

PLANNING APPLICATIONS COMMITTEE

Wednesday, 16th June, 2021

10.00 am

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





AGENDA

PLANNING APPLICATIONS COMMITTEE

Wednesday, 16th June, 2021, at 10.00 am
Council Chamber, Sessions House, County
Hall, Maidstone

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

Membership (13)

- Conservative (10): Mr R A Marsh (Chairman), Mr C Beart, Mrs R Binks, Mr A Booth, Mr P Cole, Mr D Crow-Brown, Mr M Dendor, Mr O Richardson, Mr C Simkins and Mr J Wright
- Liberal Democrat (1): Mr I S Chittenden
- Labour (1) Ms J Meade
- Independents (1) Mr P M Harman

Webcasting Notice

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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. Election of Vice-Chairman
4. Terms of Reference of the Committee
- A4 Planning Applications Committee

Membership: 13 Members - Conservative: 10, Labour :1 Liberal Democrat: 1, Green and Independents: 1.

This Committee is responsible for the determination of planning applications and related matters in relation to the control of development under the Town and Country Planning Act 1990 and related statutory instruments and may exercise any of the powers of the County Council so delegated as set out in the Delegation Table.

The Planning Applications Committee may permit members of the public interested in their decisions to address their meetings, in accordance with the principles of decision-making set out in paragraph 8.5 of the Constitution.

Political Groups should only nominate Members as regular Members or as substitutes on the Planning Applications Committees (and on any Panels of the Committee) if they have had training in the relevant procedures.

The votes of each individual Member of the Planning Applications Committee (whether for, against, or in abstention) will be recorded whenever the Committee votes against the Head of Planning Applications Group's recommendation for permission or refusal of a planning application, together with the grounds and reasons for overturning the recommendation."

5. Minutes (Pages 1 - 10)
 - (1) 9 March 2021
 - (2) 17 March 2021

6. Site Meetings and Other Meetings

B. GENERAL MATTERS

1. General Matters

C. MINERALS AND WASTE APPLICATIONS

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal 21/501778/County (KCC/MA/0071/2021) - Erection of new build facility for provision of digital autopsy services to Kent County Council/Coroner's Service at County Transport Workshops, Forstal Road/Beddow Way, Aylesford; Kent County Council (Pages 11 - 34)

E. MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (Pages 35 - 44)

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. Dartford Borough Council Local Plan Regulation 19 Draft (Pages 45 - 62)
2. Hybrid Application at Albion Waterside, Canal Basin, Gravesend, Kent DA12 2RN (20210270) (Pages 63 - 108)
3. EIA Scoping Opinion for a proposed development at Land North of Marden Maidstone Road, Marden, Kent [application reference: 21/501909/EIASCO] (Pages 109 - 142)
4. EIA Scoping Opinion for a mixed-use development at Highsted Park Land to the West Of Teynham London Road Teynham Kent [Application reference 21/500836/EIASCO] (Pages 143 - 170)
5. Swale Borough Local Plan Review (Regulation 19) - February 2021 (Pages 171 - 192)
6. Boughton and Dunkirk Neighbourhood Plan - Regulation 14 Consultation (Pages 193 - 204)
7. EIA Scoping Opinion for a mixed-use development at Highsted Park Land to the South and East of Sittingbourne [Application reference 21/500819/EIASCO] (Pages 205 - 236)
8. Thanet District Council Statement of Community Involvement Review 2021 (Pages 237 - 238)
9. New Routes to Good Growth Consultation (Pages 239 - 250)
10. NPPF Changes and National Design Code Government Consultation (Pages 251 - 256)

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, 8 June 2021

(Please note that the draft conditions and background documents referred to in the accompanying papers may be inspected by arrangement with the Departments responsible for preparing the report.)

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held on Tuesday, 9 March 2021.

PRESENT: Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman), Mrs R Binks, Mr A H T Bowles, Mr D L Brazier (Substitute for Mr M A C Balfour), Mr J Burden, Mr N J D Chard (Substitute) (Substitute for Mr A Booth), Mr I S Chittenden, Mr P C Cooper, Mr P M Harman, Mr H Rayner, Mr C Simkins and Mr J Wright

ALSO PRESENT: Mr R J Thomas

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications), Mr P Hopkins (Principal Planning Officer), Mrs H Edwards (Senior Planning Officer), Mr C Finch (Senior Projects Officer - CAIP East Kent), Mr B Watts (General Counsel) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

14. Application CA/19/00904 (KCC/CA/0091/2019) - Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements at A28 Sturry Link Road, Sturry; KCC Major Capital Programme Team
(Item D1)

(1) Mr R A Marsh, the Chairman informed the Committee that he had decided to vacate the chair for this item and to address the Committee as the Local Member. He would not participate in the Committee's deliberations or vote on the application. He then invited the General Counsel to explain the rules in relation to pre-disposition, pre-determination and bias as this affected all Members of planning committees.

(2) Mr R A Pascoe, Vice Chairman thereupon took the Chair for the remainder of the meeting. He formally moved the recommendations which were seconded by Mr J Burden.

(3) The Head of Planning Applications referred to correspondence from Cllr Georgina Glover, the Local City Councillor which had previously been circulated to all Members of the Committee.

(4) The Head of Planning Applications informed the Committee that as Canterbury City Council's decision to grant permission to Applications CA/20/02826 and CA/18/00868 had now been taken following the conclusion of Section 106 agreements, her recommendations needed to be amended accordingly.

(5) The Clerk to the Committee read representations from the following people and organisations to the Committee:-

- Sturry Parish Council;
- Peta Boucher from the Sturry and Broad Oak Action Group;

- Nick Blake from the Sturry and Broad Oak Action Group and CPRE;
- Louise Harvey -Quirke, the Local City Councillor; and
- Richard Shelton from KCC Highways on behalf of the applicants.

(6) Mr R A Marsh and Mr R J Thomas addressed the Committee in their capacity as Local Members.

(7) On being put to the vote, the recommendations of the Head of Planning Applications were lost by 6 votes to 5.

(8) In accordance with Section 17.33 of the Constitution, the votes by individual Members of the Committee on the Head of Planning Applications were recorded as follows:-

FOR: Mr J Burden, Mr N J D Chard, Mr R A Pascoe, Mr C Simkins, Mr J Wright (5)

AGAINST: Mrs R Binks, Mr A H T Bowles, Mr D L Brazier, Mr P C Cooper, Mr P M Harman, Mr H Rayner (6).

(9) Also in accordance with Section 17.33 of the Constitution, the reasons for the decision were given as follows:

RESOLVED that permission be refused to the application for the following reasons:-

- (a) The development makes inadequate provision for public transport infrastructure, contrary to policies T1 and T3 of the Canterbury District Local Plan, 2017
- (b) The development fails to demonstrate that the navigation of the Great Stour River will not be compromised by the construction of the viaduct, contrary to policy LB13 of the Canterbury District Local Plan, 2017
- (c) The proposed alterations at the A291/A28 junction make inadequate provision for local traffic movements, contrary to policies T1 and SP3 of the Canterbury District Local Plan, 2017.

In respect of the local finance consideration arising from s43 of the Localism Act 2011, the Committee RESOLVED that:-

- (d) In determining planning application CA/19/00904, the construction of part of the A28 Link Road between A28 Sturry Road and A291 Sturry Hill and associated online improvements, at Sturry, Canterbury, the Committee considered the financial consideration in the form of £5.9m from the South East Local Economic Partnership Local Growth Fund, along with the development plan and other material planning considerations. These were set out in detail in the officer report and specifically referred to the obligation to consider local finance considerations in paragraphs 25, 179 and 200 of the report. The Committee in resolving to refuse planning permission considered that the grounds of refusal outweighed the local finance consideration in this instance.

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PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held Online on Wednesday, 17 March 2021.

PRESENT: Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman), Mr M A C Balfour, Mrs R Binks, Mr A H T Bowles, Mr J Burden, Mr N J D Chard (Substitute for Mr A Booth), Mr I S Chittenden, Mr P C Cooper, Mr P M Harman, Mr H Rayner, Mr C Simkins and Mr J Wright

ALSO PRESENT: Mr N J Collor and Mr G Lymer

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications), Mr P Hopkins (Principal Planning Officer), Mr J Wraight (Principal Transport and Development Planner), Mrs H Edwards (Senior Planning Officer) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

15. Minutes - 10 February 2021

(Item A3)

RESOLVED that the Minutes of the meeting held on 10 February 2021 are correctly recorded and that they be signed by the Chairman.

16. Site Meetings and Other Meetings

(Item A4)

The Head of Planning Applications briefly informed the Committee that it was still not possible for the Committee to undertake a site visit to Covers Farm, Westerham in the light of the current Covid-19 pandemic.

17. Proposal DOV/20/01048 (KCC/DO/0178/2020) - Creation of two new sections of road as dedicated Bus Rapid Transit route for buses, cyclists and pedestrians only. Section 1 - New road, 1.0 km in length, connecting Whitfield Urban Expansion to Tesco roundabout at Honeywood Parkway via new overbridge over A2. Access to bridge will be controlled by bus gates. Section 2 - New road, 1.1 km in length connecting B & Q roundabout on Honeywood Park Road to Dover Road near Frith Farm, with access to Dover Road controlled by a bus gate. Providing access to future phases of White Cliffs Business Park at Dover Fastrack - Land to the north of Dover and to the south of Whitfield; KCC Major Capital Projects

(Item D1)

(1) The Head of Planning Applications informed the Committee of representations received from Aardvark Planning Law on behalf of Halsbury Homes.

(2) In the light of comments received from Guston PC, the Head of Planning Applications asked the Committee to agree to the revision of draft conditions 12 and

13 through the removal of the words: “unless otherwise approved in writing with the County Planning Authority.” This was agreed.

(3) The Clerk to the Committee read out representations from Guston PC, Sebastian Charles of Aardvark Planning Law and from Jack Pugsley of WSP in reply on behalf of the applicants.

(4) Mr G Lymer and Mr N J Collor were present for this item as Local Members and addressed the Committee.

(5) On being put to the vote, the recommendations of the Head of Planning Applications as amended in (2) above were agreed by 12 votes to 0 with 1 abstention.

(6) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the development beginning within 3 years of the date of the permission; the development being carried out in accordance with the submitted details; prior to the commencement of section 1 of Fastrack details of all the proposed structures, including the overbridge, retaining walls, paving and hard surfaces, carriageway design and materials being submitted to the County Planning Authority for written approval; the construction of Section 2 of the Fastrack road being carried out in accordance with the WSP Materials Schedule document and drawing numbers KCC/HTW/1100/001, KCC/HTW/1100/004, and KCC/HTW/1100/005; details of the fences, railings and gates being submitted for the written approval of the County Planning Authority prior to their installation, and thereafter being implemented as approved and retained; details of the permanent bus shelters being submitted for the written approval of the County Planning Authority prior to their installation and thereafter being implemented as approved and retained; the implementation of the landscape design proposals as set out on drawing numbers DVFT-WSP-S1-XX-DR-L- 0101-0108 Rev P05 Landscape General Arrangement Plans 1-8, DVFT-WSP-S1-XX-DR-L-0201 Landscape Cross Section, and DVFT-WSP-12-XX- DR-L- 0202-0204 Rev P01 Typical Landscape Details within the first planting season following the opening of each section of the road to ensure that the visual impact of the development is softened through the landscaping proposed; the replacement of any trees, shrubs hedges etc that are destroyed, dead or dying within 5 years of planting, with large nursery stock of the same species in the same paces; the Landscape Management and Maintenance Plan (WSP, July 2020) being implemented as detailed for the lifetime of the development, and to be regularly reviewed, with any updates being submitted to the County Planning Authority for written approval; prior to the commencement of the development of each individual Fastrack road section, tree protection measures for all trees and hedgerows being retained in close proximity being erected and retained for the duration of the works; a Construction Environment Management Plan (CEMP) being submitted to the County Planning Authority for written approval prior to the commencement of the

development of each individual Fastrack road section, with the development being carried out in accordance with this document. The CEMP shall include details of the scale, timing and mitigation of all construction-related aspects of the development (including - but not limited to: the required mitigation measures needed to control the potential nuisance from noise, dust, vibration and night-time bridge works, including the need for a Section 61 prior consent agreement with Dover District Council under the Control of Pollution Act for night-time works associated with the bridge construction for Section 1 only; site hours of operation, the numbers, frequency and type of vehicles visiting the site, a travel plan and guided access/egress and parking arrangements for site works, visitors and deliveries, wheel washing and other facilities to prevent dust, dirt and detritus from entering the public highway (and means to remove it if it occurs), potential dust, vibration and strike damage to heritage assets affected during the construction of Section 2 of Fastrack road, details of the ecological mitigation to be written by an ecologist, the ecological mitigation works being implemented under an ecological watching brief and timings of works affecting biodiversity being decided by an ecological clerk of works, and that any fencing on site retains connectivity on site for badgers); the bridge over the A2 and the junction of the permitted road with Honeywood Parkway at the Tesco roundabout, as detailed in the application for Section 1 of Dover Fastrack, being restricted to use by buses, pedestrians, cycles and emergency vehicles, and not being used for any other vehicular traffic; use of the junction of Section 2 of Dover Fastrack with Dover Road (and the 386m long section of road approaching this junction as detailed in the application, which shows the final position of the ANPR cameras and bus gate) being restricted to use by buses, pedestrians, cycles, emergency vehicles and farm traffic associated with Frith Farm only (those farm vehicles being pre-registered with Dover District Council as operators of the enforcement cameras) and not being used for any other vehicular traffic; within 3 months of the commencement of each individual Fastrack road section, a lighting strategy designed to meet the requirements of the lighting strategy within the Ecological Mitigation Strategy (WSP, July 2020) being submitted to the County Planning Authority and approved in writing. This shall include details of the lighting columns and hours of lighting operation; an updated badger survey of the site being carried out prior to the commencement of development of Section 2 of the Fastrack road. If the results of the survey or mitigation required differ from those detailed in the submitted Badger Survey (WSP, January 2021) an updated survey and mitigation strategy must be submitted to the County Planning Authority for written approval; prior to the commencement of the development of Section 1 of the Fastrack road, the applicant or their agents or successors in title securing the implementation of a programme of archaeological work in accordance with a written specification (WSI) and timetable which has been submitted to and approved by the County Authority; Section 2 of the Fastrack road being constructed in accordance with the submitted document 'Written Scheme of Investigation for an Archaeological Trial Trench Evaluation' (WSP, January 2021); the submission of a Post Excavation Assessment to the County Planning Authority for written

approval within 9 months of the completion on site of the archaeological mitigation works referred to in the two conditions above; the development being carried out in accordance with the submitted document “*DoverFastrack Sections 1 and 2 – Generic Quantitative Risk Assessment*” (WSP, December 2020); the prior submission for approval in writing by the County Planning Authority of a verification report demonstrating completion of the works prior to any section of the Fastrack road being brought into use as set out in the agreed remediation strategy, demonstrating the effectiveness of the remediation; no further development being carried out, if during development, contamination not previously identified is found to be present at the site until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the County Planning Authority; no drainage systems for the infiltration of surface water to the ground being permitted other than with the written approval of the County Planning Authority; piling using penetrative methods not being carried out other than in accordance with a Piling Risk Assessment and with the written approval of the County Planning Authority; prior to the commencement of Section 1 of the Fastrack road a sustainable surface water drainage scheme shall be submitted to and approved in writing by the County Planning Authority. This drainage scheme shall be based upon the submitted Flood Risk Assessment (WSP, August 2020) and shall demonstrate that the surface water generated by this development can be accommodated and disposed of without increase to flood risk on or off site; Section 2 of the Fastrack road being implemented in accordance with the details of the sustainable surface water drainage scheme contained within the submitted Flood Risk Assessment (WSP, August 2020); the Fastrack road (or each section of the road if developed separately) not becoming operational until a Verification Report, pertaining to the surface water drainage system, has been submitted to and approved in writing by the County Planning Authority; the mitigation measures outlined in the WSP Air Quality Assessment report (reference DVFT-WSP-12-ZZ-RP-AQ-0001 dated August 2020) being implemented as set out; should any bunding/mounding be proposed in addition to that shown on the application drawings, details shall first be submitted to and approved in writing by the County Planning Authority. the prior submission for written approval by the County Planning Authority; the development being carried out in accordance with the Biodiversity Net Gain Assessment, the Ecological Mitigation Strategy and the submitted plans to ensure that the development achieves the scheme-wide biodiversity net gain as set out; and the submission for written approval by the County Planning Authority of a Public Right of Way Management Scheme prior to the commencement of any works affecting the Public Rights of Way ER54 and ER60, including details of surfacing, width, signage, alignment and the two crossings, based on that shown on the plans; and

(b) the applicants be informed by Informative that:-

- (i) they must ensure that all necessary highway approvals and consents are obtained;

- (ii) they must take note of the Coal Authority's Standing Advice at www.gov.uk/government/organisations/the-coal-authority;
- (iii) they must ensure that the development is carried out in accordance with Network Rail's Asset Protection Informatives for works in close proximity to NetworkRail's Infrastructure;
- (iv) they must take note of the Kent Police Designing Out Crime Officer general advice;
- (v) there is a 6 week time frame to issue a temporary closure of a Public Right of Way if required, and that any temporary closure cannot be issued until a diversion order is confirmed, and that an alternative route must be constructed;
- (vi) they are reminded that a Section 61 prior consent agreement under the Control of Pollution Act for night-time works associated with the bridge construction, as specified in the condition above, should be sought from Dover District Council;
- (vii) It is their responsibility to ensure that all works are carried out outside of the breeding bird season (March 1st to August 31st inclusive) and that, if this is not possible, a suitably qualified ecologist examines the site for breeding birds prior to work commencing;
- (viii) felling of trees identified as suitable for roosting bats should be undertaken in a precautionary manner to minimise any risks to this species group; and
- (ix) for the avoidance of doubt in relation to these conditions: Section 1 relates to the element of the Fastrack scheme which starts in Phase 1 of the Whitfield Urban Expansion, goes over the A2 via the new bridge and ends at the new junction at the Tesco roundabout on Honeywood Parkway. Section 2 commences at the B&Q roundabout on Honeywood Parkway and extends to the junction with Dover Road.

18. 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).

19. KCC Responses to Consultations.

(Item F1)

- (1) In the light of Members' unavailability, the Head of Planning Applications undertook to inform the organisers of the discussion on the Swale Borough Local Plan that the date of this discussion should be rearranged.
- (2) RESOLVED to note Kent County Council's responses to the following consultation-

Outline planning application, with all matters reserved except for access, for a mixed-use urban extension comprising: up to 1,650 residential units (use class C3); residential care home (use class C2); two form entry primary school (use class F1); land for the expansion of the existing Birchington medical centre; mixed use centre (use class E, F1 and F2); and associated infrastructure including provision of a new strategic link road between Minnis Road and Manston Road, alterations to existing junctions and new access arrangements from Minnis Road, Park Lane, Canterbury Road and Manston Road/Acol Hill, a new recreational and leisure shared-use link between Minnis Road and Park Lane, green infrastructure including public open space and associated facilities, landscaping, formal and informal play areas, utilities (including drainage) and associated ancillary works and structures.

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

Erection of new build facility for provision of digital autopsy services to Kent County Council/Coroner's Service. Facility comprising: Main Building containing cold storage, staff amenities and administrative space; Ancillary building containing CT Scanner suite with covered link to the Main Building; external canopy & screening to loading area. Associated landscaping comprising: new hardstandings to parking and loading areas; secure compound fencing, gates; external refuse & plant enclosures; soft landscaping adjacent to parking & entrance; demarcation of access road on existing hardstandings. Relocation & upgrade to existing substation at County Transport Workshops, Forstal Road/Beddow Way, Aylesford, Kent – 21/501778/County (KCC/MA/0071/2021)

A report by Head of Planning Applications Group to Planning Applications Committee on 16th June 2021.

Application by Kent County Council for the erection of new build facility for provision of digital autopsy services to Kent County Council/Coroner's Service. Facility comprising: Main Building containing cold storage, staff amenities and administrative space; Ancillary building containing CT Scanner suite with covered link to the Main Building; external canopy & screening to loading area. Associated landscaping comprising: new hardstandings to parking and loading areas; secure compound fencing, gates; external refuse & plant enclosures; soft landscaping adjacent to parking & entrance; demarcation of access road on existing hardstandings. Relocation & upgrade to existing substation at County Transport Workshops, Forstal Road/Beddow Way, Aylesford, Kent – 21/501778/County (KCC/MA/0071/2021)

Recommendation: Permission be Granted subject to conditions.

Local Member: Sir Paul Carter

Classification: Unrestricted

Site

1. The County Transport Workshop site is located within the Aylesford Industrial Estate which lies approximately 1km to the east of Aylesford Village and approximately 3.5km to the north of Maidstone Town Centre. The industrial estate lies on the northern side of Forstal Road, with the River Medway on the southern side of the road, Cobtree Manor Park to the east, open agricultural fields to the north, and a recreational field and woodland to the west. The administrative boundary between Maidstone Borough

Erection of new build facility for provision of digital autopsy services to Kent County Council/Coroner's Service at County Transport Workshops, Forstal Road/Beddow Way, Aylesford, Kent – 21/501778/County (KCC/MA/0071/2021)

Council and Tonbridge and Malling Borough Council dissects the industrial estate, such that half lies within each administration area, but the County Transport Workshops lie wholly within Maidstone Borough Council, towards the eastern edge of the industrial estate.

2. The workshop site has been partially mothballed but was previously used for servicing of vehicles, repairs and MOT services together with vehicle workshops, parts storage and ancillary staff accommodation associated with KCC Landscape Services. The transport workshops themselves were, in the past, part of a redevelopment of the area following the closure of the Aylesford pottery and tile works. The application site (outlined in red) forms a small part of this wider workshop site (outlined in yellow) as shown below.



3. Beddow Way runs in a roughly north/south direction, accessed from Forstal Road and the County Transport Workshop site lies to the east of Beddow Way, accessed via an unadopted industrial estate road off Beddow Way. The whole site is irregularly shaped and comprises 5 buildings, and a large area of open hardstanding. Two of the buildings on the site have been condemned and are in the process of being demolished. This includes the largest of the buildings along the northern edge of the site, part of the footprint of which forms the current application site boundary. The other three buildings are smaller and may or may not be reused or demolished in the future (see paragraph 13 below). An electricity substation is sited within the largest of the buildings, which will be retained and is being protected during the demolition process. The site has a gentle slope from north to south, but with some more significant level changes to the boundary edges to the west, north and adjacent to the KCC Highways Depot.
4. Immediately to the north of the application site (and wider County workshop site) is the Goya Developments site (formerly the Waitrose distribution centre car park), which has recently been redeveloped for B1/B8 uses and associated parking/hardstanding, accessed from St Michaels Close to the north. To the immediate east of the whole

Erection of new build facility for provision of digital autopsy services to Kent County Council/Coroner's Service at County Transport Workshops, Forstal Road/Beddow Way, Aylesford, Kent – 21/501778/County (KCC/MA/0071/2021)

workshop site is the operational KCC Highways maintenance depot, also accessed from St Michael's Close. To the south-east is an industrial site owned by Gallagher, who have planning permission for its redevelopment for B1c, B2 and B8¹ uses (approved in 2018) and to the south-west are further industrial buildings. Beyond this is a row of residential properties which front onto a road called Forstal Cottages. Forstal Cottages is in part a one way road running from Forstal Road to the unadopted access road for the County workshops (only northbound travel is allowed) when it becomes two way until it meets the workshop site. To the west are further industrial buildings.

5. The site is currently enclosed with hoarding due to the demolition process and access is controlled by security staff. From within the site the surrounding industrial buildings are visible, and the area is distinctly industrial in character. The relative proximity to the residential properties on Forstal Cottages is not apparent from the site itself.

¹ B1c, B2 and B8 uses are as set out in the Use Class Order in England, which relate to buildings used for any industrial processes appropriate for a residential area (B1c), industrial uses (B2), and storage and distribution uses (B8).

Erection of new build facility for provision of digital autopsy services to Kent County Council/Coroner's Service at County Transport Workshops, Forstal Road/Beddow Way, Aylesford, Kent – 21/501778/County (KCC/MA/0071/2021)

General Location Plan



PLEASE NOTE
FOR CONSTRUCTION PURPOSES USE ONLY FIGURED DIMENSIONS. THIS DRAWING MUST ALWAYS BE READ IN CONJUNCTION WITH ALL RELEVANT PROJECT DETAILS. ALL DIMENSIONS MUST BE CHECKED ON SITE PRIOR TO COMMENCEMENT. PLEASE REPORT ANY DISCREPANCY TO THE ARCHITECT OR CONTRACT ADMINISTRATOR.
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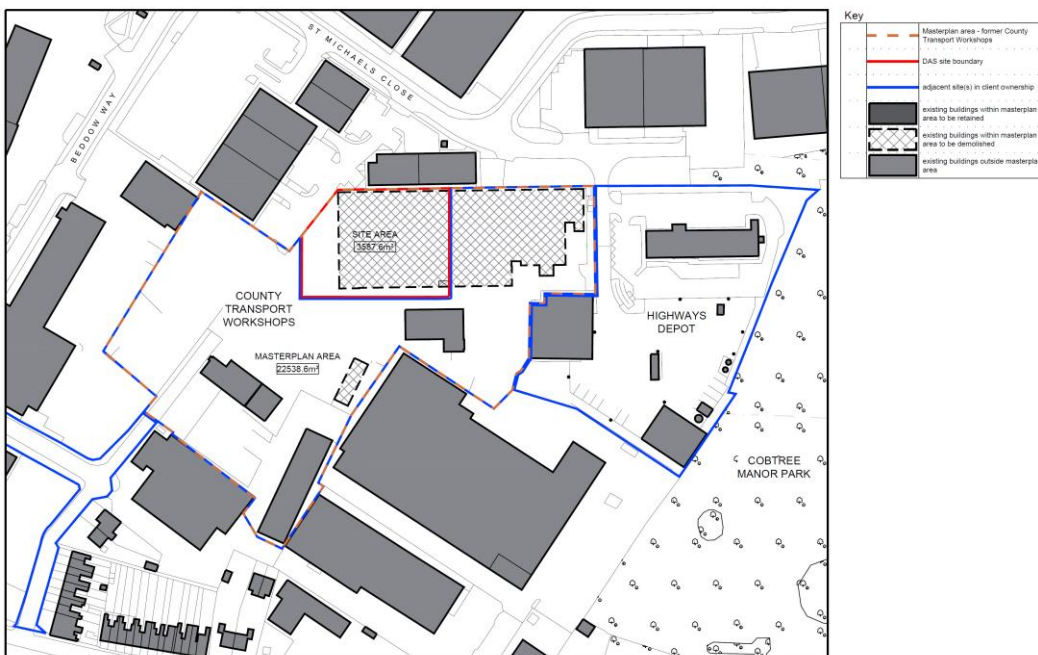
| Revisions | NO | DATE | ISSUE | FOR INFORMATION ONLY |
|-----------|------------|------|-------------------------------|----------------------|
| R1 | 24/11/2020 | NOI | CONTRACT ONLY - Pre-app issue | 08/2020 |
| R2 | 21/03/2021 | NOI | FINAL ISSUE | 11/2020 |

Scale: 1:2,000
0 20 50 100m

| | | | |
|------------|----|-------------|---|
| 02420 1000 | P4 | Information | HobbsCarmichael LLP Chartered Architects 17 The Quadrant, Aylesford, Kent CT1 2EP (1027 South 1 0227 46102) |
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Site Location Plan



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| Revisions | NO | DATE | ISSUE | FOR INFORMATION ONLY |
|-----------|------------|------|-------------------------------|----------------------|
| R1 | 24/11/2020 | NOI | CONTRACT ONLY - Pre-app issue | 08/2020 |
| R2 | 21/03/2021 | NOI | FINAL ISSUE | 11/2020 |

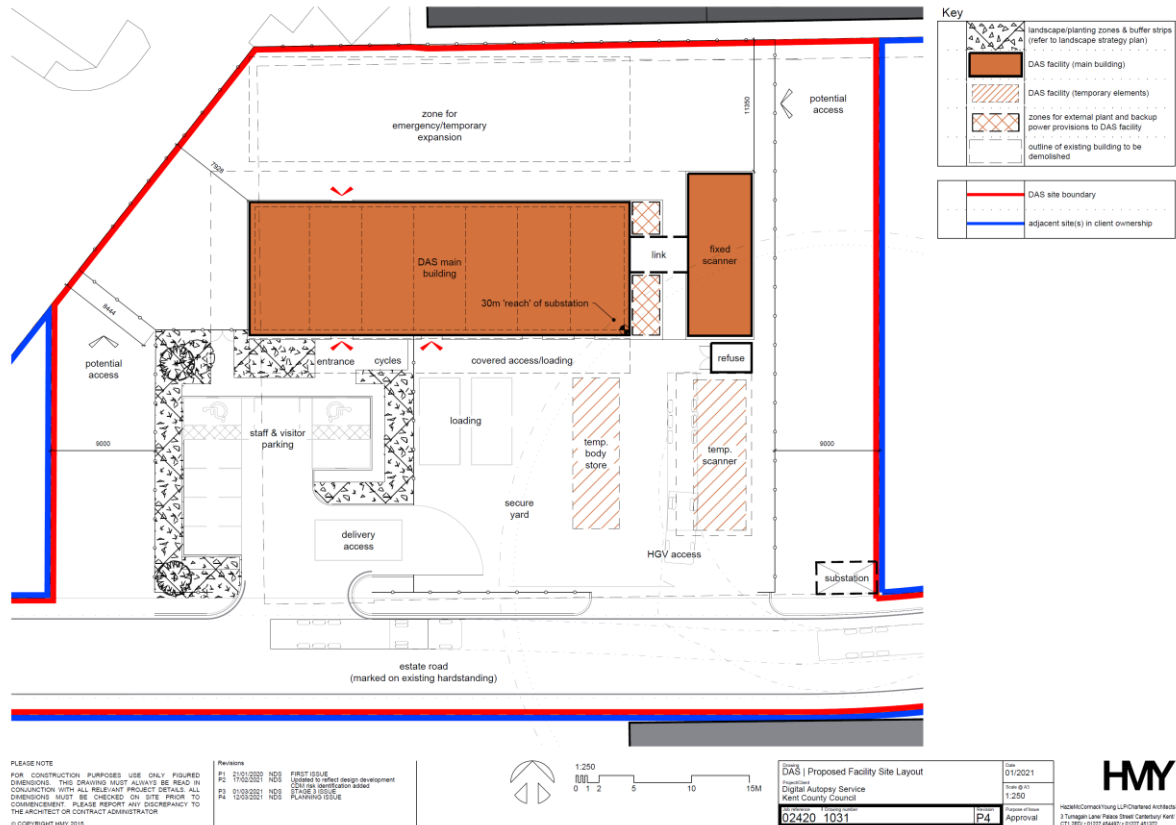
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|------------|----|----------|---|
| 02420 1001 | P4 | Approval | HobbsCarmichael LLP Chartered Architects 17 The Quadrant, Aylesford, Kent CT1 2EP (1027 South 1 0227 46102) |
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HMY

Erection of new build facility for provision of digital autopsy services to Kent County Council/Coroner's Service at County Transport Workshops, Forstal Road/Beddow Way, Aylesford, Kent – 21/501778/County (KCC/MA/0071/2021)

Proposed Site Layout



3D Visual Image



Erection of new build facility for provision of digital autopsy services to Kent County Council/Coroner's Service at County Transport Workshops, Forstal Road/Beddow Way, Aylesford, Kent – 21/501778/County (KCC/MA/0071/2021)

Proposed Elevations

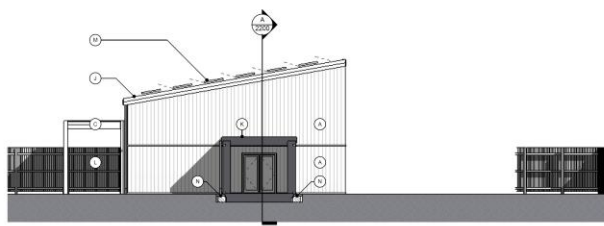
| Key | |
|-----|--|
| A | Self-cleaning, profiled coated sheeting & trim |
| B | Aluminium wall - hot dipped zinc |
| C | Aluminium window, galvanneal steel |
| D | Aluminium glazing - PVC aluminium frame, clear glass |
| E | Aluminium window - PVC aluminium frame, clear glass |
| F | Aluminium window - PVC aluminium frame, clear glass |
| G | Aluminium window - PVC aluminium frame, clear glass |
| H | Aluminium window - PVC aluminium frame, clear glass |
| I | Aluminium window - PVC aluminium frame, clear glass |
| J | Aluminium window - PVC aluminium frame, clear glass |
| K | Aluminium window - PVC aluminium frame, clear glass |
| L | Aluminium window - PVC aluminium frame, clear glass |
| M | Aluminium window - PVC aluminium frame, clear glass |
| N | Aluminium window - PVC aluminium frame, clear glass |
| O | Aluminium window - PVC aluminium frame, clear glass |
| P | Aluminium window - PVC aluminium frame, clear glass |
| Q | Aluminium window - PVC aluminium frame, clear glass |
| R | Aluminium window - PVC aluminium frame, clear glass |
| S | Aluminium window - PVC aluminium frame, clear glass |
| T | Aluminium window - PVC aluminium frame, clear glass |
| U | Aluminium window - PVC aluminium frame, clear glass |
| V | Aluminium window - PVC aluminium frame, clear glass |
| W | Aluminium window - PVC aluminium frame, clear glass |
| X | Aluminium window - PVC aluminium frame, clear glass |
| Y | Aluminium window - PVC aluminium frame, clear glass |
| Z | Aluminium window - PVC aluminium frame, clear glass |



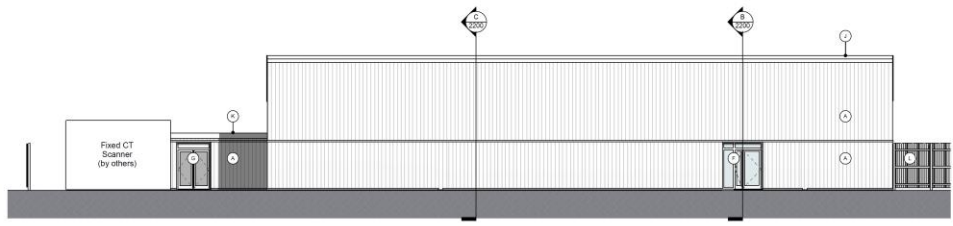
1 End Elevation (West)
1:100



2 End Elevation (South)
1:100



3 End Elevation (East)
1:100



4 End Elevation (North)
1:100

PLANNING NOTES
 1. ALL WORK TO BE COMPLETED WITHIN THE PERMITTED TIME FRAME.
 2. ALL WORK TO BE COMPLETED WITHIN THE PERMITTED TIME FRAME.
 3. ALL WORK TO BE COMPLETED WITHIN THE PERMITTED TIME FRAME.
 4. ALL WORK TO BE COMPLETED WITHIN THE PERMITTED TIME FRAME.
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 9. ALL WORK TO BE COMPLETED WITHIN THE PERMITTED TIME FRAME.
 10. ALL WORK TO BE COMPLETED WITHIN THE PERMITTED TIME FRAME.

REVISIONS
 1. ALL WORK TO BE COMPLETED WITHIN THE PERMITTED TIME FRAME.
 2. ALL WORK TO BE COMPLETED WITHIN THE PERMITTED TIME FRAME.
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 10. ALL WORK TO BE COMPLETED WITHIN THE PERMITTED TIME FRAME.



| | |
|--------------|-------------------------------|
| Project Name | DAS - Proposed Elevations |
| Client | Digital Autopsy Services |
| Address | Forstal Road, Aylesford, Kent |
| Scale | 1:100 |
| Drawn by | [Name] |
| Checked by | [Name] |
| Approved by | [Name] |
| Date | 02/02/2020 |
| Sheet No. | 004 |



Erection of new build facility for provision of digital autopsy services to Kent County Council/Coroner's Service at County Transport Workshops, Forstal Road/Beddow Way, Aylesford, Kent – 21/501778/County (KCC/MA/0071/2021)

Background

6. Autopsy services are currently carried out by the NHS at various locations throughout Kent. It is intended that the proposed development would provide a new centralised, digital autopsy facility which would be a more sensitive, high tech and cost-effective solution. A digital autopsy solution allows the cause of death to be determined using 3D imaging and computer software, rather than the traditional invasive dissection method. A CT scanner is used to map the body's organs and the data is then processed to create a 3D, whole body reconstruction, from where standard analysis can be carried out. As well as being a much more sensitive procedure affording greater dignity, the process is substantially quicker, and would address the decline in the number of trained pathologists in the region (and nationally) who are willing and trained to perform invasive post mortem examinations. Whilst a traditional autopsy can take up to 4 hours, digital scanning takes just over 3 minutes to complete.

Planning Site History

7. The most recent planning history for the County workshops site as a whole dates back to 2012 for additional rooms and toilet facilities within one of the existing buildings. Prior to this the planning history shows various approvals for modernisation and general upkeep of the buildings. However, it should also be noted that during periods of the pandemic in 2020 the western part of the wider workshop site (not the current application site) was used as a temporary mortuary facility under the Town and Country Planning (General Permitted Development) (Coronavirus) (England) (Amendment) Order 2020 (2020/412). This temporary use has now ceased.

Proposal

8. This application seeks approval for the construction of a new building for the autopsy facility; a separate CT Scanner, connected to the main building by a covered link; an open parking area for staff and visitors in front of the building; and two areas of secure compound, one to the front and one to the rear of the building.
9. The main building would have the scale and form of a typical single storey business park unit and has been designed so as not to stand out and draw attention to its function or purpose. It would have a floor area of just over 416 square metres and would have a monopitch roof design rising from front to rear, with an array of Photo Voltaic panels on it. A full length steel framed canopy would be provided along the front elevation of the building and the building would be constructed with a mixture of fair faced masonry to the front elevation and profiled sheet cladding to the remainder of the building. Windows and doors would be powder coated aluminium with matching louvres to remain in keeping with the general appearance of the building. A mixture of clear and obscure glass would be used to suit the function of the rooms behind.
10. In terms of internal layout, the building would provide a main body storage area, with a receiving bay and plant rooms; a staff room and staff facilities; main office; and a viewing room for visitors of the deceased. The building would be attached to the CT Scanner by a single storey link with a flat roof. The CT Scanner is provided as a prefabricated 'pod' element, craned into position and typically clad with powder coated

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steel similar to that proposed for the main building. The existing sub station would be upgraded/replaced within a new housing alongside the existing and would be retained to service the existing buildings on site. Its position is shown on the layout plan, at the very south-east corner of the site outside of the compound fencing.

11. A car park is proposed to the front of the building in front of the main entrance, providing parking for 7 cars including 2 accessible parking spaces, along with the provision of 2 electric car charging points. Covered cycle stands for up to 6 bikes would be provided adjacent to the main entrance under cover of the building canopy. The parking area would be landscaped with low level shrub, wildflower and bulb planting, as well as some climbing plants. There would be a delivery access from the parking area into a secure compound which would lie to the front of the remainder of the building, enclosed by 2.4m high timber fencing with anti-trespass detail along the top. This secure compound would provide access for loading and unloading by mortuary vehicles and also provide space for temporary chilled body storage units, and an additional CT scanner at short notice to cover maintenance or failure of the fixed installations, or any emergency demand for increased capacity at the facility. The area to the rear of the building would be left undeveloped but could be utilised for additional temporary chilled storage, if required, in extreme circumstances. This area would also be enclosed by 2.4m high timber fencing with anti-trespass detail along the top.
12. The majority of the facility would be closed to the public, but some viewing and identification of the deceased by next of kin may take place via the public facing entrance. The deceased would arrive and depart in mortuary transport or private ambulance to and from the screened compound. The main operation and visitor access to the facility would be during typical weekday opening hours (09:00 to 18:00 Monday to Friday) but reception and release of the bodies would proceed 24 hours a day, 7 days a week, to ensure continuity of service. The routing of vehicles would be from Beddow Way, via the unadopted industrial estate road, which runs in a roughly east/west direction to the north of Forstal Cottages (see para 30 for a map of the route, which would not pass in front of the residential properties).
13. Whilst not forming part of the current proposal, the submitted documents also outline the intention for the proposed redevelopment of the wider site. The masterplan indicates that the site would be divided into 4 additional plots of land (in addition to the autopsy site) which could then be considered separately for redevelopment or re-use of the existing hardstandings and buildings. Development on these sites would be dependant upon separate planning permission(s).

Planning Policy

14. 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

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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:

- significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (*paragraph 80*);
- to provide of the social, recreational and cultural facilities and services the community needs, planning policies and decision should (a) plan positively for the provision and use of shared spaces, community facilities...and other local services to enhance the sustainability of communities and residential environments and (b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community (*paragraph 92*);
- whether impacts from the development on the transport network (in terms of capacity or congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. 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);
- substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land (para 118);
- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Planning decisions should ensure that developments would function well and add to the overall quality of an area; be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to local character and history, including the surrounding built environment and landscape setting; establish or maintain a strong sense of place, creating a welcoming and distinctive place to live, work and visit; include an appropriate mix of development and support local facilities and transport networks; and create places that are safe, inclusive and accessible (*paragraph 127*);
- planning policies and decisions should contribute to and enhance the natural and local environment by (f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate (*paragraph 170*);

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- planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including the setting) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage assets conservation and any aspect of the proposal (*paragraph 190*).

(ii) The adopted **Maidstone Borough Local Plan (adopted October 2017)**

Policy SP1 **Maidstone urban area.** Amongst other matters this policy refers to the Aylesford Industrial Estate as one of fourteen existing sites which are designated Economic Development Areas in order to maintain employment opportunities in the urban area (covered by Policy SP22).

Policy SP21 **Economic development.** The Council is committed to supporting and improving the economy of the borough and providing for the needs of businesses. Economic development will be achieved through the allocation of specific sites and through (i) the retention, intensification, regeneration of the existing industrial and business estates identified as Economic Development Areas as defined on the policies map; and (iv) supporting proposals that encourage highly skilled residents to work in the borough to reduce out-commuting.

Policy SP22 **Retention of employment sites.** Designated economic development areas are listed under part 1 of the policy, including Aylesford Industrial Estate, allocated for B1, B2 and B8 uses. Parts 3, 4, 6 and 7 of the Policy are also applicable, and these state that within the designated Economic Development Areas (3) change of use or redevelopment of the site to a non B class use will not be permitted unless it can be demonstrated that there is no reasonable prospect of their take up or continued use for the designated uses in the medium term; (4) mixed use proposals incorporating an element of non B class uses may exceptionally be permitted where such development would facilitate the regeneration of the site to more effectively meet the needs of modern business and where the overall employment capacity of the site is maintained; (6) the redevelopment of premises and the infilling of vacant sites for business uses will be permitted; and (7) proposals should ensure high quality designs of an appropriate scale and materials are accompanied by significant landscaping within and at the edge of the development.

Policy SP23 **Sustainable transport.** Working in partnership with Kent County council (the local highway authority), Highways England, infrastructure providers and public transport operators, the Borough Council will manage any negotiations and agreements regarding schemes for mitigating the impact of development, where appropriate, on the local and strategic road networks and facilitate the delivery of transport improvements to support the growth proposed by the Local Plan.

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- Policy DM1** **Principles of good design.** Covers the principles of good design which proposed development should accord with, including reference to permeable layouts; responding to local natural or historic character and incorporating a high quality, modern design approach; high quality public realm; respecting the amenities of occupiers of neighbouring properties; respecting natural features such as trees and hedges; high quality design which responds to surrounding areas; maximising opportunities for sustainable development; protecting on-site biodiversity; safely accommodating vehicle and pedestrian movements; incorporating security measures to design out crime; avoiding areas at risk of flooding; incorporating adequate storage of waste and recycling; and providing adequate vehicle and cycle parking; and being flexible towards future adaptation in response to changing life needs.
- Policy DM2** **Sustainable design.** Where technically feasible and viable, non-residential developments should meet BREEAM very good standards addressing maximum water efficiencies under the mandatory water credits and energy credits.
- Policy DM3** **Natural environment.** To enable Maidstone borough to retain a high quality of living and to be able to respond to the effects of climate change, developers will ensure that new development protects and enhances the natural environment by incorporating measures where appropriate. Applicable to this application, part (iii) refers to the need to control pollution to protect ground and surface waters where necessary and mitigate against the deterioration of water bodies and adverse impacts on Groundwater Source Protection Zones, and or incorporate measures to improve the ecological status of water bodies as appropriate.
- Policy DM4** **Development affecting designated and non-designated heritage assets.** Part 3 states that where development is proposed for a site which includes or has the potential to include heritage assets with archaeological interest, applications must be accompanied by an appropriate desk-based assessment and where necessary field evaluation.
- Policy DM5** **Development of brownfield land.** Proposals for development on previously developed land (brownfield land) in Maidstone urban area, rural service centres and larger villages that make effective and efficient use of land and which meet the following criteria will be permitted: (i) the site is not of high environmental value; (ii) if the proposal is for residential development, the density of new housing proposals reflects the character and appearance of individual localities, and is consistent with Policy DM12 unless there are justifiable planning reasons for a change in density.
- Policy DM8** **External lighting.** Proposals for external lighting which meet the following criteria will be permitted: (i) it is demonstrated that the minimum amount of lighting necessary to achieve its purpose is

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proposed; (ii) the design and specification of the lighting would minimise glare and light spillage and would not dazzle or distract drivers or pedestrians using nearby highways; and (iii) the lighting scheme would not be visually detrimental to its immediate or wider setting, particularly intrinsically dark landscapes.

Policy DM21 Assessing the transport impacts of development. Proposals must demonstrate that the impacts of trips generated to and from the development are accommodated, remedied or mitigated to prevent severe residual impacts; provide a satisfactory Transport Assessment and a satisfactory Travel Plan; and comply with the requirements for the policy for air quality.

Policy DM23 Parking standards. Vehicle parking for non-residential uses will need to take into account the accessibility of the development and the availability of public transport; the type, mix and use of the development proposed; whether development proposals exacerbate on street car parking to an unacceptable degree; and the appropriate design and provision of cycle parking facilities. Cycle parking facilities should be of an appropriate design and sited in a convenient, safe, secure and sheltered location; and new developments should ensure that proposals incorporate electric vehicle charging infrastructure.

(iii) **Kent Minerals and Waste Local Plan 2013-2030 (adopted September 2020)** (as amended by Early Partial Review).

Policy DM7 Safeguarding Mineral Resources. Planning permission will only be granted for non-mineral development that is incompatible with minerals safeguarding, where it is demonstrated that either: (1) the mineral is not of economic value or does not exist; or (2) that extraction of the mineral would not be viable or practicable; or (3) the mineral can be extracted satisfactorily, having regard to Policy DM9, prior to the non-minerals development taking place without adversely affecting the viability of deliverability of the non-minerals development; or (4) the incompatible development is of a temporary nature that can be completed and the site returned to a condition that does not prevent mineral extraction within the timescale that the mineral is likely to be needed; or (5) material considerations indicate that the need for the development overrides the presumption for mineral safeguarding such that sterilisation of the mineral can be permitted following the exploration of opportunities for prior extraction; or (6) it constitutes development that is exempt from mineral safeguarding policy, namely householder applications, infill development of a minor nature in existing built up areas, advertisement applications, reserved matters applications, minor extensions and changes of use of buildings, minor works, non-material amendments to current planning permissions; or (7) it constitutes development on a site allocated in the adopted development plan where consideration of the above factors (1-6) concluded that mineral resources will not be needlessly sterilised.

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Consultations

15. **Maidstone Borough Council** raise no objection to the application.

Tonbridge & Malling Borough Council raise no objection to the application.

Boxley Parish Council raise no objection to the application.

Aylesford Parish Council has no comments or observations to make regarding the application.

KCC Biodiversity Officer raises no objection subject to the imposition of a condition requiring details of ecological enhancements to be submitted within 6 months of the development commencing and an informative to ensure works do not affect breeding or nesting birds.

KCC County Archaeological Officer has raised no objection subject to the imposition of pre-commencement conditions which would require the applicants to secure the implementation of geo-archaeological and Palaeolithic field evaluation works in accordance with a specification to be approved by the County Planning Authority and following on from the evaluation any safeguarding measures to ensure preservation in situ of important remains and/or any further investigation required; a condition to secure the implementation of archaeological field evaluation works in accordance with a scheme to be approved by the County Planning Authority and following on from this any safeguarding measures to ensure preservation in situ of important archaeological remains or further investigation as required; and a further condition to secure the completion of a programme of geo-archaeological post excavation and publication work, to be approved by the County Council prior to the building being brought into use.

Environment Agency (Kent Area) raise no objection to the application subject to the imposition of conditions to secure the implementation of a remediation strategy with regard to site contamination; a verification report to be submitted once the remediation works have been carried out; that if further contamination is found on site that hasn't previously been identified an additional remediation strategy be submitted for approval; that no drainage systems for the infiltration of water to the ground are permitted without consent from the County Planning Authority; that piling or the use of penetrative methods shall not be carried out without the consent of the County Planning Authority; that a groundwater monitoring plan be submitted and approved by the County Planning Authority prior to the use commencing; and that an informative be added to any consent regarding consent required for discharge of surface run-off to ground or surface waters.

Minerals & Waste Planning Policy Team raise no objection on mineral safeguarding grounds.

KCC Flood and Water Management Officer Raise no objection subject to the imposition of a condition to secure the submission of a detailed sustainable surface water drainage scheme for the site prior to the commencement of development; and that the building shall not be occupied until a verification report pertaining to the surface

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water drainage system has been submitted and approved in writing by the County Planning Authority.

KCC Highways and Transportation Officer raises no objection to the application subject to the imposition of conditions requiring the submission of a Construction Management Plan prior to commencement of development; that the cycle and parking facilities are in place prior to use of the site and thereafter permanently retained; that the electric vehicle chargers are approved models from the UK Government model list; and an informative to ensure all necessary highway approvals and consents have been sought from the Highway Authority.

UK Power Networks have not commented on the application.

Kent Police Headquarters have not commented on the application.

Local Member

16. The local County Member for Maidstone Rural North, Sir Paul Carter was notified of the application on 31 March 2021. In addition, the (then) neighbouring County member for Malling North East, Mr Peter Homewood, was notified due to the proximity of the site to the shared boundary. Following the local elections held on 6th May, the local County Member for Malling North East changed to Mr Andrew Kennedy, who has therefore also been notified of the application. No views have been received.

Publicity

17. The application was publicised by the posting of four site notices; one at the entrance to the site hoardings, one at the rear of the site in St Michaels Close, one at the road junction of the unclassified road off Beddow Way and the access road by Forstal Cottages, and one at the turning towards the site on Beddow Way.

Representations

18. In response to the publicity, 4 letters objecting to the application have been received. The key points raised can be summarised as follows:

- Concern over the increase in traffic and its impact on residential properties;
- Proposal will lead to more large vehicles using Forstal Road by Forstal Cottages;
- Large vehicles frequently cause damage to parked cars for residential properties as access by Forstal Cottages is too narrow for industrial vehicles;
- Vehicles often ignore the no entry sign at the northern end of the road by Forstal Cottages as well as the signage at the southern end stating no access to the industrial estate;
- Concern over safety of residents due to large vehicles accessing the site;
- Access from St Michaels Close to the new development should be considered;
- If development goes ahead new 'No Entry' and 'Access for Residents Only' signs required to ensure vehicles use Beddow Way for access rather than using the road by Forstal Cottages as a cut through;

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- In addition, new road markings should be provided to ensure vehicles do not use the road by Forstal Cottages to access this site or the wider industrial site.

Discussion

19. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 14 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. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
20. The application is being reported for determination by the Planning Applications Committee due to the four letters of objections received from nearby residents. In addition, the application also needs to be reported as a result of Governance conflicts arising from the applicant, KCC Economic Development, falling within the same Division of KCC as the Planning Applications Group. In these circumstances legislation requires that the decision is taken by the Planning Applications Committee. In my opinion, the key material planning considerations are the principle of development; the siting and design of the new building; and any highway and transport implications resulting from the development; along with other matters such as contamination, flood risk, residential amenity, sustainability and archaeology.

Principle of Development

21. The application site is located within an established industrial estate, which is designated in the Local Plan as an economic development area. Policy SP21 of the Local Plan states that the Council is committed to supporting and improving the economy of the borough and providing for the needs of businesses – achieved by ensuring the retention, intensification and regeneration of the existing industrial and business estates identified on the policies map. The redevelopment of this partially mothballed site, within the industrial estate therefore meets the aims of Policy SP21 in principle.
22. The proposed autopsy use would be considered as sui generis under the Use Class Order, given that it does not fall within any specific use class. The Aylesford industrial estate is designated for use classes B1 (office use other than a use within Class A2, research and development and any industrial process appropriate for a residential area), B2 (industrial uses) and B8 (storage and distribution uses) under Policy SP22 of the Local Plan, and this policy states that a change of use or redevelopment of a site or premises to a non B class use will not be permitted unless it can be demonstrated that there is no reasonable prospect of their take up or continued use for the designated use in the medium term. However, the policy goes on to state that mixed use proposals incorporating an element of non B class use may exceptionally be permitted where such development would facilitate the regeneration of the site to more effectively meet the needs of modern business and where the overall employment capacity of the site is maintained. Furthermore this policy allows for the redevelopment of premises and the infilling of vacant sites for business use.

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23. The existing (wider) site as a former transport workshops would have generated relatively low levels of employment for the amount of land taken, since much was used for the storage of vehicles, and the site has now been predominantly empty for several years. The proposed use would generate 5 full-time equivalent jobs, some of which would be highly skilled in accordance with Policy SP21 (iv). The proposed application would be the first phase of the redevelopment of the wider site, which would see the retention and regeneration of the site in accordance with the aims of Policy SP21 (i).
24. Under the new Use Classes Order published in 2020, what were previously B1 uses now fall under Class E – Commercial, Business and Service uses. Relevant to this proposal are subsections (e) and (g), as set out below:
- (e) provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner
 - (g) for:
 - (i) an office to carry out any operational or administrative functions,
 - (ii) the research and development of products or processes, or
 - (iii) any industrial process,being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

The proposal, whilst sharing characteristics with each of these sections, does not wholly fall within either of them and hence would still be considered as sui generis. Notwithstanding this, it is considered that the proposed use would be an appropriate use for this site on the industrial estate and would meet the main objective of Policy SP22 which is to ensure the continuation of business and employment generating uses on the site. In addition, section 4 of this policy does allow for an element of non B class uses as part of a wider scheme. Maidstone Borough Council have been consulted on the application and have raised no objection to the proposal, bearing in mind compliance with its own Local Plan Policies. In addition, the site was used on an emergency basis as a temporary resting place during the Covid 19 pandemic during 2020, occurring without any adverse impacts on the surrounding area. It is therefore considered that the principle of development is acceptable and would accord with the aims of Policies SP21 and SP22 of the Maidstone Borough Local Plan.

25. The site comprises previously developed (brownfield) land; it is partially mothballed and several of the buildings are condemned for demolition. One of the core principles of the NPPF encourages the effective use of land by reusing land that has been previously developed. Policy DM5 of the Maidstone Borough Local Plan reiterates this aim and states that proposals for development on brownfield land will be permitted. It is therefore considered that this proposal would also accord with Policy DM5.

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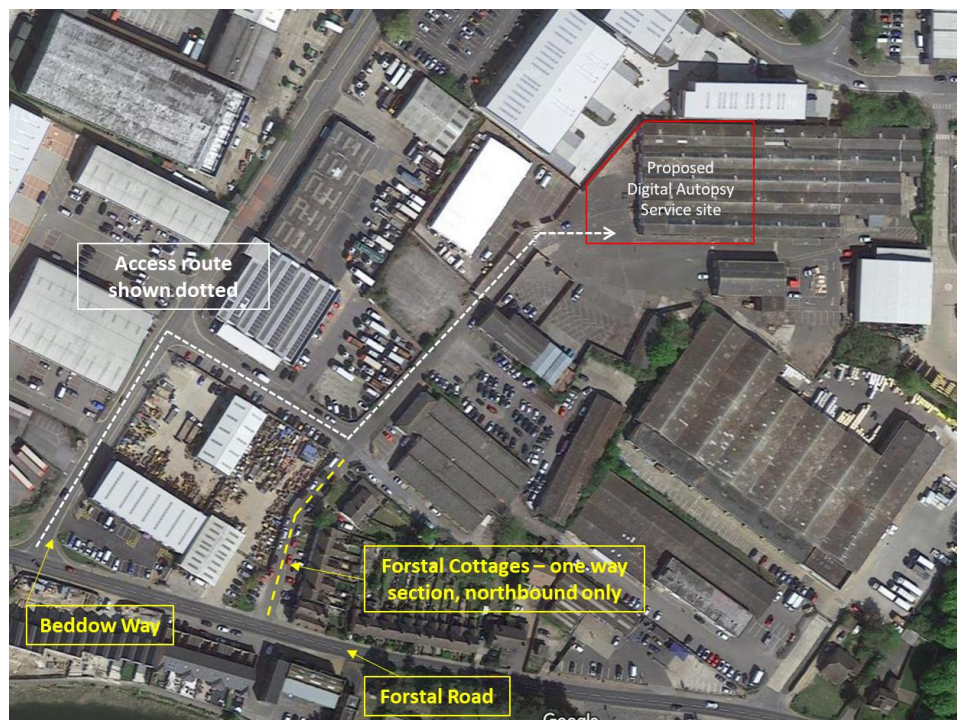
Siting and Design of New Building

26. The design of the building, as described in the proposal section would reflect a modern industrial unit and would be of a style which is considered in keeping with the newly built units to the north and north-east of the site on the former Waitrose car park, and those recently given permission on the Gallagher site to the south. Given this would be the first parcel of land on the wider site to be developed there would not be a 'street scene' as such for it to fit within but seen in the context of the surrounding buildings outside the site and the wider industrial estate, the design of the building is considered to be acceptable. The steel framed canopy would provide a feature to the front elevation, giving a portico or colonnade effect to the building, whilst providing shading to the south-facing glazing. As explained within the Design and Access Statement the building has been designed with long-term sustainability in mind and would easily allow for future conversion to B1(the new E class)/B2/B8 use should the need for the digital autopsy service change or be relocated.
27. The building would be set away from the boundaries of the site and the secure compounds would provide privacy for the use of the facility. Although 2.4m high fencing, which would enclose the compound, is considered high and would be out of place at the front of a site in a more prominently visual location, located amongst the large industrial units and existing fenced areas close to the site, it is considered that it would be acceptable.
28. The proposed open car park and low level landscaping would soften the appearance of the scheme. Climbing plants are proposed to the edges of the compound fencing which would, over time, help to soften the appearance of this as well. Given that the details for the proposed CT scanner pod are only indicative at this stage, a condition requiring exact details to be submitted to the County Planning Authority and approved in writing prior to its installation on site is proposed, to ensure it accords with the intended size and design suggested.
29. The design and siting of the proposed building and surrounding facilities is considered to be acceptable and in keeping with the locality and would accord with the aims of Policy DM1 of the Local Plan. A condition to secure details of the exact materials to be used in the development has been included in the recommendation below.

Access, Parking and Highways

30. The proposed Digital Autopsy Service would continue to use the existing access to the County Workshops site which is from Beddow Way via the unnamed road and northern section of Forstal Cottages, as shown dotted white on the diagram below for clarity.

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The applicant has advised that there could be approximately 3-4 members of staff on site at any one time, 11 deliveries per day and on average there may be 2-3 visitors per day. This would generate a total of 17 arrivals and 17 departures per day, a total of 34 vehicle movements. This would represent a significant reduction in trip generation compared to the previous use of the County Workshops site (as set out in the Transport Statement) and as such it is considered that the use would not result in any 'severe' impacts on the local highway network.

31. The service would be served by parking provision for 7 vehicles, 2 of which would be disabled bays and two electric vehicle charging points would be installed. In addition covered parking for 6 cycles would be provided. It is considered that this provision would be adequate to meet the demands of the service alongside access to both bus and railway services which are available nearby. Vehicle swept path analysis diagrams have been provided to show that adequate access can be made for all types of vehicles including large vans and HGV's which would need to access the site. Adequate visibility for all access points would be achieved with the layout proposed.
32. The County Highway and Transportation Officer has considered the application, the submitted plans and documents, including the Transport Statement, and has raised no objection to the application, subject to the imposition of a number of conditions. These would require that a Construction Management Plan be submitted prior to construction commencing to cover details such as the routing of construction vehicles to and from the site, parking and turning areas for delivery and construction vehicles, timing of deliveries, wheel washing facilities and temporary traffic management and signage. In addition, conditions ensuring the vehicle parking and cycle parking are laid out as shown and permanently retained, and also that the Electric Vehicle chargers provided must be from the approved models list. These conditions are covered in the recommendation section below. It is considered that the proposal would meet the aims of Policy DM21 of

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the Maidstone Borough Local Plan, which details how the transport impacts of development should be assessed, and Policy DM23 relating to parking standards.

33. As a result of the advertisement of the application, four letters of objection were received from residents of properties on Forstal Cottages. As set out in paragraph 18 their general concerns relate to traffic using Forstal Cottages as a route through from Forstal Road to the industrial estate, despite there being signage at the junction of Forstal Road and Forstal Cottages advising that there is no access to the industrial estate. In addition they have experienced vehicles travelling the wrong way down the one-way part of the road in front of the residential properties and damage to cars which are generally parked on both sides of the road here. The residents are concerned that this may continue to happen and be exacerbated by traffic entering or leaving the proposed Digital Autopsy Service site, given its proximity to Forstal Cottages.
34. It has been demonstrated above that the level of traffic utilising the site for the proposed autopsy service would be substantially less than the original traffic which would have travelled in and out of the site when it was run as the County workshops. In addition the applicants have advised that they would make it clear through operational management procedures that all vehicles would be informed of the access route via Beddow Way, but nevertheless this is clearly a concern for local residents and the application has the potential to exacerbate the situation. To try and improve the situation the applicant's have agreed to provide some replacement signage for both ends of the one way section of Forstal Cottages. At the southern end this would be to make it clearer to traffic that this road should not be used to access the Industrial Estate, and at the northern end clearer no-entry signage. Road markings would also be provided as an additional means of expressing this message. A condition has been included in the recommendation below which requires the submission of details of the road markings and signage to be submitted within 3 months of the date of any consent given, and that the details approved through that condition be in place prior to the Digital Autopsy Service becoming operational.

Contamination

35. The application was supported by the submission of a 'Report on Ground Investigation' which considered the most significant risks associated with historic and previous uses on the site and reported the findings of intrusive fieldwork carried out in October 2020. Historic risks are attributed to the use of the site as a brick and tile works, infilling of former pits and tanks with unknown fill materials, and storage and associated leaks and spills associated with vehicle related fluids as a result of the site being used as a vehicle repair depot. The report states that there is considered to be a moderate risk that a significant source of contamination exists below the site, or in the immediate vicinity. Further investigation and remediation is recommended in the report.
36. The Environment Agency were consulted on the application due to the potential for contamination on site, and they concur that the previous land uses on the site present a high risk that contamination could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location, they state, due to the site being located within a Source Protection Zone 1 and on a principal aquifer. They acknowledge that further detailed information would be required before built

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development is undertaken, but that this could be secured through the imposition of planning conditions. As such they have raised no objection subject to conditions being imposed which require a remediation strategy to be submitted to the County Planning Authority, and agreed in writing; that a verification report be submitted demonstrating that the remediation strategy has been implemented; that if any contamination is found on site that hasn't been previously identified that construction would stop until a remediation strategy for dealing with it has been agreed; that there be no infiltration of surface water to the ground without express written consent from the County Planning Authority; that piling should not be carried out without written consent from the County Planning Authority; and that a groundwater monitoring plan be submitted and agreed. Finally, an informative is also requested by them regarding the consent required for discharge of surface run-off to ground or surface waters.

37. In light of the fact no objection has been raised by the EA, and that the proposed conditions and informative are included in the recommendation below, it is considered that the scheme would be acceptable in relation to contamination and accord with the aims of Policy DM3 of the Local Plan and the advice in paragraph 170 of the NPPF.

Flood Risk and Drainage

38. The site lies within Flood Zone 1 as set out in the Environment Agency's Flood Map for Planning, where the risk of flooding is generally considered to be low from all sources. A Flood Risk Assessment was submitted in support of the application (which covers the whole wider site not just the current red line application site boundary) which states there have been no incidences of flooding from any source of flooding at the site. The EA have raised no objection on grounds of flooding.
39. A drainage plan and Drainage Strategy Report have also been submitted and the County's Flood and Water Management Team have considered these details. They have advised that they are satisfied that the principles proposed, namely attenuation and a restricted discharge at 2l/s to the surface water sewer would not increase the risk of flooding at the site. They therefore raise no objection to the application subject to the imposition of a pre-commencement condition requiring a detailed sustainable surface water scheme for the site to be submitted to and approved in writing by the County Planning Authority; and that the building shall not be brought into use until a verification report pertaining to this scheme has been submitted to and approved by the County Planning Authority. The EA have also requested a condition which covers groundwater and an informative regarding surface waters, as set out above. Subject to the imposition of these it is considered that the application is acceptable in relation to flood risk and drainage.

Archaeology

40. The application was supported by the submission of a Geoarchaeological Desk-Based Assessment and an Archaeological Desk Based Assessment. The application site lies in an area of High Archaeological Potential – there being a high potential for the Prehistoric, Post Medieval and Modern period; moderate for the Iron Age and Roman period; and low for all other periods. The Palaeolithic potential for Aylesford is considered high given the number of finds and environmental remains found in the area,

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and the Post Medieval period is high as the northern and western parts of the (wider) site are likely to have remains relating to a mill head for the Forstal paper mill and pottery works buildings, which also continued into the Modern period. Due to the national significance attributed to any possible Palaeolithic remains and the requirement to increase knowledge and understanding of the River Terrace in the Maidstone area the Archaeological Desk Based Assessment recommends specialist evaluation at the site.

41. The County's Archaeological Officer has considered the details of the application and the documents submitted and highlights that there are potentially very important Palaeolithic remains in the area and the potential for substantial industrial structures of significance. In view of the archaeological potential a phased programme of geoarchaeological and Palaeolithic assessment and investigation and a phased programme of archaeological work is needed to inform and guide the proposed development. Further assessments, especially fieldwork, could then be used to guide the need for further archaeological mitigation. Three conditions are therefore included in the recommendation below, which require a specification for geo-archaeological and Palaeolithic field evaluation works to be submitted and approved in writing with the County Planning Authority prior to the commencement of development; archaeological field evaluation works to be submitted and approved in writing with the County Planning Authority prior to the commencement of development; and before the site can be brought into use, that a programme of geo-archaeological and archaeological post excavation and publication work be submitted and approved by the County Planning Authority. Subject to this it is considered that the scheme would be in accordance with the aims of the NPPF and Policy DM4 of the Maidstone Borough Local Plan.

Ecology

42. The application was accompanied by an Ecological Impact Assessment which, as with some of the other technical documents, was based on the wider County Workshops site rather than just the red line of this application. A Bat Scoping Assessment was also submitted. The site is mainly occupied by buildings and hardstanding and is some distance from the ancient woodland to the north/east. In considering the application the County Council's Biodiversity Officer has noted that no bat roosting potential was observed on site, but the nearby non-designated woodland does provide bat foraging habitat, and therefore efforts must be made not to increase light pollution once the development is operational.
43. A condition requiring details of ecological enhancements, to include the provision of bird and bat boxes and native species only within the landscape scheme, has been requested by the Biodiversity Officer, to be submitted for approval within 6 months of works commencing, and this has been included in the recommendation below. Informatives are also recommended to ensure breeding birds are not disturbed during the construction period, and that the applicant adheres to the Bat Conservation Trusts Guidance Note: Bats and Artificial Lighting. These have been included in the recommendation below and the scheme is therefore considered to be acceptable in relation to ecological matters and would accord with the aims of Policy DM1 of the Maidstone Borough Local Plan where it relates to biodiversity.

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Sustainability

44. The Design and Access Statement acknowledges that the Digital Autopsy Service would, by its nature, have a high energy demand and therefore the proposal includes a range of approaches to mitigate this through the design. Provision of daylight to the main staff spaces is achieved through full height windows and elevated ceilings, reducing the need for artificial lighting. A heat recovery ventilation system is proposed to minimise loss of energy, and space and water heating would be fully electric therefore avoiding the use of mains gas. The orientation of the building and its roof profile have been chosen to maximise the potential for solar panel provision, which is expected to produce up to 48,906kWh per annum. Low use water fittings are proposed and timber would be derived for a recognised sustainable source. Finally, two electric vehicle charging points would be provided in the car park, with the capacity to provide more in the future.
45. The proposed development would achieve a predicted Energy Performance Certificate (EPC) rating of 'A' and BREEAM 'very good' and would therefore be in accordance with Policy DM2 of the Maidstone Local Plan.

Residential Amenity

46. The proposed development would be sited at least 160m away from the residential properties on Forstal Cottages and given this separation and the general wider industrial estate operation (including other existing uses and buildings between the properties and the site), it is considered that this facility would not raise amenity issues for residents. The concerns raised by residents on traffic grounds and the use of Forstal Cottages by inappropriate vehicles has been addressed above.

Minerals Assessment

47. Policy DM7 of the Kent Minerals and Waste Local Plan seeks to control development where, as is the case with this site, an application falls within a Minerals Safeguarding Area. The site lies within an area safeguarded for silica sand/construction sand extraction. The archaeological report refers to the brick and tile works having been historically present on the wider site and suggests that any mineral resource here is likely to have already been extracted. Furthermore, the Report on Ground Investigations identified only a thin layer of sand in Trial Pit B (10cm) and no significant sand deposits within Trial Pits A, C or D. As such it would appear that the mineral is not of economic value and that extraction would not be viable or practical, in accordance with sections 1 and 2 of Policy DM7. Finally, the supporting documents note that given the wider use of the surrounding area for a range of industrial and commercial uses, and the fact it is a previously developed site, extraction would not be practical even if viable deposits existed.
48. The County Council's Minerals and Waste Planning Policy Team have considered the details submitted and raise no objection on mineral safeguarding grounds.

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Conclusion

49. In my view the key determining factors for this proposal are the principle of development in this location, the design and siting of the new building and the potential highway and transportation impacts. In my view the principle of the digital autopsy use would be acceptable given the established industrial estate location and would make good use of previously developed land. The design of the building would be in keeping with the surrounding development and other permitted schemes yet to be implemented and would be constructed to meet the requirements for BREEAM 'very good'. The proposed use would not result in any severe transport or highway implications and the applicant has agreed to improve signage at Forstal Cottages to address the existing problems experienced by residents.
50. The development can be accommodated without impact to ecology, flood risk, drainage, contamination, or archaeology, all of which can be suitably mitigated by the proposed conditions. In my view the development is sustainable, in accordance with the aims of the NPPF and the Development Plan policies, and there are no material planning considerations that indicate that the conclusion should be made otherwise. I therefore recommend that planning permission be granted.

Recommendation

51. I RECOMMEND 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 prior to the commencement of development;
 - Exact details of the CT Scanner to be submitted and approved in writing prior to its installation on site;
 - Details of the appearance of the relocated substation to be submitted and approved in writing prior to its installation on site;
 - No development to commence until a Construction Management Plan has been submitted and approved in writing;
 - Vehicle and cycle parking shall be laid out as shown and permanently retained;
 - The Electric Vehicle Chargers installed on site must be from the UK Government approved models list;
 - Details of the road markings and signage relating to Forstal Cottages shall be submitted within 3 months of the date of any consent given, and the details approved shall be implemented prior to the Digital Autopsy Service becoming operational;
 - Prior to the commencement of development a remediation strategy shall be submitted to the County Planning Authority, and approved in writing;
 - The submission of a verification report demonstrating that the remediation strategy has been implemented, to be approved in writing prior to the use commencing;
 - If any contamination is found on site that has not been previously identified that construction would stop until a remediation strategy for dealing with it has been agreed in writing;

Item D1

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- That there be no infiltration of surface water to the ground without express written approval from the County Planning Authority;
- Piling should not be carried out without written approval from the County Planning Authority;
- The submission of a groundwater monitoring plan to be approved in writing by the County Planning Authority prior to the use commencing;
- Prior to the commencement of development the submission of a detailed sustainable surface water drainage scheme (based on the submitted Drainage Strategy Report and drainage drawings) to be submitted to and approved in writing by the County Planning Authority;
- The building shall not be brought into use until a Verification Report pertaining to the surface water drainage system has been submitted to and approved in writing by the County Planning Authority;
- Prior to the commencement of development the implementation of geo-archaeological and Palaeolithic field evaluation works in accordance with a specification to be approved by the County Planning Authority and following on from the evaluation any safeguarding measures to ensure preservation in situ of important remains and/or any further investigation required;
- Prior to the commencement of development the implementation of archaeological field evaluation works in accordance with a scheme to be approved by the County Planning Authority and following on from this any safeguarding measures to ensure preservation in situ of important archaeological remains or further investigation as required;
- Prior to the building being brought into use the completion of a programme of geo-archaeological post excavation and publication work, to be approved by the County Council;
- Within 6 months of the commencement of development, details of ecological enhancements to include the provision of bird and bat boxes and native species only within the landscape scheme, shall be submitted to the County Planning Authority and approved in writing.

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

- That the applicant ensures that all necessary highway approvals and consents are obtained;
- The applicant is reminded that consent will be required from the Environment Agency for discharge of surface run-off to ground or surface waters;
- It is the responsibility of the applicant to ensure that all works should be carried out outside of the breeding bird season (March 1st to August 31st inclusive) and if this is not possible that a suitably qualified ecologist examine the site for breeding birds prior to work commencing;
- The applicant is reminded that the development should be carried out in accordance with the Bat Conservation Trusts Guidance Note: Bats and Artificial Lighting;

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| Case Officer: Mrs Helen Edwards |
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| Tel. no: 03000 413366 |
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| Background Documents: see section heading |
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**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.

- AS/20/1718 Section 73 Application to vary conditions 1, 21 & 20 of planning permission AS/97/360/MR13 to extend the date for the completion of extraction of minerals and the removal of all buildings and plant by 10 years until 31 December 2030 (Condition 1) and the date for completion of restoration until 31 December 2035 (Condition 21) and to amend the reinstatement, aftercare and after-use requirements to increase opportunities for ecological enhancement (Condition 20).
Beacon Hill Quarry, Pilgrims Way, Charing, Kent TN27 0DR
Decision: Permitted
- AS/21/229 Section 73 application to vary condition 19 of planning permission AS/15/206 to increase the limit on HGV movements from 110 per day to 150 per day to meet current market demand.
Charing Quarry / Burleigh Farm, Hook Lane, Charing, Ashford, Kent TN27 0AN
Decision: Permitted
- DA/19/1626/R20
& R21 Request for approval of details pursuant to conditions 20 (remaining parts of the condition) (Construction Management Plan) and 21 (remaining parts of the condition) (Surface Water Drainage Scheme) of planning permission DA/19/1626.
St Margarets Farm, St Margarets Road, Darenth, Kent DA4 9LB
Decision: Approved
- MA/20/504360 Variation of condition 2 of planning permission MA/19/501709 to amend the date for completion of importation and stabilisation works and restoration by a further period of 12 months (i.e. until 25 September 2021).
Chilston Sand Pit, Sandway Road, Sandway, Maidstone, Kent ME17 2LU
Decision: Permitted
- MA/20/504362 Variation of condition 2 of planning permission MA/19/502344 to amend the date for completion of restoration by a further period of 12 months (i.e. until 25 September 2021).
Chilston Sand Pit, Sandway Road, Sandway, Maidstone, Kent ME17 2LU
Decision: Permitted

- SE/20/2151/R4B Temporary change to permitted construction hours to allow for crane dismantling work to be undertaken on 5 & 6 June 2021 between the hours of 08.00 and 18.00 hours on both days pursuant to Condition 4 of planning permission SE/20/2151.
Sevenoaks Grammar Annexe, Seal Hollow Road, Sevenoaks, Kent TN13 3SN
Decision: Approved
- SW/19/504918/R10 Details of an updated Ecological Management Plan for the field to the south of the biomass facility pursuant to Condition 10 of planning permission SW/19/504918.
Mv Environment Ridham, Lord Nelson Road, Ridham Dock, Iwade, Sittingbourne, Kent ME9 8FQ
Decision: Approved
- SW/20/505774 Section 73 application to vary condition 3 of planning permission SW/20/500833 to increase the annual throughput from 181,800 tpa to 195,000 tpa.
MVV Environment Ridham, Lord Nelson Road, Ridham Dock, Iwade, Sittingbourne, Kent ME9 8FQ
Decision: Permitted
- TM/00/1599/
R26C1A Details of an Ecological Mitigation Strategy for the Widening of the Site Haul Road (condition 3) pursuant to planning permission TM/00/1599/R26C1.
Stonecastle Farm Quarry, Whetsted Road, Five Oak Green, Tonbridge, Kent
Decision: Approved
- TM/10/2029/A2/
R26B Prior approval for an amendment to the external appearance of the as-built transport workshop (approved under planning references TM/10/2029/RVARB and TM/10/2029/RVARBA), together with the installation of an air source heat pump system, associated equipment and enclosure and a refuse store pursuant to condition 26 of Annex A2 of planning permission TM/10/2029.
Hermitage Quarry, Hermitage Lane, Aylesford, Kent, ME20 7PX
Decision: Approved
- TM/20/2784 Section 73 application to enable the operation of the established in vessel composting facility to its approved capacity for the same duration as the adjacent anaerobic digestion facility permitted under planning permission TM/19/2396 on 15 October 2020.
In Vessel Composting Facility, Blaise Farm Quarry, Kings Hill, West Malling, Kent ME19 4PN
Decision: Permitted

**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.

- AS/21/0452 Proposed renewal of temporary planning permission for an existing 2 classroom (5 bay) modular unit for a further period of 5 years.
Repton Manor Primary School, Repton Avenue, Ashford, Kent, TN23 3RX
Decision: Permitted
- CA/21/831 Replacement of the current curtain wall system to all elevations of the property encompassing the replacement of all timber doors with aluminium.
Littlebourne C Of E Primary School, Church Road, Littlebourne, Canterbury, Kent, CT3 1XS
Decision: Permitted
- DO/19/1120/RVAR Application for the discharge of conditions 15 (drainage documentation) and 18 (drainage details) of planning permission DO/19/1120 (amendment to details approved under D0/19/1120/R15 and DO/19/1120/R18).
Dover Grammar School For Boys, Astor Avenue, Dover, Kent CT17 0DQ
Decision: Approved
- DO/20/862/RVAR Details of a Demolition and Construction Management Plan (Condition 4), Sensitive Lighting Strategy (Condition 6) and details of the location and type of two bat boxes to be positioned on the site (Condition 7) pursuant to planning permission DO/20/862.
Nonington C of E Primary School, Church Street, Nonington, Dover, Kent CT15 4LB
Decision: Approved
- FH/19/1446/R4&R12 Details of a Construction Management Plan (Condition 4) and details of a Sustainable Surface Water Drainage Scheme (Condition 12) pursuant to planning permission FH/19/1446.
Sellindge Primary School, Main Road, Sellindge, Ashford, Kent TN25 6JY
Decision: Permitted
- FH/21/0320 Road and footpath renewal, including the provision of x2 new passing bays and road widening.
Harcourt Primary School, Biggins Wood Road, Folkestone, Kent CT19 4NE
Decision: Permitted

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| GR/19/951/R | <p>Application for non-material amendment; minor changes to the approved landscaping scheme, increase in roof height over the multi-use space, and minor alterations to the fenestration details. St Georges Church Of England School, Meadow Road, Gravesend, Kent DA11 7LS Decision: Approved</p> |
| GR/19/1045/RVAR | <p>Details of a landscaping scheme (Condition 4), biodiversity and ecology enhancement (Condition 8) and external lighting scheme (Condition 9) of planning permission GR/19/1045. Northfleet School For Girls, Hall Road, Northfleet, Gravesend, Kent DA11 8AQ Decision: Approved</p> |
| GR/20/553/R6 | <p>Details of a School Travel Plan pursuant to Condition 6 of planning permission GR/20/553. St. Johns Catholic Comprehensive School, Rochester Road, Gravesend, Kent, DA12 2JW Decision: Approved</p> |
| MA/19/503387/R13 | <p>Details of External Lighting pursuant to condition 13 of planning permission MA/19/503387 as amended by MA/21/1384. The Maplesden Noakes School, Buckland Road, Maidstone, Kent ME16 0TJ Decision: Approved</p> |
| MA/19/503387/R | <p>Non-material amendment to planning permission MA/19/503387 for adjustments to the external wall design, circular column encasement to external column, elevational changes to front entrance cladding and minor internal reconfiguration changes. The Maplesden Noakes School, Buckland Road, Maidstone, Kent ME16 0TJ Decision: Approved</p> |
| MA/20/501103/R | <p>Non material amendment to planning permission MA/20/501103 for the addition of a Monodraught ventilation unit to meet the requirements of ventilation for a study area and plant to roof to service the kitchen below. Park Way Primary School, South Park Road, Maidstone, Kent ME15 7AH Decision: Approved</p> |
| MA/21/1384 | <p>Section 73 application for the proposed variation of condition 14 (regarding the car parking provision) of planning permission reference MA/19/503387 to amend the wording of the condition 14 from "Prior to occupation of the development" to "Prior to September 2021". The Maplesden Noakes School, Buckland Road, Maidstone, Kent ME16 0TJ Decision: Permitted</p> |
| SE/21/0853 | <p>Installation of a 2no classroom modular building, including toilet provision, staff office, external fenced play areas and canopies. St Marys Church Of England Primary School, St Marys Road, Swanley, Kent BR8 7BU Decision: Permitted</p> |

- SW/20/501709/R8 Details of a Sustainable Surface Drainage Scheme pursuant to Condition 8 of planning permission SW/20/501709.
Sunny Bank Primary School, Sunny Bank, Murston, Sittingbourne, Kent ME10 3QN
Decision: Approved
- TH/19/1696/R3&R4 Details of external materials (Condition 3) and details of external lighting and hours of operation (Condition 4) pursuant to planning permission TH/19/1696.
Land to the north and south of the A299 (Hengist Way) and to the east of the A256 (Richborough Way), including an existing railway line and part of the existing A299, Cliffsend, Kent (Thanet Parkway Station)
Decision: Approved
- TH/19/1696/R5 Details of Biodiversity Net Gain pursuant to Condition 5 of planning permission TH/19/1696.
Land to the north and south of the A299 (Hengist Way) and to the east of the A256 (Richborough Way), including an existing railway line and part of the existing A299, Cliffsend, Kent (Thanet Parkway Station)
Decision: Approved
- TH/19/1696/RVAR Details of the permanent bus shelter facilities (Condition 10), details of electric vehicle charging points (Condition 12), details of on-site secured weatherproof cycle parking (Condition 13) and details of pedestrian and cycle access routes (Condition 14) pursuant to planning permission TH/19/1696.
Land to the north and south of the A299 (Hengist Way) and to the east of the A256 (Richborough Way), including an existing railway line and part of the existing A299, Cliffsend, Kent (Thanet Parkway Station)
Decision: Approved
- TH/19/1696/R16 & R18 Details of Sustainable Surface Water Drainage Scheme and details of Surface Water Infiltration pursuant to planning permission TH/19/1696.
Land to the north and south of the A299 (Hengist Way) and to the east of the A256 (Richborough Way), including an existing railway line and part of the existing A299, Cliffsend, Kent (Thanet Parkway Station)
Decision: Approved
- TH/19/1696/R19 &R20 Details of a Foundation Work Risk Assessment (Condition 19) and details of a strategy to deal with risks associated with any discovered contamination on site (Condition 20) pursuant to planning permission TH/19/1696.
Land to the north and south of the A299 (Hengist Way) and to the east of the A256 (Richborough Way), including an existing railway line and part of the existing A299, Cliffsend, Kent (Thanet Parkway Station)
Decision: Approved

- TH/19/1696/R24(pt 2) Details of a Construction Environmental Management Plan pursuant to condition 24 (in part) of planning permission TH/19/1696, relating to Phase B only (creation of a temporary access from the A299, the construction of the permanent signal-controlled junction and associated streetlighting on the A299).
Land to the north and south of the A299 (Hengist Way) and to the east of the A256 (Richborough Way), including an existing railway line and part of the existing A299, Cliffsend, Kent (Thanet Parkway Station)
Decision: Approved
- TH/19/1696/R24(pt 3) Details of a Construction Environmental Management Plan pursuant to condition 24 (in part) of planning permission TH/19/1696, relating to Phase D works only (construction of station and car park).
Land to the north and south of the A299 (Hengist Way) and to the east of the A256 (Richborough Way), including an existing railway line and part of the existing A299, Cliffsend, Kent (Thanet Parkway Station)
Decision: Approved
- TM/19/2964/RVARA Details of a Landscaping Scheme (Condition 4), details of a Management Plan for the development site and main receptor site (Condition 13) and details of external/security lighting and hours of operation (Condition 24) pursuant to planning permission TM/19/2964.
Land North of Platinum Way, St Mary's Platt, Sevenoaks, Kent TN15 8JE
Decision: Approved
- TM/21/0609 Two-Storey Infill Extension to provide toilets on the ground floor & teaching space on the first floor.
St Peters Church Of England Primary School, Mount Pleasant, Aylesford, Kent ME20 7BE
Decision: Permitted
- TW/18/2129/R10 & R11 Details of a drainage scheme and verification report pursuant to Conditions 10 & 11 of planning permission TW/18/2129 as subsequently amended under Section 73 application reference TW/20/3862 (TW/18/2129/R).
St Gregory's Roman Catholic Comprehensive School, Reynolds Lane, Tunbridge Wells, Kent TN4 9XL
Decision: Approved
- TW/19/239/R20 Details of a Surface Water Drainage Verification Report pursuant to Condition 20 of planning permission TW/19/239.
Bennett Memorial Diocesan School, Culverden Down, Tunbridge Wells, Kent TN4 9SH
Decision: Approved
- TW/20/3514/R7 Details of a Surface Water Verification Report pursuant to Condition 7 of planning permission TW/20/3514.
Tunbridge Wells Boys Grammar School, St Johns Road, Tunbridge Wells, Kent TN4 9XB
Decision: Approved

- TW/21/0607 Renewal of Temporary Permission to Existing Modular Two Classroom Building for a further 5 year period.
St James Infant School, Sandrock Road, Tunbridge Wells, Kent TN2 3PR
Decision: Permitted
- TW/21/702 Proposed retention of freestanding 2-storey temporary accommodation until end of July 2021 (four classrooms total), as originally approved under KCC reference TW/19/1610 dated 2 July 2019.
St Gregory's Roman Catholic Comprehensive School, Reynolds Lane, Tunbridge Wells, Kent TN4 9XL
Decision: Permitted

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/0089/2021 Proposed 1 form of entry expansion involving: a) the erection of a new freestanding two-storey teaching block; b) extension to existing dining building; c) alterations to bus zone area and parent drop off area; d) provision of additional 27 car parking spaces; e) removal of five temporary classroom buildings; and, f) associated landscaping works.
Simon Langton Grammar School for Boys, Langton Lane, Nackington, Canterbury, Kent, CT4 7AS

- KCC/DO/0105/2021 The installation of machinery to support the company's renewable wood pellet expansion programme comprising Scheuch Ligno Gmbh A-4941 Mehmbach and flue, Fuel Store, Pellet Store, Hopper and flue, Stela Dryer, 1 no. 20ft Sound Attenuated Shipping Container and 2 x low carbon electrical production units as well as amendments to the permitted acoustic barrier, an additional boundary enclosure to part of the southern boundary, an increase in the quantity of wood waste to be imported for processing at the site to 25,000 tonnes per annum and an increase in the number of HGV movements (part retrospective).
Flisher Energy, Fernfield Lane, Hawkinge, Kent CT18 7A
- EDC/21/0046 Temporary consent (5 years) for the operation of a construction and recycling facility for concrete and road/base planings and ancillary plant storage areas, reception weighbridge office and parking.
Off Watling Street, Eastern Quarry, Swanscombe, Dartford, Kent
- KCC/FH/0108/2021 Section 73 Application to vary Condition 7 of planning permission SH/09/1050 to temporarily amend the hours of working to 08:00 to 18:00 on Wednesdays & Saturdays of each week from 1 May 2021 to 30 September 2021, effectively enabling an additional 1.5 operational hours on Saturdays.
KCC New Romney Household Waste Recycling Centre, Mountfield Road, New Romney, Kent TN28 8LH
- KCC/SE/0061/2021 Cessation of Existing Waste Transfer Station and Development of a New Waste Transfer Station (Comprising Amendments to Planning Permission SE/19/2180) on Land at Dunbrik Works, Main Road, Sundridge, Kent, TN14 6EP.
Land at Dunbrik Depot, Main Road, Sundridge, Sevenoaks, Kent TN14 6EP
- KCC/SE/0121/2021 Section 73 application to amend condition 2 of planning permission SE/18/293 to regularise minor changes to the layout of the agricultural waste digester facility and to seek permission for the installation of a biogas storage facility.
Court Lodge Farm, Stack Road, Horton Kirby, Dartford, Kent DA4 9DU
- KCC/TM/0057/2021 Erection of an asphalt plant.
East Peckham Rail Depot, Hale Street, East Peckham, Tonbridge, Kent TN12 5HL

- (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

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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 16 June 2021.

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 Dartford Borough Council Local Plan Regulation 19 Draft

County Council's response to Dartford Borough Council on the above

F2 Hybrid Application at Albion Waterside, Canal Basin, Gravesend, Kent DA12 2RN (20210270)

Part A - Full planning application for demolition of existing buildings and structures, construction of a mixed use development comprising C3 and C2 Residential Uses and commercial floorspace (Use Class E), a new river wall (and retention of existing river wall), works to Swing Bridge, highway junction improvements at Milton Road and Ordnance Road, associated new public open spaces and public realm improvements, car and cycle parking, landscaping, infrastructure and earthworks and ancillary works; and

Part B - Outline planning application with all matters reserved (apart from access) for demolition of all existing buildings and structures and the construction of a mixed use development comprising C3 Uses and commercial floorspace (Use Class E) with associated vehicular access, car parking, landscaping, associated infrastructure and earthworks and ancillary works.

(The proposed development would consist of up to 1,500 homes and up to 4,500sqm (GIA) of commercial floorspace)

County Council's response to Gravesham Borough Council on the above.

F3: EIA Scoping Opinion for a proposed development at Land North of Marden Maidstone Road, Marden, Kent [application reference: 21/501909/EIASCO]

County Council's response to Maidstone Borough Council on the above.

F4: EIA Scoping Opinion for a mixed-use development at Highsted Park Land to the West Of Teynham London Road Teynham Kent [Application reference 21/500836/EIASCO]

County Council's response to Swale Borough Council on the above.

F5: Swale Borough Local Plan Review (Regulation 19) – February 2021

County Council's response to Swale Borough Council on the above.

F6: Boughton and Dunkirk Neighbourhood Plan - Regulation 14 Consultation

County Council's response to Parish Council on the above.

F7: EIA Scoping Opinion for a mixed-use development at Highsted Park Land to the South and East of Sittingbourne [Application reference 21/500819/EIASCO]

County Council's response to Swale Borough Council on the above.

F8: Thanet District Council Statement of Community Involvement Review 2021

County Council's response to Thanet District Council on the above.

F9: Hoo - New Routes to Good Growth Consultation

County Council's response to Medway Council on the above.

F10: NPPF Changes and National Design Code Government Consultation

County Council's response to Ministry Housing Communities and Local Government on the above.

Background documents: As set out in the reports.

| Policy / Paragraph | Commentary |
|---|---|
| 1. INTRODUCTION | |
| | <p>The County Council is supportive of the Local Plan’s growth strategy, which looks to deliver a sustainable future for Dartford by focusing growth through the delivery of large-scale, strategic mixed-use developments at Ebbsfleet Garden City and in central Dartford. The County Council welcomes the incorporation of strategic policies to set out the role of infrastructure in the delivery of sustainable new communities. This will help ensure that planned residential and commercial growth will be of high quality and delivered in a way that will help to create the places people want to live now and in the future. Taking an “Infrastructure First” approach is advocated by the County Council and is also embedded in the Kent and Medway Infrastructure Proposition, a proposed deal with Government for new infrastructure investment that will enable accelerated housing delivery, which is focussed on building the right homes in the right places and providing the public services, transport infrastructure, jobs and homes that residents will need, now and in the future.</p> <p>Within this response, the County Council provides detailed commentary on the proposed policies and supporting paragraphs and suggests areas that could be strengthened, particularly regarding climate change adaptation and mitigation, heritage conservation and waste management.</p> <p>The County Council will continue to work closely with Dartford Borough Council as the Local Plan is progressed and as high levels of growth continue to be delivered in the Borough. Commitment to close collaboration between key partners will be essential to ensure that good growth is planned, funded and delivered in a timely manner and will help to ensure that full infrastructure funding is available to enable the delivery of the necessary infrastructure to support new development at the right time.</p> |
| 2. BOROUGH STRATEGY & OBJECTIVES | |
| Strategic Objectives | <p>Highways and Transportation</p> <p>The County Council, as Local Highway Authority, supports the Local Plan objectives to create cohesive, safe, walkable and attractive neighbourhoods, reducing the need to travel, upgrading the transport network to provide a choice of travel options including reliable and rapid public transport to key destinations and enhancing green grid networks. The County Council is overall supportive of the measures within the Local Plan which seek to provide opportunities for a modal shift towards more sustainable forms of transport – this will in turn have health and wellbeing benefits for residents with enhanced opportunities for active travel, but also wider environmental benefits including an improvement in air quality.</p> <p>Education</p> <p>KCC, as Education Planning Authority, supports the reference in Strategic Objectives W1 and W2 to the need to deliver housing development that is within walking distance of schools. KCC looks forward to assisting the Borough Council in achieving this aspiration.</p> <p>KCC welcomes the Borough Council’s commitment to create infrastructure for school provision in Objective I1, as urban areas are regenerated. Objective I2 looks at transport links and KCC would ask that Objectives W1, W2 and I2 are considered together in discussion about new school provision.</p> <p>Waste Management</p> <p><i>Objectives for infrastructure and economic investment</i></p> <p>The County Council has previously set out its comments and requests in respect of waste in previous Local Plan consultations. Under ‘objectives for infrastructure and economic investment’, the County Council recommends the following objective is included:</p> <p><u>“I5: Provision of a sustainable waste management service by ensuring facilities are re-developed to meet the obvious increased demands of the additional residents at the Household Waste and Recycling Centres (HWRC). A new dedicated Waste Transfer Station facility for the Borough to meet the demands from housing growth and to also support the statutory increases in recycling through rom the Borough’s kerbside collection service.</u></p> |
| Borough Spatial Strategy (S1) | <p>The County Council supports the development strategy for the Borough, which seeks to provide development in “<i>planned locations in the Borough to meet assessed needs, securing new infrastructure provision and brownfield land re-use, creating neighbourhoods resilient and adaptive to climate change</i>” and which looks to focus growth through strategic mixed-use developments planned within Ebbsfleet Garden City and central Dartford. As a key infrastructure provider, KCC supports the prioritisation of the delivery of new and improved infrastructure.</p> <p>Highways and Transportation</p> <p>KCC supports the focus on delivering mixed use development that seeks to reduce the need to travel and the intention to direct development towards sites with existing (or opportunities to improve access to) public transport, walking and cycling. Development on brownfield sites should also have access to sustainable travel. Walking, cycling and public transport should be at the forefront of any new proposals when planning applications are submitted and applicants should engage with KCC highways and Public Transport at the outset in order to ensure that the infrastructure is designed appropriately and accords with the latest guidance.</p> |

| Policy / Paragraph | Commentary |
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| | <p>Dedicated infrastructure separating Fastrack vehicles from other road users is vital to ensure more reliable and faster journey times for Fastrack users. Faster and more reliable journey times are important factors in attracting car users to utilise Fastrack, which can contribute towards the sustainable mode shift required in Kent Thameside as the population rises significantly in the next decade.</p> <p>Where Fastrack runs through new developments, policy should require dedicated routes along the entire corridor, reinforcing the notion that buses are the preferred mode over the private car. Where Fastrack will serve new sites from the existing route, policy should require opportunities to improve the service in those locations to be explored and appropriate improvements secured.</p> <p>The recently released Bus Strategy 'Bus Back Better' (2021) states that bus rapid transit (BRT) can be a 'game-changer for bus networks' and is able to 'deliver a large proportion of the benefits of rail-based schemes at much lower cost.' (P66). In line with the Government's bus strategy, buses need to have greater priority on urban roads and this should be set out in the Local Plan. Bus gates should be provided where possible to reduce travel times and services should run during the day, evening and night, to offer a real choice of mode. Local junctions should be upgraded to give bus priority measures. High quality bus stops will be required on new routes and consideration must be given to cycle parking, to enable a seamless transition between modes.</p> <p>The success that the free bus tickets given to residents at The Bridge development has had on passenger levels should be recognised and built upon and further financial incentives for new residents / employees are likely to be requested in section 106 agreements. It is requested this approach is supported by the Borough Council.</p> <p>Education</p> <p>KCC as Education Planning Authority notes in Para 2.18 that the provision of education is recognised as being underway or complete. KCC looks forward to working with the Borough Council to continue this.</p> <p>KCC suggests a clearer statement is provided in 2.21 about the issue of securing more sites for new schools. Currently the provision of new sites is dependent on many issues, including the scheduling of the land and the willingness of the landowner to agree to pass the land to education for a new school.</p> <p>Paragraphs 2.24 and 2.25 refer to CIL. KCC would like to mention that the cost of a new school is unlikely to be covered by a CIL contribution, especially if the cost of associate infrastructure is included. Therefore, for major developments where a new school is indicated, KCC would recommend the use of section 106 contributions rather than CIL.</p> <p>The legend on Diagram 2 appears to show the marker for secondary schools swapped with the marker for primary schools.</p> <p>Provision and delivery of County Council Community Services</p> <p>This approach is supported, provided that there is adequate provision for the improvement of KCC social and community services to meet the needs generated by the planned development through the expansion of existing services and facilities or delivery of increased capacity.</p> <p>Waste Management</p> <p>The County Council would highlight that adequate waste infrastructure is an essential part of sustainable growth. At present, the Pepperhill Waste Transfer Station (WTS) that serves Dartford and Gravesham is now at capacity, with alternative arrangements for dry recyclate collected within Dartford having to be made to enable waste to be disposed of in a timely manner. Waste management needs must be catered for in the delivery of sustainable development. Under 'Urban Area Principles', the County Council requests the following amendment:</p> <p><i>"b) Provision of infrastructure, including for education, dedicated <u>waste disposal</u> and health facilities, and improvements to walking and cycling links, railway stations and the bus/ Fastrack networks"</i></p> |
| <p>Infrastructure Planning Strategy (S2)</p> | <p>The County Council advocates an "Infrastructure First" approach to development, ensuring that well designed infrastructure is funded and delivered in a timely manner to support sustainable growth. The County Council therefore welcomes the consideration that infrastructure must be <i>"front loaded and provided early on in regenerating areas"</i> and that <i>"infrastructure needs and growth will be regularly reviewed to ensure a flow of sufficient facilities are secured in appropriate locations"</i>.</p> <p>The County Council welcomes continued involvement in the annual review process of both the Infrastructure Delivery Plan (IDP) and the allocation of CIL funding. This approach allows any new necessary infrastructure identified to be included within the IDP. Where new infrastructure is required specifically to meet the need generated by development, the County Council prefers to secure any land necessary and contributions towards the cost of construction through the imposition of a Section 106 Agreement or planning obligation and would strongly request that this mechanism is used, particularly for larger sites.</p> |

| Policy / Paragraph | Commentary |
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| | <p>The County Council would welcome continued engagement with the Borough Council to ensure the balanced delivery of infrastructure to meet the needs of growth within the Borough and to ensure that sites provide and fund the appropriate infrastructure.</p> <p>Highways and Transportation</p> <p><i>Paragraph 2.24</i></p> <p>It is understood that due to current uncertainties in part associated with the pandemic, the financial viability of development sites is coming into question and there is concern as to whether appropriate highway infrastructure can be secured. KCC requests continued engagement with the Borough Council to ensure that any highway related impact can be appropriately mitigated via CIL contributions and other mechanisms.</p> <p><i>Paragraph 2.29</i></p> <p>KCC supports the proposal at paragraphs 2.29 and 2.31 to seek measures to secure major modal shift to sustainable modes, as this will reduce the impact on the local highway network.</p> <p><i>Paragraph 2.32</i></p> <p>This paragraph set out the need for major improvements to the railway stations in the Borough – which the County Council supports. The County Council is also supportive of paragraph 5.1.4.1 that sites “located near to railway stations will be expected to support/ contribute to station upgrades including measures to improve interchange arrangements and passenger facilities”.</p> <p><i>Paragraph 2.33</i></p> <p>KCC supports the requirement for major improvements to the wider Fastrack route, the expansion of the Fastrack services and priority measures at strategic junctions. However, the policies do not specifically require dedicated Fastrack/bus links through larger sites, which is disappointing (S2 states that non-dedicated sections of Fastrack routes which are vulnerable to general traffic congestion will be addressed). This is required in order to reduce journey times and delays and increase the attractiveness of the services which should in turn, increase passenger numbers and contribute positively to Dartford’s aims for sustainable growth.</p> <p><i>Policy S2: Infrastructure Planning Strategy</i></p> <p>KCC supports the policy to locate developments in places with good quality connections to key facilities, where they are well served by public transport and where they are in walking distance to local facilities and jobs (although KCC would question the use of ‘good’ instead of ‘high’). In addition, KCC welcomes the approach for trip generating sites to have ‘significant measures’ for improved walking and cycle routes connecting to the existing communities. With regard to point 4, KCC supports this approach and welcomes continued working with the Borough Council on this matter. As set out above, it is disappointing that 4b “New and improved Fastrack and bus services/ routes, including addressing non-dedicated sections of Fastrack routes which are vulnerable to general traffic congestion”, does not directly require new sections to be dedicated for buses/Fastrack.</p> <p>Education</p> <p>KCC as Education Planning Authority supports the statements at paragraphs 2 and 3 whereby education provision is set out as essential in promoting and maintaining the sustainability of new development.</p> <p><u>Place Planning and Contributions</u></p> <p>The detailed information on what KCC is forecasting that it will need is included in the Kent Commissioning Plan – a copy of which was sent to Dartford Borough Council.</p> <p>KCC as the Local Planning 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.</p> <p>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 2021-25 and Children, Young People and Education Vision and Priorities for Improvement 2018-2021.</p> <p><i>Primary</i></p> |

| Policy / Paragraph | Commentary |
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| | <p>There is currently a very small element of surplus capacity in primary in Dartford, but some areas have little or no capacity, most notably in North and West Dartford.</p> <p>The new housing will generate primary demand considerably in excess of the existing capacity and KCC will therefore be seeking section 106 developer contributions to facilitate new schools or CIL contributions for the expansion of existing schools. In addition, KCC will need the Borough Council to identify suitable sites for the new primary schools and to make those sites available to KCC at no cost.</p> <p>Final decisions on which schools can be considered for expansion and sites of new schools will be determined following more information as the Local Plan is published.</p> <p><u>Secondary</u></p> <p>There is a borough-wide deficit of secondary places and KCC has embarked on a process to increase the number of secondary places. However, that work is being undertaken to manage the existing forecasting demand. Any additional demand from this development will require additional commissioning.</p> <p>Distances from the development to the Dartford secondary schools are less important due to the expectation that students will travel further to access the type of school that they have chosen.</p> <p>KCC will therefore be seeking CIL for secondary provision expansion that will be applicable to developments. The precise amount will depend on the eventual number of dwellings and housing mix, but the indicative numbers suggest that section 106 developer contributions for a new 6-8FE secondary school will be required to accommodate the demand, over that being provided by Stone Lodge and Alkerden.</p> <p><u>Special Educational Needs (SEN)</u></p> <p>SEN commissioning is challenging because there is no method to forecast the number of SEN places needed. Assessments of need are therefore undertaken largely on trending data.</p> <p>Currently, there is a significant deficit of places for children with Special Educational Needs, of all types. KCC is undertaking an assessment on the demand and what measures can be put in place to ameliorate this demand. Any additional demand from this development will increase that demand and therefore require additional commissioning.</p> <p>Different types of Special Needs are one factor, with the level of need being the other. A child's Special Educational Needs are assessed by a team of professionals, usually including a Consultant Paediatrician. Part of that assessment will be to indicate what level of support is required, and whether that can be given in a mainstream school, a special school or in a Specialist Resource Provision (SRP), which is a unit within a mainstream school that can provide a higher level of support.</p> <p>To accommodate existing demand, KCC is looking to establish a 210 new special school to provide for students whose primary barrier to learning is Profound, Severe and Complex Needs (PSCN) and/or Communication and Interaction (C & I). This will offer places to students from the Dartford area. KCC raises this now with Dartford Borough Council to request that with new housing developments, the need for a new special school site will become pressing.</p> <p>The additional new housing will see the demand for SEN places increasing. The way that KCC would seek to manage this demand depends on the needs of the children. It might be that they are better supported in a special school, or through the establishment of a primary or secondary Specialist Resource Provision. KCC will therefore be seeking CIL or section 106 developer contributions from this development, that will then be applied either to the build costs of a new special school or for the establishment of one or more SRPs in existing schools.</p> <p><u>Early Years</u></p> <p>There is a surplus of Nursery or Early Years places across Dartford, with the exception of North Dartford which has a large deficit.</p> |

| Policy / Paragraph | Commentary | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | <p>Surplus/Deficit of 0-4 Childcare Places by Primary Planning Area – Summer Term 2021</p> <table border="1" data-bbox="477 310 1614 793"> <thead> <tr> <th data-bbox="477 310 825 470">Planning Area</th> <th data-bbox="825 310 1012 470">0-4 Population (Edge Analytics)</th> <th data-bbox="1012 310 1219 470">0-4 Population Requiring a Childcare Place</th> <th data-bbox="1219 310 1406 470">0-4 Childcare Places Available</th> <th data-bbox="1406 310 1614 470">Indicative Surplus/ Deficit of 0-4 Childcare Places</th> </tr> </thead> <tbody> <tr> <td data-bbox="477 470 825 537">Darenth and Sutton-at-Hone</td> <td data-bbox="825 470 1012 537">422</td> <td data-bbox="1012 470 1219 537">220</td> <td data-bbox="1219 470 1406 537">518</td> <td data-bbox="1406 470 1614 537">298</td> </tr> <tr> <td data-bbox="477 537 825 575">Dartford East</td> <td data-bbox="825 537 1012 575">1,953</td> <td data-bbox="1012 537 1219 575">1,030</td> <td data-bbox="1219 537 1406 575">1,139</td> <td data-bbox="1406 537 1614 575">109</td> </tr> <tr> <td data-bbox="477 575 825 613">Dartford North</td> <td data-bbox="825 575 1012 613">1,780</td> <td data-bbox="1012 575 1219 613">942</td> <td data-bbox="1219 575 1406 613">513</td> <td data-bbox="1406 575 1614 613">-429</td> </tr> <tr> <td data-bbox="477 613 825 651">Dartford South West</td> <td data-bbox="825 613 1012 651">442</td> <td data-bbox="1012 613 1219 651">258</td> <td data-bbox="1219 613 1406 651">550</td> <td data-bbox="1406 613 1614 651">292</td> </tr> <tr> <td data-bbox="477 651 825 688">Dartford West</td> <td data-bbox="825 651 1012 688">1,279</td> <td data-bbox="1012 651 1219 688">660</td> <td data-bbox="1219 651 1406 688">1,729</td> <td data-bbox="1406 651 1614 688">1069</td> </tr> <tr> <td data-bbox="477 688 825 726">Longfield</td> <td data-bbox="825 688 1012 726">409</td> <td data-bbox="1012 688 1219 726">227</td> <td data-bbox="1219 688 1406 726">467</td> <td data-bbox="1406 688 1614 726">240</td> </tr> <tr> <td data-bbox="477 726 825 793">Swanscombe and Ebbsfleet</td> <td data-bbox="825 726 1012 793">1,472</td> <td data-bbox="1012 726 1219 793">716</td> <td data-bbox="1219 726 1406 793">963</td> <td data-bbox="1406 726 1614 793">247</td> </tr> </tbody> </table> <p data-bbox="477 831 2718 890">The number of new dwellings, particularly family homes, being planned will swiftly reduce that surplus and so during the period of this local plan, there will likely be a need to create more nursery places.</p> <p data-bbox="477 928 2160 953">KCC will therefore be seeking CIL contributions to establish 26 place nursery/early years provisions in any new primary schools in Dartford.</p> <p data-bbox="477 991 736 1016">Waste Management</p> <p data-bbox="477 1054 973 1079"><i>Page 28 Infrastructure Planning Strategy</i></p> <p data-bbox="477 1117 1982 1142">The County Council, as Waste Management Authority, recommends reference to waste within this section, as set out below:</p> <p data-bbox="477 1180 2778 1306"><i>“2.15 Infrastructure planning is an essential part of the sustainable growth of the Borough. The provision of community infrastructure, such as schools and health facilities, is essential to meet the wellbeing and personal requirements of residents. Development should also be complemented by green infrastructure, the open and green spaces necessary for residents to enjoy a healthy and good quality of life and for providing habitats for nature. <u>Provision of sufficient waste infrastructure is also essential to ensure that a sustainable service is available that allows residents to maximise recycling of their collected household waste and hence minimise their environmental footprint.</u>”</i></p> <p data-bbox="477 1344 2778 1402">Section 2.16 notes that <i>“The Council works with partners, including Kent County Council, the Clinical Commissioning Group/ the Primary Care Network (NHS) and Highways England, to use contributions from developers and to secure the delivery of the land to provide the facilities that are required as a result of development.”</i></p> <p data-bbox="477 1440 2297 1465">The County Council requests confirmation that the reference to facilities includes the necessary waste disposal facilities to support sustainable growth.</p> <p data-bbox="477 1503 2795 1562">The County Council welcomes the inclusion of a Bean Triangle Materials Recycling Facility project within Dartford’s Infrastructure Delivery Plan. The County Council would like to work with the Borough Council to progress this much needed project to deliver essential waste services to support growth in the Borough.</p> | Planning Area | 0-4 Population (Edge Analytics) | 0-4 Population Requiring a Childcare Place | 0-4 Childcare Places Available | Indicative Surplus/ Deficit of 0-4 Childcare Places | Darenth and Sutton-at-Hone | 422 | 220 | 518 | 298 | Dartford East | 1,953 | 1,030 | 1,139 | 109 | Dartford North | 1,780 | 942 | 513 | -429 | Dartford South West | 442 | 258 | 550 | 292 | Dartford West | 1,279 | 660 | 1,729 | 1069 | Longfield | 409 | 227 | 467 | 240 | Swanscombe and Ebbsfleet | 1,472 | 716 | 963 | 247 |
| Planning Area | 0-4 Population (Edge Analytics) | 0-4 Population Requiring a Childcare Place | 0-4 Childcare Places Available | Indicative Surplus/ Deficit of 0-4 Childcare Places | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Darenth and Sutton-at-Hone | 422 | 220 | 518 | 298 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Dartford East | 1,953 | 1,030 | 1,139 | 109 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Dartford North | 1,780 | 942 | 513 | -429 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Dartford South West | 442 | 258 | 550 | 292 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Dartford West | 1,279 | 660 | 1,729 | 1069 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Longfield | 409 | 227 | 467 | 240 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Swanscombe and Ebbsfleet | 1,472 | 716 | 963 | 247 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Climate Change Strategy (S3) | <p data-bbox="477 1587 866 1612">Highways and Transportation</p> <p data-bbox="477 1650 1501 1675">KCC supports this policy which seeks to imbed sustainable travel into developments.</p> <p data-bbox="477 1713 611 1738">Education</p> <p data-bbox="477 1776 2534 1801">Project viability can be a challenge when designing and building new facilities that mitigate the effects of climate change – this should be recognised within the Local Plan.</p> <p data-bbox="477 1839 997 1864">Sustainable Business and Communities</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| Policy / Paragraph | Commentary |
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| | <p>The Borough Council has included the need to be resilient and adaptive to climate change throughout the Local Plan, however, KCC would recommend that the policy approach could be strengthened to align with other local plans in Kent. The County Council recommends the following points are considered:</p> <ul style="list-style-type: none"> • Paragraph 5.35 refers to embedded carbon – KCC recommends that this is included within policy with further guidance and potentially a threshold specified. • KCC would encourage policy/guidance on heat networks be included within the plan. • KCC would encourage policy/guidance around carbon offset be included within the plan. • KCC would welcome mention of the district’s own recognition of climate emergency or target for net zero. <p>KCC welcomes the reference to the Kent and Medway Energy and Low Emissions Strategy.</p> <p>Waste Management</p> <p>The County Council notes the reference “to efficiently manage and re-use natural resources and waste’ and ‘early design for waste storage within individual units and also within serviced areas of flatted developments. Waste storage for flatted developments must provide sufficient and easy access for collection vehicles”. However, this primarily relates to the function of the Borough as the Waste Collection Authority (WCA), with no consideration of the impact of additional waste on KCC’s function as the Waste Disposal Authority (WDA). The two are intrinsically linked and KCC requests that this is considered within the Local Plan to ensure a fully sustainable waste management solution for the Borough is promoted.</p> <p>This principle is supported by the National Planning Policy for Waste (NPPW), which states that ‘waste planning authorities should work collaboratively in groups with other waste planning authorities, and in two-tier areas, through the statutory duty to cooperate, to provide a suitable network of facilities to deliver sustainable waste management’. KCC has developed its own Kent Minerals and Waste Local Plan (KMWLP) which aims to work alongside Local Plans to make provision for essential waste disposal infrastructure. Local waste disposal transfer facilities were identified to be at capacity in the Disposal Authority’s Waste Disposal Infrastructure Plan.</p> <p>Sustainable Urban Drainage Systems</p> <p>The County Council notes that the Local Plan promotes the consideration of flood risk in siting development and the inclusion of sustainable drainage systems where appropriate. It is agreed that infiltrating drainage systems may be constrained by underlying ground conditions for large areas of Dartford. The County Council supports the inclusion of green and blue infrastructure within this policy.</p> <p>It is noted that the Local Plan is supported by a Strategic Flood Risk Assessment, which includes a Level 2 Assessment of a number of sites which are at risk from flooding. The information presented in this assessment should be incorporated into the policy statements of the Local Plan where appropriate. For specific sites where flood risk is present, this must be assessed within any development proposal and accommodated within the layout. This is of particular importance for the Priory Shopping Centre and Dartford Town Centre areas.</p> <p>Biodiversity</p> <p>Policy S3 includes the following statement; “Development on sites designated for their biodiversity value will not be granted planning permission unless it can be clearly demonstrated that the biodiversity value will not be adversely affected by the proposals”</p> <p>KCC recommends that any development which is impacting biodiversity must also be following the mitigation hierarchy – this could be referenced within this policy.</p> |
| <p>Borough Development Levels (S4)</p> | <p>Education</p> <p>The Local Plan indicates that in addition to the development already planned/ allocated, there are an additional 7000 new dwellings being proposed. Assuming an even mix of dwelling types, 7000 new homes would suggest the need for:</p> <p>Primary 3 x two form entry primary schools 1 x three form entry primary schools (or combinations to make up nine forms of entry)</p> <p>Secondary 1 x nine forms of entry secondary school</p> |

| Policy / Paragraph | Commentary |
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| | <p>Special New special school provision for 100- 120 students across the 4-19 age range</p> <p>Table 2: Summary Illustration Clarity needs to be given over whether the entries for new schools under ‘Community Infrastructure’ are what has been determined as necessary, according to the housing development that has already been planned for.</p> <p>Under Dartford: there is a new primary school and an expansion to an existing primary school. KCC is not aware of a new primary school, although a candidate school for expansion has been identified.</p> <p>Under Ebbsfleet Garden City: Four new primary schools are mentioned. One of these has been in operation for two years now and another has opened this year, albeit off site in temporary accommodation. It is suggested that this paragraph is updated to reflect that.</p> <p>Waste Management</p> <p><i>Table 1: Sources of Housing Supply and Numbers of Homes</i></p> <p>The County Council, as Waste Disposal Authority, notes the level of housing identified within this table and requests engagement with the Borough Council regarding development contributions towards waste disposal infrastructure. Adequate developer contributions will be crucial in ensuring that capacity for waste disposal services can be developed to support growth and obvious demands in the Borough.</p> <p><i>Table 2: Summary Illustration of Types and Locations of Development</i></p> <p>The County Council requests reference is made to waste within this table and has provided some suggested text below:</p> <p><u>What: Waste facilities (1 new Waste Transfer Station and a relocated Household Waste and Recycling Centre)</u> <u>Where: In an area well placed to serve the needs of the Borough. Site search currently underway.</u> <u>How: Aligning infrastructure plans of service providers with planned growth locations. Dartford’s CIL income leveraging additional investment sources. Securing further developer contributions to funding. Securing on-site new provision where appropriate. Working in partnership to retain land for timely service delivery.</u> <u>When: WTS by 2023, HWRC at same time as WTS delivery if co-located or at least by 2025 if a separate site.</u></p> <p>The County Council is facing waste capacity issues as a result of increased in demand from housing growth in the Borough. A new site for additional waste infrastructure is yet to be identified, the County is reliant upon the Borough’s support in this development.</p> |
| 3. CENTRAL DARTFORD | |
| Central Dartford Strategic Policies | <p>Education</p> <p><i>Paragraph 3.25</i></p> <p>KCC as Education Planning Authority would like to mention that the co-location of schools with non-school activities presents issues for safeguarding that need to be considered. The Dartford Bridge Primary School is a good indication of how it might work, although the costs are generally higher.</p> <p>Also, it is important to note that any new housing development in central Dartford needs to come with new land for schools. All the nearby primary and secondary schools in Dartford have been expanded to the maximum possible under the guidelines in the Governments Building Bulletins for schools.</p> <p><i>Paragraph 3.36.</i></p> <p>The re-purposing of existing buildings into residential accommodation does not always come with CIL or section 106 contributions. This means that extra pressure is put onto the school provision in the area, without the ability all to provide the school places that are needed. KCC would advise that the Borough Council considers robust and imaginative ways to ensure that those that make the profit from such new homes contribute to the infrastructure required to make these new homes sustainable.</p> |

| Policy / Paragraph | Commentary |
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| Central Dartford Strategy (D1) | <p>Highways and Transportation</p> <p>The County Council, as Local Highway Authority, supports this policy as development focussed in mixed use town centres will help to reduce the need to travel and encourage the use of sustainable modes. KCC further supports the improvement of walking and cycling links to enhance permeability. With regard to point D, developers will need to mitigate their predicted impact on the highway network where required.</p> |
| Town Centre Mix of Uses (D3) | <p>The County Council supports the aim to retain a strong sense of vitality within the town centre of Dartford. Ensuring town centres have the flexibility to meet changing demands and shopping patterns will boost the resilience of these centres in the long-term. The County Council supports the recognition of the need for town centres to evolve to meet the changing needs of the community and this may include long term changes resulting from a movement towards online retail and short-term shopping and behavioural changes resulting from the COVID-19 pandemic.</p> <p>The policy makes reference to the continuation of a diverse mix of ground floor uses – the County Council requests consideration of how community facilities, delivered as multifunctional spaces, are particularly well placed to adapt to meet the changing needs of the community and could be considered as part of this policy</p> <p>Cultural infrastructure is also an essential feature in the creation of sustainable places and should feature within a town centre to create a vibrant mix of uses. It can be delivered as multifunctional spaces that offer opportunities for community services and affordable creative workspaces to support small businesses and freelancers, alongside cultural offerings. The cultural sector also provides local employment opportunities, with the role of higher and further education facilities developing skills in the cultural and creative industries. The Local Plan should therefore consider the delivery of necessary cultural infrastructure to support sustainable development in the district. The County Council would also encourage the use of art in design to create a sense of place and identity in both new and existing communities.</p> |
| Westgate Allocation (D4) | <p>Highways and Transportation</p> <p>The County Council, as Local Highway Authority, supports the development of this site, which is identified as a mixed use development allocation. The location in the heart of the town centre means the users will have access to a range of key facilities and will be located within walking distance of the bus stops and train station, making sustainable travel a viable option.</p> <p>Education</p> <p>KCC would highlight that there is no surplus capacity in the schools in this area of Dartford to accommodate a scheme for 100 dwellings.</p> |
| East of Lowfield Street Allocation (D5) | <p>Highways and Transportation</p> <p>The County Council, as Local Highway Authority, supports this site, which is identified as a mixed use development allocation. Its location in the heart of the town centre means the users will have access to a range of key facilities and will be located within walking distance of the bus stops and train station, making sustainable travel a viable option.</p> <p>Education</p> <p>There is no surplus capacity in the schools in this area of Dartford, and 700 new dwellings would indicate a need for a new 1FE primary school.</p> |
| Priory Centre Allocation (D6) | <p>Highways and Transportation</p> <p>The County Council, as Local Highway Authority, supports the development of this site which is identified as a mixed use development allocation. Its location in the heart of the town centre means the users will have access to a range of key facilities and will be located within walking distance of the bus stops and train station, making sustainable travel a viable option.</p> <p>Education</p> <p>The County Council highlights that there is no surplus capacity in the schools in this area of Dartford. This level of growth, for 400 dwellings, would indicate a need of about half a form of entry. This could be combined with the school requirement for the scheme set out under Policy D5, if sited sympathetically.</p> |
| Station Surrounds/ River Darent Area (D7) | <p>Highways and Transportation</p> <p>KCC as Local Highway Authority, supports this policy.</p> |
| 4. EBBSFLEET AND SWANSCOMBE | |

| Policy / Paragraph | Commentary |
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| <p>Ebbsfleet Garden City Strategy (E1)</p> | <p>Highways and Transportation</p> <p>KCC, as Local Highway Authority, supports Policy E1 Ebbsfleet Garden City Strategy and E2 Ebbsfleet Garden City Development Principles, as their location in the Garden City and associated designs aim to reduce the number of car-based trips to/from the area by providing a range of high quality walking, cycling and public transport facilities for genuine modal choice. Design should be developed in line with the Kent Design Guide.</p> <p>The County Council recommends that these policies include specific mention of dedicated bus / Fastrack lane or segregated cycle lanes (apart from Bluewater) as these go hand in hand with the ethos of the Garden City and are achievable (and necessary) at new sites where there is not a need for retrofitting. The Garden City should aim to be an exemplar for sustainable transport opportunities.</p> <p>KCC would like to explore, in dialogue with Dartford Borough Council and Ebbsfleet Development Corporation, what certainty can be provided to ensure that the original consent at Ebbsfleet Central and the full consent for Eastern Quarry will not be built out, to ensure that the higher levels of trips originally consented will not be generated.</p> <p>For clarity, the Local Plan modelling scenario should not include infrastructure linked to the original consents for Eastern Quarry or Ebbsfleet Central that have not been built out and are unlikely to be built out under the current consent - as the modelling may then be taking into account more capacity than will actually be delivered.</p> <p>Education</p> <p>The County Council would suggest that the Local Plan provides a clearer differentiation between what has already been planned for, and what new developments are being identified in the Local Plan.</p> |
| <p>Ebbsfleet Garden City Development principles (E2)</p> | <p>Highways and Transportation</p> <p>The County Council refers to commentary regarding Policy E1, which is also applicable to this policy.</p> |
| <p>Swanscombe (E3)</p> | <p>Highways and Transportation</p> <p>KCC, as Local Highway Authority, supports this policy as any new development coming forward will need to enhance connections to public transport facilities, walking and cycling connections and potentially upgrade Swanscombe Station. KCC views this as a potential modal switch for both new and existing residents.</p> |
| <p>Ebbsfleet Central Allocation (E4)</p> | <p>Highways and Transportation</p> <p>KCC, as Local Highway Authority, supports Policy E4 which proposes a mixed-use development, creating a new public transport hub, interchange with Northfleet Station, direct Fastrack route linking with Southfleet Road and major new walking and cycling connections to existing and new communities. These proposals will help to retain trips on site, reduce car-based trips on the local highway network from new development and may also assist in creating modal switch by existing residents in surrounding areas. It is, however, disappointing that the policy does not go further and directly state that Fastrack should have a dedicated route through this area, and segregated cycle lanes, further enhancing its appeal.</p> <p>Education</p> <p>The total number of dwellings on this development is identified as 2000. Currently, only one 1FE primary school has been allocated. A total of 2000 new dwellings would indicate a need of 2.5FE of primary and 2.5 FE of secondary. KCC, as Education Planning Authority, would welcome engagement with the Borough Council to identify sites and funding for the new provision.</p> |
| <p>Ebbsfleet South and West Area (E5)</p> | <p>Highways and Transportation</p> <p>KCC supports this policy and will continue to work with Ebbsfleet Development Corporation and developers to help achieve the vision for this Garden City.</p> <p>Education</p> <p>The total number of dwellings on this development is identified as 7,100. The education offer is well identified and needs no revision, unless the number of dwellings increases (including on the Bean Triangle). If development is to be intensified on this site, the County Council, as Education Planning Authority, would welcome engagement on the impact on education provision for the area.</p> |

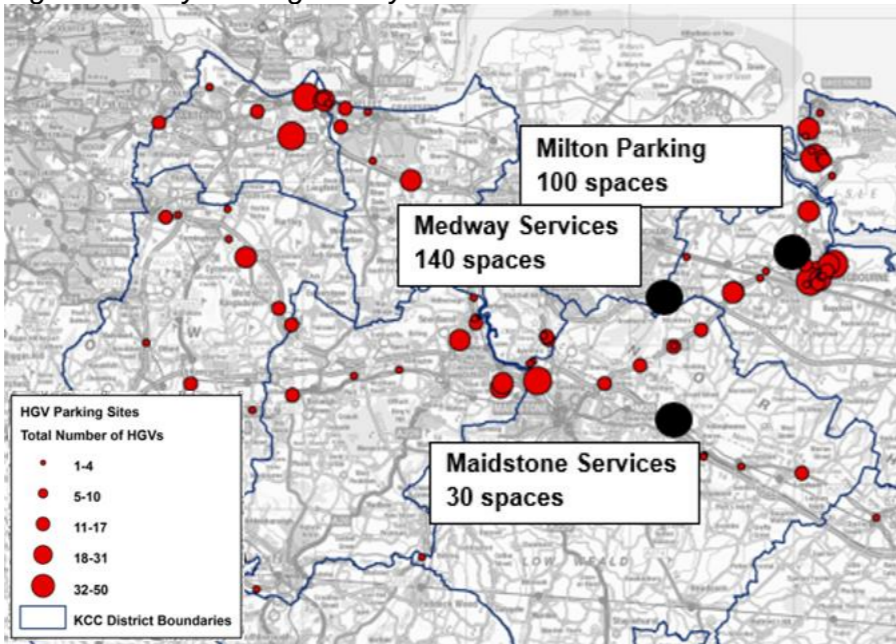
| Policy / Paragraph | Commentary |
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| <p>Land North of Swanscombe Area (E6)</p> | <p>The County Council notes that Policy E6 includes the area across Swanscombe Peninsula that has been put forward by developers as the potential site for an entertainment resort, known as London Resort, and is aware that a decision on the project will not be made until after the Local Plan has been submitted. KCC is working closely with Dartford Borough Council, Gravesham Borough Council and the Ebbsfleet Development Corporation in respect of its input into the London Resort Development Consent Order (DCO) application and supports the requirement within this policy to provide a policy framework for appropriate development in the event that the London Resort does not consent or is not implemented. It also supports the policy commitment to carry out a Local Plan Review to consider the need to revise policy in response to projected impacts if the London Resort is constructed.</p> <p>Highways and Transportation</p> <p><i>Paragraph 4.41</i></p> <p>This paragraph states <i>“In light of the uncertainty over the future of the area, and its location within the defined Ebbsfleet Garden City area, it is appropriate for the Local Plan to provide a policy framework for appropriate development in the event that the proposed London Resort either does not get consent or it gets consent but is not implemented. In the event that it gets consent and development commences, a review of the Local Plan will consider the need to revise the policy in response to projected impacts”</i>.</p> <p>It is noted that the trip generation and distribution information is not readily available to obtain the level of detail needed to fully assess the proposal, and also that the Local Plan can be updated if this site obtains permission.</p> <p><i>Policy E6 Land North of Swanscombe Area</i></p> <p>The County Council, as Local Highway Authority, supports this policy, particularly point 2e, to provide <i>“a high quality network of links to the wider area including the provision of a Fastrack route; improved pedestrian and cycle access to Swanscombe, the River Thames and Ingress Park; and the upgrade of Swanscombe Station”</i>. Any impact on the local highway network, including local junctions, should be assessed and mitigated where appropriate.</p> <p>Education</p> <p>KCC notes that the London Resort will look to provide up to 500 dwellings. The suggested demand from this new housing would require about 0.75 FE of primary and secondary provision. It is unlikely that this demand indicates a new school, so provision would be sought off site.</p> <p>Minerals and Waste</p> <p>The County Council, as Minerals and Waste Planning Authority, notes that the Borough has safeguarded waste management facilities and land-won minerals – the County Council would recommend reference to the adopted (and recently Reviewed) Kent Minerals and Waste Local Plan 2013-30 (KMWLP) that has relevant safeguarding policies.</p> <p>The County Council notes that one allocation - Policy E6: Land North of Swanscombe Area- affects safeguarded mineral deposits - Sub Alluvial River Terrace Deposits in the Swanscombe Peninsula. The County Council is pleased to see that Part 2. d) identifies that minerals safeguarding will need to be taken into account. This should be expanded further to include reference to the KMWLP Policy DM7: Safeguarding Mineral Resources, and the need to satisfy any of the relevant exemption criteria of this policy of the adopted Development Plan for the area – this will ensure the Local Plan’s comprehensive understanding of the KMWLP policies that this proposed allocation will need to address.</p> <p>Waste Management</p> <p>No provision or demand analysis has been made by the Ebbsfleet Development Corporation on the burdens upon existing Waste Disposal infrastructure, and as such the local waste disposal infrastructure is at capacity. Policies E1, E2, E3, E4, E5 & E6 must account for the lack of capacity of Waste Disposal infrastructure meet the demands of Government’s Resources and Waste Strategy through the provision of appropriate land and relevant Developer contributions to sustainably support the additional demands of existing and new waste growth.</p> |
| <p>5. DEVELOPMENT MANAGEMENT POLICIES</p> | |
| <p>General Commentary</p> | <p>Waste Management</p> <p>The County Council would welcome consideration of an additional Development Management Policy for Sustainable Waste Management. The policy should cover all aspects from good design in new housing to ensure recycling opportunities are available for all, to access to sustainable HWRC facilities and adequate provision of capacity through the development of a dedicated WTS to enable Waste Collection Authority (WCA) and Waste Disposal Authority (WDA) to efficiently manage waste arising from the development.</p> |

| Policy / Paragraph | Commentary |
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| | <p>The County Council would welcome consideration of how the Borough will deliver against the targets and ambitions of the Governments Resources and Waste Strategy that are due to be delivered from 2023.</p> |
| <p>Good Design for Dartford (M1)</p> | <p>The County Council welcomes reference to Kent Design Guide and would urge the Borough Council to consider Approved Document M: “Access to and use of buildings” and Secured by Design guidance and emerging guidance on the matter of design.</p> <p>Given the anticipated impact from COVID-19 of increased home working as a permanent adjustment to people’s working lives, the County Council recommends consideration of how to ensure safe and reasonable home working areas. Ensuring that suitable spaces for home working are designed into new development will have positive benefits by boosting the resilience of this area of the local workforce and their ability to continue working and to learn.</p> <p>High quality design should also be accessible, taking into account the varying needs of the evolving community – providing diverse housing types, such as extra care housing, that is flexible and responsive to changing needs. The County Council would recommend that this should include consideration of dementia friendly design within the Local Plan. Small design changes to housing and infrastructure can help someone living with dementia to be more independent by providing a home and environment that is clearly defined, easy to navigate, and feels safe.</p> <p>Education</p> <p>In paragraph 5.11, KCC would suggest that the Borough Council liaises with ‘Secured by Design’ to minimise opportunities for criminality in schools and other community buildings. KCC recommends reference is made to Building Bulletins 103 and 104 when considering the design characteristics of schools.</p> |
| <p>Environmental and Amenity Protection (M2)</p> | <p>Public Health</p> <p>The County Council has public health responsibilities across Kent and would highlight that how places are designed and built is crucial to creating a healthier, fairer and more sustainable society. Growth across the County offers a unique opportunity to build communities that actively promote positive health and wellbeing choices, thereby easing future pressures on health and other public services. For example, consideration can be given to the accessibility of schools via active transport and the availability of healthy food choices near schools. Growth can also be designed to be resilient to public health emergencies and offer, for example, opportunities for home working designed into new development. The County Council would recommend consideration and implementation of the positive learning from the Healthy New Towns concept in the delivery of sites across Dartford (particularly in relation to connectivity between old and new communities) – and would welcome continued engagement, including knowledge and data sharing, to ensure the best possible outcomes for growth.</p> <p>Development must also address health and wellbeing for new and existing communities. This can be achieved not only by considering healthcare and leisure infrastructure, but also by consideration of the wider determinants of health, such as access to green space, air quality and economic opportunity, and planning them into growth accordingly. The County Council would welcome consideration of infrastructure that should be delivered to support the health and wellbeing of the Borough’s residents and visitors, particularly through the wider determinants of health and ensure that growth does not widen health inequalities between local communities. It should allow access to green and blue spaces for leisure – which would have positive effects on mental and physical health by providing opportunities for leisure, culture and for physical activity.</p> |
| <p>Sustainable Technology, Construction and Performance (M3)</p> | <p>Sustainable Business and Communities</p> <p>Policy M3 states that all residential development should “Achieve a minimum on-site reduction in regulated carbon emissions of at least 19 per cent beyond Part L of the Building Regulations” for major development until such time that amendments are made to national legislation/ policy which have the effect of surpassing this. The future buildings standards uplift to part L of 31% will be in place in 2021 – this policy will therefore be surpassed later this year. The County Council therefore recommends that a higher uplift is explored and the application of the policy requirement should be extended to apply to all development, not just major development.</p> <p>Education</p> <p>The County Council would draw attention to the potential increase in cost when delivering higher specification education and community facilities – this will need to be reflected in S106 and CIL decisions to ensure sufficient funding is made available.</p> |
| <p>Designated Heritage Assets (M5)</p> | <p>Heritage Conservation</p> |
| <p>Historic Environment Strategy (M6)</p> | <p>The County Council would strongly encourage the Borough Council includes a policy to commit to undertaking a Heritage Strategy, with partners and stakeholders. On balance, whilst the draft Local Plan is considered to be sound in respect of heritage conservation, it has significant weaknesses that will limit its effectiveness at fulfilling its responsibilities to the historic environment, as required by the NPPF.</p> |

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| | <p>The NPPF states (para 185) that: <i>“Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:</i> <i>a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;</i> <i>b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;</i> <i>c) the desirability of new development making a positive contribution to local character and distinctiveness; and</i> <i>d) opportunities to draw on the contribution made by the historic environment to the character of a place.”</i></p> <p>The only policies in the draft Local Plan that concern the historic environment are Policy M5 (Designated Heritage Assets) and Policy M6 (Historic Environment Strategy). Policy M5 essentially summarises paragraphs 186 - 188 of the NPPF. Policy M6 is entitled “Historic Environment Strategy”, but mainly just summarises the relevant paragraphs of the NPPF that apply to non-designated heritage assets. The only text that appears to be intended to comprise a Historic Environment Strategy are clauses 1 to 3 of Policy M6, which state that Dartford Borough Council will try to find opportunities for the enhancement of heritage on a site-by-site basis, expecting developers to bring forward proposals, working with the local planning authority, to preserve or enhance the assets. Such a piecemeal approach is unlikely to provide an effective strategy, which needs to take a district-wide view of the historic environment, have defined objectives in mind and have identified opportunities to advance those objectives.</p> <p>Dartford’s heritage has great potential to contribute more effectively to the quality of life in the area than it does at present. The heritage is complex, however, and needs careful consideration to ensure that the opportunities it presents are not missed and that it is not harmed by inappropriate or poorly planned development. In recent years, the County Council has developed a Heritage Strategy for Dover District Council and is currently developing another for Folkestone & Hythe District Council. The goals of these strategies are:</p> <ul style="list-style-type: none"> • To identify and describe the key themes of relevance of the heritage of the district and the heritage assets that represent them • To assess the role that these can play in regeneration, tourism and life in the Borough • To identify both their vulnerabilities and the opportunities they provide • To inform site allocations within the district • To support policy development <p>It is recommended that Dartford Borough Council develops a similar strategy, which would also be compliant with paragraph 185 of the NPPF which requires local authorities to have a “positive strategy for the conservation and enjoyment of the historic environment.” Dartford Borough Council is now a relative rarity among Kent Local Planning Authorities in not having a Heritage Strategy, which is a particular omission given the heavily built-up, but still historic, nature of the northern part of the Borough and the more visibly ancient, rural, southern part of the Borough. Thematically, Dartford has great potential in its palaeolithic, Roman, Anglo-Saxon and industrial heritage assets, among others, but this potential needs clear thinking and a clear strategy to realise. There is a clear need to conserve and enhance the heritage of such diverse areas and themes to help it play a part in shaping the future and in remaining accessible and enjoyable to all Dartford’s residents.</p> <p>KCC would therefore encourage Dartford Borough Council to revise Policy M6 and instead commit to the development of a Heritage Strategy alongside partners and stakeholders to maximise the benefits of the historic environment. A draft text for this clause could be:</p> <p><i>Dartford Borough Council will work with partners and stakeholders to develop a Heritage Strategy for the Borough. This will have the following objectives:</i></p> <ul style="list-style-type: none"> • <i>To identify and describe the key themes of relevance of the heritage of the district and the heritage assets that represent them</i> • <i>To assess the role that these can play in regeneration, tourism and life in the Borough</i> • <i>To identify both their vulnerabilities and the opportunities they provide</i> • <i>To inform site allocations within the district</i> • <i>To support policy development</i> |
| Sustainable Housing Locations (M9) | <p>The County Council supports the limited reliance on windfall sites – although windfall sites do usually contribute to growth within the Borough, it can sometimes be challenging as an infrastructure provider to ensure that necessary infrastructure is made available to support such developments.</p> <p>Highways and Transportation</p> <p>KCC supports policy M9: Sustainable Housing Locations, where unplanned windfall sites will only be acceptable if they are in a sustainable location.</p> <p>Education</p> <p>KCC supports this policy, which seeks to ensure that new communities have easy access to schools, ideally within walking distance.</p> |

| Policy / Paragraph | Commentary |
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| <p>Gypsy, Traveller and Travelling Showpeople Accommodation (M12)</p> | <p>Gypsy and Traveller Unit</p> <p>The County Council notes this policy, and the assessment criteria for planning applications for gypsy and traveller pitches. The County Council's Gypsy and Traveller Service would welcome continued engagement regarding the current and future allocations to meet the needs of the Gypsy, Traveller and Travelling Showpeople in the Borough.</p> <p>Education</p> <p>KCC Education supports the policy objective of ensuring that any new accommodation has access to services and facilities – which should also include schools.</p> |
| <p>Green and Blue Infrastructure and Open Space Provision (M14)</p> | <p>Sports and Recreation</p> <p>The County Council is pleased to see consideration of Active Travel, connectivity between communities, new build homes with larger garden space and providing an environment which encourages active lifestyles.</p> <p>The County Council recommends consideration of Sport England planning guidance¹ along with Active Design principles - these strategies for sport are very much focussed on tackling inactivity and supporting/encouraging under-represented groups to be active and it is therefore important to ensure that these strategies and any subsequent developments take account of the Sport England Guidance that is available.</p> <p>Sport England also produces two surveys: Active Lives Adult, which is published twice a year, and the world-leading Active Lives Children and Young People, which is published annually. Both give a unique and comprehensive view of how people are getting active and can be focused down to local authority level. The latest Adult report can be read here. It is also possible to explore and filter the data using the Active Lives Online tool. A summary of our Children and Young People report can be found here.</p> <p>The latest figures support the notion that inactivity significantly impacts on an individual's physical and mental health, as well as 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 (where applicable).</p> <p>Biodiversity</p> <p>KCC is supportive of the proposal for developments to contribute to the green/blue infrastructure network and would highlight the need for the habitat creation areas not to be isolated and to encourage/promote connectivity through the wider area.</p> |
| <p>Biodiversity and Landscape (M15)</p> | <p>Biodiversity</p> <p>The County Council notes paragraph 5.134, which makes reference to the biodiversity mitigation hierarchy.</p> <p>The Swanscombe Peninsula Site of Special Scientific Interest (SSSI) has recently been designated (although it will not be known until later in this year if it is confirmed as a SSSI). The County Council notes that this has not been addressed within the Local Plan. The strategic allocation area currently identified within Diagram 1: Key Diagram forms part of the proposed SSSI. If this location is confirmed as a SSSI, the impacts would need to be addressed within a Local Plan review.</p> <p>The County Council notes that the Local Plan has not gone into detail regarding biodiversity net gain but suggests that any offsite mitigation will be within the borough. Whilst KCC appreciates the wish to enhance / create habitat within the borough to mitigate for habitat lost/damaged, the county-wide benefit of contributing to strategic, county-wide habitat creation/enhancement projects cannot be missed. The Local Plan should highlight that its final Net Gain approach will be informed by legislation and the County-wide approach, which is currently being discussed via the Kent Nature Partnership.</p> |

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/>

| Policy / Paragraph | Commentary |
|--|--|
| <p>Travel Management (M16)</p> | <p>Transport Strategy</p> <p>Ministry of Housing, Communities and Local Government (MHCLG) made the following amendment to Paragraph 107 of the National Planning Policy Framework 2019 (NPPF): “<i>Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance.</i>”</p> <p>KCC surveys of overnight lorry parking have determined that the Dartford area has significant numbers of heavy goods vehicles (HGVs) parked inappropriately overnight, as indicated in the figure below (data from these surveys can be provided on request). There are also “<i>local shortages</i>” in lorry parking provision, as shown in the figure.</p> <p>The County Council would welcome further engagement in respect of potential provision of lorry parking sites.</p> <p><i>Figure 1: Lorry Parking Surveys in Northwest Kent</i></p>  |
| <p>Active Travel, Access and Parking (M17)</p> | <p>Highways and Transportation</p> <p>The County Council recognises the focus on sustainable travel within this section. In addition to Manual for Streets, developments must be designed in accordance with the Kent Design Guide and National guidance, such as Local Transport Note 1/20.</p> <p><i>Paragraph 5.152</i></p> <p>The County Council notes that this paragraph relates to new accesses. Applications which include designs for new access on to the highway should be subject to a Road Safety Audit and the report and design response submitted for review.</p> <p><i>Paragraph 5.153</i></p> <p>The County Council notes that this paragraph relates to how the design of new access points should consider vulnerable road users such as pedestrians. Given the proposal to increase cycling, considerable thought should be given to how the access includes safe access for cyclists, rather than just assuming they will all use the carriageway.</p> <p><i>M17 Active Travel, Access and Parking</i></p> <p>Although this policy is supported by the County Council, it should go further in requiring dedicated bus / Fastrack lanes and segregated cycle lanes, where possible, in order to demonstrate their priority and increase the use of these modes. The inclusion of the use of the river is welcome as this will assist in removing trips from the network. The requirement for electric vehicle parking provision is welcomed, however, communal parking should have a proportion of both active and passive provision, not just cabling.</p> |

| Policy / Paragraph | Commentary |
|--|---|
| | <p>Public Rights of Way</p> <p>The County Council is pleased to see that the Local Plan is promoting use of the Public Rights of Way (PRoW) network to improve the well-being of residents and is satisfied with the references made to the network.</p> |
| <p>Sustainable Economic Locations (M19)</p> | <p>Broadband</p> <p><i>Paragraph 5.163</i></p> <p>The County Council notes reference to digital infrastructure within this paragraph but would recommend a specific policy relating to connectivity is included within the Local Plan. There needs to be a clear policy in place highlighting the need for gigabit capable broadband to new developments. The County Council would draw attention to Policy EMP6 within the Ashford Borough Council adopted Local Plan as a reference for the type of policy which is recommended to be included.</p> |
| <p>Identified Employment Areas (M21)</p> | <p>Highways and Transportation</p> <p>KCC recognises the limitations of achieving high levels of operational sustainable trips from employment such as industrial uses. Appropriate highway mitigation / contributions will be required where impacts on the network are severe, such as at M25 J1a.</p> |
| <p>Bluewater (M22)</p> | <p>Highways and Transportation</p> <p>The policy for Bluewater is supported, as a number of the trips to the new facilities are anticipated to be linked trips. Assessments of the local highway network may still be required (depending on the size and type of expansion) and mitigation may be required. KCC supports the requirement for improved access to public transport and active travel and segregated and safe walking and cycling facilities.</p> |
| <p>POLICIES MAP</p> | |
| | <p>Highways and Transportation</p> <p>Clarity is requested as to why Eastern Quarry has been deleted from the Policies Map when it is still included in the overall numbers.</p> |
| <p>EVIDENCE BASE</p> | |
| <p>Transport Background Paper Dartford Local Plan, February 2021</p> | <p>Highways and Transportation</p> <p>Paragraph 3.47 states that due to the delays associated with the Stage 1 and 2 work, the Stage 3 (option testing) is yet to be completed and is expected in Spring 2021. KCC cannot therefore comment on the outcome of the modelling. This should be provided to KCC when available and KCC comments taken into consideration during the examination of the Local Plan. However, it is noted that a number of the sites identified in the Local Plan already have planning consent and are therefore already included in the Dartford reference case and that non residential development is expected to be lower than that included in the reference case.</p> <p>KCC is happy with Dartford's approach of monitoring and managing and pushing for sustainable travel.</p> <p>Paragraph 3.61 states “<i>Taking these circumstances into account, the Council does not anticipate that the findings of the Dartford Transport scenario testing will identify significant differences to future levels of traffic identified in the reference baseline</i>”. KCC will need to review the outcomes of the modelling work before providing an opinion as to whether further highway improvements are required.</p> |

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Growth, Environment & Transport

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6 May 2021

BY EMAIL ONLY

Dear Francis

Re: Hybrid Application at Albion Waterside, Canal Basin, Gravesend, Kent DA12 2RN (20210270)

Thank you for consulting Kent County Council (KCC) on the hybrid planning application comprising:

Part A - Full planning application for demolition of existing buildings and structures, construction of a mixed use development comprising C3 and C2 Residential Uses and commercial floorspace (Use Class E), a new river wall (and retention of existing river wall), works to Swing Bridge, highway junction improvements at Milton Road and Ordnance Road, associated new public open spaces and public realm improvements, car and cycle parking, landscaping, infrastructure and earthworks and ancillary works; and

Part B - Outline planning application with all matters reserved (apart from access) for demolition of all existing buildings and structures and the construction of a mixed use development comprising C3 Uses and commercial floorspace (Use Class E) with associated vehicular access, car parking, landscaping, associated infrastructure and earthworks and ancillary works.

(The proposed development would consist of up to 1,500 homes and up to 4,500sqm (GIA) of commercial floorspace)

In considering the application as it currently stands, the County Council raises a **holding objection** on the following ground:

- **Highways and Transportation:** The planning application fails to provide sufficient information to allow KCC as the Local Highway Authority to assess the impact of the proposed development, or to provide KCC with the assurance that the proposed mitigation measures are acceptable.

Currently submitted rigid vehicle swept paths are showing a vehicle running over the footway, which is unacceptable from a highway safety perspective.

This letter sets out below what further information is required to enable a full assessment to be undertaken.

The County Council has reviewed the application documents and sets out its comments below.

Highways and Transportation

Transport Assessment

General comments

As Local Highway Authority, KCC does not consider that the necessary detailed plans for the detailed element of the hybrid application have been provided for review.

The County Council, as Local Highway Authority, notes that primary access to the site is proposed via the existing access onto Canal Road through Ordnance Road, with two additional vehicular access points proposed to the south, which would also open onto Canal Road. KCC welcomes the inclusion of additional access points as this will provide emergency vehicle access in the event that the main access is blocked. Whilst all three access points leading onto the same road is not ideal, it is understood that in the event that access via Canal Road is prevented, an alternative route via Albion Road would be available and that the emergency services (Kent Fire & Rescue Service and Kent Police) do not object to this proposal.

There are alternative access routes via Prospect Grove to the east. This road currently has a width restriction at its northern end close to its junction with Canal Road. The applicant needs to explore what the reason for this restriction is - and if any amendments or removal to a Traffic Regulation Order (TRO) is required, the cost should be borne by the developer.

The Design Code document shows the majority of the internal routes are two way, but the swept path plans show the larger vehicles taking up the majority of the carriageways.

A crash data assessment has been undertaken for a five-year period ending in December 2019, which concluded that whilst twenty-two incidents were recorded over this time, "*there is no evidence to suggest that there is an existing or underlying road safety problem in the area*". KCC has reviewed the crash data and agrees with this conclusion.

Table 3.2 of the Transport Assessment sets out the amenities within walking distance of the site. However, the table shows the nearest bus stop is 650 – 700m away, which is further than the recommended distance of 400m. There are also steps en-route to this stop.

No detailed site access plans have been submitted. These are required and will need to contain appropriate dimensions, visibility splays and Stage 1 Road Safety Audit (RSAs). The footways should be reinstated for any existing accesses, even if no longer required. It is noted that the existing access into the site was very wide (reflecting its industrial use) and vehicles were parked in the bell mouth. KCC has previously requested that this access is designed to be in line with its proposed residential use and that parking be designed out, but no details have been provided.

Detailed plans for Phase 1 have not been provided. These are required and should include appropriate visibility splays, dimensions, location of bin stores, bus stops, and cycle parking.

Internal routes are long and straight, which encourages higher speeds. Appropriate traffic calming is required. KCC would not adopt shared space in a development of this size. It is noted that minimal kerb heights may be acceptable.

Paragraph 5.43 of the Transport Assessment states that the roads within the site will not be offered for adoption and that the short section of highway land adjacent to the primary access will be stopped up. KCC is concerned with the intention for the roads within the site to remain private, given they will serve such a significant number of units, for a number of reasons:

- The potential for sub-standard design. It is often the case that private roads fall into states of disrepair and then residents request adoption;
- For insurance purposes, bus and refuse companies can refuse to enter; and
- Lack of enforcement of ad hoc parking.

Overall, the provision of these private roads is not in line with the KCC Strategic Delivery Plan, which seeks the County to have an important place-shaping role on behalf of Kent's residents and communities. Whilst KCC cannot insist that the roads and footways are offered for adoption under a Section 38 Agreement, it is requested that a planning condition is applied to any consent granted that the roads, cycleways and footways are built to KCC adoption standards i.e. Kent Design.

Paragraphs 5.32 – 5.34 of the Transport Assessment relate to delivery and servicing and estimate a demand of 202 vehicles across the day, including 41 vehicles at the peak hour. These trips should be included in the overall trip generation of the site. Evidence to support these figures is requested. A total of 15 servicing bays with capacity for 21 vehicles are proposed to be provided across the site. These are proposed to be managed by the Estate Management Team located within building D. The servicing bays should have a maximum waiting time and be formally enforced to avoid resident / visitor parking.

Swept Paths

Whilst swept path analysis of a 10.5m refuse vehicle has been provided, KCC requires a 11.3m vehicle to be tracked, as this is the largest vehicle used in Kent. Drawing TR010 shows the wheels of the rigid vehicle over-running the footway on the eastern corner, which is unacceptable. Drawing TR011 shows an 8.75m Optare Solo (28-seater) bus travelling through the site. However, once the developer funding stops, a commercial operator may wish to take over this service and is likely to use a larger more standard size bus. The tracking should be updated to reflect this if the bus is proposed to enter the site.

Sustainable Proposals

PRoW NG2A and the national England Coast Path are proposed to be permanently diverted from the centre of the site to the northern boundary to run along the riverside frontage. The County Council has previously raised safety and security concerns with PRoW NG2 and has set out a number of recommendations for improvement. To date, no firm proposals for this route have been set out, but are required to demonstrate that there is a suitable pedestrian route to the east. This will need to be carried out in consultation with KCC. The County Council also repeats its request for consideration to extending the Thames Clipper service to service the site.

An Active Travel audit was undertaken in October 2020 and a number of improvements have been suggested that are proposed to be taken forward and discussed with KCC (such as the resurfacing of the swing bridge, improvements to crossing facilities and improvements to footways). Whilst these suggestions are welcomed, they do not constitute firm proposals that can be secured to make the development acceptable. Plans should be submitted for review and if acceptable, should be secured by condition.

The proposal looks to provide a dedicated bus service between the site and Gravesend Town Centre, from occupation for the first five years, and table 6.2 provides an indicative timetable across this period. Whilst KCC welcomes the introduction of a new service, there is concern that the year one service will only be provided at peak times (0600 – 0900 and 1530 – 2130). During year one, there are expected to be 491 units occupied (including some retirement units, whose occupants are unlikely to travel during peak times). Using the indicative housing mix in table 5.1 (and assuming 1.5 occupants per studio and 1 bed flat), there are estimated to be 921 people living on site during this time. As the development is proposing 0.5 / 0.35 car parking spaces per unit, over half of these occupants will not have access to an off-peak bus service. The introduction of the off-peak service should be brought forward to year one to cater for the demand and help to achieve the sustainable travel agenda.

It is not clear what time the 'all day service' will operate to / from. It should cater for the first and last trains from Gravesend station. The timetable also does not include any Sunday services. This is required in order for residents to travel off-site and is in line with the Government's Bus Strategy (Bus Back Better, 2021). It is unclear where the bus stops at the

site and the Town Centre, are to be located. The bus stops should be provided with high quality shelter, seating, low floor kerbing and timetabling information. KCC is also concerned that potential delays to the construction of the site could mean the pump priming of the bus ceases before the service becomes commercially viable. Table 6.2 states that at year five, there are anticipated to be 1,109 - 1,500 units on site. As the site is anticipated to take ten years to build out, it is unclear how 1,500 units would be delivered by year five. For these reasons, KCC requests that the pump priming of the bus service is continued until the occupation of at least 1,109 units.

Two car club vehicles will be provided from first occupation, with a further three to be provided prior to full occupation. Demand should be monitored through the Travel Plan and increased as it required. The car club will be available to all, both within and outside the site and free membership and driver credit will be provided for onsite residents and businesses. A minimum of one vehicle should be electric. This car club proposal is welcomed and should help to reduce private car ownership at the site. However, no plans have been provided indicating where the bays are to be provided for Phase 1.

A mobility hub is proposed to be provided within the site, providing a range of sustainable travel options including cycle repair, rentable folding cycle lockers / scooters and electric vehicle charging. It is unclear whether the electric charging is for bikes or cars.

A parcel drop-off is proposed to be provided on site within the mobility hub and a post/parcel room within building E. This is welcomed, as it will assist in reducing repeat deliveries, thereby reducing the impact on the local highway network.

Cycle and Vehicular Parking

With regard to cycle parking for the residential element, Supplementary Planning Guidance (SPG) 4 requires a minimum provision of 1 space per flat/maisonette, which equates to 1,370 spaces. The applicant proposes to provide one space per bedroom, which equates to a total of 2,327 spaces, which is significantly above SPG4 standards and is welcomed by the County Council. Cycle parking quantum for the later living units and non-residential uses will be provided at standard levels and this is considered acceptable. Lockers and showers should be provided for staff in the non-residential uses to encourage the use of sustainable modes.

The cycle storage proposals are unknown, and this information needs to be provided. If site occupants are going to cycle often, it is likely that they will place greater personal emphasis on secure cycle storage. Given the levels of bike theft across the UK, the provision of basic Sheffield stands in an unlocked room is not going to be adequate to entice residents to leave their bike. Further information is required to demonstrate that the cycle stores will be safe and secure.

The proposal looks to provide 750 parking spaces for the residential uses, which is in line with the maximum standards set out in SPG4. This includes 0.5 spaces per unit for the residential, 0.35 for Build to Rent, 0.35 for Later Living, 41 visitor spaces, with 4% (60) for

disabled use. Whilst 0.35 remains within the SPG4 maximum standards, KCC would recommend this is increased to a minimum of 0.5 spaces for all units in addition to visitor spaces.

50 spaces are proposed to be provided for the commercial use, although it is unclear how the spaces will be allocated. This includes visitor parking and 10% (5) provision for disabled users. The 10% provision for disabled users could result in an underutilisation of the spaces - which is not ideal given the already low level of parking provision proposed. It is therefore recommended that, for the provision in excess of the standards only, these could potentially be sized for disabled use, but not specifically allocated for this use. Their use should be monitored as part of the Travel Plan and allocated as required. 40 motorcycle bays will be provided and this is considered acceptable.

Paragraph 7.8 states that in line with SPG4, parking bays will be sized at 2.5x5m and that these will be sufficient to accommodate vans. However, SPG4 states parking bays for light good vehicles should be 7.5m x 3.5m. Several of the bays should be sized appropriately for this use, otherwise the overhang could affect vehicles manoeuvring around the car park and also block visibility. The car park layout shows several bays abutting walls, but these do not appear to have the additional 0.2m width required by SPG4. This is required to help cars negotiate in and out of spaces.

A total of 10% of parking spaces for Phase 1 will be provided with active electric vehicle charging, rising to 20% for the remaining phases. All remaining spaces will be provided with passive charging facilities (ducting and cabling). This is welcomed by the County Council.

The proposal looks to use a 'Right to Park' scheme, whereby spaces can be purchased, subject to availability. The car parks will be barrier controlled and ANPR will be installed to monitor use. Visitor parking will be charged, and a private management company is anticipated to be employed to prevent ad hoc parking. Whilst this is generally acceptable, further detail is required and a Car Park Management Plan needs to be secured by planning condition.

The majority of the surrounding areas are currently subject to permit parking restrictions (TC01) during the hours of 1000-1100 Monday to Friday. Increased on-street parking controls are required to ensure that additional trips, not assessed by this application, are prevented. The proposal looks to enhance the parking controls at TC01, Norfolk Road and Wharf Road. KCC has previously requested parking controls should be introduced at Admiral's Way, adjacent to the development, as this is an obvious location for on-street parking from the development. It is unclear why this is not being proposed within this application.

The proposal looks to monitor vehicle parking upon occupation of Phase 1, to determine whether the 0.5 ratio is appropriate for the remaining phases. A further 100 spaces could be provided for the further phases, if required. This is welcomed and KCC suggests this takes place upon 50% occupation of Phase 1.

If additional parking is introduced, the impact on the local highway network will be increased. It is requested that a sensitivity assessment of this increase is submitted as part of this planning application.

Trip Generation and Distribution

In order to determine the existing traffic generation of the site, a traffic count was undertaken in October 2020. It is understood that the existing uses were not unduly affected by the Covid-19 pandemic, and the traffic count is therefore acceptable. The results show that the site currently generates 59 two-way trips in the AM Peak, 36 two-way trips in the PM peak and 917 two-way daily trips.

Whilst the site is not unduly affected by the Coronavirus pandemic, the local highway network is, and as such, no traffic count data could be collected to form the '2020 Base' scenario, so the 2011 counts from the 2014 application have been extracted for this site. The flows to 2020 have been factored using TEMPro.

Committed developments at Clifton Slipways (20191122), Heritage Quarter (20200343) and the Former Gravesend & North Kent Hospital (20190504) have been included in the future 2030 Baseline scenario. This is acceptable.

The applicant has stated that further TEMPro growth to 2030 is likely to be an overestimation, as it included 830 homes and 413 jobs, which were likely to be associated with this site, and only committed developments have been added to the 2020 Base, to generate the 2030 Base. In order to determine whether this approach is reasonable at this time, KCC has reviewed 2019 traffic data for the A226, to the east of the junction. Whilst it is not in the exact same location, it gives a reasonable estimation of whether the growth assumed by TEMPro is realistic. Based on this assessment, it is concluded that this approach to the 2030 scenario is acceptable.

In order to determine the predicted trip generation of the proposed uses, a TRICS trip rate assessment has been undertaken for each land use. Table 9.2 shows the residential element of the site (1,370 units) is predicted to generate 254 two-way movements in the AM peak and 301 movements in the PM peak. The site selection has included four 'edge of town centre' and four 'suburban' sites. However, KCC does not consider the sites to be 'suburban' and these sites should be removed. Based on KCC's assessment, the remaining four sites (DV-03-C-01, HC-03-C-01, HF-03-C-03, NF-03-C-01) are predicted to generate 253 two-way movements in the AM peak and 338 movements in the PM peak. If the suburban sites are removed, the trip rate for the remaining four sites would be acceptable.

Table 9.4 shows the retirement / care community element of the site (130 units) is predicted to generate 26 two-way movements in the AM peak and 23 movements in the PM peak. The site selection has included one 'edge of town centre', two 'suburban' and three 'edge of town' sites. There is a delicate balance to be struck between providing the correct site location and having enough sites to provide a reasonable average. KCC would therefore recommend the three 'edge of town' sites are removed, leaving four sites (BR-03-O-02, DV-03-O-01, KC-03-O-01 and KC-03-O-02) remaining. Based on KCC's assessment, the

remaining four sites are predicted to generate 38 two-way movements in the AM peak and 17 in the PM peak.

Paragraph 9.20 relates to the trip generation of the commercial uses and states that “...*the commercial floorspace (Use Class E) is indicatively divided between the historic use classifications: 800sqm of A1 retail; 900sqm of A3 café / restaurant; 600sqm of B1a; 450sqm of B1c; and 1,750sqm B1a/c (assessed as 30/70 to take into account ancillary office space attached and associated to B1c land uses)*”. Any permission granted should be based on this 30/70% split, otherwise the higher generating use could be implemented at 100%, meaning the appropriate trip generation has not been assessed.

Whilst some of the sites for the commercial uses are located outside the ‘edge of town centre’, KCC has undertaken its own assessments of these uses and the trip rates are considered to be acceptable. However, use class B1c and A3 have now been replaced by Use class E, which includes a number of other uses. In order to ensure that the assessment is based on a worst-case scenario, trip rates should be provided for the highest generating use in the new E class, or development should be restricted to E(g)(iii) Industrial Processes and E(b) only.

The peak hour servicing and delivery trips need to be added to the trip generation assessment.

The existing trips have been extracted from the proposed traffic generation to generate a net increase. This methodology is acceptable.

Appendix N of the Transport Assessment contains traffic distribution in the wider town centre area. Whilst the impact on the majority of the junctions is considered to be negligible, there is anticipated to be 263 additional trips at the A226 / Peacock St junction during the PM peak, which may impact the ability of traffic from Peacock Street emerging onto the A226. As traffic flows are unable to be undertaken at the existing time, it is requested the same methodology is applied to these flows and modelling, as for the Milton Road / Ordnance Road junction and appropriate mitigation proposed, if required.

Junction Capacity Assessment

A capacity assessment has been undertaken at the Milton Road / Ordnance Road junction, using LinSig software. Plans should be provided showing the geometry assumed for the junction layout. The assessment shows that the junction was predicted to operate over capacity in both the 2030 baseline and 2030 with development scenarios.

A mitigation scheme comprising the widening of the Ordnance Road (Improvement One) and the Milton Road East arm (Improvement Two) has been proposed and can be seen in figure 10.5. Whilst the results show that the mitigation would achieve nil detriment, KCC has concerns with the exit merge on Milton Road for eastbound traffic which looks to be approximately 25m in length. DMRB CD123 states “*Where it is necessary to reduce the number of lanes on the exit arm, a single lane should be reduced over a distance of 100*

metres starting at or beyond the limit of the junction intervisibility zone". The KCC Traffic Signals Team supports this requirement in order to avoid blocking back into the junction.

KCC is concerned with the information at paragraph 10.31, which states that land acquisition is required for this mitigation scheme. Whilst any mitigation scheme would be secured by condition, it would be beneficial if there was certainty that this scheme could go ahead. Also, if third party land is required for the widening of Ordnance Road, it is unclear why an additional section of land in the same location cannot be obtained in order to provide a segregated cycle route, with the potential for expansion by other developments. It is recognised that the developer is only required to achieve nil-detriment, not to make the junction operate within capacity (in this case). A method of ensuring that the necessary land is available needs to be established prior to any development commences – possibly by an appropriate planning condition or section 106 agreement.

The Canal Road / Canal Basin priority junction has been modelled for capacity using PICADY software. The results showed that the junction is predicted to operate within capacity during the future "2030 With Development" scenario. However, no detailed plans have been provided to show the access junction, or the amendments to it. These are required.

The modelling outputs are not included within Appendix O. This is likely to be an accidental omission, but these should be submitted for review.

Construction

Section 13 of the Transport Assessment relates to construction traffic and states that some construction activities may take place between the peak hours on the network. Construction workers' start and finish times and deliveries should not take place during the network peak hours in order to reduce the impact on the local highway network, or during school drop off / pick up times. A planning condition requiring a full Construction Management Plan to be submitted and approved prior to any works commencing should be applied.

Due to the significant number of units proposed, even if the site remains private, the route to and from the site may need to be reviewed to ensure the lighting levels are adequate.

Design Code - general comments

The County Council has the following comments on the Design Code:

- In light of current Department for Transport guidance¹, and guidance provided within the Kent Design Guide, KCC will not adopt shared space routes over 25 units. However, minimal kerbing may be acceptable. Shared space along emergency access routes will be acceptable.

¹ : <https://www.gov.uk/government/publications/inclusive-transport-strategy/the-inclusive-transport-strategy-summary-of-progress>

- Landscaping and streetlighting strategies should be considered in tandem to avoid conflicts.
- Surface materials on adoptable routes should be in accordance with the standard pallets set out within the Kent Design Guide. KCC does not adopt street furniture.
- The number of cyclists predicted to use the cycle routes should be provided and used to determine the required width of the cycle routes (as per LTN 1/20).
- A carriageway width of 4.1m is considered to be too narrow for the majority of routes through the site and should be increased to a minimum of 4.8m.
- It is unclear why some of the secondary routes have a larger carriageway width and more definition between the footway / carriageway, than the other primary, secondary or tertiary routes.
- Drop off zones for delivery and servicing vehicles should be a minimum of 10.0m in length.
- Each parcel should be permeable and routes for pedestrians and cyclists should be provided on desire lines.
- KCC welcomes the provision of undercroft parking, as this will prevent the street scene being dominated by cars and will assist pedestrian and cycle movements.
- KCC welcomes the provision of adapted cycle parking stands as this will encourage use by mobility impaired users. More information should be provided regarding the security of the cycle stores.
- Parking bays should not be provided within junction visibility splays / 10m of a junction.
- Page 20 shows 'indicative locations of entrance to residential core'. However, additional pedestrian/cycle access should be provided on to the Riverside Walk, in order to ensure there is a direct, attractive traffic free connection.
- Page 25 shows the route along Albion Causeway to be a pedestrian and cycle route, but no cycle facilities have been provided.
- The cross section on page 28 (and 29) shows the main carriageway through the site is proposed to be 4.1m in width with 1.8m footways on either side. The minimum footway width should generally be 2.0m, especially in areas where high pedestrian flows are expected. KCC would refer the applicant to the Kent Design Guide and Local Transport Note (LTN) 1/20. 4.1m is considered to be too narrow for the primary access through the site and should be increased to a minimum of 4.8m. At 4.1, any vehicle stopping on the highway is likely to block the route for other vehicles. In line

with Department for Transport guidance, KCC will not adopt shared space developments of over 25 units, although minimal height kerbing may be acceptable.

- Page 30 shows a “no turning” area at the northern end of the route. Traffic should not turn in a pedestrian / shared space area as there is a risk of conflict. A minimum carriageway width of 4.1m is unacceptable for this route as it is proposed for use by servicing vehicles.
- On street parking bays are shown as 2m in width on page 32. SPG4 requires 2.4m. It is questioned why the 1.5m planting on either side of the carriageway cannot be provided adjacent to the carriageway, providing a barrier between pedestrians and vehicles.
- At 4.1m, the secondary route is considered to be too narrow (as indicated on page 34) and should be increased to a minimum of 4.8m. A 2m footway / cycleway is stated. It is currently not known how many cyclists are predicted to use each route within the site. LTN 1/20 sets out minimum cycle route widths depending on numbers of cyclists, and this should be considered and responded to.
- In consideration of page 36, SPG4 requires parking bays that are perpendicular to the carriageway to be a minimum of 5.5m in length to avoid overhangs.
- Page 48 shows stepped terracing and KCC requests clarification if ramped access is also to be available for mobility impaired users and cyclists.

Framework Travel Plan – general comments

Overall, it is recommended that a planning condition be applied to any consent requiring a full Travel Plan to be submitted and approved prior to any occupation on the development. However, the County Council provides comments on the Framework Travel Plan as submitted.

Paragraph 4.6 states that “*The mode splits as shown in Table 4.1 will be used for monitoring and target setting for the purpose of this Travel Plan until Baseline Travel Surveys can be undertaken.*” The mode share (particularly the traffic generation) should be based on the information set out in the TA.

Paragraph 4.8 states “*To ensure representative results from the Baseline Travel Surveys, the Occupation Date has been defined as: • Once 75% of the employment floorspace has been occupied by tenants; and • Once 75% of the residential homes are occupied.*” KCC assumes this means 75% of Phase 1, not the entire site.

Table 4.2 sets out mode share targets for years 0, 1, 3 and 5. However, the Travel Plan should be monitored annually for five years post full occupation of the site.

Paragraph 5.3 sets out the duties of the Transport Review Group (TRG). An additional duty of the TRG should be to ensure the Travel Plan Coordinator is implementing additional measures, should the targets not be on course to be achieved. These measures should be set out in an updated version of the Framework Travel Plan (FTP). It is suggested that a fund of £300 (index linked) per dwelling is set aside to guarantee additional measures can be implemented, should they be needed.

Paragraph 5.17 *“The CTPCs will be appointed within 3 months of occupation of the commercial space...Where required by Travel Plan guidance thresholds, the CTPCs will be responsible for submitting a Travel Plan within 3 months of occupation at the development.”* Details of the Travel Plan Coordinators (TPCs) and Travel Plans should be submitted to and approved by KCC, three months prior to occupation so that they can inform modal choice of those travelling to and from the site, before unsustainable travel habits form. This also relates to the timings in table 8.1.

Section 7 relates to monitoring and review, but does not explicitly refer to vehicle monitoring surveys. The Travel Plan surveys should include a count of all vehicles entering and leaving the site (likely to be through Automatic Traffic Counters (ATC) placed at the entrances), all other modes entering and leaving the site, a survey of cycle parking demand, car club use, and a Car Park Occupancy Survey, which should be undertaken across one day (0700 – 1900) during a neutral weekday. It would be helpful (but not essential) if this was undertaken in conjunction with TRICS, for input into their database. In addition to the above, the monitoring report should set out whether the developer / TPC or any other relevant person (including KCC and the Borough Council) has received any complaints regarding on-street parking in the local area. On-street parking surveys may be required, and this should be decided by the TRG.

The measures set out in the FTP need to be secured further as many only refer to ‘could’ be implemented, or “it is recommended”. It is suggested that a final Full Travel Plan is submitted three months prior to occupation.

Paragraph 6.3 – KCC requests clarity regarding *“rentable folding cycle lockers / scooters for resident use”*. Specific measures need to be detailed and secured.

Paragraph 6.12 relates to Walking Initiatives and at bullet point two states *“Where commercial floor space allows, employees will be provided with showers and changing facilities, including facilities for storage of wet clothes, umbrellas etc”*. If a commercial use is large enough to warrant a Travel Plan, showers, lockers and changing facilities are required to be provided.

Conclusions

The County Council, as Local Highway Authority, places a holding objection on the application until all of the above information has been provided and issues have been resolved, in order for KCC to be able to fully consider the impact of the development.

If the Local Planning Authority is minded to grant planning permission without the submission and assessment of all the information requested above, KCC requests that the conditions and section 106 requirements set out within Appendix 1 are secured.

Public Rights of Way

The County Council draws attention to Restricted Byway NG2A and Public Footpath NG2, which are directly affected by the development site - these are identified on the extract of the Network Map of Kent (Appendix 2).

The County Council would also highlight the proposed route of the newly created National Trail - the England Coast Path. The Coast Path is a leisure opportunity of significance and importance to both Gravesham and Kent, which is due to be heavily promoted at a national level.

Impact on Restricted Byway NG2A / Public Footpath NG2

PRoW Route NG2A, which runs through the site, is a Restricted Byway and therefore needs to be a minimum 3m width to allow for pedestrians, cyclists, horses, and non-motorised vehicles.

It should be noted that the England Coast Path (ECP) forms part of the National Trail walking route and has been consented along same alignment as Route NG2A.

KCC requests consideration of the requirement to divert the route of NG2A to riverside to combine the two routes and requests the inclusion of a section at the North West corner. This will reduce potential conflict of use, dual maintenance and give clarity to a high-quality link of both national and local importance.

ECP and NG2A are separate footpaths and must be treated as such, with KCC responsible for NG2A and Natural England responsible for ECP designation.

PRoW can be dealt with under section 257 of the Town and Country Planning Act and KCC will not authorise a temporary closure (during construction) for a PRoW that is threatened by the development unless a long-term order is confirmed.

The section of Public Footpath NG2 forming the "cobbled street / alleyway" must be free of conflict between pedestrians and parked vehicles and KCC would wish to see details of how parking will be managed to avoid conflict.

KCC would therefore request the inclusion of the following planning condition:

A PRoW scheme of management shall be agreed with KCC and details approved prior to commencement of any works. This shall include the access/construction phase, all route alignments, widths, surfacing, signage as per above comments with reference to NG2 and NG2A. The routes shall remain open and attractive to all users at all times.

The County Council is disappointed with the lack of reference to the PRow network in the Travel Plan to reflect the extent to which the PRow network meets likely future public need in contributing towards more sustainable development and travel. The network provides an active travel opportunity and connectivity to local facilities and public transport. The PRow network should be referenced as contributing towards reducing the need for short car journeys.

KCC requests that the promotion and communication material, such as welcome packs and the development website, includes information regarding the opportunities provided by the PRow network for sustainable travel as well as exercise, leisure and open-air recreation for all community user groups. KCC would welcome engagement with the appointed Travel Plan Co-ordinators / Managers to supply current guidance for such inclusion.

Positive incorporation of the PRow network, NG2A NG2 and the National Trail means incorporating good sustainable transport connections and a walking and cycling infrastructure which can link local amenities together. Replacing private vehicle journeys with active travel should help to address low carbon targets, air quality issues and improve public health.

Reference to the PRow should be amended throughout the plans and documents to Restricted Byway NG2A or Public Footpath NG2, rather than the “historic route of the Saxon Shore Way”.

The County Council would also highlight the following points:

- No furniture, fence, barrier or other structure may be erected on or across Public Rights of Way without the express consent of the Highway Authority.
- There must be no disturbance of the surface of the Public Right of Way, or obstruction of its use, either during or following any approved development without the express consent of the Highway Authority.
- No hedging or shrubs should be planted within 1 metre of the edge of the Public Right of Way.
- Please ensure that the applicant is made aware that any planning consent given confers no consent or right to close or divert any Public Right of Way at any time without the express permission of the Highway Authority.
- No Traffic Regulation Orders will be granted by KCC for works that will permanently obstruct the route unless a diversion order has been made and confirmed. If the applicant needs to apply for a temporary traffic regulation order whilst works are undertaken, KCC PRow would need six weeks’ notice to process this.

Provision and Delivery of County Council Community Services and Facilities

The County Council has assessed the implications of this proposal in terms of the delivery of its 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) requires 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 (the evidence supporting these requirements is set out in the attached appendices).

The County Council has modelled the impact of this proposal on its existing services and the outcomes of this process are set out below. A request summary is provided within Appendix 3.

Primary Education Provision

There is currently a small element of surplus capacity in primary place provision in East Gravesend and West Gravesend. Northfleet continues to have a small deficit of primary places but is probably distant enough to not be impacted by this development.

The four nearest primary schools are:

- Chantry Primary Academy
- St John's Catholic Primary School
- Holy Trinity CE Primary School
- Wrotham Road Primary School

These schools do not have a large amount of capacity, with St John's being regularly oversubscribed. In addition, it should be noted that neither St John's, Wrotham Road or Chantry can be expanded due to site constraints.

The County Council considers there is currently no requirement for primary education contributions.

Secondary School Provision

The impact of this proposal on the delivery of the County Council's services is assessed in Appendix 4.

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 gives rise to 66 additional secondary school pupils during occupation of the development. This need, cumulatively with other new developments in the vicinity, can only be met through the enlargement of Mayfield Grammar School, Pelham Road, Gravesend & St George's Church of England School, Meadow Road, Gravesend.

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 the new secondary school places at **£4540.00 per 'applicable' house** and **£1,135.00 per 'applicable' flat** (x1314) ('applicable' means: all dwellings except 1 bed of less than 56sqm GIA – confirmation is requested that the 186 x 1 bed flats proposed are below this threshold).

Please note that 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 expansion of Mayfield Grammar School, Pelham Road, Gravesend & St George's Church of England School, Meadow Road, Gravesend and delivered in accordance with the Local Planning Authority's Infrastructure Delivery Plan, timetable and phasing.

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 2021-25 and Children, Young People and Education Vision and Priorities for Improvement 2018-2021.

Special Educational Needs (SEN)

SEN commissioning is challenging because there is no method to forecast the number of SEN places required. Assessments of need are therefore undertaken largely on trending data.

Currently, there is a significant deficit of places for children with Special Educational Needs, of all types. KCC is undertaking an assessment on the demand and what measures can be put in place to ameliorate this demand. Any additional demand from this development will increase that demand and therefore require additional commissioning.

Different types of Special Needs are one factor, with the level of need being the other. A child's Special Educational Needs are assessed by a team of professionals, usually including a Consultant Paediatrician. Part of that assessment will be to indicate what level of support is required, and whether that can be given in a mainstream school, a special school or in a Specialist Resource Provision (SRP), which is a unit within a mainstream school that can provide a higher level of support.

To accommodate existing demand, KCC is looking to establish a 210 new special school to provide for students whose primary barrier to learning is Profound, Severe and Complex Needs (PSCN) and/or Communication and Interaction (C & I). This will offer places to students from the Graveland area. The County Council would raise this with Graveland Borough Council to request that with this and other new housing developments, the need for a new special school site is becoming pressing.

The additional new housing through this development indicates that the demand for SEN places will increase. The way KCC would seek to manage this demand is dependent on the needs of the children. It might be that they are better supported in a special school, or through the establishment of a primary or secondary Specialist Resource Provision. KCC will therefore be seeking developer contributions from this development, that will then be applied either to the build costs of a new special school or for the establishment of one or more SRPs in existing schools.

Early Years

There is a significant shortfall in Early Years places across Graveland. This is particularly prevalent in both East and West Graveland. Although smaller dwellings tend to produce fewer primary and secondary aged children, they would be likely to generate a need for nursery places.

Surplus/Deficit of 0-4 Childcare Places by Primary Planning Area – Summer Term 2021

| Planning Area | 0-4 Population (Edge Analytics) | 0-4 Population Requiring a Childcare Place | 0-4 Childcare Places Available | Indicative Surplus/Deficit of 0-4 Childcare Places |
|-----------------------|--|---|---------------------------------------|---|
| Graveland East | 3,012 | 1,559 | 1,361 | -198 |
| Graveland West | 1,849 | 944 | 570 | -374 |
| Graveland Rural East | 246 | 131 | 44 | -87 |
| Graveland Rural South | 523 | 331 | 305 | -26 |
| Northfleet | 778 | 382 | 317 | -65 |

KCC will therefore be seeking developer contributions to establish two 26 place nursery/early years provisions in or near to the development

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, as shown in Appendix 5, along with cost of mitigation.

To accommodate the increased demand on KCC Adult Education service, the County Council requests **£16.42 per dwelling** towards additional resources for Adult Education at “Victoria Centre”, Darnley Rd, Gravesend DA11 0RX, local to the development.

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 Gravesham Borough per 1,000 population is below the County average of 1134 and both the England and total UK figures of 1,399 and 1,492 respectively.

To mitigate the impact of this development, the County Council will need to provide additional services, resources and stock to meet the additional demand which will be generated by the people residing in these dwellings.

The County Council therefore requests **£55.45 per household** to address the direct impact of this development. The additional services, resources and stock required to mitigate the impact of the new borrowers from this development will be delivered to Gravesend Library, Windmill Street, Gravesend, Kent, DA12 1BE, as and when the monies are received.

Youth Service

To accommodate the increased demand on KCC services, the County Council requests **£65.50 per dwelling** towards expansion and enhancement of The Grand, King Street Gravesend and associated mobile/outreach programme.

Social Care

The proposed development will result in additional demand upon KCC Social Care (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 KCC Social Care is 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** (as set out in Appendix 6) towards Age UK Fleming Resource Centre, Clarence Row, Gravesend DA12.
- The Ministry of Housing, Communities and Local Government identified in June 2019 guidance *Housing for older and disabled people* that 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 bathrooms and kitchens. Kent Social Care requests that 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.

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 HWRCs and half a tonne per year to be processed at WTSs. Existing HWRCs and WTSs will be over capacity by 2020 and additional housing has a significant impact on the manageability of waste in Kent.

The Pepperhill combined Waste Transfer Station and Household Waste Recycling Centre located at Station Road, Southfleet currently serves the whole of the Gravesham area. This facility is now at capacity. The addition of some 1500 additional homes as proposed within this planning application will require mitigation in order to allow KCC to continue to provide a sustainable service. KCC has an identified project to provide the required additional capacity - this is in the form of an additional WTS and HWRC facility in the local area. As such, KCC will be requesting developer contributions towards this project.

A contribution of **£183.67 per household** is required towards a new Waste Transfer Station and capacity works to Pepperhill Household Waste Recycling Centre for Gravesham to mitigate the impact arising from this development and accommodate the increased waste throughput and range of materials collected kerbside within the Borough.

The County Council would also like to draw attention to good design in terms of sustainable waste management solutions, ensuring all residents have adequate access to bins that allow high rates of recycling, including the collection of separate food waste which will become a requirement from 2023. KCC requests further detail on this, and how the applicant has liaised with Gravesham Borough Council as the Waste Collection Authority on this matter.

Broadband: Fibre to the premise/gigabit capable

The National Planning Policy Framework paragraph 112 and the Department for Digital, Culture, Media and Sport requires full fibre connection to new developments being gigabit capable fibre optic to the premise connection for all.

A planning condition is requested to provide 'fibre to the premise' (FTTP) broadband connections to all premises of gigabit capacity.

Developers are advised to make early contact with broadband providers, as there can be a lead in time for cable installation and associated infrastructure.

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, and County monitoring fee of £500 for each trigger within the Agreement.

The County Council would welcome engagement with the Borough Council in respect of the development contributions requested within this response and the drafting of the Committee Report.

Minerals and Waste

The County Council, as Minerals and Waste Planning Authority, confirms that the application site is not within 250 metres of a safeguarded waste or mineral processing/handling facility. Therefore, this proposal does not require to be considered against the safeguarding exemption provisions of Policy DM 8: Safeguarding Minerals Management, Transportation, Production and Waste Management Facilities of the adopted KMWLP 3013-30.

With regard to safeguarded land-won minerals, the application is coincident with Sub-Alluvial River Terrace Sands and Gravel. Therefore, the application details should normally include a Minerals Assessment to determine if the safeguarded mineral deposit is being needlessly sterilised, and if not whether an exemption to mineral safeguarding pursuant to Policy DM 7: Safeguarding Mineral Resources of the Kent Minerals and Waste Local Plan 2013-30 can be invoked. However, the application site is within the built confines of Gravesend and is thus exempt from land-won mineral considerations.

The County Council has therefore no minerals or waste safeguarding objection or further comments to make regarding this proposal.

Sustainable Urban Drainage Systems (SuDS)

The planning application is supported by a Drainage Strategy Report prepared by Patrick Parsons (February 2021). It is proposed to pump surface water from the proposed development at a reduced rate, reflecting County Council policy in relation to previously developed land. The Drainage Strategy includes the creation of a new waterbody, which would receive surface water flows and store water before discharging to the canal outfall at a rate of 170 l/s.

Kent County Council as Lead Local Flood Authority has the following comments:

- The Drainage Strategy notes Kent's policy in relation to rainfall statistics but calculations utilise an unadjusted Flood Study Report (FSR) value. KCC would usually recommend that initial assessment does utilise the adjusted value to ensure sufficient volume is accommodated within any attenuation.
- The County Council seeks clarification as to the tidal extents. It is KCC's understanding that there is tidal lock at the swing bridge at the outlet of the canal basin. This would suggest that the volumes of water entering the canal basin do need to be carefully considered. However, KCC appreciates that surface water runoff volumes have been greatly reduced.
- In the indicative landscape drawings, sustainable drainage is clearly shown integrated with landscape provision. These are shown as connecting to the engineered system within the Proposed Drainage Strategy (Drawing L20041-DS-212). KCC would strongly recommend that the sustainable drainage measures within the open space are considered and retained in later stages of detailed design, as no detail is currently provided with respect design form and function.
- The County Council appreciates, and would strongly support, the inclusion of green roofs within the development given its density and the multi-benefits which can be provided.

The County Council, as Lead Local Flood Authority, would therefore support the approach to drainage design, but would recommend appropriate conditions are considered within any approval to ensure that a sustainable drainage approach is embedded in engineering and landscape design.

The County Council as Lead Local Flood Authority provided a direct response to Gravesham Borough Council on 27 April 2021 (Appendix 7), which set out requested planning conditions in respect of sustainable urban drainage.

Heritage Conservation

The County Council provided a direct response to Gravesham Borough Council on 26 April 2021 (Appendix 8).

Biodiversity

The County Council provided a direct response to Gravesham Borough Council on 21 April 2021 (Appendix 9).

Sustainable Business and Communities

Sustainability and climate change

The County Council is concerned that the application makes no substantive reference to sustainability and climate change. The executive summary mentions "*targeting carbon reduction to achieve betterment against Part L Standard*", and the "*live well*" strategic intent states a commitment to "*reduce the carbon footprint of our homes*", but no further information is provided. The sustainability and ecology strategy only includes biodiversity proposals.

The County Council would expect that a proposed development of this size assess and evaluate the proposed development's greenhouse gas emissions, with appropriate mitigations included within the masterplan design. This should also include an Energy Strategy, with targets to reduce emissions over Part L Standards. It is recommended that the proposed development adheres to the UK Green Building Council's Net Zero Operational Carbon definition and guidance.

The masterplan and design codes of homes and commercial buildings should guarantee good levels of operational energy performance through the setting of specific targets, which adhere to the Energy Hierarchy:

1. Prioritise energy demand reduction through a passive design and fabric first approach.
2. High levels of energy efficiency, meeting best practice targets on energy use intensity, as well as targets on space heating/cooling demand.
3. No use of fossil fuels (ie. the development is all-electric).
4. Maximise on-site renewable energy generation.

The design codes should also include specific targets for operational water consumption in both homes and commercial buildings.

The proposed development should also assess and evaluate climate change risks (including drought and heatwave), with appropriate mitigation measures incorporated into building, infrastructure and green space design. For the hazard of extreme heat, mitigation measures should address overheating, incorporate targets or upper thresholds for space cooling

demand and in-use cooling demand for the different building typologies and a commitment to use external shading and hybrid ventilation systems to maximise passive cooling.

The County Council will continue to work closely with the Borough 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 Borough 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 'Simon Jones', is written over a light grey rectangular background.

Simon Jones

Interim Corporate Director – Growth, Environment and Transport

Encs:

Appendix 1: Proposed highway Section 106 obligations and planning conditions

Appendix 2: Extract of the Network Map

Appendix 3: County Council Community Infrastructure services – request summary

Appendix 4: Secondary School Provision

Appendix 5: Community Learning Provision

Appendix 6: Adult Social Care

Appendix 7: Kent County Council Lead Local Flood Authority Response provided direct to GBC 27 April 2021

Appendix 8: Kent County Council Heritage Conservation Response provided direct to GBC 26 April 2021

Appendix 9: Kent County Council Biodiversity Response provided direct to GBC 1 April 2021

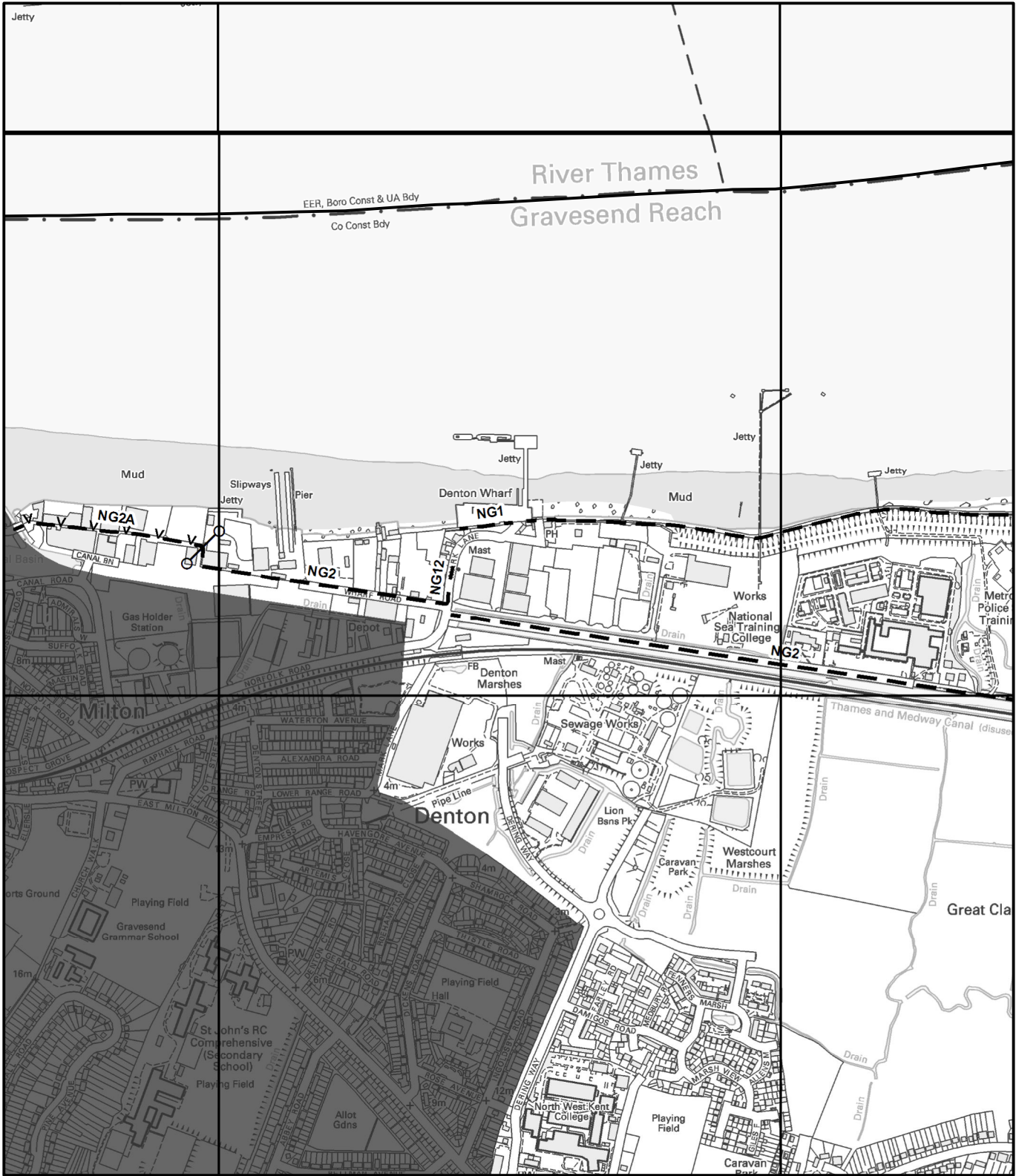
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Proposed Conditions / Section 106 Clauses

- Implement mitigation at the Milton Road / Ordnance Road junction, prior to occupation of the site.
- Detailed plans of the site access junctions (including Stage 1 and 2 RSA) to be submitted to and approved by LPA in consultation with HA prior to commencement.
- Junction capacity modelling of the Peacock Street / A226 junction should be undertaken and submitted prior to commencement. Mitigation to be secured if required.
- A minimum of one parcel drop-off locker system to be provided on site, plus a post / parcel room for building E, to be provided prior to occupation.
- Provision and retention of 1,436 long stay cycle parking spaces (of which 2327 to be provided for the residential use) and 50 short stay spaces, upon occupation of the associated unit. A proportion of the cycle parking should be provided for adapted bikes.
- Cycle stores to be provided with electric bike charging facilities.
- Provision and retention of a minimum of 750 vehicle parking spaces for the residential use, 50 vehicle parking spaces for the non-residential uses and 40 motorcycle bays. 10% of the Phase 1 parking and 20% of the remaining phases to be provided with active electric vehicle charging facilities (minimum of 7kw). All remaining spaces to be provided with passive charging facilities (ducting and cabling).
- Plans showing the proposed improvements resulting from the Active Travel Audit, and the proposed Way Finding Strategy to be submitted to and approved by KCC prior to commencement. If approved, the proposals to be implemented prior to occupation of the site.
- Provision of a bus service between the site and the town centre from first occupation until the occupation of 1,109 units. The service should operate as follows: Year one and Two – Monday to Sunday all day service on a 20-minute frequency. Years Three and Four - Monday to Sunday all day service on a 10-minute frequency plus one peak period service. Year Five - Monday to Sunday all day service on a 10-minute frequency (potential to increase to two services) plus one peak period service. Timetable can be amended if agreed by LPA / KCC officers. High quality bus shelters including seating, timetabled information and low floor kerbing are required.
- Provide two car club vehicles on site upon first occupation. Demand to be monitored through the travel plan and an increase of a further three vehicles to be provided by full build out, should demand be seen to warrant them. Two years free membership and a £50 drive time credit to be provided for all residents upon their occupation, and free membership for businesses located at the site and their employees.
- Provide a mobility hub on site from first occupation, containing as a minimum, rentable folding cycle lockers and scooters, car club booking facilities, walking, cycling and PROW information, cycle repair and maintenance, electric vehicle rapid chargers and parcel lockers.
- A Transport Review Group to be established upon commencement of the development, to discuss the on-going transport related impacts of the development, the success of the Travel Plan measures and to decide whether additional measures

are required. The TRG should meet on a biannual basis, unless a revised timetable is agreed by the TRG members, once of which should be KCC.

- Full Travel Plan for the residential element, and commercial units meeting the threshold, to be submitted to and agreed by KCC a minimum of three months prior to occupation.
- Travel Plan monitoring fee of £7,110 (£1,422 per year for five years) should be secured for KCC Highways to ensure adequate resourcing to audit and oversee the Residential Travel Plan monitoring process.
- A Car Park Management Plan to be submitted to and agreed by KCC a minimum of three months prior to occupation.
- If the road is to be adopted by KCC, a TRO will be required to prevent ad hoc parking on the site.
- A Construction Management Plan to be submitted to and agreed by KCC a minimum of three months prior to commencement, containing as a minimum, routing of construction and delivery vehicles to/from the site, parking and turning areas for construction and delivery vehicles and site personnel, timing of deliveries; provision of wheel washing facilities and any temporary traffic management/ signage.
- Extend parking restrictions at TC01, Norfolk Road and Wharf Road to prevent on street parking, prior to occupation, at the Applicant's expense. If objections to these applications prevent them from being implemented, the Applicant must re-submit the applications one year post occupation (and again at years 5 and 10 if still not granted), as objections may be removed if on-street parking is occurring. Residents of the proposed site should be prevented from seeking permits for the on-street parking as this would defeat the object of the parking controls.
- Vehicle parking monitoring upon occupation of 50% units of Phase 1, to determine whether the 0.5 ratio is appropriate for the remaining phases. A further 100 spaces to be provided for the further phases, if required.
- Street lighting and Landscape strategies will be required for the detailed applications, if the site is to be adopted by KCC.



Key

- — Footpath
- |— Bridleway
- ∨—∨ Restricted Byway
- ∨ Byway Open to All Traffic

EXTRACT OF THE DEFINITIVE MAP OF PUBLIC RIGHTS OF WAY FOR THE COUNTY OF KENT

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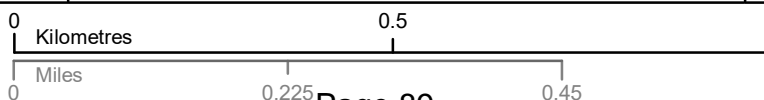
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NG2 & NG2A



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Request Summary¹

| | Per applicable ² house | Per applicable flat (x 1314) | Total | Project |
|----------------------------------|--------------------------------------|---------------------------------|-------------|---|
| Secondary Education | £ 4540.00 | £ 1,135.00 | £ 1,491,390 | Mayfield Grammar School, Pelham Road, Gravesend & St Georges Church of England School, Meadow Road, Gravesend |
| Currently no primary requirement | | | | |

| | Per applicable house (Nil) | Per applicable flat (x1314) | Total | Project |
|--------------------------------|-------------------------------|-----------------------------------|-------------|---|
| Special Education Needs | £Nil | £262.96 | £345,529.44 | Contribution towards the build costs of Special Educational Needs provision at a new special school or for the establishment of SRPs in existing schools in the Gravesham Borough area. |

| | Per Dwelling (x 1500) | Total | Project |
|---------------------------|---|------------|--|
| Community Learning | £16.42 | £24,630.00 | Towards additional resources for Adult Education "Victoria Centre", Darnley Rd, Gravesend DA11 0RX |
| Youth Service | £65.50 | £98,250 | The Grand, King Street Gravesend and associated mobile/outreach programme. |
| Library Bookstock | £55.45 | £83,175 | Towards additional services, resources and stock required to mitigate the impact of the new borrowers from this development at Gravesend Library, Windmill Street, Gravesend, Kent, DA12 1BE |
| Social Care | £146.88 | £220,320 | Towards Age UK Fleming Resource Centre, Clarence Row, Gravesend DA12 1HJ |
| | All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2) | | |
| Waste | £183.67 | £275,505 | Towards new Waste Transfer Station (WTS)TS and capacity works to Pepper Hill Household Waste and Recycling Centre (HWRC) |
| Broadband: | <p>Condition: Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High Speed Fibre Optic (minimal internal speed of 1000mb) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details.</p> <p>Reason: To provide high quality digital infrastructure in new developments as required by paragraph 112 NPPF.</p> | | |

¹ Please note that these figures:

- are to be **index linked by the BCIS General Building Cost Index from April 2020 to the date of payment** (Apr-20 Index 360.3)
- 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.

² 'Applicable' excludes: 1 bed units of less than 56 sqm GIA, and any sheltered accommodation. Confirmation is requested that the 186 x1 bed units proposed are below this threshold.

KCC developer contribution assessment for Secondary (Years 7-11) Education

| | | | |
|------------------|---|---------------------|------|
| District: | Gravesham | 1-bed: | 186 |
| Site: | Albion Waterside, Canal Basin, Gravesend, Kent DA12 2RN | Houses: | 0 |
| Plan ref: | GR20210270 | Flats: | 1314 |
| Date: | 16/03/2021 | Total units: | 1500 |

| Current and forecast pupils on roll for schools within | | Gravesham and Longfield non-selective and selective planning group | | | | | | | |
|--|--|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| DfE no. | School | 2019-20 (A) | 2020-21 (A) | 2021-22 (F) | 2022-23 (F) | 2023-24 (F) | 2024-25 (F) | 2025-26 (F) | 2026-27 (F) |
| 6914 | Longfield Academy | 883 | 877 | 937 | 957 | 994 | 1,012 | 1,018 | 1,030 |
| 5465 | Gravesend Grammar School | 888 | 943 | 919 | 929 | 949 | 959 | 976 | 978 |
| 5467 | Mayfield Grammar School | 910 | 941 | 974 | 980 | 1,004 | 1,022 | 1,044 | 1,052 |
| 4004 | Meopham School | 739 | 804 | 861 | 867 | 889 | 897 | 911 | 911 |
| 4040 | Northfleet School for Girls | 841 | 895 | 911 | 967 | 989 | 1,000 | 1,030 | 1,047 |
| 5456 | Northfleet Technology College | 804 | 787 | 834 | 849 | 879 | 909 | 937 | 953 |
| 5404 | Saint George's CE School | 915 | 949 | 954 | 969 | 971 | 996 | 1,016 | 1,019 |
| 5461 | St. John's Catholic Comprehensive School | 956 | 959 | 976 | 971 | 993 | 1,002 | 1,018 | 1,020 |
| 5407 | Thamesview School | 847 | 852 | 903 | 898 | 924 | 926 | 939 | 936 |
| Current and forecast pupils on roll (excluding the expected pupil product from new developments) | | 7,783 | 8,007 | 8,269 | 8,388 | 8,593 | 8,723 | 8,890 | 8,946 |
| Required capacity to maintain 5% surplus capacity | | 8,193 | 8,428 | 8,704 | 8,830 | 9,045 | 9,182 | 9,358 | 9,417 |

| Current and forecast capacity for schools within | | Gravesham and Longfield non-selective and selective planning group | | | | | | | |
|--|--|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| DfE no. | School | 2019-20 (A) | 2020-21 (A) | 2021-22 (F) | 2022-23 (F) | 2023-24 (F) | 2024-25 (F) | 2025-26 (F) | 2026-27 (F) |
| 6914 | Longfield Academy | 900 | 900 | 900 | 900 | 900 | 900 | 900 | 900 |
| 5465 | Gravesend Grammar School | 870 | 906 | 942 | 978 | 1,014 | 1,050 | 1,050 | 1,050 |
| 5467 | Mayfield Grammar School | 855 | 885 | 950 | 990 | 1,020 | 1,050 | 1,050 | 1,050 |
| 4004 | Meopham School | 790 | 820 | 880 | 910 | 940 | 970 | 1,000 | 1,000 |
| 4040 | Northfleet School for Girls | 945 | 980 | 1,015 | 1,050 | 1,050 | 1,050 | 1,050 | 1,050 |
| 5456 | Northfleet Technology College | 820 | 820 | 820 | 820 | 820 | 820 | 820 | 820 |
| 5404 | Saint George's CE School | 930 | 960 | 990 | 1,020 | 1,020 | 1,050 | 1,050 | 1,050 |
| 5461 | St. John's Catholic Comprehensive School | 916 | 931 | 931 | 931 | 931 | 915 | 900 | 900 |
| 5407 | Thamesview School | 840 | 870 | 930 | 960 | 990 | 1,020 | 1,050 | 1,050 |
| Current and forecast capacity (1) | | 7,866 | 8,072 | 8,358 | 8,559 | 8,685 | 8,825 | 8,870 | 8,870 |

(1) including expansion projects at existing schools that have successfully passed through statutory processes but may not yet be complete

| Expected pupil product from new developments within | | Gravesham and Longfield non-selective and selective planning group | | |
|---|--|--|-------|-------------------|
| Planning reference | Details | Houses | Flats | Secondary product |
| GR20201279 | Kingsbridge Court 25 - 26 High Street Gravesend Kent DA11 0AZ | 0 | 6 | 0 |
| GR20200491 | Meopham Court, Wrotham Road, Meopham, Gravesend, Kent | 1 | 0 | 0 |
| GR20200343 | The Charter Land At Market Square And Horn Yard Car Parks New Swan Yard Gravesend DA12 2EN | 0 | 134 | 7 |
| GR20191187 | Land At The Rear Of Bridge Bar And Club 24 Stone Street Gravesend Kent DA11 0NP | 0 | 11 | 1 |
| GR20191122 | Clifton Slipways West Street Gravesend Kent | 0 | 141 | 7 |
| GR20191051 | Poundworld Plus 1 - 2 King Street & 34 & 35 High Street Gravesend Kent DA12 2EB | 0 | 16 | 1 |
| GR20190504 | Former Gravesend & North Kent Hospital (M Block), Bath Street, Gravesend, Kent | 0 | 71 | 4 |
| GR20190520 | The Builders Yard, Lower Range Road, Gravesend, Kent DA12 2QL (S106) | 0 | 14 | 0 |
| GR20190503 | St Patricks Gardens Gravesend Kent DA12 4AN (S106) | 0 | 16 | 0 |
| GR20190155 | Land At 270-340 Valley Drive, Gravesend, Kent (S106) | 0 | 10 | 0 |
| GR20190083 | 3 - 11 Harmer Street Gravesend Kent (S106) | 0 | 11 | 0 |
| GR20180916 | Former Site of 26-27 London Road Northfleet | 0 | 4 | 0 |
| GR20180764 | Land North of Dover Road Northfleet Gravesend (S106) | 27 | 0 | 0 |
| GR20180651 | Cox House 47 The Terrace Gravesend Kent DA1 2DL (S106) | 2 | 7 | 0 |
| GR20171385 | Community Hall Site, Whitehill Lane, Gravesend, Kent DA12 5LZ (S106) | 8 | 12 | 0 |
| GR20171245 | Site of Battle of Britain, Coldharbour Road, Northfleet, Gravesend, Kent | 10 | 6 | 2 |
| GR20171120 | Units 9 And 10 May Avenue Northfleet Gravesend Kent DA11 8RU | 0 | 14 | 1 |
| GR20170737 | St Hildas Depot St Hildas Way Gravesend Kent DA12 4AL (S106) | 3 | 10 | 0 |
| EDC/17/0038 | Northfleet Embankment East Crete Hall Road Northfleet Gravesend Kent (S106) | 206 | 278 | 0 |
| GR20161205 | FORMER POLICE STATION 133 WINDMILL STREET GRAVESEND DA12 1BH | 0 | 58 | 3 |
| GR20161127 | 11-12 OVERCLIFFE GRAVESEND KENT DA11 0EF | 0 | 3 | 0 |
| GR20160565 | LAND TO THE NORTH OF 76 DANLEY ROAD GRAVESEND | 0 | 12 | 1 |
| GR20160046 | CLIFTON SLIPWAYS (INCLUDING WEST STREET PIER AND LAND TO THE NORTH AND SOUTH OF WEST STREET) WEST STREET GRAVESEND KENT (S106) | 0 | 94 | 0 |
| GR20160092 | THE COTTAGE (BALLIFFS) OFF LOWER HIGH ROAD GRAVESEND DA12 2NQ (S106) | 11 | 0 | 0 |
| EDC/16/0004 | NORTHFLEET EMBANKMENT WEST (S106) | 367 | 100 | 0 |
| GR20151267 | LAND SOUTH OF DALEFIELD WAY GRAVESEND DA12 2JD (S106) | 19 | 7 | 0 |
| GR20150141 | LAND OFF FENNERS MARSH LAND SOUTH OF DALEFIELD WAY GRAVESEND | 0 | 10 | 1 |
| GR20150502 | FMR NORTHFLEET POLICE STATION VALE ROAD NORTHFLEET DA11 8DA | 0 | 20 | 1 |
| SE/21/00480 | Long Pedlar Billet Hill Ash Kent TN15 7HG | 2 | 0 | 0 |
| SE/20/03637 | Bluebell Paddock, Gravesend Road, Wrotham Sevenoaks TN15 7JS | 1 | 0 | 0 |
| SE/19/02005 | The Manor House North Ash Road New Ash Green DA3 8HQ | 4 | 10 | 1 |
| New developments within the planning area | | 661 | 1,075 | 29 |
| This development | | 0 | 1,314 | 66 |

| Assessment summary | | 2019-20 (A) | 2020-21 (A) | 2021-22 (F) | 2022-23 (F) | 2023-24 (F) | 2024-25 (F) | 2025-26 (F) | 2026-27 (F) |
|---|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Details | | | | | | | | | |
| Surplus / (deficit) capacity (excluding the expected pupil product from new developments) | | -327 | -356 | -346 | -271 | -360 | -357 | -488 | -547 |
| Expected pupil product from new developments | | 29 | 29 | 29 | 29 | 29 | 29 | 29 | 29 |
| Surplus / (deficit) capacity including the expected pupil product from new developments | | -356 | -386 | -376 | -300 | -389 | -387 | -518 | -576 |
| Expected pupil product from this development | | 66 | 66 | 66 | 66 | 66 | 66 | 66 | 66 |
| Surplus / (deficit) capacity including the expected pupil product from new developments and this development | | -422 | -452 | -441 | -366 | -455 | -452 | -583 | -642 |
| Expected pupil product from this development that on current plans for school provision cannot be accommodated | | 66 | 66 | 66 | 66 | 66 | 66 | 66 | 66 |

Background notes:

Pupil forecasts 2020 employed from September 2020. Incorporating roll data from Schools Census Autumn 2020. Data from the Health Authority includes pre-school children born up to 31st August 2019. Forecasts use trend data over the previous three years.

Expected pupil product from new developments within the planning area

Where a section 106 agreement has been secured for a development that includes education contributions (indicated by code S106 in brackets), the expected pupil product from that development has been shown as zero. This indicates that the pupil product need arising from the development has been mitigated by the developer.

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APPENDIX 2

KCC Communities

Development Contributions Assessment

| | |
|------------------|--|
| Site Name | Albion Waterside, Canal Basin, Gravesend |
| Reference No. | GR 2021 0270 |
| District | Gravesham |
| Assessment Date | 22/04/2021 |
| Development Size | 1,500 |

| COMMUNITY LEARNING & SKILLS | |
|---|----------------------------|
| | Services |
| Current Service Capacity | 1,484 |
| LESS Current adult participation in Gravesham district | 1,558 |
| Initial capacity shortfall/surplus (Year ending 2019) | -74 |
| New adult participation from this development | 53.84 clients |
| Will service capacity be exceeded? | YES |
| Contributions requested from this development | £16.42 per dwelling |
| <i>1500 dwellings from this proposal</i> | £24,630.00 |
| Contributions requested towards additional resources for Adult Education "Victoria Centre", Darnley Rd, Gravesend DA11 0RX | |

| YOUTH SERVICE | | |
|--|----------------------------------|-----------------------------------|
| | Centre and Hub based Services | Outreach and Targeted Services |
| Current Service Capacity | 1,377 | 742 |
| LESS Current youth participation in Gravesham district | 1,446 | 779 |
| Initial capacity shortfall/surplus (Year ending 2019) | -69 | -37 |
| New youth participation from this development | 75 clients | |
| Will service capacity be exceeded? | YES | |
| Contributions requested from this development | £65.50 per dwelling | |
| <i>1500 dwellings from this proposal</i> | £98,250.00 | |
| Contributions requested towards The Grand, King Street, Gravesend and associated mobile/outreach programme. | | |

| LIBRARIES | |
|---|---------------------------------------|
| Libraries assessed for this development | Library Stock and Services |
| Current Service Capacity | 12,381 |
| LESS Current library participation in Gravesham district | 13,001 |
| Initial capacity shortfall/surplus (Year ending 2019) | -619 |
| New borrowers from this development | 437.4 borrowers |
| Will service capacity be exceeded? | YES |
| Contributions requested from this development | £55.45 per dwelling |
| <i>1500 dwellings from this proposal</i> | £83,175.00 |
| Contributions requested towards additional services, resources and stock required to mitigate the impact of the new borrowers from this development at Gravesend Library, Windmill Street, Gravesend, Kent, DA12 1BE | |

| | |
|--|--------------------|
| Net contributions requested for KCC Communities' Services | £206,055.00 |
|--|--------------------|

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| | | | | |
|-------------------|--|--|---|---------------------------|
| APPENDIX 3 | | | | |
| | Social Care | | | |
| | Albion Waterside, Canal Basin, Gravesend DA12 | | | |
| | GR 20201229 | | | |
| | 1500 Households | | | |
| | | | | |
| | | | | |
| | Requirement | Location | Cost per Household | Cost for this Site |
| | | | | |
| | Age UK Fleming Resource Centre, Clarence Row, Gravesend DA12 1HJ | | £146.88 | |
| | | | | |
| | | | £ 146.88 | £ 220,320.00 |
| | | | | |
| and | All Homes built as | Wheelchair Accessible & Adaptable Dwellings | in accordance with Building Regs Part M 4 (2) | |

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Francis Amekor
Gravesham Borough Council
Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Flood and Water Management
Invicta House
Maidstone
Kent
ME14 1XX
Website: www.kent.gov.uk/flooding
Email: suds@kent.gov.uk
Tel: 03000 41 41 41
Our Ref: GBC/2021/083886
Date: 27 April 2021

Application No: 20210270

Location: Albion Waterside, Canal Basin, Gravesend, Kent DA12 2RN

Proposal: Hybrid planning application comprising: Part A - Full planning application for demolition of existing buildings and structures, construction of a mixed use development comprising C3 and C2 Residential Uses and commercial floorspace (Use Class E), a new river wall (and retention of existing river wall), works to Swing Bridge, highway junction improvements at Milton Road and Ordnance Road, associated new public open spaces and public realm improvements, car and cycle parking, landscaping, infrastructure and earthworks and ancillary works; and Part B - Outline planning application with all matters reserved (apart from access) for demolition of all existing buildings and structures and the construction of a mixed use development comprising C3 Uses and commercial floorspace (Use Class E) with associated vehicular access, car parking, landscaping, associated infrastructure and earthworks and ancillary works. (The proposed development would consist of up to 1,500 homes and up to 4,500sqm (GIA) of commercial floorspace). DEPARTURE: Application does not fully accord with the provisions of the Development Plan (Core Strategy Policy CS04).

Thank you for your consultation on the above referenced planning application.

The planning application is supported by a Drainage Strategy Report prepared by Patrick Parsons (February 2021). It is proposed to pump surface water from the proposed development at a reduced rate, reflecting Kent County Council policy in relation to previously developed land. The drainage strategy includes the creation of a new waterbody which would receive surface water flows and store water before discharging to the canal outfall at a rate of 170 l/s.

Kent County Council as Lead Local Flood Authority have the following comments:

- a) The Drainage Strategy notes Kent's policy in relation to rainfall statistics but calculations utilise an unadjusted FSR value. We would usually recommend that initial assessment does utilise the adjusted value to ensure sufficient volume is accommodated within any attenuation.
- b) We would seek clarification as to the tidal extents. It is our understanding that there is tidal lock at the swing bridge at the outlet of the canal basin. This would

suggest that the volumes of water entering the canal basin do need to be carefully considered. However we appreciate that surface water runoff volumes have been greatly reduced.

- c) In the indicative landscape drawings, sustainable drainage is clearly shown integrated with landscape provision. These are shown as connecting to the engineered system within the Proposed Drainage Strategy (Drawing L20041-DS-212). Further detail for these features should be assessed within any further development of the masterplan. We would strongly recommend that the sustainable drainage measures within the open space are considered and retained in later stages of detailed design, as no detail is currently provided with respect design form and function.
- d) We appreciate and would strongly support the inclusion of green roofs within the development given its density and the multi-benefits which can be provided.

If you authority is minded to approve this application we would recommend appropriate conditions as follows to ensure that a sustainable drainage approach is embedded in engineering and landscape design:

Condition:

Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Drainage Strategy (Patrick Parsons, February 2021) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason:

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

Condition:

No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall

demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason:

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Yours faithfully,

Bronwyn Buntine

Sustainable Drainage Team Leader
Flood and Water Management

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Francesca Potter
Senior Strategic Planning and Infrastructure
Officer
Environment, Planning and Enforcement
Growth, Environment and Transport
Kent County Council
Invicta House, Maidstone, Kent, ME14 1XX

**Heritage
GT EPE**
Invicta House
County Hall
MAIDSTONE
ME14 1XX

Ask for: Casper Johnson
Email: casper.johnson@kent.gov.uk

26 April 2021

Re: 20210270 | Albion Waterside Canal Basin Gravesend Kent DA12 2RN

Hybrid planning application comprising: Part A - Full planning application for demolition of existing buildings and structures, construction of a mixed use development comprising C3 and C2 Residential Uses and commercial floorspace (Use Class E), a new river wall (and retention of existing river wall), works to Swing Bridge, highway junction improvements at Milton Road and Ordnance Road, associated new public open spaces and public realm improvements, car and cycle parking, landscaping, infrastructure and earthworks and ancillary works; and Part B - Outline planning application with all matters reserved (apart from access) for demolition of all existing buildings and structures and the construction of a mixed use development comprising C3 Uses and commercial floorspace (Use Class E) with associated vehicular access, car parking, landscaping, associated infrastructure and earthworks and ancillary works. (The proposed development would consist of up to 1,500 homes and up to 4,500sqm (GIA) of commercial floorspace). DEPARTURE: Application does not fully accord with the provisions of the Development Plan (Core Strategy Policy CS04). |

Dear Francesca,

Thank you for consulting us on this application. The application site lies within an area of multi-period archaeological interest adjacent to the River Thames with potential for buried archaeological remains from prehistory to the post-medieval period as well as including within the site, significant built heritage assets. The proposed development will affect designated heritage assets within the site and in the immediate surroundings and Gravesham Borough Council's Conservation Officer and Historic England's officer (with whom I am liaising) will comment on this aspect of the historic environment. I therefore, focus my comments here primarily on the site's non-designated archaeological interest, below and above ground. As I provide

archaeological advice to Gravesham Borough Council, I will be submitting this same response to their consultation on the planning application 20210270.

The application has been submitted with an archaeological desk-based assessment (DBA) and an environmental statement (ES). The latter includes a chapter on 'archaeology' (chapter 7). In my opinion both the DBA and the ES chapter should be updated with the results of field evaluation and further assessment of standing buildings archaeology before an informed planning decision could be made.

The DBA is supported by a geo-archaeological report by Quest (University of Reading) which makes clear *that 'Further work is recommended to enhance and ground-truth the geoarchaeological deposit model produced within this report. This in turn, will help to refine the optimal locations for any archaeological **evaluation** or mitigation that may be required. If the confidential boreholes held by the BGS can be obtained, these may provide much of the information necessary to carry out this process. Up to 3 boreholes can then be put down to ground-truth the updated deposit model, and to be used for offsite geoarchaeological and palaeoenvironmental assessment / analysis (if necessary). If the confidential records cannot be obtained, or if they are of insufficient quality, it will be necessary to put down up to 6 geoarchaeological boreholes.'*

The work outlined above is required to help understand the archaeological interest at the site and the significance of any below-ground archaeological remains. I recommend that the geoarchaeological field evaluation is carried out as soon as possible, ideally to inform a revised DBA but certainly a revised ES chapter, which in turn would allow for informed planning decisions to be made.

At present I do not think there is sufficient information to support the statements about significance and archaeological potential in the draft ES. For example, in section 7.118 it is stated *'Significant adverse effects have been predicted during the demolition and construction stage of the proposed development.'* and *'7.119 The site has predicted potential for remains of no more than medium sensitivity/value which would be affected by the proposed development.'*

Equally I consider it too early to say as is stated in the ES *'7.120 Based on professional judgment and experience, it is considered that adverse effects on buried heritage assets could be offset and reduced to an acceptable level through a programme of archaeological investigation and palaeoenvironmental sampling, with dissemination at an appropriate level to increase knowledge and appreciation of the buried heritage assets.'* Or *'7.121 Evaluation works would likely comprise of geo-archaeological borehole surveys and trial trenches to help inform any further mitigation requirements. Further mitigation may include: • Archaeological Excavation; • Watching Briefs; • Assessment and Analysis of geo-archaeological samples; • Assessment and publication of archaeological information plus the provision of other forms of public access to archaeological information. 7.122 The above additional mitigation would be secured by means of an appropriately worded planning condition.'*

I broadly agree with the selection of methods for archaeological assessment, evaluation and options for mitigation recording set out in the ES but archaeological field evaluation needs to be undertaken now to inform the impact assessment and decision-making process. A revised DBA should include an impact assessment section which uses plans to illustrate how the proposed development would impact on below-ground remains and above ground structures. This would help to illustrate clearly what recording of standing structures has already been carried out and whether that recording is sufficient and/or where further survey might be needed at this stage. The information will also help provide greater understanding of the context for designated heritage assets within and near to the site.

Incidentally the DBA needs higher resolution figures in various places (e.g. as base maps and within the appendices) so that all text and detail is clearly visible. If this makes the document too large perhaps it could be split into a series of separate documents.

As the industrial heritage of the site has archaeological interest, there should be more integration of this aspect (ES Volume 2 etc.) with the archaeology DBA (ES Technical Appendix 7.1) and ES chapter 7 on archaeology. The DBA should include CAD plans which take the information from the range of sources used such as historic mapping to set out a clear model of what existed and what survives at the site in terms of buildings and structures. This plan or set of plans would draw on the previous surveys such as that by Soder, Smith and Smith and ECC to identify the phases of development and the surviving buildings. Each structure should be numbered and have relevant information about history and significance set out in a detailed site gazetteer. This information will also help inform our understanding of the below-ground archaeological potential of the site as well as providing the basis for agreeing mitigation measures.

In conclusion I think that there is further assessment and evaluation work needed to update the relevant documents and plans before an informed planning decision can be made.

I hope that this is helpful and would be happy to discuss further.

Yours sincerely

Casper Johnson
Senior Archaeological Officer

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ECOLOGICAL ADVICE SERVICE

TO: Francis Amekor
FROM: Luke Wallace
DATE: 01 April 2021
SUBJECT: 20210270 / Albion Waterside, Canal Basin, Gravesend

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 ecological information submitted in respect of this application and advise that additional information is sought prior to determination of the planning application.

We are satisfied that the site has relatively little ecological interest (including protected species) due to its urbanised nature and setting. However, we advise that clarification is provided regarding invasive species and biodiversity net-gain. We are satisfied that all other ecological considerations can be addressed with conditions if planning permission is granted.

Invasive Species

The terrestrial ecological impact assessment (EclIA) notes the presence of non-native species, including a Rhododendron species. However, the assessment goes on to conclude that "*none (invasive species) were identified on-site and therefore invasive species are not considered further in this report*".

Rhododendron ponticum is a Schedule 9 species and, therefore, illegal to introduce, plant or allow the spread of. We cannot find information in the report which has identified this Rhododendron down to species level and, as such, confirmed it as not being Rhododendron ponticum.

If *Rhododendron ponticum* is on-site, its presence will need to be incorporated into the construction management plan (to prevent its spread) and a plan for its safe and legally-compliant removal will need to be submitted.

As such, we advise that clarification is provided as to if Schedule 9 species are on-site prior to determination of the application.

Biodiversity Net-Gain

In alignment with paragraph 175 of the National Planning Policy Framework 2019, the implementation of enhancements for biodiversity should be encouraged. Additionally, under the section 40 of the NERC Act (2006), biodiversity must be maintained and enhanced through the planning system.

The EclA states that “*A separate Biodiversity Net Gain (BNG) assessment has been completed by Ramboll on behalf of the Applicant to accompany the planning application*”. However, we cannot see that this information has been provided. As such, we advise that the full calculations of the metric are provided so we are able to accurately assess the proposed net-gain.

We highlight that whilst biodiversity net-gain is likely relatively easy to achieve at this site, to maximise biodiversity value, all planting should consist of native species (non-native species have little to no biodiversity value, with the ‘nectar value’ of these species often being overstated). Therefore, we are disappointed to see non-native species are referenced within the enhancement proposals. Non-natives should be kept to an absolute minimum if provisioned.

We highlight that if the biodiversity net-gain metric has been completed, landscape details have been established. Therefore, we advise that further details of the landscaping is provided along with the calculations.

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

Luke Wallace
Biodiversity Officer

This response was submitted following consideration of the following documents:

- *Environmental Statement Volume 3: Environmental Statement Technical Appendices. Ramboll. February 2021.*
- *Volume 1: Environmental Statement Main Report Chapter 5: Demolition and Construction. Ramboll. February 2021.*
- *Environmental Statement Volume 1: Environmental Statement Report. Ramboll. February 2021.*



Growth, Environment & Transport

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BY EMAIL ONLY

17 May 2021

Dear Marion

Re: EIA Scoping Opinion for a proposed development at Land North of Marden Maidstone Road, Marden, Kent [application reference: 21/501909/EIASCO]

Thank you for consulting Kent County Council (KCC) on the request for a Scoping Opinion for the proposed development of up to 2,000 dwellings, a care home, new primary school, nursery, retail and employment provision, with associated community facilities, open space and infrastructure improvements (including improvements to Marden train station).

The County Council has reviewed the Environmental Impact Assessment (EIA) Scoping Report and sets out its comments below, following the order of the report.

2.3 Scoping Methodology

Public Health

The EIA Regulations (2017) require the environmental assessment process to consider population and human health. The latter has been referenced within this report (page 20) where it has been determined that there would be possible significant effects at both demolition/construction and operational stages, due to the scale of the development proposal. The health impacts considered in the Scoping Report appear limited to air quality, noise and potential ground contamination. The County Council recommends that a standalone Human Health Assessment is carried out which considers the baseline profile of existing residents living in the surrounding community and the potential profile or needs of those living within the proposed development. It is also vital that there is an understanding of the profile of groups who may be particularly vulnerable to environmental and social change.

Further exploration should be undertaken in respect of the potential impacts on existing pedestrians, cyclists and equestrians and their access to open space, having consideration of Public Health England Profiles, data regarding countryside usage as published by Defra and data from the Active Lives Adult Survey (Sport England).

Additionally, KCC recommends further consideration of the population and human health impacts in relation to health care (including primary and emergency) needs of the existing and proposed communities.

Sustainable Urban Drainage Systems (SUDS)

The County Council provided a direct response to Maidstone Borough Council on 28 April 2021 (Appendix 1)

4.2 Traffic and Transport / 4.3 Air Quality

Highways and Transportation

The Scoping Report identifies a range of potential effects that could arise on the local transport networks due to the proposed development. It confirms that a Transport Assessment (TA) will be submitted in support of a planning application.

KCC, as Local Highway Authority, regards the submission of a detailed TA to be essential in enabling the cumulative transport related impacts of the proposed development to be properly understood. Importantly, it should identify the measures that will be implemented to ensure such impacts can be appropriately mitigated. The TA should include, but is not necessarily limited to, the following key items:

- An assessment of the existing transport networks and infrastructure;
- Robust forecasting of the likely trip generation and distribution impacts of the proposals;
- Detailed assessments, including junction capacity modelling, of the forecasted impacts in the context of the existing network. These assessments should consider road safety as well as highway capacity; and
- Evidence to demonstrate how the proposed mitigation measures will address any potentially significant or severe impacts.

The applicant has already initiated discussions with KCC regarding the scope and content of the TA. It is recommended that the TA should be accompanied by a Travel Plan. This is not mentioned in the Scoping Report, however the intention to include a Travel Plan has been confirmed with the applicant in discussions.

The proposed assessment methodology, as set out in Section 4.2, outlines a suitable approach for testing the environmental impacts of the proposed development from a transport perspective.

One of the major environmental impacts that results from increased motor vehicle trips is air pollution and KCC recommends that the Environmental Protection team at Maidstone Borough Council be consulted regarding the suitability of the proposed approach to air quality, which is set out in section 4.3.

4.4 Climate Change

Sustainable Business and Communities

In partnership with the Borough Council, the [Kent and Medway Energy and Low Emissions Strategy](#) sets out how KCC will work in partnership to reduce greenhouse gas emissions from the whole county to net zero by 2050.

KCC welcomes the inclusion of a dedicated climate change chapter within the Scoping Report and would direct the applicant to the [Climate Change Risk and Impact Assessment for Kent and Medway](#), which provides further local insight based on the Met Office's UK Climate Projections.

The County Council expects to see a fully quantified baseline greenhouse gas (GHG) assessment, regardless of current land-use and the significance of the proposed development judged against this baseline. Whilst this may demonstrate a significant increase in emissions compared to the baseline scenario, it will provide a true estimation of the magnitude of the development's impact on local and national GHG targets. This can be further contextualised by comparison to sector-based minimum energy/efficiency requirements.

The proposed GHG assessment methodology stated in paragraph 4.4.8 should also consider the GHG emissions from:

- land-use change;
- water consumption from residential, commercial, and during construction; and
- waste management generated by commercial and residential use.

KCC would support the use of energy and water efficiency targets that exceed Part L of the Building Regulations and the use of Design Codes that maximise the 'fabric first' approach and prioritise carbon reduction through passive design. Likewise, KCC would also welcome the use of Design Codes which support the embodied carbon reduction hierarchy (build less, build light, build wise, build low carbon and build for the future).

Paragraph 4.4.20 states that the sensitive receptor affected by GHG emissions effects will be defined as 'high' sensitivity. KCC considers that the sensitivity should be 'very high', given the climate emergency, the permanence of emissions, their cumulative effects and the irreversible damage expected as a result of a warming climate.

4.6 Socio-Economic

Provision and Delivery of County Council Community Services and Facilities

The County Council has assessed the implications of this proposal in terms of the delivery of its 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 proposed development. The County Council has modelled the impact of this proposal on the provision of its existing services and the outcomes of this process are set out below. A summary is provided within Appendix 2.

Primary school provision: The proposal will give rise to circa 560 new primary school pupils. This need can only be met through the provision of a new on-site 3 FE primary school.

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 one 3FE primary school freehold site of 3ha at 'nil' cost to the County Council (transferred as per KCC's General Site Transfer Requirements – Appendix 3). It also requires a financial contribution towards the construction of the new on-site primary school of £6,800.00 per applicable house and £1,700.00 per applicable flat¹.

It should be noted that this process will be kept under review and may be subject to change (including a 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 2021-25 and Children, Young People and Education Vision and Priorities for Improvement 2018-2021.

¹ 'Applicable' means: all dwellings, except one bed units of less than 56 sqm GIA and any sheltered accommodation.

The new school will be required to be transferred in a timely manner, taking into account need, construction, highways and active travel routes.

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 circa 400 additional secondary school pupils upon occupation of this development . There is currently no capacity in the existing system to absorb the additional need that this proposed development would create. Therefore, a new secondary school for the additional school places will be required to ensure the development is sustainable.

There are ongoing discussions between the Borough Council and County Council regarding additional secondary provision and the strategic provision of 8 FE on 11Ha is required.

In addition to a new secondary school site, proportionate construction costs for each pupil generated by the development are required towards the construction of the new school and contributions towards the purchase of land for a new school or the transfer of land within the development. The appropriate location for new provision will need identifying in collaboration with all parties.

The secondary pupils generated from the development will require financial contributions towards the construction of the new secondary school at £25,880 per pupil place (£5,176.00 for each applicable house and £1,294.00 per applicable flat).

It should be noted that 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.

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.

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 £16.42 per dwelling towards IT, equipment and resources to enable outreach work in the vicinity of the development.

Youth Service: To accommodate the increased demand on KCC services, the County Council requests £65.50 per dwelling towards IT, equipment and resources to enable outreach work in the vicinity of the development.

Libraries: This new development will generate new borrowers for the library service. KCC is the statutory Library Authority with a statutory duty (set out in the Public Libraries and

Museums Act 1964) to provide 'a comprehensive and efficient service'. The Local Government Act 1972 also requires KCC to take proper care of its libraries and archives.

There is an assessed shortfall in provision of bookstock in Maidstone at 1,119 items per 1000 population, which is below the County average of 1,134 and both the England and total UK figures of 1,389 and 1,492, respectively. The County Council therefore requests £55.45 per household to address the direct impact of this development. As and when these monies are received, they will be used towards bookstock, equipment, IT and resources at libraries serving the development.

Social Care: The proposed development will result in additional demand upon Social Care (older people and also adults with learning or physical disabilities) services. However, all locally available care capacity is currently fully allocated and there is no spare capacity to meet additional demand arising from this development that Social Care is under a statutory obligation to meet. In addition, the Social Care budgets are fully allocated so there is no spare funding available to address additional capital costs for social care clients generated from new development.

To mitigate the impact of this development, KCC requires a proportionate monetary contribution of £146.88 per household towards specialist housing provision in the Borough and adaptation of community facilities, technology to promote independence, multi-sensory facilities and changing place facilities in the vicinity of the development.

The Ministry of Housing, Communities and Local Government identified in guidance published in June 2019 ('Housing for older and disabled people') the critical need to provide housing for older and disabled people. Accessible and adaptable housing enables people to live more independently and safely, providing safe and convenient homes with suitable circulation space and suitable bathroom and kitchens. KCC requests that these dwellings are built to Building Regulation Part M4(2) standard, this is to ensure they remain accessible and able to meet the needs of the occupants throughout their lifetimes.

Care Home Provision The application proposes the provision of a care home. KCC has seen a steady decline in overall older person care home numbers in the past five years, with the situation further reduced as a result of Covid-19. Consequently, there are only specific types of care homes that KCC would wish to support. There is a significant demand for residential and nursing care homes that can meet the needs of people with challenging and complex dementia. KCC would encourage any new residential care home provider to join the KCC Care Home Contract and to operate a mixed economy of both local authority funded and private funded residents. As such, it is recommended that the applicant works with KCC to develop the most appropriate form of care delivery.

Waste: The 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), Materials Recovery Facilities (MRF) and Waste Transfer Stations (WTS). Each household produces an average of a quarter of a tonne of waste per year to be processed at HWRCs and half a tonne per year to be processed at WTSs. Existing HWRCs

and WTSs will be over capacity by 2021/2022 and additional housing has a significant impact on the manageability of waste in Kent.

A contribution of £54.47 per household is required towards the extension and upgrading of existing Household Waste Recycling facilities in Maidstone, to mitigate the impact arising from this development, and accommodate the increased waste throughput within the Borough.

Broadband: The National Planning Policy Framework (paragraph 112) requires full fibre connection to new developments which is a gigabit capable fibre optic to the premise connection. The proposed development will need to provide 'fibre to the premise' (FTTP) broadband connections to all premises of gigabit capacity. Developers are advised to make early contact with broadband providers, as there can be a significant lead-in time for cable installation and associated infrastructure.

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 seeks a section 106 obligation with the developer/interested parties prior to a 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, and County monitoring fee of £500 for each trigger within the Agreement.

Further engagement in respect of the requests outlined within this response is encouraged.

Public Rights of Way

KCC is keen to ensure that the County Council's statutory duty to protect and improve Public Rights of Way (PRoW), and Rights of Way Improvement Plan (ROWIP) is considered.

Public Footpaths KM242, 241, 240, 239, 267, 268 and 274 are located within the site and would be directly affected by the proposed development. Public Footpaths KM272, 273 and 337 abut or are adjacent to the site. The locations of these paths are indicated on the extract of the Definitive Map (Appendix 4).

KCC recommends that the PRoW network is specifically included within all assessments where walking and cycling are referenced to ensure that the opportunities which the network can provide through positive incorporation and early planning, are not missed.

The substantial size of this development proposal will have an adverse impact on the PRoW network, through increased use, loss of amenity and potential generation of traffic. Significant measures will need to be taken to help mitigate all these impacts and future proof sustainable Active Travel in both the development, and the wider area of the Borough. The development should seek a modal shift away from short car journeys and should focus on the provision of sustainable transport opportunities.

Development contributions may also be sought to mitigate the loss of amenity, increased use and subsequent surface improvements that will be required in the wider network as a result of the proposed development.

In respect of the assessment, KCC requests the following is taken into account:

- The likely visual impact on users participating in recreational activity on the above mentioned footpaths and restricted byways.
- The likely loss of recreational walks within open countryside.
- The impact of increased vehicular traffic along rural lanes, which currently provide valuable connections for equestrians and cyclists travelling between off-road PRow routes. The proposed development could deter public use of the PRow network if vehicular traffic increases along these roads.
- The viability of upgrading existing PRow as a means of providing walking and cycling between residential dwellings, education facilities, employment hubs and local amenities, to encourage active travel.
- The creation of new walking, cycling and equestrian routes that connect the site with the surrounding countryside, providing opportunities for outdoor recreation.
- The provision of safe crossings points over the London to Ramsgate railway line for non-motorised PRow users, to address safety concerns and improve network connectivity. KCC would recommend engagement with Network Rail at the early application stages to ensure this requirement.
- The PRow network should be included in the proposed Movement Strategy as the asset provides significant Active Travel and connectivity opportunities for both leisure, local commuting and access to Marden amenities.
- KCC welcomes the inclusion of the PRow network within the Visual Appraisal, however, KCC considers that the network users will be adversely affected by loss of visual quality as well as overall enjoyment of use, and as such appropriate mitigation should be in place.
- Although the Illustrative Master Plan shows the PRow routes, KCC recommends these are labelled specifically within the key.

In consideration of Kent Design standards, any forthcoming Master Plan should keep PRow within overlooked areas of open space, to facilitate a safer environment for path users. Path extinguishments and long term severance of routes should also be avoided, to prevent fragmentation of the PRow network.

Sports and Recreation

The County Council is keen to understand the proposals for open green space and community facilities and what provisions will be put in place for sport and physical activity of the new residents.

Active Design principles will need to be integrated into all developments and KCC would recommend consideration of the Kent Design Guide and Sport England Active Design Guide².

Consideration should be given as to how activity, green space and community services are accessed and the applicant should provide opportunities, where possible, for Active Travel to and from these.

4.7 Archaeology and Cultural Heritage

Heritage Conservation

The County Council provided a direct response to Maidstone Borough Council on 6 May 2021 (Appendix 5)

4.10 Biodiversity

Biodiversity

The County Council provided a direct response to Maidstone Borough Council on 23 April 2021 (Appendix 6)

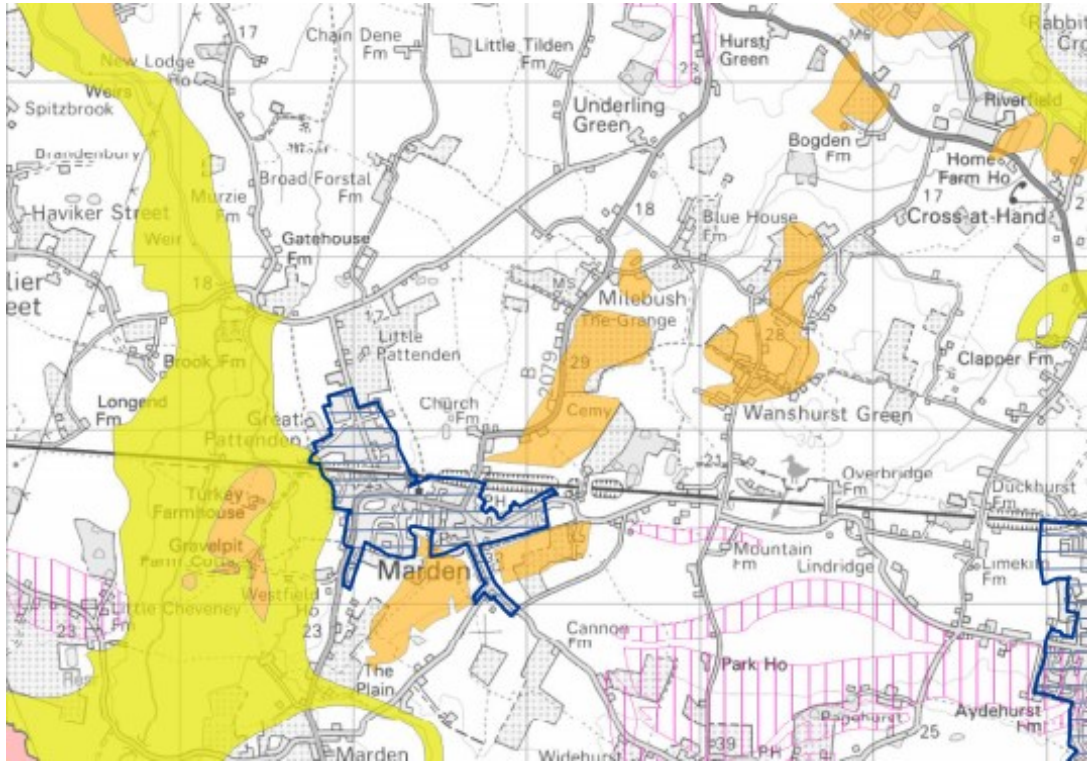
4.11 Minerals Assessment

Minerals and Waste

The County Council, as Minerals and Waste Planning Authority, confirms that the area does not contain any safeguarded mineral or waste facility, nor is it within 250 metres of one. Therefore, a planning application would not have to be considered against the safeguarding exemption provisions of Policy DM 8: Safeguarding Minerals Management, Transportation, Production and Waste Management Facilities of the adopted Kent Minerals and Waste Local Plan 3013-30.

With regard to land-won minerals safeguarding matters, the application site is coincident with a safeguarded mineral deposit in the area north west of Marden, this being the superficial River Terrace Deposits (shown as orange on the safeguarding map extract below).

² <https://www.sportengland.org/facilities-planning/active-design/>



Therefore, any planning application for development of the area outlined in the Scoping Opinion should include a Minerals Assessment (MA) or Minerals Resource Assessment (MRA) to determine if the safeguarded mineral deposit would be being needlessly sterilised.

The County Council agrees with the provisions within paragraph 4.11.1 of the Scoping Report. Once the Minerals Assessment has been carried out, and if it is to be argued that prior extraction of any of the safeguarded minerals is not to occur, then an explanation is required setting out how an exemption to mineral safeguarding (pursuant to Policy DM 7: Safeguarding Mineral Resources of the Kent Minerals and Waste Local Plan 2013-30 (KMWLP)) is justified and which exemption criterion of the policy is to be invoked. The County Council has recently reviewed the safeguarding policies of the KMWLP and the relevant Supplementary Planning Document that explains the mineral and waste safeguarding assessment process in greater detail. The Appendix V Part 1 of the Scoping Report should be updated accordingly.

The County Council will continue to work closely with the Borough 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 Borough Council and the applicant on the matters raised in this response.

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 'Simon Jones', written over a light grey rectangular background.

Simon Jones

Interim Corporate Director – Growth, Environment and Transport

Encs:

Appendix 1: Sustainable urban Drainage Systems (SUDS) direct response to Maidstone Borough Council on 28 April 2021

Appendix 2: County Council Community Facilities and Services Request Summary

Appendix 3: KCC's General Site Transfer Requirements

Appendix 4: Extract of the Definitive Map

Appendix 5: Heritage Conservation direct response to Maidstone Borough Council on 6 May 2021

Appendix 6: Biodiversity direct response to Maidstone Borough Council on 23 April 2021

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Flood and Water Management

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Email: suds@kent.gov.uk
Tel: 03000 41 41 41
Our Ref: MBC/2021/083926
Date: 28 April 2021

Application No: 21/501909/EIASCO

Location: Land North Of Marden Maidstone Road Marden Kent

Proposal: EIA Scoping Opinion - Proposed development of up to 2,000 dwellings, in addition to a care home, new primary school, nursery, retail and employment provision together with associated community facilities, open space and infrastructure improvements including improvements to Marden train station on land north of Marden, Kent.

Thank you for your consultation on the above referenced planning application.

Kent County Council as Lead Local Flood Authority (LLFA) have reviewed the Scoping Opinion report by DHA Planning and can provide the following comments/recommendations upon bringing the design forward:

The contents within the report in regards to the Water Environment are encouraging, notably in regards to future surface water management. It is welcomed that consideration is being applied not just to management of water but also the quality of water leaving the site. It is accepted that appropriate documentation will be used in the designing of a future drainage scheme, including the CIRIA SuDs Manual and KCC's Drainage and Planning Policy Statement.

As with all developments, runoff rates for surface water leaving the site are required to adhere to greenfield runoff rates where possible and thought should also be given to the overall volume also leaving site. Volumes of surface water can have implications to the wider drainage network and we would encourage that this is examined.

Whilst the details of the future drainage arrangements are not explored at this early stage, it is important to highlight that there are numerous watercourses and drains that intercept and convey flows from the land. Some of these are highlighted/ enhanced by the Environment Agency's Surface Water Flood Mapping and does indicate possible risks of flooding. It is apparent that the overall risk (site wide) to surface water flooding is very low however, appropriate consideration does need to be given to citing of buildings and infrastructure to ensure this risks are not increased as a result of development.

It would be our recommendation during the development of a design, that developed areas are setback from watercourses to create buffer strips of greenfield land to minimise risks of flooding, whilst allowing for maintenance. Further to setting back of

watercourses, we would also like to see above ground features basins/swales as opposed to below ground attenuation (tanks) as this has numerous benefits, most notably for biodiversity and surface water treatment.

As mentioned above, whilst this is just at the concept stage, consideration of drainage arrangements are crucial and often beneficial to examine at the earliest stages as this element can impact layouts/arrangements of sites.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Yours faithfully,

Daniel Hoare

Flood Risk Project Officer
Flood and Water Management

Request Summary

| | Per 'Applicable' House | Per 'Applicable' Flat | Project |
|--------------------------------------|--|-----------------------|---|
| Nursery | 26 place nursery to be provided as part of a 3 Form Entry Primary School. | | |
| Primary Education New Build | £6,800.00 | £1,700.00 | New on-site 3FE Primary School |
| Primary Land | 1 No. 3FE Primary School site of 3ha at 'nil' cost to the County Council (transferred as per KCC's General Site Transfer Requirements) | | |
| Special Education Needs | £1,051.82 | £262.96 | Towards providing additional places for those children with Special Educational Needs within Specialist Settings and /or mainstream SRP provision |
| Secondary Education New Build | £5,176.00 | £1,294.00 | Towards a new on-site 8FE Secondary School |
| Secondary Land | 1 No. 8FE Secondary School site of 11 ha at 'nil' cost to the County Council (transferred as per KCC's General Site Transfer Requirements) | | |

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

| | Per Dwelling (x2,000) | Total | On Site Community Buildings | Project |
|---------------------------|-----------------------|-------------|--|--|
| Community Learning | £16.42 | £32,840.00 | Free use of on-site community facilities for Adult Education classes | Contributions towards IT, equipment and resources to enable outreach work in the vicinity of the development |
| Youth service | £65.50 | £131,000.00 | Free use of on-site community facilities for youth sessions | Contributions towards IT, equipment and resources to enable outreach work in the vicinity of the development |

| | | | | |
|---|---|-------------|--|--|
| Libraries | £55.45 | £110,900.00 | Free use of on-site community facilities for library purposes | Contribution towards bookstock, equipment, IT and resources at Libraries serving the development |
| Social Care | £146.88 | £293,760.00 | Free use of new community facilities on-site for meetings, groups and therapy sessions | Towards specialist Housing Provision in the District, adaptation of community facilities, technology to promote independence, multi-sensory facilities and changing place facilities in the vicinity of the development. |
| All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2) | | | | |
| Community Buildings specification | <ul style="list-style-type: none"> • 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: http://www.changing-places.org/the_campaign/what_are_changing_places_toilets_as_px | | | |
| Waste | £54.47 | £108,940.00 | Towards improvements at Maidstone Borough HWRC to increase capacity | |
| Broadband: | <p>Condition: Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mb) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details.</p> <p>Reason: To provide high quality digital infrastructure in new developments as required by paragraph 112 NPPF.</p> | | | |
| <i>Highways</i> | <i>Kent Highway Services will respond separately</i> | | | |

Please note that these figures:

- are to be **index linked by the BCIS General Building Cost Index from April 2020 to the date of payment** (Apr-20 Index 360.3)
- 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.

- Bonds will be required by KCC for Education contributions where the applicant wishes to pay the contribution in instalments. If paid in instalments, the applicant will also be required to cover KCC's borrowing costs for the construction of the schools.

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KCC General Land Transfer Terms

1. The developer/landowner shall provide a formal desktop and if necessary intrusive land investigation report by a competent registered expert(s) confirming that the land and associated areas prior to transfer are:
 - i) free from the following, along with details of any works undertaken to mitigate:
 - contamination (including radiation),
 - protected species
 - ordnance
 - rubbish (including broken glass)
 - any adverse ground and soil conditions including subsidence, heave and land slip
 - occupation
 - archaeological remains
 - existing and planned noise generation from adjoining land that would require attenuation measures in the new school design.
 - poor air quality that would require mitigation measures in the new school design.
 - the presence of service mains that would impact on the ability of the land shall be developed for a new school, such as drains sewers, electricity cables, water mains, gas lines and other utility media crossing the land.
 - ii) above flood plain level, adequately drained and close to accessible public transport (bus stop or train station).
 - iii) If required, to a set of levels specified by County Council to allow construction of the new school to the requirements of the local planning authority.
2. Should any of the requirements in paragraph 1 not be satisfied the developer/owner shall implement at their own cost an agreed strategy of remediation/removal/rectification/diversion prior to transfer to KCC including liaison with all statutory authorities and obtaining necessary consents including those from neighbouring landowners if required.
3. Any remedial/removal/rectification/diversion works shall be designed prior to commencement by competent professional companies and with a collateral warranty in a standard industry form provided to and for the benefit of KCC or for the benefit of body nominated by KCC.
4. In the event that the site is used by the developer/land owner for construction or other activities after providing the report required under the provisions paragraph 1 of these terms (other than for the purposes of remedial/removal/rectification/diversion work), then the developer/land owner

is to provide additional reports to ensure that the above criteria have been met.

5. The land shall be transferred as a single undivided site, and in shape capable of accommodating sports pitches to the appropriate DfE guideline size and levels standard (Department for Education Technical Annex 2B: External Space and grounds – May 2019) for the type of school proposed.
6. The County Council shall be granted a Licence for access onto the land, prior to transfer for the purpose of surveying and carrying out technical investigations.
7. The land shall be clearly pegged out to the satisfaction of the delegated representative of KCC's Head of Property and fenced with GIS co-ordinates prior to completion of the transfer. The fencing shall be to a minimum standard of 1.80m high chain link security fencing on galvanised steel posts with double access gates secured by lock and key, or alternative specification agreed with KCC.
8. The land shall be transferred as freehold, unencumbered and conveyed to KCC with full title guarantee and vacant possession with no onerous covenants that would limit the use of the land as a school or restrict any ordinary activities of a school.
9. The land must not be within a consultation distance (CD) around a major hazard sites and major accident hazard pipelines, as determined by the Health and Safety Executive.
10. Prior to land transfer the developer/landowner is to provide, at their own cost and subject to KCC approval, suitable free and uninterrupted construction access to a suitable location on the site boundary. Haul roads should be constructed, at no cost to KCC, and maintained to a standard capable of accommodating HGV's and other construction traffic.
11. Prior to the land transfer the developer/landowner is to provide, at their own cost and subject to KCC approval adopted services and utilities to an agreed location(s) within the site boundary of sufficient capacity and depth to accommodate the maximum potential requirement without mechanical aide upon transfer. Utilities to include, fresh water, foul, surface water, gas, electricity and telecommunications with High Speed Fibre Optic Broadband (minimal internal speed of 1000mbps) connections to multi point destinations and capable of connection to commercial broadband providers. Necessary statutory undertakers' plant (such as electricity sub-stations or transfer stations) shall be located outside of the site boundary and KCC shall not be liable for any costs (including legal costs) associated with the installation and commissioning of such plant.
12. The owner shall provide the County Council with full surface water drainage rights to allow discharge of all surface water from the land. The surface water management requirements for the school site must be subject to approval by

the County Council at design stage and in accordance with the flood risk assessment and/or the drainage strategy approved pursuant to the relevant planning approval.

13. The developer/landowner shall provide temporary electricity, drainage and water supplies to the site from the start of construction if formal permanent utilities are not yet present.
14. Prior to use of the land for its intended purpose (i.e. a school), an adopted highway for vehicular and pedestrian use (or capable of being adopted), which is suitable for the intended use of the site is to be provided up to a suitable point on the site boundary with cross over together with a suitable alternative vehicular access for deliveries etc., if required. The highway and any alternative access shall be subject to approval by KCC and no maintenance charges shall be borne by KCC should the developer chose not to adopt the road. The developer/landowner is to provide measures such as crossing points, pedestrian and cycling routes on the adjoining highway networks as required by the Highway and Local Planning Authority to service the land.
15. The developer/landowner shall provide separate entrance and exit points on to the adoptable highway from the school site, capable of satisfying the Highway Authority's 'in and out' access requirements, guided by the design of the layout of the land.
16. No mobile phone masts, overhead cables etc shall be located within 250m of a school site and where possible the developer/landowner shall impose a covenant that none will be erected within this distance of any site boundary.
17. Rights shall be granted to KCC to enter so much of the adjoining land within the ownership of the Developer as is reasonably necessary to carry out construction works on the site. KCC shall be responsible for making good any disturbance caused to the reasonable satisfaction of the adjoining owner in the exercise of these rights.
18. The landowner shall be responsible for KCC's legal costs and surveyor's fees together with administrative costs incurred during negotiations of the terms of the land transfer and in completing the Section 106 Agreement , taking transfer of the land including Land Registry costs, the granting of any easements/licences, or any other documentation and any Project Management agreements related to the transfer of the land.
19. Plans of the site to a scale of 1:1250 shall be supplied to KCC prior to transfer of the land showing site levels, access, boundaries and details of any adjoining development. The plan shall be provided to KCC in a suitable electronic format together with paper copies. GPS Coordinates shall be marked on the plan.

20. Subject to the above, adjoining uses should not cause interference, conflict or be inappropriate in any way to the use of the land i.e. the curriculum delivery for schools. This includes, but is not restricted to, adverse conditions, disruption and inconvenience by noise, dust, fumes, traffic circulation, artificial lighting, etc.

PRIMARY SCHOOL Service Requirements – 2 Form Entry

INCOMING SERVICES

ELECTRICITY – 200 kVA (280A)

Electric Vehicle Charging:

- All car parking spaces for staff and visitors to have passive provision (i.e. ducting installed)
- 10% of all car parking spaces for staff and visitors (not including parents drop off) to have an electric charger installed.
- Electric Charger to be: Untethered, 22kwh Fast Charger, 34Amp AC, 3 Phase, smart.

GAS – 60 cu m/hr 430,000 kWh/year

WATER - 15 cu m / day, 4 l/s (63mm NB)

Fire hydrant: to be in the Highway adjacent to the School entrance and within 90m from an entrance to the school building. In accordance with the fire regulations: 200 dia 20 l/s fire supply.

BROADBAND – Before development commences details shall be submitted (or as part of reserved matters) for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mbps) connections to multi point destinations to all buildings. This shall provide sufficient capacity, including duct sizing, to cater for all future phases of the development with sufficient flexibility to meet the needs of existing and future educational delivery. The infrastructure shall be laid out in accordance with the approved details and at the same time as other services during the construction process.

DRAINAGE

Surface water drainage shall be discharged in accordance with the approved surface water drainage strategy agreed at planning and following review by the Lead Local Flood Authority (LLFA).

For general guidance on drainage design, it is required that surface water flows from the impermeable areas will discharge to the ground in the first instance per the drainage hierarchy set within Building Regulations H3; if underlying ground conditions are not acceptable, then the discharge rate from site shall be limited to greenfield runoff rates for appropriate design rainfall events. For initial design purposes, this may be assumed to equate to 4 l/s/ha from the total impermeable area or can be calculated per standard guidance approved by the LLFA.

There may be occasions where the management of the surface water runoff generated from within the school site may be included within the provision for the wider development site through a strategic surface water drainage system. This however must comply with the allowances and provisions specified within the Drainage Strategy which was approved as part of the original site-wide planning application. The applicant must contact the LLFA if this approach is pursued.

It is required that the surface water drainage system provides a level of service such that the drainage network does not surcharge for 1 in 1 year event, does not result in flooding within the site for the 1 in 30 year event and manages the 1 in 100 year plus climate change event within the site boundaries. The drainage network arrangement must provide adequate access for inspection and maintenance.

Any drainage strategy should comply with the latest version of Kent Drainage and Planning Policy.

NOTE

Clearly these are indicative, and KCC would need to confirm exact requirements at the detailed design stages.

SECONDARY SCHOOL Service Requirements – 8 Form Entry

INCOMING SERVICES

ELECTRICITY – 380 kVA for main base building with additional capacity/supplies for:

- 10% active and 10% passive electrical vehicle chargers as a minimum or in accordance with planning requirements if higher. This means electrical infrastructure to allow for 20% of parking spaces with EVCs and 10% installed on day
- External lighting (car parks, MUGAs etc)
- Life safety systems such as fireman's lifts, sprinklers, smoke ventilation.

GAS – 134 cu m/hr 1,440 kWh

WATER - 5.5 l/s (63mm NB)

Fire hydrant: to be in the Highway adjacent to the School entrance and within 90m from an entrance to the school building. In accordance with the fire regulations: 200 dia 20 l/s fire supply.

BROADBAND – Before development commences details shall be submitted (or as part of reserved matters) for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 100mb) connections to multi point destinations to all buildings. This shall provide sufficient capacity, including duct sizing, to cater for all future phases of the development with sufficient flexibility to meet the needs of existing and future educational delivery. The infrastructure shall be laid out in accordance with the approved details and at the same time as other services during the construction process.

DRAINAGE

Surface water drainage shall be discharged in accordance with the approved surface water drainage strategy agreed at planning and following review by the Lead Local Flood Authority (LLFA).

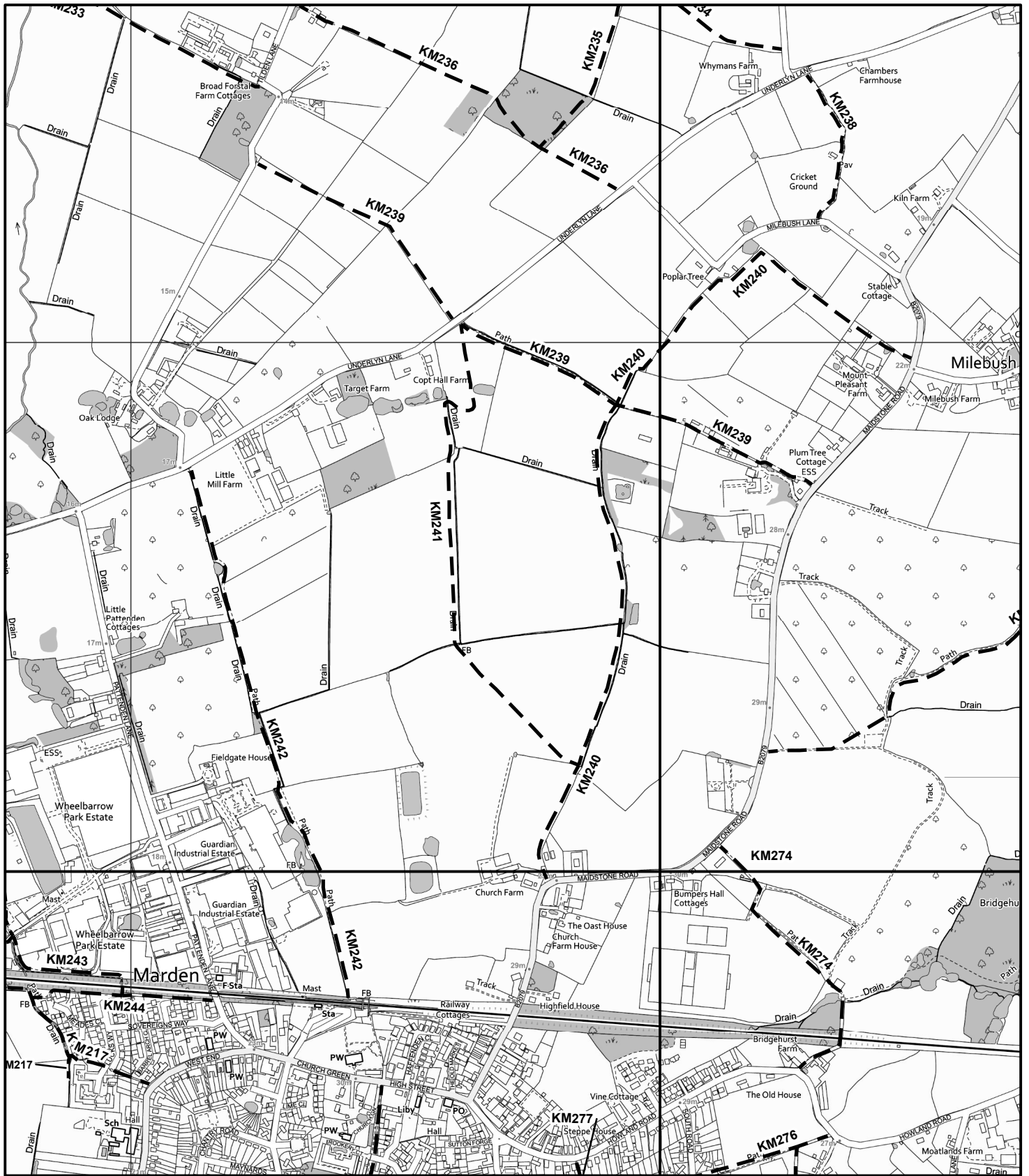
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Any drainage strategy should comply with the latest version of Kent Drainage and Planning Policy.

July 2020



- — Footpath
- - - Bridleway
- ∨ - ∨ Restricted Byway
- X - X Byway Open to All Traffic
- Point path number or status changes
- ■ ■ Boundary of area covered by 1:2500 scale Network Map
- ▨ Area covered by 1:2500 scale Network Map

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Created by:

LJW

Checked by:

KB

Issue Date:

27-04-21

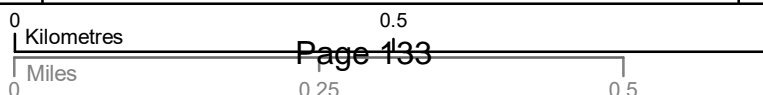
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Marion Geary
Case Officer
Planning
Maidstone Borough Council
Maidstone House
King Street
Maidstone
ME15 6JQ

**Heritage
Environment, Planning and
Enforcement GT**

Invicta House
County Hall
MAIDSTONE
ME14 1XX

Phone: 03000 413448
Ask for: Ms Wendy Rogers
Email: wendy.rogers@kent.gov.uk

6 May 2021

SENT BY EMAIL

RE: 21/501909/EIASCO – Land North of Marden Maidstone Road Marden

Thank you for consulting us on the EIA Scoping Opinion for the proposed development of up to 2000 dwellings in addition to a care home, new primary school, nursery, retail and employment provision together with community facilities, open space and infrastructure improvements and associated works.

This major development site is located within the post medieval agrarian landscape of mid Kent with many historic field boundaries, routeways and farm outbuildings. There are some indications of prehistoric and later activity, especially industrial activity, in the general area. The site does not contain many HER sites but this lack of HER data may reflect the limited nature of formal archaeological investigations rather than a lack of buried archaeology.

On the basis of current information, I can provide a broad summary of some key heritage sites with the development area and highlight potential for as yet unknown remains:

The site is located partly on River Terrace Gravels and these have potential to contain remains associated with Early Prehistoric activity. Gravel areas would also be favourable for later prehistoric activity due to the mineral resource possibilities for industrial activity and well-drained soils. There is a possible iron working site in NW area, east of Copt Hall farm with a series of quarries and ponds shown on Tithe Map which could be remnants of industrial activity. Consideration of place-name evidence, "summerhill" could indicate a raised area being a focus for prehistoric settlement.

There is little clear indication of Romano-British or Early Medieval activity within this development site although there is still some potential for as yet unidentified remains within such a large area. There is considerable potential for Medieval and Post Medieval agrarian heritage and the Tithe Map indicates some 19th century farm holdings, some of which may

have Medieval or Post Medieval origins. For example, Summerhill Cottages located on the east side was originally a farm complex, identifiable on the Tithe Map, but some of the larger buildings are no longer upstanding. North of development site Summerhill Farm contains designated buildings of 17th century date but could be an earlier farm complex. There seems to be the site of another small holding or barn north west of Bridgeurst Wood at curve of a track within the development site. Church Farm House Maidstone Road is a 16th century or earlier farm complex within southern part of site.

The proposed development site also has considerable potential to contain 20th century military remains. The pipeline PLUTO possibly extends across site and there may be associated structures such as ROC posts and underground structures. In addition, there are several plane crashes recorded to the north and sometimes these locations are approximate. It is possible that some of these plane crashes actually occurred in the development site. Plane crash sites are protected sites and need sensitive and careful consideration.

This site encompasses a broadly intact historic landscape with potential prehistoric remnants which has not been subject to much modern day development. Visible today are several field boundaries of hedgerows and shaws interspersed with lanes and footpaths, small holdings and activity sites. Some of the surviving historic farms are still surrounded by their associated farmland, connected by traditional routeways and bearing historic names. It may be that some of these landscape features have an archaeological landscape dimension and part of ancient field systems, as well as being part of local folklore.

As briefly set out above, the archaeological resource within and around the development site is multi-period and is of varied significance. It is essential that the impact of this major development on this resource is fully understood. Reasonable, robust and sound evidence-base on the historic environment is crucial to ensure the planning decisions are fully informed and that the requirements of NPPF for the historic environment are appropriately addressed.

I welcome the scoping in of Archaeology and Cultural Heritage (section 4.7 Scoping Report). I welcome the proposal to consult the HER and conduct a field visit and walkover survey and for an assessment of the suitability of any further survey techniques as part of the information gathering. However, I suggest more widespread consultation would be advisable including referencing Historic England's Farmstead Survey, the revised DMRB, LiDAR, documentary research, particularly Tithe and OS maps etc.

There also needs to be a clear assessment of archaeological landscapes, such as ancient field systems, prehistoric industrial remains, prehistoric and historic agrarian and social landscapes, including routeways, woodland management features etc. In this particular case there are suggestions of industrial activity in the north west area with perhaps some remnant ponds/former quarries. This is on a landscape scale, not necessarily just isolated features and finds.

As part of the EIA, I recommend some key heritage assessments are undertaken and used to guide the master-planning process. These assessments should include:

- Archaeological deskbased assessment integrated with assessment of landscape;
- Prehistoric and Historic archaeological landscape assessment with a focus on the agrarian heritage;
- Geo-archaeological and Palaeolithic specialist assessment (KCC can provide brief);

- 20th century military specialist assessment with a focus on plotting the route of PLUTO; identifying potential plane crash sites; identifying possible associated structures;
- Impact assessment and statement of significance of the key heritage assets (both designated and non-designated heritage assets).

In summary, the major development contains a multi-period archaeological resource of varied nature and range and significance. I welcome the scoping in of Archaeology and Cultural Heritage and the proposed assessments. However, I recommend the additional assessments above are undertaken to ensure evidence-base is sound and can provide reasonable and meaningful information for the planning decision process.

I would be pleased to discuss the above further.

Yours sincerely

Wendy Rogers

Senior Archaeological Officer
Heritage Conservation

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ECOLOGICAL ADVICE SERVICE

TO: *Marion Geary*

FROM: *Luke Wallace*

DATE: *23 April 2021*

SUBJECT: *21/501909/EIASCO / Land North of Marden*

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.

Our comments regarding this request for a scoping opinion are detailed below.

Protected Species and Habitats

A preliminary ecological appraisal (PEA) has been undertaken. The PEA identified the following habitats to have greatest value within the site:

- Ancient Woodland;
- Hedgerows;
- Field ditches, and;
- Ponds.

The scoping report states that the presence and populations of protected species within the site is to be established by detailed ecological assessment, and that the following surveys are being undertaken:

- Great Crested Newts;
- Breeding Birds;
- Bat activity and roosting;
- Dormice; and
- Reptiles.

We note that within the PEA, badger surveys have also been recommended as there is potential for this protected species to be utilising the site. There appears to be no mention of badgers within the scoping report. We advise that in alignment with the recommendations in the PEA, *all* further surveying must be undertaken.

All survey results, and necessary mitigation measures, must be included within the Environment Statement.

Designated Sites and Ancient Woodland

The Marden Meadows SSSI is located 0.5km to the south east of the site. Of note, this is considered to be one of the “...*best examples of unimproved neutral grassland remaining in Kent (SSSI citation)*” and features rare and threatened flora. Importantly, the PEA states that “*The Site falls within the Marden Meadow SSSI Impact Risk Zone (IRZ) and advises that any residential development of 100 or more houses outside existing settlements/urban areas should consult Natural England on potential impacts*”.

Ancient Woodland is located within, and around, the south-east part of the site. As cited in the NPPF, this habitat is irreplaceable and is one of the most biodiverse habitats in the UK.

The report identifies the following significant impacts to identified habitats/sites:

- Effects on on-site habitats through direct loss but also through increased recreation and other pressures on retained/replaced habitats;
- Effects on protected species for example through loss of habitat, disturbance, cat predation, road traffic and light pollution amongst others; and
- Effects on Marden Meadows SSSI and Marden Local Wildlife Site from increased recreational pressure.

We are satisfied that the identified impacts to habitats and the SSSI are accurate. However, we highlight concern about how mitigation can be achieved, with points of concern being:

- Habitat fragmentation, whereby the development separates biodiversity on all sides if habitat connectivity cannot be maintained within the development.
- The recreational pressure on the SSSI (Marden Meadows) – this sensitive and highly valuable site will likely to be subject to significantly increased recreational pressure which could entail significant detrimental impacts to the site’s biodiversity/notable ground-flora.
- Increased cat predation within the habitats on-site and the surrounding habitats, such as within the ancient woodland. The impact of cat predation (especially regarding birds, reptiles and small mammals) is not insignificant. However, this is an impact that is almost impossible to negate/limit.

We expect the Environmental Statement to provide a range of robust and effective measures to limit the identified impacts. This should not include the recommended minimum 15m buffer-zone for ancient woodland (as recommended by Natural England) as, given the scale of the development combined with the sensitivity and importance of the habitats, this will be insufficient. Instead, we expect much more significant and effective measures (including a much bigger buffer-zone and high quality on-site green space) to limit impacts.

Biodiversity Net-Gain

Within the scoping report, the only reference to biodiversity net-gain is the following sentence; *“The Proposed Development will seek to achieve a net biodiversity gain in accordance with NPPF policy.”*

We take the view that this wording is not strong enough to provide confidence that biodiversity net-gain will be achieved. Of concern, there is no mention of the Defra Metric; the tool used to calculate estimated biodiversity net-gain/loss based on objective parameters.

We highlight that whilst there is no legislation associated with the Defra Metric, section 40 of the NERC act (2006) and paragraph 175 of the NPPF cite the need for developments to achieve biodiversity net-gain. The Defra Metric allows for an objective assessment of biodiversity gain/loss and, therefore, we advise that this is included with any submitted application. This should inform the proposed outline Landscape and Ecological Management Plan (LEMP).

Once the development design has demonstrated that biodiversity net-gain can be achieved, enhancement measures, such as integrated bird bricks, must then be included.

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

Luke Wallace
Biodiversity Officer

This response was submitted following consideration of the following documents:

- *Request for a Scoping Opinion. DHA. April 2021.*
- *Preliminary Ecological Appraisal Report. Corylus Ecology. November 2020.*

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Mr Andrew Byrne
Swale Borough Council
Mid Kent Planning Support
Maidstone House
King Street
Maidstone
ME13 6JQ

BY EMAIL ONLY

**Environment, Planning and
Enforcement**

Invicta House
County Hall
Maidstone
Kent
ME14 1XX

Phone: 03000 415673
Ask for: Francesca Potter
Email: Francesca.Potter@kent.gov.uk

23 March 2021

Dear Andrew

Re: EIA Scoping Opinion for a mixed-use development at Highsted Park Land to the West Of Teynham London Road Teynham Kent [Application reference 21/500836/EIASCO]

Thank you for consulting Kent County Council (KCC) on the request for a Scoping Opinion for the proposed mixed-use development including up to 1250 residential dwellings, up to 1ha of commercial floorspace/land, retail, learning, non-residential institutions and community uses, the provision of open spaces, woodland and greenspace, highways and infrastructure works, including new junctions onto the Northern Relief Road and the A2, and associated roads at Land to the West of Teynham.

The County Council has reviewed the Environmental Impact Assessment (EIA) Scoping Report and sets out its comments below, following the order of the Report. This response should be read in conjunction with the KCC response to the EIA Scoping Opinion for a mixed-use development at Highsted Park Land to the West of Teynham London Road Teynham Kent [Application reference 21/500836/EIASCO].

Chapter 9 - Water Quality, Hydrology and Flood Risk

Sustainable Urban Drainage Systems

The County Council, as Lead Local Flood Authority agrees with the information presented in this Chapter and with the principles and methodology. The issues assessed are also considered appropriate.

However, KCC would strongly recommend that ground information informs the development of the masterplan for the extent of this site to ensure that infiltration is maximised where possible.

The majority of the site is underlain by Thanet Beds/Bullhead Beds and the eastern areas by Upper Chalk. British Geological Survey (BGS) information suggests that groundwater will be shallow, less than 3 m below the surface for much of the site area. Where superficial deposits are present, they are expected to be poorly draining. The eastern area of the site is expected to be freely draining and the remainder will be highly variable.

National guidance promotes the use of infiltration in the first instance for management of surface water. The underlying ground conditions do support the use of infiltration and greenfield runoff rates are expected to be low. Site conditions will require careful consideration in the development of the drainage strategy. Drainage features will need to be integrated into the overall site masterplan and open space.

Chapter 10 Archaeology and Heritage assets / Chapter 12 Built Heritage

Heritage Conservation

The County Council's Principal Archaeological Officer has been engaged in preapplication discussion with the applicant concerning the scope of archaeological assessment for this scheme, alongside that of the southern area of Highsted Park. KCC advice has been that the approach for assessment of both proposals should be undertaken in the same way. Preliminary feedback on baseline conditions and a scheme of geophysical survey has been provided to the applicant's archaeological consultants, Wessex Archaeology. The geophysical works - an initial stage of the archaeological evaluation of this scheme - were due to be undertaken late in 2020 but KCC have not been provided with the results to date. Historic England and Swale Borough Council's Conservation team will lead on advice with respect to built heritage.

KCC is pleased to see archaeology and built heritage scoped in as key issues and will form proposed chapters in the EIA. The proposed scope for archaeology is set out briefly in section 10 of the report, while built heritage is covered in section 12. Section 11 is missing. In carrying out the studies for the two proposed chapters it will be important to examine the overlap between them. It is noted that in paragraph 10.6, there is a reference to an 'Archaeology and Heritage chapter' though this is not consistent with the heading of the proposed chapter. Historic landscapes and historic landscape features, which will be of particular significance to this landscape, are to be considered in the archaeology chapter but would also have a significant relationship to the built heritage and landscape chapters.

Heritage – key issues - The Scoping Report does not provide any detail on the archaeology and heritage baseline, but reference is made to the drafting of the Archaeological and Historic Landscape Desk-Based Assessment in paragraph 10.9. The proposed format set out for this assessment is consistent with that for the study of the southern site. The Principal Archaeological Officer has reviewed and provided comments on the desk study of the

southern site and in terms of approach those would also be relevant for the study of the northern site. Those comments should be taken account of in the drafting of the assessment.

In the absence of baseline information in the Scoping Report, KCC repeats the key issues that were raised in respect of a previous Scoping Report for this site (Appendix 1).

The proposal covers a substantial part of the landscape east of Sittingbourne and west of Teynham that falls to the north of the A2 road corridor. This landscape is known to be of high archaeological value, the A2 corridor follows the original main Roman road between the coast and London and KCC is aware of considerable Roman and later activity alongside it and in the farmlands south and north. The area is also rich in prehistoric activity, dating from the Late Palaeolithic deposits known to survive in Brickearth deposits within the proposal site, through to Bronze Age and Iron Age remains. The Kent Historic Environment Record (HER) provides a good indication of the presence and distribution of archaeology in this area.

Particular highlights include:

- Palaeolithic and Mesolithic artefacts found in the upper gravels and lower brickearth deposits in areas of the proposal site. A regionally important geological deposit – Limons a Doublet - survives in the Brickearth in the area. Recent studies at Stone Farm, Bapchild have advanced our understanding of the Pleistocene deposits in the western area of the proposal site.
- Neolithic and Bronze Age monuments have been recorded close to the site. A particularly significant Early Neolithic oval barrow has been excavated at Stone Farm while Bronze Age barrows have been investigated at both East Hall Farm and Claxfield Farm.
- Later prehistoric activity has been found in several areas in or close to the site. Investigations at both East Hall Farm and at Stone Farm have revealed extensive later prehistoric landscapes of Bronze Age and Iron Age date.
- The main Roman road, Watling Street, that runs from London to the Kent coast follows the A2 corridor and has been traced in fields south of London Road around Hempstead. There is a great deal of Roman activity alongside this road including the remains of settlement around Radfield and a walled cemetery found to the west of Teynham. Romano-British remains have been excavated at East Hall Farm. Recent work at Stones Farm identified a square enclosure close, possibly evidence of a temple close to the stream running from the reputed site of St Thomas a Beckett's Well. The enclosure has been preserved in situ beneath earthworks on the site. North of the proposal an important Roman villa and octagonal bath house are to be found at Bax.
- Important medieval features survive in the area; Frogna is a possible medieval moated manor house and a Norman motte and bailey castle, Tonge Castle lies immediately to the north of the scheme.

As explained within Chapter 12, the site is located close to a number of designated heritage assets and includes part of the Conservation Area at Tonge. The Conservation Area includes the remains of Tonge Castle, the reputed site of St Thomas a Beckett's Well and

the stream that emerges from a spring at the Well and runs to the Tonge Mill pond. The Tonge Conservation Area has recently been reviewed and a Conservation Area Appraisal published.

The historic landscape of the area has been affected by the more recent development of the railway and in places areas of quarrying for brickearth. There are elements of the earlier landscape that do survive mainly around Tonge, while Frognal Lane appears on early maps. Historic farmsteads survive at Hempstead Farm and Frognal.

Place-shaping - The National Planning Policy Framework recognises the important role that the historic environment and heritage assets can play in the making of new places. It is important that the development of a place on this scale in particular takes account of its historic environment ensuring that the new place is grounded in the past, takes advantage of its distinct historic character and conserves and makes best use of its heritage assets – those that are undesignated as well as those that are protected through designation.

It is important that the historic environment and landscape studies for this development proposal clearly identify the heritage of the area and examine its potential positive contribution to place making. Any forthcoming master-planning of the area should clearly demonstrate how the heritage of the site and its surroundings has meaningfully contributed to the development proposals.

Potential Impacts – KCC notes the impacts considered in paragraphs 10.3-10.5 for archaeology and historic landscapes and in paragraphs 12.22-12.31 for built heritage. It is also important that the setting of undesignated heritage assets is considered and that off-site impacts such as the introduction of additional traffic through historic villages and country lanes are included. This also applies to the change in character of historic landscapes as well as the direct impacts noted in paragraph 10.5.

The proposed methodology for the EIA by and large focuses on the impacts that will be made on the area's heritage. It is important that opportunities for enhancement are set out and included in the development effects.

The assessment should also consider potential benefits which may include opportunities for beneficial use and restoration of heritage assets, community archaeology and interpretation.

Cumulative impact, particularly when taken in conjunction with the Highsted Park proposals to the south of the A2 and development around Teynham, should be assessed.

Assessment Methodology - it is important that the applicant continues their dialogue with KCC, Historic England and the Conservation Officers at Swale Borough Council through the assessment work. The approach for the assessment should, by and large, follow the approach that has been established in discussions for the southern site. KCC will be happy to review a draft of the initial 'Archaeological and Historic Landscape Desk-Based Assessment' when available.

Given the richness of the landscape for archaeology, geophysical survey and field evaluation will be needed to inform the planning application. KCC has already provided input on the scope of geophysical survey referred to in paragraph 10.10. The results of that survey along with the desk-based work and walk over survey should be used to inform the scope of further evaluation (including Palaeolithic and geoarchaeological evaluation) that may be needed to clarify the archaeological potential of the site. It is important that following the survey works the desk-based study is updated to bring together all the heritage that has been identified and that it clearly models the heritage potential across the landscape.

The assessment should include a thorough analysis of the historic landscape and historic landscape features and the potential effects of the development, both at landscape scale and on individual features and components.

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. The Scoping Report is not clear in distinguishing between the significance of heritage assets and the significance in terms of the magnitude of change. Paragraph 10.11 refers to the latter while for built heritage the term 'value' is defined (12.6) for the former. It is important that on completion of the baseline studies a statement of significance of the identified heritage assets is provided both for individual assets and collectively. Mapping of heritage significance can be used to help inform the development of the Masterplan and where the most important heritage can be preserved or enhanced. This is needed to help the EIA set out the significance of the effects of the scheme. KCC would welcome discussions on 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.

Mitigation of the scheme may include preservation of archaeological assets where appropriate. Given the scale of development in what is a rich archaeological landscape it is inevitable that substantial areas of investigation will be needed to mitigate development impacts. Such archaeological investigation would need to be undertaken to an appropriately high archaeological standard and make provision for publication and archiving of the results. Given the extent and value of the archaeology that is likely to be excavated the planning submission should include a consideration how this will be addressed.

It may be, given the extent and potential long programme of development, that an Archaeological Framework is developed that sets out a research design, strategy, phasing and methodologies for the archaeological work. Specific Written Schemes of Investigation would be developed from such a framework and agreed.

A programme of post excavation assessment, analysis, reporting and publication would be agreed through the Framework and Written Schemes. Such a programme is likely to be substantial and result in technical, academic and popular reports.

Widescale archaeological excavation is likely to result in a large archaeological archive of finds, environmental assemblages and documentation. Provision should be made for

archiving the findings in a suitable museum or archive. Such provision is likely to require funding for deposition with the receiving body for storage.

KCC is pleased to see that in paragraph 10.13, the EIA proposes to take account of the Guiding Principles for Cultural Heritage in Environmental Impact Assessment (EIA) published by Kent County Council and will draw upon the specification for desk-based assessment and walkover. The scope and methodology of fieldwork that will be needed to assess the site should be agreed with KCC and take account of our standard requirements where appropriate.

Chapter 13 Ecology and Nature Conservation

The County Council provided comments direct to Swale Borough Council on 12 March 2021 (Appendix 2)

Chapter 14 Soils, Geology, Contaminated Land and Waste

Minerals and Waste

The County Council, as Minerals and Waste Planning Authority notes the constraints that will be investigated, and that any adverse effects will be minimised through embedded and additional mitigation where practicable. This should ensure that the safeguarding provisions of the Kent Minerals and Waste Local Plan 2013-30 policies CSM 5 and DM 7 are addressed.

Once the assessment(s) have been carried out and submitted as part of a planning application(s), the County Council, as Minerals and Waste Planning Authority, would welcome engagement regarding any land-won minerals safeguarding findings.

The County Council would also draw attention to previous commentary submitted in respect of a previous Scoping Report for this site (Appendix 1).

Waste Management

KCC welcomes reference to waste management and the recognition of the 'significant new demand on existing waste infrastructure' that the development will create. KCC would welcome further discussions with the applicant over how these can be best addressed and mitigated to ensure a sustainable waste management solution is found. On this basis, KCC requests that consultation with the County Council as Waste Disposal Authority is included as part of the proposed waste assessment detailed in paragraph 14.16.

This proposed development will be served by the KCC Waste Transfer Station in Sittingbourne, which takes kerbside collected waste from the whole of the Swale District. In addition, KCC provides two Household Waste and Recycling Facilities (HWRC) facilities in the vicinity for residents to dispose of household waste, one co-located with the Waste Transfer Station (WTS) and one at Faversham. The third HWRC within the Swale District is

located in Sheerness; this is unlikely to be impacted by the increase in demand from the Highsted Park development.

KCC has already fed into Swale's Local Plan and Infrastructure Development Plan (IDP), identifying projects required to ensure sufficient capacity is available to serve new developments, including Highsted Park. Developer contributions will be requested to support these projects, details of which are given below, and they should be considered when the waste assessment is carried out. (see also KCC's comments under Chapter 16 below, in the *Summary of Education and Community Requirements* table).

Sittingbourne WTS/HWRC – to support the proposed development, relocation of the existing Sittingbourne HWRC facility is required to allow expansion of the co-located WTS. All of the kerbside collected waste from the Highsted Park development will be taken to this one WTS facility. This existing facility is now considered to be at operational capacity (100%) hence any increase in tonnages in the future as a result of development proposed at Highsted Park would require mitigation. The performance of the WTS is monitored through regular contract board meetings with the Operator and the Waste Collection Authority (WCA). Regular complaints over the length of time WCA vehicles queue along the access road are received. Measures to improve the efficiency of the site have been investigated and where possible implemented over the past few years, i.e. installation of a second weighbridge and provision of additional infrastructure to enable food waste to be accepted. However, demand has continued to grow, such that there are now no practicable options to make further improvements at this site. The location of the site, surrounded by two closed Landfill sites, as well as the Sittingbourne and Kemsley Light Railway and Milton Creek would make any expansion challenging. It is therefore proposed to remove the HWRC facility and expand the existing WTS to the whole footprint of the site. A new HWRC will be constructed to serve the residents of Sittingbourne and surrounds. KCC would like to see land allocated or safeguarded for the provision of the relocated Sittingbourne HWRC. The Highsted Park development to the south of Sittingbourne Town Centre, could potentially be an ideal location; a site of around 1 hectare would be required. It would need to be suitably located as to not impact upon the residential properties and have good transport links.

Faversham HWRC – the significant development at Highsted Park as well as that proposed in and around the Faversham area means that a project to extend the Faversham HWRC is required, even with the relocated Sittingbourne HWRC project. The current layout of the site is such that it currently has to be closed when full waste containers are changed over for empty ones, resulting in long queues for residents. KCC has plans to extend the Faversham HWRC on to adjacent KCC owned land to allow the layout to be altered and additional capacity created.

Chapter 15 Transportation

Highways and Transportation

The County Council, as Local Highway Authority confirms that the scale of the development is such that a planning application for the proposed development on this site will require the

submission of a full Transport Assessment and Transport Impact Assessment to accompany the application.

It should be noted that the applicant has engaged with the Local Highway Authority prior to this application, and they are therefore already aware of what information should be submitted to allow the development proposals to be adequately assessed in transport terms.

In respect of the submitted Scoping Report, the methodology proposed in the following submitted paragraphs is agreed:

15.1 The key issues to be considered within this chapter are: • Public Transport Accessibility – for the existing baseline and future scenarios; • Pedestrian and cycle infrastructure improvements; • Highway capacity of both the local and strategic network, including the impact of a proposed new highway link between M2 and A2 and newly formed junctions at either end; and taking account of a separate proposal for a new highways link between A2 and Swale Way to be constructed by others and included as a reserved corridor in the Local Plan (known as Sittingbourne Northern Relief Road (SNRR) under Policy AS1); and • Highway safety; Potential Impacts

15.2 The potential impacts to be assessed within this chapter will be as follows: • Disruption to road users, due to construction and operational phase vehicle movements; • Additional traffic from net vehicular trips; • Additional site delivery activity; • Additional public transport use due to land use intensification; • The implications of traffic diversion from the existing network to the new road infrastructure; and • Additional walking/cycling activity due to land use intensification; • Severance and amenity impact to routes.

15.3 A Transport Assessment (TA) will be carried out to examine the implications of the Proposed Development on the surrounding transport network. The results of this will be summarised in the ES.

15.4 The TA will be completed in accordance with National Planning Practice Guidance, published online in 2014 by the Department for Communities and Local Government and subject to regular updates.

15.5 The assessment will consider the potential significant transport effects arising from the development, in accordance with the best practice guidelines for the Environmental Assessment of Road Traffic (IEA, 1993).

15.6 The potential effects will cover: • Construction vehicle activity; • Additional car trips; • Additional highways infrastructure; • Additional site delivery activity; • Additional public transport use; and • Additional walking / cycling activity.

15.7 The TA and therefore the ES Transport Chapter will adopt the Swale Strategic Transport model as the basis for its assessment.

15.8 Various measures will be proposed to mitigate any significance adverse impacts, to

include various travel management strategies, as follows: • Off-site highway network mitigation; • Delivery of additional on-site highway infrastructure that provides a net benefit to over highway conditions; • Delivery of transport infrastructure/service improvements to encourage modal shift; • Framework Travel Plan (to manage people movements); • Delivery & Servicing Plan (to manage deliveries and servicing trips, including waste); and • Construction Management Plan (to manage the transport of materials and workers to and from the Site during the construction period).

In addition to the above it should be expected that a micro simulation highways assignment model will be required to demonstrate the cumulative impacts on junctions in the local area.

Public Rights of Way and Access

The County Council is committed to working in partnership with the applicant to achieve the aims contained within the Rights of Way Improvement Plan (ROWIP) and Strategic Statement for Kent. Specifically, these relate to quality of life, supporting the rural economy, tackling disadvantage and safety issues, and providing sustainable transport choices.

Public Footpaths ZU16, ZR189, ZR191, ZR192, ZR193, ZR257, ZR256, and Restricted Byway ZR195 are located within the site and would be directly affected by the proposed development. The locations of these paths are indicated Map (Appendix 3). The existence of the Rights of Way is a material consideration.

KCC recommends that the PRow network is specifically referenced in this chapter where walking and cycling are referenced to ensure the opportunities that the network can provide through positive incorporation and early planning are not missed.

The substantial size of this development will have an adverse impact on the PRow network, through increased use, loss of amenity and potential generation of traffic. Significant measures will need to be taken to help mitigate all these impacts and future proof sustainable Active Travel in both the development and the wider area of the Borough. The increase in investment and policy from both central and local government towards a modal shift away from short car journeys should focus this project to provide a sustainable development for the future.

The application should consider the necessity to mitigate the loss of amenity, increased use and subsequent surface improvements that will be required in the wider network as the area is developed.

KCC urges consideration of the following:

- The likely usage and visual impact on users participating in recreational activity on the above mentioned footpaths and restricted byways.
- The likely loss of recreational walks within open countryside.

- The impact of increased vehicular traffic along rural lanes, which currently provide valuable connections for equestrians and cyclists travelling between off-road PRow routes. The proposed development could deter public use of the PRow network if vehicular traffic increases along these roads.
- The viability of upgrading existing PRow, as a means of providing walking and cycling between residential dwellings, education facilities, employment hubs and local amenities, to encourage active travel.
- The creation of new walking, cycling and equestrian routes that connect the site with the surrounding countryside, providing opportunities for outdoor recreation.
- The provision of safe crossings points over the A2 for non-motorised PRow users, to address safety concerns and improve network connectivity.

In consideration of Kent Design standards and Police guidance, any forthcoming master plan should keep PRow within overlooked areas of Open Space, to facilitate a safer environment for path users. Path extinguishments and long term severance of routes should also be avoided, to prevent fragmentation of the PRow network.

Chapter 16 Socio-Economics, Population and Human Health

Provision and delivery of County Council community services and facilities

The scale of the development proposed will generate significant additional demand on services delivered by the County Council. It will not be possible to accommodate this additional demand within any existing surplus and therefore additional service capacity will be required in direct response to the development. Given the scale of the proposal, it would be necessary for many of these services to be delivered within the development or the adjoining Highsted Park South development; this will enable residents to directly access provision and is necessary to ensure the development is sustainable.

Primary Education - The proposed North development is estimated to generate 350 primary pupils (based on up to 1250 units set out in the Scoping Report); equivalent to 1.66 Forms of Entry. New primary schools are commissioned as either two or three forms of entry, and therefore a new 2 Form Entry Primary school will be required to support the (North) development.

Secondary Education - The development is estimated to produce 250 secondary pupils, equating to 1.66 Forms of Entry. To accommodate this additional demand, new provision would need to be integrated within the overall Highsted Park (North & South) development in the form of one 6FE and one 7FE secondary schools.

Specialist Education - A proportion of pupils generated by the development will also have specialist educational needs. Given the scale of the proposed development, the total number of these pupils could not be accommodated within existing specialist provision and therefore additional provision will be required within the overall Highsted Park (North & South) development to directly accommodate them, both integrated within the primary school and

secondary schools and through stand-alone specialist provision. Integration of nursery/early years provision within the development should also be a key consideration in the master planning process.

Community Facilities - the scale of the proposal will also result in significant additional demand on the library service, community learning, youth service, social care, and waste services (already mentioned above). Provision of on-site facilities such as a community hub alongside increasing capacity within existing service delivery points local to the development is likely to be required to meet the needs of the development. Therefore, identifying a strategy for this mitigation is most appropriately done alongside the master planning process to ensure full integration of services within the new community.

Potential provision of care homes - concerning older people's care homes in Kent, the County Council has seen a steady decline in overall numbers of care homes in the past five years, with the situation further exacerbated by Covid-19. Consequently, there are specific types of care homes which, the County Council would wish to support. For example, there is a significant demand for residential and nursing care homes that can meet the needs of people with challenging and complex dementia. KCC would also encourage any new residential care home provider to join the KCC Care Home Contract and to operate a mixed economy of both local authority funded and private funded residents. As such, we would recommend that the applicant works with KCC Adult Social Services to develop the most appropriate form of care delivery.

Summary

The planning obligations accompanying the development will be required to provide the full cost of constructing and providing the necessary amenities including schools and community facilities and make available the land for their provision at no cost to the County Council. It is imperative that the infrastructure needed to support the development is integrated within it as early as possible. The County Council requests that discussion takes place at the earliest opportunity so that an infrastructure strategy can be identified, costed and agreed between the necessary parties prior to the proposals progressing.

Summary of Education and Community Requirements¹

| | Per 'Applicable' House | Per 'Applicable' flat | Total (Up to) (1250 Dwellings) | Project |
|--------------------------------|---|-----------------------|--------------------------------|--|
| Nursery | 26 place Nursery at each new 2 Form Entry Primary School – Provided as part of the 2FE Primary School | | | |
| Primary Education | £6,800 | £1,700 | £* | New on-site 2FE Primary School |
| Primary Land | 1 No. 2FE Primary School site of 2.05ha at 'nil' cost to the County Council (transferred as per KCC's General Site Transfer Requirements) | | | |
| Special Education Needs | £1051.82 | £262.96 | £* | Contribution towards an existing/new special needs school serving this development |
| SEN Land costs** | £5750.08 | £1437.52 | £* | Towards a new SEN School to be provided within the overall Highsted development to serve this site and Highsted Park (South) |
| Secondary Education | £5,176.00 | £1,294.00 | £* | Towards new Secondary School to serve this and the adjoining Highsted Park (South) development |
| Secondary Land** | New Secondary Schools sites be provided as part of the combined Highsted Park (North & South) proposals, alternatively: | | | |
| | £2026.22 | £506.56 | £* | Towards land acquisition costs of a new Secondary School |

| | Per Dwelling (x1250) | Total | On Community Buildings | Site Project |
|---------------------------|----------------------|------------|---|--|
| Community Learning | £16.42 | £20,525.00 | Free use of on-site Community facilities for classes | Towards additional resources (including portable teaching and mobile IT equipment), and additional sessions and venues for the delivery of additional Adult Education courses locally. |
| Youth Service | £65.50 | £81,875.00 | Free use of on-site Community facilities for youth sessions | Towards additional resources and upgrade of existing youth facilities including the New House Sports and Youth Centre in Sittingbourne to accommodate the additional |

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

* mix currently unknown.

** Secondary land & SEN Land – The combined Highsted Park North & South sites will require 2 new on-site Secondary Schools and 1 new SEN School to be provided. As Highsted Park is a split site and if the Secondary & SEN Schools are located on the South site, a Development Equalisation Agreement will be required between the North and South sites if they are in separate ownerships with this North site contributing towards the Secondary & SEN School sites on the South site.

| | | | | |
|---|---|-------------|--|--|
| | | | | attendees |
| Libraries | £55.45 | £69,312.50 | Free use of on-site Community facilities for library purposes | Towards additional resources, services and stock, the local mobile Library service and works to Sittingbourne Library. |
| Social Care | £146.88 | £183,600.00 | Free use of new Community facilities on-site for meetings, group, and therapy sessions | Towards specialist Housing Provision in the District, adaptation of community facilities, technology to promote independence, multi-sensory facilities and changing place facilities in the vicinity of the development. |
| | All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2) | | | |
| Community Buildings specification: | <p>*Design that is Dementia friendly with dementia friendly decoration and signage.</p> <p>*A catering area which is compliant with the Equality Duty 2010, such as adjustable height work surfaces, wash areas, cupboards etc.</p> <p>*Toilets and changing facilities for the profoundly 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 Equality Duty 2010 Compliant https://riseadapt.co.uk/changing-places/</p> | | | |
| Waste | £183.67 | £229,587.50 | Towards a new Household Waste Recycling Centre on site and increases in capacity at the Waste Transfer Station in Sittingbourne. | |
| Waste Site | For the combined Highsted Park (North & South) Sites a new on-site Household Waste Recycling Centre site of 1ha is required at no cost to the County Council. As above if this is located on the South site and the North site is in separate ownership, any land cost should be dealt with by the Developers through a Development Land Equalisation Agreement with this North site contributing its proportionate share | | | |
| Broadband: | <p>Condition: Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mb) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details.</p> <p>Reason: To provide high quality digital infrastructure in new developments as required by paragraph 112 NPPF.</p> | | | |

Please note that these figures:

- are subject to review and are currently **index linked by the BCIS General Building Cost Index from April 2020 to the date of payment** (April 20 Index 360.3)
- 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

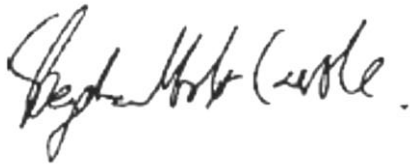
planning applications, changes in capacities and forecast rolls, projects and build costs.

- Bonds may be required by KCC for the Education contributions if the applicant wishes to pay the contribution in instalments. If the contributions are paid in instalments, the applicant will also be required to cover KCC's borrowing costs for the construction of the schools.

The County Council will continue to work closely with the Borough Council to help to ensure the delivery of new housing and infrastructure in response to local needs. In addition, the County Council welcomes any further engagement with the Borough Council and the applicant as this major development proposal progresses.

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

Yours sincerely,

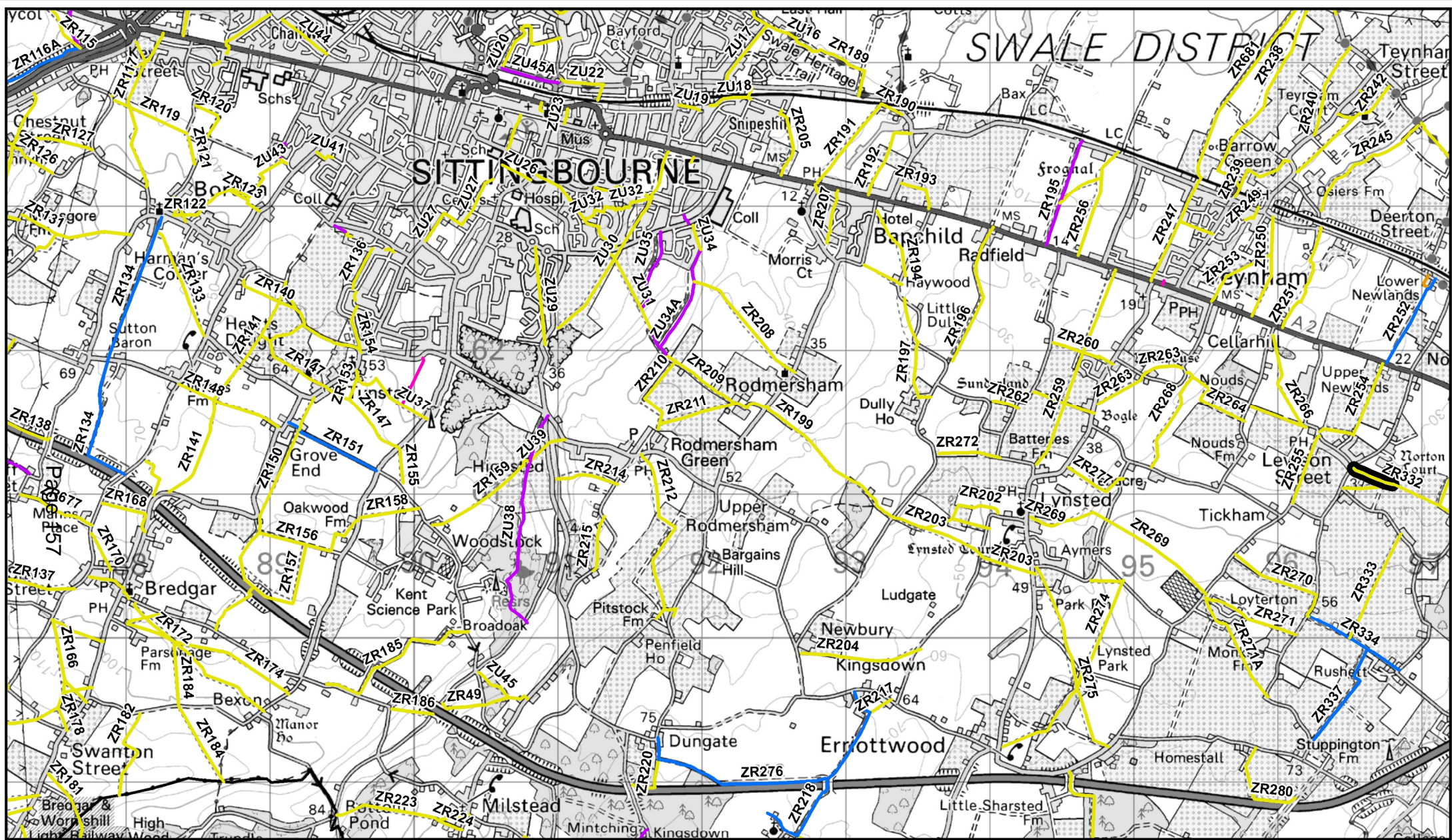





Stephanie Holt-Castle

Interim Director for Environment, Planning and Enforcement

Encs:

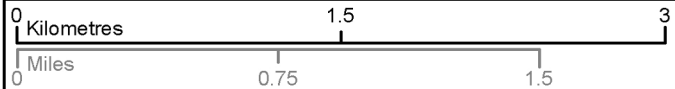
- [Appendix 1](#): Kent County Council response to Scoping Report (Application reference 17/506551/EIAS) dated 26 January 2018
- [Appendix 2](#): KCC Biodiversity response dated 12 March 2021
- [Appendix 3](#): Extract of the Network Map





| Key | |
|---|---------------------------|
|  | Public Footpath |
|  | Public Bridleway |
|  | Restricted Byway |
|  | Byway Open to All Traffic |

17/506551/EIASCO - Public Rights of Way Map

Please note: this map extract is not a legal record of the alignment or existence of a public right of way. No measurements should be taken from it.



Produced by the KCC Public Rights of Way and Access Service © Crown Copyright and database right 2013. Ordnance Survey 100019238

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| Issue Date: | 10.01.2018 |
| Reference: | 17/506551/EIASCO |
|  | |

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Andrew Byrne
Planning Services
Swale Borough Council
Swale House
East Street
Sittingbourne
Kent ME10 3HT

Heritage Conservation
Invicta House
County Hall
Maidstone
Kent, ME14 1XX
Tel: (03000) 413415

Email: simon.mason@kent.gov.uk
Ask for: Simon Mason
Your Ref: 17/506492
17/506551
Our Ref:
Date: 15th January 2018

Dear Andrew

Re 17/506492/ENVSCR & 17/506551/EIASCO - Land South and East of Sittingbourne, Kent

Request for EIA Screening and Scoping Opinion: for a mixed-use development including up to 11,250 residential dwellings, commercial space (circa 120,000 sqm), new infrastructure to create new junctions onto the M2 and A2 joined by a new relief road, new retail and health facilities, leisure facilities, educational facilities and community facilities at land to the south and east of Sittingbourne.

Thank you for consulting on the scoping report for the land south and east of Sittingbourne being referred to as Highsted Park.

There has been very limited time to review this extremely large proposal thoroughly given the timescale and submission during Christmas period. I note that we did some discussions with an archaeological consultant at an early stage for this or a similar proposal in 2006 concerning the assessment of the area. Following an early meeting we understand that a programme of assessment and survey including wide-scale geophysics was being progressed but we did not receive any results of this work at that time.

We note that archaeology and cultural heritage is scoped in as a key issue to be covered in the proposed EIA and we welcome that. The proposed scope is set out briefly in section 10 of the report. Given the substantial scale of development and the potential scale of impacts on the historic environment we are of the view that the EIA approach is appropriate.

Heritage – key issues

The proposal covers a very substantial part of the landscape south and east of Sittingbourne from the A2 corridor in the north, south in to the Chalk North Downs. The landscape around Sittingbourne is known to be of high archaeological value, the A2 corridor follows the original

main Roman road between the coast and London and we are aware of considerable Roman and later activity alongside it and in the farmlands south and north. The area is also rich in prehistoric activity dating from the Late Palaeolithic deposits known to survive in Brickearth deposits within the proposal site through to Bronze Age and Iron Age remains. The Kent HER provides an indication of the presence and distribution of archaeology in this area but would tend to also illustrate the bias arising from the location of previous development and investigation in the northern areas of the proposal site. Recent investigations and discoveries are starting to reveal evidence of early use of the downland areas.

Particular highlights include:

- Roman road – Watling Street – running within fields south of the present A2 around Hempstead. Roman activity alongside
- Palaeolithic and Mesolithic artefacts found in the upper gravels and lower brickearth deposits in the northern areas of the proposal site. A regionally important geological deposit – Limons a Doublet - survives in the Brickearth in the area;
- Later prehistoric activity has been found in several areas in or close to the northern parts of the site;
- Iron Age and Roman burial sites are known near to and within the proposal site;
- Prehistoric sites including a possible tumulus are reported from woodlands in or close to the site;
- Medieval landscape features are likely to survive as archaeology throughout the area;

The landscape itself includes a pattern of settlement, routes, farmland and enclosures, woodland, industry and individual historic features that have developed from at least medieval times and possibly earlier. The manors of Cromers and Pitstock (later Woodstock) both have a rich medieval history with the formal parkland landscape around Woodstock being particularly rich and sensitive.

As explained in para 10.1 the site is located close to a number of designated heritage assets including the Conservation Area at Rodmersham Green. It is also important to note that the Conservation Area to the north at Tonge lies close to the northern part of the proposal site, as does a Scheduled Monument at Tonge Castle.

Place-shaping

The NPPF recognises the important role that the historic environment and heritage assets can play in the making of new places. It is important that the development of a place on this scale in particular takes account of its historic environment ensuring that the new place is grounded in the past, takes advantage of its distinct historic character and conserves and makes best use of its heritage assets – those that are undesignated as well as those that are protected through designation.

It is important that the historic environment and landscape studies for this development proposal clearly identifies the heritage of the area and examines its potential positive contribution to place making. Any forthcoming master-planning of the area should clearly demonstrate how the heritage of the site and its surroundings has meaningfully contributed to the development proposals.

Potential Impacts

We note the impacts considered in 10.4-10.6. It is also important that the setting of undesignated heritage assets is considered and that off site impacts such as the introduction of additional traffic through historic villages, country lanes and areas such as Tonge are included.

The assessment should also consider potential benefits which may include opportunities for beneficial use and restoration of heritage assets, community archaeology and interpretation.

Assessment Methodology

It is important that the scope of the initial Desk Based Assessment and sources of information is discussed in detail with ourselves, Historic England and the Conservation Officers at Swale Borough Council at an early stage. The sources proposed in 10.7 are limited / general and study should include as an initial step a review of archive material that may be available in local, county and national archives.

We welcome the proposal for a walkover of the site which should be comprehensive, note landform and landscape features as well as heritage assets. It is important that the effects on undesignated, as well as designated, heritage assets is considered. We would be happy to be involved in an initial walk through the landscape with the applicant's consultant if that would be helpful.

It is likely, given the richness of the landscape for archaeology and the potential bias in the archaeological record arising from the focus of past investigation and survey, that archaeological field evaluation will be needed to inform the planning application. We recall from discussions in 2006 that a programme of geophysical survey was being carried out for this development and therefore it may be that the results of that survey could be incorporated into the present study. Clarification on that survey would be welcome as results have not been provided to the County Archaeologist.

The assessment should include a thorough analysis of the historic landscape and historic landscape features and the potential effects of the development, both at landscape scale and on individual features and components.

The work for the EIA should take account of the **Guiding Principles for Cultural Heritage in Environmental Impact Assessment (EIA)** published by Kent County Council through our Planarch project in 2006. I have attached a copy of these.

I hope that the above is helpful and am happy to discuss further.

Yours sincerely

Simon Mason
Principal Archaeological Officer

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ME10 3HT

Flood and Water Management
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Maidstone
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ME14 1XX
Website: www.kent.gov.uk/flooding
Email: suds@kent.gov.uk
Tel: 03000 41 41 41
Our Ref: SBC/2017/064922
Date: 12 January 2018

Application No: 17/506551/EIASCO

Location: Land South And East Of Sittingbourne Kent

Proposal: EIA Scoping Opinion for a mixed-use development including up to 11,250 residential dwellings, commercial space (circa 120,000 sqm), new infrastructure to create new junctions onto the M2 and A2 joined by a new relief road, new retail and health facilities, leisure facilities, educational facilities and community facilities at land to the south and east of Sittingbourne

Thank you for your consultation on the above EIA Scoping Opinion.

Kent County Council as Lead Local Flood Authority have the following comments:

This application is supported by an Environmental Impact Assessment Scoping Report prepared by Entran (December 2017). Within Chapter 9 of the report there has been an assessment of the management of surface water as a result of increased impermeable area during both the operational and construction phases, however there is no mention of the impacts upon water quality from the surface water drainage. We would therefore recommend that full consideration is given to the systems capacity to remove pollutants and to the cleanliness of the water discharged from the site when compiling the Flood Risk Assessment/Drainage Strategy.

The report states that a Flood Risk Assessment will be produced, with findings included within the Environmental Statement. We have no preference as to whether a Flood Risk Assessment forms part of an EIA or is submitted as a standalone document. Any identified flood risk or surface water management issues should be appropriately considered within the application documentation (with appropriate mitigation recommend wherever necessary).

The Flood Risk Assessment should include a clear Drainage Strategy, which adheres to policies as set out in our Drainage and Planning Policy Statement. We would also recommend that the applicant also considers the Guide for Master Planning Sustainable Drainage Into Development to fully incorporate drainage into the overall development to minimise flood risk, which can be found at:

http://www.kent.gov.uk/data/assets/pdf_file/0007/23578/Masterplanning-for-SuDS.pdf

If further clarification is required we would encourage the applicant/their consultants to contact us to begin pre-application discussions to discuss the surface water management at this site.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Yours faithfully,

Andrew Longman

Flood Risk Technical Support Officer
Flood and Water Management



ECOLOGICAL ADVICE SERVICE

TO: *Ross McCardle*

FROM: *Helen Forster*

DATE: *08 January 2018*

SUBJECT: *Land South And East Of Sittingbourne 17/506551/EIASCO*

Thank you for requesting advice on this scoping opinion from KCC's Ecological Advice Service. This service provides advice to planning officers to inform Swale Borough Council planning decisions with regard to the potential ecological impacts. Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

We have reviewed the information submitted as part of the scoping opinion and we are generally satisfied with the approach set out within the scoping document – we have a few minor points which we set out below.

A range of surveys have been carried out across the site and we advise that the results of the ecological surveys must inform the design of the proposed development site and detailed mitigation strategies.

We advise that the development follows the 'mitigation hierarchy' as described in British Standard BS 42020:2013, which involves the following step-wise process:

- Avoidance – avoiding adverse effects through good design;
- Mitigation – where it is unavoidable, mitigation measures should be employed to minimise adverse effects;
- Compensation – where residual effects remain after mitigation it may be necessary to provide compensation to offset any harm;
- Enhancement – planning decisions often present the opportunity to deliver benefits for biodiversity, which can also be explored alongside the above measures to resolve potential adverse effects.

The measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development (BS 42020:2013, section 5.5).

The ecological surveys and detailed mitigation strategies must be submitted with the planning application.

Bats

The submitted information has detailed the following that there are tunnels present within the quarries which provide bat roosting potential. We highlight that consideration must be given to the potential for the tunnels to be used by hibernating bats and recommend that a hibernation survey is carried out this winter. If the hibernation survey season is missed and it's identified that there is a need for a hibernation survey it will be November/December 2018 before the survey can be carried out.

We do accept that the need for emergence surveys to be carried out must be proportional to the impacts from the proposed development. But we advise that if there is chance the potential roosts within buildings/trees/quarry will be impacted (directly or indirectly) by the development the bat surveys must be scheduled in to be carried out during this survey season to ensure that the LPA has all the relevant information to consider the ecological impact of the proposed development.

Ancient Woodland.

The submitted information has detailed that there is a risk that an area of Ancient woodland will be destroyed to provide access for the proposed development. We advise that the site is designed to retain the area of ancient woodland and adjacent habitat. We highlight that the NPPF has recognised the importance of Ancient Woodland and it states the following:

Paragraph 118 of the NPPF states the following: *When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:*

- *planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;*

Open Space

The proposed development is proposing to create areas of open space which will be used for both ecological mitigation and public access.

We recommend that an outline management plan is submitted as part of the planning application to demonstrate that any ecological mitigation required can be retained for the lifetime of the development and will not be negatively impact due to recreational pressure.

Swale SPA/Ramsar and SSSI

The development includes proposals for new dwellings within the zone of influence (6km) of the The Swale Special Protection Areas (SPAs) and Wetlands of International Importance under the Ramsar Convention (Ramsar Sites). *Swale Borough Council* will need to ensure that the proposals fully adhere to the agreed approach within the North Kent Strategic Access Management and Monitoring Strategy (SAMM) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the

mitigation before first occupation. Subject to the application demonstrating that they will be contributing to the SAMMS we are satisfied that the proposals may be screened out as not having a likelihood of significant effects upon the designated sites.

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:
Environmental Impact Assessment Scoping Report; Entran; December 2017

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ECOLOGICAL ADVICE SERVICE

TO: *Andrew Byrne*

FROM: *Helen Forster*

DATE: *12 March 2021*

SUBJECT: *21/500819/EIASCO and 21/500836/EIASCO Highstead Park, Sittingbourne*

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.

The submitted information has detailed that the following surveys/assessments have been carried out for both applications:

- Phase 1
- Bats
- Badger
- Dormice
- Wintering birds
- Breeding birds
- Great Crested Newt
- Reptiles
- Invertebrates

The surveys were carried out between 2017 and 2019 and the report has confirmed an updated preliminary ecological appraisal will be carried out as part of the ES. We highlight that if the PEA identifies the need for updated surveys they must be carried out in advance of any submission. Where surveys are older than two years old we would expect the PEA to justify why they submitted ecological information is valid.

We are satisfied that for application 21/500836/EIASCO it will provide a good understanding of the ecological interest of the site to assess the ecological impact of any proposal and inform mitigation strategies.

However application 21/500819/EIASCO the submitted information will be directly/indirectly impacting Local Wildlife Sites and an Ancient Woodland and it appears a specific botanical survey has not been carried out. We would expect either a botanical survey to be carried out or information to be provided demonstrating why the ecologists did not feel it was necessary.

We highlight that where direct impacts on AW or LWS are identified ideally we would prefer for that impact to be designed out of any proposal. However if that is not achievable we advise that there is a need for the application to demonstrate why the proposal is acceptable in policy terms – with regard to the ancient woodland this includes the need for a compensation strategy.

Both Applications

In addition to the ecological impact assessment there will be a need for detailed mitigation strategies and management plans to be submitted.

We highlight that the management plans must be site wide and include all management requirements (e.g. recreation/SuDS) as there is a need to ensure that there is no proposed management conflicts between different requirements.

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 report; entran; January 2021

**For official use only:**

Consultee ID:
 Agent ID:
 Date received:
 Date acknowledged:
 Date processed:

Swale Borough Local Plan Review (Regulation 19) – February 2021

Representation Form

This form should be used for providing comments (or 'representations') on the Swale Borough Local Plan Review. Representations must be received no later than **5pm on Friday 30 April 2021**. Only those representations received within this period have the statutory right to be considered by the inspector at the subsequent examination.

The form can be submitted by email to Lpcomments@swale.gov.uk or by post to Planning Policy, Swale Borough Council, Swale House, East Street, Sittingbourne, Kent, ME10 3HT. Comments can also be submitted online using the consultation portal at <https://swale-consult.objective.co.uk/kse>.

**** Please read the guidance note, which includes advice on completing this form, before you make your representations. The guidance note and additional copies of this form are available on request or can be downloaded from <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review/public-consultation#h2>**

Please note:

1. Representations must be on the basis of the legal compliance or soundness or compliance with the Duty to Cooperate.
2. Separate forms should be completed for each representation.
3. It is recommended that groups that share a common view send a single representation rather than multiple copies. Please attach a list of the contact details of each person who supports the representation.
4. By completing this form, you agree to your details being shared with other relevant agencies involved in the preparation of the local plan. In addition, your name, name of organisation, comments and town of residence **will** be made publicly available. These representations cannot be treated as confidential. Please read and sign the declaration in Section 3 of this form.

Section 1: Your details

| | 1. Personal details | 2. Agent details (if applicable) |
|----------------------|---------------------|----------------------------------|
| Title | | |
| Name | | |
| Organisation / group | | |
| Address 1 | | |
| Address 2 | | |
| Address 3 | | |
| Address 4 | | |
| Post Code | | |
| Telephone number | | |
| Email address | | |

If you are replying on behalf of a group (where applicable under point 3 above), how many people does it represent?

Section 2: Your representation

Question 1: To which part of the Local Plan does your representation relate? (Please state the policy reference, paragraph number, figure number or Policies Map reference)

| | | | | | | | |
|--------|----------------------|-----------|----------------------|----------------|----------------------|--------------|----------------------|
| Policy | <input type="text"/> | Paragraph | <input type="text"/> | Figure / Table | <input type="text"/> | Policies Map | <input type="text"/> |
|--------|----------------------|-----------|----------------------|----------------|----------------------|--------------|----------------------|

Question 2: Do you consider that the Local Plan is:

| | | | | |
|--|-----|--------------------------|----|--------------------------|
| a. Legally compliant | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| b. Sound | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| c. Complies with the Duty to Cooperate | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

Please refer to the guidance note for an explanation of these terms. If you have entered 'no' to Question 2(b), please continue to Question 3. In all other circumstances, please go to Question 4.

Question 3: Do you consider this part of the Local Plan is not sound because it is not: (tick all that apply)

| | | | |
|---------------------|--------------------------|---------------------------------|--------------------------|
| Positively prepared | <input type="checkbox"/> | Justified | <input type="checkbox"/> |
| Effective | <input type="checkbox"/> | Consistent with national policy | <input type="checkbox"/> |

Question 4. Your comments

Please give details of why you consider that part of the Local Plan is not legally compliant or not sound or fails to comply with the Duty to Cooperate. If you wish to support any of these aspects, please also use this box to set out your comments.

(Please continue on a separate sheet or expand this box if necessary)

Question 5: Changes sought

Please set out what change(s) to the Local Plan you consider necessary to make it legally compliant or sound. You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text.

(Please continue on a separate sheet or expand this box if necessary)

Question 6: Attendance at examination hearings

If your representation is seeking a change, do you consider it necessary to participate in the examination hearings?

Yes, I wish to participate at the examination hearings

No, I do not wish to participate at the examination hearings

Question 7: If you wish to participate at the examination hearings, please outline why you consider it to be necessary?

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the examination hearings.

Section 3: Declaration

How we will use your personal information

The personal information you provide on this form will be processed in accordance with General Data Protection Regulations 2018. The information you provide will only be used for the purposes of the preparation of the Local Plan as required by the Planning and Compulsory Purchase Act 2004 (as amended), and may be used by the Council to contact you if necessary, regarding your submission. Your name, name of organisation, comments and town of residence* will be made available for public inspection when displaying and reporting the outcome of the statutory consultation stage and cannot be treated as confidential. You will not be asked for any unnecessary information and *we will not publish any personal data beyond what is stated in this declaration.

Your details will be kept until the Local Plan is adopted plus a further five years to evidence that a fair and transparent process has been followed. Processing is kept to a minimum and data will only be processed in accordance with the law. When other agencies are involved in the preparation of the Local Plan, we may need to share your details to enable us to work together. Information will only be shared with third parties if they have genuine and lawful need for it. Information shared on this basis will not be reused for any other purpose. We will take all reasonable precautions to protect your personal data from accidental or deliberate loss or unauthorised disclosure.

Please sign and date this form. Forms signed electronically will be accepted.

Declaration:

By completing and signing this form, I agree to my name, organisation, town of residence and representations being made available for public inspection on the internet.

Signature:

Date:

Swale Borough Council would like to contact you for your comments and views in relation to consultations carried out by the Spatial Planning Team regarding the Swale Borough Council Local plan and other planning documents.

If you would like to be added to our database for future contact please complete the form below, if not please tick the box below.

No, I do not wish to be added to your database

Swale Borough Council (SBC) is committed to protecting the privacy and security of your personal information. As data controller we ensure that processing is carried out in accordance with the Data Protection Act 2018 and the General Data Protection Regulations (GDPR).

Any personal information provided within this form will be held securely and not shared with anyone outside of the Spatial Planning Team unless otherwise stated* or the council is obliged to do so for legal purposes.

The legal basis which enables the Council to process your data for this purpose is consent from the data subject (you) under Article 6, paragraph (a) of the GDPR. Information provided will be stored in accordance with the Council's retention and disposal guidelines.

| | | | | |
|------------------------------------|--------------|--|---------------|--|
| Name: | | | | |
| Address: | | | | |
| Post Code | | | | |
| Email Address | | | | |
| Preferred Method of Contact | Post: | | Email: | |

Declaration:

I hereby confirm and give my explicit consent for the following:

- For SBC to hold my personal data for the purpose of contacting me in connection with future consultations carried out by the Spatial Planning Team
- I understand that whilst my personal contact information will not be published, I agree that any comments I supply in response to contact may be published alongside my name and the town I reside in*
- I confirm that I am over 18

| | | | | |
|-------------------|--|--|--|--|
| Signature: | | | | |
| Date: | | | | |

As a data subject you have the right to access your personal data and to ensure the Council is processing it in the correct way. For further information please visit the privacy pages on the Council's website at www.swale.gov.uk or contact the data protection officer by emailing dataprotectionofficer@swale.gov.uk or call 01795 417179.

Please send completed form to: **Planning Policy Manager, Swale Borough Council, Swale House, East Street, Sittingbourne, ME10 3HT** or email: Lpcomments@swale.gov.uk

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| Policy / Paragraph | Commentary |
|---|--|
| 1. INTRODUCTION | |
| General commentary | <p>The County Council recognises that the Local Plan Review seeks to deliver a sustainable future for Swale by looking to deliver growth predominantly within centrally located areas that have existing infrastructure, or the capability to deliver new infrastructure, to support the growth. Within this response, the County Council provides detailed commentary on the proposed policies and supporting paragraphs. The County Council, as a key infrastructure provider, welcomes the incorporation of strategic policies to set out the role of infrastructure in the delivery of sustainable new communities. This will help ensure that planned residential and commercial growth will be of high quality and delivered in a way that will help to create the places people want to live now and in the future. Taking an “Infrastructure First” approach is advocated by the County Council and is also embedded in the Kent and Medway Infrastructure Proposition, a proposed deal with Government for new infrastructure investment that will enable accelerated housing delivery, which is focussed on building the right homes in the right places and providing the public services, transport infrastructure, jobs and homes that residents will need, now and in the future.</p> <p>The County Council's comments within this response consider whether the document is positively prepared, justified, effective and consistent with national policy (the tests of soundness), in line with National Planning Policy Framework (NPPF) guidance for the Regulation 19 stage of a Local Plan (which, amongst other considerations, is to address whether a Local Plan meets the prescribed tests of soundness). The County Council notes that for the Local Plan Review period (2022-2038), there is a need to deliver 16,608 new homes, and that, taking into account the existing supply of sites for this period and the windfall delivery rates, the Local Plan Review needs to allocate enough land to accommodate 6,290 additional dwellings. It is crucial that the infrastructure first policy is applied to planned growth in the Borough and commitment to close collaboration between key partners will be essential to ensure that good growth is planned, funded and delivered in a timely manner. The County Council highlights in this response that the Local Plan Review does not yet satisfactorily address key infrastructure issues, particularly in respect of highways, education and waste infrastructure at a level that will guarantee that new viable, sustainable communities will be delivered.</p> <p>The County Council, as Local Highway Authority, notes that a level of advice has been provided to the Borough Council in respect of preparations for transport modelling and strategy. Initially, the County Council assisted with the preparation of a base highways model for the year 2017. A Base Model Local Model Validation Report was prepared by transportation consultants SWECO and, following a review by KCC, it was agreed that it provides an acceptable reflection of journey times and flows for the base year.</p> <p>The County Council notes that whilst there are a number of welcomed positive policy inclusions with regards to reducing congestion, safety incidents, air quality and promoting sustainable access and development, KCC is concerned that the consultation is missing critical highway evidence to justify the Local Plan strategy and as a consequence the Local Plan is currently supported by an inaccurate evidence base. There are fundamental changes from the modelling used as evidence for the Local Plan and the housing proposals within this regulation 19 consultation. Specifically, the housing numbers are higher in the Teynham area, greater levels of employment land and a reliance on a design solution for Brenley Corner that cannot at this stage be relied upon. The County Council, as Local Highway Authority, requires further supporting transport modelling that accurately reflects the proposed housing and employment strategy as presented before it can make a fully informed comment on the proposals. KCC is seeking to continue working with the Borough Council over the coming months on the provision of accurate modelling and commensurate and viable mitigation such that would move the proposed plan from its currently unjustifiable position.</p> |
| 3. LOCAL PLAN STRATEGY FOR SWALE | |
| General commentary | <p>KCC notes that the previous ‘Looking Ahead’ Regulation 18 consultation, carried out in 2018, examined possible alternatives for future growth, including settlement strategy options and the potential for including new settlements as part of a growth strategy. In its response to that consultation, KCC supported an approach that explored new or alternative ways of delivering growth, recognising that the current Local Plan strategy would be unlikely to accommodate the growth levels forecast. The County Council’s response supported an approach that considers new settlements, and which offers opportunities for infrastructure solutions to be delivered in a way that might not otherwise be achievable.</p> <p>KCC notes that in 2018, a ‘New Garden Communities’ Prospectus consultation for new standalone settlements was also published and as a result, four proposals were submitted, relating to sites in South East Sittingbourne, Land at Bobbing, South East Faversham and South of Faversham. A second Regulation 18 consultation was expected to be published, which would have offered local residents and the key stakeholders an opportunity to further shape the Local Plan Review as the growth strategy developed– but was regrettably not undertaken. The Borough Council has moved directly to Regulation 19 consultation, which includes a new proposed strategic allocation at Teynham. This has led to an element of lack of continuity between Regulation 18 and 19 consultations, and given the stage of the Local Plan progress, there is now limited opportunity for residents to influence the type and scale of growth at that location.</p> <p>Highways and Transportation</p> <p><i>Paragraph 3.1.7</i></p> <p>This paragraph refers to a link road to the South of Teynham for through traffic, although no details have been provided within the consultation as to its location. The Local Plan Review consultation is also not presenting any evidence as to how this would affect the traffic along the A2. The existing Air Quality Management Area (AQMA) in the centre of</p> |

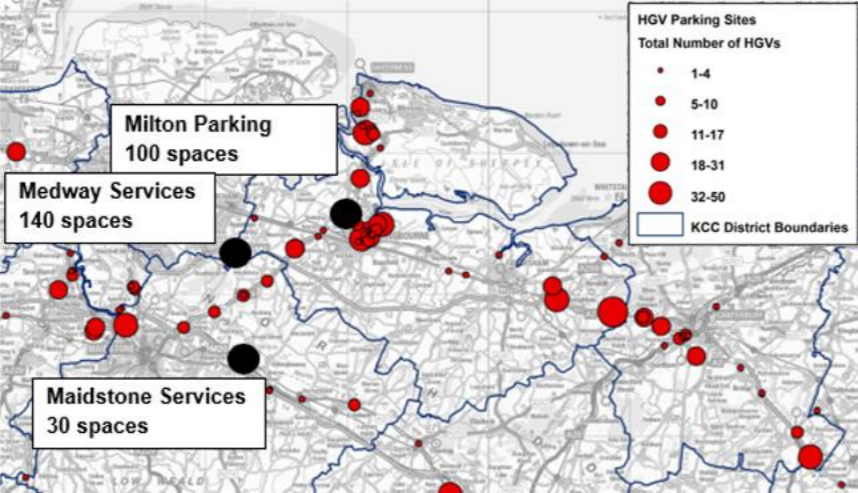
| Policy / Paragraph | Commentary |
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| | <p>the village, and past modelling evidence presented to the Local Plan Panel and within planning applications, clearly demonstrate substantial traffic related concerns regarding air quality, safety and congestion both on the A2 and for the Station Road and Lynsted Lane junctions.</p> <p>Whilst there is no evidence presented to support the proposal, it can reasonably be assumed that a link road for through traffic would facilitate increased flows of vehicular traffic along the A2 corridor. In turn, this would be expected to have considerable detrimental impacts of congestion and poor air quality particularly for the communities of Bapchild and Ospringe, two of the A2's other AQMAs. The evidence presented in the submitted Air Quality document demonstrates that the AQMAs with the most detrimental impact for both NO2 and PM10 are at Ospringe, Teynham and East Street. The air quality modelling report uses the 1054 transport model that would appear to have considerably less housing allocated in the village of Teynham than is proposed within this Regulation 19 consultation. As such, it can only be assumed that the air quality data is not providing a true reflection of the traffic related air quality levels for the strategic housing strategy proposed.</p> <p>The proposals in this chapter appear to promote private vehicular use and overall, are in contrast to policies ST 7, 4 and 9 in respect of promoting active travel, public transport and addressing air quality concerns.</p> <p>Education</p> <p>The County Council is the strategic commissioner of education provision in Kent and sets out its future needs through the Commissioning Plan for Education in Kent - https://www.kent.gov.uk/education-and-children/schools/education-provision/education-provision-plan. The Commissioning Plan is a dynamic document and is regularly reviewed and provides the background to the responses made here.</p> <p>Sittingbourne Primary Planning Groups are showing place pressures from 2023 onwards, with any plans for expansion designed to meet the needs arising from developments agreed through the current Local Plan. The current capacity and planned expansions for Faversham and Teynham primary schools is also sufficient to meet current Local Plan demands. Additional housing development will have to provide both sites and contributions towards new primary schools. This is of particular concern for the additional development proposed for Teynham and for all the proposed developments for Faversham.</p> <p>Secondary school provision is a serious concern. The planned expansion of Abbey School and potential expansion of Queen Elizabeth's Grammar School in Faversham is to meet the demands arising from current Local Plan developments. A site for a new secondary school to serve Faversham is required, alongside contributions towards site and build costs. Without a suitable site for a new secondary school, and contributions to support the building of the new school, all proposed developments for Faversham would be considered unsustainable due to lack of education infrastructure.</p> <p>The position in Sittingbourne from a secondary provision perspective is a serious one. The site for the all-through school to the north of the A249 is still not due to transfer until 2023. Original plans to meet current demand were through the transfer of this site by 2019 allowing the opening of a new school for 2021 or 2022. It is likely that 2025 will be the earliest that this new school will be able to open. By 2023 there will be more students requiring secondary school places than places available in Sittingbourne and Sheppey schools. Temporary measures will have to be put into place until the new school can be brought forward but these put additional pressure on the schools and on the road network around the schools. Current proposals do not enable a re-balance between secondary education provision in Sittingbourne and on the Isle of Sheppey.</p> <p>There are more secondary age pupils on the Isle than there are secondary school places, and KCC has more secondary school places in Sittingbourne than resident children. The result of this is that children travel off the Isle and into Sittingbourne in large numbers. A site for a secondary school on the Isle of Sheppey would provide the opportunity to re-balance the school travel flows and provide more sustainable future secondary provision for Swale.</p> <p>In addition, there is no current available capacity for special education requirements for any of the proposed new housing developments. Financial contributions and a new site of two hectares are required to accommodate the additional special education need pupils arising from these proposals.</p> <p>Waste Management</p> <p>KCC as the Waste Disposal Authority notes that additional capacity at both its Sittingbourne Waste Transfer Station (WTS) and three Household Waste Recycling Centre (HWRC) facilities across the Borough is urgently needed. Without expansion of these facilities the growth proposed by the Local Plan is not sustainable. Current pressures are such that operational delays are the norm and these will significantly deteriorate over the duration of the Local Plan. Further consideration of how this essential infrastructure can be provided to ensure a sustainable service in the future needs to be made a high priority.</p> |
| 4. STRATEGIC POLICIES | |
| Policy ST 1 Development needs for the Borough | <p>Highways and Transportation</p> <p>Paragraph 4.2.18</p> |

| Policy / Paragraph | Commentary |
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| 4.1 Quantum of new housing land / 4.2 New employment land | <p>The employment sites listed have considerable differences when compared with those included in the Air Quality and 1054 transport modelling. There appears to be in excess of 300,000sqm of employment proposed in this consultation, which is double that of the 138,800sqm included in the 1054 transport modelling reported to the Swale Local Plan Panel of 11th June 2020. This will undoubtedly have significant traffic impacts. It should however be noted that the proposals that make up the overall proposed strategy maybe more sustainably located and as such, KCC reserves judgement on the impacts of the change until the evidence is presented.</p> |
| Policy ST 3 Delivering sustainable development in Swale | <p>Sustainable Business and Communities</p> <p>The County Council supports the embedding of climate change, the natural environment and Net Zero throughout the Local Plan, and the ambitious sustainability policies that have been included. Whilst KCC recognises that the Borough Council has set a 2030 Net Zero target, which is an earlier date than the target put forward in the Kent and Medway Energy and Local Emissions Strategy, KCC still encourages the Local Plan to reference the Kent and Medway Energy and Low Emissions Strategy, which supports the adoption of low carbon and climate resilient developments and associated infrastructure.</p> <p>Minerals and Waste</p> <p>The County Council recommends that the Local Plan makes reference to the presence of important economic minerals and safeguarded waste management and mineral handling, processing, and transportation facilities - the safeguarding of which must be included in the policy.</p> <p>Public Rights of Way</p> <p>The County Council supports the inclusion of Active Travel aims.</p> |
| Policy ST 4 Building a strong, competitive economy | <p>Public Rights of Way</p> <p>The County Council recommends that reference is made to the Public Rights of Way (PRoW) network including Footpaths, Bridleways and Byways, the promoted routes of the England Coast Path (National Trail) and the Saxon Shore Way. Tourism is an important industry for Kent and the landscape is a key attractor. Sustainable tourism is a way of supporting rural areas, providing jobs and supporting community services. The PRoW network has a critical role in this, and as such there should be specific mention of KCC supporting improvements to walking and cycling routes where they can assist the Borough Council's tourism objective.</p> <p><i>Policy ST 4 Building a strong, competitive economy</i></p> <p>The County Council recommends that employment sites should offer opportunity for Active Travel connectivity to local facilities and transport hubs where possible.</p> |
| Policy ST 5 Delivering a wide choice of high-quality homes | <p>Provision and Delivery of County Council Community Services and Facilities</p> <p>The County Council welcomes reference to meeting minimum space standards M4(2) on 75% of all dwellings and the accessible standards M4(3) on the remaining 25% of dwellings.</p> <p>Public Rights of Way</p> <p>The County Council highlights the need for developments to encourage a modal shift towards active travel.</p> |
| Policy ST 6 Good Design | <p>The County Council welcomes the inclusion of the Kent Design Guide within this policy.</p> <p>Given the anticipated impact from COVID-19 of increased home working as a permanent adjustment to people's working lives, the County Council recommends consideration of how to ensure safe and reasonable home working areas. Ensuring that suitable spaces for home working are designed into new development will have positive benefits by boosting the resilience of this area of the local workforce and their ability to continue working and to learn.</p> <p>High quality design should also be accessible, taking into account the varying needs of the evolving community – providing diverse housing types, such as extra care housing, that is flexible and responsive to changing needs. The County Council recommends that this should include consideration of dementia friendly design within the Local Plan. Small design changes to housing and infrastructure can help someone living with dementia to be more independent by providing a home and environment that is clearly defined, easy to navigate, and feels safe.</p> |

| Policy / Paragraph | Commentary |
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| | <p>Public Rights of Way</p> <p><i>Paragraph 4.2.73</i></p> <p>It is recommended that the Kent Rights of Way Improvement Plan (ROWIP) should be included here and its inclusion would complement the reference made to the AONB.</p> |
| <p>Policy ST 7 Health and Wellbeing</p> | <p>Public Health</p> <p>The County Council is generally supportive of the inclusion of this policy. The County Council has public health responsibilities across Kent and is aware that how places are designed and built is crucial to creating a healthier, inclusive and more sustainable society. Growth across the County offers a unique opportunity to build communities that actively enable positive health and wellbeing choices, thereby easing future pressures on health and other public services. Wherever possible, new development (or funding generated through Section 106 or CIL) should be designed to support the health of the population with the poorest health outcomes in order to support Borough and County Council objectives around reducing health inequalities.</p> <p>The County Council recommends consideration of additional detail including local level (i.e. MSOA and Ward) data¹ on health inequalities so priority geographies for investment and intervention are clear. This could be in the form of a background paper such as a 'Health and Wellbeing' Topic Paper which provides a useful policy and a strong evidence base to implement decisions in the interests of public health.</p> <p><i>Paragraph 4.2.74</i></p> <p>Reference to Health Impact Assessments (HIA) is welcomed, however further detail should be provided regarding their content and implementation.</p> <p>The County Council recommends reference is made to the Kent <u>Joint Strategic Needs Assessment</u> (associated with the Kent Health and Wellbeing Strategy).</p> <p>Consideration should also be had for the development of a Local Cycling and Walking Infrastructure Plan.</p> <p><i>Policy ST 7 Section 6 'Requiring good design'</i></p> <p>The County Council recommends that this should be expanded to clarify what is meant by good design and any design standards which relate.</p> |
| <p>Policy ST 8 Planning for Infrastructure</p> | <p>Growth should be planned with timely infrastructure that is adequately funded and delivered to a high standard to ensure that highways, education, health and communities, cultural, digital and waste facilities are delivered in accessible locations, supporting both existing and new communities. An infrastructure first approach to development is key to ensuring that communities are sustainable, with all the necessary facilities delivered for the residents.</p> <p>Provision and Delivery of County Council Community Services and Facilities</p> <p>The County Council is supportive of the continued use of development contributions for on-site infrastructure based on the needs of each proposal and delivered directly by the developer or through financial contributions and/or the provision of land. The County Council, as a key infrastructure provider, would welcome a continued role in working with the Borough Council to secure the delivery of necessary infrastructure onsite, in a timely manner, ahead of residential growth where appropriate.</p> <p>Waste Management</p> <p>The County Council has been engaging with the Borough Council over the need for expansion of KCC waste facilities within Swale Borough, to meet the rising demand for services due to housing growth, and therefore welcomes the inclusion of waste within this Local Plan.</p> <p>The County Council recommends the inclusion of waste within paragraph 4.2.88 as an essential service required to support housing growth.</p> <p>The County Council requests that waste management facilities are included in the priority list detailed in paragraph 4.2.96 - either listed within point 1 (those required to unlock growth) or point 2 – (Local infrastructure delivery to mitigate impact). Capacity at the Sittingbourne Waste Transfer Station (where all of Swale's kerbside collected waste is taken) is already limited and over the life span of the Local Plan expansion to create additional capacity will be required to allow growth to be delivered sustainably. This strategic piece of infrastructure will not be able to cope with the planned growth without expansion and KCC seeks support through the Local Plan for this. The Household</p> |

¹ More detailed data can be found at the [Kent Public Health Observatory](#) or via [PHE Fingertips](#)

| Policy / Paragraph | Commentary |
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| | <p>Waste Recycling Centres (HWRCs) in Swale are also reaching capacity and require expansion to meet the demand from housing growth. These are considered to be local infrastructure, supporting the Faversham, Sittingbourne and Isle of Sheppey areas.</p> <p>KCC have highlighted projects required to meet the infrastructure demands from housing growth and welcome inclusion of these in Swale's IDP. However, developer contributions alone will not be sufficient to ensure a sustainable service is achieved. Provision of land suitable for waste facilities must also be made in both the Local Plan and followed up by commitments from developers. Without this 'Infrastructure First' principle being applied to Waste facilities, demand will not be able to be met.</p> |
| <p>Policy ST 9 Promoting Sustainable Transport and Active Travel</p> | <p>Transport Strategy</p> <p>KCC is working with Highways England to develop the business case for the M2 Junction 7 Brenley Corner scheme, which is a Road Investment Strategy (RIS) 3 (the 2025-30 five-year funding period) 'pipeline' scheme; however, a decision on whether the scheme will be funded for delivery in RIS 3 will not be made until towards the end of the current RIS 2 period in 2024/25 by the Secretary of State for Transport. KCC will work with Highways England to ensure that the strongest possible business case is developed for submission to the Department for Transport.</p> <p>Improvements at Brenley Corner are a priority in KCC's Local Transport Plan (LTP4 – Delivering Growth without Gridlock 2016-31); and it is essential that any allocated development around the existing junction does not prejudice any future improvement scheme.</p> <p>During the Regulation 18 consultation, KCC noted that Site 226, London Road, Faversham borders the Brenley Corner junction and was scheduled for B1/B2 commercial development. This site is now indicated on the key diagram (page 13 of the Regulation 19 Consultation Document), where it is marked as a "key strategic employment site" and in the figure titled "Faversham built-up area boundary proposed amendments" on page 261 of the Appendices.</p> <p>With reference to Picture 5.5.2, East of Faversham Expansion, a wide boundary of "structural screen planting" adjacent to the existing Brenley Corner roundabout is demonstrated. The County Council supports this feature, as it should allow plenty of space for any modifications that may need to be proposed to accommodate the planned development.</p> <p>During the Regulation 18 consultation, KCC noted the potential to develop an overnight lorry parking facility near this location, in the land parcel east of Homestall Lane (adjacent to the A299 Thanet Way). The location is shown in Figure 1 below. The increased provision of overnight lorry parking facilities is a strategic priority in LTP4. This site has received interest from private sector lorry park operators, however, KCC does not believe that there have been any successful communication attempts with the current landowner.</p> <p><i>Figure 1: Potential overnight lorry parking site at M2 J7 Brenley Corner</i></p>  <p>The Ministry of Housing, Communities and Local Government (MHCLG) made the following amendment to Paragraph 107 of the National Planning Policy Framework (NPPF) 2019: "Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance." KCC surveys of overnight lorry parking have determined that the A2/M2, A2 and A249 corridors in Swale have significant numbers of HGVs parked inappropriately overnight, as indicated in Figure 2 below (further data can be provided on request), and that there are indeed "local shortages" in parking provision, which the Local Plan should recognise in order to follow the guidance in Paragraph 107 of the NPPF.</p> |

| Policy / Paragraph | Commentary |
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| | <p data-bbox="617 222 1285 254"><i>Figure 2: KCC overnight lorry parking surveys in Swale</i></p>  <p data-bbox="617 806 1003 837">Highways and Transportation</p> <p data-bbox="617 869 834 900"><i>Paragraph 4.2.99</i></p> <p data-bbox="617 932 2733 995">The County Council supports the promotion of sustainable transport and active travel as promoted by its own Active Travel Strategy. The County Council considers that modal shift objectives are very optimistic and require justification and likely further accompanying mitigation.</p> <p data-bbox="617 1026 2131 1058">The proposed Policy ST9 promoting sustainable transport and Active Travel aligns well with both County and National policy.</p> <p data-bbox="617 1089 2190 1121">This consultation includes many sustainably located developments at Faversham, Queenborough and Sittingbourne Town centre.</p> <p data-bbox="617 1152 848 1184"><i>Paragraph 4.2.111</i></p> <p data-bbox="617 1215 2733 1310">This paragraph best summarises the difficulty that KCC as the Local Highway Authority has in assessing the Regulation 19 consultation. The statement, along with detail within the Draft Transport Strategy, states that final transportation modelling will be completed in Spring 2021. Without the completion of highways modelling for the proposed housing strategy included in this consultation, it is impossible for KCC as the Local Highway Authority to properly assess it.</p> <p data-bbox="617 1341 848 1373"><i>Paragraph 4.2.113</i></p> <p data-bbox="617 1404 2733 1467">The proposed partnership work on an A2 mitigation strategy is welcomed, however, in recognising that there is mitigation required, it is difficult to understand why development is proposed along its corridor, particularly at Teynham, with little indication as to what mitigation is being proposed.</p> <p data-bbox="617 1499 848 1530"><i>Paragraph 4.2.114</i></p> <p data-bbox="617 1562 2733 1688">KCC as the Local Highway Authority acknowledges that there are positive inclusions within the draft Swale Transport Strategy, however, would re-iterate the point that this can only be considered as a template at this stage, due to the lack of modelling evidence to justify and support it. Whilst there is much that could be retained within the document, it will require a full review and amendments made to respond to the highways modelling evidence when it is available. The proposed Transport Strategy cannot be supported by KCC as the Local Highway Authority until such a time as it has been properly informed by modelling evidence and amended accordingly.</p> <p data-bbox="617 1719 848 1751"><i>Paragraph 4.2.121</i></p> <p data-bbox="617 1782 1492 1814">Policy ST9 Promote Sustainable Transport & Active Travel is supported.</p> |

| Policy / Paragraph | Commentary |
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| | <p>Public Rights of Way</p> <p><i>Paragraph 4.2.99</i></p> <p>The County Council welcomes the support for enhanced connectivity for walking, cycling and equestrian activities across the Borough, which provides a range of sustainable transport options available for the public and opportunities to access high quality open space. While the existing PRow resource provides extensive opportunities for active travel and outdoor recreation, there are gaps in the network and accessibility issues that need to be addressed. Future growth and development should help to address these issues and enhance the PRow network, so that the benefits of this access resource can be maximised by residents and visitors.</p> <p><i>Paragraph 4.2.100</i></p> <p>The County Council is supportive of the review of the existing travel patterns in order to identify new walking and cycling routes that provide realistic alternatives to short distance car journeys – and it will be important to secure the necessary funding for the delivery of these network improvements. The Local Plan must therefore ensure there are clear and specific policies in place to facilitate the development of the PRow network.</p> <p><i>Paragraph 4.2.106</i></p> <p>The County Council notes and welcomes the consideration of the impact of COVID-19 on working and travel patterns within the Borough.</p> <p><i>Paragraph 4.2.108</i></p> <p>The County Council recommends that the role of the PRow network should be included as part of the aim to protect the landscape. The network provides substantial opportunities for active travel and outdoor recreation, which can help to address issues associated with health, wellbeing and air quality.</p> <p><i>Paragraph 4.2.111</i></p> <p>The County Council supports the intention to provide a Sittingbourne to Faversham cycling route. There is an increasing body of research and evidence to suggest that off-road routes encourage cycling participation levels, especially amongst families with young children. Development of high quality ‘traffic free’ cycle routes should therefore be a priority, to encourage active travel among younger generations and change long term travel patterns. These ambitious proposals could be achieved by upgrading the status of existing PRow or creating new routes, but Local Plan support will be required to deliver these improvements.</p> <p><i>Policy ST9 Promote Sustainable Transport & Active Travel</i></p> <p>The County Council supports this policy but requests that specific reference is made to the PRow network. For example - “<i>the existing network...</i>” is recommended to be amend to “<i>Public Rights of Way network, National Trails, National Cycling Routes</i>”. “The future network” will be a result of investment and partnership working to upgrade and improve to higher rights and quality to meet the increased demand from all users of all mobilities.</p> |
| <p>Policy ST 10 Conserving and enhancing the natural environment</p> | <p>Public Rights of Way</p> <p>The County Council recommends reference is made to the England Coast Path, the newly created long distance walking route with National Trail status, developed in partnership with KCC and Natural England.</p> <p>The County Council recommends that reference is also made to the County Council Right of Way Improvement Plan (ROWIP) within this policy.</p> <p><i>Paragraph 4.2.149</i></p> <p>Landscape - the landscape is a key attractor; sustainable tourism is a way of supporting rural areas, and historical routes. It is imperative that the character and value of rural views in the wider environment of development sites should not be changed to a state that they become unattractive or out of context for users. Swale has historical, attractive and well used routes which draw visitors to the area and as such should be maintained and enhanced to a high-quality standard.</p> |

| Policy / Paragraph | Commentary |
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| ST 11 Conserving and enhancing the historic environment | <p>Heritage Conservation</p> <p>The County Council is supportive of this policy. However, it would be helpful if clause 4 could be modified to remind the reader that many Listed Buildings contain archaeological remains within their structures or beneath or around them and that works to Listed Buildings may have archaeological requirements, in line with policy DM 43 on Archaeology.</p> |
| 5. LAND ALLOCATIONS FOR NEW DEVELOPMENT | |
| <p>Chapter 5</p> <p>General commentary</p> | <p>Public Rights of Way</p> <p>The County Council welcomes enhanced connectivity for walking, cycling and equestrian activity across the Borough, with a range of sustainable transport options available for the public and opportunities to access high quality open space. While the existing PRoW resource provides extensive opportunities for active travel and outdoor recreation, there are gaps in the network and accessibility issues that need to be addressed. Future growth and development should help to address these issues and enhance the PRoW network, so that the benefits of this resource can be maximised by residents and visitors.</p> <p>The County Council requests that all proposed development sites mitigate the impact on the Public Right of Way (PRoW) network and the wider area – with enhancements to, and the positive incorporation of, the existing PRoW network considered for each site. This will help accommodate the expected increase in use of the existing paths as a result of the proposed developments.</p> <p>Local Plan policy should aim to protect and enhance the quality of PRoW contained within (or linking to) development sites. The inclusion of a PRoW reference will help support other policies within this document and send a clear message to applicants that PRoW are a material consideration at the start of the planning process.</p> <p>The County Council requests that the PRoW network is considered at an early stage of the design process and successfully incorporated into future developments.</p> <p>New development should provide opportunities to secure investment in the PRoW network, which could enhance opportunities for active travel and outdoor recreation across the borough.</p> <p>The County Council welcomes further engagement regarding the PRoW network as the proposed development allocations are progressed through the planning system.</p> |
| <p>Policy MU 1 East of Faversham Expansion</p> <p>5.5 Proposed strategic, mixed use allocations and areas of opportunity</p> | <p>Highways and Transportation</p> <p><i>Paragraph 5.5.11</i></p> <p>Point 5 highlights the dependency of the East of Faversham site on improvements to junction 6 and junction 7 of the M2. The previously run modelling evidence included an indicative scheme for the M2 J7 which is as yet to be designed or approved by Highways England. As such, KCC will need further clarification from Highways England as to what should be included for the modelling at this junction and how the highway network as a whole would operate following that guidance. It is imperative to understand the implications on the wider highway network and the ability to bring this proposed site forward without firm assurances of mitigating improvements to Brenley Corner.</p> <p><i>Paragraph 5.5.29</i></p> <p>Subject to highways modelling evidence, policy MU1 provides well considered instruction in respect of the promotion of sustainable transport, requiring the need for full and appropriate transport assessments to be accompanied by a fully costed and timetabled coordinated package of measures to address capacity issues at M2 J5, J7 and the A2/A251.</p> <p>Education</p> <p>All existing secondary school places and local secondary school expansion places are taken up by existing Local Plan commitments. Before any further development is allowed, provision for and delivery of a new secondary school in Faversham is required to make further development sustainable. Although discussions have commenced and a suitable site identified, this is now subject to agreement and delivery between the various site owners. It is necessary and directly related to these proposed developments and will be a requirement for these sites coming forward.</p> <p>Similarly, for primary, all available and proposed primary expansion capacity is taken by existing Local Plan commitments, with no capacity available at existing primary school sites for further expansion. New onsite primary provision, to include nursery provision, is required to mitigate the impacts of the proposed developments to ensure the proposals are sustainable.</p> |

| Policy / Paragraph | Commentary |
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| | <p>In addition, there is no available capacity for special education requirements, and contributions are required to accommodate the additional needs arising from these proposals.</p> <p>Minerals and Waste</p> <p>Both the supporting text and the relevant policy (Policy MU1) refer to the presence of the safeguarded mineral Brickearth.</p> <p>This part of the Local Plan is supported by the County Council, as Minerals and Waste Planning Authority, as it refers to the adopted Kent Minerals and Waste Local Plan 2013-30 safeguarding process that is applicable to the development proposed. However, the Local Plan does not demonstrate that Mineral Assessment (MA) has been undertaken. This should be carried out to ensure the safeguarding of the mineral and the delivery of the development.</p> <p>Waste Management</p> <p>The East Faversham Expansion will potentially take development right up to the boundary of the Faversham Household Waste and Recycling Centre (HWRC) and will place significant pressure on the site in terms of capacity. Therefore, demand on the HWRC should be included as a key strategic issue that needs addressing. This will provide background to, and support of, the inclusion of waste within Section 5.5.21, for which KCC is supportive.</p> <p>Provision and Delivery of County Council Community Services and Facilities</p> <p>The County Council recommends reference is made to the required financial contributions towards primary school provision.</p> |
| <p>Policy AO 1 Teynham Area of Opportunity</p> <p>5.5 Proposed strategic, mixed use allocations and areas of opportunity</p> | <p>The Local Plan consultation indicates that there are a number of issues that will need to be addressed and close working with KCC and other partners will be vital to ensure that all the necessary infrastructure, service and mitigation requirements are satisfactorily addressed and to ensure that an infrastructure first approach is taken to secure the delivery of a sustainable and viable community.</p> <p>Education</p> <p>Teynham Primary School is proposed to be rebuilt as a 2FE primary school to meet current Local Plan demands. Further development in or in the vicinity of Teynham will require a site for an additional 2 Form Entry Primary school and site of 2.05ha.</p> <p>Secondary provision for children would have to be in Faversham or Sittingbourne through new secondary schools. The pressures in each of these areas has been set out in section 3. None of the current schools can expand any further and an additional secondary site (on the Isle of Sheppey) could release capacity in Sittingbourne to meet the needs of local children, along with the new secondary school in Faversham East.</p> <p>Provision and Delivery of County Council Community Services and Facilities</p> <p>The County Council recommends reference is made to the required financial contributions towards primary school provision.</p> <p>Minerals and Waste</p> <p>Both the supporting text and the relevant policy (Policy AO1) refer to the presence of the safeguarded mineral Brickearth.</p> <p>This part of the Local Plan is supported by the County Council, as Minerals and Waste Planning Authority, as it refers to the adopted Kent Minerals and Waste Local Plan 2013-30 safeguarding process that is applicable to the development proposed. However, the Local Plan does not demonstrate that a Mineral Assessment (MA) has been undertaken. This should be carried out to ensure the safeguarding of the mineral and the delivery of the development.</p> |
| <p>Policy A 4 Land at Neames Forstal, Selling</p> <p>5.6 Proposed housing allocations</p> | <p>Highways and Transportation</p> <p><i>Paragraph 5.6.11</i></p> <p>Subject to highways modelling evidence, this policy is supported.</p> |

| Policy / Paragraph | Commentary |
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| | <p>Minerals and Waste</p> <p>Paragraph 5.6.9 refers to the presence of the safeguarded mineral Brickearth and to the adopted Kent Minerals and Waste Local Plan 2013-30 safeguarding process that is applicable to the development proposed. At present, the Local Plan does not demonstrate that a Mineral Assessment (MA) has been undertaken. The County Council recommends that the policy should make reference to minerals safeguarding to ensure the safeguarding of the mineral.</p> |
| <p>Policy A 5 Lamberhurst Farm, Yorkletts</p> | <p>Minerals and Waste</p> <p>The County Council, as Minerals and Waste Planning Authority, notes that this area has no minerals or waste safeguarding issues</p> |
| <p>Policy Regen 1 The Port of Sheerness Regeneration Area</p> <p>5.8 Proposed regeneration areas</p> | <p>Minerals and Waste</p> <p>The County Council is generally supportive of this policy in its safeguarding objective of the port. However, there is no mention of the safeguarded mineral wharf, Site O: Sheerness. This is within the port regeneration area and is specifically safeguarded as a mineral importation wharf by Policy CSM 6: Safeguarded Wharves and Rail Depots in the adopted Kent Minerals and Waste Local Plan (as reviewed in 2021) 2013-30. The Local Plan's policy and its supporting text should acknowledge this point. The fact that the site is currently not operating as a mineral wharf does not remove or relax its mineral handling and transportation status in the adopted Development Plan of the area. The NPPF requires plans to have planning policies safeguarding 'existing, planned and potential sites for: bulk transport, handling and processing of minerals' Section 204 e). Therefore, it is considered that the Local Plan may require amendment to ensure that local and national planning policy requirements to safeguard such mineral importation and handing facilities are satisfied. The County Council welcomes engagement on this matter.</p> |
| <p>Policy Regen 2 Sittingbourne Town Centre</p> | <p>Education</p> <p>New primary and secondary provision is required through the delivery of new primary and secondary schools and sites, along with special education contributions, as set out in sections 3 & 5.5 above.</p> <p>Minerals and Waste</p> <p>The County Council, as Minerals and Waste Planning Authority, notes that this area has no minerals or waste safeguarding issues.</p> |
| <p>Policy Regen 3A Queenborough and Rushenden Regeneration Area</p> <p>5.8 Proposed regeneration areas</p> | <p>Minerals and Waste</p> <p>Policy Regen 3A Queenborough and Rushenden Regeneration Area and Policy Regen 3B Rushenden South Area and their policy supporting text do not address land-won mineral safeguarding. The area is almost entirely coincident with safeguarded Sub-Alluvial Terrace Deposits (sand and gravel). Therefore, mineral safeguarding should be recognised for this significant allocation. It may be possible that Mineral Assessments (MA) at the planning application stage may demonstrate that the mineral is uneconomic or other grounds for exemption from the presumption to safeguard the mineral are justified (against the tests of Policy DM 7 of the Kent Minerals and Waste Local Plan (as reviewed in 2021) 2013-30), this is not a certainty. The Local Plan should recognise the effect of Policies CSM 5: Land-won Mineral Safeguarding and Policy DM 7: Safeguarding Mineral Resources and should demonstrate that the allocation is not in conflict with these policy provisions of the area's Development Plan.</p> <p>Waste Management</p> <p>The County Council recommends reference to the identified need for the expansion of Waste Transfer Stations and Household Waste and Recycling Centre services to serve local demand.</p> <p>Sustainable Urban Drainage Systems</p> <p>The County Council, as Lead Local Flood Authority, emphasises the need for any development to take account of constraints imposed by extents of flood risk and areas should be allocated for the management of surface water generated from development within the remaining developable areas. It is appreciated that the policies for this development recognise the importance of inclusion of sustainable drainage, but the concern is ensuring that any housing allocation provides sufficient space for the management of surface water.</p> |
| <p>Policy Regen 3B Rushenden South Area</p> | <p>Education / Provision and Delivery of County Council Community Services and Facilities</p> <p>The County Council recommends that this policy includes specific mention of the provision of new 2FE primary school site and financial contributions.</p> |

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| 5.8 Proposed regeneration areas | <p>Secondary education capacity on the Isle will be at capacity by 2023, with the requirement to provide a site for a new 6 FE secondary school. Without provision of a secondary school site, additional proposed development will be unsustainable.</p> <p>In addition, there is no available capacity for special education requirements, and contributions are required to accommodate the additional pupils arising from this proposal.</p> <p>Sustainable Urban Drainage Systems</p> <p>The County Council, as Lead Local Flood Authority, emphasises the need for any development to take account of constraints imposed by extents of flood risk and areas should be allocated for the management of surface water generated from development within the remaining developable areas. It is appreciated that the policies for this development recognise the importance of inclusion of sustainable drainage, but the concern is ensuring that any housing allocation provides sufficient space for the management of surface water.</p> <p>Biodiversity</p> <p>The County Council highlights that it is highly likely that this area will be functionally linked to the SPA/Ramsar site, which is partially designated for its international importance to wintering bird populations. Therefore, the assessment of 'biodiversity interest' must include surveys relating to the reasons for designation, e.g. wintering bird surveys.</p> <p>This policy only refers to recreational pressure, but this is just one of a number of adverse impacts which could affect the designated site – such as habitat loss, light pollution, cat predation and invasive species. KCC recommends that substantial mitigation/compensation (including off-site) will likely be needed (depending on the results of the assessment).</p> <p>KCC recommends that policy is strengthened to acknowledge the potentially significant and wide-ranging ecological impacts associated with development at this site.</p> |
| 6. NEIGHBOURHOOD PLANS | |
| Policy NP 1 Faversham Creek Neighbourhood Plan | <p>Minerals and Waste</p> <p>The County Council, as Minerals and Waste Planning Authority, notes that this area has no minerals or waste safeguarding issues</p> |
| 7. DEVELOPMENT MANAGEMENT POLICIES | |
| Chapter 7 General commentary | <p>Sustainable Urban Drainage Systems</p> <p>The County Council notes the holistic approach in the Local Plan to the inclusion of sustainable drainage in the development proposals with inclusions in multiple policy statements, including design policies such as DM2 and DM3. This is beneficial for the promotion and inclusion of sustainable drainage systems within major development.</p> <p>The Local Plan Review proposes the inclusion of Flood Risk Policy DM 36 and Sustainable Drainage Policy DM 37. KCC, as Lead Local Flood Authority, was consulted in the development of these policies and supports them as currently presented.</p> |
| Policy DM 2 Good Design | <p>The County Council recommends reference to the Kent Design Guide, which is currently undergoing a refresh, within this policy.</p> |
| Policy DM 3 Mitigating and adapting to climate change through sustainable design and construction | <p>Sustainable Business and Communities</p> <p>The County Council recommends that this policy specifically references the Kent Climate Change Risk and Impact Assessment, which will help ensure developments take account of future risks from climate change. The County Council's adaptation catalyst tool is also available and can help identify actions that will improve resilience of larger developments and plans.</p> <p>The County Council supports the proposed use of high sustainability standards, including the consideration of embodied carbon, and the phased implementation which will help developers and the supply chain embed these changes into working practices over time.</p> <p>The County Council encourages the use of a "fabric-first" approach to reduce operational energy demand and then deployment of solar PV, solar thermal, heat recovery technology and heat pumps for the remaining energy needs. The availability of the Borough Council's offset fund must not provide a loop-hole for new development to avoid the sustainability standards proposed in the Local Plan.</p> |

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| Policy DM 5 Proposals for Main Town Centre Uses | <p>The County Council supports the approach proposed to ensure there is flexibility in the range of uses that are provided in shopping areas, especially to encourage the unexpected opportunities that may occur - ensuring town centres have the adaptability embedded to meet changing demands and shopping patterns will boost the resilience of these centres in the long-term. The Local Plan must also recognise the need for town centres to evolve to meet the changing needs of the community and this may include long term changes resulting from a movement towards online retail and short-term shopping and behavioural changes resulting from the COVID-19 pandemic.</p> <p>Cultural infrastructure is also an essential feature in the creation of sustainable places and should feature within a town centre to create a vibrant mix of uses. It can be delivered as multifunctional spaces that offer opportunities for community services and affordable creative workspaces to support small businesses and freelancers, alongside cultural offerings. The cultural sector also provides local employment opportunities, with the role of higher and further education facilities developing skills in the cultural and creative industries. The Local Plan should therefore consider the delivery of necessary cultural infrastructure to support sustainable development in the district. The County Council encourages the use of art in design to create a sense of place and identity in both new and existing communities.</p> |
| Policy DM 7 Loss of employment floorspace and land | <p>The County Council supports the overarching principle of this policy to ensure that suitable employment spaces are retained and developed in the Borough to ensure there remains adequate employment opportunities available to support growth. The County Council notes that robust evidence is sought through this policy to ensure that justification is required for the redevelopment of employment uses to ensure that valuable employment space is not lost.</p> |
| Policy DM 8 The rural economy | <p>Rural Economy</p> <p>The County Council considers that the Local Plan fully acknowledges the importance of the rural economy with specific mention and policies around agriculture and horticulture. The Local Plan also recognises the integration of the visitor economy with the land-based sector – which is supported by the County Council.</p> <p>The County Council welcomes recognition within the Local Plan for opportunities for diversification and local food and drink production, which is an important, growing sector. The County Council also welcomes the flexible planning policies to support the expansion of rural businesses, ensuring an effective approach to rural economic development.</p> <p>Recognition of agriculture and forestry as a future potential growth sector is welcomed.</p> <p>The County Council is supportive of this policy, but recommends consideration of the Agriculture Bill, considering the impact this may have on the landscape and Local Plan policies.</p> <p>Biodiversity</p> <p>The County Council recommends that attention is drawn to the importance of biodiversity in agricultural practices. Wildflower areas, scrub and woodland can increase pollination and may result in less pesticide or herbicide application need (as more predatory/parasitic fauna to control the pest species) and potentially a higher agricultural output. The County Council therefore recommends that further detail could be added within this policy on maintaining and enhancing biodiversity for the benefit of the rural economy.</p> |
| Policy DM 10 Managing transport demand and impact | <p>Highways and Transportation</p> <p><i>Paragraph 7.0.174</i></p> <p>Policy DM10 is supported, other than the inclusion 4.d. Where connections to the strategic or primary network can demonstrate improvement to the highway network then these should not be constrained by inclusion within the Local Plan. They should however be subject to the required full public consultation.</p> |
| Policy DM 12 Rural Lanes | <p>Rural Economy</p> <p>The County Council notes that the Local Plan Review aims to enhance, promote and protect the rural economy – but will need to be balanced against the need to not inhibit sustainable development that supports the rural economy.</p> |
| Policy DM 13 Broadband Infrastructure Provision | <p>Digital Connectivity</p> <p>Through the County Council's broadband programme, KCC is working with the Government's Building Digital UK (BDUK) team to improve access to faster broadband services. This includes the Kent Rural Fibre Broadband project, which seeks to connect homes and businesses with no or slow broadband with gigabit capable, fibre to the premises broadband. The County Council welcomes the inclusion of a dedicated policy for broadband infrastructure provision, as digital connectivity is essential. The County Council</p> |

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| | <p>recommends that for units under the threshold, where Fibre to the Premises (FTTP) cannot be delivered, the developer should provide gigabit-capable connectivity via another technology (e.g. fixed wireless). Only where this cannot be provided and with robust justification, should superfast broadband service be delivered (of at least 30mbps). These changes will make the policy consistent with current Government policy.</p> |
| <p>Policy DM 14 Small and Medium sites for housing development</p> | <p>Provision and Delivery of County Council Community Services and Facilities</p> <p>Consideration should be given to the cumulative impact of smaller developments upon infrastructure services and provision and the collection of developer contributions.</p> |
| <p>Policy DM 17 Open space, sport and recreation provision</p> | <p>Sports and Recreation</p> <p>The County Council notes the inclusion of the “<i>distance from new development</i>” within the requirements for space and would further recommend consideration of how these spaces are accessed and the provision of opportunities for Active Travel.</p> <p><i>Participation Statistics</i> Sport England currently runs two surveys: Active Lives Adult (which is published twice a year and replaced Active People Survey), and the world-leading Active Lives Children and Young People (published annually). Both surveys provide a unique and comprehensive view of how people are getting active and can be focused down to local authority level. The latest Adult report can be read here. It is also possible to explore and filter the data using the Active Lives Online tool. A summary of Children and Young People report can be found here.</p> <p>The latest figures support the notion that inactivity significantly impacts on an individual’s physical and mental health, as well as social/community development. Development should take this into account and seek to provide a mix of formal and informal areas/spaces (indoor and out) where people can be physically active.</p> <p><i>Sport England Strategy – Uniting the Movement</i></p> <p>The County Council recommends consideration of Sport England’s new 10 year strategy - Uniting the Movement https://www.sportengland.org/why-were-here/uniting-the-movement</p> <p>The County Council welcomes further engagement as new developments come forward regarding the provision of new open spaces, sport and recreation facilities.</p> |
| <p>Policy DM 18 Park homes</p> | <p>Provision and Delivery of County Council Community Services and Facilities</p> <p>As this policy will be providing permanent accommodation, the County Council considers it should be subject to infrastructure contributions to ensure that suitable facilities and infrastructure are in place to support residents.</p> |
| <p>Policy DM 19 Gypsy, Traveller and Travelling Showpeople accommodation</p> | <p>Gypsy and Traveller Unit</p> <p>The County Council notes the following reference from the commissioned Gypsy and Traveller Accommodation Assessment (GTAA) ‘<i>There is a cultural need for 76 pitches over the plan period to 2037/38 and of this number a need for 59 pitches under the PPTS definition</i>’. However, little detail is provided within the consultation document as to how this will be accommodated over the Local Plan period. The Local Plan indicates that existing sites can be intensified, and although this might be feasible, equally this may not be achievable for all sites - especially as many are already constrained. In the case of KCC’s Three Lakes site, further expansion is not possible. The County Council recommends that the policy requires all new site applications/expansions to have due regard to access to amenities, goods and services.</p> <p>Policy DM 19 Part B: Section 4 - The County Council raises caution in respect of the provision of mixed-use sites (which accommodate living and working in the same location) and whether these can be provided and still be in accordance with the other requirements within this policy which seek to ensure there is no significant harm to “<i>the health and wellbeing of occupants and neighbouring residents</i>” or “<i>Outstanding Natural Beauty, national/local landscape or biodiversity designations</i>” .</p> |
| <p>Policy DM 23 Extending the garden of a dwelling in the countryside</p> | <p>Biodiversity</p> <p>The County Council is supportive of the creation and enhancement of biodiversity but draws attention to the need to ensure biodiversity will be retained in the long term.</p> |
| <p>Policy DM 24 Biodiversity and geodiversity conservation and biodiversity net gain</p> | <p>Biodiversity</p> <p>The County Council recommends that “<i>candidate site</i>” is included within the glossary for clarification.</p> |

| Policy / Paragraph | Commentary |
|---|--|
| | <p>It is supportive of the consideration of ‘<i>continuous landscape features</i>’ as this will help enhance ecological connectivity.</p> <p>The County Council supports the inclusion of a minimum 20% biodiversity net gain and recommends that the DEFRA metric could be referred to within this policy.</p> <p>Reference should be made to the need to secure ongoing/future management of biodiversity (where appropriate) to ensure that created/retained habitats are managed appropriately in the future.</p> <p>The County Council notes the reference to “<i>all sites</i>” and requests that clarity is offered as to if this includes roadside nature reserves and Local Wildlife Sites.</p> <p>The County Council encourages that the Borough Council gives full consideration to the benefits that local residents and the general public can obtain from Ecosystem services and natural capital, particularly in relation to blue/green infrastructure, and how this can enhance growth in the borough.</p> |
| <p>Policy DM 29 Woodland, orchards, trees and hedgerows</p> | <p>Biodiversity</p> <p>The County Council notes the wording: “...<i>using native and native bee friendly species</i>...”. All native species (except for a few) flower and provide opportunities for UK bees with non-native species providing considerably lower biodiversity value and, sometimes, flowering out of sync with normal seasonal patterns which can be damaging to pollinators. The County Council therefore recommends that reference should simply be made to <i>native</i> only as this is sufficient.</p> <p>The County Council supports reference to old orchards as these are ‘priority habitats’ under the Natural Environment and Rural Communities Act (2006) and should be afforded a high degree of protection.</p> <p>The County Council recommends that Kent’s Plan Bee, a pollinator action plan developed by the County Council, which seeks to improve the food sources and general habitat for pollinators, is taken account of in the Local Plan Review.</p> |
| <p>Policy DM 35 Water Quality and Water Resources</p> | <p>Rural Economy</p> <p>The County Council supports the inclusion of this policy but recommends consideration of the need for some farmers to develop reservoirs and bore-holes as may be necessary.</p> |
| <p>Policy DM 36 Flood Risk</p> | <p>Sustainable Urban Drainage Systems</p> <p>The County Council, as Lead Local Flood Authority, agrees with this policy as outlined.</p> |
| <p>Policy DM 37 Sustainable Drainage</p> | <p>Sustainable Urban Drainage Systems</p> <p>The County Council, as Lead Local Flood Authority, agrees with this policy as outlined.</p> |
| <p>Policy DM 38 Development Involving Listed Buildings</p> | <p>Heritage Conservation</p> <p>The County Council regards this policy as sound.</p> |
| <p>Policy DM 39 Development affecting a conservation area</p> | <p>Heritage Conservation</p> <p>The County Council regards this policy as sound, however, it should be considered that many structures in a Conservation Area will have significant archaeological remains beneath and around them and may be historic structures in their own right. The archaeology must be treated appropriately during the planning process in accordance with policy DM 43 on Archaeology. It would be helpful if the text of DM39 or its preamble could include a cross reference.</p> |
| <p>Policy DM 40 Historic landscapes including parks and gardens</p> | <p>Heritage Conservation</p> <p>The County Council regards this policy as sound, however, it could be enhanced, as in places it lacks clarity e.g. “<i>Parks and Gardens of Special Historic Interest Proposals for development within, affecting the setting of, or conspicuous from a registered park or garden will be required to:</i>” There is a risk that the categorical statement in the first clause contradicts aspects of later text in the policy that explains what must happen if significance is affected by a development proposal.</p> |

| Policy / Paragraph | Commentary |
|--|---|
| Policy DM 42 Development affecting a locally listed heritage asset | <p>Heritage Conservation</p> <p>The County Council regards this policy as sound.</p> |
| Policy DM 43 Archaeological Heritage | <p>Heritage Conservation</p> <p>The County Council regards this policy as sound.</p> |
| 8. IMPLEMENTATION AND MONITORING ARRANGEMENTS | |
| 9. GLOSSARY OF TERMS | |
| General commentary | <p>Public Rights of Way</p> <p>The County Council requests the inclusion of a Public Right of Way definition:</p> <p><u>“Public Right of Way (PROW) – A way over which the public have a right to pass and repass, including Public Footpaths, Public Bridleways, Restricted Byways and Byways Open to All Traffic.”</u></p> <p><i>Active Travel</i></p> <p>The County Council recommends that this definition includes reference to the PROW network.</p> <p><i>Green Infrastructure</i></p> <p>The County Council recommends that this definition includes refers to <u>Public Rights of Way Network</u>, as opposed to “rights of way”.</p> <p>The County Council also recommend inclusion of the Rights of Way Improvement Plan as County Council statutory policy.</p> <p><i>Acronyms</i></p> <p>The County Council recommends the inclusion of the following acronyms:</p> <p>PROW – Public Right of Way</p> <p>ROWIP – Rights of Way Improvement Plan</p> |
| 10. APPENDICES | |
| INFRASTRUCTURE DELIVERY PLAN | |
| | <p>Public Rights of Way</p> <p><i>Paragraph 2.0.2</i></p> <p>With regard to the “different types of infrastructure” KCC requests specific reference to the PROW network to ensure Active Travel is considered at the earliest stages</p> <p><i>Paragraph 2.0.5</i></p> <p>The County Council recommends that sustainable transport should include reference to the PROW network.</p> <p><i>Paragraph 7.1 - Infrastructure and Service Providers</i></p> <p>In respect of PROW, the County Council welcomes engagement with the Borough Council regarding the opportunities to create Active Travel connectivity between sites and the wider area amenities/facilities.</p> <p><i>Paragraph 11.2.2 – Walking and Cycling</i></p> |

| Policy / Paragraph | Commentary |
|--------------------|---|
| | <p>The County Council recommends specific mention of the PRoW network and the opportunities and benefits improvements can bring to the Borough. The PRoW network provides valuable opportunities for active travel and outdoor recreation. Consideration should be had where there is scope for upgrading the status and condition of existing PRoW to improve access opportunities e.g. converting Public Footpaths into cycle tracks, upgrading footpaths to bridleways. Further, there may be potential to create new PRoW, which can address existing network fragmentation and improve connectivity across the Borough. The successful delivery of these PRoW schemes will require the co-operation of landowners and stakeholders. The Rights of Way Improvement Plan is the KCC policy document which should be referenced regarding all sustainable travel.</p> <p><i>Delivery Schedule – Cycling and Walking</i></p> <p>P1/24-P1/33 – This should include reference to working with the County Council in the delivery of PRoW improvements.</p> |



Growth and Communities

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BY EMAIL ONLY

13 May 2021

Dear Cllr Tutt,

Re: Boughton and Dunkirk Neighbourhood Plan - Regulation 14 Consultation

Thank you for consulting Kent County Council (KCC) on the Boughton and Dunkirk Neighbourhood Plan, in accordance with the Neighbourhood Planning (General) Regulations 2012.

The County Council has reviewed the Neighbourhood Plan and for ease of reference, has provided comments structured under the chapter headings and policies used within the Neighbourhood Plan.

Overall Commentary

Having read the consultation document, the County Council would suggest that a revision of the structure of the Neighbourhood Plan would be beneficial in ensuring that the policies, and the context in which they operate in, are clear.

2 Summary of Plan Objectives & Policies

Heritage Conservation: KCC welcomes the objective that seeks to protect the parishes' architectural heritage, character and scheduled monuments. KCC does recommend that this is expanded further to all aspects of the historic environment. This could be achieved by including the following objective:

“Protect the rich and diverse heritage of Boughton and Dunkirk, including its built heritage, archaeological sites and historic landscape. Ensure that new development is sympathetic to existing historic character.”

Housing

Public Rights of Way (PRoW): In respect of Policy H1, KCC recommends that reference is made to the need for sites to promote sustainable and Active Travel connectivity.

Provision and Delivery of County Council Community Services and Facilities: In respect of the proposed development of ten to twelve homes within Policy H2, KCC will require the financial contributions to be secured through a section 106 agreement for:

- Primary – new build and land contributions towards one of the new primary schools in East Faversham
- Secondary – new build and land contributions towards the new secondary school in East Faversham
- Library
- Community learning
- Youth
- Adult Social Services and all applicable homes to be Wheelchair Part M4(2) compliant
- Waste disposal
- Broadband – fibre to the premises of 1GB capability

The County Council would welcome further engagement as this development proposal is progressed to ensure the necessary infrastructure is available to support the development.

Traffic and Transport

PRoW: In respect of Policies T1 and T2, KCC requests the inclusion of a requirement that new housing should encourage a shift from short car journeys and provide off road connections through improvement of the existing PRoW network. From a safety perspective, research shows that people are deterred from cycling along existing roads due to increasing levels of vehicular traffic. The character and value of any quiet lanes connected to development sites should not become dangerous or unattractive for non-motorised traffic.

Business and Employment

PRoW: Within Policy BE4, KCC requests the inclusion of a requirement for development to be delivered within close proximity to sustainable and Active Travel links and connectivity to the Public Rights of Way network.

Community Wellbeing, Education & Health

PRoW: KCC recommends that “*designated footpath trails*” is amended to “*the PRoW network and KCC promoted routes*” within Policy CWB1. The policy should reflect how the PRoW network meets the likely future public need in contributing towards more sustainable development; delivering active travel options; providing opportunities for exercise, leisure and open-air recreation for all community user groups.

PRoW: In respect of Policy CWB3, KCC recommends that reference is made to the PRoW network (as opposed to “*bridleways and footpaths*”) and the need for improving and enhancing the PRoW network to enable safe and attractive walking and cycling connections and links from new developments to community facilities should also be referenced. An increased population will undoubtedly add to the pressure and importance of the surrounding PRoW network.

Educational Provision

PRoW: Under Policy EP2, KCC requests that new walking and cycling connections, including enhancements to the existing PRoW network, are considered within the infrastructure provision for existing and any new educational facilities.

Education: In respect of Policy EP3, it is noted that to date there have been no discussions regarding the re-siting of the school. KCC would not have access to funding to completely rebuild the school, and so land without rebuild funding would be inadequate. If land was adjacent to the school, then there would be a possibility for future expansion. However, KCC is not currently planning any expansion to the school itself, given the low number of additional houses proposed. There is also a nursery on site and so if an alternative site within the village was available at some point in the future to move the nursery, then that would provide some spaces to give a little more capacity to the school.

Environment, Landscape Character & Design

PRoW: Under Policies E1-13, in areas where there would be significant effect on the PRoW network, PRoW must be included in the landscape planning of any development.

Heritage Conservation: KCC welcomes the commitment within Policy E2 to ensuring that new development in the countryside is in keeping with the character of the existing settlement. It should be noted that development between villages and hamlets and among farm buildings would, in many places, be consistent with the historic character of those areas. Historic England (together with KCC and the Kent Downs AONB team) has published guidance on historic farmsteads in Kent that considers how rural development proposals can be assessed for whether they are consistent with existing character of the countryside¹ - consideration of this guidance is recommended.

Heritage Conservation: Within Policy E4, it should be noted that the historic landscape is an important element in historic character. The existing pattern of tracks and lanes, woods, field boundaries and ponds, is the result of centuries of use. Many of these features are historic assets in their own right and must be identified and understood if the historic character of the countryside is to be conserved. Historic Landscape Characterisation is the process by which this can be achieved. The Kent Historic Landscape Characterisation (2001) has identified the broad historic character of the landscape of Kent. Where it is to be applied locally, further study is needed to refine its conclusions, but it remains an essential tool for understanding the landscape of Boughton and Dunkirk. More detailed assessments have already been

¹ <http://www.kentdowns.org.uk/publications/kent-downs-aonb-farmstead-guidance>

carried out in parts of Kent, such as the High Weald and Hoo Peninsula, and KCC would be happy to discuss such a project with the Parish Councils.

3. About Us

Heritage Conservation: Overall, the County Council considers that this Neighbourhood Plan would achieve greater clarity if all relevant text relating to the historic environment is brought together in a single “historic review” section.

The “About Us” section is very partial in its consideration of the heritage of the parishes. The known heritage of the area covers a period of at least 150,000 years – the Kent Historic Environment Record provides further details². Palaeolithic handaxes are reported to have been found at Brenley Corner and a Neolithic axe was found in Dunkirk in c. 2008. An early Bronze Age beaker was probably found at Brenley in 1876 and an extensive system of dykes, probably Iron Age in date, have been found in Blean Woods.

As noted already in the text, Roman Watling Street passes south-east/north-west through the Neighbourhood Plan area. Alongside the road were numerous archaeological sites. These included an iron working site and possible shrine at Brenley Corner, Roman or Saxon burials at Boughton, pottery at Fairbrook Farm and an early 4th century coin of Constantine.

The Neighbourhood Plan area includes a wide range of Medieval listed buildings including the Grade I listed church of St Peter and St Paul. Other structures include cottages, farmhouses and inns. In addition, the lost Holy Trinity chapel and hospital is thought to have stood at Boughton Street.

The Historic Environment Record lists more than 170 records dating to the Post Medieval period or later. These include a wide range of assets from sites as diverse as historic farmsteads (44), hop pickers huts, windmill remains, oast houses and barns, chapels, cottages and milestones - which in combination with the historic landscape, more than any other asset group give the study area its main historic character. More recent assets should not be overlooked either. The study area includes agricultural buildings and 20th century hop-pickers huts, but also important military heritage, particularly that associated with the former Dunkirk Radar Station (a scheduled monument). The radar tower itself, the pillbox defences and the anti-aircraft Bofors tower constitute a highly significant and intact military landscape that has the potential to play an important role in life in the study area as a focus of trails, educational and community activities.

8. Planning Policy Context

PRoW: Reference should be made to the County Council’s Rights of Way Improvement Plan (ROWIP). This will enable successful partnership working to continue and deliver improvements to the PRoW network in Boughton and Dunkirk. The map provided on page 20 of the Neighbourhood Plan should include the PRoW network. The Parishes should hold copies of the Definitive Map – but KCC is able to provide this if necessary. The PRoW network complements site allocations in that it is a vital component of the highways network,

² www.kent.gov.uk/HER

providing significant opportunities for active travel. The PRoW network should therefore be specifically referenced throughout the Neighbourhood Plan. In the context of the surrounding villages, reference to transport should refer to the PRoW network with a majority of Public Footpaths as well as Public Bridleways ZR518, ZR517, ZR529 and ZR554 as cross-parish links that should be protected and enhanced.

Minerals and Waste: KCC can confirm that the Neighbourhood Plan area does not contain any safeguarded waste or mineral processing/handling facilities. Therefore, the Plan does not require to be considered against the safeguarding provisions of Policy CSM 7: Safeguarding Other Mineral Plan Infrastructure or Policy CSW 16: Safeguarding of Existing Waste Management Facilities of the adopted Kent Minerals and Waste Local Plan (2013-2030) (KMWLP).

With regard to safeguarded land-won minerals, the Plan area does contain two safeguarded mineral types. They are the Sub-Alluvial River Terrace Sands and Gravel and Brickearth. However, the proposed allocations for housing developments are not coincident with these safeguarded minerals. Therefore, the Plan does not need to address any land-won safeguarding issues in relation to these potential developments. KCC recommends consideration is given to the presence of the safeguarded land-won mineral by referencing the safeguarded minerals and the relevant Mineral Safeguarding Area proposal maps of the KMLWP 2013-30.

9. Housing

Policies from Guiding Principle 1

PRoW: Within Policy H2, KCC recommends that any proposed development sites need to be sustainable and connected by quality pedestrian and cycle routes to local facilities to encourage shifts away from short car journeys.

Policies from Guiding Principle 2

PRoW: KCC welcomes the reference to the Kent Design Guide within Policy H4 and recommends that reference is also made to the ROWIP. The ROWIP can help contribute towards a robust infrastructure provision that enables development and encourages economic growth leading to regeneration and attraction of new businesses.

Sites 22 and 23 in BD13

PRoW: Public Footpath ZR615 crosses the site heading north to Colonels Lane, and to the south, linking to wider network south of the A2 corridor. The footpath also connects to Public Footpaths ZR614 and ZR613 providing off road routes to the village centre. The County Council would recommend improvements and enhancements both onsite and across the wider area through developer contributions to ensure high quality, attractive and safe routes are provided. It is important that the PRoW network is mentioned specifically within the Neighbourhood Plan so that funding opportunities can be sought.

10. Traffic and Transport

Priorities from Guiding Principle 1

PRoW: In respect of Policy T/PR1b, any measures for improvements at Brenley Corner should ensure there is no severance of the PRoW network and the walkers, cyclists and equestrian users are safely provided for.

Policies for Guiding Principle 2

PRoW: Policy T/P2 should ensure that there is no negative impact on the PRoW network.

Highways and Transportation: With regards to Policy T/PR1a, the County Council recognises the importance of the A2/M2 junction at Brenley Corner and is committed to supporting improvements to the junction to improve its capacity and resilience; working with all parties, including the local parish councils to ensure any solution benefits the surrounding communities.

Highways and Transportation: With regards to Policy T/PR1C, the County Council recognises the importance of the transport connectivity between the Swale Borough Council proposed site allocation for the “Duchy Land” and the existing communities and welcomes the commitment made to working with the authorities to ensure these are appropriately designed.

Priorities / Projects from Guiding Principle 3:

PRoW: KCC recommends the amendment of the current wording to make reference to the PRoW network, as opposed to “*cycle and pedestrian routes*” within Policy T/PR3b . KCC requests mention of early and ongoing engagement with the County Council in respect of PRoW to enhance the existing network and provide improved links to address connectivity. This would ensure there are sustainable transport choices available that provide realistic alternatives to short distance car journeys.

Highways and Transportation: In respect of Policies T/PR3a-c, KCC looks forward to working with the parishes to seek opportunities to improve sustainable transport options.

Policies from Guiding Principle 4

Highways and Transportation: In respect of Policy T3, both the Borough and County Council have their own parking standards, which would need to be adhered to in the first instance.

Highways and Transportation: In respect of Policy T4, recognising the issues that on street lorry parking has on communities, the County Council is committed to seeking appropriately located and designed solutions.

11. Business and Employment

Policies from Guiding Principle 3

PRoW: KCC recommends that Policy BE4 should ensure that new developments incorporate good sustainable transport connections within the community with high quality walking and cycling infrastructure available, which can link local amenities together. Replacing private vehicle journeys with active travel is to be encouraged.

12. Community Wellbeing, Education & Health

Public Health: KCC is supportive of the principles within the Neighbourhood Plan. To ensure the robustness of the Neighbourhood Plan, the County Council recommends a greater use of the evidence base using data from the [Kent Joint Strategic Needs Assessment](#) (JSNA) and or other sources of public health data from the [Public Health Outcomes Framework](#) (PHOF) including ward level data - in addition to referencing how these policies support the [Kent Health and Wellbeing Strategy](#). Providing evidence of the health needs of the population is in line with the National Planning Policy Framework and will justify planning policies regarding health and wellbeing.

PRoW: The “*Maps identifying footpath trails*” should be amended to include the Definitive Map for the parishes showing the legal routes of all PRoW. This will enable correct identification of recorded Public Footpaths and Bridleways.

Guiding Principle 1

PRoW: KCC recommends “*footpath trails*” is amended to “*recorded PROW network*” within Policy CWB1.

PRoW: KCC recommends specific mention of the ROWIP as it is a statutory policy document for PRoW within Policy CWB2. The ROWIP sets out a strategic approach for the protection and enhancement of PRoW, connecting the wider community and green open spaces. The provision of high quality open green spaces and opportunities for outdoor recreation should be a priority. The Neighbourhood Plan should aim to increase the provision of accessible green spaces and improve opportunities to access this resource. There is a growing body of evidence demonstrating that physical exercise in open green space can have a positive impact on mental health and wellbeing. Good public transport and active travel links with open spaces should be made available, so that the public are not dependent on private vehicle use for visiting these sites.

Guiding Principle 2

PRoW: KCC recommends that Policy CWB3 should include improving and enhancing the PRoW network to enable safe and attractive walking and cycling connections and links across the parishes and from new developments to community facilities. An increased population will undoubtedly add to the pressure and importance of the surrounding PRoW network. Developer contributions could be used to upgrade existing routes or create new path links that address existing network fragmentation issues highlighted by the public. The

network within Boughton and Dunkirk, ZR609/610 and ZR603/604, have been highlighted in need of improvement and future proofing with regard to correct alignments and widths.

Walking Trails for Heritage & Health

Heritage Conservation: KCC welcomes the inclusion of the Walking Trails for the Heritage & Health image, although it is not clear from the text where this has come from or who designed it. Heritage has the potential to contribute significantly to health and well-being and it is encouraging to see this recognised by the Parish Councils. The woods around the Dunkirk Radar Station would also make a good heritage trail.

Educational Provision

Policies from Guiding Principle 1

PRoW: KCC requests the inclusion for improvements to PRoW network connecting wider area to school, to encourage modal shift away from short car journeys, creating attractive Active Travel routes to existing and potential re-located school sites within Policy EP2.

13. Environment, Landscape Character & Design

Sustainable Urban Drainage Systems: The Neighbourhood Plan includes a guiding principle to “*minimise the environmental impact of new development*”, yet no reference is made within the document to the importance of surface water drainage and the water environment.

There is only one continuous extent of flood risk which cross Boughton under Blean, but the surface water mapping from the Environment Agency indicates there are many areas of potential surface water flood risk. This, accompanied with underlying clay geology in areas of the parishes, will mean that any new development will require careful consideration of surface water drainage within the development layout.

KCC, as Lead Local Flood Authority, recommends that the Neighbourhood Plan considers the importance of surface water management within new development to ensure that flood risk is not created by new development and any existing drainage issues are not exacerbated.

KCC recommends that reference is made to the County Council’s Drainage and Planning Policy to understand the important issues with respect to drainage and new development.

Biodiversity: The emerging Swale Local Plan includes a policy that requires a minimum 20% net-gain in biodiversity for developments against baseline conditions, which should be reflected within the Neighbourhood Plan. Consideration should also be had to paragraph 175 of the National Planning Policy Framework (2019) and section 40 of the Natural Environment and Rural Communities Act (2006).

Whilst the Neighbourhood Plan’s objectives include reference to nature conservation and the area’s ancient woodland / Site of Special Scientific Interest (SSSI), KCC recommends that

the protection for these sensitive and irreplaceable habitats should be strengthened. Specifically, KCC recommends that:

- All areas of conservation interest within the parish boundaries, including ancient woodland, local wildlife sites and priority habitats (such as old orchards), need to be clearly accounted for and mapped.
- The ecological connectivity of habitats within the parish boundary, which must be maintained and enhanced, i.e. 'green corridors', should be identified and safeguarded.
- Identification of local green space to provide both amenity and ecological value (ideally areas where wildflower meadows can be established/enhanced).
- Specific reference to ecologically-sensitive development design, for example, use of native, site-appropriate plant species in landscaping.
- Provision of integrated bird bricks (for declining species like Swift and House Martin) into new builds.
- Requirement for hedgehog gaps in close board fencing.
- Use of traditional materials as appropriate, such as bitumen roofing felt to prevent bat entanglement.
- Reference to the mitigation hierarchy, protected species assessments conducted prior to determination of applications (paragraph 99 of Biodiversity and Geological Conservation Circular 06/2005) and biodiversity net-gain.

KCC is supportive of the inclusion of the need for lighting efficiency and light pollution reduction.

Sustainable Business and Communities: The County Council recommends a much stronger commitment to sustainable development within the Neighbourhood Plan - with the inclusion of policies that require high standards of water efficiency, as well as energy efficiency in building design, promotion renewable heat and electricity generation, and help with mitigation and adaptation to climate change.

KCC would encourage the Neighbourhood Plan to include more reference to climate change and the risk the parishes face from this. The Climate Change Risk and Impact Assessment (CCRIa) provides some insight into the risks Kent and Medway face from climate change as a good starting point³.

KCC would encourage the Neighbourhood Plan to reference renewable energy. The Energy and Low Emissions Strategy (ELES) outlines Kent and Medway's ambition to reduce greenhouse gas emissions to net-zero emissions by 2050. Taking an evidence based approach, it identifies a pathway to reduce greenhouse gas emissions, eliminate poor air quality, reduce fuel poverty, and promote the development of an affordable, clean and secure energy supply for this county. KCC would encourage the Parish to include this strategy in the Neighbourhood Plan.

³ <https://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/environmental-policies/kents-changing-climate>

Guiding Principle 1

PRoW: Objectives 4 and 5 should include protection of PRoW network and its significant role in the landscape.

Guiding Principle 3

PRoW: KCC supports these principles and requests reference to the PRoW network and how with improvement opportunities, it can provide high quality rural connectivity.

Guiding Principle 4

PRoW: KCC recommends the wording “*public footpath network*” is amended to “*Public Rights of Way network*”.

Policies E1 – E9

PRoW: KCC recommends these policies ensure the protection, positive incorporation and enhancement of the PRoW network as part of all new development.

Areas 1-10

PRoW: All proposals should consider how the PRoW network could be affected by development. This will help enable network improvements to be delivered which can provide sustainable transport choices and support growth in the parishes.

It is requested that the KCC is directly involved in future discussions regarding projects that will affect the PRoW network. KCC can then advise on the design and delivery of these projects, ensuring that new routes successfully integrate with the existing PRoW network. KCC would welcome future engagement with the Parish Councils to consider local aspirations for access improvements and potential funding sources for the delivery of these schemes.

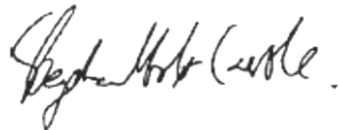
14. Evidence Base Overview: Summary of Background Documents

Heritage Conservation: KCC would suggest that the Swale Heritage Strategy is added to this list. The Strategy identifies key themes relevant to Swale’s heritage and the range of heritage assets types in the Borough. Reference to the Strategy will help the Parish Councils understand how the area fits into the wider heritage of the Borough and develop actions and initiatives that complement this⁴.

⁴ <https://swale.gov.uk/news-and-your-council/strategies-and-policies/swales-heritage-strategy#:~:text=Swale%27s%20Heritage%20Strategy%20This%20strategy%20provides%20a%20framework,and%20Areas%2C%20including%20designated%20historic%20parks%20and%20gardens.>

KCC would welcome continued engagement as the Neighbourhood Plan progresses. If you require any further information or clarification on any matters raised above, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Stephanie Holt-Castle'.

Stephanie Holt-Castle
Director for Growth and Communities

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Mr Andrew Byrne
Swale Borough Council
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BY EMAIL ONLY

Environment, Planning and Enforcement

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Ask for: Francesca Potter
Email: Francesca.Potter@kent.gov.uk

23 March 2021

Dear Andrew

Re: EIA Scoping Opinion for a mixed-use development at Highsted Park Land to the South and East of Sittingbourne [Application reference 21/500819/EIASCO]

Thank you for consulting Kent County Council (KCC) on the request for a Scoping Opinion for the proposed mixed-use development including up to 8,000 residential dwellings and up to 33.2 Ha of commercial floorspace/land, retail, learning, non-residential institutions and community uses, the provision of open spaces, woodland and greenspace, highways and infrastructure works, including new junctions to the M2 and the A2, and associated link/relief road.

The County Council has reviewed the Environmental Impact Assessment (EIA) Scoping Report and sets out its comments below, following the order of the Report. This response should be read in conjunction with the KCC response to the EIA Scoping Opinion for a mixed-use development at Highsted Park Land to the West of Teynham London Road Teynham Kent [Application reference 21/500836/EIASCO].

Chapter 9 - Water Quality, Hydrology and Flood Risk

Sustainable Urban Drainage Systems

The County Council, as Lead Local Flood Authority agrees with the information presented in this Chapter and with the principles and methodology as demonstrated. The issues assessed are also considered appropriate.

KCC, as Lead Local Flood Authority notes that the site is traversed by several “fingers” of surface water flood risk which may be associated with dry valleys but are actually connected

to a number of areas of local flood risk. These flow routes must be appropriately assessed and accommodated within any masterplan developed for the site.

KCC would strongly recommend that ground information informs the development of the masterplan for the extent of this site to ensure that infiltration is maximised where possible.

National guidance promotes the use of infiltration in the first instance for management of surface water. The underlying ground conditions do support the use of infiltration, and greenfield runoff rates are expected to be low. Site conditions will require careful consideration in the development of the drainage strategy as there are dispersed areas of highly variable permeability. Drainage features will need to be integrated into the overall site masterplan and open space.

Chapter 10 Archaeology and Heritage assets / Chapter 12 Built Heritage

The Council's Principal Archaeological Officer provided advice with regards to the screening and Scoping Reports submitted for the Highsted Park site in January 2018 (KCC's formal response to Application reference 17/506551/EIAS is appended to this response (Appendix 1)). KCC's comments below draw upon that advice. Since the provision of advice in 2018, KCC and Historic England have been in discussion with the applicants and their archaeological and heritage consultants. In summary, that has included an accompanied tour of the main parts of the site, comments on a draft Archaeological and Historic Landscape Desk-Based Assessment (Wessex Archaeology, July 2019), and discussions on a proposal for a geophysical survey of the site. The geophysical works, an initial stage of the archaeological evaluation of this scheme, were due to be undertaken late in 2020 but KCC has not been provided with the results to date. Please note that Historic England and the Swale Borough Council Conservation team will lead on advice with respect to built heritage.

KCC is pleased to see archaeology and built heritage scoped in as key issues and will form proposed chapters in the EIA. The proposed scope for archaeology is set out briefly in Chapter 10 of the report, while built heritage is covered in Chapter 12. Chapter 11 is missing. In carrying out the studies for the two proposed chapters, it will be important to examine the overlap between them. It is noted that in paragraph 10.6, there is a reference to an 'Archaeology and Heritage chapter' though this is not consistent with the heading of the proposed chapter. Historic landscapes and historic landscape features, which will be of particular significance to this landscape, are to be considered in the archaeology chapter but would also have a significant relationship to the built heritage and landscape chapters.

Heritage – key issues - the Scoping Report does not provide any detail on the archaeology and heritage baseline, but reference is made to the drafting of the Archaeological and Historic Landscape Desk-Based Assessment in paragraph 10.9. As mentioned above, KCC has reviewed an early draft of this document and provided comments to the applicant's heritage consultants. Those comments should be taken account of in the drafting of the assessment.

In the absence of baseline information in the Scoping Report, KCC repeats the key issues that were raised in respect of a previous Scoping Report for this site (Appendix 1).

The proposal covers a very substantial part of the landscape south and east of Sittingbourne from the A2 corridor in the north, and into the Chalk North Downs to the south. The landscape around Sittingbourne is known to be of high archaeological value, the A2 corridor follows the original main Roman road between the coast and London and KCC is aware of considerable Roman and later activity alongside it and in the farmlands south and north. The area is also rich in prehistoric activity, dating from the Late Palaeolithic deposits known to survive in Brickearth deposits within the proposal site, through to Bronze Age and Iron Age remains. The Kent Historic Environment Record (HER) provides an indication of the presence and distribution of archaeology in this area but would tend to also illustrate the bias arising from the location of previous development and investigation in the northern areas of the proposal site. Recent investigations and discoveries are starting to reveal evidence of early use of the downland areas.

Particular highlights include:

- Roman road – Watling Street – running within fields south of the present A2 around Hempstead. Roman activity alongside.
- Palaeolithic and Mesolithic artefacts found in the upper gravels and lower brickearth deposits in the northern areas of the proposal site. A regionally important geological deposit – Limons a Doublet - survives in the Brickearth in the area.
- Later prehistoric activity has been found in several areas in or close to the northern parts of the site.
- Iron Age and Roman burial sites are known near to and within the proposal site.
- Prehistoric sites including a possible tumulus are reported from woodlands in or close to the site.
- Medieval landscape features are likely to survive as archaeology throughout the area.

The landscape itself includes a pattern of settlement, routes, farmland and enclosures, woodland, industry and individual historic features that have developed from at least medieval times and possibly earlier. The manors of Cromers and Pitstock (later Woodstock) both have a rich medieval history with the formal parkland landscape around Woodstock being particularly rich and sensitive.

As explained in Chapter 12, the site is located close to a number of designated heritage assets including the Conservation Area at Rodmersham Green. It is also important to note that the Conservation Area to the north at Tonge lies close to the northern part of the proposal site, as does Tonge Castle.

Place-shaping - the National Planning Policy Framework (NPPF) recognises the important role that the historic environment and heritage assets can play in the making of new places. It is important that the development of a place on this scale in particular, takes account of its historic environment ensuring that the new place is grounded in the past, takes advantage of

its distinct historic character and conserves and makes best use of its heritage assets – those that are undesignated as well as those that are protected through designation.

It is important that the historic environment and landscape studies for this development proposal clearly identifies the heritage of the area and examines its potential positive contribution to place making. Any forthcoming master-planning of the area should clearly demonstrate how the heritage of the site and its surroundings has meaningfully contributed to the development proposals.

Potential Impacts – KCC notes the impacts considered in paragraphs 10.3-10.5 for archaeology and historic landscapes and in paragraphs 12.24-12.33 for built heritage. It is also important that the setting of undesignated heritage assets is considered and that off-site impacts such as the introduction of additional traffic through historic villages and country lanes are included. This also applies to the change in character of historic landscapes as well as the direct impacts noted in paragraph 10.5.

The proposed methodology for the EIA by and large focuses on the impacts that will be made on the area's heritage while it is important that opportunities for enhancement are set out and included in the development effects.

The assessment should also consider potential benefits which may include opportunities for beneficial use and restoration of heritage assets, community archaeology and interpretation.

Cumulative impacts, particularly when taken in conjunction with the Highsted Park proposals to the north of the A2 should be assessed.

Assessment Methodology - It is important that the applicant continues to engage with KCC's archaeologists, Historic England and the Conservation Officers at Swale Borough Council throughout the assessment work. As noted above KCC has already provided comments on a draft of the desk study which should be taken into account.

As previously stated, given the richness of the landscape for archaeology and the potential bias in the archaeological record arising from the focus of past investigation and survey, archaeological field evaluation will be needed to inform the planning application. KCC has already provided input on the scope of geophysical survey referred to in paragraph 10.10 and the results of that survey along with the desk-based work and walk over survey should be used to inform the scope of further evaluation (including Palaeolithic and geoarchaeological evaluation) that may be needed to clarify the archaeological potential of the site. It is important that following the survey works, the desk-based study is updated to bring together all the heritage that has been identified and clearly models the heritage potential across the landscape.

The assessment should include a thorough analysis of the historic landscape and historic landscape features and the potential effects of the development, both at landscape scale and on individual features and components.

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. The Scoping Report is not clear in distinguishing between the significance of heritage assets and the significance in terms of the magnitude of change. Paragraph 10.11 refers to the latter while for built heritage the term 'value' is defined (12.6) for the former. It is important that on completion of the baseline studies, a statement of significance of the identified heritage assets is provided both for individual assets and collectively. Mapping of heritage significance can be used to help inform the development of the Masterplan and where the most important heritage can be preserved or enhanced. This is needed to help the EIA set out the significance of the effects of the scheme. KCC would welcome discussions on 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.

Mitigation of the scheme may include preservation of archaeological assets where appropriate. Given the scale of development in what is a rich archaeological landscape it is inevitable that substantial areas of investigation will be needed to mitigate development impacts. Such archaeological investigation would need to be undertaken to an appropriately high archaeological standard and make provision for publication and archiving of the results. Given the extent and value of the archaeology that is likely to be excavated the planning submission should include a consideration how this will be addressed.

It may be, given the extent and potential long programme of development, that an Archaeological Framework is developed that sets out a research design, strategy, phasing and methodologies for the archaeological work. Specific Written Schemes of Investigation would be developed from such a framework and agreed.

A programme of post excavation assessment, analysis, reporting and publication would be agreed through the Framework and Written Schemes. Such a programme is likely to be substantial and result in technical, academic and popular reports.

Widescale archaeological excavation is likely to result in a large archaeological archive of finds, environmental assemblages and documentation. Provision should be made for archiving the findings in a suitable museum or archive. Such provision is likely to require funding for deposition with the receiving body for storage.

KCC is pleased to see that in 10.13 the EIA proposes to take account of the Guiding Principles for Cultural Heritage in Environmental Impact Assessment published by the County Council and will draw upon our specification for desk-based assessment and walkover. The scope and methodology of fieldwork that will be needed to assess the site should be agreed with our office and take account of KCC standard requirements where appropriate.

Chapter 13 Ecology and Nature Conservation

The County Council provided comments direct to Swale Borough Council on 12 March 2021 (Appendix 2)

Chapter 14 Soils, Geology, Contaminated Land and Waste

Minerals and Waste

The County Council, as Minerals and Waste Planning Authority notes the constraints that will be investigated, and that any adverse effects will be minimised through embedded and additional mitigation where practicable. This should ensure that the safeguarding provisions of the Kent Minerals and Waste Local Plan 2013-30 policies CSM 5 and DM 7 are addressed.

Once the assessment(s) have been carried out and submitted as part of a planning application(s), the County Council, as Minerals and Waste Planning Authority, would welcome engagement regarding any land-won minerals safeguarding findings.

The County Council would also draw attention to previous commentary submitted in respect of a previous Scoping Report for this site (Appendix 1).

Waste Management

KCC welcomes reference to waste management and the recognition of the 'significant new demand on existing waste infrastructure' that the development will create. KCC would welcome further discussions with the applicant over how these can be best addressed and mitigated to ensure a sustainable waste management solution is found. On this basis, KCC requests that consultation with the County Council as Waste Disposal Authority is included as part of the proposed waste assessment detailed in sections 14.16.

This proposed development will be served by the KCC Waste Transfer Station in Sittingbourne, which takes kerbside collected waste from the whole of the Swale District. In addition, KCC provides two Household Waste and Recycling Centre (HWRC) facilities in the vicinity for residents to dispose of household waste, one co-located with the Waste Transfer Station (WTS) and one at Faversham. The third HWRC within the Swale District is located in Sheerness; this is unlikely to be impacted by the increase in demand from the Highsted Park development.

KCC has already fed into Swale's Local Plan and Infrastructure Development Plan (IDP), identifying projects required to ensure sufficient capacity is available to serve new developments, including Highsted Park. Developer contributions will be requested to support these projects, details of which are given below, and they should be considered when the waste assessment is carried out. (see also KCC's comments under Chapter 16 below, in the *Summary of Education and Community Requirements* table).

Sittingbourne WTS/HWRC – to support the proposed development, relocation of the existing Sittingbourne HWRC facility is required to allow expansion of the co-located WTS. All of the kerbside collected waste from the Highsted Park development will be taken to this one WTS facility. This existing facility is now considered to be at operational capacity (100%) hence any increase in tonnages in the future as a result of development proposed at Highsted Park

would require mitigation. The performance of the WTS is monitored through regular contract board meetings with the Operator and the Waste Collection Authority (WCA). Regular complaints over the length of time WCA vehicles queue along the access road are received. Measures to improve the efficiency of the site have been investigated and where possible implemented over the past few years, i.e. installation of a second weighbridge and provision of additional infrastructure to enable food waste to be accepted. However, demand has continued to grow, such that there are now no practicable options to make further improvements at this site. The location of the site, surrounded by two closed Landfill sites, as well as the Sittingbourne and Kemsley Light Railway and Milton Creek would make any expansion challenging. It is therefore proposed to remove the HWRC facility and expand the existing WTS to the whole footprint of the site. A new HWRC will be constructed to serve the residents of Sittingbourne and surrounds. KCC would like to see land allocated or safeguarded for the provision of the relocated Sittingbourne HWRC. The Highsted Park development to the south of Sittingbourne Town Centre, could potentially be an ideal location; a site of around 1 hectare would be required. It would need to be suitably located as to not impact upon the residential properties and have good transport links.

Faversham HWRC – the significant development at Highsted Park as well as that proposed in and around the Faversham area means that a project to extend the Faversham HWRC is required, even with the relocated Sittingbourne HWRC project. The current layout of the site is such that it currently has to be closed when full waste containers are changed over for empty ones, resulting in long queues for residents. KCC has plans to extend the Faversham HWRC on to adjacent KCC owned land to allow the layout to be altered and additional capacity created.

Chapter 15 Transportation

Highways and Transportation

The County Council, as Local Highway Authority confirms that the scale of the development is such that a planning application for the proposed development on this site will require the submission of a full Transport Assessment and Transport Impact Assessment to accompany the application.

It should be noted that the applicant has engaged with the Local Highway Authority prior to this application, and they are therefore already aware of what information should be submitted to allow the development proposals to be adequately assessed in transport terms.

In respect of the submitted Scoping Report, the methodology proposed in the following submitted paragraphs is agreed:

15.3 A Transport Assessment (TA) will be carried out to examine the implications of the Proposed Development on the surrounding transport network. The results of this will be summarised in the ES.

15.4 The TA will be completed in accordance with National Planning Practice Guidance, published online in 2014 by the Department for Communities and Local Government and subject to regular updates.

15.5 The assessment will consider the potential significant transport effects arising from the development, in accordance with the best practice guidelines for the Environmental Assessment of Road Traffic (IEA, 1993).

15.6 The potential effects will cover: • Construction vehicle activity; • Additional car trips; • Additional highways infrastructure; • Additional site delivery activity; • Additional public transport use; and • Additional walking / cycling activity.

15.7 The TA and therefore the ES Transport Chapter will adopt the Swale Strategic Transport model as the basis for its assessment.

15.8 Various measures will be proposed to mitigate any significance adverse impacts, to include various travel management strategies, as follows: • Off-site highway network mitigation; • Delivery of additional on-site highway infrastructure that provides a net benefit to over highway conditions; • Delivery of transport infrastructure/service improvements to encourage modal shift; • Framework Travel Plan (to manage people movements); • Delivery & Servicing Plan (to manage deliveries and servicing trips, including waste); and • Construction Management Plan (to manage the transport of materials and workers to and from the Site during the construction period).

In addition to the above it should be expected that a micro simulation highways assignment model will be required to demonstrate the cumulative impacts of junctions in the local area.

Public Rights of Way and Access

The County Council is committed to working in partnership with the applicant to achieve the aims contained within the Rights of Way Improvement Plan (ROWIP) and Strategic Statement for Kent. Specifically, these relate to quality of life, supporting the rural economy, tackling disadvantage and safety issues, and providing sustainable transport choices.

Public Footpaths ZR194, ZR682, ZR196, ZR197, ZR199, ZR208, ZR209, ZU31, ZU30, ZR147, ZR155, ZR158, ZR156, ZR157, ZR150, ZR185, ZR49, and Restricted Byways ZU34A, ZU35 and ZR151 are located within the site and would be directly affected by the proposed development. The locations of these paths are indicated Map (Appendix 3). The existence of the Rights of Way is a material consideration.

KCC recommends that the PRow network is specifically referenced in this chapter where walking and cycling are referenced to ensure the opportunities that the network can provide through positive incorporation, and early planning are not missed.

The substantial size of this development will have an adverse impact on the PRow network, through increased use, loss of amenity and potential generation of traffic. Significant

measures will need to be taken to help mitigate all these impacts and future proof sustainable Active Travel in both the development and the wider area of the Borough. The increase in investment and policy from both central and local government towards a modal shift away from short car journeys should focus this project to provide a sustainable development for the future.

The application should consider the necessity to mitigate the loss of amenity, increased use and subsequent surface improvements that will be required in the wider network as the area is developed.

KCC urges consideration of the following:

- The likely usage and visual impact on users participating in recreational activity on the above mentioned footpaths and restricted byways.
- The likely loss of recreational walks within open countryside.
- The impact of increased vehicular traffic along rural lanes, which currently provide valuable connections for equestrians and cyclists travelling between off-road PRoW routes. The proposed development could deter public use of the PRoW network if vehicular traffic increases along these roads.
- The viability of upgrading existing PRoW, as a means of providing walking and cycling between residential dwellings, education facilities, employment hubs and local amenities, to encourage active travel.
- The creation of new walking, cycling and equestrian routes that connect the site with the surrounding countryside, providing opportunities for outdoor recreation.
- The provision of safe crossings points over the A2 for non-motorised PRoW users, to address safety concerns and improve network connectivity.

In consideration of Kent Design standards and Police guidance, any forthcoming master plan should keep PRoW within overlooked areas of Open Space, to facilitate a safer environment for path users. Path extinguishments and long term severance of routes should also be avoided, to prevent fragmentation of the PRoW network.

Chapter 16 Socio-Economics, Population and Human Health

Provision and delivery of County Council community services and facilities

The scale of the development proposed will generate significant additional demand on services delivered by the County Council. It will not be possible to accommodate this additional demand within any existing surplus and therefore additional service capacity will be required in direct response to the development. Given the scale of the proposal, it would be necessary for many of these services to be delivered within the development; this will enable residents to directly access provision and is necessary to ensure the development is sustainable.

Primary Education - The proposed development is estimated to generate 2,240 primary pupils (based on up to 8000 units set out in the Scoping Report); equivalent to 10.66 Forms of Entry. New primary schools are commissioned as either two or three forms of entry, and therefore the number of new schools required to support the development will vary depending on the proposed sizes of the schools. The appropriate sizes for the new schools will be determined using a number of factors including development layout and phasing; up to six new primary schools would be required given the housing numbers and mix currently proposed.

Secondary Education - The development is estimated to produce 1,600 secondary pupils, equating to 10.66 Forms of Entry. To accommodate this additional demand, new provision would need to be integrated within the development in the form of one 6FE and one 7FE secondary schools.

Specialist Education - A proportion of pupils generated by the development will also have specialist educational needs. Given the scale of the proposed development, the total number of these pupils could not be accommodated within existing specialist provision and therefore additional provision will be required within the development to directly accommodate them, both integrated within the primary school and secondary schools and through stand-alone specialist provision. Integration of nursery/early years provision within the development should also be a key consideration in the master planning process.

Community Facilities - The scale of the proposal will also result in significant additional demand on the library service, community learning, youth service, social care, and waste services (which is already discussed above). Provision of on-site facilities such as a community hub alongside increasing capacity within existing service delivery points local to the development is likely to be required to meet the needs of the development. Therefore, identifying a strategy for this mitigation is most appropriately done alongside the master planning process to ensure full integration of services within the new community.

Potential provision of care homes - Concerning older people's care homes in Kent, the County Council has seen a steady decline in overall numbers of care homes in the past five years, with the situation further exacerbated by Covid-19. Consequently, there are specific types of care homes which, the County Council would wish to support. For example, there is a significant demand for residential and nursing care homes that can meet the needs of people with challenging and complex dementia. KCC would also encourage any new residential care home provider to join the KCC Care Home Contract and to operate a mixed economy of both local authority funded and private funded residents. As such, we would recommend that the applicant works with KCC Adult Social Services to develop the most appropriate form of care delivery.

Summary

The planning obligations accompanying the development will be required to provide the full cost of constructing and providing the necessary amenities including schools and community facilities and make available the land for their provision at no cost to the County Council. It is

imperative that the infrastructure needed to support the development is integrated within it as early as possible. The County Council requests that discussion takes place at the earliest opportunity so that an infrastructure strategy can be identified, costed and agreed between the necessary parties prior to the proposals progressing.

Summary of Education and Community Requirements¹

| | Per 'Applicable' House | Per 'Applicable' flat | Total (Up to 8000 Dwellings) | Project |
|--------------------------------|--|-----------------------|------------------------------|---|
| Nursery | 26 place Nursery at each new 2 Form Entry Primary School – Provided as part of the 2FE Primary School | | | |
| Primary Education | £6,800 | £1,700 | £* | 5-6 No. New on-site 2FE Primary Schools |
| Primary Land | 6 No. 2FE Primary School sites of 2.05ha at 'nil' cost to the County Council (transferred as per KCC's General Site Transfer Requirements) | | | |
| Special Education Needs | £1051.82 | £262.96 | £* | Contribution towards an existing/new special needs school serving this development |
| SEN** Land | 1 No. SEN site of 2.05ha at 'nil' cost to the County Council (transferred as per KCC's General Site Transfer Requirements) | | | |
| Secondary Education | £5,176.00 | £1,294.00 | £* | Towards new Secondary Schools to serve this and the adjoining Highsted Park (North) development |
| Secondary Land** | 1 No. 8Ha and 1 No. 9.7Ha sites to be provided on site at 'nil' cost to the County Council (transferred as per KCC's General Site Transfer Requirements) | | | |

| | Per Dwelling (x8000) | Total | On Site Community Buildings | Project |
|---------------------------|----------------------|-------------|---|--|
| Community Learning | £16.42 | £131,360.00 | Free use of on-site Community facilities for classes | Towards additional resources (including portable teaching and mobile IT equipment), and additional sessions and venues for the delivery of additional Adult Education courses locally. |
| Youth Service | £65.50 | £524,000.00 | Free use of on-site Community facilities for youth sessions | Towards additional resources and upgrade of existing youth facilities including the New House Sports and Youth Centre in |

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

* mix currently unknown.

** Secondary land & SEN Land – The combined Highsted Park North & South sites will require 2 new on-site Secondary Schools and 1 new SEN School to be provided. As Highsted Park is a split site and if the Secondary & SEN Schools are located on the South site, a Development Equalisation Agreement will be required between the North and South sites if they are in separate ownerships with this North site contributing towards the Secondary & SEN School sites on the South site.

| | | | | |
|---|---|---------------|--|--|
| | | | | Sittingbourne to accommodate the additional attendees, as well as resources and equipment to enable outreach services in the vicinity of the development. |
| Libraries | £55.45 | £443,600.00 | Free use of on-site Community facilities for library purposes | Towards additional resources, services and stock, the local mobile Library service and works to Sittingbourne Library. |
| Social Care | £146.88 | £1,175,040.00 | Free use of new Community facilities on-site for meetings, group, and therapy sessions | Towards specialist Housing Provision in the District, adaptation of community facilities, technology to promote independence, multi-sensory facilities and changing place facilities in the vicinity of the development. |
| | | | | All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2) |
| On-site Community Buildings specification: | <p>*Design that is Dementia friendly with dementia friendly decoration and signage.</p> <p>*A catering area which is compliant with the Equality Duty 2010, such as adjustable height work surfaces, wash areas, cupboards etc.</p> <p>*Toilets and changing facilities for the profoundly 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 Equality Duty 2010 Compliant https://riseadapt.co.uk/changing-places/</p> | | | |
| Waste | £183.67 | £1,469,360.00 | | Towards increases in capacity at the Household Waste Recycling Centre and Waste Transfer Station in Sittingbourne. |
| Waste - Land | 1No. site of 1 Ha to be provided at 'nil' cost to the County Council to provide the new HWRC, suitably located as to not impact upon the residential properties and have good transport links. | | | |

Please note that these figures:

- are subject to review and are currently **index linked by the BCIS General Building Cost Index from April 2020 to the date of payment** (April 20 Index 360.3)
- 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.
- Bonds may be required by KCC for the Education contributions if the applicant wishes to pay the contribution in instalments. If the contributions are paid in instalments, the applicant will also be required to cover KCC's borrowing costs for the construction of the schools.

The County Council will continue to work closely with the Borough Council to help to ensure the delivery of new housing and infrastructure in response to local needs. In addition, the County Council welcomes any further engagement with the Borough Council and the applicant as this major development proposal 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 'Stephanie Holt-Castle'.

Stephanie Holt-Castle

Interim Director for Environment, Planning and Enforcement

Encs:

- [Appendix 1](#): Kent County Council response to Scoping Report (Application reference 17/506551/EIAS) dated 26 January 2018
- [Appendix 2](#): KCC Biodiversity response dated 12 March 2021
- [Appendix 3](#): Extract of the Network Map

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ECOLOGICAL ADVICE SERVICE

TO: *Andrew Byrne*

FROM: *Helen Forster*

DATE: *12 March 2021*

SUBJECT: *21/500819/EIASCO and 21/500836/EIASCO Highstead Park, Sittingbourne*

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.

The submitted information has detailed that the following surveys/assessments have been carried out for both applications:

- Phase 1
- Bats
- Badger
- Dormice
- Wintering birds
- Breeding birds
- Great Crested Newt
- Reptiles
- Invertebrates

The surveys were carried out between 2017 and 2019 and the report has confirmed an updated preliminary ecological appraisal will be carried out as part of the ES. We highlight that if the PEA identifies the need for updated surveys they must be carried out in advance of any submission. Where surveys are older than two years old we would expect the PEA to justify why they submitted ecological information is valid.

We are satisfied that for application 21/500836/EIASCO it will provide a good understanding of the ecological interest of the site to assess the ecological impact of any proposal and inform mitigation strategies.

However application 21/500819/EIASCO the submitted information will be directly/indirectly impacting Local Wildlife Sites and an Ancient Woodland and it appears a specific botanical survey has not been carried out. We would expect either a botanical survey to be carried out or information to be provided demonstrating why the ecologists did not feel it was necessary.

We highlight that where direct impacts on AW or LWS are identified ideally we would prefer for that impact to be designed out of any proposal. However if that is not achievable we advise that there is a need for the application to demonstrate why the proposal is acceptable in policy terms – with regard to the ancient woodland this includes the need for a compensation strategy.

Both Applications

In addition to the ecological impact assessment there will be a need for detailed mitigation strategies and management plans to be submitted.

We highlight that the management plans must be site wide and include all management requirements (e.g. recreation/SuDS) as there is a need to ensure that there is no proposed management conflicts between different requirements.

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 report; entran; January 2021



Andrew Byrne
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Kent ME10 3HT

Heritage Conservation
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Email: simon.mason@kent.gov.uk
Ask for: Simon Mason
Your Ref: 17/506492
17/506551
Our Ref:
Date: 15th January 2018

Dear Andrew

Re 17/506492/ENVSCR & 17/506551/EIASCO - Land South and East of Sittingbourne, Kent

Request for EIA Screening and Scoping Opinion: for a mixed-use development including up to 11,250 residential dwellings, commercial space (circa 120,000 sqm), new infrastructure to create new junctions onto the M2 and A2 joined by a new relief road, new retail and health facilities, leisure facilities, educational facilities and community facilities at land to the south and east of Sittingbourne.

Thank you for consulting on the scoping report for the land south and east of Sittingbourne being referred to as Highsted Park.

There has been very limited time to review this extremely large proposal thoroughly given the timescale and submission during Christmas period. I note that we did some discussions with an archaeological consultant at an early stage for this or a similar proposal in 2006 concerning the assessment of the area. Following an early meeting we understand that a programme of assessment and survey including wide-scale geophysics was being progressed but we did not receive any results of this work at that time.

We note that archaeology and cultural heritage is scoped in as a key issue to be covered in the proposed EIA and we welcome that. The proposed scope is set out briefly in section 10 of the report. Given the substantial scale of development and the potential scale of impacts on the historic environment we are of the view that the EIA approach is appropriate.

Heritage – key issues

The proposal covers a very substantial part of the landscape south and east of Sittingbourne from the A2 corridor in the north, south in to the Chalk North Downs. The landscape around Sittingbourne is known to be of high archaeological value, the A2 corridor follows the original

main Roman road between the coast and London and we are aware of considerable Roman and later activity alongside it and in the farmlands south and north. The area is also rich in prehistoric activity dating from the Late Palaeolithic deposits known to survive in Brickearth deposits within the proposal site through to Bronze Age and Iron Age remains. The Kent HER provides an indication of the presence and distribution of archaeology in this area but would tend to also illustrate the bias arising from the location of previous development and investigation in the northern areas of the proposal site. Recent investigations and discoveries are starting to reveal evidence of early use of the downland areas.

Particular highlights include:

- Roman road – Watling Street – running within fields south of the present A2 around Hempstead. Roman activity alongside
- Palaeolithic and Mesolithic artefacts found in the upper gravels and lower brickearth deposits in the northern areas of the proposal site. A regionally important geological deposit – Limons a Doublet - survives in the Brickearth in the area;
- Later prehistoric activity has been found in several areas in or close to the northern parts of the site;
- Iron Age and Roman burial sites are known near to and within the proposal site;
- Prehistoric sites including a possible tumulus are reported from woodlands in or close to the site;
- Medieval landscape features are likely to survive as archaeology throughout the area;

The landscape itself includes a pattern of settlement, routes, farmland and enclosures, woodland, industry and individual historic features that have developed from at least medieval times and possibly earlier. The manors of Cromers and Pitstock (later Woodstock) both have a rich medieval history with the formal parkland landscape around Woodstock being particularly rich and sensitive.

As explained in para 10.1 the site is located close to a number of designated heritage assets including the Conservation Area at Rodmersham Green. It is also important to note that the Conservation Area to the north at Tonge lies close to the northern part of the proposal site, as does a Scheduled Monument at Tonge Castle.

Place-shaping

The NPPF recognises the important role that the historic environment and heritage assets can play in the making of new places. It is important that the development of a place on this scale in particular takes account of its historic environment ensuring that the new place is grounded in the past, takes advantage of its distinct historic character and conserves and makes best use of its heritage assets – those that are undesignated as well as those that are protected through designation.

It is important that the historic environment and landscape studies for this development proposal clearly identifies the heritage of the area and examines its potential positive contribution to place making. Any forthcoming master-planning of the area should clearly demonstrate how the heritage of the site and its surroundings has meaningfully contributed to the development proposals.

Potential Impacts

We note the impacts considered in 10.4-10.6. It is also important that the setting of undesignated heritage assets is considered and that off site impacts such as the introduction of additional traffic through historic villages, country lanes and areas such as Tonge are included.

The assessment should also consider potential benefits which may include opportunities for beneficial use and restoration of heritage assets, community archaeology and interpretation.

Assessment Methodology

It is important that the scope of the initial Desk Based Assessment and sources of information is discussed in detail with ourselves, Historic England and the Conservation Officers at Swale Borough Council at an early stage. The sources proposed in 10.7 are limited / general and study should include as an initial step a review of archive material that may be available in local, county and national archives.

We welcome the proposal for a walkover of the site which should be comprehensive, note landform and landscape features as well as heritage assets. It is important that the effects on undesignated, as well as designated, heritage assets is considered. We would be happy to be involved in an initial walk through the landscape with the applicant's consultant if that would be helpful.

It is likely, given the richness of the landscape for archaeology and the potential bias in the archaeological record arising from the focus of past investigation and survey, that archaeological field evaluation will be needed to inform the planning application. We recall from discussions in 2006 that a programme of geophysical survey was being carried out for this development and therefore it may be that the results of that survey could be incorporated into the present study. Clarification on that survey would be welcome as results have not been provided to the County Archaeologist.

The assessment should include a thorough analysis of the historic landscape and historic landscape features and the potential effects of the development, both at landscape scale and on individual features and components.

The work for the EIA should take account of the **Guiding Principles for Cultural Heritage in Environmental Impact Assessment (EIA)** published by Kent County Council through our Planarch project in 2006. I have attached a copy of these.

I hope that the above is helpful and am happy to discuss further.

Yours sincerely

Simon Mason
Principal Archaeological Officer

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Email: suds@kent.gov.uk
Tel: 03000 41 41 41
Our Ref: SBC/2017/064922
Date: 12 January 2018

Application No: 17/506551/EIASCO

Location: Land South And East Of Sittingbourne Kent

Proposal: EIA Scoping Opinion for a mixed-use development including up to 11,250 residential dwellings, commercial space (circa 120,000 sqm), new infrastructure to create new junctions onto the M2 and A2 joined by a new relief road, new retail and health facilities, leisure facilities, educational facilities and community facilities at land to the south and east of Sittingbourne

Thank you for your consultation on the above EIA Scoping Opinion.

Kent County Council as Lead Local Flood Authority have the following comments:

This application is supported by an Environmental Impact Assessment Scoping Report prepared by Entran (December 2017). Within Chapter 9 of the report there has been an assessment of the management of surface water as a result of increased impermeable area during both the operational and construction phases, however there is no mention of the impacts upon water quality from the surface water drainage. We would therefore recommend that full consideration is given to the systems capacity to remove pollutants and to the cleanliness of the water discharged from the site when compiling the Flood Risk Assessment/Drainage Strategy.

The report states that a Flood Risk Assessment will be produced, with findings included within the Environmental Statement. We have no preference as to whether a Flood Risk Assessment forms part of an EIA or is submitted as a standalone document. Any identified flood risk or surface water management issues should be appropriately considered within the application documentation (with appropriate mitigation recommend wherever necessary).

The Flood Risk Assessment should include a clear Drainage Strategy, which adheres to policies as set out in our Drainage and Planning Policy Statement. We would also recommend that the applicant also considers the Guide for Master Planning Sustainable Drainage Into Development to fully incorporate drainage into the overall development to minimise flood risk, which can be found at:

http://www.kent.gov.uk/data/assets/pdf_file/0007/23578/Masterplanning-for-SuDS.pdf

If further clarification is required we would encourage the applicant/their consultants to contact us to begin pre-application discussions to discuss the surface water management at this site.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Yours faithfully,

Andrew Longman

Flood Risk Technical Support Officer
Flood and Water Management



ECOLOGICAL ADVICE SERVICE

TO: *Ross McCardle*

FROM: *Helen Forster*

DATE: *08 January 2018*

SUBJECT: *Land South And East Of Sittingbourne 17/506551/EIASCO*

Thank you for requesting advice on this scoping opinion from KCC's Ecological Advice Service. This service provides advice to planning officers to inform Swale Borough Council planning decisions with regard to the potential ecological impacts. Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

We have reviewed the information submitted as part of the scoping opinion and we are generally satisfied with the approach set out within the scoping document – we have a few minor points which we set out below.

A range of surveys have been carried out across the site and we advise that the results of the ecological surveys must inform the design of the proposed development site and detailed mitigation strategies.

We advise that the development follows the 'mitigation hierarchy' as described in British Standard BS 42020:2013, which involves the following step-wise process:

- Avoidance – avoiding adverse effects through good design;
- Mitigation – where it is unavoidable, mitigation measures should be employed to minimise adverse effects;
- Compensation – where residual effects remain after mitigation it may be necessary to provide compensation to offset any harm;
- Enhancement – planning decisions often present the opportunity to deliver benefits for biodiversity, which can also be explored alongside the above measures to resolve potential adverse effects.

The measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development (BS 42020:2013, section 5.5).

The ecological surveys and detailed mitigation strategies must be submitted with the planning application.

Bats

The submitted information has detailed the following that there are tunnels present within the quarries which provide bat roosting potential. We highlight that consideration must be given to the potential for the tunnels to be used by hibernating bats and recommend that a hibernation survey is carried out this winter. If the hibernation survey season is missed and it's identified that there is a need for a hibernation survey it will be November/December 2018 before the survey can be carried out.

We do accept that the need for emergence surveys to be carried out must be proportional to the impacts from the proposed development. But we advise that if there is chance the potential roosts within buildings/trees/quarry will be impacted (directly or indirectly) by the development the bat surveys must be scheduled in to be carried out during this survey season to ensure that the LPA has all the relevant information to consider the ecological impact of the proposed development.

Ancient Woodland.

The submitted information has detailed that there is a risk that an area of Ancient woodland will be destroyed to provide access for the proposed development. We advise that the site is designed to retain the area of ancient woodland and adjacent habitat. We highlight that the NPPF has recognised the importance of Ancient Woodland and it states the following:

Paragraph 118 of the NPPF states the following: *When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:*

- *planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;*

Open Space

The proposed development is proposing to create areas of open space which will be used for both ecological mitigation and public access.

We recommend that an outline management plan is submitted as part of the planning application to demonstrate that any ecological mitigation required can be retained for the lifetime of the development and will not be negatively impact due to recreational pressure.

Swale SPA/Ramsar and SSSI

The development includes proposals for new dwellings within the zone of influence (6km) of the The Swale Special Protection Areas (SPAs) and Wetlands of International Importance under the Ramsar Convention (Ramsar Sites). *Swale Borough Council* will need to ensure that the proposals fully adhere to the agreed approach within the North Kent Strategic Access Management and Monitoring Strategy (SAMM) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the

mitigation before first occupation. Subject to the application demonstrating that they will be contributing to the SAMMS we are satisfied that the proposals may be screened out as not having a likelihood of significant effects upon the designated sites.

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:
Environmental Impact Assessment Scoping Report; Entran; December 2017

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26 January 2018

Dear Andrew

Re: EIA Scoping Opinion for a mixed-use development at land to the south and east of Sittingbourne [Application reference 17/506551/EIASCO]

Thank you for consulting Kent County Council (KCC) on the request for a Scoping Opinion for the proposed mixed-use development including up to 11,250 residential dwellings, commercial space (circa 120,000 sqm), new infrastructure to create new junctions onto the M2 and A2 joined by a new relief road, new retail and health facilities, leisure facilities, educational facilities and community facilities.

The County Council has reviewed the Environmental Impact Assessment (EIA) Scoping Report and sets out its comments below, following the order of the Report.

Chapter 8 – Landscape and Visual Impacts

Public Rights of Way

Public footpaths ZR150, ZR155, ZR156, ZR157, ZR158, ZR159, ZR185, ZR194, ZR196, ZR197, ZR199, ZR208, ZR209, ZR210, ZR211, ZR682, ZU30, ZU31, ZU39 and Restricted Byways ZU31A, ZU34A, ZU38 are located within the site and would be directly affected by the proposed development. The locations of these paths are indicated on the Extract of the Network Map, available in Appendix 1.

KCC considers that the substantial size of this development will have an adverse impact on the Public Rights of Way (PRoW) network through increased use, loss of amenity and potential generation of traffic. Measures will need to be taken to help mitigate these impacts and encourage a more environmentally sensitive travel pattern in the area. KCC requests

that as part of any Section 106 agreement, a financial contribution is secured to mitigate against the loss of amenity, increased use and subsequent surface improvements that will be required as the area is developed.

In respect of the submitted Scoping Report, KCC would request that the following be considered as part of the EIA:

- The likely usage and visual impact on users participating in recreational activity on the above mentioned footpaths and restricted byways;
- The likely loss of recreational walks within open countryside;
- The impact of increased vehicular traffic along rural lanes, which currently provide valuable connections for equestrians and cyclists travelling between off-road PRoW routes. The proposed development could deter public use of the PRoW network if vehicular traffic increases along these roads;
- The viability of upgrading existing PRoW, as a means of providing walking and cycling between residential dwellings, education facilities, employment hubs and local amenities, to encourage active travel;
- The creation of new walking, cycling and equestrian routes that connect the site with the surrounding countryside, providing opportunities for outdoor recreation; and
- The provision of safe crossings points over the A2 for non-motorised PRoW users, to address safety concerns and improve network connectivity.

In consideration of Kent Design standards and Police guidance, any forthcoming masterplan should keep PRoW within overlooked areas of open space, to facilitate a safer environment for path users. Path extinguishments and long term severance of routes should also be avoided, to prevent fragmentation of the PRoW network.

Chapter 9 – Water Quality, Hydrology and Flood Risk

KCC as Lead Local Flood Authority has provided a direct response to Swale Borough Council (SBC), dated 12 January 2018.

In summary, the following points were raised in relation to chapter 9:

- There is no mention within Chapter 9 of the impacts upon water quality from surface water drainage. It is recommended that full consideration is given to the water system's capacity to remove pollutants and to the cleanliness of the water discharged from the site when compiling the flood risk assessment/drainage strategy;
- The Flood Risk Assessment should include a clear drainage strategy, which adheres to KCC Drainage and Planning Policy Statement¹;
- The applicant is recommended to consider how to fully incorporate drainage into the overall development to minimise flood risk with reference to the 'Guide for Master Planning Sustainable Drainage into Development'²; and

¹ http://www.kent.gov.uk/_data/assets/pdf_file/0003/49665/Drainage-and-Planning-policy-statement.pdf

- The applicant is recommended to commence pre-application discussions with KCC to discuss the surface water management at this site.

A full copy of KCC Flood and Water Management response dated 12 January 2018 is included in Appendix 2.

Chapter 10 – Archaeology and Heritage Assets

KCC Heritage and Conservation has provided a direct response to Swale Borough Council (SBC), dated 15 January 2018.

In summary, KCC welcomes the applicant's consideration of archaeology and cultural heritage as a key issue to be covered within the EIA, but would like to raise the following points were raised in relation to chapter 10:

- The landscape around Sittingbourne is known to be of high archaeological value with the Kent Historic Environment Record showing an indication of the presence and distribution of archaeology, focused mostly on the northern areas of the site;
- Master-planning of the area should clearly demonstrate how the heritage of the site and its surroundings has meaningfully contributed to the development proposals;
- The applicant should ensure the setting of undesignated heritage assets is considered, and that off-site impacts such as the introduction of additional traffic through historic villages, country lanes and areas such as Tonge is considered;
- The applicant should ensure that the scope of the initial Desk Based Assessment and sources of information is discussed in detail with KCC, Historic England and the Conservation Officers at Swale Borough Council at an early stage; and
- The work for the EIA should take account of the Guiding Principles for Cultural Heritage in Environmental Impact Assessment (EIA) published by KCC.

A full copy of KCC Heritage and Conservation response dated 15 January 2018 is included in Appendix 3.

Chapter 12 – Ecology and Nature Conservation

KCC Biodiversity has provided a direct response to SBC, dated 8 January 2018.

In summary, KCC is generally satisfied with the approach to ecology and nature conservation set out within the Scoping Report, but would draw attention to the following points in relation to chapter 12:

- The results of the ecological surveys carried out will need to inform the design of the proposed development site and mitigation strategies;

² http://www.kent.gov.uk/_data/assets/pdf_file/0007/23578/Masterplanning-for-SuDS.pdf ;

- The development should follow the 'mitigation hierarchy', as described within British Standard BS 42020:2013;
- The tunnels present within the quarries provide bat roosting potential, so a hibernation survey will need to be carried out within the winter months;
- The proposal for the site should be designed to retain the areas of ancient woodland and adjacent habitat, in line with para. 118 of the National Planning Policy Framework (NPPF); and
- An Outline Management Plan should be submitted as part of any planning application to demonstrate that any ecological mitigation required can be retained for the lifetime of the development.

A full copy of KCC Biodiversity response dated 8 January 2018 is included in Appendix 4.

Chapter 13 – Soils, Geology and Contaminated Land

As the Minerals and Waste Planning Authority, the County Council is responsible for ensuring that mineral resources are not needlessly sterilised by other forms of development, to ensure that a steady and adequate supply of minerals is maintained to facilitate sustainable development. This safeguarding approach is supported by the NPPF, National Planning Policy Guidance and the adopted Kent Minerals and Waste Local Plan 2013-30 (KMWLP).

Policy CSM5 (Land-won Minerals Safeguarding) of the adopted KMWLP sets out Mineral Safeguarding Areas (MSA). The proposed development site contains safeguarded areas within the Swale district, with the safeguarded economic mineral being Brickearth (Faversham - Sittingbourne Area).

The Minerals and Waste Planning Authority notes that the Scoping Report acknowledges the presence of the safeguarded mineral. In preparing the documentation to accompany the proposed EIA, it will be necessary for the applicant to address the mineral safeguarding policy requirement in a Minerals Assessment. In doing so, KCC would like to draw attention to Policy DM7 (Safeguarding Mineral Resources) of the KMWLP. This sets out a number of potential exemptions from the presumption to safeguard the minerals should such a case be advanced to set aside the safeguarding presumption. It is expected that any Minerals Assessment should make reference to empirical geological data (in the form of objective bore hole and/or trial trench investigations) and opportunities for prior extraction should be explored and evidenced. Where relevant, engagement with the minerals industry is encouraged to correctly ascertain the viability and deliverability for any prior safeguarded mineral extraction. The applicant is advised to refer to KCC's safeguarding supplementary planning document for further guidance on mineral safeguarding and minerals assessment³.

Chapter 14 – Transportation

³ https://www.kent.gov.uk/_data/assets/pdf_file/0019/69310/Supplementary-Planning-Document-SPD-on-Minerals-and-Waste-Safeguarding.pdf.

Given the size and nature of the proposal, KCC considers that a Strategic Transport Model will need to be prepared to demonstrate the highway and environmental impacts on both the strategic and local highway network. The model will assist in identifying any highway or environmental related issues and help inform the proposed Transport Assessment. The scope of the highway model should be agreed with both KCC as the Local Highways Authority and SBC.

The implications of traffic using existing roads in order to access new road infrastructure should also be considered by the applicant.

It is noted that the impacts on additional public transport use are to be included within the EIA. This should include the full detail of impacts on the local bus network and North Kent train services.

The scope of the Framework Travel Plan should be agreed with the relevant Highway Authorities.

Chapter 15 – Population and Human Health

The scale of the development proposed will generate significant additional demand on services delivered by the County Council. It would not be possible to accommodate this additional demand within any existing surplus and therefore additional service capacity will be required in direct response to the development. Given the scale of the proposal, it would be necessary for many of these services to be delivered within the development; this will enable residents to directly access provision and is necessary to ensure the development is sustainable.

Primary Education

The proposed development is estimated to generate 2,600 primary pupils (based on the stated housing mix in the Scoping Report); equivalent to 12.5 Forms of Entry. New primary schools are commissioned as either two or three forms of entry, and therefore the number of new schools required to support the development will vary depending on the proposed sizes of the schools. The appropriate sizes for the new schools will be determined using a number of factors including development layout and phasing; up to six new primary schools would be required given the housing numbers and mix currently proposed.

Secondary Education

The development is estimated to produce 1,860 secondary pupils, equating to 12.4 Forms of Entry. To accommodate this additional demand, new provision would need to be integrated within the development in the form of two 6FE secondary schools.

Specialist Education

A proportion of pupils generated by the development will also have specialist educational needs. Given the scale of the proposed development, the total number of these pupils could not be accommodated within existing specialist provision and therefore additional provision

will be required within the development to directly accommodate them, integrated within the primary schools and through stand-alone specialist provision. Integration of nursery/early years provision within the development should also be a key consideration in the master planning process.

Community Facilities

The scale of the proposal will also result in significant additional demand on the library service, community learning, youth service and social care. Provision of on-site facilities such as a community hub alongside increasing capacity within existing service delivery points local to the development is likely to be required to meet the needs of the development. Therefore, identifying a strategy for this mitigation is most appropriately done alongside the master planning process to ensure full integration of services within the new community.

Summary

The planning obligations accompanying the development would be required to provide the full cost of constructing and providing the necessary amenities including schools and community facilities, and make available the land for their provision at no cost to the County Council. It is imperative that the infrastructure needed to support the development is integrated within it as early as possible. The County Council requests that discussion takes place at the earliest opportunity so that an infrastructure strategy can be identified, costed and agreed between the necessary parties prior to the proposals progressing.

The County Council will continue to work closely with the Borough Council to help to ensure the delivery of new housing and infrastructure in response to local needs. In addition, the County Council welcomes any further engagement with the Borough Council and the applicant as this major development proposal progresses.

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

Encs:

- [Appendix 1](#): PRoW Extract of the Network Map
- [Appendix 2](#): KCC Flood and Water Management response dated 12 January 2018
- [Appendix 3](#): KCC Heritage and Conservation response dated 15 January 2018
- [Appendix 4](#): KCC Biodiversity response dated 8 January 2018



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BY EMAIL ONLY

9 April 2021

Dear Sir / Madam

Re: Thanet District Council Statement of Community Involvement Review 2021

Thank you for consulting Kent County Council (KCC) on the Statement of Community Involvement (SCI) Review.

As a provider of key infrastructure and services, the County Council values the opportunity to review and comment on the SCI Review. The County Council views this document as an important part in delivering genuinely constructive engagement between both authorities, enabling the planned delivery of high-quality growth in the Thanet District, properly supported by the strategic provision of necessary infrastructure.

The County Council has reviewed the consultation document published and sets out its comments below, in order of the chapter headings within the document.

3 - Who we will consult

The County Council suggests that reference is made to the need for compliance with the Government's accessibility requirements for public sector bodies.¹

4 - How we will consult

The County Council welcomes the commitment to the increased use of digital forms of communication when consulting with the public, which should improve accessibility of

¹ <https://www.gov.uk/guidance/accessibility-requirements-for-public-sector-websites-and-apps>

planning consultations. It is recommended that details of social media channels should be included.

The County Council queries whether there are additional ways to support and reach out to people with protected characteristics and other marginalised or harder to reach communities – for example, through correspondence with faith, voluntary, community and social enterprises and other stakeholder organisations in Thanet.

Table 1: Methods of consultation to consider –Leaflet distribution and publishing articles in the local press could be considered as two separate methods. For exhibitions and drop-in sessions, venues should provide reasonable access to all, in line with the Equality Duty 2010.

7 - Neighbourhood Plans

The County Council would request that it is included as a consultee for the Neighbourhood Planning process.

9 - Planning Applications and Submissions

Paragraph 9.6 – KCC recommends that Thanet’s Gateway Plus is referenced earlier within the SCI, as appropriate.

The County Council would recommend that all weblinks included within the SCI are indicated using blue font and underlining to ensure they are clearly identified within texts.

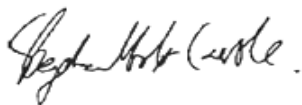
Appendix 1 – Consultation bodies

The County Council welcomes continued engagement with the District Council on planning matters and that reasonable timescales continue to be provided to formulate a response where required.

In respect of the County Council’s preferred method of consultation, KCC would request that contact and communication is by email (or online as appropriate) as this is the most efficient means of being kept informed and providing comments/feedback.

The County Council would welcome any further engagement with the District Council as the SCI is progressed. If you require any further information or clarification on any matter, please do not hesitate to contact me.

Yours sincerely,



Stephanie Holt-Castle

Director for Growth and Communities



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8th April 2021

Dear Sir/Madam,

Re: Hoo - New Routes to Good Growth

Thank you for providing Kent County Council (KCC) with the opportunity to comment on the “Hoo – New Routes to Good Growth” consultation.

The County Council has reviewed the consultation document and would like to raise the following comments for consideration.

Highways and Transportation

The County Council, as Local Highway Authority for Kent, would welcome further engagement on the wider impacts on the highway network resulting from development at Hoo.

Chapter 3 – Our Proposals: Highways

The M2 Junction 1 (A289) may have a restrictive effect on traffic travelling between the Hoo Peninsula and the west, all of which (apart from that associated with Gravesend, which uses the A226) is accommodated at this junction.

The proposed highway improvements presented in Section 3 of the consultation document would provide localised congestion relief in the area of the proposed development but would not involve any changes to M2 J1 (A289).

Upon implementation of the Lower Thames Crossing (LTC) - which is anticipated to open five years after the proposed highway improvements are completed - junction M2 J1 is forecast to experience increased traffic volumes.

KCC anticipates that this junction will operate around capacity at peak times once the LTC becomes operational, based on modelling carried out by Highways England, which would not have included the full scale of proposed development on the Hoo

Peninsula. The LTC model can only consider “committed development” and the closing date for recording this was set at June 2020.

KCC is currently liaising with Medway officers and Highways England to discuss additional modelling of “Other Alternative Scenarios” to identify impacts of the LTC on proposed development on the Hoo Peninsula. It is currently unclear how the improvements proposed to the A228 and A289 will be impacted by an increase in traffic from the LTC, not only once operational, but also during the construction period, where the A289 is anticipated to be an official diversion route for LTC construction vehicles.

The funding for this project dictates all works need to be in place and completed by Spring 2024, with construction proposed to commence in Summer 2022. Where possible, all construction movements should be made by rail to minimise the distribution on the highway network and reduce the cumulative impacts of construction of other large scale infrastructure schemes in the area taking place at the same time, such as the potential London Resort and the LTC.

Page 11

Reference is made to “*proposals involve improvements to existing infrastructure, as well as the provision of new infrastructure including slip roads, junctions and interchanged on the A228 and A229*”. Clarification is needed as to whether the inclusion of the A229 is a typographical error, or if not, what the nature of these improvements on the A229 involve, as no detail is provided within the consultation material.

Chapter 4 - Our Proposals: Rail

Page 32-45

The presumption that the converted freight route will be electrified (to as far as the proposed new terminus at Hoo) should not be made at this stage. Whilst 3rd rail extension electrification based on the existing network 750v DC system is clearly preferable, there is currently opposition within the regulatory arm of the rail industry to any further extension of the 3rd rail network, unless there is a high level of protection provided. At present, the Office of Rail and Road (ORR) and the Rail Safety Standards Board (RSSB) are continuing assessments of requests for similar extensions on the 3rd rail network (e.g. Hurst Green to Uckfield), so there may be a template from another route which could be adopted for the Hoo line. In the meantime, the scheme sponsors should keep other traction options open, such as bi-mode electric/battery rolling-stock in case the preferred option of electrification is not permitted.

The proposal for dualling of the existing single line sections between Hoo Junction and Cliff Junction, and the section through Cooling Street, looks feasible, and would provide the operational flexibility required for the proposed 2 trains per hour (tph) passenger service plus existing freight paths. The proposed 2tph service would also combine efficiently with the existing 2tph semi-fast service between London Charing Cross and Gravesend.

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The proposed location of the new terminus station at Hoo to the south-east of the original station at Sharnal Street is a good location. There would be no need to provide a second platform and footbridge with lifts at the start of the service, as a single track serving one platform adjacent to the station building would provide level access for all. It would only be if the new passenger service were to be extended eastwards towards Grain that a second platform and footbridge with lifts would be required.

Based on the London Transport Local Road & Rail Timetable for the Dartford Area dated 3 February 1960, Table 4, the journey time between Gravesend Central and Sharnal Street was 22 minutes, although this journey at that time included stops at Denton, Uralite, Cliffe and High Halstow. Without these stops, and with a further extension to the new station at Hoo, it is reasonable to estimate the new Gravesend – Hoo journey time at approximately 20 minutes.

Page 35

It is correct to describe the new service as providing a direct link to London (Charing Cross), with some services to Cannon Street in the peaks. This would be delivered by extending the existing Metro services which start/terminate at Gravesend eastwards to start/terminate at Hoo, so preserving the pathing from Gravesend westwards to and from the London termini. It is also correct to describe the interchange facility, which would be created at Gravesend for passengers wishing to transfer to services to the Medway Towns, although in practice it is more likely that such journeys would be taken by bus, as this would be a more direct route from the Hoo Peninsula.

Page 36

The County Council agrees with the described likely impacts on the existing freight services on the route. These would need to be managed with Network Rail and the freight operators, to ensure the retention of existing freight paths (modified as required).

Page 37

Level Crossings: The County Council notes that every crossing on the new passenger section of route is listed as requiring modification, either by enhanced crossing facilities or by diversion of pedestrian routes across the railway. Experience from other projects indicate that for the costs of any works associated with level crossings – even foot crossings – it must be ensured that sufficient headroom of funding and project time is available to ensure that level crossing modifications do not delay the scheme from delivery as planned.

Page 45

With reference to the dualling of sections of route and electrification, the County Council refers to its comments above, in relation to Page 32.

The County Council agrees that construction loads should be delivered by rail to the sites, minimising or removing altogether heavy goods movements by road.

Public Rights of Way (PROW) and Access Service

Page 37 – Level Crossings

The County Council notes the level crossing proposals within the consultation document and would urge consideration of the enjoyment of a PROW when proposing diversions. Some PROW in this area may be at risk of flooding and KCC would recommend consideration of mitigation measures, such as aggregate surfaces where appropriate.

Heritage Conservation

The County Council recommends that the consultation document go further to highlight significance of the historic environment of Hoo, with the inclusion of details for what measures will be taken to conserve or enhance the heritage affected.

KCC notes that in addition to known historic designations, there is the possibility of discovering further archaeological remains of great significance within Hoo. The road and rail improvements will impact significantly on a range of designated and non-designated heritage assets, and on a fragile historic landscape. It is essential that the needs of these assets are integrated into the proposals from the very beginning of the process so that the assets themselves are not adversely affected, and so that the heritage landscape that they comprise does not become fragmented.

The County Council recommends that the historic environment is considered alongside other environment aspects to ensure the maximisation of potential benefits arising from the proposed development.

The document identifies a range of possible environmental actions that are focusing on access improvements and localised biodiversity and natural environment improvements. KCC recommends that this is expanded to include interpretation and signage improvements to help people learn about and enjoy their heritage, as well as educational infrastructure such as community heritage or archive facilities. Many of the proposals in the document, and in the growth that is to come in Hoo, will impact archaeological remains. These remains constitute a key component in the historic environment of Medway being tangible survivals of Medway's heritage. The National Planning Policy Framework (NPPF) (paragraph 199) fully recognises the importance of this resource.

After archaeological work is completed, an archaeological 'archive' will be created – a sample of the most significant finds and records from the excavation. This archive

is what allows the research and community exploitation of the archaeological work. It allows researchers to investigate aspects of the excavation even many years after the event. It allows schools and community groups to investigate their local heritage and see the materials that were discovered, even, perhaps, underneath their own homes. The archives are a key method by which the now-lost heritage is connected to the modern community. In most counties in England these archives are deposited in local museums. In Kent, however, most museums are now full, and the archives are left in what are often insecure and inappropriate stores at the archaeological contractors.

The need for archaeological storage for these materials, with proper education and access facilities, is critical to allow a full appreciation of the heritage of Medway. This need is created almost entirely by commercial development and represents a significant infrastructure requirement; and for which there are no additional resources. Some of the ongoing costs of the service could be met by charging the developer on a site-by-site basis. This will not provide for the initial setup cost, however, nor the facilities for community use, and it is these elements that are appropriate for inclusion as part of development contributions. KCC would urge that Medway Council considers the provision of archiving facilities as an appropriate use of HIF environmental mitigation funds.

Chapter 2 - Process and timelines

The text states that *“strategic environmental management measures would be needed to help avoid impacts to the sensitive ecological sites on the peninsula”*. The County Council recommends that the need for strategic environmental management measures expanded to the heritage of the area – which is also significant and vulnerable and will require environmental management measures.

KCC would also encourage Medway Council to continue to support the ‘Whose Hoo’ National Heritage Lottery Fund (NHLF) project application that is in development. A successful project could play a key role in helping to integrate the proposed development and its associated infrastructure into the existing landscape and in engaging the local community. Irrespective of whether the NHLF application is successful or not, KCC would encourage Medway Council to continue to support the goals of the project and, as far as possible, try to assist partners in delivery.

Proposed road improvements.

County Council commentary on each of the phases of the highway improvement works is detailed in Appendix 1.

Page 29 - Ecological and environmental constraints

KCC recommends that the constraints listed should also include those related to the historic environment as all the Phase areas contain significant archaeological monuments and have potential for the discovery of as yet unknown sites.

Page 30 - Environmental and ecological mitigation

The County Council would recommend reference to the historic environment in this section and the need for a comprehensive historic environment study to inform the proposals, drawing on the Historic England Hoo Peninsula Survey reports.

Chapter 4 - Proposed railway works

Page 33 - Sharnal Street Station

The County Council refers to its comments on Phase 4 set out in Appendix 1.

Page 37–44 Level crossings

County Council commentary on the level crossing proposals is detailed in Appendix 2.

Page 46 Hoo Junction to Cliffe Junction track dualling

There have been extensive archaeological discoveries at Hoo Junction including Bronze Age hoards, a Romano-British cremation cemetery and pottery kilns, and Anglo-Saxon burials. The County Council refers to comments above regarding the Church Street Crossing. At Cliffe Junction, the railway passes through/close to an Anglo-Saxon cemetery and Roman finds near Buckland Farm and through the Second World War GHQ Stopline.

Page 47 - Cooling Street passing loop

The passing loop passes through an extensive area of crop-marks south of the railway line, possibly relating to a substantial Iron Age settlement. Chance finds of Romano-British coins and Anglo-Saxon metalwork have also been made in the area. There is also a historic farmstead at Cooling Court Farm (including a Grade II listed farmhouse and barn).

It is understood that the majority of the new track works will be “on-line”, but that some “off-line” works, including site works compounds may be required.

Strategic Environmental Management Scheme (SEMS) Proposals

The SEMS proposals should integrate a wider range of environmental variables to deliver environmental improvements – including the historic environment. There is potential to combine different aspects of the environment to create a network of green spaces in which all can flourish.

Many of the heritage sites that will be affected by the proposals were sited in part to be complementary to one another, especially the 19th and 20th century military sites, and could be enhanced by joined up green infrastructure. Others are sited on rises

and crestlines, for example, where the ability to see and be seen across the landscape was important.

In addition, improvements intended to support biodiversity (such as the excavation of ponds or water-management features) should be reviewed to ensure they do not have any negative impacts on heritage assets. Where such impacts are identified, they can be assessed and mitigated through the SEMS.

KCC recommends that all aspects of the environment participate in the SEMS proposals so that they can complement one another. As an example of what could happen if the SEMS scope is expanded, a planning application has recently been submitted for a new community parkland at Cockham Wood (which forms Phase 1 of the SEMS work and is the example discussed in the consultation document), but the redline area appears to have been drawn to specifically exclude Cockham Wood Fort, a scheduled monument on the Heritage at Risk Register. The fort and scheduled monument extend up the riverbank into the woodland behind the gun batteries visible at the waterline. Had the fort been included within the community parkland, then there would have been opportunity to both improve the management of an at-risk monument and include an important heritage element to a new community green space. At present, the attraction of more people to the community woodland is likely to indirectly put more pressure on the monument, but with no corresponding opportunity for improved management or conservation.

6 Managing Environmental Impacts (p56) & Historic Environment (p60)

The County Council would recommend that the historic environment is considered further within this section, including details of any preparatory studies that are required.

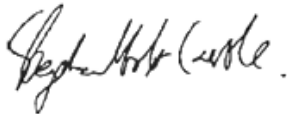
If heritage matters are to be addressed via an Environmental Impact Assessments (EIA), then it is essential that they are accompanied by a detailed and robust baseline desk-based assessment, which includes built heritage and historic landscape studies. In terms of the built heritage, this needs to include both designated built heritage and also non-designated buildings and structures, some of which will be of comparable significance to designated assets – e.g. those associated with the GHQ stopline only parts of which have been designated to date. For archaeological heritage, there is Pleistocene interest/Palaeolithic potential at several locations and specialist input may be required. It is recommended that any desk-based assessment should follow standard specification for desk-based assessments in areas with known Palaeolithic potential. There is also considerable potential for archaeological remains from later periods.

As per the NPPF paragraph 189, it should be anticipated that field evaluation works may be required in some locations to inform any future planning applications or the EIA itself.

KCC would welcome continued engagement as plans progress for potential growth opportunities on the Hoo Peninsula.

If you require any further information, please do not hesitate to contact me.

Yours faithfully,



Stephanie Holt-Castle

Director – Growth and Communities

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- [Appendix 1](#): KCC Heritage Conservation comments on the locations of the phases of the highways improvement works.
- [Appendix 2](#) - KCC Heritage Conservation comments regarding level crossings

Appendix 1 – KCC Heritage Conservation comments on the locations of the phases of the highways improvement works.

Page 14 - Phase 1

The Phase 1 area has a theoretically high potential for Pleistocene (fluvial terrace) deposits and associated Palaeolithic artefacts and faunal remains. Such remains could be of high significance. A Late Bronze Age funerary urn was found in 1918 during the digging of military practice trenches between Chattenden Barracks and Islingham Farm. Islingham (now Islingham Farm) acted as an estate centre in the medieval period and a late eleventh century chapel is recorded within the manor there. Extensive First World War military practice trenches are shown on historic aerial photographs north and south of Woodfield Way.

Page 17 - Phase 2

The Phase 2 section between Upchart Roundabout and Chattenden Lane is of particular significance for its military heritage as it passes through the former Chattenden Barracks site. The barracks provided accommodation for the soldiers guarding the nearby magazine. There remains the potential for the discovery of archaeological remains associated with the military use of the site, including the buried remains of the now demolished late nineteenth century barracks; the military railway line that connected Chattenden and Upnor; and an Armament Depot. In addition, there is some potential for presently unmapped gravel terrace deposits (Anglian or pre-Anglian) and late Bronze Age/early Iron Age activity previously recorded within former barracks site. Nearby, extensive Roman and Anglo-Saxon evidence has been discovered, at Four Elms and within Chattenden village, demonstrating the general archaeological potential of the area.

In the section east of Chattenden Lane, Mesolithic remains have been found at the Abbey Homes development. In addition, a second World War radar station existed at Deangate and wartime aerial photographs show it was accompanied by possible gun emplacements, storage areas, military support buildings and access roads.

Page 23 - Phase 3

The Phase 3 area is located at the point where the existing road network intersects with the Second World War GHQ stopline, which was a key part of the anti-invasion strategy developed in the immediate aftermath of the Dunkirk evacuation. It was made up of an anti-tank ditch with pillboxes. The stopline was assessed as part of the Historic England Hoo Landscape Project and is considered to be a highly significant heritage landscape. Some pillboxes have been designated as Listed Buildings, including examples nearby along Bells Lane. Anti-tank pillboxes have also been recorded adjacent to Dux Court Road and Peninsula Way (an ROC Post is also adjacent to the latter).

Page 24 - Phase 4

Crop and soil marks have been identified in fields alongside Roper's Lane and have been interpreted as perhaps representing a Romano-British enclosed settlement. The site also

has potential to contain Pleistocene deposits and associated Palaeolithic remains (artefacts and/or faunal).

Page 26 - Phase 5

Multi-period archaeological remains have been recorded at the Four Elms Roundabout. This includes Mesolithic or Neolithic pits, Late Bronze Age activity, a Romano-British enclosure, including a stone-built structure (interpreted as a corn-drier or malting oven), an Anglo-Saxon settlement with substantial post-built hall and other sunken featured buildings. The site also has a high potential for Pleistocene (fluvial terrace) deposits and associated Palaeolithic artefacts and faunal remains.

Page 27 - Phase 6

KCC comments for Phase 5 also apply here. In addition, there is a possible ring-ditch on the south side of Wulfere Way (plus Beaker / Bronze Age activity to the north). Further evidence for Anglo-Saxon settlement has been found adjacent to Wulfere Way and Romano-British activity has recently been identified close to Sans Pareil Roundabout. The site also has high potential for Pleistocene (fluvial terrace) deposits and associated Palaeolithic artefacts and faunal remains.

Appendix 2 - KCC Heritage Conservation comments regarding level crossings

Page 38 Church Street Crossing (inc. Kings Crossing)

The Church Street Conservation Area lies to south and includes the Grade 1 listed church and other historic and/or listed buildings. It is also close to the site of St Mary's Priory (a scheduled monument) and its' associated Abbey Farm. Evidence for Anglo-Saxon activity has been recorded within the village. There is potential for gravel deposits (possibly fluvial?) of Pleistocene interest.

Page 40 - Wybournes

Wybournes is a Grade II listed farmhouse and sits within its associated historic farmstead. High Halstow Halt and its associated sidings are also of heritage interest. There is moderate potential for deposits of Pleistocene interest.

Page 41 - Solomon's Crossing

There is moderate potential for deposits of Pleistocene interest at this site.

Page 42 - Whitehall Bridleway Crossing

Grade II listed White Hill House is located to the north of the proposed crossing point. Middle to Late Bronze Age cremation burials and other activity have also been found on south side of the railway line as has a Romano-British field system and an Anglo-Saxon inhumation cemetery.

Page 43 - Stoke Road Crossing

There is moderate potential for deposits of Pleistocene interest here.

Page 44 - Creek Lane Crossing

There is moderate potential for deposits of Pleistocene interest here.

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Submitted to **National Planning Policy Framework and National Model Design Code: Consultation proposals**
Submitted on **2021-03-25 11:39:23**

Introduction

Privacy notice

Please confirm that you have read and agree to the privacy notice

Please tick to confirm:

Yes

A bit about you

What is your name?

Name:

Sarah Platts

What is your email address?

Email:

Sarah.Platts@kent.gov.uk

What is your organisation?

Organisation:

Kent County Council

What type of organisation are you representing?

Local authority

If you answered "other" please provide further details:

Proposed changes to Chapter 2: Achieving sustainable development

1 Do you agree with the changes proposed in Chapter 2?

Yes

Please provide comments:

Paragraph 7 - The County Council supports the inclusion of, and the commitment to, the "17 Global Goals for Sustainable Development".

Paragraph 8 c) - The County Council agrees with the strengthening of this paragraph to emphasise the role of planning in the protection of the environment and mitigation and adaptation to climate change.

Paragraph 11 a) - The County Council supports this amendment which seeks to align growth and infrastructure as part of the promotion of a sustainable pattern of growth. The County Council also supports reference to the need to mitigate climate change and adapt to its effects.

Proposed changes to Chapter 3: Plan-making

2 Do you agree with the changes proposed in Chapter 3?

Yes

Please provide comments:

Paragraph 22 – KCC supports an infrastructure first approach to growth, which is critical to ensuring that communities are delivered sustainably, at the right time. The County Council is therefore supportive of a requirement for larger-scale development such as new settlements (where they are part of a strategy for an area) to be set within a vision that looks further ahead (at least 30 years). This will help to enable the longer term planning for the infrastructure that will be necessary for such large scale settlements – including its phasing, funding and delivery.

Proposed changes to Chapter 4: Decision making

3 Do you agree with the changes proposed in Chapter 4?

No

Which option relating to change of use to residential do you prefer and why?:

The County Council does not support the two proposed options to restrict the use of article 4 directions. Article 4 directions can have an important function in preventing unacceptable development – for instance in preventing detrimental cumulative impacts of permitted development or controlling the loss of high-quality employment space that would harm the viability of a local economy.

It is not clear how “wholly unacceptable adverse impacts” will be defined and agreed in practice and this needs further clarity. Moreover, it is not clear why only interests of national significance are offered protection. Locally listed buildings (and other undesignated heritage assets) can make a positive contribution to local amenity and enhance the well-being of the area and should be offered similar protection to ensure that the change of use or change to the fabric of the building can be preserved where appropriate.

Proposed changes to Chapter 5: Delivering a wide choice of high quality homes

4 Do you agree with the changes proposed in Chapter 5?

Yes

Please provide comments:

Paragraph 73 – The County Council recommends that the policy is strengthened to refer to more than just “genuine choice of transport modes” – reference should be made to active travel and sustainable transport modes as a priority to ensure a modal shift towards more sustainable transport options.

The County Council is encouraged by the commitment to the use of masterplans and design codes in the planning and delivery of large-scale developments. These tools will need to be developed in conjunction with local communities and key stakeholders to ensure their effectiveness in taking account of social and environmental matters, whilst also delivering the necessary infrastructure.

Proposed changes to Chapter 8: Promoting healthy and safe communities

5 Do you agree with the changes proposed in Chapter 8?

Yes

Please provide comments:

Paragraph 92 / Paragraph 97 - The County Council supports the amendments proposed to these paragraphs which consider the design and functionality of active travel routes and emphasise the need for a high quality accessible open spaces.

Proposed changes to Chapter 9: Promoting sustainable transport

6 Do you agree with the changes proposed in Chapter 9?

Yes

Please provide comments:

Paragraph 105 (d) – The County Council supports the encouragement of sustainable transport opportunities which will promote active travel options.

Proposed changes to Chapter 11: Making effective use of land

7 Do you agree with the changes proposed in Chapter 11?

Yes

Please provide comments:

Paragraph 124 – The County Council welcomes the inclusion of area-based character assessments in helping to ensure that land is used efficiently.

Proposed changes to Chapter 12: Achieving well-designed places

8 Do you agree with the changes proposed in Chapter 12?

Yes

Please provide comments:

Paragraph 126-128 – The County Council is generally supportive of the proposed changes that require the production of design codes to ensure that the design of new developments is of a high standard.

Paragraph 127 – The County Council recommends that 'local heritage' should be included as one of the key reference tools to be used in the design of the built environment at a local level. In most instances, local character appraisal information is available for reference by developers on Local Planning Authority websites.

It should be noted that some important heritage assets may not be considered beautiful but should still be valued and conserved.

Paragraph 130 – It should be noted that tree planting can have an adverse impact on buried heritage assets – it is important that areas proposed for tree planting are thoroughly assessed to ensure that the proposals are sustainable and that heritage assets are not damaged by the tree planting and root growth.

Proposed changes to Chapter 14: Meeting the challenge of climate change, flooding and coastal change

10 Do you agree with the changes proposed in Chapter 14?

Yes

Please provide comments:

Paragraph 160 – The County Council, as Lead Local Flood Authority, welcomes reference to the need to take into account all sources of flooding – including surface water flooding.

Proposed changes to Chapter 15: Conserving and enhancing the natural environment

11 Do you agree with the changes proposed in Chapter 15?

Yes

Please provide comments:

Paragraph 175 – The County Council welcomes the addition to this paragraph, which should help protect designated landscapes and the heritage assets within them.

Paragraph 179 d) – The County Council welcomes the strengthening of this section to ensure that habitat creation is an “integral part” of the design of new developments. The County Council is supportive of commitments to biodiversity net gain delivering measurable gains in the natural environment.

Proposed changes to Chapter 16: Conserving and enhancing the historic environment

12 Do you agree with the changes proposed in Chapter 16?

Yes

Please provide comments:

Paragraph 197 - The County Council supports the clarity provided in this paragraph in respect of the need to retain historic statues, plaques or memorials and would recommend that updated Planning Policy Guidance and Good Practice Guide may be beneficial on this matter.

Proposed changes to Chapter 17: Facilitating the sustainable use of minerals

13 Do you agree with the changes proposed in Chapter 17?

Yes

Please provide comments:

Paragraph 209 – The County Council, as Minerals and Waste Planning Authority, supports the inclusion of Mineral Consultation Areas within this paragraph. They are an important safeguarding tool for land-won minerals and should be recognised within the NPPF.

Proposed changes to Annex 2: Glossary

14 Do you have any comments on the changes to the glossary?

Yes

Please provide comments:

Minerals resources of local and national importance - The County Council supports the reference to “coal derived fly ash in single use deposits” which ensures the definition provides a more complete listing of the mineral resources used in the UK.

Mineral Consultation Area - Mineral Safeguarding Areas and Mineral Consultation Areas can overlap and be coincident, but it is not always possible to define larger areas that are important to securing the safeguarding of minerals and mineral related facilities (but do not actually contain mineral resources themselves). The following amendment is therefore recommended: a geographical area, based on but not necessarily entirely coincident with the associated Mineral Safeguarding Areas, where the district or borough council should consult the Mineral Planning Authority for any proposals for non-minerals development.”

Recycled aggregates –Not all materials from the construction and demolition waste sector can be made into aggregates, so the following amendment is recommended: aggregates resulting from the processing of inorganic materials previously used in construction, e.g. certain materials arising from the construction and demolition waste sector.”

Secondary aggregates – The County Council recommends the following amendment to aid clarification of this definition: aggregates made from industrial activity wastes such as glass (cullet), incinerator bottom ash, coal derived fly ash, railway ballast, fine ceramic waste (pitcher), and scrap tyres; and industrial and minerals process by-products, notably waste from china clay, coal and slate extraction and spent foundry sand. These can also include hydraulically bound materials.”

National Model Design Code

15 We would be grateful for your views on the National Model Design Code, in terms of a) the content of the guidance b) the application and use of the guidance c) the approach to community engagement

Please provide comments:

a) the content of the guidance

The County Council has reviewed the content National Model Design Code and guidance note and would like to suggest the following additions as detailed below:

Heritage conservation – The County Council notes that heritage is covered at a very high level within both documents – which may not be sufficient, given the key role which heritage issues can have in influencing development, as well as in creating a sense of place and sense of identity. The County Council would recommend that further explanation is provided in respect of character and distinctiveness, as referenced on page 6 of the Guidance Note for Design Codes.

The County Council notes that only one Historic England document is referred to - Understanding Place, Historic Area Assessments – KCC would recommend that further Historic England guidance should be referenced.

KCC would also recommend reference as to how the incorporation of assets within public open space is an important means of preserving heritage assets, including those of archaeological interest. Consideration should also be given to the creative re-use of traditional buildings that have low embodied energy and can have a multitude of design benefits.

SuDS - The baseline analysis within section 1.B of the National Model Design Code recognises that the analysis should include flood risk. The County Council recommends that attention is drawn to the impact that the proposed baseline analysis, including flood risk, can have in the masterplanning process and would draw attention to the guidance within the Water. People. Places - prepared by the Lead Local Flood Authorities of the South East of England.

The County Council supports the recognition of the importance of working with water and the inclusion of sustainable drainage elements within the Nature section of the Guidance Notes for Design Code (page 18). KCC would recommend consideration that open space may have to account for areas which are impacted by flood risk.

The County Council notes the reference to blue infrastructure within the Guidance Notes for Design Codes – Public Space (page 53). However, reference is limited to only instances of when blue infrastructure relates to green infrastructure. For example, on page 53 “Primary Streets Green infrastructure Swales can be provided”. Green infrastructure, where applicable, should be considered in conjunction with blue infrastructure, due to the interconnections of these types of infrastructure. The illustrations provided in this chapter should include examples of integrated blue infrastructure to encourage and promote the integration of water into the green public realm.

b) the application and use of the guidance

It is not immediately clear what role a county authority such as KCC would have in the production of design codes or their use and application, as the codes appear principally aimed at the Local Planning Authority level.

The County Council would draw attention to the work it has undertaken in coordinating a detailed refresh of the 'Kent Design Guide'. The local Guide reflects the structure of Government's National Design Guide, taking the ten characteristics of well-designed places and applying it within the Kent context. There has been extensive consultation with key stakeholders, including Kent local authorities and the development community, to ensure a shared vision for sustainable design principles that is also workable in practice. At the heart of the Kent Design Guide is a clear commitment to design principles that strive for sustainable, healthy, and environmentally responsible design, which must be key to future development across the country. The local Guide further supports the commitments taken by the county and Local Authorities to strive for net zero carbon emissions for the wellbeing of all our residents and communities. This considerable body of work completed to date leaves Kent well-placed to support the Government's latest proposals to develop local design codes and the County Council would welcome further discussion in this respect.

The potential cost on local authorities to produce meaningful design codes is considerable, and the County Council understands that each Local Authority will be responsible for bearing its own costs in this regard. KCC seeks that funding be available from Government to support the development of local design codes.

Based on its experience to date, the County Council is exploring whether **Page 254** have appropriate economies of scale in some areas of design coding

where coding will be typical to multiple areas across the county. For example, similar design sustainability standards or biodiversity enhancement design standards may be pertinent to several areas or sites across Kent, or indeed other areas of the country.

The suggested design code process, whilst cautiously welcomed, will require specialised knowledge that may not be present, or easily accessible to Local Planning Authorities. This will create inherent challenges in the preparation of adequate and effective codes to deliver high quality growth.

KCC would seek clarity on how design codes will be a robust mechanism to challenge poorly designed developments.

c) the approach to community engagement

The County Council considers that the importance of community engagement is adequately explained, but questions whether there should be a focus on engagement earlier in the Guidance Notes for Design Code.

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