

PLANNING APPLICATIONS COMMITTEE

Wednesday, 13th October, 2021

10.00 am

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





AGENDA

PLANNING APPLICATIONS COMMITTEE

**Wednesday, 13th October, 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 A Booth (Vice-Chairman),
Mr C Beart, Mrs R Binks, Mr P Cole, Mr D Crow-Brown,
Mr M Dendor, Mr O Richardson, Mr C Simkins and Mr J Wright

Labour (1): Ms J Meade

Liberal Democrats (1) Mr I S Chittenden

Green/Independents Mr P M Harman
(1)

Webcasting Notice

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site or by any member of the public or press present. The Chairman will confirm if all or part of the meeting is to be filmed by the Council.

By entering the meeting room you are consenting to being filmed. If you do not wish to have your image captured please let the Clerk know immediately.

UNRESTRICTED ITEMS

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

A. COMMITTEE BUSINESS

1. Substitutes
2. Declarations of Interests by Members in items on the Agenda for this meeting.

3. Minutes - 2 September 2021 (Pages 1 - 8)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

1. General Matters

C. MINERALS AND WASTE APPLICATIONS

1. Application SE/21/1639 (KCC/SE/0102/2021) - Section 73 Application to amend Condition 2 of 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 at Court Lodge Farm, Stack Road, Horton Kirby, Dartford; Oncoland Ltd (Pages 9 - 28)
2. Application SW/21/503467 (KCC/SW/0081/2021) - Change of use from storage of empty skips and associated plant to storage and processing of waste within an existing barn at Cleve Hill Farm, Cleve Hill, Graveney; K&S Services South East Ltd (Pages 29 - 58)

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

E. MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (Pages 59 - 68)
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. Stone Neighbourhood Plan 2020-2035 - Regulation 16 (Pages 69 - 78)
2. Land at Court Lodge, Pound Lane, Kingsnorth Proposal - Construction of up to 1000 new homes (C3), local centre comprising retail uses (up to 450 sqm A1-A5) flexible office space (up to 350 sqm B1) and community facilities including a primary school (2.4ha), a combined community hall and site management suite (up to 650 sqm D1). New means of vehicular accesses onto Pound Lane, Long Length, Magpie Hall Road, new pedestrian and cycle routes laying out of green infrastructure, including allotment gardens and areas of ecological habitats. Drainage infrastructure, earthworks and ancillary infrastructure. (Pages 79 - 82)
3. Brenchley and Matfield Neighbourhood Plan (2020-2038) - Regulation 14 Consultation (Pages 83 - 92)
4. Tunbridge Wells Borough Local Plan 2021 Pre Submission Local Plan (Regulation 19) (Pages 93 - 120)
5. Canterbury District Local Plan - draft vision and options for the district (Pages 121 - 146)

6. Re-determination of the Application by RiverOak Strategic Partners Limited ("the Applicant") for an Order granting Development Consent for the reopening and development of Manston Airport in Kent (Pages 147 - 150)
7. EIA Scoping Opinion for a proposed development at Land South and South East Mascalls Court Road, Paddock Wood, Tonbridge, Kent [application reference: 21/02129/EIASCO] (Pages 151 - 178)
8. Tenterden Neighbourhood Plan 2013-2030 Pre-Submission Draft (Regulation 14) (Pages 179 - 188)
9. Egerton Neighbourhood Plan 2021-2040, April 2021 (Pages 189 - 194)

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, 5 October 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.)

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KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 2 September 2021.

PRESENT: Mr R A Marsh (Chairman), Mr A Booth (Vice-Chairman), Mrs R Binks, Mr N J D Chard (Substitute for Mr O Richardson), Mr I S Chittenden, Mr P Cole, Mr G Cooke (Substitute for Mr J Wright), Mr D Crow-Brown, Mr M Dendor, Mr P M Harman, Ms J Meade, Mr H Rayner (Substitute for Mr C Beart) and Mr C Simkins

IN ATTENDANCE: Mr B Watts (General Counsel), 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), Ms N Stevens (Invicta Law) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

29. General Matters

(Item B1)

The Committee agreed to visit the sites of the applications at Borden Grammar School, Sittingbourne on 15 September 2021 and Covers Farm, Westerham on 12 October 2021.

30. Application CA/21/01854 (KCC/CA/0136/2021) - 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) The Chairman invited the General Counsel to explain to the Committee that all Local Members who were also Members of the Planning Applications Committee needed to decide whether they were in a position to approach the determination of a planning application without being considered to have pre-determined their view on the application. If this was the case, they were still entitled under the Constitution to address the Committee on behalf of their constituents, but should not otherwise participate in the determination of the application.

(2) The Chairman thanked the General Counsel for his explanation and then informed the Committee that he would not participate in the determination of the application but would address the Committee as the Local Member.

(3) Mr A Booth, Vice-Chairman of the Committee thereupon took the Chair for the remainder of the meeting.

(4) Correspondence from the Kent and Medway Economic Partnership had been separately circulated to all Members of the Committee. It had also written to the Head of Planning Applications and these views had been included in the report.

(5) Correspondence from Mrs M Dawkins (Member for Canterbury City South) and Mrs L Harvey-Quirke and Mrs G Glover (Local City Councillors) had previously been circulated to all Members of the Committee.

(6) Mrs Ann Davis (Chair of Sturry PC) and Mr Biff Whipffster (local resident) addressed the Committee in objection to the application, Mr Richard Shelton (KCC Highways) spoke in reply on behalf of the applicants.

(7) Mr R A Marsh addressed the Committee as the Local Member.

(8) The Committee added two Informatives to the recommendations. These were:

(a) The applicant and the Highway Authority are encouraged to continue dialogue with Network Rail, Canterbury City Council and Sturry Parish Council to deliver improvements to the Sturry Railway Station, including the provision of a ticket machine on the southern platform and to explore the potential for the use of more 4 carriage trains in the interim to minimise the time the level crossing at Sturry is closed.

(b) The applicant is encouraged to monitor traffic flows post implementation of improvements to the A28/A291 to consider the effectiveness of the junction improvements.

(9) At the request of the Chairman, the Committee agreed unanimously that, in accordance with paragraph 16.32 of the Constitution, the vote of each Member in favour, against or in abstention on the revised recommendations would be recorded in the Minutes.

(10) On being put to the vote, the recommendations of the Head of Planning Applications Group were agreed (as amended in (8) above) by 10 votes to 1 with 1 abstention.

FOR:

Mrs R Binks, Mr A Booth, Mr N J D Chard, Mr P Chittenden, Mr P Cole, Mr G Cooke, Mr D Crow-Brown, Mr M Dendor, Mr P M Harman, Mr C Simkins (10)

AGAINST:

Mr H Rayner (1)

ABSTAIN:

Ms J Meade (1)

(11) RESOLVED that:-

- (a) the Appropriate Assessment set out at Appendix 2 to the report and made under The Conservation of Habitats and Species Regulations (2017) be adopted;
- (b) permission be granted to the application subject to conditions, including conditions covering the 5 year time period for implementation; the development being carried out without deviation in accordance with the details, plans and specifications submitted; the development being carried out in accordance with the submitted general arrangement drawing (set out in Annex A of the Report to Inform the Habitats Regulations Assessment - *Amey February 2020*) to protect wildlife in the river and foraging in the area. Only bored piling (in accordance with the submitted details) shall be carried out without the written approval of the County Planning Authority to ensure that there are no unnecessary risks to fish in the river; detailed specifications for post-construction restoration being submitted to the County Planning Authority prior to the commencement of the development and being implemented as agreed; no development taking place (including ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP(Biodiversity)) has been submitted to and approved in writing by the County Planning Authority. The CEMP (Biodiversity) will, amongst other measures, ensure the protection of and/or mitigation for the Great Stour, Ashford to Fordwich Local Wildlife Site; Bats; Reptiles; Beavers; and Retained habitats. The CEMP (Biodiversity) will be informed by up-to-date ecological surveys (as appropriate) and will include the following: a Risk Assessment of potentially damaging construction activities; the identification of "biodiversity protection zones", practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (this may be provided as a set of method statements), the location and timing of sensitive works to avoid harm to biodiversity features, the times during construction when specialist ecologists need to be present on site to oversee works, Responsible Persons and lines of communication, the role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person, and use of protective fences, exclusion barriers and warning signs; the CEMP (Biodiversity) being adhered to and implemented throughout the construction period in accordance with the approved details; no development commencing until an *Ecology and Landscape Management Plan (ELMP)* has been submitted to and approved by the County Planning Authority (in consultation with the relevant consultees), to include amongst other matters: details of the wetland creation and improvement works for the Desmoulin's whorl snail habitat, along with monitoring of the snail population in functionally linked habitats; details of habitat restoration and enhancement within the Great Stour, Ashford to Fordwich Local Wildlife Site; details of the habitat creation, including long term management and monitoring, for the creation of scrapes; the submission of detailed specifications and implementation for ecological enhancement proposals; details of the legal and funding mechanism by which the long-term implementation of the plan would be secured by the developer with the management body(ies) responsible for its delivery; how contingencies and/or remedial action would be identified, agreed and implemented where

results from monitoring show the ecological aims and objectives of the Plan are not being met, so that the development still delivers the biodiversity objectives of the originally approved Plan; the approved CEMP being implemented in accordance with the approved details; the County Planning Authority being provided with a licence, prior to commencement of the development, regarding the impacts of the development on otters. This licence is to be issued by *Natural England* pursuant to Regulation 55 of the *Conservation of Habitats and Species Regulations 2017 (as amended)* to enable the works to proceed lawfully; the road not becoming operational until the viaduct parapets are fitted with solid screens (as depicted on drawing number 4300392/1700/ID/01 Rev P1) to prevent overspill directly into the river from surface water run-off on the road when spreading the winter maintenance grit and salts, along with spray from passing vehicles; the submission for written approval to the County Planning Authority prior to the road becoming operational of a “Salinity Monitoring Plan (SMP)” to ensure that there is no adverse increase in saline discharge as a result of the proposed development. The SMP will monitor the influent and effluent quality close to the pond discharge points and will include details of the monitoring method, locations and frequency; details of the body or organisation responsible for implementation; the submission of an annual monitoring report to the County Planning Authority for 5 years once operational, then every 5 years after that (or until KCCHighways implements a ‘no salt’ winter maintenance programme); the plan will also set out (where the results from monitoring show an adverse increase in saline discharge) how contingencies and/or remedial action will be identified, agreed and implemented so that the development does not lead to increased saline discharge and an adverse impact on Stodmarsh Special Area of Conservation (SAC); the SMP being implemented as approved; in the event that an unprecedented pollution incident occurs as a result of the operation of the development (including saline intrusion), the method of treating the pollution being considered by the County Planning Authority in consultation with Natural England and The Environment Agency, with further mitigation measures being agreed in writing; the submission, prior to first use of the development, for written approval by the County Planning Authority of a “Lighting Design Strategy for Biodiversity” for the site. This Strategy will ensure that there is no street-lighting on the viaduct and will identify those areas/features on site that are particularly sensitive to lighting impacts (including any biodiversity enhancement features), show how and where external lighting will be installed in accordance with *Guidance Note 8 Bats and Artificial Lighting’ (Bat Conservation Trust and Institute of Lighting Professionals)*, that all external lighting shall be installed in accordance with the specifications and locations set out in the Strategy and will be maintained thereafter in accordance with it; the submission for written approval by the County Planning Authority prior to the commencement of development of a Sustainable Surface Water Drainage system to be implemented through a *Surface Water Management Plan* and monitoring of efficacy (to include the mitigation measures detailed in the Flood Risk Assessment, April 2020, and drainage details set out in the Report to inform the *Habitats Regulations Assessment, February 2020*); the link road not becoming operational

until a verification report has been submitted for written approval by the County Planning Authority for the operation of the surface water drainage system; the link road not becoming operational until the Sturry Dyke drainage culverts have been upgraded in accordance with a scheme to be approved in writing by the County Planning Authority; the development being carried out in accordance with the submitted *Flood Risk Assessment* and the mitigation measures it details; the submission of a Construction Management Plan prior to the commencement of the development, to include the routing of construction and delivery vehicles to and from the site; parking and turning areas for construction and delivery vehicles and site personnel; the timing of deliveries; the provision of wheel washing facilities; temporary traffic management /signage; the submission of a *Construction Traffic Travel Plan* and *Construction Logistics Plan*; the implementation of traffic calming features and/or signage for the purposes of encouraging “Local Traffic Only” on the A28 south of the level crossing and along Sweechgate; the viaduct, roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining structures, service routes, surface water outfall, embankments, visibility splays, accesses, carriageway gradients, crossings, cycle paths, bus lanes, bus laybys, bus clearways and street furniture being laid out and constructed in accordance with details to be submitted for written approval by the County Planning Authority prior to the commencement of the development; an additional roadtraffic noise survey being submitted to the County Planning Authority prior to the Sturry Link Road becoming operational in its entirety in order to determine which properties would meet the eligibility criteria for noise insulation; the submission submitted prior to the commencement of development of further details of the connection of footpaths CB64 and CB51 at the Shalloak Road widening section and the footpath running underneath the viaduct, as well as the detailed design of the interface between the northern attenuation pond and the adjacent PROW; the submission for approval by the County Planning Authority (inconsultation with the relevant consultees) of an updated *Construction Environmental Management Plan* (CEMP) prior to the commencement of the development. The CEMP to include (amongst other matters) the routing of construction and delivery vehicles to and from the site; the method of controlling erosion; a dust and air quality management plan, to include monitoring; mitigation for the impact of dust on the surrounding area, including details of water suppression and vehicle movement controls; hours of works being restricted to between 0730 and 1800 on Mondays to Fridays, 0800 and 1300 on Saturdays with no work on Sundays or Bank Holidays; control of noise at source (using silencers for plant and tools etc); control of the spread of noise (using barriers, screens etc); the applicant/developer ensuring, if the development does not commence within 12 months of the approval of the CEMP, that all ecological surveys are updated as necessary (in consultation with the County Planning Authority), in order to ensure that they are current and incorporate the necessary mitigation measures required; the submission of new signage for the Public Rights of Way prior to the opening of the Sturry Link Road in order to maintain public knowledge and therefore use of the public rights of way; no street lights being erected along the length of the

viaduct without the written approval of the County Planning Authority; no development taking place until the applicants have secured the implementation of archaeological field evaluation work and further to this, measures to ensure preservation in situ of any remains and/or recording in accordance with a specification and timetable agreed by the County Planning Authority; the submission for written approval by the County Planning Authority prior to the commencement of development of a remediation strategy to deal with the risks associated with contamination of the site; the link road not becoming operational until a verification report demonstrating completion of the remediation strategy has been submitted to the County Planning Authority; no further development taking place if contamination is found on site that has not been previously identified until a strategy for dealing with this has been submitted to the County Planning Authority for written approval; no piling using penetrative methods being undertaken without the approval of the County Planning Authority following a Piling Risk Assessment; the submission for written approval by the County Planning Authority (in consultation with the Flood and Water Management Team and Natural England) within 6 months of the permission being granted, of a Landscape and Planting Plan as well as a 5 year maintenance programme. The plan must include details of the individual mix, species, sizes and planting densities of all landscaping, include varieties that would encourage bees, and in particular the saline-tolerant planting species for the attenuation ponds; the planting scheme and maintenance programme being carried out in accordance with the approved Plan; the replacement within 12 months in the same places by large nursery stock of the same species of any trees, plants, shrubs and hedges included in the approved scheme of landscaping or of any replacement trees, shrubs or hedges being removed or destroyed, dying or dead within 5 years of planting; and

(c) the applicants be advised by Informative that :-

- (i) they are reminded of the requirement for an application to temporarily close footpath CB60 where it would cross the link road (to be used as a haul road) in the interest of safety;
- (ii) their attention is drawn to the fact that no structures may be erected on or across a PROW without the express consent of the Highway Authority (HA), that there should be no disturbance of the surface or obstruction of its use either during or following development without the express consent of the HA, that no hedging or shrubs should be planted within 1m of the edge of the PROW, that planning consent confers no consent or right to close or divert any PROW at any time without the express permission of the HA, and that 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;
- (iii) they are reminded that the prior written consent of the River Stour Internal Drainage Board will be required for connections to Sturry Road Dyke;

- (iv) various equipment such as underground cables may be affected by the development, therefore prior to commencement of works accurate records should be obtained by the developer from UK Power Networks;
- (v) once operational, the County Council, as Highways Authority, shall endeavour to implement a reduced winter maintenance programme whenever possible to limit the amount of salt being distributed on the viaduct;
- (vi) they should consider the provision of an additional footway along the eastern side of Sturry Hill south of the proposed roundabout on the A291;
- (vii) the applicant and the Highway Authority are encouraged to continue dialogue with Network Rail, Canterbury City Council and Sturry Parish Council to deliver improvements to the Sturry Railway Station, including the provision of a ticket machine on the southern platform and to explore the potential for the use of more 4 carriage trains in the interim to minimise the time the level crossing at Sturry is closed; and
- (viii) the applicant is encouraged to monitor traffic flows post implementation of improvements to the A28/ A291 to consider the effectiveness of the junction improvements.

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Item C1

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 at Court Lodge Farm, Stack Road, Horton Kirby, Kent, DA4 9DU – SE/21/1546 (KCC/SE/0102/2021)

A report by Head of Planning Applications Group to Planning Applications Committee on 13 October 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 at Court Lodge Farm, Stack Road, Horton Kirby, Kent, DA4 9DU – SE/21/1546 (KCC/SE/0102/2021)

Recommendation: Permission be GRANTED subject to conditions.

Local Member: Roger Gough

Classification: Unrestricted

Site

1. Court Lodge Farm is located approximately 800m to the east of Horton Kirby village along Stack Road, a private road leading from the junction between Forge Lane, Jacobs Lane and Skinney Lane. The farm holding extends to approximately 281ha, with the farmyard sitting centrally within the land holding.
2. The site of the Agricultural Waste Digester (AWD) plant is immediately to the south east of the group of agricultural buildings at Court Lodge Farm. The site of the AWD is to the south of the main, surfaced track through the farm and to the east of a secondary track leading to the south. It is situated within an area surrounded by concrete bunding.
3. The site is located at the crest of a broad ridge running gently down to the north west and thus occupies an elevated position, raised above the surrounding areas to the north, west and south.
4. The site lies wholly within the Metropolitan Green Belt. It also is within a number of nationally and locally designated landscape character areas; the North Kent Plains National Landscape Character Area, Darenth Downs Character Area (part of KCC's Landscape Character Assessment of Kent 2004) and Downs Farmlands Landscape Character area (part of Sevenoaks Countryside Assessment 2011). It also lies entirely within a Flood Zone 1 area which is defined as having a low risk of flooding from rivers and sea. The nearest nature conservation designation is the Farningham Wood Site of Special Scientific Interest (SSSI) which lies over 2km to the west of the application site. The Kent Downs Area of Outstanding Natural Beauty lies to the south-west, around 2.5km from the site.
5. The application site lies within a groundwater Source Protection Zone 2 (SPZ2) where

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 at Court Lodge Farm, Stack Road, Horton Kirby, Kent, DA4 9DU – SE/21/1546 (KCC/SE/0102/2021)

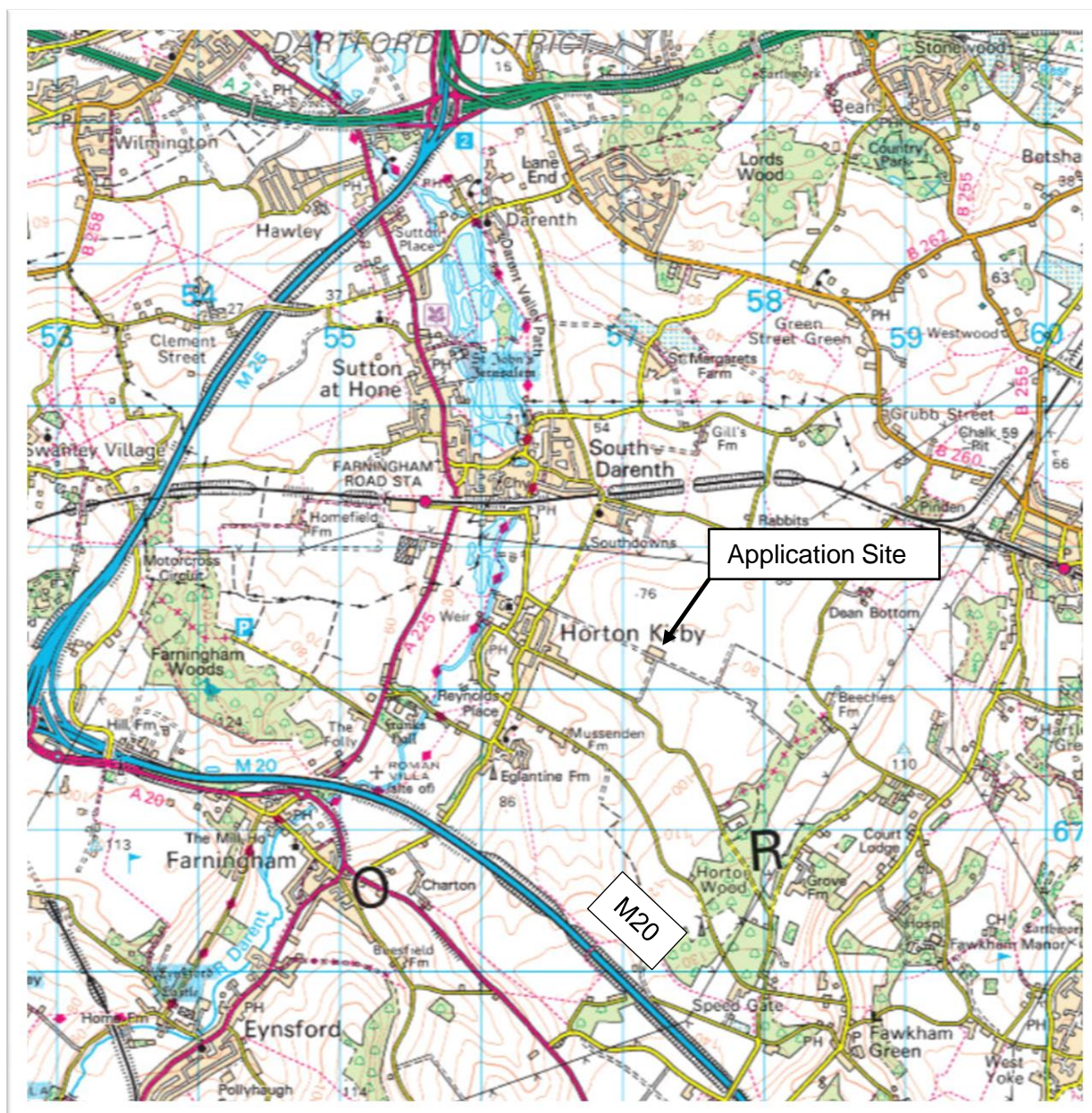
the Environment Agency (EA) give consideration to the risk of pollution and suggest prevention measures if appropriate. It also overlays a principal chalk aquifer which the Environment Agency identify as being of High Vulnerability. The Chalk in the area of the site is also identified as a Nitrate Vulnerable Zone.

Background and Recent Site History

1. Planning permission was granted in May 2018 for the construction and operation of the AWD and associated infrastructure (planning permission reference: SE/18/293). Details pertaining to a construction management plan, material finishes, the attenuation pond, archaeological evaluation, landscaping scheme, plan and external lighting were subsequently submitted and approved.
2. The facility is now operational and processes some 37,000 tonnes per annum (TPA) of agricultural waste. A proportion of the biogas produced from the anaerobic digestion process is used to power Court Lodge Farm itself with the excess being exported to the national gas network.
3. During the detailed design and construction phase, the need arose for the layout of the facility to be amended and additional equipment to be introduced. As such, this Section 73 planning application has been submitted to vary condition 2 of SE/18/293 and regularise these amendments. Condition (2) of SE/18/293 states: “The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the submitted details, documents and plans referred to in Schedule 1 attached and/or as otherwise approved pursuant to the conditions below.”
4. A number of complaints have been received in recent months with regards to the operation of the facility. These have largely related to traffic movements but also raise concern over the approved landscaping scheme and the extent to which it has been adhered to.

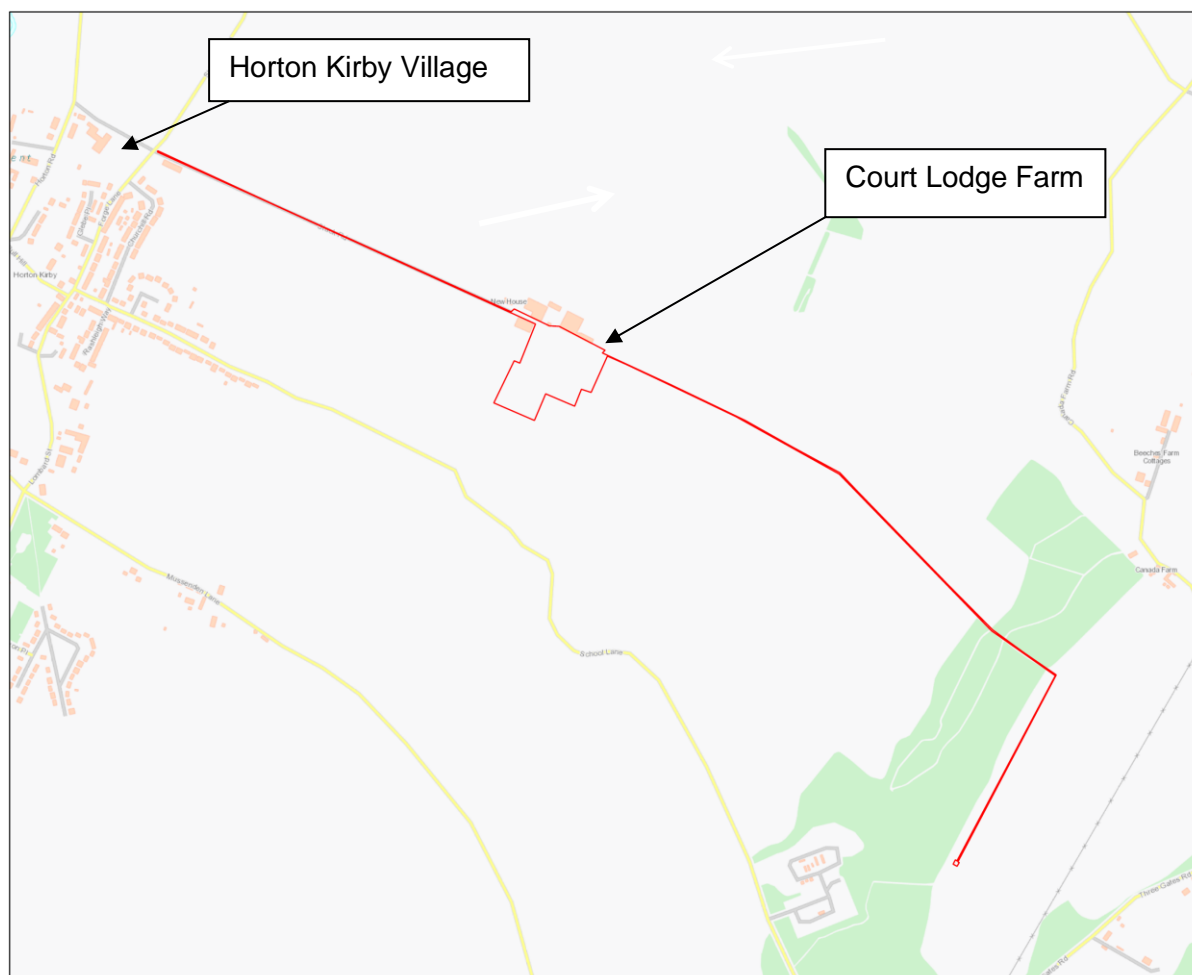
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General Location Plan



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 at Court Lodge Farm, Stack Road, Horton Kirby, Kent, DA4 9DU – SE/21/1546 (KCC/SE/0102/2021)

Application Site Plan



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 at Court Lodge Farm, Stack Road, Horton Kirby, Kent, DA4 9DU – SE/21/1546 (KCC/SE/0102/2021)

Proposal

8. The application seeks to vary condition 2 of planning permission SE/18/293 which states that the development is to be carried out in accordance with the submitted plans and details. Since permission was granted for the facility and during the detailed design and construction phase, a number of minor changes to the layout were deemed necessary.
9. The changes include the 90 degree reorientation of the silage and straw clamps, which now run east to west as opposed to north to south. This change was implemented to maintain an open yard between the storage clamps (where crops for the feedstock are stored) and the AWD plant. It was deemed necessary on health and safety and maintenance grounds to ensure full vehicular access around the AWD plant within the concrete bunded area. The straw clamp has also been extended to match the size of the silage clamps, to cater for the AWD and store straw for the cattle housed on the farm.
10. The gas flare has been moved a few metres south-east for safety reasons. Its revised location was deemed optimum during the Dangerous Substances and Explosive Atmosphere study and ensures it is away from the normal operational tasks associated with the AWD. Furthermore, no vehicle ramp has been provided into the bunded area, with a flood gate being installed instead. This was carried out for operational reasons.
11. In addition, the applicant is seeking planning permission install an additional piece of plant being a gas storage dome which would be 23m in diameter and 8m in height; this would provide up to four hours of gas storage. The dome would be inside of the existing concrete bund adjacent to the main AWD tanks.
12. The storage dome is required for a number of reasons. Currently, the site has capacity for approximately 1 hour of gas storage. This means that during maintenance operations when the site is shut down, the gas needs to be flared immediately which effectively wastes the renewable biogas and impacts the viability of the facility. The new storage dome would give an additional 4 hours storage time, during which some 85% of maintenance tasks can be carried out, significantly reducing the amount of wasted biogas.
13. Furthermore, only 1 hour of gas storage means that the range between the minimum and maximum pressures is much smaller than optimum. The pressure in the domed gas roofs of the two AWD tanks controls the gas upgrading equipment. If the pressure drops below the minimum, the gas upgrading equipment shuts down automatically, if it increases above the maximum gas will be flared and vented until the gas upgrading equipment is increased manually. The small range between the minimum and maximum therefore means that any small change in the roof pressure is having a disproportionate effect on the gas upgrading equipment, the output of which is currently having to be changed multiple times a day which is causing unnecessary additional wear and tear. Additional gas storage would eliminate these operational issues.

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 at Court Lodge Farm, Stack Road, Horton Kirby, Kent, DA4 9DU – SE/21/1546 (KCC/SE/0102/2021)

Site Layout as approved under SE/18/293

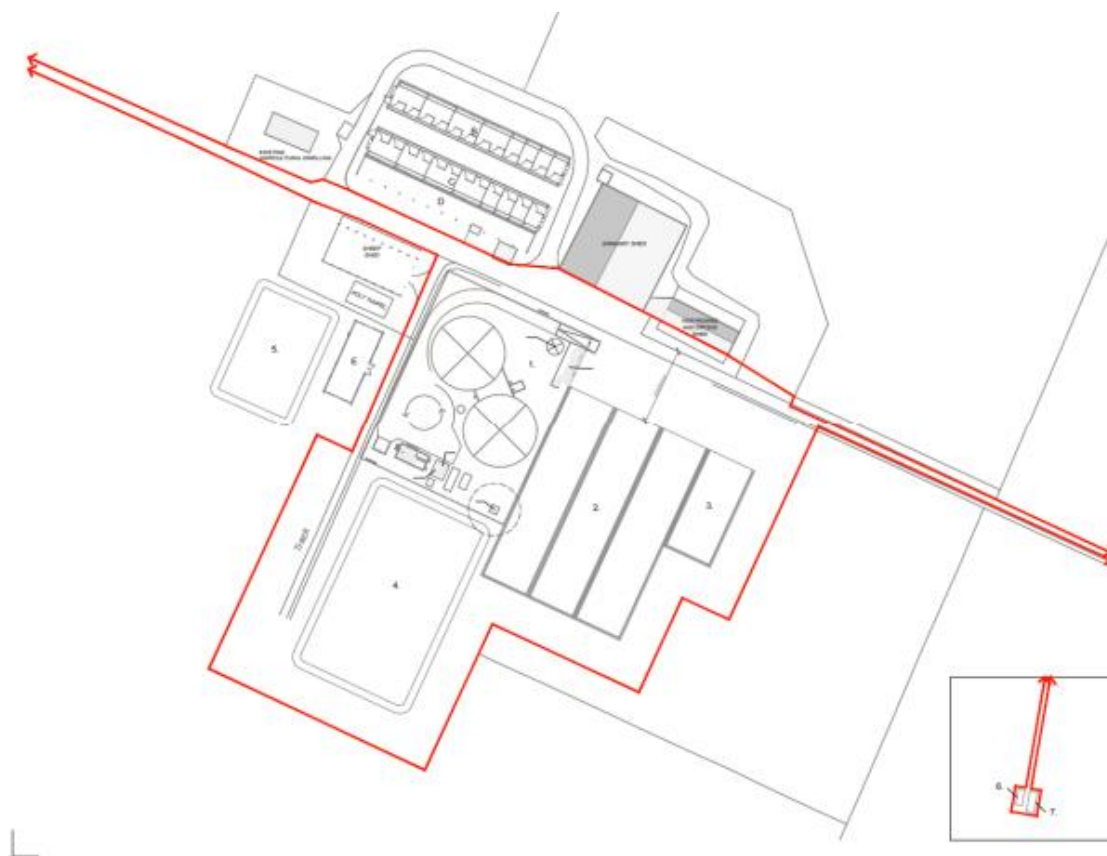


Figure 1: Approved layout of the AWD pursuant to KCC/SE/0007/2018.

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Proposed site layout as per SE/21/01546

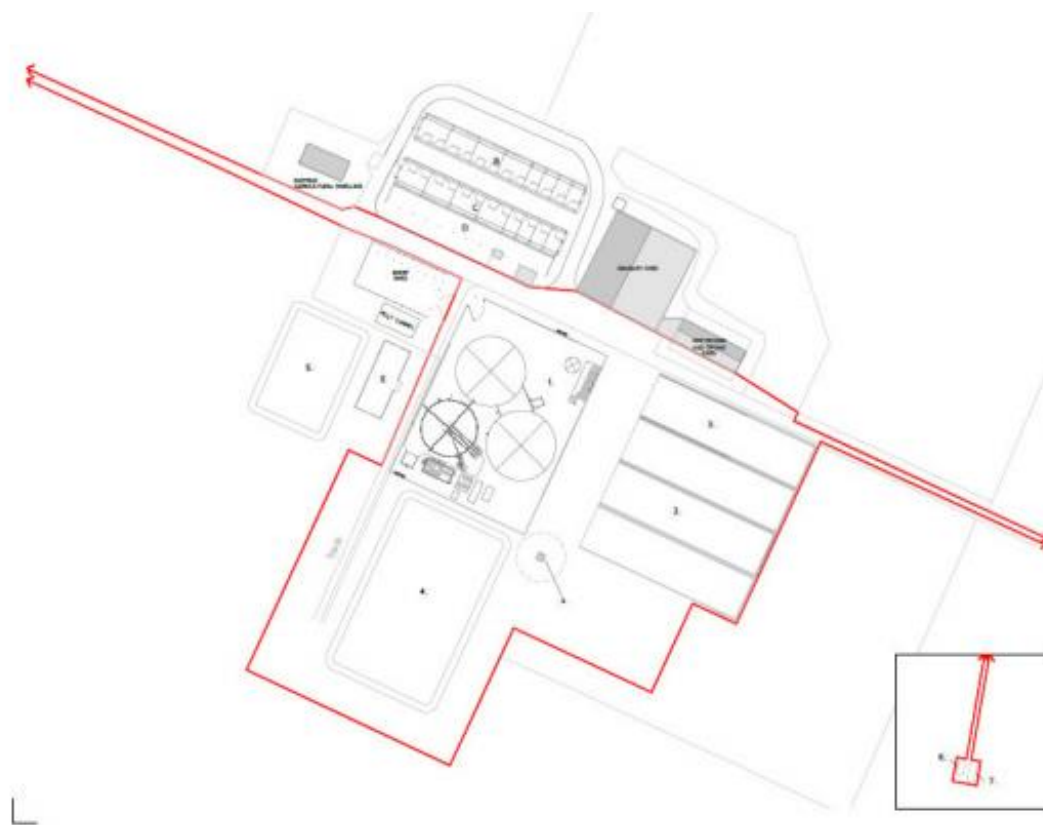
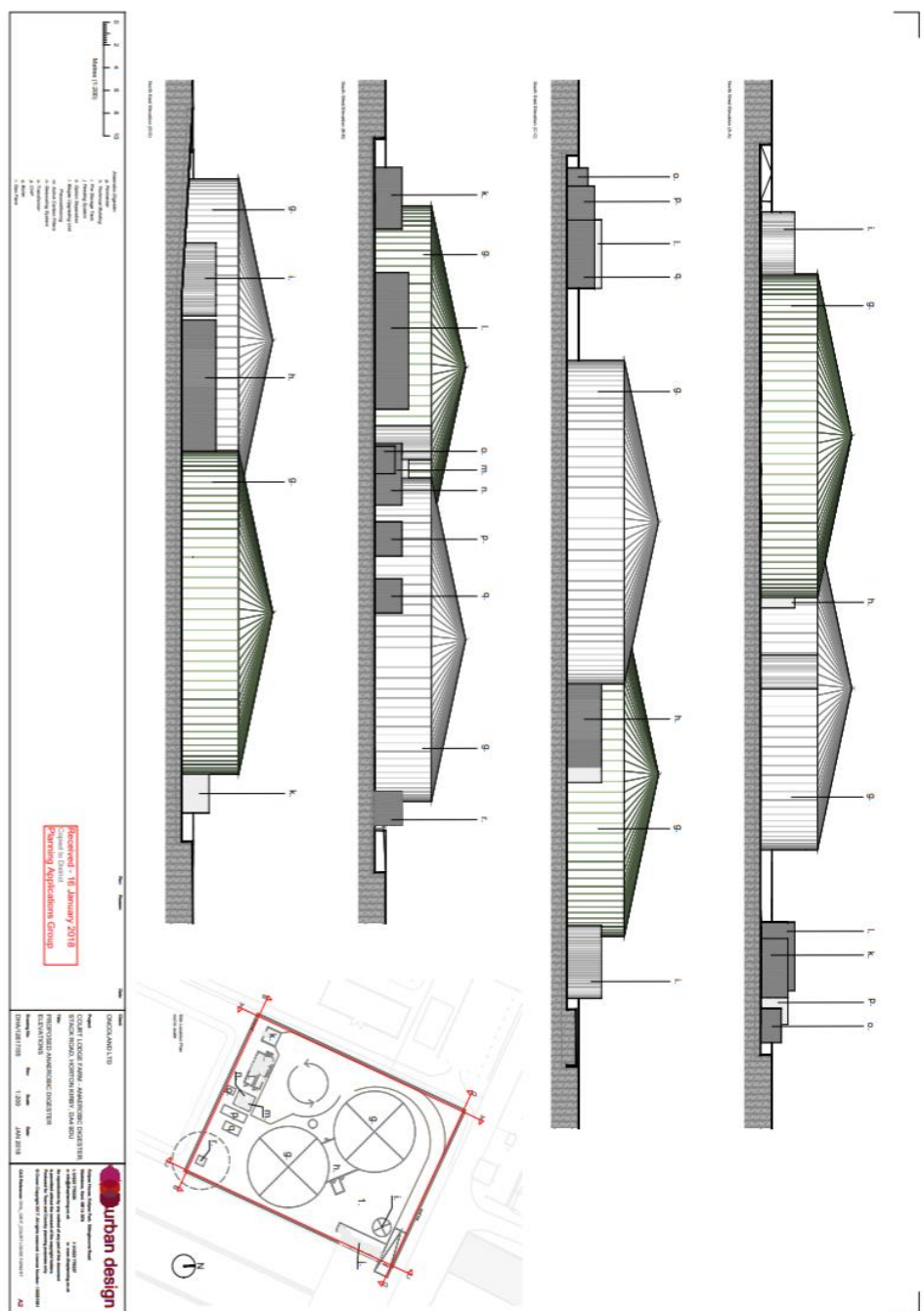


Figure 2 -amended layout including proposed gas storage dome.

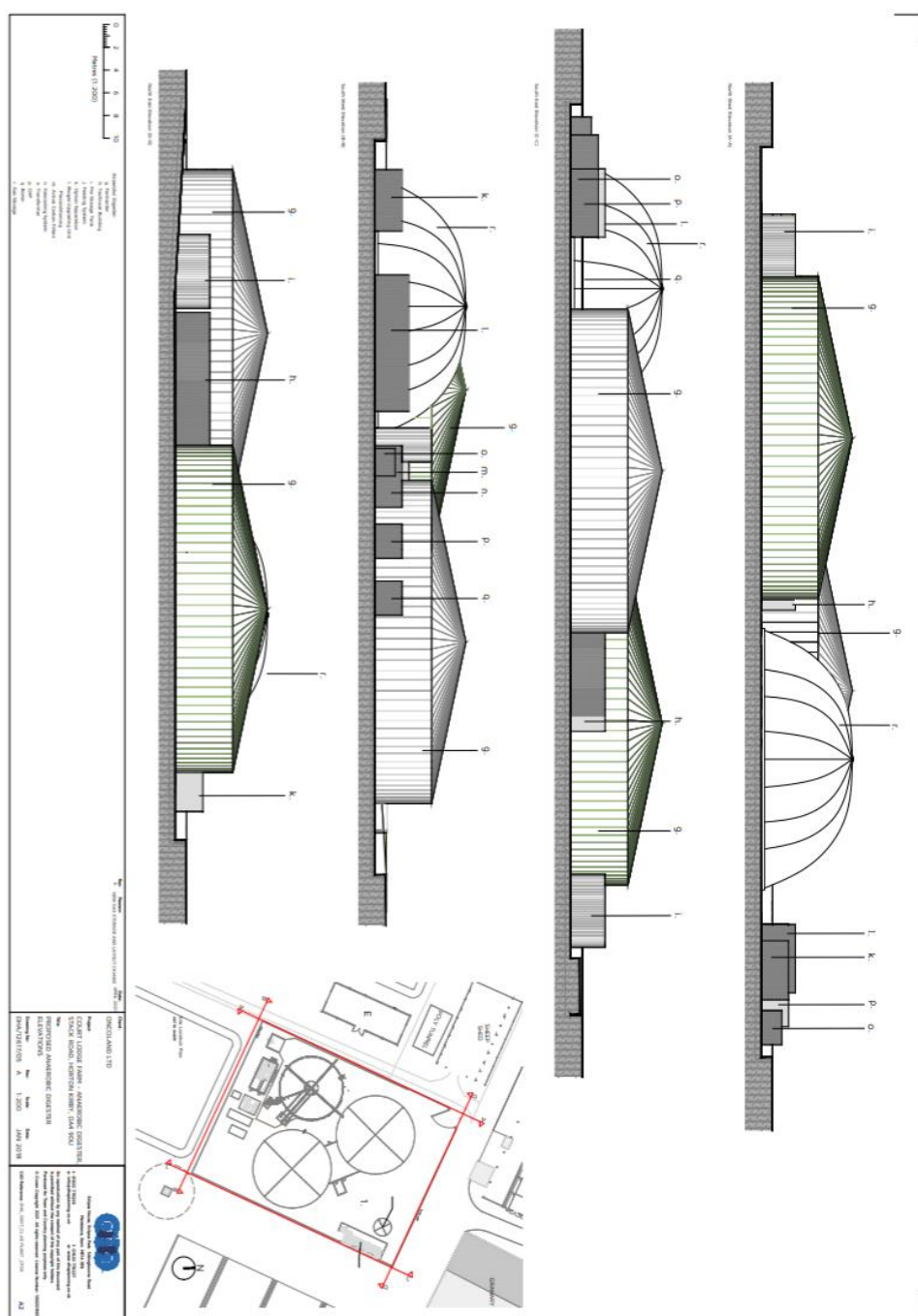
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Elevations as approved under SE/18/293



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Proposed site layout as per SE/21/01546



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Planning Policy

14. **National Planning Policy Framework (NPPF) (July 2021)** sets out the Government's planning policies for England and is a material consideration in the determination of planning applications. The Framework does not vary the status of the development plan (included below), which remains the starting point for decision making.
15. The NPPF contains a presumption in favour of sustainable development, which includes economic, social and environmental dimensions that should be sought jointly and simultaneously through the planning system. In terms of delivering sustainable development in relation to this development proposal, Chapters 1 (Building a strong, competitive economy), 3 (Supporting a prosperous rural economy), (Protecting Green Belt Land), 10 (Meeting the challenge of climate change, flooding and coastal change), 11 (Conserving and enhancing the natural environment) are of particular relevance.
16. The NPPF seeks local planning authorities to look for solutions rather than problems and to approve sustainable development that accords with the development plan, unless material considerations indicate otherwise. Where the development plan is absent, silent or out-of-date, the Framework seeks that permission be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against NPPF policies.
17. **National Planning Policy Guidance (NPPG) (November 2016 (as updated))** supports the NPPF including guidance on planning for air quality, climate change, environmental impact assessment, flood risk and coastal change, light pollution, minerals, natural environment, noise, transport and waste (amongst other matters). The waste section of NPPG advises that the aim should be for each Local Planning Authority to be self-sufficient in dealing with their own waste in the context of the 'proximity principle'. It requires waste planning authorities to plan for sustainable management of waste.
18. **National Planning Policy for Waste (NPPW) (October 2014):** The NPPW should be read in conjunction with amongst other matters the NPPF and Waste Management Plan for England (WMPE) 2021. It recognises the need to drive the management of waste up the 'Waste Hierarchy' and the positive contribution that waste management can bring to the development of sustainable communities. It recognises that planning plays a pivotal role in delivering this country's waste ambitions through amongst other matters helping to secure the recovery of waste without endangering human health and without harming the environment.
19. **Waste Management Plan for England (WMPE) 2021:** The key aim of the WMPE is to help achieve the Government's objective of moving towards a zero waste economy as part of the transition towards a sustainable economy. It also promotes the waste hierarchy as a guide for sustainable waste management. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery and last of all disposal (landfill).

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Development Plan Policies:

20. **Kent Minerals and Waste Local Plan (KMWLP) 2013 – 2030 (September 2020):** As set out in the NPPF the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF requires that policies in local plans should follow the approach of the presumption in favour of sustainable development. The KMWLP is therefore founded on this principle. Policy CSW1 gives support where, when considering waste development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development as set out and supported by National Policy.
21. Policy CSW2 recognises that to deliver sustainable waste management solutions for Kent any proposal should demonstrate how they will help drive waste up the waste hierarchy whenever possible.
22. Policy CSW6 guides the location of built waste management facilities. Policy CSW7 provides a strategy for the provision of new waste management capacity for non-hazardous waste. The policy will increase the provision of new waste management capacity for recovery while recognising the need to drive waste up the waste hierarchy. In reflecting the relative positions of the different methods of waste management in the waste hierarchy it is considered preferable to process organic waste to produce compost as opposed to burning it to produce heat/power. The use of organic waste to produce gas that may be used as a fuel via anaerobic digestion is also considered preferable to its direct combustion.
23. Policy DM1 requires that proposals for waste development are designed amongst other matters, to maximise the re-use or recycling of materials. Policy DM2 of the KMWLP states that proposals for waste development must ensure that there is no unacceptable adverse impact on the integrity, character, appearance and function, biodiversity interests, or geological interests of sites of international, national or local importance unless it can be demonstrated that there is an overriding need for the development and any impacts can be mitigated or compensated for, such that there is a net planning benefit.
24. Policy DM4 requires that proposals for minerals and waste development within the Green Belt will be considered in light of their potential impacts and shall comply with national policy and the NPPF. Policy DM11 requires waste developments to demonstrate that they are unlikely to generate unacceptable adverse impacts from noise, dust, odour, vibration, emissions, bioaerosols, illumination, visual intrusion, traffic or exposure to health risks and associated damage to the qualities of life and wellbeing to communities and the environment. Policy DM12 establishes the need to take into account the cumulative impacts of individual elements of a proposal to ensure there are no unacceptable adverse impacts on the environment or local communities. Policy DM13 requires waste developments to demonstrate that road traffic movements are minimised as far as practicable by preference being given to non-road modes of transport.

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25. **Sevenoaks District Council Core Strategy 2011:** Policy SP1 requires high quality design and for it to respond to the distinctive local character of the area in which it is situated. Policy SP2 Sustainable Development: Sustainable Construction and Low-Carbon Energy Generation. Policy LO8 seeks to conserve the countryside, protect the Green Belt, landscape features and the protection and enhancement of biodiversity. Policy SP11 conserve and seek opportunities to enhance biodiversity.
26. **Sevenoaks Allocations and Development Management Plan 2015:** Policy EN1 requires high quality design, EN2 seeks to protect residential amenity, EN5 seeks development to conserve the character of the landscape (and where feasible to help secure enhancements in accordance with landscape actions in accordance with the Sevenoaks Countryside Assessment SPD), Policy EN6 seeks to minimise the impact of outdoor lighting on the countryside, Policy EN7 control of potential noise pollution, Policy T1 seeks to mitigate travel impact.
27. **Sevenoaks District Council Development in the Green Belt Supplementary Planning Document (SPD) (February 2015):** Section 8 states that new buildings that are demonstrably essential for agriculture or forestry purposes are considered to be appropriate development in the Green Belt.

Consultations

28. **Sevenoaks District Council -** Raise no objection to the proposed amendments

Horton Kirby and South Darenth Parish Council – Object due to the visual impact to the vale. Some 100 trees have reportedly been planted however these will take years to hide the digesters. Also raise concern over the noise impacts and the safety of the facility with regard to explosions.

Kent Downs AONB Unit – No response received.

Environment Agency – No objection subject to comments relating to the environmental permit for the AD plant and groundwater and contaminated land.

Sustainable Drainage - No objection. Note that the additional storage dome would be situated within the existing hardstanding concrete bund area and it is expected that the contribution of surface water runoff to the lagoon will remain the same.

KCC Noise and Air Quality Consultants – No assessments have been provided on the possible noise or air quality impacts of the proposed amendments. However, given the nature of the changes proposed, an increase in air quality, odour and noise impacts from those assessed as likely in the original scheme is unlikely.

Local Member

29. The local County Member Mr Roger Gough was notified of the application on 17 May

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2021. No comments have been received.

Publicity

30. The application was publicised by the posting of 2 site notices and an advertisement in a local newspaper.

Representations

31. In response to the publicity, 2 letters of representation have been received. The key concerns raised can be summarised as follows:

- The need for additional gas storage indicated the facility is not just processing farming by-product and is operating at an industrial scale
- The facility is already causing adverse highway impacts through large numbers of tractor-trailer movements, the additional gas storage indicated intensification of the site operations which will exacerbate this issue
- The landscaping scheme approved under the original consent has not been brought forward, so screening of the facility is inadequate which will be made worse with the additional plant
- Safety concerns over explosions
- Noise and odour impacts

Discussion

32. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 10 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. In my opinion, the key material planning considerations in this particular case can be summarised by the following headings:

- Need and Sustainability
- Green Belt
- Landscape and Visual Impact.
- Other Matters including highway considerations

Need and Sustainability

33. At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development and it requires that policies in local plans should follow this approach. As set out in paragraph 8, there are three dimensions to sustainable development, social, economic and environmental. The spatial vision for

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waste planning in Kent seeks to move waste up the Waste Hierarchy, encourage waste to be used to produce renewable energy (including anaerobic digestion), be managed close to the source of production and facilities be provided to deal with all waste streams now and in the future. Policy CSW 1 of the Kent Mineral and Waste Local Plan 2013-2030 (KMWLP) seeks that sustainable development be approved without delay unless other material considerations indicate otherwise.

34. Policy CSW 2 of the KMWLP supports sustainable waste management solutions that prepare waste for re-use or recycling that will help drive waste to ascend the Waste Hierarchy wherever possible. Policy CSW 7 supports the use of waste in anaerobic digestion facilities to increase waste management capacity. Policy CSW 6 seeks to identify sites that are appropriate for waste management facilities and the supporting text recognises that in rural areas where either the non-processed waste arisings or the processed product can be of benefit to agricultural land (as is the case with compost and anaerobic digestion), the most proximate location for the waste facility will be within the rural area. It goes on to state that waste management facilities on greenfield sites are not precluded. Consideration of Green Belt Policy is given in the next section of my report.
35. The need for the facility and its ability to provide a sustainable solution for waste management in this location was established when the original scheme was granted planning permission. The amendments to the layout would enable the facility to operate in a safer and more efficient manner, improving the long-term viability of a site which offers a solution to sustainably manage waste arisings and deal with local agricultural waste.
36. The additional gas storage dome would increase the gas storage time at the site to 4 hours, this vastly reduces the amount of biogas which would be flared and effectively wasted when the site is shut down to carry out maintenance. Therefore, the addition of this plant increases the volume of biogas which can be captured and utilised. As the biogas represents a renewable resource of energy, powering both the Court Lodge Farm complex and feeding the national grid where possible, there is a strong argument in support of the storage dome under grounds of environmental sustainability.
37. In principle I am satisfied that there is policy support for the proposed amendments to planning permission SE/18/293. The original scheme sought to improve an existing agricultural operation by managing the waste arisings in a sustainable way and the proposed amendments would improve the efficiency of this process. The scheme represents sustainable development in accordance with the policies contained in the development plan.

Green Belt

38. The site lies entirely within the Metropolitan Green Belt and must therefore be considered in the light of the relevant planning policy relating to development in such areas.

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39. The NPPF states that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. It goes on to state the five purposes are:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
40. It also states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, and that substantial weight be given to any harm to the Green Belt. Paragraph 149 of the NPPF is clear that the construction of new buildings should be regarded as inappropriate in Green Belt but goes on to list a number of exceptions; at the top of the list is buildings for agriculture and forestry. The NPPF does not add any requirement to consider the impact of these buildings on the openness of the Green Belt. Policy DM4 of the KMWLP states that minerals and waste development within the Green Belt will be considered in light of their potential impact and shall comply with national policy and the NPPF. Policy LO8 of the Sevenoaks Core Strategy 2011 states the extent of the Green Belt will be maintained. Section 8 of the Sevenoaks District Council Development in the Green Belt SPD states that new buildings that are 'demonstrably essential for agriculture or forestry purposes' are considered to be appropriate development in the Green Belt.
41. Paragraph 151 of the NPPF states when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development and, in such cases, developers would need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.
42. In considering the original scheme, it was deemed that the proposal for an Agricultural Waste Digester was different than other proposals for anaerobic digestion (AD) plants in that the purpose behind it was to deal with waste arisings from the farm estate and it would not involve the generation of electricity so was not therefore primarily a renewable energy project. Furthermore, it was accepted that the facility should be regarded as buildings for agricultural purposes and as such was considered appropriate development within the Green Belt. The rationale for this was that some 95% of the materials handled at the proposed digester plant would either be waste arising from the Oncoland farming estate (70.3%) or feedstock grown on the estate (24.3%).
43. The proposed variations to the scheme would not alter the purpose of the facility in any way and thus the above points are still relevant, therefore a case to demonstrate very special circumstance does not need to be made.
44. Notwithstanding this, the amendments would improve the functionality and sustainability of the facility in such a way, that were this not agricultural development, the factors set

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out could cumulatively (with others as may be appropriate) be taken to put forward a case that sufficient very special circumstances would exist to overcome the usual presumption against inappropriate development. In this instance, the additional gas storage dome is to be situated within the existing concrete bunding with the rest of the AWD complex, in a green colour matching to the adjacent fermenter tanks, and its height is not in excess of the other buildings within the complex. The development would not in my view affect the characteristics and purpose of green belt policy. The other variations to the layout including the orientation of the storage clamps and location of the gas flare are considered inconsequential with regards to conflicting with the purpose of the Green Belt which is to conserve openness.

45. In conclusion I am satisfied that the proposed development can reasonably be regarded as involving buildings for agricultural purposes as was the case with the original scheme and thus appropriate development in the Green Belt. Even if it were not regarded in this way I am satisfied that sufficient very special circumstances could be put forward to overcome the usual presumption against inappropriate development; and that any harm to the Green Belt would be outweighed by the benefits of the proposed development.

Landscape and Visual Impact

46. The site is not covered by any national or local designation for landscape quality, and the nearest part of the Kent Downs Area of Outstanding Natural Beauty lies to the south-west, around 2.5km from the site. However, given the location of the elevated site on a broad ridge surrounded by large open fields it is appropriate to consider the impact of the proposals upon the landscape and the visual impact upon the local community and in the vicinity. In the case of this proposal, it is important to consider whether the variations would adversely impact the local landscape character.
47. As stated previously, the additional gas storage dome is to be situated within the AWD complex which is surrounded by concrete bunding. The bunding has previously been considered an acceptable solution in reducing the prominence of the facility in within wider landscape views and as such this location is considered optimum in terms of reducing visual impact. The colour of the dome is also proposed to match the existing structures which will help it blend in with both the rest of the site and the wider rural setting. These factors, along with the height of the dome (8m) not exceeding that of existing structures, allows me to conclude that this additional structure would not present a significant adverse impact on the landscape above and beyond what was originally permitted. The other amendments to the layout are considered minor in the context of landscape impact.
48. The original scheme was subject to a comprehensive landscape strategy which included tree planting to offer screening. Concern was raised in the representation from Horton and Kirby Parish Council that this scheme has not been adhered to and is inadequate in offering immediate screening benefits due to the time it takes for trees to grow; therefore, the addition of the gas storage dome would present an adverse impact on the landscape which cannot be effectively mitigated against. The agent acting on behalf of the applicant responded to these points and confirmed that some 800 young trees have

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been planted at the site in accordance with Condition 13 of planning permission SE/18/293 which will over time mature and become an effective screen for the facility. Condition 14 of planning permission SE/18/293 requires that if any trees or shrubs forming part of the landscaping scheme die or become damaged or diseased within 5 years during and after completion of the development, they are to be replaced. The agent also highlighted that it may be the case the screening is not visible to the nearest third-party property, which is over half a mile away.

49. In light of the above, I would conclude that the proposed amendments, including the addition of the gas storage dome are acceptable in terms of landscape and visual impact.

Other Issues

50. Vehicle Movements – The objections received on the application refer to a large number of tractor-trailer movements associated with the facility causing inconvenience to other road users. Complaints were also made about the size of the vehicles. This current proposal would not bring about any additional vehicle movements and as such, highway impacts are not considered a material consideration in this case. Notwithstanding this, it should be noted that the matter has been investigated and the operator was asked to respond to these points. From the information available it would appear that the planning conditions attached to SE/18/293 relating to highway movements are being complied with. Furthermore, there is no restriction within SE/18/293 on the size of the vehicles to be used. The original application stated that the facility would bring about some 550 vehicle movements per annum (average 11 journeys per week) and was permitted on that basis. The agent acting on behalf of the applicant has advised that as is inherent with farming practices, there are peaks and troughs in vehicle movements so some weeks will see more than others. It was also highlighted that Court Lodge Farm is a full working farm responsible for some 300 head of cattle and 280 hectares of arable land, which generates a number of vehicle movements in its own right including tractors with tankers. It should be noted that vehicle movements associated with the farm itself are outside the scope of any planning application or permission for the AWD and therefore no formal action can be taken by the County Planning Authority in this respect.
51. Amenity – Concerns have been raised over noise, air quality and odour impacts. The variations sought to the scheme in the current proposal are not considered to be of such a nature that any additional impacts by way of noise or odour would be brought about. This view was reinforced with advice from KCC's noise and air quality/odour consultants. Therefore, this is not deemed to be a material consideration in this case and any noise or air quality impacts associated with the facility will be managed and dealt with accordingly under the restrictions and mitigation measures associated with the original planning consent and the environmental permit managed by the Environment Agency.
52. Public safety - A specific concern was also raised over the risk of explosions at the facility. As part of this application, the gas flare has been moved a few metres from its previous location outside of the bunding which surrounds the AWD. This was done for

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safety reasons following the Dangerous Substances and Explosive Atmosphere study and ensures it is kept away from the normal operational tasks associated with the AWD. The amendments to the anaerobic digestion facility are also dealt with by other regulatory regimes outside of the planning process to ensure that the facility operates in a manner which is safe. This includes the addition of the gas storage dome for which the Environment Agency have advised that a variation to the existing permit may need to be sought. The facility will also be subject to a site management plan which is not intended to duplicate the controls of the environmental permit but to make certain that measures are in place to ensure good housekeeping at the site, this document will be updated to reflect any amendments to the site arrangements as necessary.

Conclusion

53. This application seeks a number of minor variations to a permitted agricultural waste digester (AWD) facility that provides sustainable treatment of waste arisings generated from the Onocoland farming estate. The variations to the facility sought in this application seek to improve the operational functionality and safety of the site and reduce the amount of biogas which is wasted, improving the Greenhouse Gas efficiency of the AWD. These changes are seen as pertinent to the viability of a site which offers a sustainable solution to manage agricultural waste arisings.
54. Agricultural development is appropriate development in the Green Belt and the additional plant has been designed to minimise landscape impacts.
55. It is not considered there would be any cumulative or combined impacts associated with other developments. Subject to the reimposition of relevant conditions attached to planning permission SE/18/293 and those proposed below the development is considered sustainable.
56. I am satisfied the proposed development complies in all relevant aspects with the NPPF to which the presumption in favour sustainable development therefore applies. It is concluded that the proposals comply with the adopted KMWLP 2020 and the relevant policies of the Sevenoaks District Council's Core Strategy 2011 and Sevenoaks Allocations and Development Management Plan 2015 and the Sevenoaks District Council Development in the Green Belt SPD 2015.
57. I recommend that planning permission should be granted for these proposals.

Recommendation

58. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions covering (amongst other matters) the following:
 - Development to be begun not later than 3 years beginning the date of the planning permission

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- Development to be carried out in accordance with the submitted details
- Site Management Plan to be approved and thereafter implemented as approved
- Waste feedstock; only waste arising from the farm estate is to be processed at the facility
- Surface and foul water drainage to be carried out in accordance with submitted details of the attenuation pond
- Lighting to be implemented in accordance with approved details in order to minimise light spill
- Traffic movements/ vehicle routing; vehicle movements are to avoid peak traffic periods and shall take the route identified in the planning application details
- Landscaping to be implemented and thereafter maintained in accordance with the submitted scheme

59. Any informatives still relevant from SE/18/293 would be carried forward within this planning permission. This includes informatives related to the expiry date of the decision notice and adhering to the conditions, a reminder that it is an offence to damage, remove or destroy the nests of wild birds which are in use, and minimising noise from mechanical apparatus at the site.

Case Officer: Alice Short	Tel. no: 03000 413328
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Background Documents: see section heading

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Item C2

Change of use from storage of empty skips and associated plant to storage and processing of waste within an existing barn at Cleve Hill Farm, Cleve Hill, Graveney - SW/21/503467 (KCC/SW/0081/2021)

A report by Head of Planning Applications Group to Planning Applications Committee on 13 October 2021.

Application by K & S Services South East Limited for a change of use from storage of empty skips and associated plant to storage and processing of waste on site within an existing barn at Cleve Hill Farm, Cleve Hill, Graveney, Kent, ME13 9EE - SW/21/503467 (KCC/SW/0081/2021).

Recommendation: Permission be granted, subject to conditions.

Local Member: Mr R. Lehmann

Classification: Unrestricted

Site

1. The application site comprises a modern farm building (barn) located on the western edge of a complex of buildings that forms part of Cleve Hill Farm, a small area of hardstanding in front of the barn and an associated private access road. Cleve Hill Farm is in a remote location within open flat countryside, surrounded by marshland / farmland. The site is 3 km northeast of Faversham, 3.2km west of Seasalter and 1km northwest of Graveney village. East of the farmyard is the London Array Electrical Substation, which sits within a large secure compound associated with the windfarm in the Thames Estuary. The substation and farmyard benefit from a purpose-built access road that connects both to the public highway (Seasalter Road). The access road replaces the older and narrow access via Cleve Hill Lane to the south. A small number of residential properties are located to the southeast along Cleve Hill Lane, the closest of which is 130m from the application site on the far side of the farmyard buildings. Large areas of the surrounding farmland (to the north and west) form part of the yet to be developed Cleve Hill Solar Park, which was permitted as a National Significant Infrastructure Project (NSIP) by Central Government on 28th May 2020.
2. The building proposed to be used is a large agricultural barn, measuring 30m x 30m x 8m to the eaves, with 900m² of floorspace. It is finished in grey metal sheeting and is one of a matching pair of buildings erected as agricultural stores. The application building has a temporary planning permission for a change from agricultural to a storage use. Until recently this building was used by another waste operator to store skips, plant and equipment. The adjoining building appears to remain in agricultural use. These form part of a complex of agricultural / industrial type buildings in the surrounding farmyard, the majority of which benefit from planning permissions for B1 (industrial) or B8 (storage) uses (see the Background section below).
3. The public highway east of the site access (Seasalter Road) leads to Seasalter and Whitstable. This road passes under a rail bridge just before Seasalter. The public highway narrows to single lane under the bridge and is subject to a 3.5m (11ft 6) height restriction. The public highway south of the access road (Seasalter Road / Head Hill Road) passes through the villages of Graveney and Goodnestone before connecting with the Thanet Way (A229) 3km to the south. Seasalter Road / Head Hill

Change of use from storage of empty skips and associated plant to storage and processing of waste within an existing barn at Cleve Hill Farm, Cleve Hill, Graveney – SW/21/503467 (KCC/SW/0081/2021)

Road are small two-lane country roads with occasional pinch points where they pass through the villages. Graveney Primary School is positioned along this route. Seasalter Road / Head Hill Road are a bus route and form part of National Cycle Route 1. Monkshill Road is narrow country lane that connects Seasalter Road (south of the application site) with a further junction with Thanet Way 2.5km to the east. Seasalter Road / Head Hill Road and Monkshill Road are designated in the Swale Local Plan as Rural Lanes (Policy DM26).

4. The application site and existing farm building lie immediately adjacent to a Flood Zone 3a¹ and partly with a Flood Zone 2² at increased risk of tidal flooding. The site and surrounding area benefit from existing flood defences. The Swale Local Plan Proposals Map identifies that the site lies within a Coastal Change Area (Policy DM23) and an Area of High Landscape Value (Policy DM24). The Swale Special Protection Area (SPA), Ramsar and SSSI are located to the north, east and west of the site, approximately 670m from the farm buildings at the closest point. The existing private access road passes south of the above designated sites. Overhead power lines pass north of the site east to west.
5. Other relevant planning policies and designations are identified in the Policy section below.

Background / Recent Site History

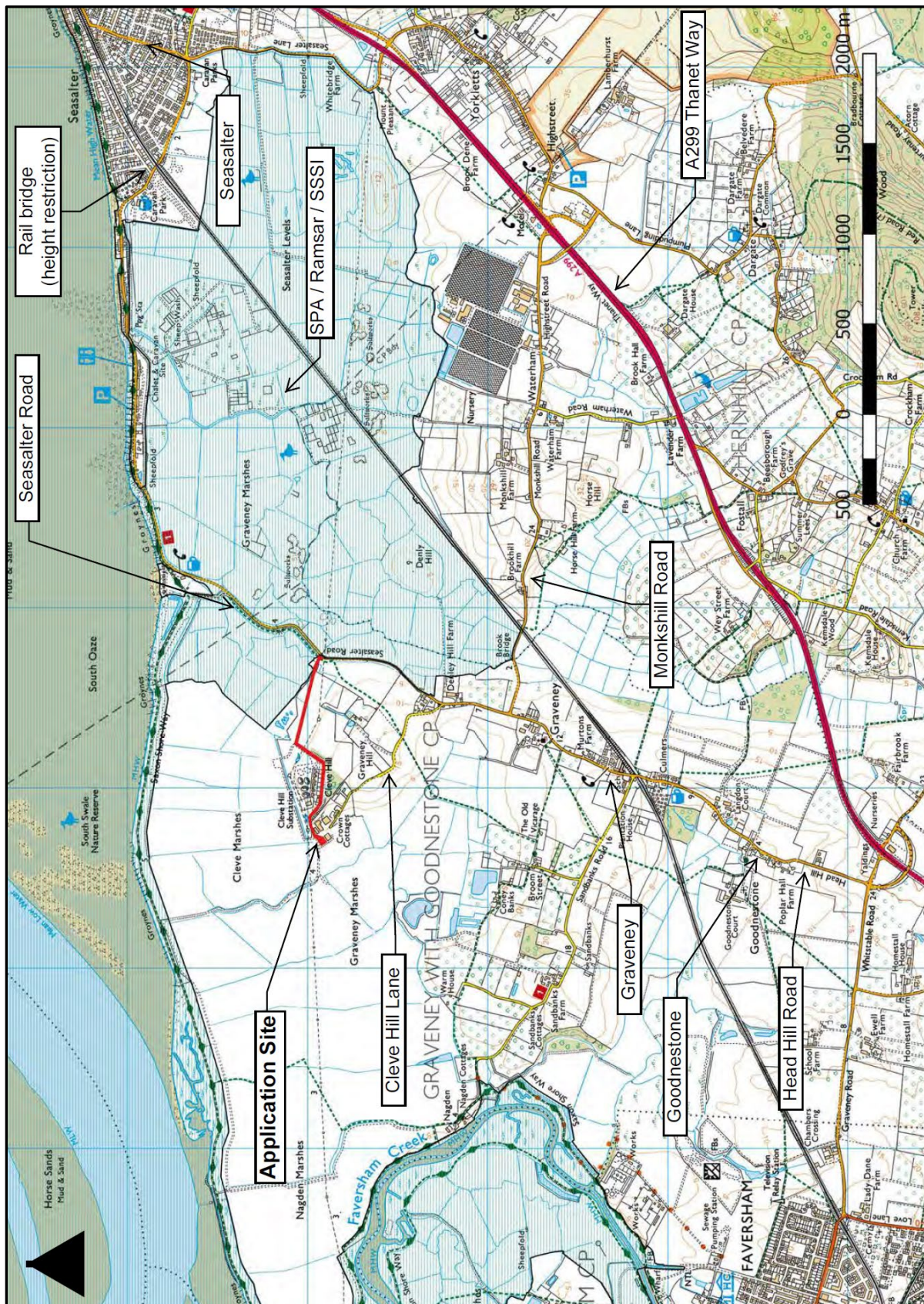
6. Planning permission SW/05/1007, granted by Swale Borough Council on 22 September 2005, allowed the development of two straw storage barns in association with the agricultural use of Cleve Hill Farm. The northern of the two buildings is the subject of this application.
7. More recently, under reference 19/503442/FULL, Swale Borough Council granted retrospective planning permission for a temporary change of use of the building from an agricultural use to a B8 storage use. This temporary permission was sought by the previous tenant (a local recycling company) specifically for the storage of empty skips, plant and equipment. This permission remains extant, with the use due to cease on 10th October 2022. Planning permission was granted subject to several conditions including:
 - the above timeframe (following which the use would revert to agricultural);
 - no use other than for storage (B8) or agricultural;
 - no access via Cleve Hill Lane;
 - operating hours between 9:00 and 18:00 hours weekdays only;
 - no external floodlighting or security lighting;
 - no external storage;
 - no more than 20 Heavy Goods Vehicle (HGV) movements on any day (10 in / 10 out); and
 - all loading and unloading to take place inside the building

¹ Flood Zone 3a - Land having a 1 in 100 or greater annual probability of river flooding; or Land having a 1 in 200 or greater annual probability of sea flooding.

² Flood Zone 2 - and having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding.

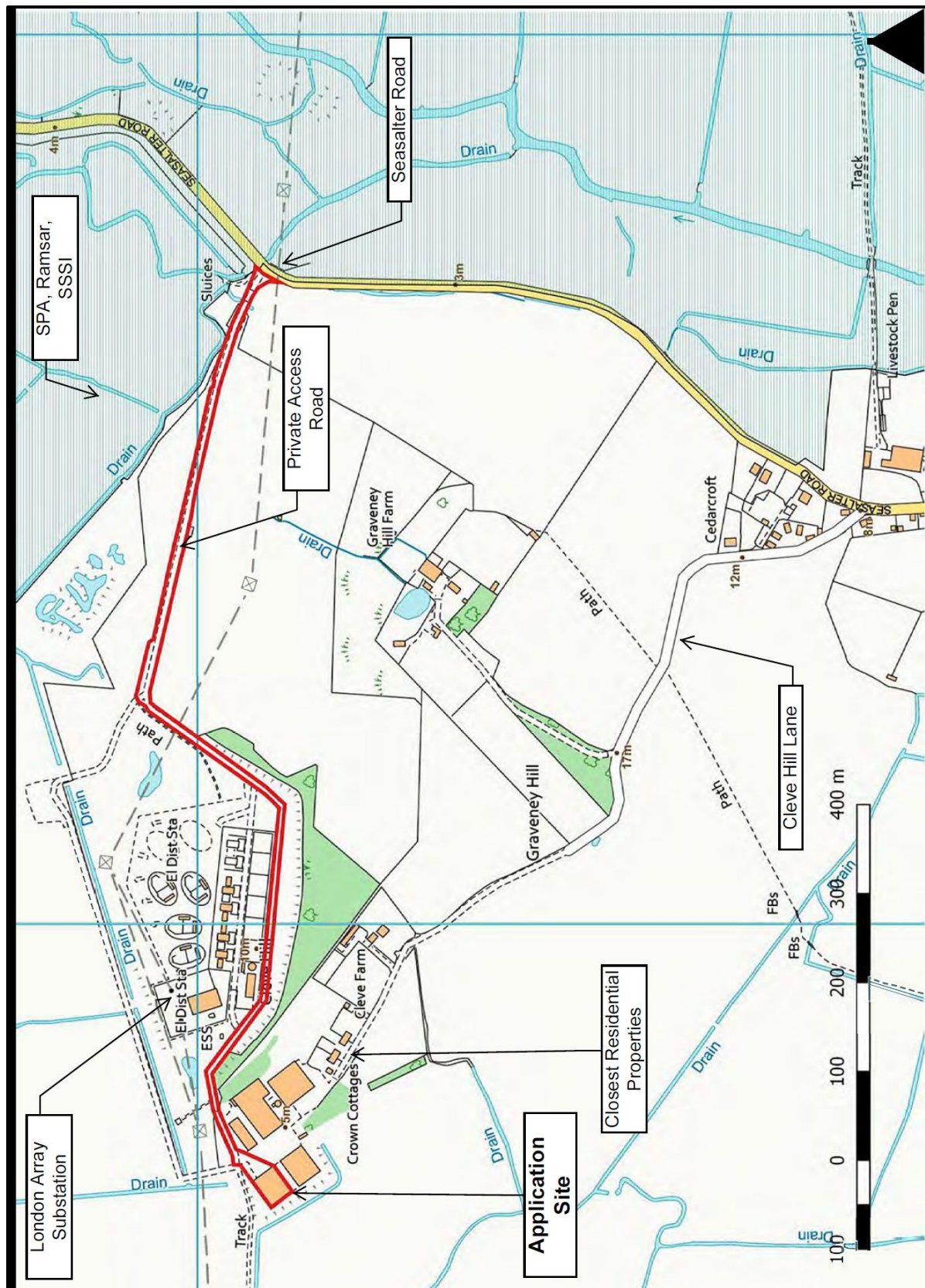
Change of use from storage of empty skips and associated plant to storage and processing of waste within an existing barn at Cleve Hill Farm, Cleve Hill, Graveney – SW/21/503467 (KCC/SW/0081/2021)

General Location Plan



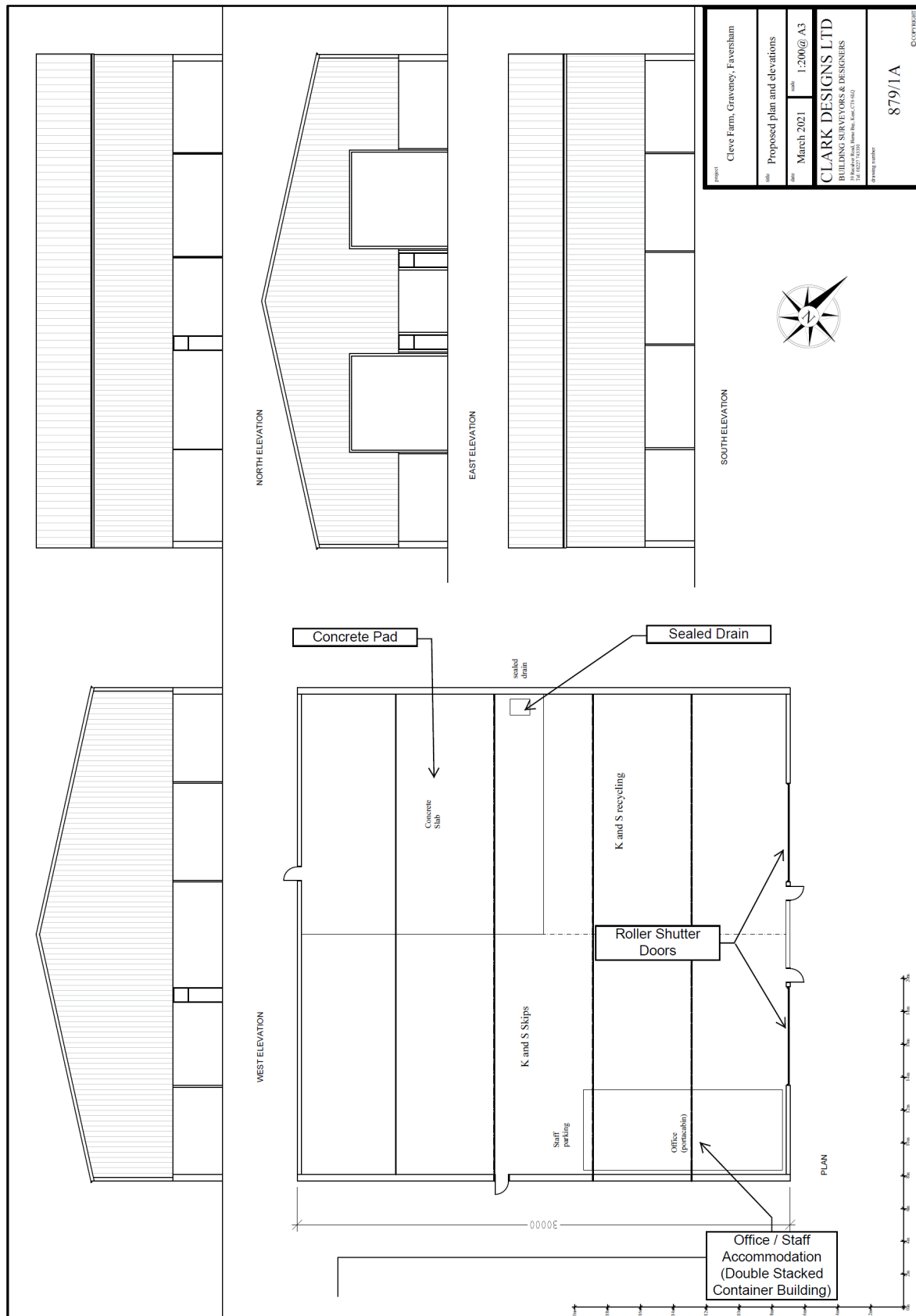
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Site Location Plan



Change of use from storage of empty skips and associated plant to storage and processing of waste within an existing barn at Cleve Hill Farm, Cleve Hill, Graveney – SW/21/503467 (KCC/SW/0081/2021)

Site (Internal Building) Layout Plan



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8. The previous tenant has since vacated the building and the applicant K&S Services has taken up the lease. K&S Services can operate the skip hire element of its business within the building under the above permission provided it accords with the relevant conditions and no waste is imported to site. Works within the building on the concrete pad and drainage to prepare the site for the proposed use were underway when officers visited the site and are now largely complete
9. Within the surrounding farmyard, planning permission SW/12/1585, granted by Swale Borough Council on 15 March 2013, provided for a change of use and the conversion of existing farm buildings (opposite the application building) to four 100sq m industrial units (Use Class B1 and B8) with associated parking. The permission was granted subject to conditions including:
 - measures to manage any existing contamination (including asbestos)
 - details of foul and surface water drainage;
 - hard and soft landscaping;
 - use of the buildings restricted to B1 (industrial) and B8 (storage);
 - no access via Cleve Hill Lane;
 - operating hours restricted to 07:00 to 18:00 hours Monday to Friday and 08:00 to 16:00 hours Saturdays;
 - no floodlighting;
 - no external storage; and
 - retention of parking provision.
10. Permission SW/12/1585 is not subject to any specific controls on the number of highway movements associated with the use(s). The application indicated that the existing agricultural use had the potential to generate approximately 8 vehicle movements a day (including tractors and trailers), with the proposed (now permitted) use(s) expected to generate approximately 25 movements per day.
11. Prior Approval 15/502904/PNMCLA was issued by Swale Borough Council on 29 May 2015 for a change of use of another agricultural building to provide three more B1 - business units. This approval is subject to no access via Cleve Hill Lane and the use restricted to 07:00 to 18:00 hours Monday to Friday and 08:00 to 16:00 hours Saturdays. No other restrictions are imposed on this use.
12. Planning permission SW/05/0762 was granted on appeal by the Secretary of State on 21 August 2005 for the nearby London Array Substation (Appeal reference APPN2255/ A/06/2024515/NWF). The permission allowed for the construction of: (a) a substation at Cleve Hill and associated construction facilities; (b) associated earthworks; (c) access road; and (d) laying up to 6 cables from the substation to the limits of Swale Borough Council's jurisdiction in The Swale. This facility was constructed to serve the London Array offshore wind farm. The development comprises a large secure compound immediately to the east of the application site and farmyard, and consists of a control building, transformers, substation, and other associated infrastructure connecting the wind farm to the national grid. The development included the above-mentioned purpose-built private access road out to Seasalter Road. This route also serves the farmyard, which retains a right of access along the route.
13. A Development Consent Order (Statutory Instrument 2020 No. 547 Infrastructure Planning The Cleve Hill Solar Park Order 2020) was made by the Secretary of State

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on 28 May 2020 for a nationally significant infrastructure project on 491.2ha of open farmland (surrounding the application site). This was subsequently corrected by the Cleve Hill Solar Park (Correction) Order 2021. The Order allows the development of a solar farm consisting of a ground mounted solar photovoltaic generating station with a gross electrical output capacity of over 50 megawatts, an energy storage facility with a capacity of over 50 megawatts, flood defences and associated development and infrastructure works. If implemented the development would take most of the farmland surrounding the application site. The Order requires various development details to be submitted to Swale Borough Council for approval prior to commencement of the development, including, amongst other matters, a construction traffic management plan. An outline scheme was submitted with the application, which anticipated a 24-month construction phase with an average of 62 HGV movements and 90 LGV movements per day during this initial period. Once complete operational traffic is anticipated to reduce to minimal levels associated with operational maintenance. At the time of writing this report, Swale Borough Council has discharged the requirements for archaeological works under the Order; the other requirements have yet to be submitted.

Proposal

14. K&S Services South East Limited are seeking planning permission for a change of use of an existing barn from storage of empty skips associated plant and equipment to storage and processing of skip waste within the building. This change would enable K&S Services to move its small family run skip hire business based in Herne Bay to the application site. K&S Services plans to continue to operate in this way. The business involves the hiring out of skips to residential properties and other small businesses in the local area. The proposed use would allow the storage of skips and associated plant / vehicles within the building in a similar fashion to the extant permission (19/503442/FULL). At present the business transports the full skips to other licenced waste management facilities. The proposed use would allow mixed skip loads to be transported to site to be sorted into other skips, to be bulked up and transferred for recycling. A small quantity of residual waste would be sent for disposal.
15. The application proposes:
 - Operating hours between 08:00 and 17:30 hours on Monday to Fridays only.
 - A maximum waste throughput of 4,000 tonnes per year (the application as initially submitted indicated 2,500 – 3,500tpa).
 - A maximum of 30 HGV movements per day (i.e. 15 HGVs In / 15 HGVs Out).
 - Access to the site via the purpose-built private access road serving the nearby substation and surrounding farmyard and other industrial uses.
 - Only vehicles operated by K&S Services would be used to deliver and/or export material. No other companies or members of the public would transport waste material to or from site.
 - 3 or 4 HGVs would be based / operate out of the site. The applicant indicates it has no plans to expand this number. All HGVs would be parked within the building.
 - HGVs would avoid driving through Graveney at peak school travel times (8.30am to 9.30am and 2.45pm – 4.00pm weekdays during school term times).

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- All loaded HGVs entering or leaving the site shall be enclosed, covered, or sheeted.
 - The development would use an existing farm building (as described above). The building measures 900m² (30m x 30m x 8m to the eaves).
 - All activities would take place within the existing building, including storage of skips, plant and equipment, all loading, unloading, sorting and storage of waste prior to dispatch. No activities or uses are proposed outside of the building.
 - Waste would be sorted by hand with the assistance of mobile plant / machinery.
 - The type of waste received would be skip waste, including wood, metal, cardboard, soil, hardcore, UPVC and green waste.
 - The site would employ 5 members of staff.
 - A sealed concrete pad would be provided within the building. This would be designed to include suitable falls to ensure it drains to a sealed underground storage tank with adequate capacity to accommodate the anticipated runoff.
 - The storage tanks would be emptied as required on a regular basis for disposal at a licenced disposal facility. Records would be kept demonstrating the regular maintenance and upkeep of the surface water drainage system and storage tanks.
 - All incoming waste would be deposited on the concrete pad with no waste or sorted material to be deposited, sorted or stockpiled on any ground that does not form part of the sealed concrete surface.
 - All sorted waste / recyclables would be stored either on the concrete pad or kept in containers / skips.
 - A two storey portacabin providing office, storage and staff welfare facility would be positioned inside the building (please see attached layout plan).
 - Foul drainage from the office and toilet facilities would be connected to a new sealed underground cesspool / storage tank. This cesspool would be emptied and maintained on a regular basis.
 - Other than low-level external lighting proposed to entry and exits to the building and low-level security lighting, no changes, alterations, or improvements are proposed to the exterior of the building.
16. In response to comments from officers and consultees the applicant has provided the following additional / supporting information:
- Clarified that the building would be large enough for the lorries to drive in and out, to load / unload.
 - Confirmed the roller shutter doors would be kept closed and only opened to allow vehicles to enter / leave the building.
 - Confirmed that a dust suppression system is proposed inside the building to mitigate any dust generated.
 - All staff would wear suitable dust masks as necessary when working inside the building.
 - The total waste throughput would be 4,000 tonnes per annum. All heavy hardcore waste materials would be collected at source and transported direct to a different licenced waste recycling centre. Only lighter mixed recyclable materials would be returned to the application site to be sorted. The applicant states that experience suggests these skips generally weigh 1 tonne or less. Based on a maximum of 15 tonnes per day (15 loads) over 261 working days this would equate to approximately 3,915 tonnes per annum.

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- Confirms that the existing HGV fleet consists of 2no 18T lorries 3.2m in height and 1no 13T lorry 2.8m in height. Advising that all 3 lorries can pass under the 3.5m height restriction on Seasalter Road travelling to the north-east.
- All vehicles would access the site via the London Array access road, no vehicles would use Cleve Hill Lane.
- K&S Services preferred route for most lorry movements would be heading towards Seasalter, if traveling to Canterbury they would use Monkshill Road, and if travelling towards Faversham they would use Seasalter Road via Graveney. As confirmed above, drivers would endeavour to avoid school drop off / collection times.

Planning Policy

17. The Government Guidance and Development Plan Policies summarised below are relevant to the consideration of this application:
18. **National Planning Policies** – the most relevant National Planning Policies are set out in the National Planning Policy Framework (2021) (NPPF), the associated National Planning Practice Guidance (NPPG), the National Planning Policy for Waste (NPPW) and the Waste Management Plan for England (2021) (WMPE). National Planning Policies and Guidance are all material planning considerations.
19. **Kent Minerals and Waste Local Plan 2013-30 (2020) (KMWLP)** – Policies: CSW 1 (Sustainable Development), CSW 2 (Waste Hierarchy), CSW 4 (Strategy for Waste Management Capacity), CSW 6 Location of Built Waste Management Facilities), CSW 7 (Waste Management for Non-hazardous Waste), CSW 8 (Recovery Facilities for Non-hazardous Waste), DM 1 (Sustainable Design), DM 2 (Environmental and Landscape Sites of International, National and Local Importance), DM 3 (Ecological Impact Assessment), DM 10 (Water Environment), DM 11 (Health and Amenity), DM 12 (Cumulative Impact), DM 13 (Transportation of Minerals and Waste) and DM 16 (Information Required In Support of an Application).
20. **Bearing Fruits 2031: The Swale Borough Local Plan (2017) (SLP)** – Policies: ST1 (Delivering sustainable development in Swale), ST3 (The Swale settlement strategy), ST7 (The Faversham area and Kent Downs strategy), CP1 (Building a strong, competitive economy), CP5 (Health and wellbeing), CP7 (Conserving and enhancing the natural environment), DM3 (The rural economy), DM6 (Managing transport demand and impact), DM7 (Vehicle parking), DM14 (General development criteria), DM16 (Alterations and extensions), DM19 (Sustainable design and construction), DM21 (Water, flooding and drainage), DM23 (Coastal change management), DM24 (Conserving and enhancing valued landscapes), DM26 (Rural lanes), DM28 (Biodiversity and geological conservation) and DM31 (Agricultural land).

Consultations

21. **Swale Borough Council (SBC) – object to the application.** SBC's objections and comments are summarised below:
 - SBC consider that the key issues are the rural economy, residential amenity, and highway safety. It notes that re-use of an existing rural building is normally

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acceptable if there are no unacceptable environmental consequences, most commonly traffic levels and/or noise.

- As a use contained wholly within the building on a site separated from residential properties, noise should not be a problem, especially during the operating hours proposed.
- SBC note that traffic matters are most significant and ask that the County Council carefully considers the local knowledge imparted by the Parish Council.
- Routes to and from the site are designated as “rural lanes” under policy DM26 of SLP. The site is approximately two and a half miles from the A299 Thanet Way and over three miles from the A2 and M2. Routes along either Seasalter Road and Head Hill Road or Monkshill Road are much smaller, quieter, and narrower roads.
- SBC has concerns about highway safety and amenity from use of Monkshill Road by HGVs. However, it acknowledges that other larger vehicles use the road; mainly agricultural vehicles, and traffic is fairly limited in volume on this road.
- Seasalter Road and Head Hill Road is a wider (rural) route, with two-way traffic. It is the route used by the London Array for construction and the proposed Cleve Hill Solar Park construction traffic route. This has led to it being the subject of intense scrutiny and concern over recent years. It is not normally free of HGV movements, but the major construction projects above have been predicted to create significant extra HGV movements and this has raised significant local concern.
- Considers that up to 3,500 tonnes and 125 vehicle movements a day is a substantial increase on the current operation. The site, a remote location in the open countryside, is not a suitable location for waste processing on the scale proposed. The distance that HGVs would have to travel on rural lanes and the number of HGV movements required would have an adverse impact on this rural area.
- Notes the application documents are contradictory and contain errors.
- The reasons given against the need to undertake noise and dust assessments appear to be that the processing would take place entirely within the confines of the existing barn. Requests that careful consideration be given to the practicality of the intended operations being carried out wholly within the building. SBC has doubts given the intended scale of the operation that it could be able to take place within the single barn with the doors closed whilst maintaining reasonable working conditions. Notes that five staff would sort up to thirteen tonnes of waste per day by hand, including tipping of waste with the doors closed.
- If the County Council are not minded to refuse the application on highway grounds, SBC considers the best solution would be to ensure that the number of vehicle movements is strictly limited by a condition to limit any potential harm to an acceptable level including in relation to highway safety and amenity.
- All traffic should use the London Array access road and not the narrow and wholly unsuitable Cleve Hill Lane for access to the site.
- Requests that the conditions imposed on the extant permission are re-imposed to ensure that the impacts of the new use are contained within the building and to appropriate times of day.
- The granting of a temporary planning permission may also be a useful safeguard in this delicate situation.

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22. **Graveney with Goodnestone Parish Council (GGPC) – object to the application.**

GGPC's objections can be summarised as follows:

- GGPC recognise that recycling of waste materials is environmentally desirable, and that the applicants are a well-respected family business, however it considers the location is entirely unsuitable.
- Considers that the proposed throughput of 3,500tpa would be impossible to process within the confines of the barn, especially considering the 8-ton plant and delivery vehicles proposed. Considers it likely that activity would spill outside, causing increased dust, noise and nuisance to nearby residents.
- Considers a throughput of 3,500tpa appears to be an underestimate. Suggests that 30 movements per day (15 loads) at 3 tonnes per skip would generate an annual tonnage of around 11,700tpa, which could be higher with larger skips.
- GGPC has confirmed with the EA that the EA location screening referred to in the application is an automated screening carried out using an online application and can only determine if a location is suitable in principle (*in relation to the Environmental Permitting process*).
- With the imminent imposition of a large and highly opposed solar park in the immediate vicinity, residents feel that Graveney is becoming a 'dumping ground' for developments that have adverse environmental impacts and that they have been ignored in their protests. Considers that the smaller scale of the development in the context of the surrounding solar park, substation and other commercial activity at Cleve Hill Farm should not be a reason for justifying another unwanted development in the village.
- Raises concerns about contradictions in the application documents regarding the number of vehicle movements. Notes the amendment email submitted on 6 July states a maximum of 30 HGV movements per day. Based on an average 8-hour day, notes 30 movements would mean a vehicle roughly every 16 minutes. Considers this would have significant impacts on nearby residents and the village through immense noise and disruption.
- Notes the road out to the A229 is narrow in places, and without a pedestrian footpath for much of it, with sections where two HGVs are not able to pass. Considers an increase in large heavy vehicles would make walking through the village dangerous.
- Considers additional HGV traffic would exacerbate highway safety concerns along the access route.
- Notes that Seasalter Road is part of National Cycle Route 1. Given that Swale Borough Council has declared a Climate Emergency and is actively looking at ways to encourage less car use and more trips by bicycle, considers permitting a development which would make the road much more hazardous for bike users seems to directly oppose this policy.
- Raises concerns that the application claims there is no known risk of flooding and that it is not considered relevant to carry out a detailed flood risk exercise. Notes that local residents have been flooded on numerous occasions.
- Notes the surrounding land has significant value for nature conservation. Considers it is nonsensical to suggest that additional HGV movements and the inevitable overspill outside of the barn would have no adverse impact on the landscape and the wildlife.

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- Raises concern that the application references vehicle access via the London Array access road and also via Cleve Hill. Notes that Cleve Hill is totally unsuitable and would cause amenity impacts to properties adjacent to the road.
- Raises concern that the development has the potential to eventually expand and considers the assessment based on current levels of operation are inaccurate and irrelevant and the supporting statements are inconsistent and contradictory.
- Concerns about adverse impacts from the noise, dirt or traffic generated.
- Considers the application represents an industrial use in open countryside that would be better suited to a site with better road access and where the impact on wildlife and residents would be lower.
- Should the County Council be minded to approve the application despite the objections raised, GGPC request that certain conditions are imposed. The recommended conditions are:
 - No use of Monkshill Road by the operator's vehicles – this single-track road has few passing places, and is already hazardous, being frequently used as an alternative route whenever the A299 has closures in this area.
 - GGPC note the operator has now undertaken to avoid vehicle movements during peak school hours in the morning and afternoon. It suggests that there should be no vehicle movements earlier than 8am or later than 5.30pm to reduce noise impact on nearby properties.
 - GGPC requests that consideration be given by the applicant and/or KCC Highways to the creation of a safe footpath through the areas of the village where none currently exists.

23. Environment Agency (EA) – no objection, subject to the following comments:

Flood Risk – the EA has no objections on flood risk grounds.

Groundwater and Contaminated Land – given the scale and setting of the proposed operations and the fact the site, if granted permission, would be subject to an Environmental Permit covering drainage, surfacing, materials management and environmental monitoring, the EA has no detailed comment to make at the planning stage with regards to groundwater protection. The EA note that foul drainage arrangements would need to connect to a sewer or meet the General Binding Rules for non-mains drainage or have a permit to discharge.

Environmental Permit – the development would require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016, Regulation 12. The applicant has received pre-application advice as to which permit may be suitable to undertake the waste activity proposed within the planning application. The required permit must be in place prior to commencing the waste activities.

24. Natural England (NE) – raises no comments.

NE state that the lack of comment does not imply that there are no impacts on the natural environment, only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. NE advise that it is for the county planning authority to determine whether this application is consistent with national and local policies on the natural environment.

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25. Kent Ecological Advice Service (EAS) – no objection.

The proposed development is within 1km of the Swale SPA, Ramsar and SSSI and directly adjacent to functionally linked habitat associated with the designated sites. *(Functionally linked land is land which is not within the designated sites but is used by species associated with the designation.)*

The EAS has considered if the proposal is likely to have a significant effect on the designated site. As the proposal would be carried out completely within the confines of an existing building, within an existing industrial estate and the proposal would not result in a significant increase in vehicle movements, the EAS are satisfied that the proposal would be unlikely to have a significant impact on the designated sites.

The EAS are satisfied that no ecological information is required to assess the impact of the proposal on the designated sites. The EAS advise that as no mitigation is required to avoid an impact on the designated sites a Habitat Regulations Assessment (HRA) is not required.

26. Kent County Council Highways and Transportation (KCC H&T) – no objection, subject to conditions. KCC H&T's comments as follows:

Further supporting detail and calculations have been provided to demonstrate that the volume of material expected to be processed on the site would generate the proposed 30 HGV vehicle movements per day, and KCC H&T are satisfied that the methodology used to estimate the trip attraction is appropriate. This would generate a further 5 arrivals and 5 departures per day over the 20 HGV movements per day restriction that the Borough Council has already permitted on the application site.

The applicant has confirmed that the maximum height of any vehicle it uses is 3.2m, so the entire fleet would be able to route north under the 3.5m height restricted railway bridge via Seasalter. Consequently, the additional movements would be expected to distribute either north or south of the site along Seasalter Road, depending upon the origin or destination of the journey, and would therefore not all be concentrated along the same stretch of Seasalter Road.

KCC H&T does not consider that the additional 10 movements per day distributed across the highway network could be deemed as severe under the appropriate test detailed within the National Planning Policy Framework and note that clarification has been given that access to the site would be taken via the London Array service road, rather than using Cleve Hill.

As per the previous approval, it would be appropriate to secure the access arrangements and vehicle numbers to reflect what has been suggested by the applicant within their supporting information. Consequently, the Highway Authority raise no objection to the proposals provided that the following requirements are secured by planning condition or legal agreement:

- Maximum throughput 4,000 tonnes per year;
- Premise not to be used other than for the purposes of applied for;
- A total of 30 heavy goods vehicle movements per day (15in / 15out);
- Records of all HGV movements to be maintained;

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- Access to the site limited to the road serving the London Array Substation only (i.e. not via Cleve Hill);
- As set out in the application, all HGVs should avoid driving through Graveney at peak school travel times (i.e. 8.30am to 9.30am and 2.45pm – 4.00pm weekdays during school term times); and
- No waste shall be delivered to site by members of the general public.

27. **National Grid** – no response received.

Local Member

28. The local County Member for Swale East, Mr R. Lehmann was notified of the application on 21 June 2021.

29. Mr Lehmann responded raising **an objection to the application** on the following grounds:

“I am pleased to see that a clarifying document has been added to this application which has clarified some of the discrepancies in the various application statements, but I still have some strong reservations about the numbers given which I think are grounds enough for the application to be turned down.

Number of vehicle movements

At various points in the application, the number of vehicle movements is stated to be 25 per week, between 25 and 125 per day and finally in the additional supporting document of 6 July, up to 30 HGV movements per day (15 in/15 out).

I am pleased to see that the supporting document states that they would avoid driving through Graveney during peak school traffic times, but still have concerns about this level of HGV traffic on a country road which has a couple of sections too narrow for cars to pass each other and many areas too narrow for two lorries to comfortably pass.

In my councillor role I have received correspondence from residents in Graveney who feel that there is already too much traffic on the Seasalter Road, which gets busier with each passing year as a result of the high level of housebuilding in the area. I fully support the sorting of waste to increase the levels of materials sent for recycling but feel a site closer to a primary road would be a far more suitable location for this type of business both to avoid additional miles of HGV traffic and to avoid negatively impacting on a quiet village, most of which is adjacent to the Seasalter Road.

Practicalities of the waste processing as described in the application

The reasons given against the need to undertake noise and dust assessments appear to be that the processing will take place entirely within confines of the existing barn (with Item 9 on the supporting statement stating 'enclosed building' suggesting that the doors will be closed while any work is undertaken).

Based on figures given across in the application, this suggests that five members of staff will be able to sort up to thirteen tonnes of waste per day by hand, only working while the barn doors are closed. And that the tipping of wood, metal, cardboard, soil and hardcore will take place within the barn while the doors are closed.

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Having worked in the waste industry for a period in the mid-2000s, I feel that this description is an unrealistic and would either not be viable to achieve or would not be a humane working environment for the staff.”

Publicity

30. The application was publicised by the posting of a site notice and an advertisement in a local newspaper.

Representations

31. In response to the publicity, 1 letter of objection and 1 letter commenting on the application have been received from the local community.

The key points raised can be summarised as follows:

- Requests that consideration be given to new signage on Seasalter Road indicating there is no access to Cleve Hill Farm from Cleve Hill Lane. Residents advise that HGVs try to use Cleve Hill and are getting stuck unable to access the farm or to turn around.
- Supports diversification of redundant farm buildings, however, in this case feels the change would not help enhance the vicinity and would be detrimental to a large area.
- Raises concern that the application is unclear about the numbers of HGV movements and the route vehicles would travel to access the site.
- Objects to the application on highway safety grounds. Notes that the villages of Graveney and Goodnestone are ribbon developments along a narrow road and there are several sections with insufficient room for two large vehicles to pass and few footpaths along the route through the villages.
- Considers that there is only one practical route to the site via Seasalter Road / Head Hill Road through the villages. Considers that the height restriction on rail bridge on Seasalter Road would limit HGVs travelling from the site toward Seasalter. Notes that Monkshill Lane is only wide enough for one car in places so is not a suitable option either.
- Notes that the Graveney Primary School is on the access route and that additional HGV movements would increase the danger to pedestrians walking on the highway to school, particularly where there are no footways along the highway.
- Notes that Seasalter Road forms part of the National Cycle Route 1, which is not suitable for frequent HGV movements.
- Suggests that, should the Council be minded to approve the application, some form of s106 agreement be put in place to optimise the footpath network through the village to help ensure the safety of all residents and visitors to the marshes.
- Concerns about the potential for future expansion of any permitted waste use resulting in increased development and disruption to the surrounding environment.

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Discussion

32. In considering this proposal, regard must be had to the Development Plan Policies outlined in the Planning Policy section above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) 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 Policy and Guidance and any other material planning considerations.
33. In my opinion, the key material planning considerations in this case can be summarised by the following headings:
- Need / Principle of the Development;
 - Highways and access;
 - Water resources and flood risk;
 - Nature conservation;
 - Local amenity considerations (including air emissions, dust, noise, litter); and
 - Landscape and visual impacts.

Need / Principle of the Development

34. The National Planning Policy Framework (NPPF) sets out national policy on achieving sustainable development, including the three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways. The presumption in favour of sustainable development means approving development proposals that accord with an up-to-date development plan without delay. It states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and wider opportunities for development. The presumption in favour of sustainable development only exists where the development would not have significant effects on European Designated Habitats.
35. The National Planning Policy for Waste (NPPW) states that positive planning plays a pivotal role in delivering the country's waste ambitions through delivery of sustainable development and resource efficiency, including driving waste management up the waste hierarchy; recognising the positive contribution that waste management can make to the development of sustainable communities; enabling waste to be disposed of in line with the proximity principle; helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment, amongst other matters. The NPPW seeks planning authorities to consider a broad range of locations including industrial sites, looking for opportunities to co-locate waste management facilities together and with complementary activities. It also encourages giving priority to the re-use of previously developed land, sites identified for employment uses, and redundant agricultural and forestry buildings and their curtilages. Paragraph 7 requires the suitability of waste sites to be assessed against criteria set out in Appendix B of the policy document (these criteria are considered in more detail in the sections below).

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36. The Waste Management Plan for England (2021) sets out Government's objectives to move towards a zero-waste economy as part of the transition towards a sustainable economy. It also promotes the waste hierarchy as a guide for sustainable waste management. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery and last of all disposal (landfill).
37. Policy CSW1, CSW2 and CSW4 of the Kent Mineral and Waste Local Plan (KMWLP) reflect the national requirements on sustainable waste development, including driving waste management up the waste hierarchy, and providing sufficient capacity to meet waste arising in Kent, plus some residual non-hazardous waste from London. Policy CSW7 (and the associated preamble) make it clear that in terms of additional waste management capacity there is no intention to restrict the amount of new capacity for recycling or preparation of waste for reuse or recycling provided it moves waste up the hierarchy and recovery of by-products and residues is maximised. The KMWLP indicates this approach will reduce the amount of Kent waste going to landfill and so conserve existing non-hazardous landfill capacity for any waste that cannot be reused, recycled, composted or recovered. Policy CSW6 of the KMWLP, subject to other environmental criteria (considered in more detail in the Sections below), provides support for the location of waste development within existing industrial estates, other previously developed, contaminated or derelict land not allocated, and redundant agricultural and forestry buildings and their curtilages.
38. Policies ST1, ST3 and ST7 of the Swale LP seek development that accords with the Borough Council's settlement strategy, which seeks to restrict development outside the built-up area boundaries, unless supported by national planning policy and where it would contribute to protecting and, where appropriate, enhancing the intrinsic value, landscape setting, tranquillity and beauty of the countryside, its buildings, and the vitality of rural communities. Policies ST7, CP1 and DM3 seeks to support a strong, competitive economy, including the sustainable growth and expansion of business in rural areas. These policies seek to guide development towards existing employment sites, industrial areas or re-use of existing buildings or other previously developed land. Where suitable sites at the above locations are not available, provided the development plan policies are not significantly compromised, Policy CP1 guides development towards extensions to existing employment sites and sites well related to the primary road network. Policy DM3 seeks the design and layout of development to be sympathetic to the rural location and appropriate to their context, result in no significant harm to the historical, architectural, biodiversity, landscape or rural character of the area; and avoid scales of traffic generation incompatible with the rural character. Policy DM31 seeks to protect agricultural holdings.
39. Despite raising objections to the application, Swale Borough Council comments confirm that the re-use of an existing rural building is normally acceptable if it has no unacceptable environmental consequences. These consequences commonly relate to traffic levels or noise. Comments received from the Parish Council, and the local County Member, recognise that recycling of waste materials is environmentally desirable, however they consider the location unsuitable and feel it should be located closer to the primary road network.
40. The development would involve the reuse of a former agricultural building which already has a Borough Council permission for a commercial use. The building has not

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been used recently for agricultural purposes and the recent Secretary of State decision on a surrounding solar farm further reduces its potential value in supporting local agriculture. Other buildings within the farmyard have diversified into industrial / commercial uses. I am content that Government and Development Plan policies provide ‘in principle’ support for the waste use, on the basis that the proposals would add to the county’s capacity to manage waste by diverting material that would otherwise end up in landfill and adding to recycling rates by preparing the waste and in so doing helping it to be moved up the waste hierarchy. The development would be small in scale and would allow an existing family run business to continue to manage local skip waste streams, whilst supporting the rural economy. The ‘in principle’ support is subject to the application according with other development plan policies, which are considered in more detail within the sections below, including consideration of the impact on the highway network and other environmental and amenity matters.

Highways and access

41. Government Policy, including within the NPPF and NPPW, seeks development that: promotes sustainable transport modes, taking account of the type of development and its location; ensures safe and suitable access; and requires that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be mitigated to an acceptable degree. It states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In terms of rural businesses, it seeks development that is sensitive to its surroundings; that does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.
42. Policies CSW6, DM13 and DM15 of the KMWLP require waste development that (amongst other things) is well located to Kent’s Key Arterial Routes, avoids giving rise to significant numbers of lorry movements through villages or on unacceptable stretches of road, benefits from safe access, and where the highway network has capacity to accommodate the traffic flows without unacceptable adverse impact on highway safety, the environment or local amenity. Policies DM6, DM7 and DM14 of the SLP seek to ensure that the cumulative impact of development on traffic generation would be acceptable in terms of the capacity of the highway network and/or would not lead to a decrease in safety
43. The application has attracted objections from the Borough and Parish Councils, residents and the local County Member on highways grounds, with particular emphasis on the suitability of the local rural roads to accommodate changes in the number of HGVs using these routes. They state that this is of particular concern where these routes pass through local villages, where there are no pedestrian footways along parts of the route, where there are established highway concerns like blind junctions and pinch points and given the designation of Seasalter Road as part of a national cycle route. It should be noted that the Borough Council’s objections incorrectly refer to 125 movements per day; the applicant has clarified the proposals confirming a maximum of 30 HGV movements per day (15 In / 15 Out).
44. Having driven all three routes to the site, I consider that all have their limitations, and I can appreciate the concerns raised by the community. The proposed site is relatively

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remote from the primary road network, being 2 miles from the A229 Thanet Way. The western end of Monkshill Road in particular is a narrow single lane rural road; however, the route has passing places and reasonable visibility along its length. Seasalter Road benefits from marked carriageways in both directions. The routes are narrow in places, passing through local communities and residential areas and under a 3.5m height restriction in the Seasalter direction, which limits capacity to accommodate larger HGVs.

45. The proposed location would be unlikely to be considered acceptable for a large-scale waste management operation due to the number, size and frequency of the HGV movements required to support such a use. This has been made clear to the applicant during the processing of the application. Notwithstanding this, the application should be considered on its own merits, in the context of the scale of the development proposed and the extant planning permissions that already allow for existing small scale industrial and storage uses within the farm buildings, including the application site and associated traffic generation. The use being proposed is similarly small in scale, being a small family run skip hire business, employing 5 members of staff and operating up to 4 HGVs. The proposal is to bring relatively small amounts of waste back to the building for sorting into recyclable waste streams. Whilst there was some confusion in the original application documents, the applicant has confirmed that the maximum throughput applied for would be 4,000 tonnes per annum with a maximum of 30 HGV movements per day (15 In / 15 Out). No waste would be delivered to site by members of the public.
46. The Parish Council raised concerns that the throughput proposed (initially 3,500tpa) appears to be an underestimate. The applicant has responded to this advising that heavier loads that consist of mostly hardcore and soils would be transported direct to other licenced waste treatment facilities that have the equipment / capacity to deal with this waste stream (not the application site). Waste materials returned to the application site would be mixed loads of recyclables that tend to be lighter. The applicant states that experience from the existing skip business indicates these would be on average 1 tonne or less. As such the applicant has clarified the throughput to a maximum of 4,000 tonnes per annum. I am content that if permission is granted a condition could be imposed to limit the throughput to the volumes indicated. This could be monitored by requiring the operator to maintain quarterly records of the waste received to be made available to the Waste Planning Authority on request
47. Whilst the Borough Council raises concerns about highway impacts, it advises that if the County Council are not minded to refuse the application on highway grounds the best solution would be to ensure that the number of vehicle movements is strictly limited by a condition to limit any potential harm to an acceptable level, including in relation to highway safety and amenity. The applicant has confirmed that it would be prepared to accept suitably worded conditions limiting any permitted use to the level proposed and that it has no aspirations to expand the business beyond this point. The throughput proposed is relatively small when compared to more traditional waste transfer operations which are normally permitted around 30,000 – 75,000tpa. The extant planning permission granted by Swale Borough Council already allows for 20 HGV movements per day (10 In / 10 Out) in association with the site. In granting that permission the officers report acknowledges that the use of the barn for agricultural purposes could reasonably generate similar numbers of vehicle movements if it were to revert to the original permission. Other industrial uses in the surrounding buildings

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are not subject to limits on vehicle numbers, with the number of movements only limited by the use or the capacity of the space available to generate a need for deliveries / exports. The in-combination effect of the existing permitted use with the other permitted industrial uses in the surrounding buildings has been accommodated on the local highway network without significant highway impact. The changes proposed by this application would not significantly change the impact of the permitted use on the highway network and would only generate a further 5 arrivals and 5 departures each day.

48. Concern has been raised by the local community about the potential use of Cleve Hill Lane to access the application site. The applicant has confirmed that it does not propose to use this route as the site benefits from the purpose-built private access road that serves the London Array substation and the farmyard. A similar condition to that imposed on the extant storage permission, restricting access to the purpose-built road only, could be imposed on any permission. The application states that only vehicles operated by K&S Services would import or export material from site (no other companies or members of the public would be involved). This would allow the applicant to exert tighter controls on drivers within its employ, including the timing, direction of travel, the type and speed of vehicles. Accordingly, the applicant has proposed that all HGV drivers based on site would avoid driving through Graveney at peak school travel times in the mornings and afternoons.
49. The Parish Council's comments acknowledge the proposals to avoid vehicle movements during peak school hours in the morning and afternoon and further requests no vehicle movements should take place earlier than 08:00 or later than 17:30 hours to reduce noise impact on nearby properties. I note that the application proposes hours of use between 08:00 and 17:30 hours on Monday to Fridays only. Given that the HGVs would be based on site and that the above hours could be conditioned, I see no reason why HGVs associated with the proposed site would be travelling outside the hours suggested by the Parish Council. It should be noted that other permitted uses in the surrounding buildings may not be subject to the same level of control.
50. In terms of the local roads that would be used by vehicles based on site, the applicant states that due to the smaller size of the skip lorries operated by the company, these vehicles are able to travel under the height restriction on the road towards Seasalter. This would enable vehicles to travel in both directions spreading the activity across the local network of roads and reducing the frequency along specific routes. The applicant has further indicated that the company's drivers would avoid Monkshill Road (where possible) as this is seen as the less preferable of the routes available.
51. The representations received from the Parish Council and residents ask that consideration be given to securing highway improvements as part of the development. One request sought improvements to the signage on Seasalter Road confirming no access to the Cleve Hill Farm via Cleve Hill Lane. The applicant has confirmed that the proposed development would not use this route and a condition could be placed on any permission ensuring vehicles do not enter the site from this direction. Drivers based in the area that know the roads would not choose to use Cleve Hill Lane. Given the above there are no grounds to secure this improvement as part of the application. The Parish Council have requested that consideration be given to creation of a safe footpath through the areas of the village where none currently exist. Whilst I

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understand the concerns and aspiration, this would be a significant undertaking and one that could not be justified other than in connection with a significant new development that would have a severe impact on the highway network. The proposed development falls well below this scale and as such the provision of the footway as sought would not meet the planning tests necessary for a planning obligation. In this case, it effectively proposes an increase of 10 HGV movements per day (5 In / 5 out) over the permitted arrangements at the site. These movements would be split in both directions along Seasalter Road. It is not possible to justify highway improvements in connection with an application of this scale. The conditions set out above would control the use to levels proposed, as recommended by the Borough Council. These controls would also serve to limit any future changes to any permitted use that could impact on the highway without a further planning application allowing the matter to be considered afresh.

52. Kent Highways and Transportation as the local Highway Authority has commented on the application raising no objections, subject to conditions covering a throughput of 4,000tpa, restricting the use to that applied for, a total of 30 HGV movements per day (15in / 15out), records of all HGV movements to be maintained, access limited to the road serving the London Array Substation only, HGVs to avoid Graveney at peak school travel times, and no deliveries by the general public. In making this recommendation, the Highway Authority note that the application only proposes an additional 5 HGV arrivals and 5 departures over the 20 HGV movements per day restriction that Swale Borough Council has already permitted at the application site in connection with the existing use of the building. It notes that the smaller HGVs proposed would be able to travel in both along Seasalter Road (under the 3.5m height restricted railway bridge via Seasalter). This would allow the additional 10 HGV movements per day to be distributed across the highway network and would avoid any concentration of traffic along the same stretch of Seasalter Road. The comments confirm that the additional 10 movements per day distributed across the highway network could not be deemed as severe under the appropriate test detailed within the NPPF and consequently the Highway Authority raise no objections.
53. The application has also attracted objections from the Borough Council, Parish Council, residents, and the local County Member regarding the potential for the proposed increase in HGV movements to impact on the character and amenity of Seasalter Road / Head Hill Road and Monkshill Road. As indicated above, these routes are designated as 'rural lanes' under SLP Policy DM26. This policy states that permission will not be granted where development or associated traffic would significantly harm the character of rural lanes, with regard to landscape, amenity, biodiversity and historic importance. Swale Borough Council's comments acknowledge that the routes are infrequently used by HGVs to access existing sites, including those industrial uses previously permitted by the Borough Council. In granting permission for these uses, including the 20 HGV movements already afforded permission to attend the application site, the Borough Council must have been satisfied that this level of activity was acceptable. The diversification of buildings within farmyard into small-scale commercial and industrial uses sets this precedent. The changes proposed by this application would not significantly alter the number of HGV movements already afforded permission under the extant planning permission nor over that likely to relate to the former agricultural use.

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54. Subject to the conditions recommended by the Highway Authority set out above (including limiting HGV movements to a maximum of 30 per day (15 in / 15 out)), I am content that the development would not significantly harm the character of nearby rural lanes or significantly change the highways impact in terms of capacity or safety for other road users. The development would therefore be considered acceptable in the context of Government and Development Plan Policies.

Water resources and flood risk

55. Government Policy in the NPPF and NPPW seek to steer development away from areas at increased risk of flooding, ensure new development does not increase flood risk elsewhere, incorporates sustainable drainage systems and protects water quality and ground conditions. Government Policy also indicates that waste planning authorities should concern themselves with implementing the planning strategy and not with the control of processes which are a matter for the pollution control authorities.
56. Policies CSW6, DM1 and DM10 of the KMWLP and policies ST1, ST5, DM21 and DM23 of the SLP seek development that does not result in the deterioration of the physical state, water quality or ecological status of any waterbody; have an unacceptable impact on groundwater, Source Protection Zones; or exacerbate flood risk in areas prone to flooding or elsewhere.
57. In terms of flood risk, the farm building that forms the application site falls immediately adjacent to a Flood Zone 3a and partly within a Flood Zone 2 at increased risk of tidal flooding (having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding). As indicated above the area benefits from existing coastal flood defences. The Parish Council's comments indicated that residents in the surrounding area have experienced flood events in the past. Due to the site's location within a flood zone, it is necessary to consider the acceptability of the proposed use in this location.
58. The NPPF and associated guidance makes it clear that the Sequential Test (i.e. steering new development to areas with the lowest probability of flooding) does not need to be applied for individual developments on sites which have been allocated in development plans or for applications for minor development or change of use. The farm building proposed already exists in the flood zones and its impact on these would have been considered when permission for construction of the building was granted. Waste treatment (except landfill and hazardous waste facilities) is classified by the NPPF as 'less vulnerable' in terms of flood risk. The guidance states that a 'less vulnerable' use in either flood zones 2 or 3a would be acceptable and does not need to be subject to the Exceptions Test. Being a change to an established use the proposals would not result in an increased risk to life, nor a significant increase in risk to property.
59. The Environment Agency has considered the application in terms of flood risk and confirmed it has no objections. Given the EA's recommendation, I am content that the proposed use would be acceptable in terms of Government and Development Plan Policies relating to flood risk.
60. It is also necessary to consider the scope for the development to result in any unacceptable discharges to ground that could result in pollution of ground and water resources. The importation of waste, even within a building, has the potential to result

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in contaminated runoff depending on the where the waste is deposited and the nature of the material. The application proposes receipt of skip waste from domestic and commercial sources within the building. This is unlikely to include significant quantities of putrescible waste and would largely consist of wood, metal, plastic, cardboard, soil, hardcore, UPVC and green waste. In accordance with EA guidance, the application includes provision of a sealed concrete pad designed to include suitable falls to ensure it drains to a sealed underground storage tank. All incoming waste would be deposited on the concrete pad with no waste or sorted material being deposited, sorted or stockpiled on ground that does not form part of the sealed concrete surface.

61. The EA's response to the application confirms that it has no concerns given the scale and setting of the proposed operations and the fact the site, if granted permission, would be subject to an Environmental Permit covering drainage, surfacing, materials management and environmental monitoring. The EA notes that foul drainage arrangements would need to connect to a sewer or meet the General Binding Rules for non-mains drainage or have a permit to discharge.
62. Government guidance is clear that planning decisions should focus on implementing the strategy in the local plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced. Given the EA confirms the need for an Environmental Permit subject to suitably worded conditions controlling the development to the measures proposed, including the maintenance of the concrete pad and associated drainage, I am content that the development is acceptable in terms of Government and Development Plan policies relating to water resources and flood risk.

Nature conservation

63. The NPPF states that planning decisions should contribute to and enhance the natural environment by (amongst other things) protecting and enhancing sites of biodiversity value, whilst minimising impacts on, and providing net gains for, biodiversity. The presumption in favour of sustainable development set out in the NPPF does not apply where a project is likely to have a significant effect on a habitats site (including SPA and Ramsar) unless it is concluded that the project will not adversely affect the integrity of these habitat sites. The NPPW reinforces this stating that considerations should include any adverse effect on a site of international importance for nature conservation (SPA, SAC and RAMSAR sites), and nationally recognised designation (SSSIs, National Nature Reserves), nature improvement areas, ecological networks and/or protected species.
64. The proposed development is relatively close (670m) to the Swale SPA, Ramsar and SSSI with functional linked habitats within the intervening land to the north, east and west. The application proposes a change in use which, except for underground storage tanks, would involve no new built development beyond the confines of the existing barn and no additional land take. The application confirms that all operations associated with the use would be retained within the confines of the building with the roller shutter doors closed and a dust suppression system installed within the building.
65. The Parish Council has raised concern about the potential for HGV movements and operations spilling out of the barn to impact on the surrounding designations. Natural

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England and KCC EAS have confirmed that the proposed development is not likely to result in significant impacts on the designated nature conservation sites or landscapes. The small scale of the operations, their containment within the building and the provision of a sealed drained surface to process waste on would serve to limit the potential for discharges to the environment, including from noise and dust or to the ground. The proposal would also not result in a significant change in the number of vehicle movements already associated with the site that would warrant concerns about air quality (considered further in the Amenity section below). As indicated above the EA has raised no objections to the application, confirming that if permission is granted the site would be subject to an Environmental Permit allowing further management and control over emissions.

66. Considering the nature of the application and weighing the concerns in the context of the views received from the statutory / technical consultees, I am satisfied that the development would be acceptable in terms of biodiversity and ecological considerations, including the designated sites. The imposition of conditions including limits on throughput and HGV numbers discussed above, would serve to limit the scale of operations to an acceptable level. Further conditions could be imposed to ensure that the use is always contained within the building, limit the waste processing activities to exclude shredding, crushing and screening and minimise external lighting. I am content that the proposal is acceptable in the context of Government and Development Plan Policies in relation to nature conservation and biodiversity.

Local amenity considerations (including air quality, dust, noise, odour, litter)

67. The NPPF requires new development that is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. The NPPW states that proximity of sensitive receptors, including ecological as well as human receptors, and the extent to which adverse emissions can be controlled using appropriate and well-maintained and managed equipment and vehicles, should form part of the decision process.
68. Policies CSW6, DM11, DM12 and DM13 of the KMWLP seeks development that does not generate unacceptable adverse impacts from noise, dust, emissions, odour, traffic or exposure to health risks and associated damage to the amenity and wellbeing of local communities and the environment. This includes avoiding sites on or near existing land uses that may prove to be incompatible with the proposed waste management uses. Policies CP5, DM6, DM14 and DM16 of the Swale Local Plan seek, amongst other matters, development that safeguards the health and wellbeing and the residential amenities of local communities.
69. The application is being promoted on the basis that all operations on site would be contained within the existing building, including delivery, sorting, storage and dispatch of waste / recycled material, and that this enclosure would reasonably mitigate potential impacts on local amenity and the environment. Representations received from Swale BC, Graveney with Goodnestone PC, residents and the County Member raise concerns / objections about the potential for a waste operation to cause disruption to the surrounding community, including from noise and dust. These concerns question whether the throughput proposed is realistic or potentially a low estimate. This matter is considered in the Highway section above and could reasonably be covered by way of a condition limiting the throughput to the 4,000tpa

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proposed. The above concerns also question whether the building is of sufficient size to accommodate the proposed use without activity overflowing outside. Concerns have also been expressed about whether the use can reasonably be carried out within the building with the roller shutter doors closed without creating an unsafe working environment for staff in terms of dust and air quality.

70. In this instance there are no Air Quality Management Areas (AQMA) at or close to the site, nor along the main access routes. Notwithstanding this it is appropriate to consider the air quality implications of the development on local amenity and the local wildlife designations. As stated above, the application does not propose a significant number of HGV movements nor a material change to the number that already exists on the highway network in association with the applicant's skip hire business. Institute of Air Quality Management (IAQM) Guidance "Land-Use Planning & Development Control: Planning for Air Quality" (January 2017) states that, for changes to the annual average daily traffic (AADT) flow of Heavy-Duty Vehicles (i.e. HGVs) below 100 not within an AQMA or below 25 movements for development within or adjacent to (within 200m) of an AQMA, an air quality assessment is not necessary. The guidance indicates that changes below these levels should be considered as having an insignificant effect in terms of impacts on air quality. There are no material grounds to raise concerns about emissions from HGV movements in this instance.
71. The building proposed to accommodate the waste management use is a reasonable size with 900m² of floorspace (30m x 30m) with a height to the eaves of 8m. The height is sufficient to allow operation of mobile plant and the unloading of skip lorries within the building. The existing floorspace would be more than adequate to accommodate the small-scale operations being proposed in this instance. By way of example, the county council has permitted waste transfer operations with a throughput of around 100,000tpa in a building with 2,000m² of floorspace. A floorspace of 900m² would reasonably accommodate the waste sorting area, skip and vehicle storage, circulation areas and the office / staff accommodation proposed. The applicant has further advised that its current lease arrangement with the landowner prohibits any operations or storage outside of the building. A condition ensuring that, except for staff and visitor parking, no activity associated with the development shall take place outside of the building would secure this arrangement.
72. In terms of controlling emissions from the operations, the building would provide suitable containment to prevent issues of dust or litter. The use of the roller shutter doors, which are proposed to be closed when vehicles are not moving into or out of the building would further contain the operations. The applicant has confirmed that the development would include a dust suppression system within the building and staff would be issued with appropriate personal protection equipment (PPE) whilst working in the building. Should planning permission be granted details of the dust suppression system would be a matter for the Environmental Permit.
73. In terms of noise, the building would mitigate noise generated by the use. The proposed operations would be small in scale with waste sorting activities carried out by hand and assisted by mobile plant. There would be little difference between this mobile plant and the type of machinery regularly used on a farm, albeit that it would be entirely contained by the building and would not operate in the yard or on surrounding land. There are a small number of cottages in the local area, the closest of which is 130m to the south-east on the far side of the other farmyard buildings and associated

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commercial / agricultural uses. The noise from the development is unlikely to impact on local amenities at the scale proposed. The imposition of conditions on any permission could reasonably restrict the development to the nature and scale of development proposed. These could include those conditions discussed above relating to throughput, HGV numbers, operations being contained within building, closure of the roller shutter doors alongside hours of use limited to 08:00 and 17:30 hours Monday to Friday, a limitation on mobile plant to a 360 Excavator and/or Loading Shovel or similar as proposed, no crushing, mechanical screening or shredding, and all vehicles, plant and machinery being operated and regularly serviced in accordance with the manufacturer's instructions, with engine covers closed and efficient silencers fitted to exhausts.

74. Swale BC comment that as a use contained wholly within the building on a site separated from residential properties, noise should not be a problem, especially during the operating hours proposed. Subject to the conditions recommended I would agree with this conclusion.
75. In terms of odour, the application proposes receipt of skip waste which traditionally does not include large volumes of food or putrescible waste that are likely to cause odour problems. The applicant has confirmed that he advises clients that the skips are not to be used to dispose of food, however there is always a chance that small contaminant quantities of putrescible waste could reach the site. A condition requiring any putrescible waste (including food waste) or waste releasing malodour detectable outside the building to be removed from site to an authorised waste disposal facility within 48 hours would ensure this does not become a problem given the location and surrounding land uses.
76. The EA's comments confirm that, if permission were to be granted, the development would require an environmental permit and that this must be in place prior to any waste being received on site. A waste permit would include further technical controls on emissions from the development including in terms of drainage, surfacing, materials management and environmental monitoring (dust and odour).
77. Considering the EA's response, alongside the nature of use, the small scale of the development and its location in relation to surrounding land uses, subject to the conditions set out above and below, I am content that the development could be controlled to a level where there would be no unacceptable impacts on local amenities. The further controls that would be imposed through the Environmental Permitting regime would serve to manage from the site to acceptable levels in the context of the surrounding environment. I am satisfied that the development proposed would accord with Government and Development Plan policies in relation to local amenity considerations.

Landscape and visual Impact

78. The NPPF states that planning decisions should contribute to and enhance the natural and local environment by (amongst other things) protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside. The NPPW states that when determining applications Waste Planning Authorities should consider the likely impacts on the local environment and local amenity against various

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locational criteria and other matters, including the need to protect landscapes or designated areas of national importance.

79. Policies CSW6, DM1, DM2, DM11 and DM12 of the KMWLP seek development that is appropriate to the character and qualities of its location. Policies ST1, ST7, DM14, DM16 and DM24 of the SLP all seek to deliver sustainable development, through the protection, and where possible, enhancement, of the intrinsic character, beauty and tranquillity of the landscape and local character. The Swale Local Plan Proposals Map identifies the land surrounding the application site as an Area of High Landscape Value. Policy DM24 states that development decisions should protect, enhance and manage landscape areas in accordance with the significance of the landscape value.
80. In this instance, whilst the proposed location is set on the edge of flat open agricultural land, where the building in question is visible from a wider area, the change of use proposed does not seek to change the external appearance of the building or introduce any new above ground development outside. The barn structure has already been accepted in the landscape and is viewed in the context of the surrounding farmyard and nearby substation. Subject to controls restricting all associated operations and storage to within the building and limits on the erection of external lighting to low level security lighting only, the development at the site would not have a significant visual impact.
81. The question of the impact of an additional 10 HGV movements per day on the designated 'rural lanes' that lead to the site (Policy DM26 of the SLP) is covered in the Highway section above. As indicated above, the relatively small change in vehicle numbers and the spread of these additional movements across the local network (i.e. both toward Seasalter and toward Graveney) is unlikely to change the character of the routes, which already accommodate a limited number of HGV movements accessing the application site and other uses in the area.
82. Provided the proposed use is restricted in its overall scale to that applied for, including in relation to the numbers of HGV movements (i.e. 15 in / 15 out per day) and with no operations taking place outside the building, I am content that the development would not significantly harm the character of the landscape or the rural lanes. I am therefore satisfied that the proposed development would accord with Government and Development Plan policies relating to landscape and visual impacts.

Other considerations

83. Swale BC's comments suggest that consideration be given to granting a temporary permission to allow the development / use to be reviewed at a future date in a similar way to the extant storage permission (19/503442/FULL). The planning authority is required to consider the application submitted, which in this instance seeks full planning permission for the use proposed. The proposed use is not significantly different in terms of scale and numbers of HGV movements from the arrangements already accepted under permission 19/503442/FULL. Swale BC officers have indicated that the extant use has not generated any complaints or specific concerns since the permission was granted. Other industrial uses within the surrounding buildings already benefit from permanent consents under Borough Council permissions. As set out above, subject to the imposition of conditions limiting the scale of the development, I am content that the impact of the proposed use could be

Change of use from storage of empty skips and associated plant to storage and processing of waste within an existing barn at Cleve Hill Farm, Cleve Hill, Graveney – SW/21/503467 (KCC/SW/0081/2021)

contained to acceptable levels and that there are no material considerations that suggest a temporary permission would be needed in this instance.

Conclusion

84. The application proposes a change of use of a former farm building from a storage use (granted by Swale Borough Council) to a storage and a small scale waste management use allowing the sorting of skip waste into recyclable waste streams. This would enable a local skip hire business (K & S Services) to move into the property, process up to 4,000 tonnes of waste material per annum, generating up to 30 HGV movements per day (15 In / 15 Out). The proposal would involve no significant changes to the existing building nor any external development or operations. It would include the provision of a new concrete pad, associated drainage and a double stacked containerised office building within the barn. Whilst it would provide additional waste capacity, which is supported by national and local plan policy, the scale of the development would be significantly smaller than most of the waste operations the County Council normally considers.
85. The application has attracted objections and concerns from the local community, including the Borough Council, Parish Council, two residents and the local County Member. Whilst I can appreciate the concerns raised about the suitability of the site for a large scale waste operation, the application needs to be considered on its own merits and in the context of the precedent set by existing uses. The proposed use as a base for an existing family run skip hire business and associated small scale waste transfer operation that handles local waste streams would not, subject to suitable controls, be considered a significant development and would be similar in scale to existing uses in the locality. The key concerns raised by consultees could reasonably be managed and mitigated by way of the conditions recommended above and below.
86. The proposed development would enable the re-use of an existing building, supporting the rural economy and helping to drive the management of waste up the waste hierarchy by assisting the preparation of waste for recycling. There are no objections to the application from the other technical consultees, including the EA and Highways and Transportation, subject to the conditions indicated. The EA has confirmed that if planning permission is granted, the proposed waste use would also be subject to further controls under the Environmental Permitting regime. Provided the use were not to extend beyond the size and scale proposed in the application it would be difficult to sustain an objection to the proposed use.
87. As discussed above, subject to a number of conditions intended to limit the operations to acceptable levels and prevent further expansion of the use without the need to apply for a fresh planning permission, I recommend that the application would accord with Government and Development Plan Policies in place and there are no material considerations that outweigh these or suggest that planning permission be refused. I therefore recommend accordingly.

Change of use from storage of empty skips and associated plant to storage and processing of waste within an existing barn at Cleve Hill Farm, Cleve Hill, Graveney – SW/21/503467 (KCC/SW/0081/2021)

Recommendation

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

- The development to be implemented within 3 years;
- Maximum throughput 4,000 tonnes per year;
- Use of the building restricted to the purpose applied for;
- Use of the building and the movement of commercial vehicles limited to 08:00 and 17:30 hours Monday to Friday with no operations on Saturday or Sundays or bank holidays;
- No more than 30 heavy goods vehicle movements per day (15 in / 15 out);
- Records of all HGV movements to be maintained and made available on request to the Waste Planning Authority;
- Access limited to the road serving the London Array Substation only (i.e. not via Cleve Hill);
- HGVs based on site should avoid driving through Graveney at peak school travel times (i.e. 08:30 to 09:30 and 14:45 to 16:00 hours weekdays during school term times);
- All loaded, open backed HGVs to be sheeted, netted or otherwise covered;
- No waste shall be delivered to site by members of the general public.
- No activity associated with the development to take place outside of the building;
- Only skip waste shall be received;
- Roller shutter doors to be kept closed unless vehicles are entering or leaving the building;
- Any incidental putrescible waste (including food waste) to be removed from site to an authorised waste disposal facility within 48 hours
- No crushing, mechanical screening or shredding of waste shall take place;
- No fires or burning of materials;
- No waste shall be imported until the concrete pad and associated sealed drainage system are installed;
- All imported waste shall be deposited on the sealed concrete pad within the building;
- Drainage from the concrete pad shall be captured within an underground storage tank, which shall be emptied and maintained on a regular basis;
- All vehicles, plant and machinery to be regularly serviced, with engine covers closed and efficient silencers fitted to exhausts.
- All fuel, oil or chemicals shall be stored in accordance with Government Guidance;
- Except for low-level security lighting, no external lighting or floodlighting shall be installed; and
- Restrictions on permitted development rights.

Case Officer: Mr James Bickle	Tel. no: 03000 413334
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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/21/1191	Section 73 Application to vary Condition 18 of planning permission AS/17/243 to permit additional operation times between 08.00 and 18.00 hrs on the Wednesdays of each week from 1 May 2021 to 31 October 2021. Waste Reclamation Centre, Brunswick Road, Ashford, Kent TN23 1EL Decision: Permitted
DO/17/1244/R14 & R18	Details of a Traffic Management Plan (Condition 14) and details of additional signage to assist in enabling pedestrians using footpath EE337 to safely cross the site access road (Condition 18) pursuant to planning permission DO/17/1244. The Old Tilmanstone Colliery, Pike Road, Eythorne, Kent, CT15 4ND Decision: Approved
DO/18/34/R2	Details of the 4-metre high acoustic barrier pursuant to Condition 2 of planning permission DO/18/34. Former Waste Transfer Station, Fernfield Lane, Hawkinge, Kent CT18 7AW Decision: Approved
DO/18/34/R3&R15	Details of a Dust Management Plan (Condition 3) and details of a Landscaping Scheme (Condition 15) pursuant to planning permission DO/18/34. Former Waste Transfer Station, Fernfield Lane, Hawkinge, Kent CT18 7AW
FH/21/1147	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 Decision: Permitted
GR/14/615/RVAR	Details of an assessment of the condition of the tunnel(s) connecting Chalk Lake to Buckland Lake (Condition 6), details of the types of materials to be used to fill Chalk Lake (Condition 7) and Alpha Lake (Condition 10) and details of a scheme to control the frequency and times of deliveries of fill materials (Condition 16) of planning permission GR/14/615. Alpha Lake and Chalk Lake, North Sea Terminal, Salt Lane, Cliffe, Kent, ME3 7SX Decision: Approved

SW/13/1542/R	<p>Non-material amendment to planning permission SW/13/1542 - Amendment to alter the facade of the permitted waste management facility and make internal changes to the office layout.</p> <p>Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR</p> <p>Decision: Approved</p>
TM/20/62/R	<p>Non-material amendment to planning permission TM/20/62 to revise the design and alignment of the proposed site access to the Allington Household Waste Recycling Centre (HWRC).</p> <p>Allington Waste Management Facility, Laverstoke Road, Allington, Maidstone, Kent ME16 0LE</p> <p>Decision: Approved</p>
TM/20/2397	<p>Section 73 application to vary conditions 3, 35 & 36 of planning permission TM/15/781 (the northern extension) to allow for revised sand extraction, new drainage and haul road configuration and restoration phasing timescales.</p> <p>Borough Green Sand Pits, Platt Industrial Estate, St Marys Platt, Borough Green, Kent, TN15 8JL</p> <p>Decision: Permitted</p>
TM/20/2399	<p>Section 73 application to vary conditions 37 & 38 of planning permission TM/17/1490 (the eastern extension) to allow for revised sand extraction, new drainage and haul road configuration and restoration phasing timescales.</p> <p>Borough Green Sand Pits, Platt Industrial Estate, St Marys Platt, Borough Green, Kent, TN15 8JL</p> <p>Decision: Permitted</p>
TM/20/2400	<p>Section 73 application to vary conditions 1, 2, 17, 24 & 25 of planning permission TM/15/777 (the main site) to allow for revised sand extraction, new drainage and haul road configuration and restoration phasing timescales.</p> <p>Borough Green Sand Pits, Platt Industrial Estate, St Marys Platt, Borough Green, Kent, TN15 8JL</p> <p>Decision: Permitted</p>
TM/21/461	<p>Installation of a temporary drainage ditch.</p> <p>Borough Green Sand Pits, Platt Industrial Estate, St Marys Platt, Borough Green, Kent, TN15 8JL</p> <p>Decision: Permitted</p>

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/21/705	Section 73 Application to amend Condition 2 and the landscaping details approved pursuant to Condition 5 of planning permission AS/19/705 to resolve a previously unknown level difference between the entrance of the building and the public highway. Parcel PS1 to the south of Mock Lane on the Chilmington Green development in Ashford, Kent Decision: Permitted
CA/19/1513/R11	Details of a Verification Report pertaining to the surface water drainage system pursuant to Condition 11 of planning permission CA/19/1513 (partial discharge of condition only). Simon Langton Grammar School For Girls, Old Dover Road, Canterbury, Kent CT1 3EW Decision: Approved
CA/21/1093	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 Decision: Permitted
CA/21/1429	Demolition of existing upvc conservatory and replacement with new single storey side/front extension to main school building and refurbishment of existing space to enable two additional classrooms to be provided (to accommodate an expansion in Published Admission Number to 60). Erection of new school canteen and kitchen building. Whitstable and Seasalter Endowed C of E School, High Street, Whitstable, Kent CT5 1AY Decision: Permitted

CA/21/1650	<p>Section 73 application to vary Conditions 2, 10 and Schedule 1 of planning permission CA/19/1513 (Section 73 application to vary Condition 2 and Schedule 1 of planning permission CA/19/0063 [Demolition of existing school buildings and replacement with a part two storey, part three storey teaching block with interlinked sports hall together with new Multi Use Games Area (MUGA), landscaping and associated ancillary works] to allow for the demolition of a further single storey mobile teaching block from the site and the incorporation of this teaching space within the new school building, referred to within the application for permission for development dated 28 June 2019, received on 28 June 2019, as referred to in the attached Schedule 1).</p> <p>Simon Langton Grammar School for Girls, Old Dover Road, Canterbury, Kent, CT1 3EW</p> <p>Decision: Permitted</p>
CA/21/1674	<p>Proposed resurfacing of existing Astro turf with a Multi-Use Games Area (MUGA) surface, and installation of a clamber frame play area.</p> <p>Whitstable Junior School, Oxford Road, Whitstable, Kent, CT5 1DB</p> <p>Decision: Permitted</p>
DA/19/1549/R6&R7	<p>Details of a sustainable surface water drainage scheme (Condition 6) and details of proposed pipework and design of the proposed headwall and culvert under the road to accommodate the swale along the boundary in Eastern Quarry (Condition 7) pursuant to planning permission DA/19/1549.</p> <p>Bluewater Shopping Centre, Bluewater Parkway, Dartford, Greenhithe, Kent DA9 9ST</p> <p>Decision: Approved</p>
DA/19/1549/R8	<p>Details of a Construction Management Plan pursuant to Condition 8 of planning permission DA/19/1549.</p> <p>Bluewater Shopping Centre, Bluewater Parkway, Dartford, Greenhithe, Kent DA9 9ST</p> <p>Decision: Approved</p>
DA/19/1549/R10	<p>Details of the proposed highway design improvements to be incorporated into the scheme pursuant to Condition 10 of planning permission DA/19/1549.</p> <p>Bluewater Shopping Centre, Bluewater Parkway, Dartford, Greenhithe, Kent DA9 9ST</p> <p>Decision: Approved</p>
DA/19/1549/R13	<p>Details of the final profile and appearance of the proposed false tunnel or false tunnel hood pursuant to Condition 13 of planning permission DA/19/1549.</p> <p>Bluewater Shopping Centre, Bluewater Parkway, Dartford, Greenhithe, Kent DA9 9ST</p> <p>Decision: Approved</p>
DO/17/1057/R8A	<p>Details of an Archaeological Watching Brief pursuant to Condition 8 of planning permission DO/17/1057 and condition 8 of DO/19/1486.</p> <p>Land on the South-East side of Archers Court Road, Whitfield, Dover, Kent CT16 3HU</p> <p>Decision: Approved</p>

DO/17/1057/R21	<p>Details of Spine Road Access Strategy pursuant to condition 21 of planning permission DO/17/1057 (as amended by DO/19/1486). Land on the South-East side of Archers Court Road, Whitfield, Dover, Kent CT16 3HU Decision: Approved</p>
DO/21/1189	<p>Installation of fixed play equipment and retrospective application for construction of 2 access slopes and retaining walls already constructed to accommodate and provide access to the fixed play equipment. Former Walmer Science College, Salisbury Road, Walmer, Kent, CT14 7QJ Decision: Permitted</p>
FH/21/0320/R4	<p>Details of how the development will enhance biodiversity pursuant to Condition 4 of planning permission FH/21/0320. Harcourt Primary School, Biggins Wood Road, Folkestone, Kent CT19 4NE Decision: Approved</p>
GR/20/156/R12	<p>Proposed change to permitted construction hours to allow works to take place between 0800 and 1800 Monday to Friday, 0800 and 1600 on Saturday, and no operations to take place on Sundays and Bank Holidays due to delays on site as a result of the ongoing Covid-19 pandemic pursuant to Condition 12 of planning permission GR/20/156. Mayfield Grammar School, Pelham Road, Gravesend, Kent DA11 0JE Decision: Approved</p>
GR/20/848/R3	<p>Details of a Construction Management Plan pursuant to Condition 3 of planning permission GR/20/848. Land at Barrack Row and Garrick Street, Gravesend, Kent Decision: Approved</p>
GR/21/709	<p>Temporary stationing and use of three modular buildings for a period of six months. Northfleet School for Girls, Hall Road, Northfleet, Gravesend, Kent DA11 8AQ Decision: Permitted</p>
GR/21/829	<p>Construction of a new two-storey science block (required to facilitate school expansion from 6FE to 7FE). Thamesview School, Thong Lane, Gravesend, Kent DA12 4LF Decision: Permitted</p>
MA/20/500047 RVAR	<p>Request for approval of details pursuant to conditions 6 (highway design & construction), 8 - in part (contamination) and 10 (drainage) of planning permission MA/20/500047. Newnham Court Shopping Village, Bearsted Road, Weavering, Maidstone, Kent ME14 5LH Decision: Approved</p>
MA/21/501669/R5	<p>Details of a Construction Management Plan pursuant to Condition 5 of planning permission MA/21/501669. Bower Grove School, Fant Lane, Maidstone, Kent ME16 8NL Decision: Approved</p>

MA/21/501778/RVAR	<p>Details pursuant to condition (3) - External Materials; Condition (6) - Construction Management Plan; Condition (13) - Drainage; and Condition (16) - Water Drainage Scheme of planning permission MA/21/501778.</p> <p>County Transport Workshops, Forstal Road/Beddow Way, Aylesford, Kent</p> <p>Decision: Approved</p>
MA/21/503520	<p>Installation of 6m high replacement fencing to the ball court including a ball stop net cover.</p> <p>Bower Grove School, Fant Lane, Maidstone, Kent, ME16 8NL</p> <p>Decision: Permitted</p>
MA/20/505334/R4	<p>Details of a Construction Management Plan pursuant to Condition 4 of planning permission MA/20/505334.</p> <p>Greenfields Community Primary School, Oxford Road, Maidstone, Kent, ME15 8DF</p> <p>Decision: Approved</p>
SE/20/2151/R	<p>Non-material amendment to planning permission SE/20/2151 to change the glazing panels to spandrel panels and to change the west elevation involving signage.</p> <p>Sevenoaks Grammar Annexe, Seal Hollow Road, Sevenoaks, Kent, TN13 3SN</p> <p>Decision: Approved</p>
SE/21/1199	<p>Installation of extraction system behind parapet wall to front elevation to allow for conversion of staff room into new commercial kitchen.</p> <p>Hever C of E Primary School, Hever Road, Hever, Kent TN8 7NH</p> <p>Decision: Permitted</p>
SW/20/501709/R22	<p>Details & examples of external materials for teaching & nursery block pursuant to condition 22 of planning permission SW/20/501709.</p> <p>Sunny Bank Primary School, Sunny Bank, Murston, Sittingbourne, Kent ME10 3QN</p> <p>Decision: Approved</p>
SW/20/504848/R3	<p>Details of replacement fascia boarding of a darker colour pursuant to Condition 3 of planning permission SW/20/504848.</p> <p>Hartlip Endowed C of E Primary School, The Street, Hartlip, Sittingbourne, Kent ME9 7TL</p> <p>Decision: Approved</p>
SW/21/502319	<p>Temporary modular classroom block.</p> <p>Borden Grammar School, Avenue of Remembrance, Sittingbourne, Kent ME10 4DB</p> <p>Decision: Permitted</p>
TH/18/467/R14	<p>Details of an Archaeological Watching Brief/Written Scheme of Investigation pursuant to Condition 14 of planning permission TH/18/467.</p> <p>Foreland Fields School, Newlands Lane, Ramsgate, Kent CT12 6RH</p> <p>Decision: Approved</p>

TH/18/467/R16&R18	<p>Details of a Construction Management Strategy (Condition 16) and details of a Road Condition Survey of Newlands Lane (Condition 17) pursuant to planning permission TH/18/467.</p> <p>Foreland Fields School, Newlands Lane, Ramsgate, Kent CT12 6RH</p> <p>Decision: Approved</p>
TH/19/1696/R7	<p>Details of a Scheme of Landscaping and Tree Planting pursuant to Condition 7 of planning permission TH/19/1696.</p> <p>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)</p> <p>Decision: Approved</p>
TH/21/784	<p>Refurbishment & extension of the existing single storey nursery building to provide a 16-place special resourced provision (SRP), for pupils with an ASD, along with associated ancillary spaces and building of a new exterior lift to facilitate inclusive access to the new facility from the main school site.</p> <p>Holy Trinity & St Johns C of E Primary School, St Johns Road, Margate, Kent, CT9 1LU</p> <p>Decision: Permitted</p>
TH/21/0806	<p>Proposed rationalisation and improvement of existing parking arrangement, involving a) the upgrading and re-allocation of car parking and mini-bus spaces, b) creation of 6 new car parking spaces, and c) associated access and landscaping works (no increase to pupil or staff numbers proposed).</p> <p>Ursuline College, 225 Canterbury Road, Westgate On Sea, Kent CT8 8LX</p> <p>Decision: Permitted</p>
TH/21/0807	<p>Proposed demolition of two buildings (namely 'St Cecilia' and 'Little Bruscia'), and erection of a new single storey building, new cycle parking shelter for 20 bicycles, and associated landscaping works (no increase to pupil or staff numbers proposed).</p> <p>Ursuline College, 225 Canterbury Road, Westgate on Sea, Kent CT8 8LX</p> <p>Decision: Permitted</p>
TM/21/1389	<p>Proposed replacement of existing temporary pedestrian trackway with a tarmac path.</p> <p>The Malling School, Beech Road, East Malling, West Malling, ME19 6DH</p> <p>Decision: Permitted</p>
TW/21/0703	<p>Planning application for the permanent retention of temporary car park (13 spaces) approved under KCC consent reference TW/18/2126 dated 14th November 2018</p> <p>St Gregory's Roman Catholic Comprehensive School, Reynolds Lane, Tunbridge Wells, Kent TN4 9XL</p> <p>Decision: Permitted</p>

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/AS/0115/2021 - Section 73 Application to vary Condition 18 of planning permission AS/17/243 to permit additional operation times between 08.00 and 18.00 hrs on the Wednesdays of each week from 1 May 2021 to 31 October 2021.
Waste Reclamation Centre, Brunswick Road, Ashford, Kent TN23 1EL
- KCC/SCR/TM/0142/2021 - Request for a Screening Opinion to determine whether a proposed solar park development, associated infrastructure and access requires an Environmental Impact Assessment.
Part of the western section of Stangate Landfill, south of Borough Green and south east of Ightham, Sevenoaks, Kent TN15 8PE
- KCC/TM/0209/2012 - Installation of ground mounted solar array with associated infrastructure.
Land at Quarryman's Road, Kings Hill, West Malling, Kent ME19 4PN
- KCC/TW/0131/2021 - Construction and operation of an equipment kiosk, installation of security fencing and gates, and a change of use of land to wastewater treatment works.
Hawkhurst South Wastewater Treatment Works, Stream Lane, Hawkhurst, Kent TN18 4RU
- KCC/TW/0135/2021 - Change of use of land to enable an upgrade and extension of the wastewater treatment works, to include construction and operation of above ground wastewater treatment plant; a ferric dosing kiosk, caustic dosing kiosk and Motor Control Centre kiosk; installation of site fencing and associated landscaping.
Benenden Wastewater Treatment Works, Walkhurst Road, Benenden, Kent TN17 4AP
- (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 13 October 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 Stone Neighbourhood Plan 2020-2035 – Regulation 16

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

F2 Land at Court Lodge, Pound Lane, Kingsnorth Proposal - Construction of up to 1000 new homes (C3), local centre comprising retail uses (up to 450 sqm A1-A5) flexible office space (up to 350 sqm B1) and community facilities including a primary school (2.4ha), a combined community hall and site management suite (up to 650 sqm D1). New means of vehicular accesses onto Pound Lane, Long Length, Magpie Hall Road, new pedestrian and cycle routes laying out of green infrastructure, including allotment gardens and areas of ecological habitats. Drainage infrastructure, earthworks and ancillary infrastructure.

County Council's response as Highway Authority to Ashford Borough Council on the above.

F3: Brenchley and Matfield Neighbourhood Plan (2020-2038) - Regulation 14 Consultation

County Council's response to Brenchley and Matfield Parish Council on the above

F4: Tunbridge Wells Borough Local Plan 2021 Pre Submission Local Plan (Regulation 19)

County Council's response to Tunbridge Wells Borough Council on the above.

F5: Canterbury District Local Plan - draft vision and options for the district

County Council's response to Canterbury City Council on the above.

F6: Re-determination of the Application by RiverOak Strategic Partners Limited ("the Applicant") for an Order granting Development Consent for the reopening and development of Manston Airport in Kent

County Council's response to Secretary of State for Transport, Manston Airport Case Team c/o Planning Inspectorate National Infrastructure Planning.

F7: EIA Scoping Opinion for a proposed development at Land South and South East Mascalls Court Road, Paddock Wood, Tonbridge, Kent [application reference: 21/02129/EIASCO]

County Council's response to Tunbridge Wells Borough Council on the above

F8: Re: Tenterden Neighbourhood Plan 2013–2030 Pre-Submission Draft (Regulation 14)

County Council's response to Tenterden Town Council on the above.

F9: Re: Egerton Neighbourhood Plan 2021-2040, April 2021

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

Background documents: As set out in the report.



Growth and Communities

Mark Aplin
Planning Policy Manager
Planning Policy Team
Dartford Borough Council
Civic Centre
Home Gardens
Dartford
Kent DA1 1DR

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Kent
ME14 1XX

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

BY EMAIL ONLY

25 June 2021

Dear Mark,

Re: Stone Parish Neighbourhood Plan - Regulation 16 Consultation

Thank you for consulting Kent County Council (KCC) on the Stone 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 document.

Chapter 2 – Stone parish story

Public Health: The County Council recommends that the data provided regarding life expectancy is more accurately sourced, with the geographical area of the data included. Stone parish appears to cover two wards (Stone Castle and Stone House) which, using the [Public Health England Local Health tool](#), have different life expectancies.

The life expectancy presented within this Neighbourhood Plan is the same as that identified in the ward of Stone House, which is considerably lower than that of Stone Castle. It is important to reflect life expectancy accurately within the Neighbourhood Plan to ensure that proper consideration is given in identifying how to prioritise objectives on a granular level to reduce health inequalities and improve the overall health and wellbeing of the area.

Chapter 4 - Neighbourhood Plan Area

Heritage Conservation: The Neighbourhood Plan does not make reference to the history of Stone, nor of its surviving heritage, which has the potential to help deliver the wider objectives of the Neighbourhood Plan. There are no policies directly related to the historic environment and the background section on the history of Stone only starts with the Saxons.

The County Council considers this to be a missed opportunity, given that Stone has an important archaeological resource spanning geographically the transition from the Thames and former wetland edge to the higher ground of the chalk to the south, and chronologically from the Palaeolithic to the present day.

Stone sits in an area of international importance for palaeolithic archaeology (up to one million years ago to c. 11,000 BC). The oldest skull found in Britain was found a short distance away at Swanscombe and within Stone there have been numerous finds of palaeolithic hand axes. At Crossways Business Park, these were accompanied by finds of lemming. Other extremely important discoveries undoubtedly remain to be found in the parish. There have also been numerous finds of Mesolithic and Neolithic worked flints across the parish and a rare middle Neolithic pit at the allotment gardens. Important 'Beaker period' (late Neolithic to early Bronze Age transition period) pottery was found north of Beechin Wood Cottages in the 1930s.

There are similarly numerous later prehistoric sites from Stone parish. These include a Bronze Age ring-ditch and associated features at Waterstone Park, Bronze Age features from St Clements Valley, London Road and Iron Age settlements at Louvain Road, Stone Castle Quarry and especially Waterstone Park, as well as Iron Age cremation burials from Cotton Lane Pit.

Roman Watling Street ran from Canterbury to London through the Neighbourhood Plan area, probably following earlier routes, and a large number of Roman sites have been discovered alongside. These include settlements at Stone Castle Quarry, Stone Castle and Waterstone Park, and many cemeteries as at Stone Court Pit, Cotton Lane and Stone Cemetery. Numerous finds of Roman pottery and coins have also been discovered in the parish.

From the Anglo-Saxon period, discoveries include a system of tide walls on Littlebrook Marshes, known as Littlebrook Walls, mentioned in a charter of Ethelred, A.D.995, and a small cemetery at Littlebrook Farm. Stone also contains notable Medieval buildings in the form of Stone Castle and the church of St Mary (both Listed Buildings), as well as the former site of Stone Court and the Old Rectory (both now lost).

More recent and perhaps more visible remains can be seen in the form of Stone's 19th and 20th century industrial heritage. Numerous cement works were developed in Stone in the 19th century. Some of these cement works used pioneering technology, and some of the industrial structures survive today as Listed Buildings. The cement industry also used a network of tramlines to connect to the Thames where pontoons and wharves can still be seen. Farmsteads also survive from this period. In the 20th century, this heritage was joined by military and civil defence structures, particularly domestic and industrial air-raid shelters.

The factors that produced this diverse heritage remain important in the future of the parish. The geological history that helped Palaeolithic artefacts survive and be discovered, for example, later encouraged the development of the cement industry. The routeway that became Roman Watling Street was associated with the wealth of later prehistoric and Roman sites and still forms the southern boundary of the parish in the form of the A296. Many of the residential developments along the Thames are sited to take advantage of the historic waterfront, which is largely what makes up the remains of the industrial past of the

parish. Stone's heritage thus provides numerous visible markers that connect the landscape and townscapes of today with its past and which show the continuity of settlement and land use throughout prehistory and history. As such, these could be used to help anchor new development in the parish to the existing community, but the Neighbourhood Plan does not seem to recognise this or the role that heritage could play in other goals of the Neighbourhood Plan.

The County Council notes that the 'Vision' on page 13 includes a number of phrases which could relate to heritage. The vision for people to be 'proud' of Stone, for it to be a place where they can 'put down roots' and for Stone to have a strengthened environment, can all be more effectively delivered if people have a connection with past generations, with their achievements and struggles and with a sense that the community has existed in Stone over the years. The parish's heritage can directly help in achieving this by ensuring that new development is well integrated with the old, that older generations retain their connection with the past, rather than seeing it swept away, and by contributing to health and well-being for all. The County Council would therefore recommend that Neighbourhood Plan has better consideration for the historic environment to ensure the Vision is delivered upon.

Sport and Recreation: The enablement of a local sustainable community by maintaining and improving the availability and quality of community services within the parish is welcomed. KCC would recommend consideration is given on the accessibility of services and connections available for the wider community, to seek limit car usage where possible.

KCC seeks to ensure the adequate provision for sport and recreation within the surrounding area and open spaces, and would recommend consideration in how activity, green space and services are accessed and provide opportunities, where possible, for Active Travel.

Consideration of the Kent Design Guide and the Sport England Active Design Guide is recommended, and it is important to ensure that these strategies and any subsequent developments take account of the KCC and Sport England Guidance that is available¹.

Sport England currently runs 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 surveys 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](#). Data can also be explored and filtered using the [Active Lives Online tool](#). A summary of the Children and Young People report can be found [here](#).

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.

¹ <https://www.sportengland.org/facilities-planning/active-design/>
<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/>

GS1 Local Green Space

Heritage Conservation: The County Council considers that the strategic goal for 'Green Space and Recreation' could be more effectively delivered by including aspects of Stone's heritage. At present, the text discusses a few key green spaces but an effective green space and recreation strategy also needs to include routeways between the interior of the parish and the riverbank. These routes could incorporate heritage assets such as historic buildings, information and interpretation and the historic waterfront.

Policy GS2 - Stone Recreation Ground

Highways and Transportation: Within this policy, the principles of the masterplan are generally supported, but will need to be reviewed in detail once an application has been submitted. In general, parking provision should be in line with Dartford Parking Standards and / or based on a first principles assessment, including provision of disabled spaces, electric vehicle charging provision and cycle parking. Where routes are improved or new routes are created, they should be constructed in line with Kent Design Guide and LTP 1/20 (and other relevant guidance) and provide for both walking and cycling. Appropriate visibility splays, swept path analysis and Road Safety Audits will be required to demonstrate that any amended vehicular access points adhere to appropriate guidance.

Policy GS4 – St Clements Way Buffer

The County Council is in dialogue with the local Clinical Commissioning Group (CCG) for West Kent (whose duties are to be delivered through the West Kent integrated Care Partnership) to deliver a healthcare facility at this site.

As such, the County Council as landowner objects to the designation of the St Clements Way as a buffer, as proposed under Policy GS4. KCC seeks the deletion of Policy GS4 from the Neighbourhood Plan, alongside the supporting text and all references to the policy.

Full comments in respect of the County Council's position on this policy have been submitted to Dartford Borough Council as a separate submission and for ease, are also provided within Appendix 1.

Health and Wellbeing

Heritage Conservation: The Neighbourhood Plan goals for health and well-being, as presented on page 25, could be enhanced by incorporating the parish's heritage. The current and substantial pressures faced by health and social care demand a search for innovative solutions in order to continue meeting the demands of a modern population over the coming years. As such, heritage can play an important role in the contribution of the arts to person-centred, place-based care through means such as arts-on-prescription activities, cultural venues and community programmes, as well as walks, trails and educational actions. The historic environment, archaeology and heritage form part of our experience of being human and can provide individual as well as collective opportunities to engage with arts and culture whilst having positive effects on our physical and mental health and wellbeing in the process.

Policy HW1 - Trees, shrubs and air quality

Biodiversity: The Stone Neighbourhood Planning Area does not encompass any statutory or non-statutory designated sites for biodiversity. To maximise biodiversity value, KCC would recommend that the 'additional tree cover, shrubs and hedgerows' referred to in this policy consists of native species only. This is because native species offer the foliage and woody material which invertebrates (the faunal basis of ecosystems) require to complete their lifecycle. Often, non-native species cannot provide this. The County Council also recommends that native species are incorporated into the design of the 'Future Stone Recreation Ground' and other areas where vegetation planting is planned.

Highway verges are one of the most important remaining reservoirs of wildflowers, particularly important for pollinating insects. This includes ecologically rich verges on historic routeways as well other highway verges in the parish, including new highways and public rights of way in new developments. Other important areas to protect and enhance include coppiced woodland and rare remaining areas of semi-improved grassland and lowland heathland.

KCC would be highly supportive of the inclusion of consideration of biodiversity net gain to ensure alignment with local and national policy.

Policy HW2 – Travel Plans

Highways and Transportation: This policy is generally supported and KCC would like to see walking and cycling for shorter journeys as 'the norm'. However, with regard to the length of time over which the Travel Plans should be monitored, Government guidance, 'Travel Plans, Transport Assessments and Statements' states that *"The length of time over which monitoring will occur and the frequency will depend on the nature and scale of the development and should be agreed as part of the Travel Plan with the developer or qualifying body for neighbourhood planning"*. Whilst the monitoring period should therefore be decided on a case by case basis, in line with the period for which monitoring fees apply, KCC generally requires Travel Plans to be monitored for a minimum of five years post full occupation, unless the Travel Plan has not achieved its target, in which case monitoring may be required to be continued.

HW3 Walking & Cycling Neighbourhood

Highways and Transportation: KCC supports the principles of this policy. It is agreed that proposed routes should join the existing network, though it is unclear from the plans which routes are proposed for walking and which are proposed for cycling. Any applications put forward will need to be designed in line with Kent Design Guide, LTP 1/20 and other relevant guidance (e.g. Wheels for Wellbeing), providing sufficient width and gradients for intended users. With regard to land ownership, the County Council Highway Definitions Team would need to be contacted to determine which land is within the publicly maintainable highway; proposed routes on third party land can be considered during the planning application stage. Whilst not stated in the Neighbourhood Plan, KCC considers that where relevant, developers

should be encouraged to fund the installation of cycle and pedestrian counters and maintenance for a minimum of five years.

With regard to the evidence base 'Proposed Pedestrian and Cycle Network, Preferred Projects for Stage One' 2019 (as referenced within the supporting policy paragraphs), KCC has concerns regarding the proposed structural changes at M25 / A282 Junction 1a (as shown on page 6 of the Preferred Projects for Stage One). These would be very challenging to construct and the junction is maintained by Highways England, not KCC. However, the junction is the subject of a current joint study between KCC, Highways England and Dartford Borough Council, seeking to resolve congestion. Any mitigation put forward should consider pedestrian and cycle movements across the junction.

Proposals that include lighting on the footways / cycleways would need to be reviewed and agreed by the KCC Lighting Team. Whilst no detail has been given in the document, KCC would also need to be consulted on surfacing materials. Tarmac type surfaces are preferable, as they reduce future maintenance, however, cycle paths through green space may need to be softer/more permeable, to consider surrounding impact on trees and wildlife.

Housing – Context

Biodiversity: To support declining wildlife, such as swifts, KCC would recommend that new residential developments should seek to incorporate simple yet effective ecological enhancement measures. This includes integrated bird nest bricks, native species landscaping and hedgehog gaps in any close-boarded boundary fencing.

KCC highlights that all three 'common' reptiles have recently been found at a site to be developed along Crossways Boulevard – these have been/will be translocated to the seawall grassland area running along the entire northern boundary. Where possible, KCC would advise that more protection/ecologically-beneficial management is implemented for the green areas in the north of the parish.

Policy LI1 Stone Crossing Station

Highways and Transportation: KCC supports the principles of this policy and considers walking and cycling links to this facility to be key. Consideration should also be given to funding step-free access to both platforms and improved cycle parking facilities.

HC1 – Horns Cross Neighbourhood Centre

This policy supports the development of a new health centre. The provision of a health centre in this location conflicts with plans being progressed by KCC to provide a health centre at St Clements Way. The County Council advises that this policy is amended to remove its support for a health centre at this location. KCC's full position on the provision of health centre is set out in Appendix 1.

Highways and Transportation: Any planning applications for this site should be accompanied by a Transport Statement / Transport Assessment (depending on scale of development) that

demonstrates the impact of the development on the local highway network. This would be reviewed by KCC during the application stage.

Chapter 7 – Our key themes and objectives

Public Health: To ensure the robustness of the themes and objectives within the Neighbourhood Plan, the County Council would recommend greater use of data from the [Kent Joint Strategic Needs Assessment](#) (JSNA) and other sources of public health data from the [Public Health Outcomes Framework](#) (PHOF), including ward level data. Reference should also be made to set out how the 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 health and wellbeing policies.

Annex 2 – Pedestrian and Cycle Network

Public Rights of Way (PRoW): The County Council would draw attention to the following factual clarifications required within this Neighbourhood Plan:

- On page 51, the path shown as 4C on Figure 10 is not a PRoW.
- The PRoW DR13 is not shown and goes from the lower end of 4C in a south west direction to meet Hedges Place Road.
- On Figure 9, the new route for DR9 is not shown and the original proposal which was not adopted is shown instead.

The County Council would welcome further engagement on these points to ensure that the PRoW network is being properly represented within this Neighbourhood Plan.

Additional commentary

Sustainable Urban Drainage Systems: The Neighbourhood Plan covers a geographical area that includes areas of defended flood risk and with areas shown as potentially subject to surface water flood risk as shown on the Environment Agency Surface Water Flood Risk Mapping, yet there is no reference within the document to the importance of surface water drainage and the water environment.

It would be beneficial if the Neighbourhood Plan considers the importance of surface water management within new development but also more opportunistically within improvements to green and open spaces. Recent development proposals at Stone Pit included sustainable drainage improvements.

The County Council would specifically encourage the Neighbourhood Plan to consider what protections should be in place and what aspects the Parish would like to see implemented in relation to the management of surface water. The NPPF, at paragraph 165, specifically requires that major developments incorporate sustainable drainage systems and that they should, where possible, provide multifunctional benefits. The Parish should require all development drainage systems to include drainage systems which are at surface and provide water quality benefits, promote amenity and increase biodiversity.

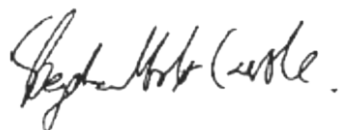
The County Council would also recommend that the Neighbourhood Plan considers Kent County Council's Drainage and Planning Policy².

Minerals and Waste: The Neighbourhood Plan area does have safeguarded land-won minerals (Alluvial and Sub-alluvial River Terrace Sand and Gravels), though the vast majority is also within the defined urban area of Dartford and are thus exempt from land-won mineral safeguarding as set out in Kent Minerals and Waste Local Plan (KMWLP) Policy CSM 5: Land-won Mineral Safeguarding. There is also significant safeguarded mineral infrastructure at the river frontage, Johnsons Wharf, of which the relevant policy is Policy CSM6: Safeguarded Wharves and Rail Depots of the KMLWP.

The Neighbourhood Plan is not allocating sites and the area is mainly urbanised and is therefore exempt from the land-won mineral safeguarding policy provisions of the KMWLP. However, it is recommended that the Neighbourhood Plan does include reference to the KMLWP and minerals safeguarding issues to demonstrate that they are not applicable to ensure that this matter is properly considered.

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,



Stephanie Holt-Castle
Director for Growth and Communities

Enc.

Appendix 1: Tetra Tech Limited Response submitted on behalf of Kent County Council regarding St Clements Way

² <https://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/flooding-and-drainage-policies/drainage-and-planning-policy-statement>

**Ashford Borough Council**

Civic Centre
Tannery Lane
Ashford
Kent
TN23 1PL

Highways and Transportation

Ashford Highway Depot
4 Javelin Way
Ashford
TN24 8AD

Tel: 03000 418181

Date: 14 June 2021

Application - 18/01822/AS

Location - Land at Court Lodge, Pound Lane, Kingsnorth

Proposal - Construction of up to 1000 new homes (C3), local centre comprising retail uses (up to 450 sqm A1-A5) flexible office space (up to 350 sqm B1) and community facilities including a primary school (2.4ha), a combined community hall and site management suite (upto 650 sqm D1). New means of vehicular accesses onto Pound Lane, Long Length, Magpie Hall Road, new pedestrian and cycle routes laying out of green infrastructure, including allotment gardens and areas of ecological habitats. Drainage infrastructure, earthworks and ancillary infrastructure.

Dear Faye,

Further to my last consultation response on the planning application dated 5th October 2020, the applicant has unfortunately not undertaken any further revisions to the VISSIM model and therefore agreement has not been reached on the VISSIM model and its associated outputs. I therefore wrote to the Borough Council in February of this year to suggest an amended grampian planning condition limiting the occupations on site to 500 dwellings until the A28 dualling works are delivered in full to try and move this planning application forward to a positive recommendation from Kent County Council in its position as Local Highway Authority. To date the applicant has not agreed to this suggested grampian condition but it is required in order to prevent severe congestion along the A28 corridor prior to the delivery of the A28 dualling works by the Chilmington Green development. This was the only outstanding highway issue associated with the application. I have now been asked by the Borough Council to now provide a final recommendation on the application so please find a list of suggested planning conditions and Section 106 obligations below:

Planning Conditions

- 1) Submission of a Construction Management Plan for each phase of development to be submitted and approved before the commencement of each phase:
 - (a) Routing of construction and delivery vehicles to / from site
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel
 - (c) Timing of deliveries
 - (d) Provision of wheel washing facilities
 - (e) Temporary traffic management / signage

- 2) Before and after construction of each phase of development, highway condition surveys for highway access routes (to be agreed as part of condition 1) must be undertaken and a commitment provided to fund the repair of any damage caused by vehicles related to the development.
- 3) The proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture to be laid out and constructed in accordance with details to be submitted to and approved by the Local Planning Authority in consultation with the Local Highway Authority.
- 4) The reserved matters details shall show adequate land, reserved for parking to meet the needs of the development and in accordance with Ashford Borough Council's adopted Residential Parking and Design guidance SPD and Local Plan or policy which may have superseded it. The approved area shall be provided, surfaced and drained in accordance with the approved details before the buildings are occupied and shall be retained for the use of the occupiers of, and visitors to, the premises. Thereafter, no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on the land so shown as to preclude vehicular access to this reserved parking area.
- 5) No dwelling or any of the local centre shall be occupied until space has been laid out for bicycles to be parked in accordance with details that shall have been submitted to and approved by the Local Planning Authority in consultation with the Local Highway Authority. Such cycle parking facilities shall subsequently be retained for residents / visitors to the local centre.
- 6) Prior to the occupation of any dwelling hereby permitted the signalised crossing across Britannia Lane as shown on drawing number 1281-HL-114 Revision B shall be constructed and open for use.
- 7) Prior to the occupation of any dwelling hereby permitted the signalisation of the Pound Lane / Church Hill / Ashford Road junction together with parking restrictions on Church Hill and formal pedestrian crossing facilities on three arms of the junction as shown on drawing number 1281-HL-200 Revision E shall be completed and open to vehicular traffic.
- 8) Prior to the occupation of any dwelling hereby permitted the Britannia Lane parking bays together with parking restrictions as shown on drawing number 1281-HL-26 Revision A shall be completed.
- 9) Prior to the occupation of any dwelling hereby permitted the alterations to the junction of Magpie Hall Road / Steeds Lane / Ashford Road as shown on drawing number 1281-HL-09 Revision C shall be completed and open to vehicular traffic.
- 10) Prior to the occupation of any dwelling hereby permitted the new Long Length roundabout together with extension of the existing 40mph speed limit and closure of part of Long Length to vehicular traffic as shown on drawing number 1281-HL-106 Revision B shall be completed and open to vehicular traffic.
- 11) Prior to the occupation of any dwelling hereby permitted the improvements to the Forestall Meadow roundabout as shown on drawing number 1281-HL-311 Revision C shall be completed and open to vehicular traffic.
- 12) Prior to the occupation of any dwelling hereby permitted the Long Length access as shown on drawing number 1281-HL-103 Revision C shall be completed and open to vehicular traffic.

13) Prior to the occupation of the first dwelling in Phase 2 the Pound Lane North access as shown on drawing number 1281- HL-102 Revision C (together with submission of details of a speed limit reduction on Britannia Lane, Chart Road and Long Length from 60mph to 30mph) shall be completed and open to vehicular traffic.

14) Prior to the occupation of the first dwelling in Phase 2 the Pound Lane shared surface as shown on drawing number 1281-HL-113 shall be completed and open to vehicular traffic.

15) Prior to the occupation of the first dwelling in Phase 2 the speed limit reduction on Pound Lane from 60mph to 40mph as shown on drawing number 1281-HL-111 Revision A shall be completed.

16) Prior to the occupation of the first dwelling in Phase 3 the Pound Lane access drawing with one-way working and extension of the 30mph speed limit as shown on drawing number 1281-HL-101 Revision D shall be completed and open to vehicular traffic.

17) Prior to the occupation of the first dwelling in Phase 3 the vehicular links to sites S4 and S5 as shown in the phasing plan shall be completed and open to vehicular traffic.

18) Prior to the occupation of the first dwelling in Phase 3, a new pedestrian / cycle bridge over the water course by Pound Lane shall be completed and open to pedestrians and cyclists with details to be agreed by the Local Planning Authority in consultation with the Local Highway Authority.

19) As part of the reserved matters application, detailed proposals for the provision of a shared cycleway with a minimum width of 3 metres through the public open space up to the boundary at a location indicatively shown by the yellow arrow on the Context Plan.

20) The development shall not be brought into use until a Travel Plan, to reduce dependency on the private car, has been submitted to and approved in writing by the Local Planning Authority in consultation with KCC Highways and Transportation. The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter.

21) No more than 500 dwellings shall be occupied until the A28 dualling works between the Matalan and Tank roundabouts are delivered and open to all traffic.

22) Prior to the occupation of each phase details of bus stops together with raised kerbs, shelters and clearways shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority.

Section 106 Obligations

Travel Plan Monitoring - Total of £10,000 payable to KCC Highways and Transportation (£1,000 per annum over 10 years)

Romney Marsh Road Roundabout - £2,300,752.00, payable prior to the occupation of the 50th dwelling on site to KCC Highways and Transportation.

Ashford Road / Church Hill / Pound Lane Traffic Signal Junction - £5,000, payable on occupation of the 1st dwelling on site to KCC Highways and Transportation - Monitoring by

KCC Highways and Transportation of the proposed signal junction once it is constructed. If there are a pattern of accidents (crashes) as a result of traffic movements then the signal timings to be reviewed and amended as necessary.

Bus Service Contribution - £400,000 from Phase 1 and £400,000 from Phase 2 - Improvements to bus services between the site and Ashford Town Centre to be paid to KCC Highways and Transportation.

Link between Court Lodge and Kingsnorth Green - To safeguard land for two roads linking Court Lodge to the Kingsnorth Green site to ensure the land is not used for any other purpose other than as a road.

INFORMATIVE:

Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Yours faithfully

Matt Hogben

Principal Transport & Development Planner



Growth and Communities

Cllr Elizabeth Akenhead
Brenchley and Matfield Neighbourhood
Plan
Matfield Pavilion
The Green
Matfield
TN12 7JU

Invicta House
County Hall
Maidstone
Kent
ME14 1XX

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

BY EMAIL ONLY

28 June 2021

Dear Councillor Akenhead

Re: Brenchley and Matfield Neighbourhood Plan (2020-2038) - Regulation 14 Consultation

Thank you for consulting Kent County Council (KCC) on the Brenchley and Matfield 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 document.

Chapter 1 – Introduction

Heritage Conservation: The County Council notes that although the Neighbourhood Plan discusses the rich heritage of the parish, it is at present rather disjointed, with relevant text being presented in a number of different places. Iron working, for example, is mentioned in the Landscape Context section, but only one site is identified (Furnace Pond). The later section on Historical Context then reviews the heritage assets of key settlements, but not those of the wider countryside. The result is that the reader does not get an accurate overall view of the heritage of the parish, with some key heritage assets being omitted.

KCC would recommend that for such a historic area, the Neighbourhood Plan could be strengthened by incorporating an introductory section titled 'Landscape History and Heritage'. This could present not only the history of the parish, but also review the range and quality of the surviving heritage assets. This would in turn make it easier to relate the heritage to the themes that are developed later in the Neighbourhood Plan. Additional information could be provided on the history of iron-working in Brenchley, including mention

of the sites at Horsmonden Furnace and Badsell Park Farm, the range of agricultural buildings in the parish, and the historic farmsteads.

Chapter 2 - Background on Parish

Public Rights of Way (PRoW): The County Council welcomes references to the PRoW network and the County Council's Rights of Way Improvement Plan (ROWIP). This inclusion will enable successful partnership working to continue and deliver improvements to the PRoW network in Brenchley and Matfield.

On page 15, the County Council recommends that “*excellent network of Footpaths*” is amended to “excellent Public Rights of Way network”. Within the parish, the majority of Public Footpaths are not only for leisure opportunities but increasingly should be seen as providing local Active Travel opportunities and connectivity across the area.

The County Council requests that it is 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 to consider local aspirations or access improvements and potential funding sources for the delivery of these schemes.

Landscape Context / Historical Context

Heritage Conservation: The current Landscape Context text is a good review of the landscape history of the parish, but the historic context section is limited and does not include consideration of the many of the sites within the parish. Given how closely the landscape and heritage are integrated in Brenchley, KCC would recommend that these two sections either be amalgamated into a Landscape History and Heritage section, or a Landscape section which avoids mention of individual sites, and a History and Heritage section that includes the full range of heritage asset types.

Chapter 4 - Vision Statement and Strategic Objectives

PRoW: The County Council is supportive of the Access and Movement objective but recommends including text around encouraging the use of Active Travel and sustainable transport measures.

Public Health: The Neighbourhood Plan contains a number of objectives and policies that support improvements in health and wellbeing of residents in the area. To ensure the robustness of the Neighbourhood Plan and its evidence base, consideration of the [Kent Joint Strategic Needs Assessment](#) (JSNA) and other sources of public health data from the [Public Health Outcomes Framework](#) (PHOF) including ward level data, is recommended. In addition, text should be included to reference 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.

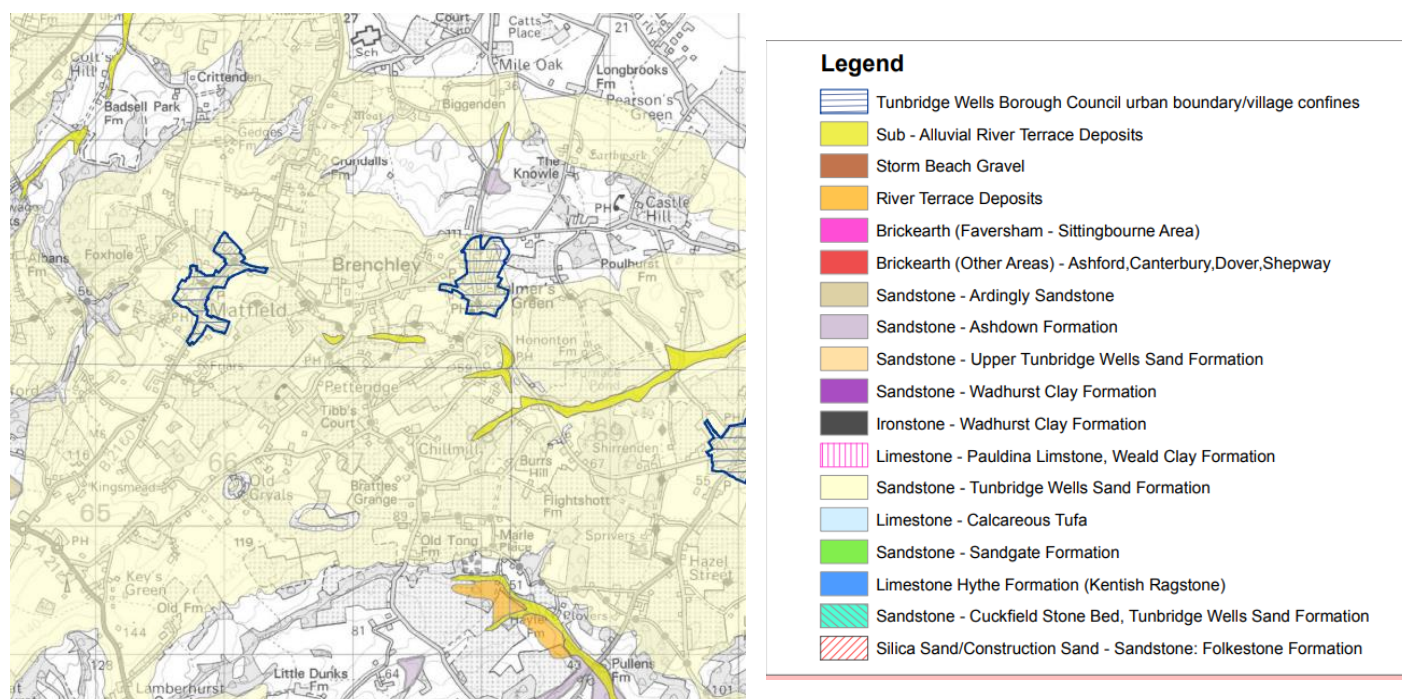
Whilst the Public Health indicators show that Brenchley and Matfield perform significantly better than the England average on the majority of public health indicators, this does not mean the area will not face challenges and that it will need to take these into consideration. For example, data from the [Public Health England Fingertips](#) indicates that whilst the number of overweight and obese children in Year 6 in Brenchley and Matfield is significantly lower than the England average, nearly 1 in 4 children in the area will leave primary school as overweight or obese. This should be considered within the Neighbourhood Plan.

Chapter 6 – Neighbourhood Plan Policies

6.1 Housing

Minerals and Waste: The County Council, as Minerals and Waste Planning Authority, notes that the Neighbourhood Plan does identify that land-won mineral safeguarding policy (as set out in the Kent Minerals and Waste Local Plan (as modified) 2013-30 (KMWLP)) is relevant to the area.

The map extract below shows the approximate Neighbourhood Plan area, most of which comprises a Mineral Safeguarding Area, the safeguarded mineral being the Tunbridge Wells Sand Formation (sandstone) and some limited Sub-Alluvial River Terrace Sand and Gravel deposits.



The County Council notes that the Neighbourhood Plan is not allocating any development sites but identifies the two sites proposed within the emerging Tunbridge Wells Local Plan.

It is noted that these sites have not had any mineral safeguarding analysis undertaken via a Mineral Assessment to establish an exemption from the presumption to safeguard the economic minerals in the area. However, given the relatively low economic importance of the

sandstone, this would not represent a significant problem for the Neighbourhood Plan to achieve. The County Council would recommend that reference is made to the presence of the safeguarded minerals and would welcome further engagement if any clarity is required on this matter.

H2 Location of housing development

Heritage Conservation: KCC welcomes the commitment to ensuring that new development in the countryside is in keeping with the character of 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.

Policy H10 Developer Contributions

PRoW: Developer contributions could be used to upgrade existing routes or create new path links that address existing network fragmentation issues and reference should therefore be given to investment into the PRoW network. KCC recommends that general wording is included within this section to support funding to ensure the PRoW network is not degraded.

Policy H11A – Site Specific Policies for the Island site

Part C)

PRoW: The “*public footpath beside the south side of Maidstone Road*” is not a recorded Public Footpath, so the phase should therefore be amended to “footway”.

Part F)

PRoW: Public Footpath specific references should be used where relevant within this section of the policy. The nearest recorded Public Footpaths are WT283/284 to the south and WT275 to the north of this site.

Policy 11b Matfield Village Hall Site

PRoW: The County Council recommends that this policy includes a requirement for the creation of a link to PRoW network for pedestrian use within parish. Public Footpath WT286B should be referenced as improvements to this route and WT286 would enable a quality off road pedestrian link to the site and its proposed amenities.

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

Policy H12 Good Practice in Construction

PRoW: The County Council recommends that a Construction Management Plan should include any impact on PRoW including visual and air quality affects.

6.2 Design

Policy D6 Climate Change, Environment Sustainability and Resilience

The County Council welcomes reference to the need for sound waste management within the Neighbourhood Plan.

Policy D7 Flood Risk Management / D8 Surface Water Management

Sustainable Urban Drainage Systems: The County Council welcomes consideration of surface water and flood risk within the Neighbourhood Plan.

KCC as Lead Local Flood Authority would recommend that the Neighbourhood Plan includes a requirement for developments to incorporate surface water drainage features that provide multi-functional benefits, considering water quality, biodiversity and amenity. It is important to consider the quality of design for these features and the opportunities that may be provided for a drainage system that is appropriately integrated into open spaces where possible

Heritage Conservation: Sustainable Drainage Schemes (SuDS) may have both direct and indirect impacts on the historic environment. Direct impacts could include damage to known heritage assets – for example if a historic drainage ditch is widened and deepened as part of SuDS works. Alternatively, they may directly impact on unknown assets such as if SuDS works damage buried archaeological remains. Indirect impacts are when the ground conditions are changed by SuDS works, thereby impacting on heritage assets. For example, using an area for water storage, or improving an area's drainage can change the moisture level in the local environment. Archaeological remains are highly vulnerable to changing moisture levels, which can accelerate the decay of organic remains and alter the chemical constituency of the soils. Historic buildings are often more vulnerable than modern buildings to flood damage to their foundations.

Therefore, when SuDS are planned, it is important that the potential impact on the historic environment is fully considered and any unavoidable damage is mitigated. This is best secured by early consideration of the local historic environment following consultation with the Kent Historic Environment Record (HER) and by taking relevant expert advice. KCC has recently produced advice for SuDS and the historic environment. It provides information about the potential impact of SuDS on the historic environment, the range of mitigation measures available and how developers should proceed if their schemes are believed likely to impact on heritage assets.

6.3 Business and Employment

Policy BE2 Supporting additional employment and new ways of working

PRoW: KCC recommends that the policy considers the need for development to be within proximity to sustainable, active travel links and connectivity to the Public Rights of Way network.

Policy BE3 Infrastructure for Business

PRoW: KCC requests reference to the PRoW network, which includes Public Footpaths, Bridleways, Restricted Byways and Byways Open to all Traffic. Support should also be offered to the upgrading of Public Footpaths to Bridleways where feasible to create new higher rights links to increase connectivity across both Parishes.

6.4 Landscape and Environment

LE2 Development affecting the AONB and its setting

Heritage Conservation: The text rightly identifies the Tunbridge Wells Borough Council Landscape Character Assessment 2017 as a key information resource for consideration of landscape issues but should also refer to the Historic Landscape characterisation for the Borough, and specifically that for Brenchley². This will help developers, planners, decision-makers and the public assess the historic importance of Brenchley's landscape and its component elements.

LE3 Historic Landscapes and Heritage Assets

Heritage Conservation: The County Council is supportive of this policy, although the existing text does not really suggest that the heritage of the parish can be used proactively in educational, community and health projects to improve life in the parish. It would be helpful if the potential of the historic environment to contribute more widely to life in the parish could be discussed more fully.

Policy LE4 – Protection of Views

PRoW: The County Council supports this policy in relation to the importance of views from the PRoW network.

Policy LE5 – Protection of Green Spaces

PRoW: The County Council supports this policy.

LE6 Biodiversity

Biodiversity: There are no statutory designated sites within the Neighbourhood Plan Area, but the area does feature several blocks of ancient woodland (non-statutory designated sites), which has been acknowledged.

² https://tunbridgewells.gov.uk/_data/assets/pdf_file/0009/387657/e-HLC_Brenchley.pdf

There is a need not only to protect and enhance biodiversity on sites to be developed but also to protect and enhance the local habitat as a whole. Wildlife and native plant life corridors will be expected to be enhanced rather than disrupted by new development and resilience to climate change will be expected to be increased.

Highway verges are one of the most important remaining reservoirs of wildflowers, particularly important for pollinating insects. This includes ecologically rich verges on historic routeways as well other highway verges in the parish, including new highways and public rights of way in new developments. Other important areas to protect and enhance include coppiced woodland and rare remaining areas of semi-improved grassland and lowland heathland.

KCC is highly supportive of a specified minimum percentage for biodiversity net-gain (10% which is in alignment with the upcoming Tunbridge Wells Local Plan), and acknowledgement that future management must be secured with the local planning authority.

KCC is also supportive of the supplementary information, i.e., the recognition of other important habitats in the parish (and would advise that, if not done so already, these areas should be mapped and included with the plan) and 'wildlife and native plant life corridors'.

LE7 Protection and planting of Trees and Hedges

Biodiversity: There is a need to preserve the ancient woodland and the existing mature trees in the parish that make a positive contribution to the landscape. Planting more native and fruit trees throughout the parish is also encouraged. This will be beneficial to the community by:

- Contributing to the long-term conservation of the traditional High Weald landscape;
- Compensating to a small extent for the loss of orchards in recent years;
- Reducing run-off and flooding;
- Enhancing biodiversity;
- Improving air quality; and
- Absorbing carbon dioxide from the atmosphere.

This policy is similar to Policy Propositions 31 and 32 of 'Living with Beauty', the report of the Government-appointed 'Building Better, Building Beautiful Commission', which the proposed new paragraph 130 of the National Planning Policy Framework (NPPF) reflects.

This policy will promote biodiversity, help preserve the parish's rural character and provide room for hedges to grow without impeding pedestrians or other traffic. Hedging, once mature, is normally at least one metre deep and can grow up to one metre per year, for which allowance is made in this policy. Where necessary for security or to constrain movement of children or animals, hedges may be reinforced on the side away from the road or public right of way by fencing, which should be unobtrusive and preferably constructed using materials from local coppiced woodland.

In the Neighbourhood Plan Visioning Events and Design Forum events, the desire to reduce and limit the number of Leylandii in the villages was mentioned. In several locations, it has

been allowed to grow unchecked or is poorly maintained by close cropping, after which the tree becomes vulnerable and may die.

KCC is supportive of all aspects of this policy, notably the inclusion of native plant species in alignment with the soils and landscape and the recognition of ecosystem service value.

Due to the amount of the ancient woodland within the parish, the County Council recommends consideration of a specific ancient woodland policy. Whilst ancient woodland has reasonable protection within the NPPF and there is also Standing Advice from Natural England (recommending a minimum 15m buffer), consideration within the Neighbourhood plan could be beneficial. For example, 'green corridors' between ancient woodland (and non-ancient woodland) could be identified and protected and, if possible, the recommended buffer-zone could be increased from the recommended buffer-zone at present.

6.5 Access and Movement

Policy AM1 Sustainable and Active Travel

PRoW: KCC is supportive of this policy and the aim for off road access and connectivity across the parishes especially to schools and transport facilities. KCC also welcomes reference to KCC's Rights of Way Improvement Plan and supports the aim to increase the number of higher rights Public Bridleways through upgrades and improvements to the network.

KCC does request consideration of improvements and upgrades to the existing PROW network and creation of new off-road routes for all users of all mobilities".

Policy AM2 The Provision of a non-motorised route from Brenchley to Matfield

PRoW: KCC is supportive of this policy and would suggest a feasibility study is carried out in partnership with KCC at the earliest stage regarding issues outlined (landownership, available widths, legal processes etc.).

6.6 Community, Leisure and Recreation

Sport and Recreation: The enablement of a local sustainable community by maintaining and improving the availability and quality of community services within the parish is welcomed. KCC would recommend consideration is given on the accessibility of services and connections available for the wider community, to seek limit car usage where possible.

KCC seeks to ensure the adequate provision for sport and recreation within the surrounding area and open spaces, and would recommend consideration in how activity, green space and services are accessed and provide opportunities, where possible, for Active Travel.

It is clear that the Neighbourhood Plan has taken into account physical activity and highlights the need for additional facilities, particularly for younger adults and those who are at risk of being socially isolated. The County Council would be keen to engage on this matter. KCC has been consulted on other similar proposals that encourage new activity groups and

organisations in the community. Some parishes have taken the opportunity to put a small pot of funding aside as a Kickstarter grants fund to get some of these new groups off the ground. Some of these grant awards have been as little as £500. KCC also has funding streams that could support the development of new initiatives for younger adults to get into sport and physical activity.

Consideration of the Kent Design Guide and the Sport England Active Design Guide is recommended, and it is important to ensure that these strategies and any subsequent developments take account of the KCC and Sport England Guidance that is available³.

Sport England currently runs 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 surveys 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](#). Data can also be explored and filtered using the [Active Lives Online tool](#). A summary of the Children and Young People report can be found [here](#).

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.

Policies CLR1/CLR2/CLR3/CLR4/CLR5

PRoW: Reference to the KCC's ROWIP is recommended, as it sets out a strategic approach for the protection and enhancement of PRoW to connect the wider community and green open spaces. The provision of high quality open green spaces and opportunities for outdoor recreation should be a priority and 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.

The reference to registration of new Village Greens, of which KCC is the Registration Authority, needs clarification and engagement is encouraged to correct the wording and described process.

³ <https://www.sportengland.org/facilities-planning/active-design/>
<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/>

Chapter 7 - Community Action Projects

Non-vehicular access

PRoW: Reference should be made to the "Public Rights of Way Network".

Appendix 3 Protected Views

PRoW: KCC welcomes the inclusion of the specific PRoW and acknowledgement of the importance of visual quality from the Public Rights of Way Network.

Appendix 5 Site Analysis – Island site

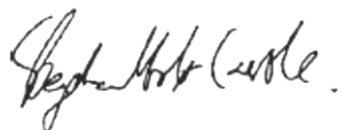
PRoW: KCC would support a through site link to WT275 and would request contributions for improvements to create quality link.

Matfield Village Hall Site

PRoW: KCC would support the aim to for the provision of pedestrian link to WT286/286B to avoid access through car park and provide safe, non-mechanical user access.

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,



Stephanie Holt-Castle

Director for Growth and Communities

Policy / Paragraph	Commentary
SECTION 1: INTRODUCTION	
	<p>The County Council recognises that the Tunbridge Wells Borough Local Plan looks to deliver a sustainable future, making effective use of brownfield land across the Borough and ensuring that the necessary infrastructure is available to support development.</p> <p>The County Council, as a key infrastructure provider, welcomes the incorporation of strategic policies such as Policy STR5 “Infrastructure and Connectivity” which 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 where people want to live. The detailed consideration of the infrastructure requirements to support development in each of the proposed site allocations is acknowledged and welcomed. Taking an “Infrastructure First” approach to growth 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, 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. It is crucial for an infrastructure first approach to be applied to planned growth 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.</p> <p>Within this response, the County Council provides detailed commentary on the proposed policies and supporting paragraphs. However, the County Council, in its role as Local Highway Authority, has not taken this approach on highways and transportation matters. This is because it is considered that further modelling is needed to inform the assessment of specific strategic and site policies.</p> <p>During the pandemic, a significant proportion of the population shifted to radically different ways of working, which has revealed the potential for long term changes in where people live and work and how they use infrastructure. It is too early to draw conclusions about long-term behavioural trends that may emerge as a result of the pandemic. However, it will be important to consider scenarios of how people’s behavioural trends (that could impact infrastructure use) might change. As Local Highway Authority, the County Council would want to agree the assumptions for such scenario testing.</p> <p>The County Council, as Local Highway Authority, is concerned that whilst there are a number of welcomed policy proposals with regard to promoting sustainable access and development, the consultation requires further highway evidence to justify the Local Plan’s growth strategy.</p> <p>The County Council, as Local Highway Authority, has worked closely with the Borough Council over the past years on the emerging growth strategy. Nevertheless, its current position is that it requires further supporting evidence, to an agreed methodology, that accurately reflects the proposed growth before KCC can make a fully informed set of comments on the proposals presented in the Local Plan consultation document.</p> <p>The County Council has reviewed the Local Plan and supporting documents, including the Transport Assessment, and identifies the following key issues that require further work:</p> <ul style="list-style-type: none"> 1 Reference case validity (and therefore future scenario validity) 2 The trip rates used 3 Ambiguity regarding forecast modal shift 4 Deliverability and viability of the mitigation package <p>Therefore, a full assessment in respect of the impact of the growth strategy on highways and transportation matters cannot currently be carried out and commentary on the Local Plan policies and proposed allocations can be provided once the outstanding information is received.</p> <p>KCC will look to continue working with the Borough Council over the coming months on the provision of accurate modelling and commensurate and viable mitigation and will aim to update the position as work commences on the Statement of Common Ground.</p>
SECTION 2: SETTING THE SCENE	
General Commentary	<p>Waste Management</p> <p><i>Paragraph 2.22</i></p> <p>The County Council welcomes the inclusion of waste in the list of types of infrastructure that will need to be delivered alongside growth. KCC recommends that the sentence that states ‘<i>local waste collection, recycling and disposal, waste</i>’ is altered to <u>facilities to support local waste collection, bulking, recycling and disposal</u>.</p>

Policy / Paragraph	Commentary
	<p>Public Rights of Way</p> <p><i>Paragraph 2.23 / 2.39</i></p> <p>The County Council supports the reference to walking and cycling and the promotion of Active Travel within this chapter. However, KCC requests specific mention of the Public Rights of Way (PRoW) network and the opportunities for its enhancement through new development.</p>
SECTION 3: VISION AND OBJECTIVES	
General Commentary	<p>Public Rights of Way</p> <p>Tunbridge Wells has historical, attractive and well used routes that draw visitors to the area and as such these should be maintained and enhanced to a high-quality standard. The County Council requests specific mention of the 594km of PRoW within the Borough and the role of the County Council and its Rights of Way Improvement Plan within this section.</p>
SECTION 4: THE DEVELOPMENT STRATEGY AND STRATEGIC POLICIES	
STR 1 The Development Strategy	<p>Notwithstanding its position in respect of highways and transportation set out above, in principle, the County Council is generally supportive of strategic scale development where it is able to provide necessary infrastructure alongside housing growth to support both new and existing communities. KCC will welcome a continued role in the master-planning processes of the strategic sites to ensure that the necessary infrastructure is planned for, is of high quality design, funded and delivered in a timely manner, ahead of housing growth where necessary.</p> <p>The County Council advises that full consideration is given to assess the cumulative impacts of the dispersed growth to be delivered outside of the strategic developments across the Borough and the cumulative impact of these proposed development sites in respect of ensuring that necessary infrastructure is available to support new and existing communities.</p> <p>There is evidence that the proximity of schools in Tunbridge Wells to the East Sussex border in particular can have an impact on county infrastructure – with East Sussex residents crossing the border to access Kent schools, libraries, youth services, social care and waste facilities. The County Council appreciates that this is likely to occur, particularly because East Sussex schools are not in such close proximity to those of Kent. KCC would look to Tunbridge Wells Borough Council to support the County Council in its engagement with East Sussex County Council to mitigate and monitor the impacts that this has on the provision of county services.</p> <p>The County Council supports the continued commitment to section 106 agreements to secure development contributions in the Borough. The County Council considers that there is an opportunity through this Local Plan to support the collection of developer contributions for sites of less than 10 dwellings on sites of 0.5 ha or more. This would enable developer contributions to be sought towards local infrastructure to support all development in the Borough.</p>
STR 2 Place Shaping and Design	<p>The County Council welcomes reference to the Kent Design Guide in this section.</p> <p>Public Health</p> <p>In respect of its responsibilities concerning public health, the County Council is supportive of Policy STR 2, Policy STR 6 and Policy STR 7 which include considerations around active travel, air quality, climate change and a number of references to improving promoting healthy lifestyles. The County Council suggests that aligning the priorities and objectives from the Borough Council's Five Year Plan (2017-2022) could help strengthen the ability to address health inequalities in the Borough.</p> <p>To ensure the robustness of any policies supporting improvements in population health, a greater use of the evidence base is recommended 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 further justify planning policies regarding health and wellbeing.</p> <p>Biodiversity</p> <p>The County Council welcomes consideration that the biodiversity value of an area will be '<i>conserved and enhanced</i>'. This fits in with national biodiversity policy (Natural Environment and Rural Communities Act 2006 and section 15 of the National Planning Policy Framework).</p>

Policy / Paragraph	Commentary
STR 4 Ensuring Comprehensive Development	<p>Provision and Delivery of County Council Community Services and Facilities</p> <p><i>Paragraph 4.85</i></p> <p>On large sites with multiple developers (perhaps where land may be in more than one ownership), the County Council would support the use of land equalisation agreements to avoid dispute and delays on the development of land for education or other community infrastructure requirements which could affect the delivery of sustainable residential growth. With the use of equalisation agreements, community infrastructure can be apportioned fairly and agreed early on in the process.</p> <p>The County Council as key infrastructure provider would welcome continued engagement from the early stages of master-planning to ensure that infrastructure requirements are integrated within the design of new developments from the outset.</p>
STR 5 Infrastructure and Connectivity	<p>Provision and Delivery of County Council Community Services and Facilities</p> <p>There is need to ensure that all growth is delivered with an appropriate range of community facilities, including Early Years provision, Youth Services, Adult Social Care, Community Facilities and Social Services.</p> <p>As set out within the <u>Kent County Council Education Commissioning Plan</u>, assessing the childcare market and ensuring sufficiency and long-term viability of provision for early years is complex and presents a significant challenge for local authorities. The County Council (commissioned through The Education People) is required to work with providers in making available a sufficient range of flexible provision, in the right geographical areas, at the right times and offering the right sessions to fit with both standard and atypical working patterns. The County Council would welcome engagement with the Borough Council to ensure adequate early years provision is provided to support growth.</p> <p>The County Council recommends that the Local Plan includes policy wording that requires community buildings to designed and built to be inclusive to all users – this should include:</p> <ul style="list-style-type: none"> • Design that is dementia friendly with dementia friendly decoration and signage • A catering area which is compliant with the Government's Access to and use of buildings: Approved Document M, including adjustable height work surfaces, wash areas and cupboards • 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_.aspx <p>KCC recommends that the Local Plan supports the delivery of specialist care accommodation through developer contributions secured through section 106 agreements. The Local Plan should ensure the delivery of specialised homes that support the diverse and evolving range of needs of the local community, including those with learning and physical disabilities and other vulnerable groups. KCC would welcome continued engagement with the Borough Council in ensuring that the necessary homes to support a sustainable community are delivered.</p> <p>Waste Management</p> <p>The County Council welcomes the additional detail provided within this Regulation 19 consultation in respect of waste management, following the comments provided within the KCC Regulation 18 consultation response. Pressures on the County Council waste disposal service continue to grow and KCC would recommend a number of amendments within the Local Plan to ensure that waste management needs are fully captured and considered.</p> <p>The County Council, as Waste Disposal Authority, and the Borough Council, as Waste Collection Authority, have received feedback regarding delays to collection rounds which are caused by limited capacity - there is currently no capacity for contingency or resilience to change in the Borough. KCC is committed to close working with the Borough Council to ensure a sustainable future in respect of waste management.</p> <p>As set out in the Local Plan Regulation 19 consultation, KCC will require a new facility to be delivered in order to support the planned growth. The timescale for the delivery of the proposed new facility was set at five to ten years within the Infrastructure Delivery Plan, however, issues are beginning to arise with capacity now and so KCC has revised this timescale down to five years. KCC therefore requests that the Local Plan and evidence base are updated accordingly and will welcome further engagement to take this forward.</p>

Policy / Paragraph	Commentary
	<p>Libraries</p> <p>The County Council is keen to continue the partnership working within the Borough including bringing more services under one roof at new or improved premises, for example at the Southborough Civic Centre, The Amelia and the planned new community centre at Cranbrook. Working in partnership is a way for library services to remain at the heart of communities and provide fit for purpose buildings to accommodate existing and new residents in the future.</p> <p>Public Rights of Way</p> <p>The Public Rights of Way network (PRoW) has an integral role in the delivery of sustainable growth. Growth in the Borough should seek to maintain and enhance the PRoW network to provide opportunities for active travel and outdoor recreation, improve connectivity to local services and boost the health and wellbeing of new and existing communities. To ensure that this consideration is factored into planning for growth at early stages of developments, the County Council would recommend that PRoW is included in the relevant place-shaping and development management policies throughout the Local Plan (including the following policies: Policy STR 2 - Place Shaping and Design, Policy STR 4 - Ensuring Comprehensive Development and STR 6 -Transport and Parking).</p>
STR 7 Climate Change	<p>Sustainable Business and Communities</p> <p>The County Council supports the embedding of climate change, the environment and net zero throughout the Local Plan, and the sustainability policies within it. The County Council welcomes the requirement for developments to support Net Zero targets and for this to be stated as a strategic objective. Reference to the Kent and Medway Energy and Low Emissions Strategy, as well as the Borough Council's own targets, is also welcomed.</p> <p>Rural Economy</p> <p>The County Council recommends that there is reference within the Local Plan to address how climate change will impact farming and the need to adapt to new crops and farm practices. This could have an impact on the land characteristics of the area and the introduction of more reliant crops. Consideration should also be had to water irrigation/bore holes and reservoirs which may be required to support sustainable farm practices.</p>
STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment	<p>Biodiversity</p> <p>The County Council is supportive of references to net gains for nature and green corridors within this policy. The objective to achieve net gains for nature and to protect and enhance sites of geological interest across the whole borough, and where possible, to secure the long-term management of sites, areas and features important for biodiversity and geodiversity is welcomed.</p> <p>Public Rights of Way</p> <p>The County Council recommends that the PRoW network is considered an asset within the Borough.</p> <p>Consideration should also be given to ensure that the character and value of rural views in wider environments of development sites should not be changed to a state that they become unattractive or out of context for users.</p>
SECTION 5: PLACE SHAPING POLICIES	
General Commentary	<p>Minerals and Waste</p> <p>The County Council, as Minerals and Waste Planning Authority, notes that paragraphs 1.6 and 1.7 of the Local Plan accurately set out the minerals and waste safeguarding policies of the Kent Minerals and Waste Local Plan 2013-30 and the main minerals and waste developments that exist in the Borough. However, the Plan does not detail how the proposed allocations have taken account of the safeguarded land-won minerals that are coincident with of these allocations (particularly for housing not within the defined urban areas within the Borough area where mineral safeguarding is exempted by the Kent Minerals and Waste Local Plan 2013-30 [Early Partial Review 2020]).</p> <p>The approach currently taken within the Local Plan is to identify safeguarded minerals where they coincide with areas identified for major new development, in order to state that workable minerals should be extracted prior to development (Policy STR/SS 1, point 11; The Strategy for Paddock Wood, including land at East Capel). Within the Tudeley Village proposal, any economic minerals (such as Tunbridge Wells Sandstone) should be accompanied by a Minerals Assessment, which seeks to assess mineral safeguarding issues (Policy STR/SS 3, point 9; The Strategy for Tudeley Village).</p>

Policy / Paragraph	Commentary
	<p>The Local Plan's proposed allocations could be strengthened through the prior evaluation of the need to secure the long-term conservation of economic minerals - as set out by the National Planning Policy Framework (2019). A Mineral Assessment should be carried out to determine if an exemption to the presumption to safeguard could be applied for allocations where it may be a relevant issue.</p> <p>A similar approach is taken with safeguarded waste management and minerals handling and transportation infrastructure. Where it has been identified as being either coincident or within 250 metres of an allocation, the delivery criteria indicate that it should be considered as a requirement of the development - "<i>It must be demonstrated through any planning application that there will be no material adverse impact on the operation of safeguarded waste management facilities</i>" (Policy AL/RTW 17 Land adjacent to Longfield Road and at Policy AL/RTW 18 Land at the former North Farm landfill site, North Farm Lane and land at North Farm Lane, North Farm Industrial Estate).</p> <p>The County Council recommends that Minerals and/or Infrastructure Assessments (as appropriate) are carried out ahead of planning application stages to ensure due consideration of the Kent Minerals and Waste Local Plan and the deliverability of the proposed allocations.</p>
ROYAL TUNBRIDGE WELLS	
General Commentary	<p>Public Rights of Way</p> <p>The County Council requests reference to the PRoW network, the Rights of Way Improvement Plan (ROWIP) and the Local Cycling and Walking Infrastructure Plan (LCWIP) within this policy. These Improvement Plans have a significant role in the connectivity for employment and leisure travel between local facilities.</p>
AL/RTW 1 Former Cinema Site Mount Pleasant Road	<p>Public Rights of Way</p> <p>The County Council requests direct reference to Public Footpaths WBX17 and WBX18.</p>
AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road	<p>Public Rights of Way</p> <p>The County Council requests direct reference to Public Footpath WB1 that can provide active travel opportunities.</p>
AL/RTW 7 Land at former Gas Works, Sandhurst Road	<p>Public Rights of Way</p> <p>The County Council requests direct reference to Public Footpath WB10.</p>
AL/RTW 14 Land at Wyevale Garden Centre, Eridge Road	<p>Public Rights of Way</p> <p>The County Council requests direct reference to Restricted Byway WB28 and Public Footpath WB24. The site should provide opportunities to link with the wider network through improvements to the existing PRoW network.</p>
AL/RTW 17 Land adjacent to Longfield Road	<p>Public Rights of Way</p> <p>The County Council requests direct reference to Public Footpath WB11.</p>
AL/RTW 21 Land at Colebrook Sports Field, Liptraps Lan	<p>Public Rights of Way</p> <p>The County Council requests direct reference to Public Footpath WB9. The site provides an opportunity to provide links across the wider PRoW network, alongside connections to the Tunbridge Wells Circular Walk.</p>
SOUTHBOROUGH	
STR/SO 1 The Strategy for Southborough	<p>Public Rights of Way</p> <p>The County Council requests that the policy includes reference to the need for development contributions to be made as appropriate towards improvements to the PRoW network to provide Active Travel opportunities in the area.</p>

Policy / Paragraph	Commentary
AL/SO 1 Speldhurst Road former allotments (land between BrightRidge and Speldhurst Road)	<p>Public Rights of Way</p> <p>The County Council requests direct reference to Public Footpath WS19A and links to WS22. Improvements to these Footpaths would ensure urban connectivity in the area.</p>
STRATEGIC SITES	
General Commentary	<p>Given the scale of the strategic developments proposed within this Local Plan, the County Council would welcome continued engagement to ensure the funding and delivery of necessary infrastructure, within a timely manner, to support the creation of balanced and sustainable communities.</p> <p>It will be critical to ensure that sites across the Borough are designed with an adequate supply of open space. Studies show the significant contribution that green spaces can provide in respect of health and well-being benefits for the public, but such spaces face increasing pressure from new development and population growth. Master-planning will need to ensure that necessary steps are put in place to protect, and provide sustainable access to, existing green spaces, and to also to ensure that new green spaces are an integral part of new development.</p> <p>Waste Management</p> <p>Additional development, especially within growth focussed at Paddock Wood and Tudeley Village, will place particular pressure on the waste transfer station in Tunbridge Wells. Contributions towards the expansion of essential waste infrastructure should be included within STR/SS1 under section 15 “developer contributions” and in Policy STR/SS 3, under section 12 “developer contributions”.</p>
STR/SS 1 The Strategy for Paddock Wood, including land at east Capel	<p>Education</p> <p>The education provision outlined in the Local Plan incorporates the additional education provision required within the proposed allocations. It is important to note that the 2FE Primary School within the Mascalls Court Farm site that already has planning permission, is required in part to also support the total growth within this policy.</p> <p>Provision and Delivery of County Council Community Services and Facilities</p> <p>The County Council recommends that the provision of extra or specialist care goes beyond consideration of older people but also supports those with learning and physical disabilities and other vulnerable groups. KCC would welcome continued engagement with the Borough Council in ensuring that the necessary homes to support a sustainable community are delivered.</p> <p>Sustainable Urban Drainage Systems</p> <p>The County Council supports the requirement for a Drainage Strategy to be produced for development coming forward within the Paddock Wood and Capel area, which if based upon the assessment undertaken within the Strategic Flood Risk Assessment (SFRA), will ensure the management of surface water and flood risk within the locality.</p> <p>KCC recommends that the policy promotes the integration of drainage measures within open space to provide for multi-functional benefits.</p> <p>KCC also recommends that design codes or supplementary planning documents are developed for this strategic allocation to promote quality sustainable drainage design, which should include consideration of water quantity, quality, amenity and biodiversity. There must also be consideration of on-plot controls such as green roofs, rain gardens and swales. Any design code should also ensure that any existing watercourses are retained to the degree possible and have sufficient margins to enable maintenance.</p> <p>Public Rights of Way</p> <p>The PRoW network should be specifically mentioned within this policy. The existing network of Footpaths, Bridleway and Restricted Byway in the area provides an opportunity for Active Travel connectivity across the Borough.</p>
STR/SS 2 The Strategy for Paddock Wood Town Centre	<p>Public Rights of Way</p> <p>The County Council supports the references made to pedestrian and cycle environments but would draw attention to the need for connectivity between the network to local facilities and safe use of these sustainable transport opportunities.</p>

Policy / Paragraph	Commentary
STR/SS 3 The Strategy for Tudeley Village	<p>Education</p> <p>The County Council supports the proposal for a new three form entry primary school within the development. The County Council would request that additional land to support the expansion of Capel Primary School must be secured through this policy to enable the school to expand from one form entry to two form entry. The County Council notes the revised location of the secondary school, which from an education perspective, is a much more satisfactory solution.</p> <p>The County Council notes that the necessary new secondary school required to meet the additional demand for secondary school places arising from Paddock Wood and Tudeley Garden Village is outlined in Policy STR/SS 3 2d as to the South East of the proposed Garden Village. The County Council considers this an appropriate location to meet the educational needs and does not hold concerns regarding the suitability of this site, subject to site inspections and investigations at a later date.</p> <p>Sustainable Urban Drainage Systems</p> <p>The County Council supports the requirement for a Drainage Strategy for development coming forward within the Tudeley and would reference commentary stated for Policy STR / SS1 as also applicable for this policy. stated for STR/SS1.</p> <p>The County Council requests that clarity is provided regarding the development boundary on the northern border and the proximity to the areas of flood risk around Tudeley Hale. Surface water drainage measures to serve the proposed development must be outside of any areas of potential flood risk. This must be included within any design code for the development area.</p> <p>Public Rights of Way</p> <p>The County Council considers that this proposal offers significant opportunities for future sustainable transport and would therefore recommend specific mention of the PRoW network. Improvements and upgrades to the network will help create high quality connections both within the Garden Village and to the wider Borough. Mitigation will need to be sought to take account of the increased use of the network resulting from this growth proposal.</p>
PADDOCK WOOD	
STR/PW 1 The Strategy for the parish of Paddock Wood	<p>Public Rights of Way</p> <p>The County Council requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRoW network to provide Active Travel opportunities in the area.</p>
AL/PW 1 Land at Mascalls Farm	<p>Public Rights of Way</p> <p>The County Council requests direct reference to Public Footpath WBT268.</p>
CAPEL	
STR/CA 1 The Strategy for Capel parish	<p>Public Rights of Way</p> <p>The County Council requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRoW network to provide Active Travel opportunities in the area.</p>
CRANBROOK AND SISSINGHURST	
AL/CRS 1 Land at Brick Kiln Farm, Cranbrook	<p>Public Rights of Way</p> <p>The County Council requests direct reference to Public Footpaths WC94 and WC96 which cross the site, to ensure they provide suitable links to Cranbrook Centre.</p>
AL/CRS 2 Land south of Corn Hall, Crane Valley, Cranbrook	<p>Public Rights of Way</p> <p>The County Council requests direct reference to Public Footpaths WC96 and WC94 and surrounding WC95 and Restricted Byway WC118A to ensure wider connectivity of the site and potential for updates to cycle and equestrian use.</p>

Policy / Paragraph	Commentary
AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook	Public Rights of Way <p>The County Council requests direct reference to Public Footpath WC115 that connects Hartley Road to Swattenden and Swattenden Lane.</p>
AL/CRS 4 Cranbrook School	Public Rights of Way <p>The County Council requests direct reference to Public Footpaths WC100, WC102, WC98, WC97, WC148 and connecting routes. The County Council considers that this site provides an opportunity to improve pedestrian connectivity across town. The County Council is seeking positive incorporation of all routes for active travel.</p>
AL/CRS 6 Land south of The Street, Sissinghurst	Public Rights of Way <p>The County Council requests direct reference to Public Footpath WC104.</p>
AL/CRS 7 Land at corner of Frittenden Road and Common Road, Sissinghurst	Public Rights of Way <p>The County Council requests direct reference to Public Footpath WC75. Active travel links to the school from Sissinghurst junction must be provided with improvements to the length of the route to Common Road.</p>
HAWKHURST	
STR/HA 1 The Strategy for Hawkhurst parish	Public Rights of Way <p>The County Council supports this policy.</p>
BENENDEN	
PSTR/BE 1 The Strategy for Benenden parish	Public Rights of Way <p>The County Council requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRoW network to provide Active Travel opportunities in the area. The local aim of improving and enhancing Public Footpaths WC326/325 to all weather routes, providing access to the school, should be referred to within this policy.</p>
BIDBOROUGH	
PSTR/BI 1 The Strategy for Bidborough parish	Public Rights of Way <p>The County Council requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRoW network to provide Active Travel opportunities in the area.</p>
BRECHLEY AND MATFIELD	
PSTR/BM 1 The Strategy for Brechley and Matfield parish	Public Rights of Way <p>The County Council requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRoW network to provide Active Travel opportunities in the area.</p>
FRITTENDEN	
PSTR/FR 1 The Strategy for Frittenden parish	Public Rights of Way <p>The County Council requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRoW network to provide Active Travel opportunities in the area.</p>

Policy / Paragraph	Commentary
GOUDHURST	
PSTR/GO 1 The Strategy for Goudhurst parish	<p>Public Rights of Way</p> <p>The County Council requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRow network to provide Active Travel opportunities in the area.</p>
HORSMONDEN	
PSTR/HO 1 The Strategy for Horsmonden parish	<p>Public Rights of Way</p> <p>The County Council requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRow network to provide Active Travel opportunities in the area.</p>
AL/HO 3 Land to the east of Horsmonden	<p>Public Rights of Way</p> <p>The County Council requests direct reference to Restricted Byway WT340A and Public Footpath WT341. Reference should also be made within the policy to the need for wider network improvements to support connectivity.</p>
LAMBERHURST	
PSTR/LA 1 The Strategy for Lamberhurst parish	<p>Public Rights of Way</p> <p>The County Council requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRow network to provide Active Travel opportunities in the area.</p>
AL/LA 1 Land to the west of Spray Hill	<p>Public Rights of Way</p> <p>The County Council requests direct reference to Public Footpath WT388.</p>
PEMBURY	
PSTR/PE 1 The Strategy for Pembury parish	<p>Public Rights of Way</p> <p>The County Council requests reference is made to the local PRow opportunities that exist to ensure connectivity in the area and opportunities active travel.</p>
AL/PE 4 Land at Downingbury Farm, Maidstone Road	<p>Public Rights of Way</p> <p>The County Council requests direct reference to Public Footpaths WT218 and WT 217B.</p>
RUSTHALL	
PSTR/RU 1 The Strategy for Rusthall parish	<p>Public Rights of Way</p> <p>The County Council requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRow network to provide Active Travel opportunities in the area.</p>
SANDHURST	
PSTR/SA 1 The Strategy for Sandhurst parish	<p>Public Rights of Way</p> <p>The County Council requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRow network to provide Active Travel opportunities in the area.</p>

Policy / Paragraph	Commentary
AL/SA 1 Land on the south side of Sayville, Rye Road and west of Marsh Quarter Lane, Sandhurst	<p>Public Rights of Way</p> <p>The County Council requests direct reference to Public Footpath WC295 that runs through site and the need for improvements to link to the wider network. Improvements are required to Public Footpath WC297 to provide an active travel link to local facilities.</p>
SPELDHURST	
PSTR/SP 1 The Strategy for Speldhurst parish	<p>Public Rights of Way</p> <p>The County Council requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRow network to provide Active Travel opportunities in the area.</p>
SECTION 6: DEVELOPMENT MANAGEMENT POLICIES	
ENVIRONMENT	
Environment and Design	
EN 1 Sustainable Design	<p>Sustainable Business and Communities</p> <p>The County Council supports the sustainable design criteria outlined within this policy. KCC requests consideration of whether there would be ground to consider if it would be viable and reasonable for the requirement for a Construction Environmental Management Plan to be extended to all developments - not just those over 20 units or 2,000sqm floorspace.</p> <p>Furthermore, the County Council would encourage the inclusion of policy/guidance on the use of carbon offset, and to state whether or not developers can use offsetting to deliver emission reduction targets.</p> <p><i>1. Design, character and site context</i></p> <p>Broadband</p> <p>The County Council supports the need for proposals to include infrastructure that meets the need of modern communication and technology.</p> <p><i>4. Landscape, trees, and amenity / 5. Biodiversity and geodiversity</i></p> <p>Biodiversity</p> <p>The County Council requests consideration of native species planting. In an ecological context, one of the most positive landscape contributions of any development is to include native plant species only. Many native insects (c.10,000 species) will require native species in which to complete their lifecycle (with non-natives unable to provide this function).</p> <p>Section 5 also states “<i>Proposals should identify and not undermine the value of ecosystem services that the site provides</i>”. The County Council is supportive of this in principle, though KCC would question how development proposals can practically and definitively assess a site’s capacity to provide various ecosystem services.</p> <p><i>6. Residential Amenity</i></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 in 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, which includes 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
	<p>Sustainable Urban Drainage Systems</p> <p>The County Council notes that the Local Plan makes reference to many design elements that will provide multiple benefits and makes note specifically of green roofs. Green roofs are drainage measures that can control runoff from roof areas for small storm events, which comprise the majority of UK's rainfall. Unfortunately, as a design element and part of the building fabric, it is difficult for Kent as Lead Local Flood Authority to influence planning at early stages for their inclusion, so they must be considered as part of the design code for an area.</p> <p>The County Council would encourage the promotion of green roofs in planning guidance for appropriate developments and recommends that they are included in design codes or supplementary planning documents for strategic sites, especially in relation to large commercial buildings, logistic hubs and public buildings.</p> <p>This policy also includes the requirements for preparation of a Construction Environmental Management Plan (CEMP). Recently, KCC has experienced a number of queries from concerned residents in relation to the control of erosion and silt deposition from construction sites. KCC would recommend that the importance of erosion and silt control is also included in the detail of a site's CEMP.</p>
EN 3 Climate Change Mitigation and Adaptation	<p>Sustainable Business and Communities</p> <p>This policy includes a section on energy reduction in new buildings, calling for a "A 'fabric first' approach in which all development comprising the construction of new buildings is required to reduce operational CO₂ emissions by at least 10% below the Target Emission Rate (TER), as set out in Building Regulations Part L (2013)". The Future Buildings Standards, due to come into force in 2021, will introduce an uplift to Part L of 31%, which will mean Policy EN3 will be superseded.</p> <p>This policy also includes requirements to address climate change adaptation. KCC welcomes this inclusion and would recommend that the policy references the Kent Climate Change Risk and Impact Assessment, which will help ensure developments understand more localised future risks from climate change.</p>
EN 4 Historic Environment	<p>Heritage Conservation</p> <p>The County Council is supportive of these policies. The Borough Council has held extensive discussions with KCC during the development of the historic environment policies and have included commentary in the revised policy proposals and supporting text. The policies also build on a Heritage Strategy and relevant Supplementary Planning Documents (SPD) (Local List of Heritage Assets and Historic Farmsteads).</p>
EN 5 Heritage Assets	
EN 8 Outdoor Lighting and Dark Skies	<p>Biodiversity</p> <p>The County Council is supportive of the references to dark skies/light pollution in relation to wildlife within this policy.</p>
Natural Environment	
EN 9 Biodiversity Net Gain	<p>Biodiversity</p> <p>The County Council considers that this policy is of vital importance for biodiversity/and ecology, denoting that applications must demonstrate a net-gain in biodiversity can be achieved. The policy includes all the necessary information linked to achieving and maintaining, biodiversity net-gain.</p> <p>Importantly, all the site-specific policies caveat that Policy EN 9 must be referred to, ensuring an ecological baseline is undertaken and demonstrable net-gain proposals are provided.</p> <p>The County Council recommends reference to Kent's Plan Bee, a pollinator action plan developed by the County Council that seeks to improve the food sources and general habitat for pollinators.</p>
EN 10 Protection of Designated Sites and Habitats	<p>Biodiversity</p> <p>The wording of this policy adequately accounts for all statutory and non-statutory designated sites. These sites have been defined and identified within the Local Plan. The County Council is therefore supportive of this policy.</p>

Policy / Paragraph	Commentary
EN 12 Trees, Woodland, Hedges, and Development	Biodiversity The County Council is supportive of these policies and the wording adequately accounts for trees, woodland and hedges.
EN 13 Ancient Woodland and Veteran Trees	
EN 14 Green, Grey, and Blue Infrastructure	
EN 18 Rural Landscape	Rural Economy The County Council is broadly supportive of these policies which fairly comprehensively cover rural issues.
EN 19 The High Weald Area of Outstanding Natural Beauty	
EN 20 Agricultural Land	
EN 25 Flood Risk	<p>Sustainable Urban Drainage Systems</p> <p>The County Council, as Lead Local Flood Authority, is supportive of the flood risk considerations within strategies for areas which are known to have flood risk issues, including Paddock Wood. KCC was consulted during the development of the Strategic Flood Risk Assessment Level 2 and was engaged with consideration of the proposed policies. Policy EN 25 “Flood Risk” requires that new development contributes to overall flood risk reduction. These policies will help address the constraints that occur within at-risk areas.</p> <p>Kent County Council, as a statutory consultee within the planning process, is required to provide consultation responses on major development applications which have a wider application than those sites over 1 ha. The County Council notes that this policy requires that all developments over 1 ha are required to have a Flood Risk Assessment, as well as those with other sources of flood risk. The County Council, as Lead Local Flood Authority, requests clarity of the meaning of “<i>development proposals</i>”. For example, a multi-residential/commercial development with a parking area may have a site area less than 1 ha but may have a significant contribution of impermeable area that is required to be managed. Therefore, restricting the requirements for flood risk submissions, means that some development proposals will not be required to submit sufficient information to be assessed appropriately. As KCC is the Lead Local Flood Authority for major development, insufficient information to assess the creation or impact on flood risk would lead to an objection. Therefore, KCC would recommend that a flood risk assessment and/or drainage strategy is required for “all major development” within Flood Zone 1.</p> <p>The NPPF specifically references the consideration of cumulative impacts. This has been undertaken on a strategic level for the Paddock Wood area under the new Strategic flood Risk Assessment (SFRA) Level 2. That is greatly appreciated for the size of development in that area – however, it must also be acknowledged that infrastructure capacity issues may also mean that surface water contributions from smaller development (including minor development) may also need to be controlled to reflect the capacity of the receiving drainage system. A site-specific Flood Risk Assessment (FRA) may be required in those instances.</p> <p>KCC notes that EN3 Climate Change does not make reference to provisions for the climate change allowance, which is usually applied to flood risk assessments with respect to river levels or rainfall statistics. Climate change is referenced within the policy statement for EN25 but for completeness, it is recommend that reference is included within this policy.</p>
EN 26 Sustainable Drainage	<p>Sustainable Urban Drainage Systems</p> <p>This policy states that all development applications include adequate drainage provision. KCC requests clarity as to whether there is any expectation by the Borough Council as to how this will be demonstrated - whether through the submission of a drainage strategy (for all major development) or building plans for minor development. KCC would recommend that the text is revised as follows - “<u>All development applications should include adequate drainage provision so that flood risk is managed appropriately, both within the site and off-site.</u>”</p> <p>The County Council welcomes the reference to the requirements for the promotion of multi-functional sustainable drainage systems.</p>
HOUSING	
Delivery of Housing	
H 1 Housing Mix	The County Council is supportive of this policy. Developments should seek to provide a diverse range of housing to take into account the varying needs of the evolving local community by providing diverse housing types, such as extra care housing, that is flexible and responsive to changing needs.
H 3 Affordable Housing	The County Council set up an Affordable Housing Select Committee in 2019 to determine whether KCC can play a greater role in maximising the development of affordable housing in Kent. The Select Committee report sets out a range of recommendations, many of which are for KCC to consider, and which would go some way to support the development of genuinely affordable housing for the people of Kent. The County Council will welcome continued engagement with key stakeholders, including the Borough

Policy / Paragraph	Commentary
	<p>Council, in the delivery of affordable housing. Affordable housing will need to be of high quality, in the right location and with the infrastructure to support residents to have a good quality of life, with a range of types and tenures delivered to meet the needs of the community.</p> <p>The County Council notes that Building Regulation Standard Part M4(2) and Part M4(3) are only referenced in relation to affordable housing within the Pre-Submission Local Plan. The County Council would urge consideration of the adoption of these standards across all housing development types. The County Council’s current development contributions requests that all homes should be built to these standards.</p>
H 7 Rural Workers' Dwellings	<p>Rural Economy</p> <p>The County Council is broadly supportive of this policy.</p>
ECONOMIC DEVELOPMENT	
ED 1 The Key Employment Areas	<p>The County Council supports the overarching principle of these policies 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 COVID 19 pandemic has had a considerable impact on the way communities live and work and the long-term impacts of this pandemic are still evolving. The Local Plan will have to be flexible and resilient to adapt to the changing needs of employers as the full impacts of the COVID-19 pandemic and its impact on the local workforce become apparent. There are likely to be changes in future working patterns as a result of COVID-19 and this will need to be considered alongside changing demands for employment space. Although the long-term impacts are unclear, there may be a shift in the demand for office spaces which could potentially be replaced with demand for shared workspaces and meeting spaces for Small to Medium Enterprises (SMEs), with further demands from entrepreneurs and potentially businesses relocating out of London in particular, in response to post-COVID ways of working. Shared workspaces and accessible employment locations have the added benefit of reducing the level of commuting out of the local area. The Local Plan should be adaptable to accommodate these changing trends in work patterns, as the long-term influence of COVID-19 becomes apparent and KCC welcomes the Local Plan’s recognition of the potential impacts of COVID-19.</p>
ED 2 Retention of Existing Employment Sites and Buildings	
ED 3 Digital Communications and Fibre to the Premises (FTTP)	<p>Broadband</p> <p><i>Paragraph 6.454-6.464</i></p> <p>The County Council recommends that reference to <i>24mbps</i> should be amended to <u><i>30mbps</i></u>, as this is definition increasingly used by Government to define superfast broadband.</p> <p>The wording of paragraph 6.459 should be reviewed to ensure it is clear.</p> <p><i>Policy ED 3 Digital Communications and Fibre to the Premises (FTTP)</i></p> <p>The County Council requests clarity as to why wireless is being allowed in areas which are within the limits of built development, as they should be close to a point of presence. Wireless should only be considered if FTTP cannot be offered. The County Council recommends that there should at least be reference gigabit-capable technologies within in the policy as ‘wireless’ can offer a range of speed options so there is value in being specific and clear.</p>
ED 4 Rural Diversification	<p>Rural Economy</p> <p>The County Council considers that rural economic development is covered appropriately within these policies.</p>
ED 5 Conversion of Rural Buildings outside the Limits to Built Development	
ED 6 Commercial and Private Recreational (including equestrian) Uses in the Countryside	
Town, Rural Service, Neighbourhood, and Village Centres	
General Commentary	<p>The County Council is supportive of the flexible approach set out within the Local Plan to ensure the “provision of retail and complementary uses and makes mixed use allocations within the defined centres to broadly meet the needs and provide a range of sites to meet future needs”. Adaptability of the high street will help secure the resilience of these spaces. The County Council would draw attention to the role of community facilities and services within the high street to ensure these spaces are easily accessible for both new and existing communities.</p>

Policy / Paragraph	Commentary
	Cultural infrastructure is also an essential 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, as mentioned in Policy STR 5, to support sustainable development in the Borough. The County Council encourages the use of art in design to create a sense of place and identity in both new and existing communities.
TRANSPORT AND PARKING	
TP 1 Transport Assessments, Travel Plans, and Mitigation	The County Council considers this policy to be acceptable.
TP 2 Transport Design and Accessibility	<p>The County Council considers this policy to be acceptable, subject to the following alterations:</p> <p>In the preamble to this policy, para 6.550 should say <i>Local Cycling and Walking Infrastructure Plan</i>, rather than <i>Local Cycling and Walking Infrastructure Fund</i>.</p> <p>The final paragraph of the policy ('<i>Shared space schemes...</i>') does not make sense and so the County Council recommends its removal, as proposed shared space schemes should be assessed by the County Council as highway authority, as part of the Transport Assessment (there is no need to highlight in a separate paragraph).</p>
TP 3 Parking Standards	The County Council considers this policy to be acceptable.
TP 4 Public Car Parks	The County Council considers this policy to be acceptable.
TP 5 Safeguarding Railway land	The County Council considers this policy to be acceptable.
TP 6 Safeguarding Roads	The County Council considers this policy to be acceptable.
OPEN SPACE, SPORT, AND RECREATION	
OSSR 1 Retention of Open Space	<p>Sports and Recreation</p> <p>The County Council welcomes the approvals sought from Sport England and is keen for further engagement to assess how KCC can further support to increase sport and physical activity provision and participation in the Borough.</p> <p>Attention is also drawn to the latest Active Lives data which considers the impact of Coronavirus on activity levels within the Borough - The impact of coronavirus on activity levels revealed Sport England</p>
SECTION 7: DELIVERY AND MONITORING	
APPENDICIES	
APPENDIX 4 GLOSSARY	
<p>Public Rights of Way</p> <p>The inclusion of a Public Right of Way definition is requested. For the avoidance of doubt, the abbreviation 'PRoW' should also be added to the text so that it reads:</p> <p>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.</p> <p>Rights of Way Improvement Plan – the KCC statutory policy must be included.</p>	
EVIDENCE BASE	
TRANSPORT STRATEGY	
<p>Transport Strategy</p> <p>References are made to an opportunity for a new railway station to be delivered for the Tudeley Village development. It is noted that the station is not anticipated for delivery during the plan period and has not been included in the Local Plan considerations but has been allowed for in the site Masterplan. KCC The Borough Council should be mindful of potential opposition to this proposal, as it would further increase</p>	

Policy / Paragraph	Commentary
	<p>the journey times for passengers travelling between Ashford and Tonbridge, as well as for those travelling between any of the smaller stations on that section of route and London. Therefore, if this proposal is to be progressed, KCC would recommend further consultation with stakeholders and the public.</p> <p>The Borough Council should also be mindful that given the need for developer majority funding contribution for a new station, there would need to be significant contributions from the 2,800 dwelling development of Tudeley Village.</p> <p>On balance, a dedicated, high quality, carbon neutral bus service between Tudeley Village and Tonbridge and/or Paddock Wood stations could more deliverable, unless a business case can be demonstrated showing there are net benefits to a rail station scheme and should potentially be explored.</p> <p>The County Council would draw the Borough Council's attention to the Kent Rail Strategy, as published in March 2021. The Kent Rail Strategy provides details of rail proposals for Tunbridge Wells – including power upgrades to enable the operation of consecutive 12-car trains in peak periods, and mainline service enhancements (depending on provision of paths to London termini, availability of rolling-stock and signalling upgrades on the Orpington – Sevenoaks corridor).</p>
STRATEGIC FLOOD RISK ASSESSMENT	
Sustainable Urban Drainage Systems	
<p>The County Council, as Lead Local Flood Authority, recommends that the Chapter 9.4 - Sources of SuDS Guidance of the updated Strategic Flood Risk Assessment should reference Kent's Drainage and Planning Policy, adopted in November 2019, as it provides guidance on how drainage strategies are assessed.</p> <p>With reference to paragraph 9.4.3 Kent Design Guide – Making it Happen, KCC recommends that the related footnote directs to the relevant design chapter C2.</p>	
INFRASTRUCTURE DELIVERY PLAN (IDP)	
Provision of County Council Community Infrastructure and Services	
<i>Paragraph 2.40 - Funding from Development</i>	
<p>The County Council supports and would strongly encourage the Borough Council to continue to support the delivery of infrastructure via section 106 development contributions, noting its relative sustainability to fund infrastructure.</p>	
<i>Theme 3: Health</i>	
<p>The County Council urges the need for the IDP to make reference to support accommodation facilities for both extra care and specialist care. The County Council current requests for development contributions to be secured through section 106 agreements for this type of health care provision. Therefore, KCC would urge support through the Local Plan and accompanying IDP.</p> <p>There remains significant demand for residential and nursing care homes that can meet the needs of people with challenging and complex dementia. It should be noted that the County Council is currently seeking new residential care home providers to join the KCC Care Home Contract and to operate a mixed economy of both local authority funded and private funded residents.</p>	
Waste Management	
<p>The County Council, as Waste Disposal Authority, welcomes the update to the IDP following KCC's feedback to the earlier Regulation 18 consultations. The IDP now better reflects the position in regard to waste management.</p>	

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Tunbridge Wells Borough Pre-Submission Local Plan Representation Form

Ref:

Date Received:

(for official use only)

Please read the guidance notes at the end of this form before completing it.

NB Representations must be received by no later than 5pm on 4 June 2021

We are unable to accept anonymous representations. All duly made representations, together with the names of respondents, will be made available on the Council's website. Personal information such as telephone numbers, addresses, and email addresses will not be published. By submitting a representation, you are confirming that you understand that your consultation response will be published in full, together with your name, including on our website. Please see the Privacy Notice on page 7 for more details about how we use your information. The guidance notes can be found on page 8.

This form has two parts:

Part A – Personal Details and

Part B – Your representation(s). Please fill in a separate sheet for each representation.

Part A (please provide your full contact details)

1. Personal Details*		2. Agent's Details (if applicable)
<i>*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.</i>		
Title	Mr	
First Name	Simon	
Last Name	Jones	
Job Title	Interim Corporate Director - Growth, Environment & Transport	
(where relevant)		
Organisation	Kent County Council	
(where relevant)		
Address Line 1	Invicta House	
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Tunbridge Wells Borough Pre-Submission Local Plan Representation Form

Ref:

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so that the front page containing your personal details

can be easily removed prior to public display

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Part B – Please use a separate sheet for each representation

(if you make multiple representations, you only need to fill in one cover sheet (see page 1) with your contact details and attach this to the representations).

Name or organisation: Kent County Council

3. To which part of the Local Plan does this representation relate?

Paragraph No(s)	<input type="text"/>	Policy No.	<input type="text"/>	Policies Map (Inset Map No(s))	<input type="text"/>
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4. Do you consider that the Local Plan:

(a) Is legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
(b) Is sound	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
(c) Complies with the Duty to Cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>

Please mark the above as appropriate

4a. If you consider that the Local Plan is **not** sound, please answer this question. Do you consider that the Local Plan is **not** sound because:

(a) It is not positively prepared	Yes	<input type="checkbox"/>
(b) It is not effective	Yes	<input type="checkbox"/>
(c) It is not justified	Yes	<input type="checkbox"/>
(d) It is not consistent with national policy	Yes	<input type="checkbox"/>

Please mark all of the above that apply

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible.

If you wish to **support** the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

The County Council has set out its full response to the consultation in the attached Appendix. Comments are linked to relevant policies where appropriate.

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

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6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant or sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The County Council has set out its full response to the consultation in the attached Appendix. Comments are linked to relevant policies where appropriate.

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

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions. After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

☐

No, I do not wish to participate in hearing session(s)

☐

Yes, I wish to participate in hearing session(s)

- 7a. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The County Council may wish to attend hearing sessions in respect of its statutory and non statutory functions.

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

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be

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asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

8. If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

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

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so that the page containing your signature

can be easily removed prior to public display

This information is on a separate page so that it can be easily removed prior to public display.

Signature: Simon Jones

Date: 04/06/2021

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

☒ **Yes**, I wish to be notified of future stages of the Local Plan

☐ **No**, I do not wish to be notified of future stages of the Local Plan

Data Protection and Privacy Notice

The information collected via this response form will be used by Tunbridge Wells Borough Council to inform the Local Plan.

Please note, at the end of the consultation period, your responses will be published by the Borough Council, including on our website. We will publish your name and associated responses, but will not publish other personal information such as telephone numbers, e-mail addresses or private addresses.

The information you provide (including telephone numbers, e-mail addresses, etc.) will also be shared with the Programme Officer employed to administer the examination on behalf of the appointed Planning Inspector(s), to be used only for the purposes of conducting the examination. The names of those making representations will be shared, and potentially addresses, with the Planning Inspector(s). However, in some cases, in order to run virtual events by means of video or telephone conference, the Planning Inspectorate may need to know the e-mail address and/or telephone number of those making representations.

If you choose not to provide data for this purpose, or ask us to erase your data, you will be unable to participate in the Local Plan process.

You have the right to access your personal data and to ensure the Council is processing it in the correct way. For further information about how we and the Planning Inspectorate use your personal information, please visit the privacy pages on the Council's website: <https://tunbridgewells.gov.uk/privacy-and-cookies/service-privacy-notices/privacy-notices/planning/local-plan-regulation-19-consultation>

GUIDANCE NOTES

1. Introduction

1.1. The plan has been published by the Local Planning Authority [LPA] in order for representations to be made on it before it is submitted for examination by a Planning Inspector. The *Planning and Compulsory Purchase Act 2004*, as amended, [PCPA] states that the purpose of the examination is to consider whether the plan complies with the relevant legal requirements, including the duty to co-operate, and is sound. The Inspector will consider all representations on the plan that are made within the period set by the LPA.

1.2. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. The LPA will therefore ensure that the names of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspector.

2. Legal Compliance and Duty to Co-operate

2.1. You should consider the following before making a representation on legal compliance:

- The plan should be included in the LPA's current Local Development Scheme [LDS] and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for examination. If the plan is not in the current LDS it should not have been published for representations. The LDS should be on the LPA's website and available at its main offices.
- The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement [SCI] (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.
- The LPA is required to provide a Sustainability Appraisal [SA] report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- In London, the plan should be in general conformity with the London Plan (formally known as the Spatial Development Strategy).
- The plan should comply with all other relevant requirements of the PCPA and the *Town and Country Planning (Local Planning) (England) Regulations 2012*, as amended [the Regulations].

2.3. You should consider the following before making a representation on compliance with the duty to co-operate:

- Section 33A of the PCPA requires the LPA to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The LPA will be expected to provide evidence of how they have complied with the duty.
- Non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore, the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector cannot recommend adoption of the plan.

3. Soundness

3.1. The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework (NPPF). Plans are sound if they are:

- **Positively prepared** – providing a strategy which, as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

3.2. If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy (or, in London, the London Plan)?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

4. General advice

4.1. If you wish to make a representation seeking a modification to a plan or part of a plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in paragraph 3.1 above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

4.2 You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues he or she identifies.

4.3. Where groups or individuals share a common view on the plan, it would be very helpful if they would make a single representation which represents that view, rather a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

4.4. Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.

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1) Draft vision and growth options

The district vision by 2040

How strongly do you agree or disagree with the draft vision?

(the ratings throughout the questionnaire are:

- ☐ Strongly agree
- ☐ Agree
- ☐ Neutral
- ☐ Disagree
- ☐ Strongly disagree)

Are there any comments you want to make about the draft vision?

✓ Strongly agree

The County Council is supportive of the ‘district vision by 2040’, which identifies a range of priorities around connectivity, health, economic resilience and an enhanced historic and natural environment, all of which will be crucial in ensuring that good growth is delivered, and that it creates places that people will want to work and live in.

As mentioned in its response to the “Issues” Regulation 18 consultation last year, taking an “Infrastructure First” approach to growth 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, 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. It is crucial for an “infrastructure first” approach to be applied to planned growth in the district - 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 welcomes Canterbury City Council’s support of this approach and its intention (under preferred option HCN16) to take such an approach to ensure that clear requirements for necessary infrastructure are provided at the right time and to explore opportunities to deliver critical infrastructure ahead of development.

Working closely with KCC and other infrastructure providers will be critical in achieving this. Particularly, it will be vital in ensuring viability of delivery, whilst also ensuring the necessary infrastructure can be delivered. KCC anticipates that as the Local Plan develops, full provision will be made for the infrastructure required to support new development to ensure that all future site allocations in the Local Plan are both viable and deliverable, and so the County Council looks forward to continued close working with the City Council as the Local Plan progresses, the site selection process develops and the costs, funding options and delivery of the necessary infrastructure are also assessed.

At present, the twelve strategic site allocations in the adopted Local Plan use section 106 agreements to secure developer contributions. The County Council would strongly request a continuation of this approach for the emerging Local Plan and for any new identified strategic allocated sites that come forward. Section 106 agreements are effective in securing funding and direct provision of infrastructure for these sites, giving certainty that, as developments progress, they provide the necessary funding towards schools, roads and other services.

Heritage and Conservation: The County Council would recommend that the paragraph entitled “Growth centred on Canterbury” should be reworded, as it currently reads as two goals joined together without any real link between the desire to focus growth on Canterbury and the historic and natural environment. The need to conserve and enhance environment is relevant for the entire district and for all growth areas, not just Canterbury. A better approach would be to separate out the environment aspects into a separate, more general, environmental goal.

Our strategic objectives

The vision is supported by strategic objectives, which set out how the district will be developed up to 2040. Tell us whether you agree or disagree with each option.

- Provide high quality affordable housing for everyone as part of mixed, sustainable communities
- Make sure housing is of high quality design, low carbon and energy efficient, with access to community facilities and open space
- Create a thriving economy with a wide range of jobs, including more high paid jobs, to support increased

✓ Strongly agree

All of the Strategic Objectives are strongly supported by the County Council. They encapsulate the crucial elements that will be required to ensure that the district is in a strong place to deliver good growth up to 2040 and to create places that people will want to work and live in.

Climate change and sustainability ambitions feature strongly, which is particularly supported. The Kent and Medway Energy and Low Emissions Strategy seeks to ensure that the decisions and plans embrace clean growth and allow the development of a clean, affordable and secure energy future. This can only be achieved through informed planning decisions, good quality sustainable design, investment in new technologies and cleaner fuels. KCC is supportive of the Plan’s approach to sustainable development, which features all the way through the consultation document. The Local Plan’s commitment throughout (and captured at high level in these Strategic Objectives) to support the transition to a zero-carbon economy to promote environmental sustainability, through requiring high standards of energy and water efficiency,

<p>opportunities for everyone</p> <ul style="list-style-type: none">- Support the growth and development of our universities as a centre of innovation and learning excellence, which will help create business start ups and skilled jobs- Create a transport network with focus on low carbon travel to improve air quality and people’s health, make sure there’s excellent access to city and town centres, including through intelligent transport systems- Take advantage of, and improve, our links to and from London and the continent, while creating a local transport network which means most residents can access their day-to-day needs within 15 minutes through healthy, environmentally friendly journeys- Support the sustainable growth of our rural communities with affordable housing, community facilities and transport, and take advantage of opportunities to grow the rural economy- Capitalise on our rich and distinctive heritage and culture, enhancing character, sense of place and quality of life, supporting tourism and the local economy for our residents, visitors and businesses- Exploit the delivery of infrastructure needed to support growth to maximise the benefits for existing residents and businesses, and ensure the critical infrastructure is delivered at the right time to support development- Create accessible vibrant town centres, maximising digital connectivity, for residents, visitors and businesses to shop, stay and enjoy their leisure time- Protect and enhance our rich environment, creating spaces, supporting wildlife and biodiversity and improving the health and wellbeing of our communities- Adapt to and reduce the impacts of climate change by making sure new development is highly energy efficient and encourages low carbon lifestyles	<p>improving climate change resilience, incorporating green infrastructure and supporting innovative low carbon transport options and renewable energy is particularly welcomed. Measures align with and support the priorities of the Kent Environment Strategy and the Kent and Medway Energy and Low Emissions Strategy, which sets a vision for achieving net-zero carbon emissions by 2050.</p> <p>KCC supports the objective to protect and enhance the rich environment. Key to this will be delivering nutrient neutrality to protect Stodmarsh National Nature Reserve. KCC would encourage the City Council to develop a nutrient neutral Local Plan and incorporate the necessary infrastructure into the plan to facilitate the delivery of nutrient neutrality at the lowest cost to developers. The County Council would also support the City Council to provide opportunities through the Local Plan to support any work necessary to help Stodmarsh recover and thus end the need for nutrient neutrality in the catchment and enhance the local environment.</p> <p>Heritage and Conservation: KCC is very supportive of the objective to “<i>Capitalise on our rich and distinctive heritage and culture, enhancing character, sense of place and quality of life, supporting tourism and the local economy for our residents, visitors and businesses</i>”</p>
Growth options	
<p>How much do you agree or disagree with the preferred option?</p> <p><input type="checkbox"/> Strongly agree</p> <p><input type="checkbox"/> Agree</p> <p><input type="checkbox"/> Neutral</p> <p><input type="checkbox"/> Disagree</p> <p><input type="checkbox"/> Strongly disagree</p>	<p>✓ Strongly agree</p> <p>The County Council is supportive, in principle, of the preferred option, focusing growth in Canterbury.</p> <p>It is recognised that at this Regulation 18 stage, the strategic option does not currently have the site allocation details that will be essential to understand and plan for the infrastructure upgrades needed. As such, KCC would request ongoing communication with the City Council if this option is progressed. This is because where strategic development options are of considerable scale, it will be critical that KCC services are considered at an early stage and that they are commensurate with the scale of the development and future proofed to cater for the growing community. It will be important that for such a growth focus on Canterbury, care will need to be given to ensure that this is not done at the expense, or neglect of, critical infrastructure needs across the district as a whole. KCC would welcome conversations in respect of the identification of necessary infrastructure, its funding and its delivery, as appropriate, as the Local Plan process progresses to Regulation 19 stage.</p> <p>It is also noted that the exact details of the A28 improvements, including how it will be funded and costed and what the range of potential environmental impacts, have not yet been determined as part of this consultation. As such, the County Council would emphasise that it supports this approach in principle but recognises that this option will be subject to viability and environmental impact assessments. The land</p>

	<p>and route costs, the plotting of an exact route, the costs associated with the option overall and the environmental impacts will all need to be fully considered and defined and the County Council will welcome continued close engagement as this work is progressed.</p> <p>With the level of growth proposed, it will be essential to ensure that new development takes into account existing settlements and to ensure that master-planning looks to retain the identity of existing communities.</p> <p>Highways and Transportation: KCC as the Local Highway Authority is supportive of the preferred option. The County Council has previously set out, in its response to the 'Issues' Regulation 18 consultation in 2020, the existing issues of congestion within the inner ring road and as such, is fully supportive of the ambitious and bold strategy proposed within this consultation. Improvements to the A28 that facilitate transport mode choices, both within the city and beyond, are an essential requirement of further growth within the Canterbury District and the County Council looks forward to working with the City Council on this further.</p> <p>The County Council has welcomed the early engagement with the City Council as the emerging Local Plan work has been developing, and, following a collaborative approach to transport modelling, it is agreed that, of the options assessed, the emerging preferred option offers the best transportation resilience for growth. The preferred option is in strong accord with national and local policies for active travel and use of public transport and will provide greater opportunities for environmental and health improvements within the city that should enrich its experience for visitors and lifestyle of residents.</p> <p>The vision clearly sets out that the option is designed to improve highway space within the city, so as to provide the necessary infrastructure for improved walking, cycling and bus networks. Improvements to the A28 will provide a step change in transport for residents and visitors to the city and KCC positively endorses the brave and positive vision proposed. The improvements to the A28 will also offer desired improvements of accessibility between and to the three East Kent Trust hospitals.</p> <p>Continued support for Park & Ride is welcomed and this remains a key component to supporting radial vehicular routes.</p> <p>The promotion of development that enables residents to access day to day services and facilities within 15 minutes will reduce demand for travel and enable active communities and this is particularly welcomed.</p> <p>In supporting national and local policy, the preferred option provides far greater opportunity for external funding, as well as the ability to expedite the benefits gained from active travel and safe community streets.</p> <p>The County Council is fully supportive of the promotion of active travel, which is in line with the KCC Active Travel Strategy and will look to work closely with the City Council to help ensure that this is planned and delivered.</p> <p>Public Rights of Way (PRoW): It is requested that KCC is involved at the earliest stages if this option is progressed as the upgraded route is highly likely to cross Rights of Way and KCC would obviously wish to avoid routes being truncated causing fragmentation of the PRoW network. In the light of increased development, a PRoW aim is to create connectivity across the wider area and this must be ensured.</p> <p>Education: The County Council will work closely with the City Council as the Local Plan is progressed and site selection is undertaken, and can advise at this stage, for a growth strategy of 14,000 new homes, the following provision will need to be made for school places:</p> <ul style="list-style-type: none"> - Early Years: 26 place nursery to be included in all new 2FE primary schools, as well as provision of premises elsewhere in the new developments to enable early years/pre-school providers to create increased capacity in the sector - Primary: 9 2FE sites of 2.05 ha each - Secondary: 2 secondary school sites (7FE) of 9.7ha each, as well as a satellite grammar site (4-5FE) of 6-7ha. - SEN provision: 1 (2.05ha) site for SEN provision <p>KCC does also require premises that can be leased or let to nursery and early years/pre school providers who are crucial to enabling parents back into employment. The nursery classes attached to schools do not provide for the younger babies and toddlers that the pre-school providers (mostly private and voluntary sector) cover.</p> <p>Other County Council community services: The County Council advises that the following requirements will need to be taken into account for a growth scenario of 14,000 dwellings:</p>
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	<ul style="list-style-type: none"> - Waste: Financial contributions towards increasing capacity at Household Waste Recycling Centres serving the district, including those out of district (as outlined in more detail below) - On-site community facilities: Facilities should be dementia friendly with the appropriate decoration and signage. A catering area must be compliant with the Equality Act and include adjustable height work surfaces, wash areas, cupboards etc. Toilets and changing facilities for the severely disabled should be 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 compliant with the Equality Act. - Broadband: All Homes to have Fibre to the Premise (FTTP) connections - Youth: Additional IT, equipment and resources to enable outreach youth services in the vicinity of new developments - Libraries: Financial contributions towards increasing capacity at existing facilities - Community learning: Financial contributions towards increasing capacity via existing facilities and outreach services - Social services: All homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2). Financial contributions towards increasing service capacity in the district. <p>Waste: KCC, as Waste Disposal Authority, would emphasise the need for waste management to be considered as necessary infrastructure to support development. Recognition of the impact that new development has on existing waste facilities is key to ensuring a sustainable service for all is maintained.</p> <p>Whilst KCC has currently secured waste transfer station capacity for the short term, an increase in demand for this service over the lifetime of the Local Plan period, up to 2040, is likely to require investment in infrastructure – and even more so if the preferred option for growth for 14,000 to 17,000 houses is progressed. Demand on the Household Waste Recycling Service in East Kent is already high, with projects identified at several sites to help increase capacity. Since the last Regulation 18 consultation, KCC as Waste Disposal Authority has developed an evidence-based document detailing its approach to requesting financial contributions from developers for these essential waste infrastructure projects.</p> <p>The County Council would reiterate that KCC as Waste Disposal Authority provides a network of Waste Transfer Stations (WTS) for the receipt of kerbside collected waste. These are large strategic sites, with a single WTS currently serving the whole of the Canterbury District. As such, the spatial distribution of the proposed housing is unlikely to be of concern for this aspect of our service, as all waste, wherever it is collected, will go to this one facility.</p> <p>KCC also provides a network of eighteen household waste recycling centres (HWRC) located across Kent. These sites provide facilities for reuse, recycling and safe disposal for a range of materials delivered by Kent residents. Residents are free to choose which HWRC they visit, regardless of which district it lies within. Typically, residents choose a site based upon ease of access. This can be influenced by a number of factors including distance, site capacity or range of materials accepted. There are currently two HWRCs within the Canterbury District, located at Vauxhall Road (Canterbury) and Herne Bay. These two HWRCs are very busy, though pressure on these sites is being managed in the short to medium term by creating additional capacity at HWRCs just outside the Canterbury District. However, if significant growth occurs in Canterbury or Herne Bay, then additional capacity at these sites is likely to be required within the lifetime of the plan period. The Herne bay HWRC was redeveloped fairly recently to provide a modern facility, so there is little scope to extend it further. However, the Canterbury HWRC site does have more potential for expansion, and this is something to be considered across the lifetime of the new Local Plan. KCC would welcome further discussions on this matter.</p> <p>In accordance with the National Planning Policy for Waste and the Kent Minerals and Waste Local Plan (KMWLP) Policy CSW 3, KCC requests that all new developments promote sustainable waste management solutions that encourage the reduction, re-use and recycling of waste. KCC requests that all new developments promote sustainable waste management solutions that encourage the reduction, re-use and recycling of waste. This should include ensuring that there is appropriate consideration for residents to be able to segregate their waste to allow for recycling opportunities, including those who live in apartments.</p> <p>Natural Environment: This level of housing growth will increase the risk to Stodmarsh Natural Nature Reserve. In supporting this level of growth, KCC would encourage the City Council to develop a Local Plan that delivers nutrient neutrality and helps to enhance the nature reserve to ensure the relevant infrastructure is in place or can be delivered to protect the natural environment.</p> <p>Sustainable communities: The delivery of this level of growth will need to be carefully assessed against the climate change objectives to ensure and demonstrate that the proposed high levels of growth across the district in this preferred option will still enable the delivery of the area's Net Zero target. Whilst the Local Plan policies seek to mitigate the direct carbon impact of new developments, the secondary impact</p>
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	<p>from consumption, travel and associated infrastructure will generate emissions that cannot easily be offset through the planning process and this will need to be assessed.</p> <p>Minerals and Waste: The County, as Minerals and Waste Planning Authority, provided comments to the previous Regulation 18 consultation, which remain valid. The Local Plan should recognise that the Kent Minerals and Waste Local Plan (KMWLP) 2013-30 (as Partially Reviewed) has safeguarding policies for economic land-won minerals and waste management and mineral handling, processing and transportation infrastructure (as set out by Policies CSM 6, CSM and CWM 16 of the KMWLP). Any future allocations identified by the Local Plan should take this into account and where the presumption to safeguard be found to be in conflict with the Local Plan's proposed allocations then Minerals and/or Infrastructure Assessments that successfully invoke and exemption to this presumption (as set out by Policies DM 7 and DM 8 of the KMWLP) would have to be demonstrated as evidence to support any such proposed allocations. KCC would be happy to discuss this further with Canterbury City Council, as appropriate.</p>
<p>How much do you agree or disagree with Canterbury focus A?</p> <p><input type="checkbox"/> Strongly agree</p> <p><input type="checkbox"/> Agree</p> <p><input type="checkbox"/> Neutral</p> <p><input type="checkbox"/> Disagree</p> <p><input type="checkbox"/> Strongly disagree</p>	<p>✓ Neutral</p> <p>The County Council notes that this option would deliver the homes needed to meet Government targets and would involve reallocation of road space on the ring road and investment in Park & Ride and bus infrastructure, which is supported. There is concern however that this option would not satisfactorily address the congestion issues around the city centre without the much needed upgrades to the A28 to enable through-traffic to bypass the city centre. With less housing growth delivered, the substantial investment in infrastructure (particularly the transport infrastructure within Canterbury) would not be delivered and the transport benefits would be much less tangible. The County Council is therefore less supportive of this growth option compared with the preferred option.</p> <p>For this growth strategy proposing the provision of 9,000 dwellings, the County Council would seek the following:</p> <ul style="list-style-type: none"> - Early Years: 26 place nursery to be included in all new 2FE primary schools, as well as provision of premises elsewhere in the new developments to enable early years/ pre-school providers to create increased capacity in the sector - Primary: 6 (2FE) sites of 2.05ha each - Secondary: 1 secondary school site (8FE) of 11.0ha and one satellite grammar site (4-5FE) of 6-7ha. - SEN provision: one (2.05ha) site - Waste: Financial contributions towards increasing capacity at Household Waste Recycling Centres serving the district, including those out of district. - On-site community facilities: Design that is Dementia friendly with dementia friendly decoration and signage. A catering area which accord with the Equality Act, including adjustable height work surfaces, wash areas, cupboards etc. Toilets and changing facilities for the severely disabled in accordance with the Changing Places specification set out in Kent County Council's Kent Adult Social Services Glossary document dated October 2008 or any successor document or as modified by legislation or best practice or otherwise agreed which accord with the Equality Act. - Broadband: All Homes to have Fibre to the Premise (FTTP) connections - Youth: Financial contribution towards additional IT, equipment and resources to enable outreach youth services in the vicinity of new developments - Libraries: Financial contributions towards increasing capacity at existing facilities - Community learning: Financial contributions towards increasing capacity via existing facilities and outreach services - Social services: All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2). Financial contributions towards increasing service capacity in the district <p>KCC does also require premises that can be leased or let to nursery and early years/pre-school providers who are crucial to supporting parents back into employment. The nursery classes attached to schools do not provide for the younger babies and toddlers that the pre-school providers (mostly private and voluntary sector) cover.</p>
<p>How much do you agree or disagree with Canterbury focus B?</p> <p><input type="checkbox"/> Strongly agree</p> <p><input type="checkbox"/> Agree</p> <p><input type="checkbox"/> Neutral</p>	<p>✓ Agree</p> <p>KCC notes that this option also looks to deliver 14,000-17,000 new homes, with growth focussed in Canterbury. This option has the potential to facilitate further economic growth and enable significant investment in the local transport network and significant upgrading of the A28, alongside investment in bus infrastructure - which is supported. However, it is understood that this option would not include the public realm and open space improvements, and the redesign of movement within the city, so the full benefits that would be derived from the preferred</p>

<div><div><input type="checkbox"/> Disagree</div><div><input type="checkbox"/> Strongly disagree</div></div>	<p>option would not be delivered under option B.</p> <p>For this growth option, which looks to deliver a minimum of 14,000 dwellings, the County Council would seek the following (for 14,000 units):</p> <ul style="list-style-type: none">- Early Years: 26 place nursery to be included in all new 2FE primary schools, as well as premises elsewhere in the new developments to enable early years/pre-school providers to create increased capacity in the sector- Primary: 9 2FE sites of 2.05 ha each- Secondary: 2 secondary school sites (7FE) of 9.7ha each, as well as a satellite grammar site (4-5FE) of 6-7ha.- SEN provision: 1 (2.05ha) site for SEN provision- Waste: Financial contributions towards increasing capacity at Household Waste Recycling Centres serving the district, including those out of district- On-site community facilities: Facilities should be dementia friendly with dementia friendly decoration and signage. A catering area which accords with the Equality Act, including adjustable height work surfaces, wash areas, cupboards etc. Toilets and changing facilities for the severely disabled in accordance with the Changing Places specification set out in Kent County Council's Kent Adult Social Services Glossary document dated October 2008 or any successor document or as modified by legislation or best practice or otherwise agreed which accords with the Equality Act.- Broadband: All Homes to have Fibre to the Premise (FTTP) connections- Youth: Additional IT, Equipment and resources to enable outreach youth services in the vicinity of new developments- Libraries: Financial contributions towards increasing capacity at existing facilities- Community learning: Financial contributions towards increasing capacity via existing facilities and outreach services- Social services: All homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2). Financial contributions towards increasing service capacity in the district. <p>KCC does also require premises that can be leased or let to nursery and early years/pre-school providers who are crucial to supporting parents back into employment. The nursery classes attached to schools do not provide for the younger babies and toddlers that the pre-school providers (mostly private and voluntary sector) cover.</p>
<p>How much do you agree or disagree with the coastal focus option?</p> <div><div><input type="checkbox"/> Strongly agree</div><div><input type="checkbox"/> Agree</div><div><input type="checkbox"/> Neutral</div><div><input type="checkbox"/> Disagree</div><div><input type="checkbox"/> Strongly disagree</div></div>	<div><div>✓</div><div>Neutral</div></div> <p>The County Council notes that this option would deliver the homes needed to meet Government targets and would involve reallocation of road space. Larger settlements and growth adjacent to existing settlements are preferable from a highways and transportation perspective, as they tend to enable and encourage more sustainable growth, with less reliance on private car use. However, this option would not support the transport improvements within Canterbury or elsewhere, which are considered to be much needed.</p> <p>For the growth option that delivers 9,000 dwellings, the County Council would seek the following:</p> <ul style="list-style-type: none">- Early Years: 26 place nursery to be included in all new 2FE primary schools, as well as provision of premises elsewhere in the new developments to enable early years/pre-school providers to create increased capacity in the sector- Primary: 6 (2FE) sites of 2.05ha each- Secondary: 1 secondary school site (8FE) of 11.0ha and one satellite grammar site (4-5FE) of 6-7ha- SEN provision: one (2.05ha) site- Waste: Financial contributions towards increasing capacity at Household Waste Recycling Centres serving the district, including those out of district- On-site community facilities: Design that is Dementia friendly with dementia friendly decoration and signage. A catering area which accord with the Equality Act, including adjustable height work surfaces, wash areas, cupboards etc. Toilets and changing facilities for the severely disabled in accordance with the Changing Places specification set out in Kent County Council's Kent Adult Social Services Glossary document dated October 2008 or any successor document or as modified by legislation or best practice or otherwise agreed which accord with the Equality Act- Broadband: All Homes to have Fibre to the Premise (FTTP) connections- Youth: Financial contribution towards additional IT, equipment and resources to enable outreach youth services in the vicinity of new developments- Libraries: Financial contributions towards increasing capacity at existing facilities- Community learning: Financial contributions towards increasing capacity via existing facilities and outreach services

	<ul style="list-style-type: none"> - Social services: All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2). Financial contributions towards increasing service capacity in the district. <p>KCC does also require premises that can be leased or let to nursery and early years/pre-school providers who are crucial to supporting parents back into employment. The nursery classes attached to schools do not provide for the younger babies and toddlers that the pre-school providers (mostly private and voluntary sector) cover.</p>
<p>How much do you agree or disagree with the rural focus option?</p> <p> <input type="checkbox"/> Strongly agree <input type="checkbox"/> Agree <input type="checkbox"/> Neutral <input type="checkbox"/> Disagree <input type="checkbox"/> Strongly disagree </p>	<p>✓ Neutral</p> <p>The County Council notes that this option would deliver the homes needed to meet Government targets and would involve reallocation of road space in sustainable rural areas. The rural option is likely to cause problems from a highways and transportation perspective due to the difficulty in creating sustainable communities, where typically, access to services will require car travel to the nearest centre. In addition, a rural growth strategy tends to lead to more dispersed patterns of growth, which are less likely to provide the critical mass that is required to deliver the necessary infrastructure and services – meaning a rural focussed growth option can be more challenging to deliver sustainably. It is not clear how this option could feasibly and viably provide the necessary school sites.</p> <p>For this option, which proposes a growth strategy of an additional 9,000 dwellings, the County Council would seek the following:</p> <ul style="list-style-type: none"> - Early Years: 26 place nursery to be included in all new 2FE primary schools - Primary: 6 (2FE) sites of 2.05ha each - Secondary: 1 secondary school site (8FE) of 11.0ha and one satellite grammar site (4-5FE) of 6-7ha. - SEN provision: one (2.05ha) site - Waste: Financial contributions towards increasing capacity at Household Waste Recycling Centres serving the district, including those out of district. - On-site community facilities: Design that is Dementia friendly with dementia friendly decoration and signage. A catering area which accords with the Equality Act, including adjustable height work surfaces, wash areas, cupboards etc. Toilets and changing facilities for the severely disabled in accordance with the Changing Places specification set out in Kent County Council's Kent Adult Social Services Glossary document dated October 2008 or any successor document or as modified by legislation or best practice or otherwise agreed which accords with the Equality Act. - Broadband: All Homes to have Fibre to the Premise (FTTP) connections - Youth: Financial contribution towards additional IT, Equipment and resources to enable outreach youth services in the vicinity of new developments - Libraries: Financial contributions towards increasing capacity at existing facilities - Community learning: Financial contributions towards increasing capacity via existing facilities and outreach services - Social services: All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2). Financial contributions towards increasing service capacity in the district.
<p>How much do you agree or disagree with the new freestanding settlement option?</p> <p> <input type="checkbox"/> Strongly agree <input type="checkbox"/> Agree <input type="checkbox"/> Neutral <input type="checkbox"/> Disagree <input type="checkbox"/> Strongly disagree </p>	<p>✓ Neutral</p> <p>KCC, in principle, supports growth options that include garden settlements as a model of future delivery, provided that they are suitably located with respect to existing infrastructure and that upgrades to existing infrastructure are properly assessed for their ability to cope with new development. New supporting infrastructure needs to be appropriate in terms of scale.</p> <p>However, from a highways and transportation perspective, it is not clear whether or how a free-standing settlement would deliver the ambitious transportation interventions that are required over this plan period. The County Council would want to work closely with the City Council if this option is progressed, and on any subsequent site selection and assessment.</p>
<p>Are there any other growth options we should consider?</p> <p> <input type="checkbox"/> Yes <input type="checkbox"/> No </p>	<p>The County Council does not have any other growth options to put forward but would welcome early engagement with the City Council if any alternative options do emerge as a result of this consultation.</p>

2) Town centre strategies

Do you agree with vision and objectives for Canterbury city centre?	✓ Yes
Do you have any different suggestions?	✓ No
Do you agree with our vision and objectives for Herne Bay?	✓ Yes
Do you have any different suggestions?	✓ No
Do you agree with our vision and objectives for Whitstable?	✓ Yes
Do you have any different suggestions?	✓ No

3) Housing and new communities

Issue HNC1. How should we make sure the right types and tenures of housing are provided?

- ☐ Option HNC1A - continue current approach to allow some flexibility for developers to provide a mix of homes within a broad range
- ☐ Option HNC1B - set specific housing mix targets which each site must deliver, based on the identified needs for size, type and tenure, across different parts of the district
- ☐ Option HNC1C - (preferred option) - set specific housing mix targets which each site must deliver and identify opportunity sites for specific types or tenures

Tell us why you chose this option (types of housing):

If you think there's a better option for housing types, let us know:

✓ **Option HNC1C - (preferred option) - set specific housing mix targets which each site must deliver and identify opportunity sites for specific types or tenures**

The County Council supports the preferred option, provided that in consideration of the housing mix targets, assessment also takes into account other infrastructure demands to ensure the developments can be delivered sustainably.

The County Council notes that whilst the Housing Needs Assessment has calculated an overall need of 464 affordable homes per year, the percentage of affordable homes to be required for new development sites is not yet put forward in this Regulation 18 consultation, but instead will be proposed at the next stage of the Local Plan process.

The County Council set up an Affordable Housing Select Committee in 2019 to determine whether KCC can play a greater role in maximising the development of affordable housing in Kent. The Select Committee report sets out a range of recommendations, many of which are for KCC to consider, and which would go some way to support the development of genuinely affordable housing for the people of Kent. Affordable housing will need to be of high quality, in the right location and with the infrastructure to support residents to have a good quality of life, with a range of types and tenures delivered to meet the needs of the community.

When designing sites, care should be taken to ensure that high quality design is accessible, taking into account the varying needs of the evolving community, which includes 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.

Given the anticipated impact from COVID-19 of increased home working as a permanent adjustment to people's working lives, the County Council also recommends that consideration should be given as to 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 in this area of the local workforce and their ability to continue working and to learn.

Issue HNC2. How should we provide opportunities for small and medium sized housing developments?

- ☐ Option HNC2A - continue current approach to small and medium sites
- ☐ Option HNC2B - Increase proportion of supply coming from small and medium sites through additional allocations and windfall sites
- ☐ Option HNC2C (preferred option) - maximise opportunities for delivery of small and medium sites to deliver new homes

Tell us why you chose this option (housing developments):

if you think there's a better option for small and medium housing developments, let us know:

✓ **Option HNC2C (preferred option) - maximise opportunities for delivery of small and medium sites to deliver new homes**

The County Council supports the preferred option, and would suggest that on larger sites, which will be delivered by a number of small and medium sized housing developments, there may be a need for master-planning to ensure consistency across the wider development.

It is also worth emphasising that it can be much harder to plan and deliver the necessary infrastructure through piecemeal, smaller sites being built out. The cumulative impacts arising from the build out of lots of smaller sites can sometimes be considerable and this will need to be addressed in the formation of policy.

On large sites with multiple developers (perhaps where land may be in more than one ownership), the County Council would support the use of land equalisation agreements to avoid dispute and delays to the delivery of necessary infrastructure that could affect the delivery of sustainable residential growth.

How should we provide opportunities for suitable brownfield

✓ **Option HNC3B (preferred option) - maximise opportunities for delivery of suitable brownfield and regeneration developments**

<p>and regeneration developments?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC3A - continue with the current approach to brownfield sites <input type="checkbox"/> Option HNC3B (preferred option) - maximise opportunities for delivery of suitable brownfield and regeneration developments <p>Tell us why you chose this option (brownfield and regeneration): If you think there's a better option for brownfield and regeneration land, let us know:</p>	<p>KCC supports the preferred option, subject to viability testing of sites to ensure that they can deliver the necessary infrastructure and community services.</p>
<p>Issue HNC4. How should we make sure that the right densities are delivered in developments across the district?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC4A - continue current approach of influencing site density through good design <input type="checkbox"/> Option HNC4B - identify a minimum density for the district as a whole, and continue the current approach of influencing site density through good design <input type="checkbox"/> Option HNC4C (preferred option) - set specific densities, or a range of densities, for areas of the district to make best use of the land. Site allocation densities would be influenced by the local distinctiveness and character so that housing fits in with surroundings <p>Tell us why you chose this option (housing densities): If you think there's a better option for housing densities, let us know:</p>	<p>✓ Option HNC4C (preferred option) - set specific densities, or a range of densities, for areas of the district to make best use of the land. Site allocation densities would be influenced by the local distinctiveness and character so that housing fits in with surroundings</p> <p>Sustainable Urban Drainage Systems (SuDS): In respect of the Preferred Option, KCC as the Lead Local Flood Authority considers that it is still important that appropriate densities are considered for site allocations, and that the developable boundary and density should also be influenced by possible local constraints, including whether it is a sensitive site, the extents of flood risk and other environmental factors. From a surface water management perspective, greater densities with a small impermeable footprint for the number of units delivered is beneficial. However, greater housing densities should not result in an increase in impermeable areas without proper consideration.</p>
<p>Issue HNC5. How should we make sure housing is provided for rural communities?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC5A - continue existing approach to rural housing development <input type="checkbox"/> Option HNC5B - focus rural housing development at the rural service centres, and support infill development at other settlements within village boundaries <input type="checkbox"/> Option HNC5C (preferred option) - support housing developments, at and adjacent to, rural services centres, local centres and villages where this provides affordable housing <p>Tell us why you chose this option (rural housing): If you think there's a better option for rural housing, let us know:</p>	<p>✓ Option HNC5C (preferred option) - support housing developments, at and adjacent to, rural services centres, local centres and villages where this provides affordable housing</p> <p>Access to infrastructure and services can be a real issue for rural communities, particularly where the housing development would generate the need for an increase in capacity of services. Overall, and in principle, the County Council is supportive of this approach, as rural service centres, local centres and villages are more likely to have basic services that other rural settlements would not have. However, the County Council would add the caveat that its support of this option is given provided that the provision of affordable housing does not affect the viability of the sites to provide any necessary infrastructure and that it does not lead to piecemeal development, which can cumulatively put pressures on services without the necessary developer contributions being generated to enable expansion or provision of the necessary infrastructure. It should also be noted that the County Council operates a 'hub and spoke' model for much of its service provision and is not in a position to create additional service centres in areas that do not already have this infrastructure.</p> <p>Heritage and Conservation: It should be noted that much of Kent has historically had a dispersed settlement pattern. Development between villages and hamlets and among farm buildings would in many places be consistent with the historic character of those areas. English Heritage, KCC and Kent Downs AONB have published guidance on historic farmsteads in Kent that considers how rural development proposals can be assessed for whether they are consistent with existing character. The Kent Farmsteads Guidance¹ has been endorsed by the County Council and it is recommended that Canterbury City Council considers adopting the guidance, as a Supplementary Planning Document (SPD), as part of the Local Plan process. KCC would be happy to discuss this further.</p>
<p>Community infrastructure and design</p>	
<p>Issue HNC6. How can we support sustainable living in new communities?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC6A - keep the existing approach to supporting 	<p>✓ Option HNC6C - (preferred option) set clear requirements for new or improved social and community infrastructure to be delivered as part of strategic developments, and large developments must show that essential services can be accessed within 15 minutes walking or cycling time</p>

¹ https://democracy.kent.gov.uk/documents/s40761/B2%20Appendix%20Part_1_Kent_Farmsteads_Guidance_2013_24%205%2013.pdf

<p>sustainable living in new communities</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC6B - set clear requirements for new or improved social and community infrastructure to be delivered as part of strategic developments <input type="checkbox"/> Option HNC6C - (preferred option) set clear requirements for new or improved social and community infrastructure to be delivered as part of strategic developments, and large developments must show that essential services can be accessed within 15 minutes walking or cycling time <p>Tell us why you chose this option (sustainable living): If you think there's a better option for supporting sustainable living, let us know</p>	<p>There is need to ensure that all growth is delivered with an appropriate range of community facilities, including Early Years provision, Youth Services, Adult Social Care, Community Facilities, Social Services and Waste. The County Council is therefore fully supportive of the preferred option. As a key infrastructure provider, KCC would welcome continued engagement from the early stages of master-planning to ensure that infrastructure requirements are fully integrated within the design of new developments from the outset.</p> <p>The County Council is the Statutory Authority and strategic commissioner of education provision in Kent and sets out its future needs through the Commissioning Plan for Education in Kent². The Commissioning Plan is a dynamic document and is regularly reviewed and provides the background to the responses made here.</p> <p>As set out within the Education Commissioning Plan, assessing the childcare market and ensuring sufficiency and long-term viability of provision for early years is complex and presents a significant challenge for local authorities. The County Council (commissioned through The Education People) is required to work with providers in making available a sufficient range of flexible provision, in the right geographical areas, at the right times and offering the right sessions to fit with both standard and atypical working patterns. The County Council would welcome engagement with the City Council to ensure adequate early years provision is provided to support growth.</p> <p>KCC requires additional education (primary and secondary) places to commensurate with the number of new homes proposed, including a new coastal secondary school and new primary schools delivered within the larger sites. SEN and Early Years provision will also be required – and the full breakdowns have been set out in the sections above in respect of the various growth options put forward.</p> <p>KCC Community services (Libraries, Adult Education, Youth) and Social Services will require financial contributions to mitigate the impacts of the additional housing whether this is via section 106 contributions or the CIL. However, Canterbury CIL is not sufficient to fully meet those impacts. Consequently, it will be extremely important to understand how Canterbury City Council intends to mitigate those impacts not met by CIL. KCC wishes to see that all strategic sites beyond a certain threshold are classified as strategic sites and therefore, included under Section 106 rather than CIL.</p> <p>For social care, all community buildings should be compliant with the Equality Act and all new housing built to at least Part M4(2) standard with a proportion designed to meet the Part M 4 (3) standard.</p> <p>For broadband provision, all new homes, and commercial premises should be equipped with fibre to the premise (FTTP) of 1000mbps.</p> <p>On large sites with multiple developers (such as where land may be in more than one ownership), the County Council would support the use of land equalisation agreements to avoid dispute and delays concerning land allocated for education or other community infrastructure requirements that could affect the delivery of sustainable residential growth. With the use of such agreements, community infrastructure can be apportioned fairly and agreed early on in the process.</p> <p>The County Council will look to support the City Council as part of the Local Plan process to support the work necessary to help Stodmarsh recover in respect of nutrient neutrality and will welcome continued engagement in this matter.</p> <p>PRoW: KCC requests inclusion of developer contributions to go towards improving Active Travel networks. It is important that when development takes place, it does so in a way that will achieve a quality living experience for the benefit of local communities. In pursuing this, the City Council will need to be mindful of the need for the sites allocated for development in the new Local Plan to be viable and therefore deliverable.</p> <p>Public Health: KCC welcomes the NPPF (chapter 8) reference and the focus throughout the consultation around health and wellbeing. There are however a number of areas that could be developed further to improve public health outcomes through the planning system, which would be derived from a clear understanding of the health and demographics of the current population. This should then be used to justify policies and priorities within the Local Plan; for example:</p> <ul style="list-style-type: none"> • More consideration on smaller level (i.e. middle super output areas (MSOA) and ward data) on health inequalities, so priority geographies for investment and intervention are clear for the council and developers this may be in the form of a background paper such as 'Health and Wellbeing' Topic Paper which provides a useful policy hook for further development of policies down the line and
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² <https://www.kent.gov.uk/education-and-children/schools/education-provision/education-provision-plan>.

	<p>a strong evidence base. Without a policy hook and strong evidence base it can be difficult to implement decisions such as for example restrictions on fast food takeaways (potential development of an SPD likely required). More detailed data can be found at the Kent Public Health Observatory³ or via PHE Fingertips⁴</p> <ul style="list-style-type: none"> • Reference the Kent Joint Strategic Needs Assessment⁵ (associated with Kent Health and Wellbeing Strategy) and it may also be beneficial to explicitly key outcomes and priority areas of the Kent Health and Wellbeing Strategy: <ul style="list-style-type: none"> - Outcome 1 – Every child has the best start in life. - Outcome 2 – Effective prevention of ill health by people taking greater responsibility for their health and wellbeing. - Priority 1 – Tackle key health issues where Kent is performing worse than the England average. - Priority 2 – Tackle health inequalities. • Explicitly state and identify a direct link between the City Council's Corporate Plan and Local Plan and demonstrate how the Local Plan is supported by local evidence. • Wherever possible, new development (and associated funding generated through Section 106 or the CIL) should be designed to support the health of the people with the poorest health. <p>The Regulation 18 consultation clearly identifies the full range of health services and amenities that will be required as a result of the chosen growth strategy and KCC would welcome engagement to ensure the sustainable delivery of healthcare infrastructure.</p> <p>The County Council would also like to take this opportunity to promote the use and incorporation of multi-functional cultural hubs. These provide an excellent mix of services including social care, libraries and education facilities.</p>
<p>Issue HNC7. How should we make sure all design is of high quality?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC7A - keep current criteria based approach to design <input type="checkbox"/> Option HNC7B - use the new National Design Guide and National Model Design Code <input type="checkbox"/> Option HNC7C (preferred option) - embed master plans and design requirements for strategic development sites within the Local Plan, and continue current design criteria based approach for other sites and types of development; setting out when specific design tools like design codes should be used <p>Tell us why you chose this option (design quality): If you think there's a better option for high quality design, let us know:</p>	<p>✓ Option HNC7C (preferred option) - embed master plans and design requirements for strategic development sites within the Local Plan, and continue current design criteria-based approach for other sites and types of development; setting out when specific design tools like design codes should be used</p> <p>KCC notes that Issue HNC7 discusses the application of the new National Design Guide and the National Model Design Guide but makes no mention of the Kent Design Guide. Reference to the Kent Design Guide should be included in the emerging Local Plan.</p> <p>SUDS: Canterbury City Council intends to make sure design is high quality by utilising design codes proactively. Landscaping is referenced, as well as the amount and position of open space provision. Surface water and drainage must be integrated into open spaces and delivered as blue green infrastructure. If the reference to surface water is not considered at the early, plan making stage, it is often only addressed at the later stages of planning which then diminishes what can be delivered. KCC made similar comments on the Model Design Code consultation. Option HNC7C would therefore be supported, as it would be possible to provide greater detail on some elements such as integration of surface water management into open space.</p>
<p>Issue HNC8. How can we deliver low carbon and energy efficient housing?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC8A - keep current approach but with indicative net zero <input type="checkbox"/> Option HNC8B - early introduction of Future Homes Standard <input type="checkbox"/> Option HNC8C - (preferred option) all new homes delivered to net zero <p>Tell us why you chose this option (low carbon new homes): If you think there's a better option for low carbon new homes, let us know:</p>	<p>✓ Option HNC8C - (preferred option) all new homes delivered to net zero</p> <p>KCC fully supports the preferred option. As mentioned under the 'preferred growth strategy option' question above, the delivery of a higher level of growth will need to be carefully assessed against the climate change objectives and to ensure that high levels of growth across the district will still enable the delivery of the area's Net Zero target. Whilst the Local Plan policies seek to mitigate the direct carbon impact of new developments, the secondary impact from consumption, travel and associated infrastructure will generate emissions that cannot easily be offset through the planning process and this will need to be assessed.</p>
<p>How should we do this for refurbishments and changes to</p>	<p>✓ Option HNC8F – (preferred option) set higher local domestic build energy standards for changes to existing homes, and require</p>

³<https://www.kpho.org.uk/>

⁴<https://fingertips.phe.org.uk/profile/local-health/data#page/0>

⁵<https://www.kpho.org.uk/joint-strategic-needs-assessment>

<p>existing homes?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC8D – require planning applications to have an energy plan for improvements to energy performance <input type="checkbox"/> Option HNC8E – apply the requirement to meet Building Regulations Part L energy standards to changes to buildings to all but the smallest extensions, and require planning applications to have an energy plan for improvements to energy performance <input type="checkbox"/> Option HNC8F – (preferred option) set higher local domestic build energy standards for changes to existing homes, and require planning applications to have an energy plan for improvements to energy performance <p>Tell us why you chose this option (low carbon existing homes: If you think there's a better option for low carbon existing homes, let us know:</p>	<p>planning applications to have an energy plan for improvements to energy performance</p> <p>KCC supports this preferred option.</p>
<p>Issue HNC8. How should we improve water efficiency?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC8G - continue with the current approach to water efficiency <input type="checkbox"/> Option HNC8H - require proposals for new homes to show the higher water efficiency standard of 110 litres per person per day <input type="checkbox"/> Option HNC8I - (Preferred option) blended approach to require proposals for new homes to show the higher water efficiency standard, and for large or strategic sites to exceed the current building regulations <p>Tell us why you chose this option: If you think there's a better option, let us know:</p>	<p>✓ Option HNC8I - (Preferred option) blended approach to require proposals for new homes to show the higher water efficiency standard, and for large or strategic sites to exceed the current building regulations</p> <p>KCC supports the preferred option.</p> <p>Reducing water consumption reduces the need to mitigate for nutrients and makes achieving nutrient neutrality easier.</p> <p>Water reuse significantly reduces water consumption. Where this is feasible, typically for large sites and garden settlements, KCC would encourage this approach. Water reuse integrates well with nutrient neutrality measures and makes this simpler to achieve.</p>
<p>Issue HNC8. How will we incorporate renewable energy into new developments?</p> <p>How will we incorporate renewable energy into new developments?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC8J - keep the current approach to reducing carbon emissions associated with energy from new developments <input type="checkbox"/> Option HNC8K - (preferred option) require all new large or strategic developments to show decentralised energy supply <p>Tell us why you chose this option: If you think there's a better option, let us know:</p>	<p>✓ Option HNC8K - (preferred option) require all new large or strategic developments to show decentralised energy supply</p> <p>The County Council is fully supportive of the preferred option, which aligns well with the ambitions of the Energy and Low Emissions Strategy. The Local Plan presents a real opportunity to progress future low carbon energy infrastructure such as district heating schemes, hydrogen grids and local energy centres supplied by locally produced renewable energy sources. The preferred approach picks up on comments provided by KCC in its previous regulation 18 response and the County Council fully supports this approach.</p> <p>As site allocations are identified, there will be an opportunity for the Local Plan to further support the zero-carbon agenda by identifying where there is potential for new settlements to become zero-carbon development hubs, for instance, utilising district heating networks or hydrogen energy grids. This could encourage investment in trials and pilots of new zero-carbon technologies and infrastructure. The County Council would be keen to explore these opportunities further with the District Council to support the transition to a zero-carbon economy.</p>
<p>Specialist housing need</p>	
<p>Issue HNC9. How should we provide housing for older people?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC9A - all large or strategic sites to provide a proportion of the site for older persons' housing (for example 5%) <input type="checkbox"/> Option HNC9B - allocate specific sites for the delivery of older persons' housing 	<p>✓ Option HNC9C (preferred option) - provide a blended approach with a proportion of the site being delivered through large or strategic sites and allocated specific sites</p> <p>Adult Social Care: The County Council (as statutory authority for adult social care) has responsibilities to ensure adequate facilities for older persons in the County. This is delivered via the Kent Accommodation Strategy for Adult Social Care. The City Council should have regard to this strategy in determining the housing options for adult social care clients in the district.</p>

<p><input type="checkbox"/> Option HNC9C (preferred option) - provide a blended approach with a proportion of the site being delivered through large or strategic sites and allocated specific sites</p> <p>Tell us why you chose this option (housing for older people):</p> <p>If you think there's a better option for housing for older people, let us know:</p>	<p>The Local Plan should reference "Your Life Your Well-Being" - Kent County Council's strategy for Adult Social Care 2018-2021. The strategy seeks to 'help people to improve or maintain their well-being and to live as independently as possible'. Its vision is for people to live independently in their own home receiving the right care and support and the strategy sets out the strategic direction for suitable housing and care home provision for all Adult Social Care client groups. It identifies the need for more extra care/specialist care housing and to explore the opportunities to develop mixed tenure models of extra care/specialist care housing. It is also important to support older persons' care homes in the areas where there is a need for specific support, including for people with dementia that presents as challenging. The County Council is keen to work with the City Council to ensure that there is an adequate, affordable supply of housing options are delivered through the Local Plan.</p> <p>KCC recommends that the Local Plan supports the delivery of specialist care accommodation through developer contributions. The Local Plan should ensure the delivery of specialised homes that support the diverse and evolving range of needs of the local community, including those with learning and physical disabilities and other vulnerable groups. KCC would welcome continued engagement with the City Council in ensuring that the necessary homes to support a sustainable community are delivered.</p>
<p>Issue HNC10. How should we provide accessible and disability-friendly homes?</p> <p>How should we approach providing accessible and disability-friendly homes?</p> <p><input type="checkbox"/> Option HNC10A - continue current approach for 20% of new properties to be built to M4 (2) standards on major developments and strategic sites</p> <p><input type="checkbox"/> Option HNC10B - make sure that all new properties are built to a minimum of M4 (2) standards, and encourage M4 (3) standards</p> <p><input type="checkbox"/> Option HNC10C (preferred option) - require around 15% of new properties to be built to M4 (2) standards, and around 5% to be built to M4 (3) standards on major developments and strategic sites, to better reflect the needs</p> <p>Tell us why you chose this option (disability friendly homes):</p> <p>If you think there's a better option for disability friendly homes, let us know:</p>	<p>County Council community service provision: The preferred option is proposing 15% of new properties to be built to M4(2) and around 5% to M4(3). KCC seeks the provision of <u>all new</u> dwellings to be built to Building Reg Part M4(2) standard to ensure that they remain accessible throughout the lifetime of the occupants and meet any changes in the occupant's requirements. Some should also meet the Part M 4 (3) standard. As such, the County Council presents this as a better option.</p>
<p>Issue HNC11. How and where should we provide new student accommodation?</p> <p>Option HNC11A - keep current approach to purpose built student accommodation</p> <p><input type="checkbox"/> Option HNC11B - provide purpose built student accommodation only on or near campus, for example within a 5-10 minute walk of the campus</p> <p><input type="checkbox"/> Option HNC11C (preferred option) - provide purpose built student accommodation on or near campus, for example a 5-10 minute walk of the campus, but also have some flexibility on alternative locations subject to strict criteria</p> <p>Tell us why you chose this option (student housing):</p> <p>If you think there's a better option for student housing, let us know:</p>	<p>✓ Option HNC11C (preferred option) - provide purpose-built student accommodation on or near campus, for example a 5-10 minute walk of the campus, but also have some flexibility on alternative locations subject to strict criteria</p> <p>KCC supports the preferred option to locate purpose-built student accommodation on or near campus as it is a sustainable approach and will reduce the need to travel. This could also help reduce the potential to undermine existing primary schools by limiting the geographic extension of student housing into areas that are predominantly family housing, as has been seen previously in some areas of Canterbury.</p>
<p>Issue HNC12. How should we provide accommodation for gypsies and travellers?</p> <p><input type="checkbox"/> Option HNC12A - keep current approach to meeting gypsy</p>	<p>✓ Option HNC12C (preferred option) - keep current approach and take opportunities through the Local Plan to allocate new pitches where suitable sites are identified</p> <p>The preferred option states that the City Council will 'take opportunities through the Local Plan to allocate new pitches where suitable sites are</p>

<p>and traveller housing needs</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC12B - allocate new pitches (either as new sites or extensions to existing sites) to meet gypsy and traveller housing needs <input type="checkbox"/> Option HNC12C (preferred option) - keep current approach and take opportunities through the Local Plan to allocate new pitches where suitable sites are identified <p>Tell us why you chose this option (gypsy and traveller accommodation):</p> <p>If you think there's a better option for gypsy and traveller accommodation, let us know:</p>	<p><i>identified</i>. The County Council would advise that this requires more detailed explanation as to how the City Council intends to carry this out and what is meant by an identified site - does this mean a single pitch or several, on an existing or new site? Clarification is requested on this point.</p> <p>There does not appear to be any reference made to 'transit provision' or 'temporary negotiated stopping places within the Local Plan (although the reference within the Sustainability Appraisal at paragraph 3.10.14 is noted). KCC is aware that the district does have unauthorised encampments and so much so, that they most recently had in place a district wide blanket court order ban on certain areas of specified land that unauthorised encampments could not alight upon and set up camp. This area would also benefit from further explanation. KCC would welcome further engagement as this matter progresses.</p>
<p>HNC14 How can we maximise the benefits of strategic infrastructure investment for residents and businesses?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC14A - keep current approach to strategic infrastructure projects <input type="checkbox"/> Option HNC14B - provide overarching general support for strategic infrastructure projects which are needed to support growth <input type="checkbox"/> Option HNC14C (preferred option) - provide overarching general support for strategic infrastructure projects needed to support growth, and identify specific allocations and set criteria, for example, design for proposals where justified <p>Tell us why you chose this option (strategic infrastructure):</p> <p>If you think there's a better option for strategic infrastructure, let us know:</p>	<p>✓ Option HNC14C (preferred option) - provide overarching general support for strategic infrastructure projects needed to support growth, and identify specific allocations and set criteria, for example, design for proposals where justified</p> <p>KCC recognises that there are some large pieces of strategic infrastructure that will be required to accommodate growth in the district, including major improvements to the transport network (as set out in the preferred growth option). The County Council supports, in principle, the approach to provide overarching support for strategic infrastructure projects, subject to the necessary viability testing and environmental impact assessments being carried out to inform the suitability of each project (and presumes this could also be captured in policy criteria). KCC would welcome engagement in this process, to ensure that all impacts associated with KCC services and infrastructure have been fully considered.</p> <p>When considering the viability of schemes, and of the Local Plan as a whole, it will also be important to take into account all the other key pieces of infrastructure that are often necessary to delivering sustainable communities. KCC recognises that this will be a challenge (and notes it is discussed further in the issue HNC17 below). In particular, KCC is keen to continue to work closely with the City Council to develop an enhanced understanding of the infrastructure required to support growth in the Canterbury district - including the mechanisms for delivery, where the gaps in funding exist and how these might be addressed. Where appropriate, the County Council will look to support Canterbury City Council in securing additional sources of funding, when required and will welcome involvement to ensure that all necessary infrastructure can be delivered, whilst ensuring that development remains viable.</p> <p>Subject to the above points, the County Council supports the provision of specific allocations and set criteria within the Local Plan for strategic infrastructure, as this will help to provide a level of certainty and commitment and aligns well with the infrastructure first approach.</p> <p>Additionally, further engagement regarding the role that development contributions (and other funding opportunities) will play in delivering essential infrastructure and enabling development will be welcomed. The County Council has been appreciative of the engagement to date in respect of the Canterbury City Council's CIL approach to allocating funds and will look forward to continued engagement on this matter, to ensure that the right infrastructure is secured as part of the planned growth. As it stands, section 106 agreements remain KCC's primary mechanism for funding development-led strategic infrastructure projects across Kent and KCC has been largely successful in delivering major infrastructure projects required to support growth. Therefore, the County Council would generally expect, and strongly request, that section 106 agreements continue to be used for all strategic sites across the district.</p> <p>In the delivery of strategic infrastructure, it is essential to work together, as key stakeholders, to make sure that the full range of necessary infrastructure provided by KCC, as well as the utility and other infrastructure providers, is planned and ready at the right time. This includes ensuring sustainable solutions to the recognised water stress affecting the south east of England, and the need to coordinate growth with the necessary wastewater infrastructure.</p> <p>KCC supports Canterbury City Council in undertaking a Habitats Regulations Assessment (HRA) for the Local Plan to understand the impacts and options for Stodmarsh, as this issue is one of the most serious obstacles to housing delivery in East Kent. KCC would encourage the City Council to develop a nutrient neutral Local Plan and incorporate the necessary infrastructure into the plan to facilitate the delivery of nutrient neutrality at the lowest cost to developers. The County Council would also support the City Council to provide opportunities through the Local Plan to support any work necessary to help Stodmarsh recover and thus end the need for nutrient neutrality in the catchment.</p>

<p>Issue HNC15. How can we enhance the production of community and utility scale renewable energy?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC15A - keep the current approach to renewable and low carbon energy production development <input type="checkbox"/> Option HNC15B - (preferred option) actively support renewable or low carbon energy by removing the requirement for applicants to show need, and consider opportunities to map areas for prioritising community and utility scale renewable energy projects <p>Tell us why you chose this option (renewable energy):</p> <p>If you think there's a better option for renewable energy, let us know:</p>	<p>✓ Option HNC15B - (preferred option) actively support renewable or low carbon energy by removing the requirement for applicants to show need, and consider opportunities to map areas for prioritising community and utility scale renewable energy projects</p> <p>KCC is fully supportive of the preferred option, which draws on comments provided by KCC at the previous consultation.</p>
<p>Issue HNC16. How can we make sure that infrastructure is delivered at the right time to support development?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC16A - keep current approach to infrastructure delivery <input type="checkbox"/> Option HNC16B - set clear requirements that necessary infrastructure must be provided in a timely manner to address the impacts of development <input type="checkbox"/> Option HNC16C (preferred option) - set clear requirements for necessary infrastructure to provided at the right time and explore opportunities to deliver critical infrastructure ahead of development <p>Tell us why you chose this option (infrastructure right time):</p> <p>If you think there's a better option for delivering infrastructure at the right time, let us know:</p>	<p>✓ Option HNC16C (preferred option) - set clear requirements for necessary infrastructure to provided at the right time and explore opportunities to deliver critical infrastructure ahead of development</p> <p>The County Council strongly supports the preferred option. The consultation identifies that government is increasingly advocating a move towards infrastructure being delivered up front and KCC welcomes the acknowledgement in the consultation that this is also an approach that is championed by the County Council, in promoting the creation of appropriate infrastructure to be delivered ahead of housing growth, where necessary (Issues HNC16). This approach will be critical in delivering good growth across the plan period.</p> <p>Issue HNC16 identifies the need for new infrastructure to be delivered at the right time, to prevent pressures on existing infrastructure being made worse by new development. The County Council recognises the challenges associated with this – which are often associated with the viability of developments and timing of payment of financial contributions towards infrastructure. The County Council will look to work closely with the City Council and other partners to identify the full range of necessary infrastructure and services that are required for expanding and new communities and, where appropriate, to support the City Council in respect of identification of funding and timing of delivery - as a large proportion of the necessary infrastructure is likely to be provided by the County Council. KCC would also emphasise that ‘necessary’ infrastructure can cover a wide range of infrastructure and service provision and would strongly request involvement in discussions around how to best utilize the key mechanisms for delivering infrastructure up front and how best to ensure the infrastructure first approach can best be achieved.</p> <p>The County Council therefore strongly supports the preferred option – HNC16C, in promoting an ‘infrastructure first’ or infrastructure-led approach to the delivery of critical infrastructure and welcomes the commitment within this option of working with infrastructure providers to explore opportunities and mechanisms to deliver key priority infrastructure.</p> <p>PRoW: In respect of the local economy and employment, allocated land will need to consider Active Travel connectivity to local facilities and public transport and should ensure that development contributions towards high-quality links should be sought. New and improved educational facilities should also reflect a commitment to an Active Travel future and ensure links are provided for all users to schools and universities, providing walking and cycling links through means of an improved PRoW network to public transport.</p>
<p>Issue HNC17. How should we address changes in development viability at the planning application stage?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option HNC17A - keep current approach to accepting viability assessments <input type="checkbox"/> Option HNC17B - no new viability evidence is accepted at planning application stage <input type="checkbox"/> Option HNC17C (preferred option) - set clear and limited criteria where new viability evidence is accepted at planning application stage <p>Tell us why you chose this option (development viability changes):</p>	<p>✓ Option HNC17C (preferred option) - set clear and limited criteria where new viability evidence is accepted at planning application stage</p> <p>The County Council acknowledges that there are some situations that do require a viability review at planning application stage and would emphasise the need for such schemes to still deliver on key infrastructure and services, to ensure that good growth is delivered. However, KCC encourages early partnership working with the City Council on such issues.</p>

<p>If you think there's a better option for development viability changes, let us know</p>	
<h2>4) Employment and the local economy</h2>	
<p>Issue EMP1 - How should we ensure that enough business space is provided in the right locations to support growth? *</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option EMP1A - Continue with current economic strategy and land allocations <input type="checkbox"/> Option EMP1B - Continue with current economic strategy and land allocations, but remove sites with significant deliverability risks <input type="checkbox"/> Option EMP1C (preferred option) - Retain the most deliverable sites from the current economic strategy and land allocations, consider mixed use development opportunities at other existing sites and potential for alternative sites more aligned to market needs; provide more flexibility for existing employment areas to grow and intensify <p>Tell us why you chose this option *</p> <p>If you think there's a better option, let us know:</p>	<p>✓ Option EMP1C (preferred option) - Retain the most deliverable sites from the current economic strategy and land allocations, consider mixed use development opportunities at other existing sites and potential for alternative sites more aligned to market needs; provide more flexibility for existing employment areas to grow and intensify</p> <p>The County Council supports the preferred option. It will be important to offer a diversified local economy that creates employment opportunities for residents, whether they possess advanced professional skills or a more limited skills set. This diversification will allow growth to be more sustainable and resilient to economic shocks; a varied business community can also result in innovation and collaboration.</p> <p>The COVID 19 pandemic has had a considerable impact on the way communities live and work and the long-term impacts of this pandemic are still evolving. The Local Plan will have to be flexible and resilient to adapt to the changing needs of employers as the full impacts of the COVID-19 pandemic and its impact on the local workforce become apparent – and the County Council therefore supports the City Council's intention to take a flexible approach to employment sites.</p> <p>Whilst the long-term impacts are unclear, there may be a shift in the demand for office spaces, which could potentially be replaced with demand for shared workspaces and meeting spaces for Small to Medium Enterprises (SMEs), with further demands from entrepreneurs and potentially businesses relocating out of London in particular, in response to post-COVID ways of working. Shared workspaces and accessible employment locations have the added benefit of reducing the level of commuting out of the local area. The Local Plan should be adaptable to accommodate these changing trends in work patterns, as the long-term influence of COVID-19 becomes apparent.</p>
<p>Issue EMP2 - Provide the right mix of jobs</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option EMP2A - Identify specific opportunity sites for higher value jobs creation, and set out detailed employment mixes for allocated employment sites <input type="checkbox"/> Option EMP2B - Provide full market flexibility within identified employment sites <input type="checkbox"/> Option EMP2C (preferred option) - Provide a blended approach with specific opportunity sites identified for higher paid jobs, while enabling significant flexibility on other identified employment sites <p>Tell us why you chose this option *</p> <p>If you think there's a better option, let us know:</p>	<p>✓ Option EMP2C (preferred option) - Provide a blended approach with specific opportunity sites identified for higher paid jobs, while enabling significant flexibility on other identified employment sites</p> <p>The County Council would agree that in planning for growth, there should be a blended approach to ensure the provision of the full range of employment space and services to meet residents' needs. Employment space should be well connected to help existing and new residents access local jobs and there should be a range of employment opportunities available for all skills levels. As such, the County Council supports the preferred option.</p>

<p>Issue EMP3 - Supporting the delivery of allocated employment sites</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option EMP3A - Continue with current approach to delivery <input type="checkbox"/> Option EMP3B - Require that all strategic development sites provide serviced employment land and a delivery strategy <input type="checkbox"/> Option EMP3C (preferred option) - Secure serviced employment land and a delivery strategy as part of strategic development sites and consider opportunities for enabling development and CCC support where employment allocations are not being delivered <p>Tell us why you chose this option *</p> <p>If you think there's a better option, let us know:</p>	<p>✓ Option EMP3C (preferred option) - Secure serviced employment land and a delivery strategy as part of strategic development sites and consider opportunities for enabling development and CCC support where employment allocations are not being delivered</p> <p>The County Council is supportive of ensuring that strategic development sites contain an element of employment space – to help ensure that local jobs are created for new and existing communities. Therefore, the County Council also welcomes and supports the proactive approach put forward for Canterbury City Council to consider opportunities for enabling development and providing support when employment allocations are not being delivered. The County Council would welcome engagement with the City Council to ensure that the necessary infrastructure is in place to support employment growth across Canterbury.</p>
<p>Issue EMP4: Improving the accessibility and connectivity of employment areas</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option EMP4A - Enable new employment developments to provide digital infrastructure and sustainable transport connectivity in response to market demand <input type="checkbox"/> Option EMP4B - Require all new employment developments to provide full fibre connections and be accessible by sustainable transport <input type="checkbox"/> Option EMP4C (preferred option) - Require all new employment developments to provide full fibre connections and be accessible by sustainable transport, and ensure that all strategic development sites (e.g. over 300 homes) incorporate some commercial development to reduce the need to travel <p>Tell us why you chose this option *</p> <p>If you think there's a better option, let us know:</p>	<p>✓ Option EMP4C (preferred option) - Require all new employment developments to provide full fibre connections and be accessible by sustainable transport, and ensure that all strategic development sites (e.g. over 300 homes) incorporate some commercial development to reduce the need to travel</p> <p>The County Council is supportive of the requirement for new strategic development sites to incorporate commercial development – as providing employment opportunities as part of new developments can help create balanced new communities and support existing ones.</p> <p>The County Council also supports the requirement for accessible employment spaces – with the provision of sustainable transport options and digital connectivity to support a resilient workforce. To further boost the resilience of the workforce, suitable spaces for home working should be designed into new development to allow for safe working spaces to support flexible working patterns.</p>
<p>Issue EMP5: Improving the energy performance and carbon emissions of new commercial developments</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option EMP5A: Specify that all new commercial buildings must be designed to BREEAM Excellent <input type="checkbox"/> Option EMP5B: Specify that all new commercial buildings must be designed to BREEAM Outstanding <input type="checkbox"/> Option EMP5C: Specify that all new commercial buildings or change of use to commercial must be designed to meet Level A or better on the Energy Performance Certificate using the Standard Assessment Procedure <input type="checkbox"/> Option EMP5D: (preferred option) Net zero now. Specify that all new commercial buildings or change of use to commercial must be designed to meet an A+ Energy Performance Certificate using the Standard Assessment Procedure <p>Tell us why you chose this option</p> <p>If you think there's a better option, let us know:</p>	<p>✓ Option EMP5D: (preferred option) Net zero now. Specify that all new commercial buildings or change of use to commercial must be designed to meet an A+ Energy Performance Certificate using the Standard Assessment Procedure</p> <p>Within the County Council response to the first Regulation 18 consultation, KCC supported a net-zero approach to development, drawing reference to the Kent and Medway Energy and Low Emissions Strategy, and the need for all sectors to commit to it, to achieve this. The County Council is therefore supportive of this preferred option to ensure that new commercial development and changes of use will contribute to this ambition.</p>
<p>Issue EMP6 - How should we support the development of our</p>	<p>✓ Option EMP6B (preferred option) - Align the Local Plan with the growth plans of the universities</p>

<p>universities? *</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option EMP6A - Continue with current approach to university development <input type="checkbox"/> Option EMP6B (preferred option) - Align the Local Plan with the growth plans of the universities <p>Tell us why you chose this option If you think there's a better option, let us know:</p>	<p>The County Council is fully supportive of aligning university growth ambitions with the Local Plan growth strategy. It is recognised that focusing growth in Canterbury will help to support the universities, who are significant employers. Supporting the growth of the universities by aligning the Local Plan with their growth plans is likely to enhance Canterbury's offer and provide a level of certainty in respect of delivery. This is likely to help generate skilled jobs and further stimulate the economy.</p> <p>Limited information is provided in respect of the details of the university growth ambitions and it is anticipated that this will be set out further in the next consultation, to provide the assurances around the timing, funding and viability of expansion and growth, and to ensure that it will align with the Local Plan growth requirements and timeframes.</p>
<p>Issue EMP7: How can we support the delivery of new, high quality tourist accommodation to boost overnight stays and support the local economy?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option EMP7A - Focus tourist accommodation within or on the edge of the town and city centres <input type="checkbox"/> Option EMP7B - Focus tourist accommodation within or on the edge of the town and city centres and identify specific opportunity sites for tourist accommodation outside of the city and town centres, where justified, to support economic growth e.g. for meetings and conference accommodation <input type="checkbox"/> Option EMP7C (preferred option) - Maintain support for city and town centre accommodation provision, identify specific opportunity sites elsewhere, where justified, and provide increased flexibility for tourist accommodation provision across the district, including within the rural areas, to respond to market demand <p>Tell us why you chose this option If you think there's a better option, let us know:</p>	<p>✓ Option EMP7C (preferred option) - Maintain support for city and town centre accommodation provision, identify specific opportunity sites elsewhere, where justified, and provide increased flexibility for tourist accommodation provision across the district, including within the rural areas, to respond to market demand</p> <p>The County Council is supportive of the preferred option, particularly as it emphasises the need for increased flexibility to respond to market demand.</p>
<p>Issue EMP8: Supporting growth of the rural economy</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option EMP8A - Continue the current approach to focus new rural employment development within existing employment sites <input type="checkbox"/> Option EMP8B (preferred option) - Provide increased flexibility for the provision of rural employment development within and outside of sustainable rural settlements, adjacent to existing employment sites and provide specific support to new agricultural developments <p>Tell us why you chose this option If you think there's a better option, let us know:</p>	<p>✓ Option EMP8B (preferred option) - Provide increased flexibility for the provision of rural employment development within and outside of sustainable rural settlements, adjacent to existing employment sites and provide specific support to new agricultural developments</p> <p>Rural Economy: The County Council, in its response to the Regulation 18 Consultation, promoted flexibility to allow farmers to adapt to ensure a productive and vibrant rural economy and therefore KCC offers support to this preferred option.</p> <p>It should also be noted that KCC would also add that farm machinery is getting bigger and there is a growth in contract farming (which could possibly increase further due to the Agriculture Bill). This machinery is expensive, but larger famers can get back their investment by contracting out the machinery. Very often, this machinery is not designed for the small lanes and rural roads of Kent (mainly because it is machinery designed for more open spaces). This could mean that new field accesses may be needed in the future, which could have implications for busy roads and junctions.</p> <p>The County Council would emphasise the need for digital connectivity to be supported in the rural areas to support both the rural economy, and those working from home.</p>
<p>5) Town centres and local facilities</p>	
<p>Issue TCLF1. How should we designate the hierarchy of centres in the district?</p>	<p>Whilst the County Council does not have any comments in respect of the options put forward for the hierarchy of centres, it would draw attention to the role of community facilities and services within the high street, to ensure these spaces are easily accessible for both new and existing communities.</p>

<p>Option TCLF1A - amend the existing hierarchy of centres</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option TCLF1A - amend the existing hierarchy of centres <input type="checkbox"/> Option TCLF1B (preferred option) - keep the existing hierarchy of centres <p>Tell us why you chose this option: If you think there's a better option, let us know:</p>	
<p>Issue TCLF3. How should we support and protect our local centres?</p> <p>How should we do this for Wincheap?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option TCLF3A - keep the Wincheap local centre identified in the current Local Plan <input type="checkbox"/> Option TCLF3B - (preferred option) keep the Wincheap local centre with boundary changes suggested <p>How should we do this for Tankerton Road?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option TCLF3C – change the boundary of the existing Tankerton Road local centre <input type="checkbox"/> Option TCLF3D – (preferred option) keep the Tankerton Road local centre identified in the current Local Plan <p>How should we do this for Herne Bay Road/St John's Road?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option TCLF3E – keep the Herne Bay Road/St John's Road local centre identified in the current Local Plan <input type="checkbox"/> Option TCLF3F – (preferred option) keep the Herne Bay/St John's road local centre with boundary changes suggested <p>How should we do this for Sea Street?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option TCLF3G – keep the Sea Street local centre identified in the current Local Plan <input type="checkbox"/> Option TCLF3H – (preferred option) keep the Sea Street local centre with boundary changes suggested <p>How should we do this for Canterbury Road in Herne Bay</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option TCLF3I – change the boundary of the existing Canterbury Road local centre <input type="checkbox"/> Option TCLF3J – (preferred option) keep the Canterbury Road local centre identified in the current Local Plan 	<p>Whilst the County Council considers that the identification of local centres and boundary lines is a matter for the City Council, with input from local residents and other stakeholders, to determine, the County Council would suggest that that achieving the right balance of quality, quantity and distribution of retail is vital in supporting and protecting local centres. To support local centres, the County Council supports a strategy that promotes enhanced accessibility and offers a holistic environment for retail, leisure, social and community uses. Walking, cycling and accessibility to town centres, local centres and rural facilities must be ensured, in order to encourage modal shift away from short car journeys for local needs.</p> <p>Cultural infrastructure is also an essential feature within a town or local 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>
<p>Issue TCFL4. How can we best support our village centres?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option TCLF4A - continue with the current approach to services and facilities in the rural settlements <input type="checkbox"/> Option TCLF4B - (preferred option) designate village centres to protect and improve the existing provision of services and facilities within the rural settlements <p>Tell us why you chose this option: If you think there's a better option, let us know:</p>	<p>✓ Option TCLF4B - (preferred option) designate village centres to protect and improve the existing provision of services and facilities within the rural settlements</p> <p>The County Council would draw attention to the need to ensure accessibility and connectivity both digitally and through sustainable transport options to boost the vitality of the village centres.</p>

6) Movement and transport

<p>Issue MT1. How can we maximise active travel in the district?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option MT1A - continue with the current approach to safeguard pedestrian and cycle routes <input type="checkbox"/> Option MT1B - all new developments must show how they will maximise opportunities for walking and cycling <p>Tell us why you chose this option: If you think there's a better option, let us know:</p>	<p>✓ Option MT1B - all new developments must show how they will maximise opportunities for walking and cycling</p> <p>Highways and Transportation: The County Council supports option MT1B. This option is the only option aligned with the NPPF and as such, should be taken forward. It is recommended that emerging policies should also include measures to eliminate “rat running” through residential streets to improve the safety and lifestyle of residents.</p> <p>PRoW: The County Council supports the focus on utilising existing opportunities for walking and cycling and requests the inclusion of PRoW networks to ensure investment opportunities are not missed to provide high-quality connectivity. KCC supports the encouragement of a modal shift away from the short car journeys. 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. Reference to KCC ROWIP objectives is essential and if not identified in policy, will result in an immediate challenge in implementing central government policy of Active Travel, rural connectivity, health and wellbeing, tourism and home working.</p>
<p>Issue MT2. How do we enable greater use of public transport in the district?</p> <p>How should we do this for road travel?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option MT2A - continue with the current approach to bus improvements <input type="checkbox"/> Option MT2B - all major developments must show how they will maximise access to the existing local bus network <p>Tell us why you chose this option (road travel): If you think there's a better option for road travel, let us know:</p>	<p>✓ Option MT2B - all major developments must show how they will maximise access to the existing local bus network</p> <p>Highways and Transportation: The County Council supports the option MT2B. However, whilst the option is generally supported, it should contain text that aligns and maximises opportunities that may arise from the Bus Back Better initiative. Where possible, larger developments should clearly demonstrate that use of public transport has a greater incentive for the public over that of the private vehicle for the main journey purposes. Targets for distance to bus routes and bus frequencies will also need to be specified within the option.</p>
<p>How should we do this for train travel?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option MT2C - continue with the current approach to rail improvements <input type="checkbox"/> Option MT2D - all major developments must show how they will maximise access to rail services <p>Tell us why you chose this option (train travel): If you think there's a better option for train travel, let us know:</p>	<p>✓ Option MT2D - all major developments must show how they will maximise access to rail services</p> <p>Highways and Transportation: The intentions behind option MT2D are broadly supported, however, at present, no clear targets on accessibility have been set. Local Plan policy will need to clearly identify and cost necessary infrastructure improvements and set achievable but appropriate targets. Accessibility to Canterbury West station from the north of the station should be identified as a priority.</p> <p>Should the preferred option require station or rail frequency improvements, these should be clearly identified.</p>
<p>Issue MT3. How will we enable the rapid transition to zero emissions vehicles?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option MT3A - continue with the existing approach to electric vehicle infrastructure <input type="checkbox"/> Option MT3B - accelerated transition to zero emissions vehicles <p>Tell us why you chose this option: If you think there's a better option, let us know:</p>	<p>✓ Option MT3B - accelerated transition to zero emissions vehicles</p> <p>Highways and Transportation: KCC is broadly in support of option MT3B, however would also suggest that there are opportunities available to the City Council to include enhanced monitoring of traffic related air quality. Opportunities could be taken to set a standard for monitoring air quality that is above and beyond those required by national standards. This, in turn, could help to secure any additional mitigation required, ensure measures are targeted in the right areas and provide additional transparency on their effectiveness.</p> <p>Details of any proposed Clean Air Zone would need to be provided before the County Council as local highway authority is in a position to offer its support. Any measures with regards to Clean Air Zones should not discriminate against sectors of the population.</p>
<p>Issue MT4. How should we approach parking standards in the</p>	<p>Highways and Transportation: The County Council is in the process of updating its own standards. It would therefore be preferable for a</p>

<p>Local Plan?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option MT4A - continue with the current approach to parking standards <input type="checkbox"/> Option MT4B - remove parking standards and adopt a more flexible approach specific sites <input type="checkbox"/> Option MT4C - (preferred option) amend the current parking standards to significantly reduce car parking provision in the most sustainable locations and to allow for enough provision in suburban areas <p>Tell us why you chose this option: If you think there's a better option, let us know:</p>	<p>position to be reached where the City Council can support the County Council's new standards.</p>
<p>Issue MT5. How should we approach transport assessments, transport statements and travel plans?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option MT5A - continue with the current approach to transport assessments and travel plans <input type="checkbox"/> Option MT5B - all major developments must submit transport assessments and travel plans <input type="checkbox"/> Option MT5C - all major developments must submit transport assessments and travel plans, with additional criteria to cover other types of development which could have significant impacts on the network, and all minor developments would have to submit transport statements <p>Tell us why you chose this option: If you think there's a better option, let us know:</p>	<p>✓ Option MT5C - all major developments must submit transport assessments and travel plans, with additional criteria to cover other types of development which could have significant impacts on the network, and all minor developments would have to submit transport statements</p> <p>Highways and Transportation: The County Council supports option MT5C.</p>
<p>7) Historic and natural environment</p>	
<p>Issue NE1. How can we protect and enhance our heritage assets?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option NE1A (preferred option) - continue with the current Local Plan approach <input type="checkbox"/> Option NE1B - make changes to the current Local Plan policies <p>Tell us why you chose this option (protecting assets): If you think there's a better option for protecting assets, let us know:</p>	<p>✓Option NE1B - make changes to the current Local Plan policies</p> <p>Heritage and Conservation: The County Council would prefer option NE1B, as several of the existing historic environment policies set out in the adopted Local Plan could be strengthened or refined – as suggested below (and in the County Council's response to other related heritage and conservation questions in this response).</p> <p><i>Policy HE1 Historic Environment and Heritage Assets</i> - The current text includes most of paragraph 133 from the NPPF. However, it excludes a key requirement of the NPPF, which is that (in paragraph 133) it must “be demonstrated” that the substantial harm or loss of a heritage asset is necessary. This requirement is not in the text, meaning that the judgement could be left to planning officers without a requirement for the applicant to provide supporting evidence. It is suggested the text be modified to “<i>Development will not be permitted where it is likely to cause substantial harm to the significance of heritage assets or their setting unless it can be demonstrated that it is necessary to achieve substantial public benefit that would outweigh the harm or loss.</i>”</p> <p><i>Policy HE6 Conservation Areas</i> - KCC would recommend that “make a positive contribution to” within the current policy, is amended to read “aim to preserve and enhance” the character of a conservation area.</p> <p><i>Policy HE8 Heritage Assets in Conservation Areas</i> - KCC would welcome the insertion of the text “that outweigh that harm or loss” as this will help ensure a more balanced decision-making process.</p> <p>PRoW: KCC supports the need for “access to nature and the natural environment” and that protection and enhancement of the natural</p>

	environment should include the PRoW network.
<p>Issue NE2. How can we support the adaptation of the historic environment to achieve improvements in carbon emissions and energy efficiency?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option NE2A - continue with the current approach which gives general design policies <input type="checkbox"/> Option NE2B (preferred option) - support the adaptation and retrofitting of buildings in conservation areas and historic buildings through new guidance <p>Tell us why you chose this option (energy efficiency): If you think there's a better option for improving energy efficiency, let us know:</p>	<p>✓Option NE2B (preferred option) - support the adaptation and retrofitting of buildings in conservation areas and historic buildings through new guidance</p> <p>Heritage and Conservation: KCC supports the preferred option. The historic environment has a significant role to play in the conservation of resources required for development and also in energy efficiency. Old buildings can often be more energy efficient than newer ones and of course have the benefit of having already been built. Thus, it may take fewer overall resources to adapt an old building than to demolish it and build a completely new one. Historic England has produced guidance ('Climate Change and the Historic Environment', 2008) that reviews the threats to the historic environment posed by climate change (more recent guidance can also be found in 'Climate Change Adaptation Report' (Historic England, 2016). The guidance demonstrates that historic structures, settlements and landscapes can in fact be more resilient in the face of climate change, and more energy efficient than more modern structures and settlements. This has also been updated in the Historic England report 'There's no Place Like Old Homes: re-use and Recycle to Reduce Carbon' (Historic England 2019).</p>
<p>Protection and enhancement of wildlife and biodiversity</p>	
<p>Issue NE3. How should we protect and enhance biodiversity and green and blue spaces like parks and rivers?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Option NE3A: continue with the current Local Plan approach of new developments providing and extending green infrastructure (including trees) where they can, and set a 10% biodiversity net gain requirement <input type="checkbox"/> Option NE3B - require new developments to enhance existing, or provide new, green spaces to conserve and where possible enhance blue spaces, plus a 10% biodiversity net gain <input type="checkbox"/> Option NE3C (preferred option) - require new developments to enhance existing, or provide new, green spaces to conserve and where possible enhance blue spaces, plus a 20% biodiversity net gain <p>Tell us why you chose this option: If you think there's a better option, let us know:</p>	<p>✓Option NE3C (preferred option) - require new developments to enhance existing, or provide new, green spaces to conserve and where possible enhance blue spaces, plus a 20% biodiversity net gain</p> <p>Nutrient neutrality: Achieving nutrient neutrality and supporting the recovery of Stodmarsh National Nature Reserve is essential to supporting the natural environment in Canterbury as one of the most important local habitats. Delivering nutrient neutrality will have benefits for the wider natural environment and will help to achieve net gain. KCC would encourage the City Council to develop a Local Plan that achieves nutrient neutrality.</p> <p>SUDS: The County Council notes that the preferred option NE3C recognises the possible need to enhance blue infrastructure and would like to emphasise that a sustainable drainage approach to the provision of drainage must be promoted where practicable and integrate surface water management with open space delivery.</p> <p>Heritage and Conservation: The current text discusses green infrastructure, but does not mention the role of Canterbury's heritage in developing green infrastructure. If properly designed, green infrastructure has the potential to help new development be better integrated into the existing rural and urban landscape by ensuring that it fits into the grain of what is already there. The pattern of roads, tracks and lanes in the district has been used for centuries to link Canterbury's towns, villages, hamlets and countryside. By taking advantage of these existing and historic routeways, people will be able to move through the area while retaining the historic geography of the region, but also following routes more likely to be accompanied by historic hedgerows and planting. This has the potential to unite heritage and ecology to help people access and enjoy green infrastructure features more easily and naturally.</p> <p>Using historic routeways also allows green infrastructure designers to incorporate heritage assets to provide features of interest. In turn, this will help people accessing the green infrastructure to become more aware of and value Canterbury's heritage, which will in turn assist their conservation and re-use. For example, areas such as the Stour Valley, coastal promenades and the parks and gardens of Canterbury itself could all be linked in the green infrastructure network. This would also support tourism and well-being in the district.</p> <p>To fully appreciate the district's landscape character and incorporate it into green infrastructure effectively, it is first important to understand it. The main method for investigation historic landscape character is by historic landscape characterisation. This is a method of assessing the pattern of tracks, lanes, field boundaries and other features that comprise the historic character of the modern landscape. An example of this in Kent is the Hoo Peninsula⁶.</p> <p>Green infrastructure also makes an important contribution to health. Historic England has released research that demonstrates how heritage actively supports health and well-being through contributing to a generally more attractive environment, allowing activities that encourage participation and inclusion and by encouraging outdoors activities.</p>

⁶ <https://historicengland.org.uk/research/current/discover-and-understand/rural-heritage/hoo-peninsula/>.

	<p>Biodiversity: The County Council agrees with the preferred option NE3C and is supportive of the commitment to require new developments to provide a 20% biodiversity net gain. It will be important, where possible, to secure the long-term management of sites, areas and features important for biodiversity and geodiversity. KCC would highlight that as part of biodiversity net gain, there is a need for a Local Nature Recovery Network to be produced, which is something that will need to be produced with a county-wide approach. Any green infrastructure should be linking into the Local Nature Recovery Network⁷.</p> <p>It is requested that reference is made to protected/notable species – there is a need to ensure that it is understood what species are present within a site or area to help inform green/blue infrastructure plans/ the Local Nature Recovery Network and retain connectivity. There is also a need to ensure that consideration is given to the use of open spaces, PRow and associated uses in relation to impacts on protected/notable species and habitats and any design of the creation/enhancements of these areas must take it in to account to retain the interest.</p> <p>The County Council recommends reference to Kent's Plan Bee, a pollinator action plan developed by the County Council that seeks to improve the food sources and general habitat for pollinators.</p>
<p>Issue NE4. How should we make sure that the local landscape designations (areas of high landscape value) continue to protect our valued landscapes?</p>	<p>Heritage and Conservation: It is important that local landscape designations incorporate an assessment of the historic aspect of the landscape in their designation decision-making. The landscape that is visible today is the result of many centuries of evolution and the pattern of roads, tracks, field boundaries and hedgerows that gives the modern landscape its character is firmly rooted in the past. The Kent Historic Landscape Characterisation (HLC) Survey (2001) is an important resource for understanding the landscape of Kent and its development through time. It must be emphasized, however, that the HLC is a strategic, not local, assessment. It allows us to look at the landscape of Kent and draw conclusions about the development of the landscape in different parts of the county and the county as a whole. It is not detailed enough to use at a large scale. What is needed is a more detailed assessment of the landscape of Canterbury (as, for example, has already been carried out for Tunbridge Wells Borough and the Hoo Peninsula). KCC would be happy to discuss this further with the City Council.</p>
<p>Issue NE6. How should we manage outdoor lighting to support tranquility?</p> <p><input type="checkbox"/> Option NE6A - continue with the current Local Plan approach of using a design criteria when assessing outdoor lighting proposals</p> <p><input type="checkbox"/> Option NE6B (preferred option) - include clear requirements for development proposals to conserve or enhance the tranquility provided by dark skies</p> <p>Tell us why you chose this option (outdoor lighting): If you think there's a better option for outdoor lighting, let us know:</p>	<p>✓Option NE6B (preferred option) - include clear requirements for development proposals to conserve or enhance the tranquility provided by dark skies</p> <p>KCC would advise that the Local Plan considers the impacts of lighting across the district on both species/habitats and people, as artificial lighting can have a negative impact. The County Council therefore supports option NE6B as a preferred option.</p>
<p>Issue NE7. How should we protect existing open space in the Local Plan?</p> <p><input type="checkbox"/> Option NE7A - continue with the existing approach</p> <p><input type="checkbox"/> Option NE7B (preferred option) - identify and protect open spaces in the Local Plan, providing clear criteria to be met if open space is proposed to be lost</p> <p>Tell us why you chose this option (protecting open space): If you think there's a better option for protecting open space, let us know:</p>	<p>✓Option NE7B (preferred option) - identify and protect open spaces in the Local Plan, providing clear criteria to be met if open space is proposed to be lost</p> <p>The County Council would recommend that all allocated sites are selected with consideration and attention given to the need for preserving open spaces, benefitting both the environment and providing health and recreation benefits for communities.</p> <p>Heritage and Conservation: The district has an outstanding collection of parks, gardens and green spaces, within Canterbury itself and across the district. It is important to assess the historic context of these in order to understand the role that they play in the landscape and could play in green infrastructure networks. KCC has for the past few years worked closely with volunteers from the Kent Gardens Trust to review sites in the Kent Gardens Compendium and elsewhere and bring the reports up to a standard appropriate for use for planning purposes and potentially for inclusion in a Local List. It is strongly recommended that Canterbury City Council considers implementing a similar project.</p>
<p>Issue NE8. How can we support accessible outdoor sports and recreation across the district?</p> <p><input type="checkbox"/> Option NE8A - keep the current approach</p>	<p>✓Option NE8B (preferred option) - consider prioritising sport facilities where there is an identified lack of them</p> <p>Sports and Recreation: KCC welcomes the development of the Playing Pitch Strategy and the role it is having in this emerging Local Plan.</p>

⁷ <https://www.gov.uk/government/publications/nature-recovery-network/nature-recovery-network>

<p><input type="checkbox"/> Option NE8B (preferred option) - consider prioritising sport facilities where there is an identified lack of them</p> <p>Tell us why you chose this option (accessible sports): If you think there's a better option for supporting accessible outdoor sports, let us know:</p>	<p>The County Council would welcome further engagement as the Local Plan progresses to assess how KCC can further support the City Council to increase sport and physical activity provision and participation in the district.</p>
<p>Issue NE9. How should we make sure our approach to local green spaces is still effective?</p> <p><input type="checkbox"/> Option NE9A - consider removing the existing local green space</p> <p><input type="checkbox"/> Option NE9B (preferred option) - keep the local green spaces identified in the current Local Plan</p> <p>Tell us why you chose this option (local green spaces): If you think there's a better option for approaching local green spaces, let us know:</p>	<p>✓Option NE9B (preferred option) - keep the local green spaces identified in the current Local Plan</p> <p>The County Council supports the preferred option to keep local green spaces that are already identified in the adopted Local Plan. It will be critical to ensure that allocated sites across the district are also designed with an adequate supply of open space. Studies show the significant contribution that green spaces can provide in respect of health and well-being benefits for the public, but such spaces face increasing pressure from new development and population growth. Master-planning will need to ensure that necessary steps are put in place to protect, and provide sustainable access to, existing green spaces, and to also to ensure that new green spaces are an integral part of new development.</p>
<p>Issue NE11. How can we maximise the benefits of sustainable drainage systems (SuDS)?</p> <p><input type="checkbox"/> Option NE11A - keep the current approach to require enough drainage and encourage major developments to design SuDS that include other benefits</p> <p><input type="checkbox"/> Option NE11B (preferred option) - encourage all developments to contain SuDS, and also keep the requirement to have enough drainage. Encourage SuDS to be designed to include other benefits and provide information and guidance on the design of them</p> <p>Tell us why you chose this option (SuDS): If you think there's a better option for SuDS, let us know:</p>	<p>✓Option NE11B (preferred option) - encourage all developments to contain SuDS, and also keep the requirement to have enough drainage. Encourage SuDS to be designed to include other benefits and provide information and guidance on the design of them</p> <p>SUDS: With respect to Option NE11B (the preferred option), KCC would emphasize that the NPPF requires sustainable drainage systems to be provided that are multi-functional. The recent review of the Non-Statutory Technical Standards by Defra has expanded the requirements of review of drainage systems to include water quality, amenity and biodiversity. Defra is yet to provide any specific directive in relation to the outcome of the review, but it is a strong indicator that the multi-functionality of sustainable drainage systems will be sought to be delivered.</p>
<p>Sustainability Appraisal</p>	
<p>Key Objectives & Policies – Transport</p>	<p>PRoW: It is requested that specific mention is made of the PRoW network improvements and investment – references to “walking and cycling” should include the PRoW network and therefore equestrians as well.</p> <p>Paragraph 3.12.24 – the County Council welcomes the inclusion of KCC PRoW ROWIP and requests inclusion that all development must ensure they take the ROWIP into account in order to incorporate PRoW positively and ensure Active Travel connectivity across the whole district.</p> <p>The “Key sustainability Issues” are supported.</p>
<p>4 – Sustainability Appraisal Approach</p>	<p>PRoW: Paragraph 5-5.2 – “support improvements to existing non-designated landscapes” – should include reference to the PRoW network, as historical routes form part of the landscape of the district.</p> <p>Paragraph 13-13.4 - “investment to improve transport infrastructure” should include Active Travel and PRoW links.</p> <p>Paragraph 14 – this is supported and KCC requests that the PRoW network should be included as part of the aim to protect the landscape, visual impact, air quality, which is a significant part of user enjoyment with significant health benefits and the wider natural environment. 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>

5 – Draft District Vision	<p>PRoW: Paragraph 5.3.2-3 KCC supports the aim to switch to Active Travel and the significant increase in opportunities for walking, cycling sustainable transport.</p> <p>Paragraph 5.4.1 – Preferred Option 2, in stating “additional investment in local transport network” it should include specific mention of Active Travel / PRoW network.</p> <p>Paragraph 5.5 Non-Strategic Options – KCC supports HNC16C and refers to it’s comments above in respect of this issue.</p> <p><i>Movement and Transportation</i></p> <p>Issue MT1 – KCC supports the option MT1B and suggests amending the text to include “investment in existing walking and cycling networks” as well as aim to provide for new.</p> <p>Issue MT2 – KCC supports MT2B preferred option – access to bus network must be accessible to all and on foot and cycle.</p> <p>Issue MT5 – KCC supports MT5C. A transport assessment and travel plans provided by all developments should include Active Travel opportunities and advice working with KCC PRoW and Access Service for current and correct information.</p> <p>Mitigation</p> <p>13 – “promote and encourage sustainable transport” should include text to incorporate existing networks.</p> <p>14 – KCC requests inclusion of reference to KCC Countryside Access Team working in partnership.</p>
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FAO the Manston Airport Case Team

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9 July 2021

BY EMAIL ONLY

Dear Sir/Madam,

Re: Re-determination of the Application by RiverOak Strategic Partners Limited (“the Applicant”) for an Order granting Development Consent for the reopening and development of Manston Airport in Kent

Thank you for the opportunity to submit further representations for the purposes of the re-determination of this application, in accordance with rule 20(2) of the Infrastructure Planning (Examination Procedure) Rules 2010.

The County Council has previously provided full comments in response to the deadlines associated with the Development Consent Order (DCO) formal consultation process and would refer to these submissions, which remain relevant to the consideration of this DCO. In respect of the matters for further consideration set out in the letter dated 11 June 2021, the County Council makes the following comments.

Highways and Transportation: Thanet District Council’s Local Plan was adopted on the 9 July. Within the Local Plan Policy SP47 “Strategic Routes”, there is specific reference to the need for development at Manston Airport to provide proportionate contributions to highway improvements and on-site highway provision (policy extract and link in appendix 1, below). This is consistent with the views that the County Council presented throughout the Examination, but by way of an update, is now adopted policy, rather than an emerging policy.

In addition, Thanet Parkway Railway Station was in the planning stages during the Examination of the Manston Airport Development Consent Order. It now has planning permission (TH/19/1696) and works have commenced on-site. It is not considered that this development materially changes the County Council's views put forward in the various stages of the Examination of the Manston Airport Development Consent Order, though it is worth noting that there will be a positive change in terms of accessibility of public transport, providing more options for sustainable travel planning and public transport strategy.

Sustainable Business and Communities: Published in September 2020, the Kent and Medway Energy and Low Emissions Strategy sets out how KCC, in partnership with Medway Council and District/Borough Councils in Kent, will respond to the UK climate emergency and drive clean, resilient economic recovery across the county. It sets a target to reduce greenhouse gas emissions in the county to net-zero by 2050, eliminate poor air quality and fuel poverty and deliver a clean, affordable and secure energy supply. In re-determining the application, the Secretary of State should have regard to the County Council's target (which is also a joint target for Kent and Medway, as set out in the Kent and Medway Energy and Low Emissions Strategy) to lower the area's emissions to Net Zero by 2050.

Heritage and Conservation: There are major excavations happening in relatively close proximity to the application site, which have altered the study area evidence base and provided additional knowledge in terms of the archaeology in the wider landscape. However, this is not considered to have a particular bearing on the consideration of the site as it is already known that the potential is high.

SuDS: The County Council has no new specific matters to raise in relation to surface water drainage since 9 July 2019, although its Drainage and Planning Policy was published in December 2019¹. Any future design of surface water drainage should have regard to this policy and will need to be addressed through detailed design.

Minerals and Waste: For information, the adopted Kent Minerals and Waste Local Plan 2013-30 was partially reviewed in 2020. However, there are no safeguarded land-won minerals or safeguarded mineral and/or waste management infrastructure at or within the Manston Airport site. Therefore, the policy provision of this part of the adopted Development Plan is not relevant to this proposal.


Biodiversity: The County Council notes the proposal to legislate to introduce biodiversity net gain for new nationally significant infrastructure projects in England through an amendment to the Environment Bill, which should be taken into account in the redetermination of the application.

¹ <https://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/flooding-and-drainage-policies/drainage-and-planning-policy-statement>

The County Council requests that the Examining Authority has due consideration of KCC's submissions throughout this Examination process when assessing the proposal. The County Council will continue to work with the applicant and Examining Authority as required on any matters that may arise to assist in the Secretary of State's re-determination of this application.

Should you require any additional information or clarification, 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 of Growth and Communities

Appendix 1: Thanet Local Plan extract: Policy SP47 – Strategic Routes

Link: <https://www.thanet.gov.uk/wp-content/uploads/2018/03/Thanet-Local-Plan-July-2020-1-1.pdf>

Policy SP47 - Strategic Routes

The following areas, as shown on the Policies Map, are safeguarded for the provision of key road schemes and junction improvements, to support the implementation of the Thanet Transport Strategy, including land at: 1) Birchington strategic housing site 2) B2050 Manston Road, Birchington 3) Shottendane Road (from Birchington to Margate) 4) Shottendane Road-Manston Road - Hartsdown Road housing site 5) Nash Road-Manston Road housing site 6) Nash Road, Margate 7) Nash Road-Westwood strategic housing site 8) Manston Court Road/Star Lane (from Haine Road, Westwood to B2050 Manston Road) 9) From Columbus Way to Manston Road, Birchington The following strategic routes are sufficient in their existing form to provide for the growth envisaged in the Plan)(subject to the Local Plan review process set out in Policy SP03).

However, if further development is permitted, including further development at Manston Airport, which has a material impact on the capacity or operation of these routes, the Council will require alternative on-site highway provision where appropriate and/or proportionate contributions towards any improvements or changes to the existing routes which is thereby necessitated:

- 1) B2050 Manston Road (from Manston Court Road to Spitfire Junction
- 2) B2190 Spitfire Way (from Spitfire Junction to Columbus Avenue junction).

Junction/traffic management improvements are required at the following junctions to ensure the fully effective functioning of the Inner Circuit. Development that compromises the ability to deliver such improvements will not be permitted:

- 1) Victoria Traffic Lights
- 2) Coffin House Corner Traffic Lights

The Council expects all new development to make a proportionate contribution to the provision of this key infrastructure. In the event that there is any delay in site acquisition or assembly in relation to any of the schemes identified in Policy SP47, the Council will, in conjunction with the County Council, make interim highway arrangements to enable allocated development schemes to proceed.



Growth and Communities

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Kent, TN1 1RS

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County Hall
Maidstone
Kent
ME14 1XX

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

BY EMAIL ONLY

13 July 2021

Dear Kevin,

Re: EIA Scoping Opinion for a proposed development at Land South and South East Mascalls Court Road, Paddock Wood, Tonbridge, Kent [application reference: 21/02129/EIASCO]

Thank you for consulting Kent County Council (KCC) on the request for a Scoping Opinion for the proposed development of approximately 1,200 dwellings and related 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 (PRoW): The County Council, in respect of its statutory duty to protect and improve PRoW in the County, 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.

Public Footpaths WT255, WT256, WT257, and WT270 are located within the site and would be directly affected by the proposed development. The extract of the Network Map (Appendix A) illustrates Public Bridleways WT315 and WT318 and Public Footpaths WT262, WT263, WWT269 and WT271. -These are adjacent to, or in close proximity to the site and must also be addressed as part of the wider network as they provide links across the area.

Visual

Paragraphs 8.9 – 8.11

PRoW: KCC welcomes the inclusion of the PRoW routes as one of the main receptors for consideration; visual amenity is a significant element for all PRoW users and any impact must be mitigated. Reference to the wider network is also welcomed.

Chapter 9 Biodiversity and Nature Conservation

Biodiversity: The County Council considers that a good range of surveys are proposed; however, it is noted that a breeding bird survey will not be carried out. The hedgerows and arable fields at the site provide opportunities for breeding birds, and due to the bird interest demonstrated by the wintering bird survey, KCC would recommend that a breeding bird survey is carried out.

It should also be noted that any Biodiversity Net Gain assessment must use Version 3 of the metric as released in July 2021.

Chapter 10 Water Quality, Hydrology and Flood Risk

Water Quality

Sustainable Urban Drainage Systems (SuDS): There is currently a review of the Non-Statutory Technical Standards for Surface Water Drainage, which KCC, as Lead Local Flood Authority (LLFA), uses to assess drainage strategies for new major developments. It has been proposed the surface water standards will include revisions that are likely to include more requirements in relation to multi-functionality of the drainage systems, specifically in relation to biodiversity net gain and amenity areas. It is preferable that above ground features are used against any below ground storage options in an effort to provide multifunctionality, reflecting the Environment Bill (October 2019). The Bill requires a 'biodiversity net gain', whereby new developments should enhance biodiversity and not only mitigate against development. It should therefore be demonstrated that above ground SuDS features have been thoroughly considered within the planning submission.

Flood Risk

SuDS: Proposals for drainage accommodation within the design are provided within the Scoping Report. The County Council would strongly recommend the Flood Risk Assessment considers surface water at the early stages of the design. The Assessment will need to include consideration of existing overland flow paths and ponds and how they will be maintained and managed within the proposed drainage strategy, along with enhancing the natural environment, such as blue-green infrastructure and provision of multi-functional benefits.

It has been highlighted that due to the geology of the area being a clay bedrock formation, it is not considered feasible to undertake an infiltration approach. Therefore, the proposals include discharge to the East Rhoden Stream and other watercourses within the vicinity of the site at Qbar (5.7 l/s/ha). This high level drainage strategy would be acceptable, provided all up and downstream catchments are considered, where required, to ensure that there will be minimal impact to the watercourse network. All discharge points will also require Internal Drainage Board liaison and consent.

KCC recommends that ground investigations are undertaken within each phase of the development as there could be the opportunity for bespoke SuDS options dependant of local infiltration rates - with the inclusion of SuDS features throughout the development to form part of the surface water strategy.

It is recommended that all natural channels are retained and integrated into the open space allocations. KCC would support re-profiling of ordinary water courses where this occurs. This should also be considered with other environmental matters.

Chapter 11 Soils, Geology and Contamination

Minerals and Waste: The proposed development site is in conflict with a strip of economic mineral deposit, Sub Alluvial River Terrace Deposits. These deposits are marginal in economic viability, being shallow and laterally not extensive. Therefore, the County Council as Minerals and Waste Planning Authority, requests that any planning application is accompanied by a Minerals Assessment to demonstrate that the proposal would not be in conflict with policies CSM 5 and DM 7 of the Kent Minerals and Waste Local Plan.

Chapter 12 Archaeology and Heritage

Heritage Conservation: The proposed development is broadly within a rural, countryside location, although is notably within close proximity to Paddock Wood town. It is noted that the extent of formal archaeological investigation has been limited. This site does have potential for remains of Prehistoric and later date. The geology, topography and landscape generally suggests an area favourable for prehistoric and later activity. There is limited evidence for Roman activity but there are indications of Medieval activity with Moat Plat's (possible former site of Coptgrove Manor).

There are indications of later Medieval and Post Medieval farming and horticulture as well as industrial activity. Some of the historic farms include designated heritage assets, such as Mascells Court Farm but there are historic farm buildings in the area which are not designated but are of archaeological interest.

There may be modern farming and military and social history sites close to and within the development site. Some of these sites are identifiable on aerial photos and early OS maps

but the precise location of certain military sites, such as crashed plane sites, are not always known. The County Council considers that there is potential for this proposed development to have an impact on significant but as yet unknown archaeology. Robust and comprehensive assessment is essential to ensure planning decisions are appropriately informed.

With regard to submitted data from the applicants, KCC welcomes the proposal to scope in archaeology and heritage. However, only an Archaeological Desk Based Assessment (DBA) and a Built Heritage Assessment are proposed which is not considered to be sufficient. For a large scale scheme such as this one, in this location, it is essential that a specialist Archaeological Landscape Assessment is undertaken as well. Landscape Visual Impact Assessments (LVIAs) cover historic landscapes and focus on the natural environment. These do not address Archaeological Landscape requirements which include consideration of ancient field systems, earthworks, historic lanes, industrial, ritual, Medieval and earlier landscape features, land use etc., some of which may actually be obscured by natural vegetation (e.g. scrub on a linear bank, water in a quarry). Any archaeological landscape assessment must include a detailed site walkover and noted observations of earthworks and “ancient” vegetation.

Therefore, KCC recommends that the assessment of the historic environment should include an Archaeological DBA, Historic Built Environment Report and an Archaeological Landscape Assessment. All should be undertaken by appropriate, relevant specialists.

The summary of heritage issues in the Scoping Report seems to focus on the Post Medieval period and earlier. It is essential that the archaeological assessment includes consideration of archaeology of Prehistoric, Roman, Early Medieval and Medieval periods as well as the later archaeology. For example, there is mention of Mascell’s Court, which includes a designated building, but this site is of Post Medieval interest, whereas the possible site of Coptgrove Manor may be of Medieval date and as such associated remains may have greater archaeological significance. There may well be prehistoric remains which are of significance and could be widespread but are as yet unknown. KCC therefore recommends that there is a need to consider preliminary fieldwork.

KCC recommends that fieldwork supporting the assessments is essential. There needs to be walkover site visits, but KCC also would recommend the need for a geophysical survey across the entire site and consideration of targeted trial trenching. This would ensure that the character and significance of archaeological remains identified is fully understood at an early stage, prior to the detailed masterplan being finalised. The County Council does not therefore agree with the Scoping Report statement in paragraph 12.8, which states that there are no archaeological constraints to this development. At present there is insufficient information to state this and there is potential for as yet unknown significant Prehistoric or later remains which could be of a significance and be a constraint on some area (s) of the development.

It is noted that a masterplan has been provided, but it is strongly recommended that flexibility is needed to accommodate preservation in situ for significant archaeology, in accordance with National Planning Policy Framework (NPPF) guidance.

KCC would also encourage consideration of the initial paragraphs of Section 16 of the NPPF which encourage the use of heritage. KCC encourages the integration of archaeological remains within a development. This can often have positive contribution to the new environment and to the wellbeing of the community. The County Council would therefore encourage consideration of a statement on Heritage Enhancement Measures.

Overall, although KCC welcomes Archaeology and Heritage being included within the scope, the historic environment assessment must include all periods including Prehistoric, Roman, Early Medieval and Medieval as well as Post Medieval. The archaeological assessment must include an Archaeological Landscape Assessment and walkover site visits and fieldwork in the form of geophysical surveying and consideration of targeted trial trenching. The County Council does not support the Scoping Report statement in paragraph 12.8 because there is insufficient information on archaeology at this stage. The County Council would welcome further engagement with the applicant regarding guidance on DBAs and the range and scope of the archaeological assessment.

Chapter 15 Transport and Access

Highways and Transportation: The Scoping Report identifies a range of potential impacts on the local transport networks owing 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. In addition to the topics proposed in the EIA Scoping Report, the TA should include the following:

- Consideration of the proposed junction improvements at Colts Hill roundabout and at the signalised junction of Badsell Road/Maidstone Road/Mascalls Court Road (developer funded schemes to be implemented by KCC); and
- How optimum permeability by sustainable modes will be achieved between existing residential areas/key-destinations, as well as development being constructed to the west of the proposed sites, and to and from other potential development sites outlined in the Pre-Submission Local Plan.

Given the size and nature of the proposal, KCC considers that use of the Strategic Transport Model, which has been prepared by SWECO for Tunbridge Wells Borough Council, will be critical in demonstrating the highway and environmental impacts on both the strategic and local highway network. KCC would welcome the opportunity to discuss the scope and content of the TA at the earliest opportunity.

In conclusion, the proposed EIA scoping assessment methodology outlines a suitable approach for testing the environmental impacts of the proposed development from a transport perspective.

Paragraph 15.1

PRoW: The County Council requests the inclusion of Active Travel within the key issues for assessment.

Paragraph 15.3

PRoW: The Transport Assessment and Travel Plan must include Active Travel schemes and the PRoW network in order to identify opportunities to improve and incorporate routes.

Paragraph 15.10

PRoW: Reference should also be made to the KCC Rights of Way Improvement Plan alongside the Kent Design Guide.

Paragraph 15.20

PRoW: With regards to the potential environmental impacts, KCC requests specific mention of PRoW network.

Paragraphs 15.21 – 15.24

PRoW: Any Traffic Management Scheme should include the PRoW network and the impact on pedestrian, cycle, and equestrian use. All PRoW must remain open, safe, and attractive to all users.

Paragraph 15.27

PRoW: KCC welcomes the need to address the effect on the PROW network and that the opportunities that the network can provide through positive incorporation and early planning are not missed.

Paragraph 15.46

PRoW: KCC supports the aims regarding PRoW onsite and also would encourage the applicant to explore opportunities are sought for wider network connectivity to local facilities and transport hubs.

Chapter 13 Socio-economics

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. A request summary is provided below, with full details provided within Appendix B (Request Letter). The County Council would welcome engagement with the Borough Council to secure the necessary infrastructure to support sustainable growth.

Request Summary¹

	Per 'Applicable'² House	Per 'Applicable' Flat	Project
Nursery	26 place nursery to be provided as part of a 2 form entry primary school		
Primary Education New Build	£6,800.00	£1,700.00	New on-site 2FE primary school
Primary Land	1 No. 2 FE primary school level site of 2.05ha at 'nil' cost to the County Council (transferred as per KCC's General Site Transfer Requirements (Appendix C))		
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 specialist resource provision
Secondary Education (Expansion)	£4,540.00	£1,135.00	Towards the 2FE expansion of the Mascalls Academy School OR
Secondary Education New	£5,176.00	£1,294.00	Towards a new 6FE secondary school within the Tonbridge & Tunbridge Wells non-selective and West Kent selective planning groups
Secondary Land	£4,392.89	£1,098.22	Towards the cost of secondary school land purchase if the developer is not transferring land at nil cost to KCC

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.
- 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 school.

² 'Applicable' excludes 1 bed units of less than 56 sqm GIA, and sheltered accommodation.

	Per Dwelling (x1,200)	Total	On Site Community Buildings	Project
Community Learning	£16.42	£19,704.00	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	£78,600.00	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	£66,540.00	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	£176,256.00	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 compliant with the Equality Act, 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_.aspx			
Waste	£183.67	£220,404.00	Towards new Waste Transfer Station and new and improved Household Waste and Recycling Centre to serve Tunbridge Wells residents	
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>			

Public Health: The County Council recommends that health care and the effects of the proposed project on population and human health should be considered alongside socio-economics matters in relation to the need of facilities/services.

The proposed development is within the Borough of Tunbridge Wells where, generally, residents live in good health in comparison to the rest of England. However, there are significant pockets of deprivation in some wards in which residents suffer from poor health in comparison to the rest of the Borough (and in some instances, England). The site is in the ward of Paddock Wood East, which performs significantly worse on a number of health indicators than the rest of the Borough. When considering population and human health, it is therefore important to understand the health profile of the existing community and whether the impact of the proposed development will be significant on this community, as well as the residents living in the proposed new development.

Population and human health should be considered in a broader sense to ensure any proposed development supports priorities within the Tunbridge Wells Borough Council Five Year Plan (2017-2022) of 'supporting a well borough' and 'improving social and health inequalities'. This is also supported by the National Planning Policy Framework in particular section 8 – promoting healthy and safe communities, as well as by objectives within the Kent Health and Wellbeing Strategy. To support the robustness of identifying or excluding population and human health issues at this stage, a greater use of the evidence base is recommended; using data from the [Kent Joint Strategic Needs Assessment](#) (JSNA) and other sources of public health data from the [Public Health Outcomes Framework](#) (PHOF), including ward level data.

Chapter 16 Environmental topics scoped out of the EIA

16.1 Waste

Waste Management: Whilst it is recognised that this housing development forms part of the proposed allocations in Tunbridge Wells emerging Local Plan, the assumption that there is sufficient waste capacity to accept waste arising from the development is not correct. KCC, as Waste Disposal Authority, has been working with the Borough Council and as part of the Local Plan consultation process, raised concern over the pressure the proposed additional homes in the Paddock Wood area will place upon overstretched waste infrastructure. KCC has identified the need for additional waste transfer station (WTS) and household waste recycling centre (HWRC) capacity to be able to meet the projected demand from new housing developments such as this. This has been accepted by the Borough Council and a project has been included in its most recent Infrastructure Delivery Plan; and an exercise to locate a suitable site is currently ongoing

Appendix A Potential Viewpoints and Receptors

PRoW: 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.

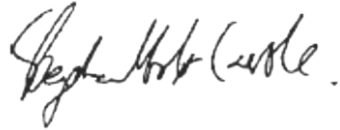
The County Council is likely to request developer contributions to mitigate the loss of amenity, increased use and subsequent surface improvements that will be required in the wider network as the area is developed. The applicant should also have consideration of the following:

- 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.
- Connections with planned cycle pedestrian routes and existing PRoW network schemes through the adjacent developments at Church Farm and Mascalls Court Farm are essential.
- 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 railway for non-motorised PRoW users, to address safety concerns and improve network connectivity.
- In consideration of Kent Design standards and policy, 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.

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 'Stephanie Holt-Castle'.

Stephanie Holt-Castle

Director for Growth and Communities

Encs:

Appendix A: Extract of the Network Map

Appendix B: Request letter - Provision and Delivery of County Council Community Services:

Appendix C: General Land Transfer Terms

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Tunbridge Wells Borough Council

FAO: Kevin Hope

Economic Development

Invicta House
County Hall
Maidstone
ME14 1XX

Phone: 03000 414176
Ask for: Richard Kidd
Email: richard.kidd@kent.gov.uk

Thursday 8th July 2021

Your Ref: TW/21/02129/EIASCO
Our Ref: K/E/TW/21/02129/EIASCO
RK

Dear Kevin,

Provision and Delivery of County Council Community Services:

We refer to the above EIA Scoping Opinion planning application which concerns proposed residential development at **Land South and South East of Mascalls Court Road, Paddock Wood** and comprising up to **1,200 new dwellings (and including a care home, new primary school, and nursery)**.

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 planning application and give rise to the following specific requirements (the evidence supporting these requirements is set out in the attached Appendices).

Request Summary

	Per 'Applicable' House	Per 'Applicable' Flat	Project
Nursery	26 place nursery to be provided as part of a 2 Form Entry Primary School		
Primary Education New Build	£6,800.00	£1,700.00	New on-site 2FE Primary School
Primary Land	1 No. 2 FE Primary School level site of 2.05ha 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 (Expansion)	£4,540.00	£1,135.00	Towards the 2FE expansion of the Mascalls Academy School OR
Secondary Education New	£5,176.00	£1,294.00	Towards a new 6 FE secondary school within the Tonbridge & Tunbridge Wells non-selective and West Kent selective planning groups
Secondary Land	£4,392.89	£1,098.22	Towards the cost of secondary school land purchase if the developer is not transferring land at nil cost to KCC

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

	Per Dwelling (x1,200)	Total	On Site Community Buildings	Project
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Libraries	£55.45	£66,540.00	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	£176,256.00	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 compliant with the Equality Act 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.aspx			
Waste	£183.67	£220,404.00	Towards new WTS and new and improved HWRCs to serve Tunbridge Wells residents	
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>			
Highways	Kent Highway Services will respond separately			

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 school.

Justification for infrastructure provision/development contributions requested

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 in the Appendices attached.

Primary School Provision

The proposal gives rise to a minimum of 314 new primary school pupils during occupation of the development. This need can only be met through the provision of a **new on-site 2 Form Entry 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 1 No. 2 FE Primary School Freehold site of 2.05 ha on a level site at 'nil' cost to the County Council (transferred as per KCC's General Site Transfer Requirements - attached). Paddock Wood lies within an area of flood risk and we note that the land identified for the primary school is either in or abounds an area in Flood Zone 2, which is not acceptable.

The school site 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' flat**.

Please note this process will be kept under review and may be subject to change (including possible locational change) as the Local Education Authority has to ensure provision of sufficient pupil spaces at an appropriate time and location to meet its statutory obligation under the Education Act 1996 and as the Strategic Commissioner of Education provision in the County under the Education Act 2011

KCC will commission additional pupil places required to mitigate the forecast impact of new residential development on local education infrastructure generally in accordance with its Commissioning Plan for Education Provision 2021-25 and Children, Young People and Education Vision and Priorities for Improvement 2018-2021.

Timing of the school site:

The new School will be required to be transferred in a timely manner, in accordance with need, including provision of 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.

Assessment of secondary need in the education planning groups indicates significant need. This proposal is projected to give rise to 240 additional secondary school pupils from the date of 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, the 2FE expansion of the existing Mascalls Academy School for the additional school places will be required to ensure the development is sustainable. Alternatively, contributions towards a new 6 FE secondary school within the Tonbridge & Tunbridge Wells non-selective and West Kent selective planning groups would be required.

Proportionate construction costs for each pupil generated by the development are required towards the construction of an expanded or new school, and contributions towards the purchase of land for a school expansion or a new school, unless the developers transfer the land to KCC at nil cost.

The Secondary pupils generated from the development will require financial contributions towards the expansion of the Mascalls Academy School at **£4,540.00** for each applicable house and **£1,135.00** for each applicable flat **OR** construction of a new Secondary School at **£25,880.00 per pupil place (£5,176.00** for each 'applicable' house and **£1,294.00** per 'applicable' flat) 'Applicable' means: all dwellings, except 1 bed units of less than 56 sqm GIA and any sheltered accommodation.

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

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

.....

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. 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 Paddock Wood at 793 items per 1,000 population is well below the County average of 1,134 and both the England and total UK figures of 1,399 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 (SC) (older people, and also adults with Learning or Physical Disabilities) services, however all available care capacity is fully allocated already, and there is no spare capacity to meet additional demand arising from this and other new developments which SC are under a statutory obligation to meet. In addition, the Social Care budgets are fully allocated, therefore no spare funding is available to address additional capital costs for social care clients generated from new developments.

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

a proportionate monetary contribution of **£146.88 per household** towards 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.

- The **Ministry of Housing, Communities and Local Government** identified in June 2019 guidance ***Housing for older and disabled people*** the need to provide housing for older & disabled people is critical. **Accessible and adaptable housing** enables people to live more

independently and safely. Accessible and adaptable housing provides safe and convenient homes with suitable circulation space and suitable bathroom and kitchens. Kent Social Care request these dwellings are built to **Building Reg Part M4(2) standard** to ensure they remain accessible throughout the lifetime of the occupants to meet any changes in the occupant's requirements.

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

A proportionate contribution of **£183.67 per household** is required towards a new WTS and new and improved HWRCs to serve Tunbridge Wells residents to mitigate the impact from new housing growth emanating from this development.

.....

Broadband: Fibre to the premise/gigabit capable

The NPPF (para 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.

Please include a Planning Condition 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 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.

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

may be necessary to assist your decision making process in advance of the Committee report being prepared and the application being determined.

We look forward to hearing from you with details of progress on this matter.

Yours sincerely,

Richard Kidd

Richard Kidd
Development Contributions
Kent County Council

Cc: Redrow Homes South East And Persimmon Homes South East, c/o Judith Ashton Associates, The Studio Maytham Farmhouse Maytham Road Rolvenden Layne Cranbrook Kent, TN17 4QA – FAO Judith Ashton

KCC, Education & Communities, Invicta House
File

Appendices:

The following Appendices contain the technical details of the County Council's assessment process.

C. General Site Transfer Terms

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 aid 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 choose 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).

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.

July 2020



Growth and Communities

The Town Clerk,
The Town Hall,
24 High Street,
Tenterden,
TN30 6AN.

Invicta House
County Hall
MAIDSTONE
Kent ME14 1XX

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

BY EMAIL ONLY

23 August 2021

Dear Sir / Madam

Re: Tenterden Neighbourhood Plan 2013–2030 Pre-Submission Draft (Regulation 14)

Thank you for consulting Kent County Council (KCC) on the Tenterden Neighbourhood Plan 2013–2030: Pre-Submission Draft in accordance with the Neighbourhood Planning (General) Regulations 2012. The County Council has reviewed the Neighbourhood Plan and sets out its comments below, following the order of consultation document.

Section 2: Tenterden Today

Heritage Conservation: The County Council recommends that this section includes a short review of Tenterden's historic development, including both the town and the rural areas. Much of what follows in the existing text is predicated on an understanding of Tenterden's historic character and landscape, including several policies, and yet no information is presented on this until the heritage section on page 36. A summary presented earlier in the document would enable readers to better understand policies on various topics such as landscape character, green spaces, design and development, all of which are discussed before the heritage section.

Section 5 Neighbourhood Plan Policies

Environment

Sustainable Urban Drainage Systems (SuDS): The Neighbourhood Plan does not take into account the water environment. Tenterden does not have a significant extent of flood risk, however, areas of flood risk are associated with the Newmill Channel and Reading Sewer on the boundaries of the parish. The parish itself is traversed by some significant overland flow routes. Much of the parish area appears to have an underlying geology (Weald Clay) which is drains poorly. It is therefore very important that drainage provision within any new

development is appropriately considered in areas of potential flood risk and that potential impacts of new development are appropriately mitigated.

The County Council, as Lead Local Flood Authority, would recommend that the Neighbourhood Plan considers the importance of management of surface water within the parish and how it is taken account of within new development. It would be beneficial if the Neighbourhood Plan included a policy on surface water, to consider the type and form of drainage that should be included within new development.

Policies allocating housing sites should highlight the need to integrate sustainable drainage systems within green infrastructure. This approach is supported by the latest revision to the National Planning Policy Framework (NPPF) at paragraph 165 that states, “major development should incorporate sustainable drainage systems [and] should where possible, provide multifunctional benefits.”

The County Council would also promote the consideration and protection of natural watercourses that support the natural environment and wider landscape, as appropriate.

KCC would recommend that the Parish Council refers to KCC’s Drainage and Planning Policy Statement (June 2017); particularly the drainage policies defined in Chapter 5. KCC would recommend that the natural drainage flow paths are maintained and would encourage the incorporation of any existing natural drainage features within the landscape.

Landscape

Heritage Conservation: The text correctly identifies the historic nature of the landscape in and surrounding Tenterden. However, the individual historic features mentioned need to be considered as parts of a whole if their significance is to be appreciated and the right management decisions made. The landscape that is visible today is the result of many centuries of evolution and the pattern of roads, tracks, field boundaries and hedgerows that gives the modern landscape its character is firmly rooted in the past. The Kent Historic Landscape Characterisation (2001) is a tool for understanding this historic context and should be used to inform decisions taken regarding the landscape character of Ashford. Ideally this county level study should be deepened to be more relevant at the district and local level as has recently happened in the Hoo Peninsula and in Tunbridge Wells Borough. KCC would be happy to discuss further how this can be taken forward.

Landscape

Important Public Views

Public Rights of Way (PRoW): Within the ‘Important Public Views’ image (from the Urban Confines Boundary), the legend of Important Public Views should label AB70 as a claimed route; it is awaiting determination, not adoption.

Development in the Countryside

Heritage Conservation: Like much of Kent, Tenterden parish has historically had a dispersed settlement pattern. Development between villages and hamlets and among farm buildings would, in many places, be consistent with the historic character of those areas. Historic England (with KCC and the Kent Downs AONB Unit) 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 countryside. KCC would recommend that the Neighbourhood Plan identifies the guidance as part of its evidence base.

PRoW: The County Council recommends that reference is made to the Rights of Way Improvement Plan (ROWIP). This will help enable a continuation of the successful partnership working and delivery of improvements to the PRoW network in Tenterden.

It is requested that KCC is directly involved in future discussions regarding projects which 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 welcomes future engagement to consider local aspirations for access improvements and potential funding sources for the delivery of these schemes.

The PRoW network is a vital component of the parish assets, providing significant opportunities for Active Travel. The PRoW network should therefore be specifically referenced alongside sustainable active travel where applicable, to encourage modal shift away from short car journey. This will enable KCC to deliver network improvements across the parish, which can provide sustainable transport choices and support growth in the region.

Local Green Spaces

Policy TEN NP2

PRoW: In respect of Local Green Spaces A-N, KCC recommends the inclusion of text to ensure any identified PRoW affected by, or in the wider area, benefit from improvements to strengthen off road connectivity to green spaces for all users.

High Quality Design

Heritage

Heritage Conservation: The review of Tenterden's more recent heritage presented in this section is useful but would benefit from being presented earlier in the document. The Neighbourhood Plan contains many earlier references to the historic character of the town and countryside but until this point in the document, there is no information to contextualise this. KCC would suggest this section be summarised in section 2 'Tenterden Today'. KCC would also recommend reference is made to a document produced by KCC in 2004 –

'Historic Town Survey of Tenterden'¹ – which reviews the known archaeological data for the town. Although issued some years ago, the document is still relevant and can be found online.

Policy TEN NP4 – Design of New Development and Conservation

Heritage Conservation: KCC welcomes this policy that will help ensure the historic character of the built-up areas of Tenterden parish are conserved and enhanced appropriately.

PRoW: The County Council requests reference to the Kent Design Guide and the ROWIP. The ROWIP can help contribute towards a robust infrastructure that enables development and encourages economic growth leading to regeneration and attraction of new businesses.

Tenterden, St Michaels, Smallhythe and Reading Street Conservation Areas

Policy TEN NP5 – Tenterden, St Michaels, Smallhythe and Reading

Heritage Conservation: KCC welcomes this policy that will help ensure the historic character of the built-up areas of Tenterden parish is conserved and enhanced appropriately.

Non-designated Heritage Assets

Heritage Conservation: KCC welcomes the consideration given in the Neighbourhood Plan to non-designated heritage assets. Such assets play a key role in the character of the Neighbourhood Plan area, whether in urban or rural contexts, and it is important that the development management process is used effectively to conserve and enhance them in the way indicated in the text. It should be noted, however, that non-designated heritage assets are not formal designations, and therefore it is not absolutely necessary that a finite list be identified as in Appendix 2. It should be noted in the text that other assets (than those in Appendix 2) may be identified during the planning process or subsequent to the completion of the Neighbourhood Plan, and these need to be treated in the same way as those in Appendix 2.

Policy TEN NP7 – Non-designated heritage assets.

Heritage Conservation: The County Council is supportive of this policy, although would recommend that it be modified to state that “*proposals should take into account the effect on the significance of a non-designated heritage asset identified in Appendix 2 or subsequently and wherever possible seek to protect and enhance the asset*”

Housing

PRoW: The County Council requests that Public Footpath AB31 is incorporated positively within any development proposals and Map 14 should show the route of AB31 for clarity. An increased population will undoubtedly add to the pressure and importance of the surrounding

¹ ([Kent EUS: Downloads \(archaeologydataservice.ac.uk\)](https://kent.eus-downloads.archaeologydataservice.ac.uk))

PRoW network and the need for potential upgrades and improvements to the local network should be considered.

Local Economy

Objectives

PROW: 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 and the ROWIP has a critical role in this, and as such, there should be specific mention of the importance of the PRoW network. The Neighbourhood Plan should address supporting improvements to walking and cycling routes to achieve the Council's tourism objectives.

St Michaels Local Centre

Policy TEN NP10 -St Michaels Local Centre

PRoW: The County Council requests specific mention of Public Footpath AB9 and the need for appropriate improvements to form part of any development to ensure good sustainable transport connections within the community which can link local amenities together. Replacing private vehicle journeys with active travel is to be encouraged.

Existing Business Sites

Policy TEN NP11 – Intensification, regeneration and expansion of existing business sites

PRoW: All proposals for Areas A – D should consider the PRoW (detailed below) affected within the sites and wider area. This will help enable KCC to deliver network improvements which can provide sustainable transport choices and support growth in the parish.

- Site A Public Footpath AB62
- Site B Public Footpaths AB24, AB16 and AB21
- Site C Public Footpaths AB38A and AB36
- Site D Public Footpath AB49

New business premises outside the built-up confines

Policy TEN NP12 – New business premises outside the built up confines

PRoW: KCC would recommend reference is made to the PRoW network and the need to promote sustainable transport opportunities. KCC seeks to improve and upgrade the PRoW network where it links with amenities, public transport nodes, work and education to increase the attractiveness of walking, cycling and riding as an alternative to driving. It is imperative that the character and value of rural roads connected to development sites should not be changed to a state that they become dangerous or unattractive for non-motorised traffic.

Leisure, Health and Wellbeing

PROW: KCC welcomes inclusion of the PRoW network and reference to the significance of sustainable transport. KCC recommends seeking opportunities for pedestrian and cycle link improvements to and from protected sites. There should be specific mention of the ROWIP as it is a statutory policy document for PRoW, setting 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 well-established 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.

- OS2 – Tenterden Recreation Ground – PRoW AB30 and AB33A. The Neighbourhood Plan should consider opportunities for greater connectivity.
- OS5 – Homewood School – PRoW AB37 and AB12 – the Neighbourhood Plan should support improvements to boost connectivity.
- OS3 – Smallhythe Cricket Club – PRoW AB35, AB32 and AB32 - the Neighbourhood Plan should consider improvements for greater off-road connections.

Public Health: KCC is supportive of the emphasis on having a healthy Tenterden, in particular, through including opportunities of the PRoW network and improvement of leisure facilities (including green and open space). However, to ensure this is maximised, health and wellbeing should be a consistent thread throughout the entire Neighbourhood Plan. For example, with reference to Policies TEN NP11 and 12, where it is stated new businesses should have sufficient onsite parking, there could also be a consideration of facilities for sustainable and active modes of transport.

For each theme throughout the Neighbourhood Plan, evidence and data has been considered, apart from the theme of Leisure, Health and Wellbeing. This should be a consideration to understand the health needs of Tenterden which in turn will support the development of policies within the Neighbourhood Plan. Whilst on the whole, residents in Tenterden generally live in good health in comparison to the rest of England, within Kent and the Ashford Borough there are implications which need to be considered to protect, improve and support resident's health and wellbeing, including the high percentage of residents over the age of 65, in comparison to the rest of Kent and Ashford. Additionally, Tenterden has a significantly higher percentage of people reported as having a limiting long-term illness or disability than the rest of Ashford. This information is important to understand in the context of devising the Neighbourhood Plan to improve access to services such as leisure facilities, open space, retail and hospitality for residents.

Greater use of the evidence base is recommended. 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 NPPF and will justify planning policies regarding health and wellbeing in addition to providing a better understanding of residents health needs and any impact new development may have on residents health and wellbeing.

Public Open Space

Policy TEN NP15 – Site for Recreation Open Space

PRoW: KCC is currently responding to planning consultations and negotiations for the Appledore Road site regarding PRoW AB12 and claimed route PRoW AB70 to ensure connection and enjoyment of routes are maintained.

Routeways

Historic routeways

Heritage Conservation: KCC supports the identification of historic routeways as a key element in the character of Tenterden parish. The routeways are best understood in the context of the historic landscape in which they lay and KCC would suggest an improved historic landscape characterisation is the more effective mechanism to carry this out.

Policy TEN NP16 – Historic Routeways

Heritage Conservation: The County Council supports this policy.

Public Rights of Way and long-distance routes

PROW: The PRoW network provides significant opportunities for active travel and therefore should be referenced within this section of the Neighbourhood Plan. This will enable KCC to deliver network improvements across the area, which can provide sustainable transport choices and support growth in the region.

Policy TEN NP17 –Public Rights of Way

PRoW: The County Council requests that this policy includes reference to the KCC ROWIP. This guide is intended to aid decision-making and promote good design in PRoW and countryside access management. The guide applies to both urban and rural locations and is intended to complement and, where appropriate, draw together relevant technical and design information, both national and local, which has already been published.

Infrastructure

Waste Management: The County Council, as Waste Disposal Authority, acknowledges that there are currently no KCC waste management facilities within the Tenterden Parish. These

facilities are strategic in nature, serving a wide area, typically at borough level. The combined Ashford Waste Transfer Station and Household Waste Recycling Centre that serves the residents of Tenterden Parish, is at operational capacity and hence any increase in waste tonnages through in the future as a result of development would require mitigation. Therefore, the County Council would like to see reference to waste management facilities being essential infrastructure in the delivery of sustainable communities and. The County Council would also welcome support in the Neighbourhood Plan offered towards developments within the Tenterden Parish supporting necessary new waste infrastructure in the wider area.

Policy TEN NP18 – Securing Infrastructure

PROW: KCC would recommend that the PRoW network is referenced as a part of necessary infrastructure to support sustainable development.

Appendix 2: Non-designated heritage assets

Heritage Conservation: The list of identified non-designated heritage assets is incomplete and only contains a small number (48) of the known non-designated assets of Tenterden. The Kent Historic Environment Record (HER) contains records of 149 non-Listed buildings, historic farmsteads and archaeological monuments in the parish, and it is not clear why the 48 in Appendix 2 have been selected. Assets left off the list include a range of sites/buildings of significance, including but not limited to:

- Several 19th century former school buildings
- At least two milestones
- At least 90 historic farmsteads and outfarms
- Archaeological sites relating to former mills, windmills, brick and tile works and limekilns, ice houses and oast houses

Whilst KCC supports the commitment to gathering candidate sites for the Ashford Local Heritage List, it should be acknowledged that any list presented as in Appendix 2 must necessarily be provisional and partial. A strong statement should be attached stating that other non-designated heritage assets will be present in Tenterden, some of which may be presently unknown, and that Appendix 2 only contains a selection of known assets, and that it must not be assumed that sites or features not in Appendix 2 do not have heritage significance as defined in the NPPF.

Appendix 3: Associated Projects

Highways and Transportation: The County Council, as Local Highway Authority, notes that there is limited consideration of highway and transportation matters within the Neighbourhood Plan. The County Council recommends that matters such as the existing highway network in the town and the provision of local bus services (including destinations and frequency of services) are considered within the Neighbourhood Plan.

Project Theme: Routeways and transport

- 1) Project 1 - The current Local Cycling and Walking Infrastructure Plan (LCWIP) is focused on Ashford town and does not focus on Tenterden. The Steering Group would need to commence discussions with Ashford Borough Council to determine who wrote the current LCWIP to see if there is scope to develop and implement a LCWIP for Tenterden.
- 2) Projects 3 and 4 - The Colonel Stephens Greenway Upgrade has issues regarding the application of a bound surface to Colonel Stephens Greenway. As KCC understands there were wildlife issues identified when the path was originally built, which meant an unbound path was more appropriate to ensure the delivery in a timely manner. KCC is still awaiting an estimate from Watermans for repair, drainage improvements and tree maintenance for this section as requested by Tenterden Parish Council. There is no identified funding for this and so this will need to be funded by the Town Council. KCC is unlikely to support or take on maintenance for new lighting here. This project should feature in the Town Council's Highway Improvement Plan (HIP) for future consideration by KCC.
- 3) Projects 11 and 12 – should refer to National Cycle Route NCR 18.
- 4) Project 13 – KCC is not aware of the Town Cycle Lane Feasibility Study but this will need to involve discussions between the Steering Group and KCC as Local Highway Authority in the first instance. There is currently no S106 funding towards such a project. This project should feature in the Town Council's Highway Improvement Plan (HIP) for future consideration by KCC.

Project Theme: Transport Infrastructure

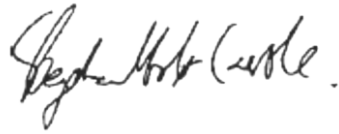
- 1) Project 1 – whilst KCC is happy to support the Steering Group on the Sustainable Transport Action Plan, the writing of the Action Plan will need to be funded by the Town Council.

PRoW: KCC supports the PRoW schemes listed as projects and would welcome engagement on the LCWIP.

The County Council will continue to work with the Parish Council on the formulation and delivery of the Neighbourhood Plan and welcomes further engagement as the Plan progresses.

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

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Stephanie Holt-Castle'.

Stephanie Holt-Castle

Director – Growth and Communities



Growth and Communities

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6 August 2021

BY EMAIL ONLY

Dear Carly,

Re: Egerton Neighbourhood Plan 2021-2040, April 2021

Thank you for consulting Kent County Council (KCC) on the Egerton Neighbourhood Plan 2021-2040 in accordance with the Neighbourhood Planning (General) Regulations 2012. The County Council has reviewed the Neighbourhood Plan and sets out its comments below, following the order of consultation document.

Chapter 1 Introduction

How does the Egerton Neighbourhood Plan fit into the planning system?

Minerals and Waste: KCC, as Minerals and Waste Planning Authority, welcomes the references to the Kent Minerals and Waste Local Plan (KMWLP) within the Neighbourhood Plan.

Chapter 3 Egerton now

Paragraph 3.11

Public Rights of Way (PRoW): The County Council would recommend drawing attention to the fact that there are no Public Bridleways in the Parish and this should be addressed in order to provide higher rights of access for equestrians, cyclists and pedestrians.

Chapter 4 Vision and Key Objectives

Develop

Paragraph 4.6

PRoW: The County Council raised within its previous response the need to reference the PRoW network as necessary infrastructure to support development and would continue to request its inclusion. The PRoW network can help contribute towards a robust infrastructure provision that enables development and encourages economic growth leading to regeneration and attraction of new businesses. The Neighbourhood Plan should make specific reference here to the PRoW network and the opportunities offered to promote sustainable transport and access to the environment.

Chapter 5 Protecting and conserving Egerton's Individual Character and Environment

Distinctive Landscape Character and Biodiversity

Biodiversity: The County Council supports the recognition given within the Neighbourhood Plan to the landscape character and biodiversity of the Parish.

The Neighbourhood Plan identifies ancient woodland, trees, hedgerows and flower rich grass verges as being important components of the landscape and biodiversity of the Parish. KCC would also advise adding the following habitats which, in addition to woodlands and hedgerows, are priority habitats:

- Rivers – the Great Stour;
- Ponds – the Parish has a large number of field ponds and fish ponds;
- Arable Field Margins – the Parish has a significant area of arable land; and
- Traditional Orchards – the Parish still contains a few traditional orchards.

Under Section 40 of the Natural Environment and Rural Resources (NERC) Act 2006, every public body (including Parish Councils) has a duty to conserve biodiversity as part of the exercise of its functions - which is applicable to the preparation of a Neighbourhood Plan. Section 41 of the NERC Act sets out the habitats which the Government has identified as being of principal importance for nature conservation (i.e. priority habitats) such as those set out above¹.

Section 41 of the NERC Act also sets out the list of species which the Government has identified as being of principal importance for nature conservation (i.e. priority species)². Many of these species also receive legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).

¹ <https://jncc.gov.uk/our-work/uk-bap-priority-habitats/#list-of-uk-bap-priority-habitats>

² <https://jncc.gov.uk/our-work/uk-bap-priority-species/>

The Parish of Egerton is known to support a number of these species. For example, the great crested newt (GCN) species has been found within the Parish and significant areas of the Parish are identified as Amber Risk Zones for this species by Natural England:

- *Red zones* – These zones contain key populations of GCN which are important on a regional, national or even international scale. District Level Licensing is not available as a licensing option in these areas.
- *Amber zones* – These contain main population centres, habitats and dispersal routes for GCN. Development with a significant land take in these zones would be expected to have a high impact on GCN.
- *Green zones* – GCNs are sparsely distributed in this zone and development would be expected to have a low impact in this zone, though may still pose a risk to GCN.

The remainder of the Parish falls within the Green Zone³.

Bats (all species), dormouse, otter, water vole, badger, common reptile species such as the slow worm and common lizard are further examples of priority species which also receive varying degrees of protection in law, and which may be present within the Parish. Many species of invertebrates, including insects, are also priority species and some have legal protection. All breeding birds are protected by law and additionally several species of breeding birds (Schedule 1 under the Wildlife and Countryside Act 1981) such as red kite, barn owl and kingfisher receive full legal protection for their nesting sites.

The County Council therefore advises that policy P1 should make specific references to the need to conserve and enhance priority habitats and populations of legally protected and priority species.

The recognition of the importance of biodiversity net gain in policy P1 is welcomed. The National Planning Policy Framework (NPPF) states that new development should result in no net loss of biodiversity and contribute to delivering net gains. The Environment Bill (which is currently in the House of Lords) will make it a mandatory requirement that all new development delivers a minimum of 10% biodiversity net gain. This can be delivered on site or off site depending on the circumstances. Defra has recently published the latest Version 3 of the Biodiversity Metric⁴ for measuring net losses and gains from new development. In anticipation of this new legal requirement, the Parish Council may wish to reflect this in policy P1.

It is also worth noting that District and County Councils have the powers to lease or purchase land and to designate Statutory Local Nature Reserves (under Section 19 of the National Parks and Access to the Countryside Act 1949). The District Council is able to delegate its powers for this purpose to the Parish Council - full guidance can be found on the government website⁵.

³ <https://naturalengland-defra.opendata.arcgis.com/datasets/gcn-risk-zones-kent/explore?location=51.192345%2C0.725156%2C14.06>

⁴ <http://publications.naturalengland.org.uk/publication/6049804846366720>

⁵ <https://www.gov.uk/guidance/create-and-manage-local-nature-reserves>

Paragraph 5.4

PRoW: KCC recommends that “40 footpaths” is amended to 40 Public Rights of Way.

Heritage

Paragraph 5.32

Heritage Conservation: The County Council notes that the majority of the advice within the Regulation 14 response has been included within this Regulation 16 consultation. KCC would reiterate that under paragraph 5.32, there are a number of heritage assets dating to the post-medieval and modern periods which are not presently mentioned in the text. A possible moated manor site has been suggested for Wanden although there is little information about this. The remains of Egerton Smock mill also still exist at New Stone Farm.

From the modern era, the Kent Historic Environment Record lists three Second World War pillboxes in and around Egerton village. It is not known whether these were ever actually constructed and if so, whether they still exist, but if they do, they constitute important survivals from a critically important time in the village’s past. A Hawker Hurricane also crashed at Weeks Farm and although previously excavated, it remains a designated site under the Protection of Military Remains Act 1986.

Chapter 6 Ensuring a sustainable future for Egerton

Footpaths, Byways, Roads & Transport

PRoW: KCC requests an amendment to the title to Public Rights of Way, Roads and Transport.

Paragraph 6.27

PRoW: The County Council requests an amendment to the current text, as the proposal for AW368 is not included in KCC’s PRoW Rights of Way Improvement Plan (ROWIP) - however, it is identified as one of KCC’s objectives within Parish partnerships.

Chapter 7 Development to meet current and future need

Local needs / affordable housing

Paragraph 7.29

PRoW: The County Council recommends that “*Developers could be required*” should be amended to “would be expected to provide appropriate improvements”.

Policy ENP D3 Housing Policy / Policy ENP D4 Local Needs Affordable Housing / Policy ENP D5 Land at Orchard Nurseries / Policy ENP D6 Reuse of redundant farm buildings / ENP D7 Water supply and Drainage

Biodiversity: The proposed allocation of sites within the Neighbourhood Plan, the re-use of buildings and the provision of new infrastructure (Policies D3 to D7) should take into consideration any effects on protected and priority habitats and protected and priority species.

All planning applications for new development or the conversion and re-use of existing buildings should be accompanied by a Preliminary Ecological Appraisal (PEA) prepared by a competent professional ecological consultant. Further surveys for legally protected species may be required along with an Ecological Impact Assessment (EclA) in cases where the PEA identifies potential for them to be present within an application site. In such cases, ecological mitigation measures may be required to minimise impacts on legally protected species. The KCC Ecological Advisory Service, which advises Ashford Borough Council on all planning applications that may affect biodiversity, routinely requires such surveys in order that KCC can make a thorough assessment of ecological impacts and identify the appropriate type and scale of mitigation.

Older people's housing

Policy ENP D5 – Land at Orchard Nurseries

Highways and Transportation: The County Council, as Local Highway Authority, notes the proposal at Orchard Nurseries for semi-sheltered accommodation - however, there are no details of how the site will be accessed. Access to the public highway is essential for an allocation to be deliverable.

PRoW: As raised within the KCC response to the Regulation 14 consultation, there are PRoW within the Orchard Nurseries environment. The County Council would welcome engagement with the Parish Council to ensure opportunities for Active Travel improvement/funding are brought forward as part of the development.

Brownfield Sites and Small Scale Development

Policy EDP D6 – Reuse of redundant farm buildings

PRoW: As raised within the KCC response to the Regulation 14 consultation, this policy should ensure that new developments incorporate good sustainable transport connections within the community with high quality walking and cycling infrastructure provision, which can link local amenities together and encourage economic growth.

Infrastructure and Facilities to Support Current and Future Development

Policy ENP D7 - Water Supply and Drainage

Sustainable Urban Drainage Systems: The County Council, as Lead Local Flood Authority, welcomes the incorporation of advice provided within the KCC's previous response in relation to the inclusion of retaining and protecting the local drainage network.

Waste Management: KCC, as Waste Disposal Authority, is pleased to see that advice from the previous County Council response has been incorporated. The County Council recommends references to waste are set out within a new policy or, the current policy should be amended to reflect its inclusion.

Evidence base

PRoW: The KCC ROWIP⁶ should be referenced within this section as it is a statutory policy document for PRoW, setting out a strategic approach for the protection and enhancement of PRoW.

Maps

Local Wildlife Sites

Biodiversity: There are currently no internationally important biodiversity sites (Special Areas of Conservation, Special Protection Areas or Ramsar Sites) within the Parish and no nationally important biodiversity sites (Sites of Special Scientific Interest) or statutory Local Nature Reserves. There are, however, several Local Wildlife Sites and these are identified at Map 5 which is welcomed by the County Council.

The County Council will continue to work with the Parish Council on the formulation and delivery of the Neighbourhood Plan and welcomes further engagement as the Plan progresses.

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

Yours sincerely,



Stephanie Holt-Castle

Director – Growth and Communities

⁶ https://www.kent.gov.uk/_data/assets/pdf_file/0005/90491/Rights-of-Way-Improvement-Plan-2018-2028.pdf