCC Waste facilities, but it needs to be clearer to explain that whilst KCC does operate “a network of 18 Household Recycling Centres (HWRCs) and six co-located Waste Transfer Stations (WTSs)” this is across the whole County and that Tunbridge Wells Borough Council is served by one combined WTS and HWRC at North Farm.
79	Theme 9: Waste and Recycling Current planned provision	Paragraph 3.248	Waste Management	This paragraph only mentions Tunbridge Wells Borough Council’s service. It should also note that Tunbridge Wells Borough Council’s new recycling and waste collection service arrangements have already put additional pressure on the KCC North Farm WTS, as further separation of waste streams and collection of food waste has required additional infrastructure to be provided, effectively reducing the operational capacity of the site.
79	Theme 9: Waste and Recycling Additional future requirements needed to deliver growth proposed in the Draft Local Plan	Paragraph 3.251	Waste Management	The following statement is the Borough Council’s view on infrastructure requirements as Waste Collection Authority– “There are unlikely to be any major short term (five years) infrastructure requirements, but potentially some over the lifetime of the Plan, such as expansion to the depot”. KCC’s infrastructure requirements as the Waste Disposal Authority are different and noted in commentary relating to paragraph 3.253.
79	Additional future requirements needed to deliver growth proposed in the Draft Local Plan	Paragraph 3.253	Waste Management	<p>KCC Waste Management has stated that as a result of additional demand generated by housing growth, this is likely to result in a requirement to build more, larger sites or invest in the maintenance or repair of existing Household Waste Recycling Centres (HWRCs) and Waste Transfer Stations (WTSs). At the Tunbridge Wells (North Farm) HWRC and WTS, KCC is expecting an increase in waste throughput especially through the Waste Transfer Station as a result of significant housing development resulting in an increase in kerbside collections. The WTS is already reaching its operational capacity, as evidenced through turnaround times for vehicles using the site. Consequently, mitigation at this site or provision of a new site to provide the required capacity is likely to be needed to deliver growth proposed in the Draft Local Plan. With regards to the HWRC provision at the site, the site operates well, although will near capacity by 2030, meaning that expansion or provision of a new or additional site is likely to be needed over the life of the Plan. The location of the site will make expansion challenging, however, minor amendments to facilitate access and flow around the site as throughput increases will be investigated in the short term.</p> <p>KCC recommends the following text is removed from paragraph 3.253 “The new waste collection contract between Tunbridge Wells Borough Council and Urbaser is requiring work to be completed at the Transfer Station by KCC to allow for the increased range of materials collected kerbside”.</p>
81	Theme 9: Waste and Recycling Table 15 Waste and recycling needs for settlements within Tunbridge Wells borough	Table 15	Waste Management	The County Council would like to see this table amended to include WTS expansion/improvement need. It is requested that the proposed changes read: <u>“Possible expansion and improvements to the existing Waste Transfer Station and Household Waste Recycling Centre within the plan period”.</u>
85	Appendix 1: Infrastructure Delivery Schedule	Table 16	Waste Management	KCC would like to see a project to increase capacity at North Farm WTS and HWRC included in Appendix 1, Table 16 Infrastructure Delivery Schedule, under the Borough Wide heading. The County Council would be happy to provide details to complete this.
85	Appendix 1: Infrastructure Delivery Schedule	Table 16	Highways and Transportation	The distinction between ‘Critical’ and ‘Essential’ priority is unclear. Early provision of certain transport infrastructure schemes will be fundamental to providing a sustainable development with reduced reliance on the private car.