

**PLANNING APPLICATIONS COMMITTEE**

**Wednesday, 25th January, 2023**

**10.00 am**

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







## AGENDA

### PLANNING APPLICATIONS COMMITTEE

**Wednesday, 25th January, 2023, at 10.00  
am  
Council Chamber, Sessions House, County  
Hall, Maidstone**

**Ask for: Emily Kennedy**

**Telephone: 03000419625**

#### **Membership (13)**

Conservative (10): Mr A Booth (Vice-Chairman), Mr C Beart, Mrs R Binks, Mr P Cole, Mr D Crow-Brown, Mr M Dendor, Mr H Rayner, Mr O Richardson, Mr C Simkins and Vacancy

Labour (1): Ms J Meade

Liberal Democrat (1): Mr I S Chittenden

Green and  
Independent (1): Peter Harman

#### **UNRESTRICTED ITEMS**

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

#### **A. COMMITTEE BUSINESS**

1. Election of Chairman
2. Substitutes
3. Declarations of Interest
4. Minutes of the Planning Applications Committee on 7 December 2022 (Pages 1 - 4)
5. Site Meetings and Other Meetings

#### **B. GENERAL MATTERS**

1. General Matters

### **C. MINERALS AND WASTE APPLICATIONS**

### **D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL**

1. Proposed 1FE expansion of school involving demolition of blocks N & T, and the erection of a new part 2 and part 3 storey school building and visitors centre with associated landscaping works - Maidstone Grammar School for Girls, Buckland Road, Maidstone, Kent ME16 0SF (Pages 5 - 32)

### **E. MATTERS DEALT WITH UNDER DELEGATED POWERS**

1. E1-E4 (Pages 33 - 36)

### **F. KCC RESPONSE TO CONSULTATIONS**

1. Planning Application Ref: PA/2022/2772 - Land south of Asda, Kimberley Way, Ashford (Pages 39 - 46)
2. Planning Application Ref: EDC/22/0168 – Ebbsfleet Central East, Land adjacent to Ebbsfleet Railway Station, Thames Way, Ebbsfleet (Pages 47 - 120)
3. Maidstone Borough Council Design and Sustainability Development Plan Document Consultation (Pages 121 - 190)
4. Dover District Council Local Plan Regulation 19 Consultation (Pages 191 - 210)
5. Sevenoaks District Council Plan 2040 Regulation 18 Consultation (Pages 211 - 226)

### **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, 17 January 2023

*(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.)*



## KENT COUNTY COUNCIL

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### PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 7 December 2022.

PRESENT: Mr A Booth (Vice-Chairman), Mr C Beart, Mrs R Binks, Mr P Cole, Mr M Dendor, Mr H Rayner and Mr C Simkins

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications), Ms M Green (Principal Planning Officer), Mr J Wooldridge (Principal Planning Officer), Ms E Kennedy (Democratic Services Officer), Ms S Bonser (Senior Solicitor. Invicta Law) and Mr A Tomaszewski (Senior Planning Officer)

#### UNRESTRICTED ITEMS

##### **1. Apologies**

*(Item A1)*

Apologies were received from Mr Chittenden, Mr Harman, Mrs Meade, Mr Crow-Brown and Mr Richardson.

##### **2. Minutes of the meeting on 16 November 2022**

*(Item A3)*

RESOLVED that the minutes of the meeting held on 16 November 2022 were correctly recorded and that they be signed by the Chairman.

##### **3. General Matters**

*(Item B1)*

##### **4. Cement production plant capable of importing raw materials and processing up to 500,000 tonnes per annum of cement on land off Great Basin Road, Port of Sheerness, Isle of Sheppey, Kent, ME12 1SW - SW/22/500629 (KCC/SW/0016/2022)**

*(Item C1)*

1) Adam Tomaszewski, Senior Planning Officer and Sharon Thompson, Head of Planning Applications, outlined the report and advised that an additional condition limiting the total amount of cement produced by the facility to no more than 500,000 tonnes per annum was recommended.

2) Cllr Dolley White (Sheerness Town Council) spoke objecting to the application on behalf of Sheerness Town Council.

3) Mr Richard Goffin (Peel Ports) spoke in support of the application.

4) Mr Stuart Mason-Elliott (Hercules) spoke in reply on behalf of the applicant.

5) Mr Rayner proposed, Mr Simkins seconded and Members RESOLVED that:

*Permission be granted, subject to:*

*(i) conditions covering amongst other matters:*

1. *Development to be commenced within 3 years of the date of the permission.*
2. *Carrying out the development in accordance with the submitted plans.*
3. *Submission and approval in writing of a Construction Management Plan prior to commencement of development*
4. *Submission and approval in writing of a lighting scheme.*
5. *Construction hours only between 07:00 and 18:00 hours Monday to Friday and between 07:30 and 13:00 hours on Saturdays (with none on Sundays, Bank and Public Holidays), unless otherwise approved by the County Planning Authority.*
6. *Overnight HGV vehicle movements between 18:00 - 06:00 will only be permitted on a maximum of one night-time period per calendar month and must not exceed 8 such movements in the period. Such movements will only occur on weekdays and not at all in the period after 6pm on a Saturday until 6am on a Monday.*
7. *All vehicles arriving or leaving the site in the 12-hour period between 6pm and 6am will utilise the alternative route to avoid passing the most sensitive properties on Garrison Road, as shown on the approved plan.*
8. *Before commencement on site, a Construction Dust Management Plan is to be submitted to and approved in writing by the County Planning Authority. This is to be prepared in accordance with the Institute of Air Quality Management 'Guidance on the assessment of dust from demolition and construction'.*
9. *Before commencement of operations on site, a Dust and Particulate Monitoring Plan is to be submitted to and approved in writing by the County Planning Authority. The purpose of monitoring is to ensure that dust and particulate emissions from the site are managed effectively to avoid causing exceedances of ambient air quality standards and disamenity, and that dust and particulate matter from the site does not contain heavy metals such as chromium. The plan is to include action trigger levels for dust and airborne particulate matter, and site management procedure to investigate any exceedances of these trigger levels and put in place remedial measures in a timely manner.*
10. *Before commencement of operations on site, an airborne particulate monitoring system is to be established and maintained for the lifetime of the development to enable real-time measurements and alert the operator of the site to events that exceed trigger levels, which are to be set out in the Dust and Particulate Monitoring Plan.*

11. *The rating level of noise from all operations, including ship deliveries and on-site vehicle movements, shall not exceed the following limits determined using BS 4142:2014+A1:2019. This would impose limits of 39 dB during the day, 36 dB during the night at locations MP1, 2 and 3 and 34 dB during the night at MP4 and 5. The submission, approval and implementation of a mitigation scheme the event that noise limits were to be exceeded.*

12. *Requirement for the operator to carry out noise monitoring and recording upon completion and operation of Phase 1, and upon completion and operation of Phase 2, with the County Planning Authority able to review these results as necessary to ensure compliance with the noise limits in place.*

13. *Submission and approval in writing of a Noise Management Plan to include measures including, but not limited to, staff training, ship unloading procedures, use of klaxons, use of broad band reversing alarms for on-site mobile plant, use of horns, and containment of certain operations.*

14. *Commencement of operations is to be implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate wastewater network capacity is available to adequately drain the development.*

15. *Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the County Planning Authority and thereafter implemented as approved.*

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

17. *If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the County Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the County Planning Authority. The remediation strategy shall be implemented as approved.*

18. *No infiltration of surface water drainage into the ground is permitted other than with the written consent of the County Planning Authority. The development shall be carried out in accordance with the approved details.*

19. *The total amount of cement produced by the facility hereby permitted shall not exceed 500,000 tonnes per annum*

*(ii) informatives covering the following matters:*

*1. Standard Environment Agency informatives relating to drainage/pollution control methods/contamination/waste management.*

*2. The applicant is advised that they should give consideration to becoming involved in projects that seek to conserve and protect key buildings in the local area, particularly within the Port itself.*

**5. E1-E4**

*(Item E1)*

RESOLVED to note matters dealt with under delegated powers since the meeting on 16 November 2022 relating to:

E1 County matter applications

E2 County Council developments

E3 Screening Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017

E4 Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017

**6. Folkestone & Hythe District Council Statement of Community Involvement**

*(Item F1)*

RESOLVED to note Kent County Council's response to the Folkestone & Hythe District Council Statement of Community Involvement.

**7. Hoo Development Framework Consultation**

*(Item F2)*

RESOLVED to note Kent County Council's response to the Hoo Development Framework Consultation.

**8. Otterpool Park Outline Application – application revisions**

*(Item F3)*

RESOLVED to note Kent County Council's response to the Otterpool Park Outline Application – application revisions.

(a) **FIELD**

(b) **FIELD\_TITLE**

SECTION D  
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

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

## Item D1

### **Proposed 1FE expansion of school involving demolition of blocks N & T, and the erection of a new part 2 and part 3 storey school building and visitors centre with associated landscaping works at Maidstone Grammar School for Girls, Buckland Road, Maidstone, Kent ME16 0SF - 22/503012 (KCC/MA/0108/2022)**

A report by Head of Planning Applications Group to Planning Applications Committee on 25<sup>th</sup> January 2023.

Application by KCC Infrastructure Division for Proposed 1FE expansion of school involving demolition of blocks N & T, and the erection of a new part 2 and part 3 storey school building and visitors centre with associated landscaping works at Maidstone Grammar School for Girls, Buckland Road, Maidstone, Kent ME16 0SF - 22/503012 (KCC/MA/0108/2022)

Recommendation: SUBJECT TO the signing of the Memorandum of Understanding (securing funding for the monitoring of the School Travel Plan and the agreement to fund additional bus services for the school should they be needed) I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions.

Local Members: Mr Dan Daley & Mr Tom Cannon

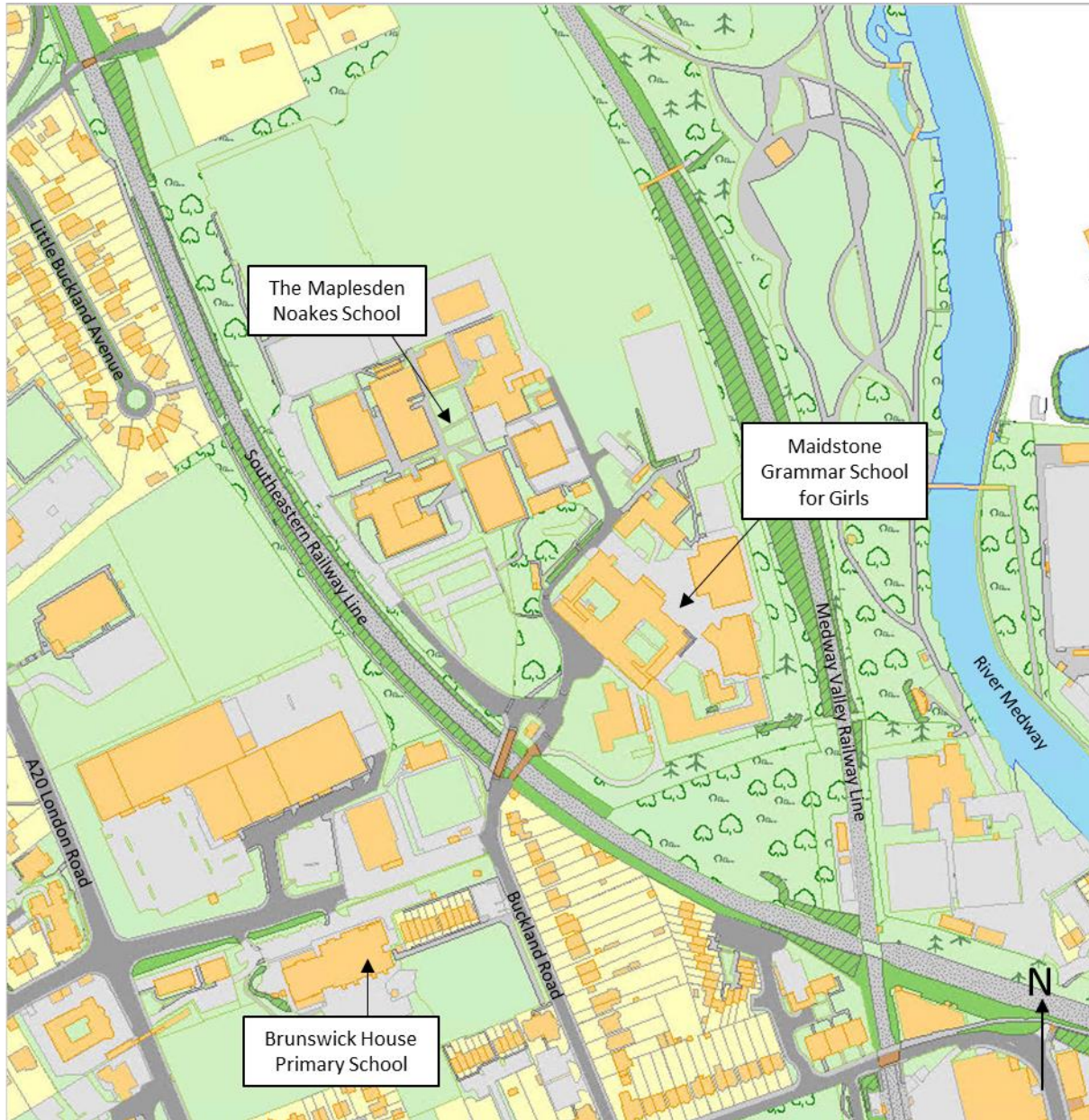
Classification: Unrestricted

#### **Site**

1. Maidstone Grammar School for Girls (MGGS) is located at the end of Buckland Road, which is a residential road, and is accessed via a bridge over the London to Ashford railway line. Maplesden Noakes School is located to the north of the school (sharing the same site and access) and Brunswick House Primary School is located to the south west of the site. The latter is accessed via Leafy Lane.
2. The proposed location of the new school building is to the north of the existing sports hall, which is located at the east of the site. The Maidstone Barracks to Strood railway line runs along this eastern boundary of the school, to the rear of the proposed building, and further to the east is Whatman Park and the River Medway. The London to Ashford railway line runs to the west of the site, and to the side of this is a public footway which links Buckland Road with Buckland Lane.
3. In terms of the wider area, there is residential housing to the south, west and north of the site, including in Little Buckland Avenue, which lies to the west of the footway described above. To the east, on the other side of the river, is the Maidstone United football ground and the town centre lies to the south-east of the site.
4. The proposed new school building falls wholly within the urban area of Maidstone, as defined in the Maidstone Borough Local Plan. There are no physical boundaries between the Maidstone Grammar School for Girls and the Maplesden Noakes site and there are some shared access routes within the site.

**Erection of a new part 2 and part 3 storey school building and visitors centre (1FE expansion) at Maidstone Grammar School For Girls, Buckland Road, Maidstone, Kent ME16 0SF - 22/503012 (KCC/MA/0108/2022)**

General Location Plan

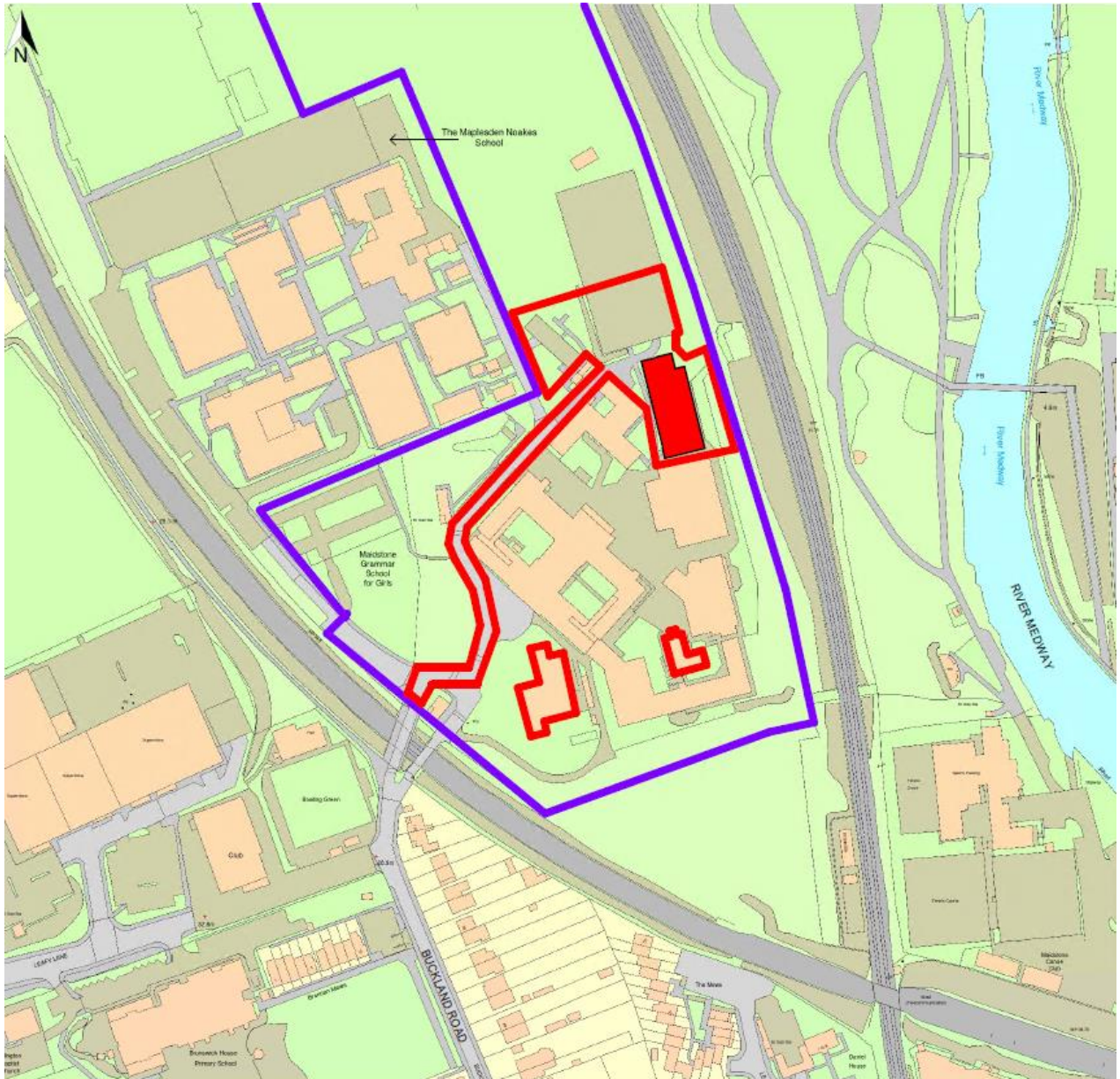




**Item D1**

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**Site Location Plan**





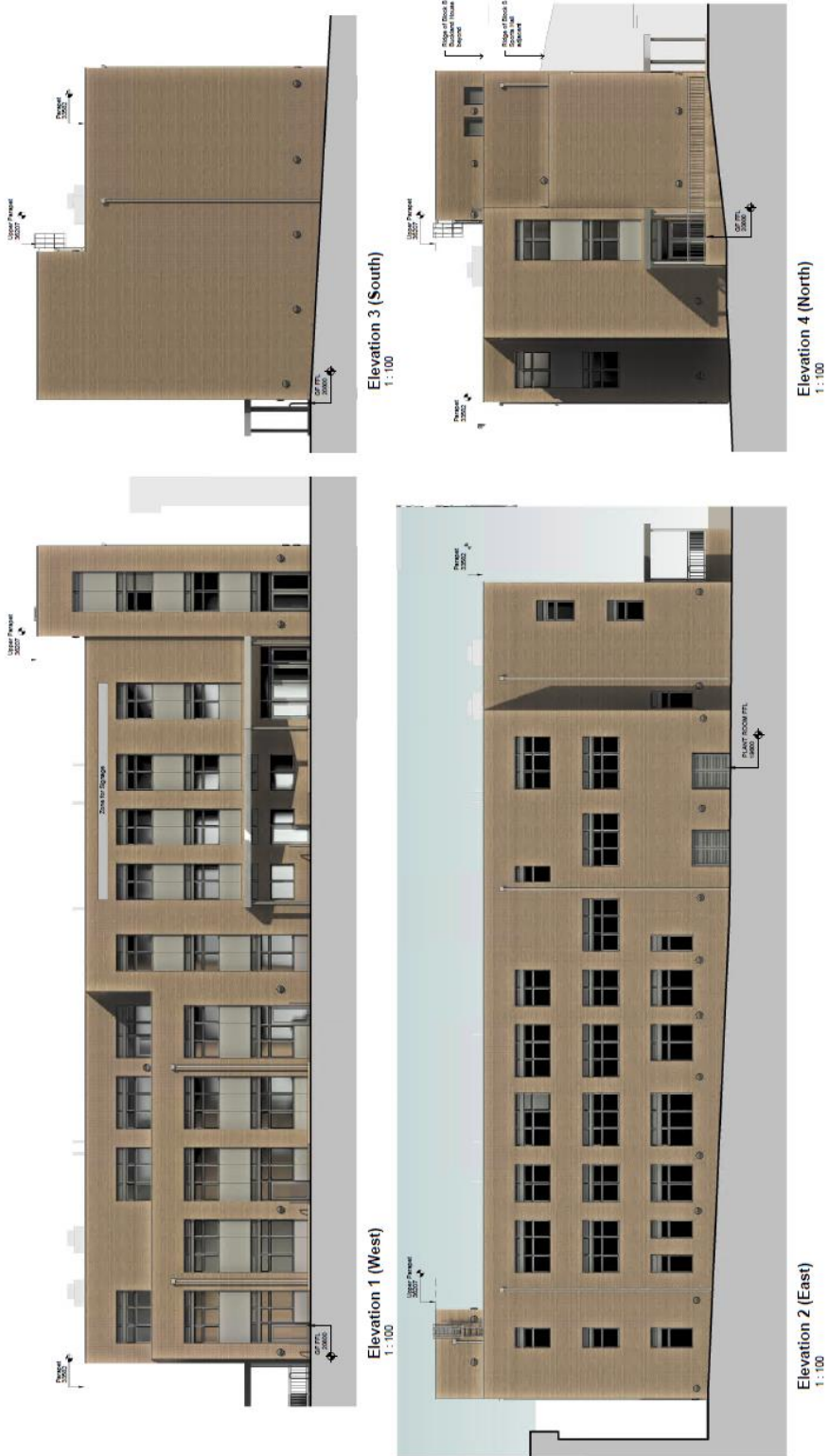


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**Proposed Elevations**



**Item D1**

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3D Images



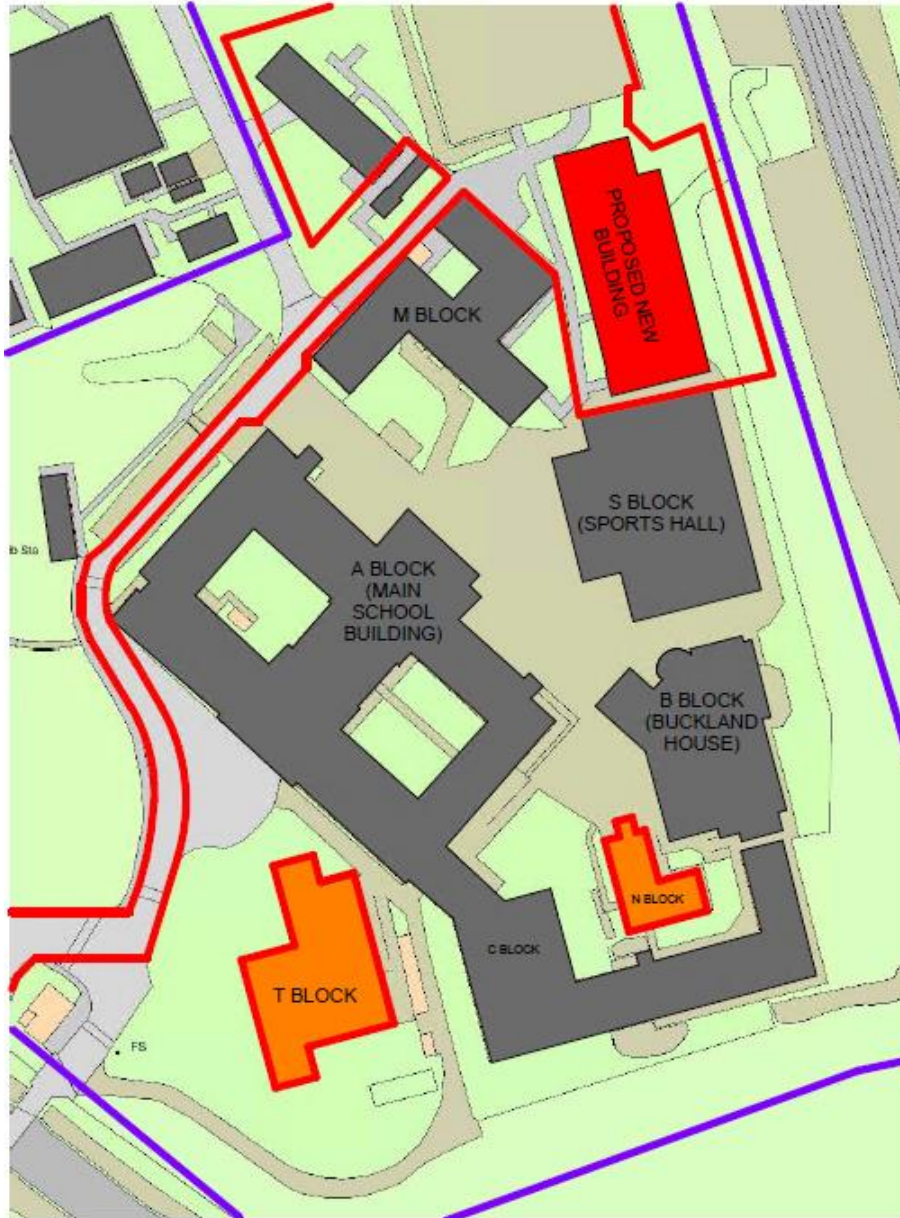
View from North West



View from South West

**Erection of a new part 2 and part 3 storey school building and visitors centre (1FE expansion) at Maidstone Grammar School For Girls, Buckland Road, Maidstone, Kent ME16 0SF - 22/503012 (KCC/MA/0108/2022)**

**Proposed Demolition Plan**



**Demolition Plan**  
1 : 500

<p>Notes</p> <p>Notes are to be checked on site, or used in conjunction with all relevant consultants' notes and specifications. Between consultants' drawings to be reported to monitor before any relevant work commences.</p> <p>Other Issues: =</p>	<p>— School Ownership Boundary</p>	<p>■ New Building</p>	<p>Scale</p> <p>0 10 20</p>
	<p>— Works Boundary</p>	<p>■ Building to be demolished. Area to be seeded/turfed</p>	

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**Education Need**

5. This application has been submitted following an identified need for additional secondary school places in the district of Maidstone. The County Council is the Strategic Commissioner of Education provision in Kent and has a statutory duty to ensure that sufficient school places are available to meet demand. The Commissioning Plan for Education Provision in Kent 2022-2026 is a five-year rolling plan which is updated annually. This plan forecasts that for the Maidstone and Malling Selective planning group (which MGGS forms part of) there will be a deficit of Year 7 places from 2023-24 if no additional places are established. To meet the forecast demand for year 7 places, Maidstone Grammar School for Girls is proposed to be expanded by 1FE, increasing its published admission number (PAN) from 180 (6FE) to 210 (7FE) from September 2023.
  
6. The application documentation states that MGGS has provided education for girls from Maidstone and the surrounding area for over 130 years. The school was judged as 'outstanding' by OFSTED in May 2009 and is ideally located within Maidstone town to meet the forecast demand within the established travel to school patterns for the Maidstone and Malling selective group.

**Recent Site History**

7. Since 2002, the following decisions have been made concerning the site:

MA/19/502955	Proposed sports hall extension to provide shower and changing facilities, a classroom /visitor learning centre and a classroom/conference room.  It should be noted that this development, although permitted, was not implemented. It was located in broadly the same location as the current proposed development and provided similar facilities, other than those now required for the expansion of the school role.	Permitted 23/10/2019
MA/15/500376	Proposed replacement sports hall implemented (alternative application to planning permission ref: MA/14/500814 which was not built)	Permitted 19/02/2015
MA/14/500814	Proposed demolition of existing sports hall and support facility and the proposed erection of a new sports hall and support facility (alternative application to MA/12/920 which was not built).	Permitted 20/08/214
MA/12/920	Demolition of existing buildings and erection of replacement sports hall, dining hall and kitchens and music teaching accommodation together with external works (not built).	Permitted 26/07/2012
MA/09/1014	Erection of a two and three-storey classroom block on land to the rear of the existing school, the temporary re-siting of mobile accommodation before removal on completion and the formation of a car park and landscaped area at the front of the school.	Permitted 03/09/2009



## Item D1

### **Erection of a new part 2 and part 3 storey school building and visitors centre (1FE expansion) at Maidstone Grammar School For Girls, Buckland Road, Maidstone, Kent ME16 0SF - 22/503012 (KCC/MA/0108/2022)**

MA/08/505	Proposed Woodland Pathway.	Permitted 18/04/2008
MA/06/657	Demolition of an external wall to insert a new single storey flat roof extension; to provide disabled access into the building and to fell/remove trees to a detached school teaching block.	Permitted 13/06/2006
MA/04/1386	Construction and installation of a new electrical intake building and the installation of the new electrical mains head.	Permitted 24/08/2004
MA/03/949	The construction of a single storey, multi-purpose hall with kitchen and ancillary areas within an existing enclosed quadrangle (amended scheme from MA/02/1572).	Permitted 25/06/2003
MA/02/1572	The construction of a two storey, multi-purpose hall with toilet facilities, kitchen & ancillary areas within an existing enclosed quadrangle.	Permitted 01/10/2002

#### **Proposal**

8. The application proposes the erection of a part 2 and part 3 storey stand-alone classroom block which would facilitate the school expansion from 6FE (900 pupils in years 7-11) to 7FE (1050 pupils in years 7-11). The increase would take place incrementally as an additional form (30 pupils) is added for each annual year 7 intake; the school would therefore not be at full capacity until September 2027. The classroom block would be sited along the eastern boundary of the site, adjacent to the school sports hall. Historically this area has been a games court, but the surface is now predominantly asphalt with some seating and sheltered areas for pupils.
9. The proposed building would be rectangular in shape with a central corridor and classrooms on either side. At ground floor level there would be 5 general classrooms and a PE store, along with plant room and staff offices. At first floor there would be 5 science laboratories and a science prep room, whilst on the second floor there would be a music suite comprising 5 small practice rooms, an ensemble practice room, a general music classroom, an extensive classroom, and music store. In addition, this floor would have a further office and two workrooms. There would be a staircase at each end of the building, a lift at the southern end and a bank of toilets on each floor at the southern end of the building.
10. In addition to the school facilities the development would also incorporate a visitor centre classroom at ground floor level adjacent to the main entrance lobby, with its own dedicated visitor reception and office. This would be used as an exhibition space evoking the WW2 period and would enable the school to provide opportunities for students at primary schools to visit and gain a real-life experience of school life during the Second World War. In addition, there would be opportunities for some members of the public to visit the Air Raid Shelters out of term time. This would be through organised tours led by the School (staff and volunteers) which would be advertised via the School website and pre-booked to ensure control over numbers (see further information in paragraph 32 below). The entrance to one set of WW2 tunnels is adjacent to this main entrance and the internal floor finish would indicate where the

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tunnel passes under the building. Similarly, the outline of the tunnels would be painted on the external asphalt.

11. The building would be predominantly three stories in height with a flat roof behind a parapet wall which runs round the perimeter of the building. The second floor has a reduced footprint which would result in a flat roof over this area, which would be kept free from any roof plant. This area has the potential to be converted into two further classrooms in the future. Roof plant would be located towards the back of the roof (north-eastern boundary) whilst an array of solar panels would be positioned on the front half of the roof, orientated in a south-west direction. Access to the roof would be from the principal staircase in the southern end of the building, which creates a tower effect for the building. A canopy would be provided over the main entrance and in front of the visitor centre classroom, as well as over the access door on the northern elevation of the building.
12. The building would be a timber frame close panel construction, and the external walls are proposed to be red brick, which would match the predominant material in the school's original building. There would be a series of recessed facades in the building which would be clad with panelling in an anthracite grey colour, and aluminium faced windows, flashings, gutters, rainwater pipes etc would all be in the same colour.
13. The proposals also involve the demolition of blocks N and T on site, which would no longer be required. These are indicated in orange on the plan on page 1.7. Block N is a two storey block currently being used as temporary classrooms while some refurbishment works are being undertaken elsewhere within the school. Block T is single storey and currently used for science lessons, which would then be taught in the new science labs should the application be approved. Both blocks are at the end of their useful life and no longer fit for purpose. The land freed up by this demolition is proposed to be turfed over whilst the school considers the longer term use of the area. The proposals would not involve the felling of any trees – those closest to the proposed building are located along the eastern boundary of the site, behind the proposed building.
14. The proposals do not involve any changes to the school access or parking arrangements.

**Planning Policy**

15. The following Guidance/Statements and Development Plan Policies summarised below are relevant to the consideration of the application:
  - (i) **National Planning Policy Framework (NPPF) July 2021** and the **National Planning Policy Guidance** (March 2014), sets out the Government's planning policy guidance for England, at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning applications but does not change the statutory status of the development plan which remains the starting point for decision making. However, the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

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

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

- consideration of whether appropriate opportunities to promote sustainable transport modes can be or have been taken up and safe and suitable access to the site can be achieved for all users (*paragraph 110*);
- whether impacts from the development on the transport network (in terms of capacity or congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree (*paragraph 110*);
- Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road would be severe (*paragraph 111*);
- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Planning decisions should ensure that developments would function well and add to the overall quality of an area; be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to local character and history, including the surrounding built environment and landscape setting; establish or maintain a strong sense of place, creating a welcoming and distinctive place to live, work and visit; include an appropriate mix of development and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being (*paragraph 130*);
- Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning decisions should ensure that...existing trees are retained wherever possible (*paragraph 131*);
- planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage assets conservation and any aspect of the proposal (*paragraph 195*).

In addition, Paragraph 95 states that: *It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools.*

- (ii) **Policy Statement – Planning for Schools Development** (15 August 2011) sets out the Government’s commitment to support the development of state-funded schools and their delivery through the planning system. It is the Government’s view that the creation and development of state-funded schools is strongly in the national interest and that

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planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations.

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

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

(iii) The adopted **Maidstone Borough Council Local Plan** (adopted October 2017) (summarised policies):

**Policy SP1** **Maidstone Urban Area.** Defines the focus for new development seeking to achieve a good place to live and work by seeking to achieve development in a way that contributes positively to the locality's distinctive character.

**Policy SP18** **Historic Environment.** Seeks to protect and where possible enhance the characteristics, distinctiveness, diversity and quality of heritage assets including through the development management process, by securing the sensitive management and design of development which impacts on heritage assets and their settings.

**Policy SP23** **Sustainable Transport.** Seeks to mitigate the impact of development, where appropriate, on the local road networks and protect and enhance public rights of way; ensure the transport network provides inclusive access for all users; and address the air quality impact of transport.



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- Policy ID1**      **Infrastructure Delivery.** Seeks to encourage and support infrastructure schemes that are brought forward by service providers where they are in accordance with other policies in the local plan.
- Policy DM1**      **Principles of Good Design.** Covers the principles of good design which proposed development should accord with, including reference to permeable layouts; responding to local natural or historic character and incorporating a high quality, modern design approach; high quality public realm; respecting the amenities of occupiers of neighbouring properties; respecting natural features such as trees and hedges; high quality design which responds to surrounding areas; maximising opportunities for sustainable development; protecting on-site biodiversity; safely accommodating vehicle and pedestrian movements; incorporating security measures to design out crime; avoiding areas at risk of flooding; incorporating adequate storage of waste and recycling; and providing adequate vehicle and cycle parking; and being flexible towards future adaptation in response to changing life needs.
- Policy DM2**      **Sustainable Design.** Where technically feasible and viable, non-residential developments should meet BREEAM very good standards addressing maximum water efficiencies under the mandatory water credits and energy credits.
- Policy DM3**      **Natural Environment.** The Policy seeks to protect and enhance the natural environment through measures to protect landscape character, avoid inappropriate development, control pollution, enhance biodiversity, maintain and manage natural assets, mitigate for climate changes, and positively contribute to the improvement of accessibility to natural green spaces. It seeks to ensure that where appropriate an ecological evaluation of development sites is made to take full account of biodiversity present, as well as arboricultural assessments and landscape/visual impact assessments.
- Policy DM4**      **Development Affecting Designated and Non-designated Heritage Assets.** Seeks to ensure that new development affecting a heritage asset incorporates measures to conserve, and where possible enhance, the significance of the heritage asset and, where appropriate, its setting. Where appropriate, development proposals will be expected to respond to the value of the historic environment by the means of a proportionate Heritage Assessment which assesses and takes full account of: any heritage assets, and their settings, which could reasonably be impacted by the proposals; the significance of the assets; and the scale of the impact of development on the identified significance. Where development is proposed for a site which includes or has the potential to include heritage assets with archaeological interest, applicants must submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- Policy DM6**      **Air Quality.** Seeks to ensure that the impacts to air quality in Air Quality Management Areas and identified exceedance areas are appropriately

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considered and that the air quality impacts of the development will be mitigated to acceptable levels, and that the air quality impacts of the development will be minimised.

**Policy DM8 External Lighting.** Seeks to ensure that proposals for external lighting use the minimum amount of lighting necessary to achieve the proposed purpose and that the design and specification of the lighting would minimise glare and light spillage and would not dazzle or distract drivers or pedestrians using nearby highways; and the lighting scheme would not be visually detrimental to its immediate or wider setting, particularly intrinsically dark landscapes.

**Policy DM20 Community Facilities.** The adequate provision of community facilities, including social, education and other facilities is an essential component of residential development. Where appropriate the dual use of education facilities (new and existing) should be encouraged for recreation and other purposes.

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

**Policy DM23 Parking Standards.** Vehicle parking for non-residential uses will need to take into account the accessibility of the development and the availability of public transport; the type, mix and use of the development proposed; whether development proposals exacerbate on-street car parking to an unacceptable degree; and the appropriate design and provision of cycle parking facilities.

**Policy DM29 Leisure and Community Uses in the Town Centre.** States that proposals for community uses (Class D1) in the town centre in combination with any similar uses in the locality, should not have a significant impact on local amenity, including as a result of noise and hours of operation.

**Consultations**

16. **Maidstone Borough Council** raise no objection to the application. They advise that the application satisfies the relevant policies of the development plan (Maidstone Borough Local Plan 2017) and would be considered acceptable in terms of visual and residential amenity. There are no overriding material planning considerations that would indicate a refusal of planning permission.

**KCC Highways and Transportation Officer** raises no objection to the application, subject to the receipt of the Memorandum of Understanding to secure a mechanism for funding the provision of additional bus services if they should be needed, along with a

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payment for the monitoring of the school travel plan; and the imposition of conditions to ensure parking spaces are available for the community use, that all construction and demolition be carried out in accordance with the submitted Construction Management Plan, the provision and implementation of a School Travel Plan, the provision of 22 secure and covered cycle parking spaces prior to occupation of the new building, the permanent retention of all on-site parking spaces, the provision of measures to prevent discharge of surface water onto the highway, and the provision of wheel washing facilities on site.

**KCC Biodiversity Officer** raises no objection subject to the imposition of a condition to secure an ecological enhancement plan for the site and an informative to ensure that breeding birds are not affected during the development of the site.

**KCC County Archaeological Officer** raises no objection to the application, subject to the imposition of two conditions to secure archaeological field evaluation works prior to the commencement of development, and the implementation of a phased programme of archaeological interpretation work in accordance with a written specification to be agreed with the County Planning Authority prior to occupation of the building.

**Environment Agency (Kent Area)** raise no objection subject to the imposition of conditions to ensure that if any contamination not previously identified is found on site, that a remediation strategy be agreed before any further work takes place; that there be no piling on site without prior consent; that the drainage be carried out in accordance with the strategy submitted; and informatives included relating to the disposal and re-use of soil in relation to the potential for mobilising contamination.

**KCC Flood and Water Management Officer** raises no objection subject to the imposition of conditions to ensure the detailed surface water drainage scheme is implemented as per the submitted scheme, and a verification report to demonstrate the drainage system complies with that approved.

**Public Rights of Way (West Kent PROW Team)** raise no objection to the proposal.

**Minerals & Waste Planning Policy Team** raise no objection to the application.

**Network Rail Infrastructure Limited** advises it does not have any comments to make regarding the application.

**KCC Transport Planner Schools** advise that the submitted School Travel Plan will need to be updated in relation to objectives, targets and actions, bearing in mind the Plan is intrinsically linked to the planning permission for the school's expansion.

**Local Member**

17. The local County Members for Maidstone Central, Mr Dan Daley and Mr Tom Cannon were notified of the application on 14 June 2022. No comments have been received to date.

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**Publicity**

18. The application was publicised by the posting of 5 site notices and an advertisement in a local newspaper.

**Representations**

19. In response to the publicity, 1 letter has been received objecting to the application. The key points raised can be summarised as follows:

- School expansion will exacerbate the existing traffic related problems in the surrounding area, to the detriment of the local community
- Situation will get worse with a year-on-year increase in pupil numbers at Maidstone Grammar School for Girls and Maplesden Noakes
- Neighbouring roads badly affected by parking by students; parked on both sides of the road it creates a chicane effect which restricts movement by large vehicles
- Use of neighbouring roads for drop off and pick up of children also causes problems
- Consideration should be given to introducing single or double yellow lines on one side of the road to avoid the chicane effect
- The Controlled Parking Zone could be extended to include further neighbouring roads so that proper parking controls can be implemented
- Many students use the large car parks for the retail outlets in Leafy Lane – if this is prevented by site owners there would be a major worsening of the situation in the whole surrounding area.

**Discussion**

20. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 15 above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal therefore needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.

21. This application is being reported for determination by the Planning Applications Committee due to the objection received from a local resident, as set out in paragraph 19 above. In my opinion, the key material planning considerations in this particular case are the principle of development and the need for education facilities; the siting and design of the new building and any impact on the wider area or on residential amenity; any highway and transportation implications linked to the proposal; sustainability issues; and landscape, tree and ecological matters.

**Principle of Development and Education Need**

22. Planning policy guidance in the form of both the NPPF and the Policy Statement for School Development are strongly worded to ensure that proposals for the development of state funded schools should, wherever possible, be supported. The guidance is set

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out in paragraph 15 above and in summary states that there should be a presumption in favour of the development of state funded schools; that planning authorities should take a proactive, positive and collaborative approach to meeting this requirement; and that any refusal would have to be clearly justified. The school site lies within the defined built-up area of Maidstone and as such the principle of development is accepted, subject to it being in accordance with other relevant policies.

23. The educational need for expanded facilities at Maidstone Grammar School for Girls is set out in paragraphs 5 and 6 above. The School has worked with KCC Education to establish the accommodation required to support this expansion, which has resulted in the proposed new building which would make an efficient use of the space on the school site. In addition, much needed modernisation work on site would see the removal of blocks N and T which are at the end of their useful life and no longer fit for purpose. An integral part of the new building would be the provision of the visitor centre linked to the School's unique set of Second World War Air Raid Shelters, and this would allow proactive engagement with the local community and primary schools.
24. The site has an established education use and the provision of such new facilities would be considered acceptable in principle in respect of the guidance on the NPPF and Planning Policy Statement for Schools Development, subject to other policy constraints which are addressed below.

**Siting and Design**

25. The proposed classroom block would be sited to the rear of the school site and would be grouped with existing school buildings and viewed within the context of these. Its footprint would be partially the same as the sports hall extension that was previously approved in 2019, under reference MA/19/502955 (see paragraph 7) and found to be acceptable. That earlier application, which was considered by the Planning Applications Committee in October 2019, provided shower and changing facilities, a classroom/visitor learning centre and a classroom/conference room. This application provides the same visitor centre facilities as previously approved plus the additional teaching spaces to accommodate the 1FE expansion. Given its location amongst the other school buildings I consider the proposed building is appropriately located.
26. The building would be part two and part three storey in design and constructed with brick elevations and vertical infill panels between the windows. The design is considered to be in keeping with the existing and original buildings on the school site and of a similar scale and massing, such that the new building would sit well within the grouping of school buildings.
27. The new building would be located at the north-eastern edge of the school site and would be well screened by vegetation. To the east of the site is the London to Ashford railway line and beyond that the River Medway. The proposal is not likely to give rise to adverse impacts as a result of noise or lighting given its location in relation to residential properties and its siting amongst the existing school buildings. The nearest residential properties are approximately 300m away in Little Buckland Avenue and approximately 195m away in Buckland Road.

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28. The new building would be lit with wall mounted lights on the external elevations, and two bollard lights at ground level, which would be controlled by a sensor and timer so that the lights would come on at dusk and be timed to go off at 9pm. The applicant has confirmed that the roof lights would not be on the same timer/sensor and it is considered appropriate to condition that these roof lights are only to be used for emergency access, so that there is no night-time glare from lights on the roof in terms of residential amenity, and they do not impact Biodiversity (see section below). As such it is considered that the scheme would accord with the aims of Policy DM8 (Lighting) of the Maidstone Local Plan.
29. The removal of blocks N (two storey) and T (single storey) would improve the appearance of the overall site layout, as both buildings are at the end of their useful life, and their removal would create some space around the remaining buildings. The applicant states that the land freed up by their demolition would be turfed over while the school considers the long-term use for these areas.
30. Overall, it is considered that the siting and design of the proposed new building (and demolition of blocks N and T) would be in accordance with Maidstone Local Plan Policy DM1 (design) and the associated NPPF objectives relating to good design.

**Highways and Traffic Impacts**

31. The application involves the expansion of the school by 1 form of entry (150 children) and the application was therefore supported by the submission of a Transport Statement (TS) which considered the highway implications of the traffic generated by the additional children on the surrounding road network. Following initial comments from the County Highways and Transportation Team a further Technical Note was submitted, and both documents have been assessed by the County Council's Highways Officer. As set out in paragraph 14 the proposed development does not include any alterations to the access arrangements for the school, or the parking provision on site.
32. The development includes a new visitor centre which would be capable of accommodating groups of up to 30 pupils visiting the underground WWII bunkers during school term time. The Technical Note (TN) has confirmed that the school site can already accommodate up to five coaches, with movement in/out of the site supervised by staff and timed so as not to coincide with pupils arriving/leaving the school. The TN also confirms that use of the visitor centre by members of the public would be limited to groups of up to 30 people at a time during periods outside of school term-time. A new visitor centre was also included in the previous planning application (MA/19/502955) for the new sports hall extension. The arrangements for this public use would be the same as those approved in this earlier application, where the facility would be open to the public in the school half term in May and the summer holiday, and the proposed hours of use would be 10am to 4pm, with a maximum of 5 tours in a day, and included use on Saturday's, Sunday's and bank holidays. As set out in paragraph 10, these tours would be pre-booked to control numbers and would be organised and led by School staff and volunteers. Although not implemented, the earlier consent included a condition to ensure that sufficient car parking would be made available within the site for this purpose. The Highways Officer has advised that subject to an equivalent condition being imposed on this permission, they are satisfied that the access and parking arrangements for the visitor centre would be able to suitably cater for all vehicles that

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could be expected to require access. This condition has been included in the recommendation below.

33. At the County Highway Officers request the applicants undertook a further traffic survey of the A20 London Road/Buckland Hill/Somerfield Road junction, in order to quantify the impact of the additional traffic movements. This was carried out on 6<sup>th</sup> September and captured traffic volumes on a neutral term-time weekday over the time period of 7am – 10am when peak conditions on the network would coincide with travel associated with the start of the school day. The survey identified 1,671 movements through the junction during the peak hour of 7:45am to 8:45am and noted that queuing was predominantly concentrated on the A20 junction arms, but that queues of up to 14 vehicles were counted on the Buckland Hill arm. The TN has identified that the proposed development could add up to 34 additional vehicular trips (68 two-way movements) by pupils at this junction. The Highways Officer has advised that an increase of this scale would be expected to fall within the daily fluctuations in traffic volumes and that the current prohibition of right turn movements into Buckland Hill by northbound vehicles on the A20 is also likely to influence route choice amongst some parents/carers. These vehicles, he suggests, may instead be minded to route via Buckland Road. Having considered the information provided in the TN on this matter, the Highways Officer has advised that any further detailed analysis of this junction is not warranted in this instance.
34. The TN also included further analysis of the parking beat survey previously presented in the Transport Statement. This focused on the on-street parking capacity that is available at 15:40, when demand is likely to be at its greatest as parents/carers congregate to collect pupils at the end of the school day. The Highway officer notes that importantly, the analysis has excluded the spaces previously defined as 'loading' spaces to reflect how these are subject to restrictions or are across private accesses and do not therefore form part of the available capacity.
35. The findings indicate that the current parking demand at 15:40 peaks at 55 vehicles across Buckland Road, Buckland Hill, Leafy Lane and Little Buckland Avenue. These streets collectively have a capacity of 95 spaces, with the northern section of Buckland Road and Little Buckland Avenue most well-used. The TN concludes that the availability of at least 40 spaces is sufficient to accommodate the additional parking demand of 37 vehicles resulting from the proposed development. The TN has also drawn attention to the demand profiles included as part of the survey data in the TS. These indicated that the overall availability of parking spaces generally improves after 15:25, reflecting how the other nearby schools (Maplesden Noakes and Brunswick House) have an earlier school day finish time than MGGS.
36. The County Highways Officer is therefore satisfied that the applicant has demonstrated there to be sufficient spare capacity to accommodate the additional drop-off/pick-up activity associated with the proposed development. They also note the commitment expressed within the TN that the school will continue to take a pro-active approach in monitoring and managing the arrival and departure of pupils. The school's current activities include on-going co-ordination with Maplesden Noakes/Brunswick House, staff supervision and support from the police. These will be the subject of on-going review as part of the planned monitoring and management within the School Travel Plan, which will also enable additional measures to be implemented if required. Furthermore, it should be noted that the school is well located to benefit from pupils travelling by train

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and bus given its proximity to the bus routes along the A20 and to the Maidstone East and Maidstone Barracks train stations, which are easily within walking distance.

37. As stated above the scheme does not include any additional on-site parking provision for staff. The TN asserts that there are typically 10-11 parking spaces available within the staff car park, and reiterates their assertion made in the TS that additional staff parking is therefore not required. The Highway Officer has advised that this cannot be verified by the photographs and survey count data in the TN as the time of day of the survey has not been defined. However, the original TS indicated that of the additional 12 members of staff required for the proposed expansion, 9 are expected to travel by car. The Highway Officer acknowledges that if some or all of this additional demand cannot be accommodated on site in the staff car park, staff would be likely to park on the surrounding streets or modify their travel arrangements. Although this potential additional on-street parking would reduce the available capacity for other road users, (including local residents and parents/carers picking up or dropping off pupils) the Highways Officer does not regard up to 9 vehicles to represent a sustainable ground for raising an objection to the proposed development. Incentives to encourage staff members to travel by non-car modes should continue to form a key component of the School Travel Plan. The School Travel Plan is discussed in paragraph 41 below.
38. An additional 22 cycle parking spaces are proposed to be provided alongside the existing cycle provision, which is planned to be refurbished. The County parking standards require at least 22 spaces to be provided for 150 pupils (at a rate of 1 per seven pupils) and therefore this additional cycle parking provision would accord with these requirements.
39. The TS indicated that the proposed expansion could result in up to 40 additional pupils travelling to school by bus. This assessment was based on travel patterns being consistent with those identified in the applicant's School Travel Plan survey undertaken in January 2022. The Highway Officer advised that growth of this scale could result in the need for an additional bus vehicle to be provided, depending on the routes used by the additional pupils and the extent of any capacity pressures. In order to ensure the future availability of bus services and minimise the number of car-based journeys to and from the school, the Highway Officer advised that a financial sum should be underwritten by the applicant that would cover the proposed school expansion and anticipated increase in bus users.
40. On the advice of KCC Public Transport, a sum of £97,500 could be required. This figure is based upon the cost of providing one additional school bus for a year at a cost £500 per day over 195 school days. Payment of the financial sum would, however, only be required if a capacity constraint attributable to the school expansion is identified. The need to trigger the payment would be determined through monitoring undertaken in support of the School Travel Plan. This would involve a review of the before and after Kent Travel Saver uptake (obtainable via KCC) and data on passenger journey numbers for affected services (obtainable via the operators). This would provide the necessary evidence to demonstrate that the additional demand is associated with the school expansion rather than other external factors.
41. The applicants have confirmed their willingness to fund this additional bus service, should it be needed, and this would be secured through the signing of a Memorandum



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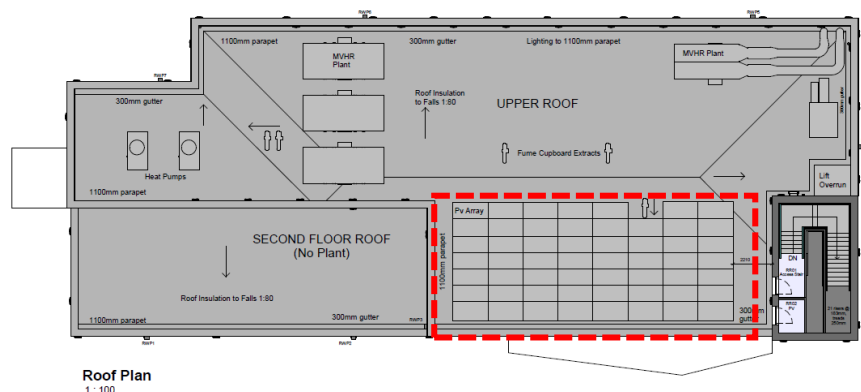
of Understanding (MoU), between the Children, Young People and Education (CYPE) and Growth, Environment and Transport (GET) directorates. A draft of this MoU has been received by the Planning Authority. In addition to agreeing to pay the funds for the bus service if required, the MoU also secures a further sum of £5,000 which would be a dedicated resource to ensure the effective monitoring, scrutiny and support for the School Travel Plan over a 5 year period. A condition to secure an updated School Travel Plan is included in the recommendation at the end of this report, and this would also specify the need to encourage staff members to travel by non-car modes, as identified in paragraph 37 above.

42. Initial requests to the applicant involved asking them to consider the feasibility of providing off-site pedestrian improvements to Buckland Hill which is currently disjointed in the vicinity of the snooker club and requires uncontrolled crossing movements by pedestrians. The applicants have considered this request, however they state that there are significant width constraints and level differences which would need to be overcome to achieve a more satisfactory arrangement for pedestrians. The Highways Officer acknowledges that these constraints exist and that a requirement for the applicants to resolve them would be disproportionate to the number of pedestrian movements generated by this development/school expansion.
43. The TN has clarified that the new development would be served by the established internal access routes and parking/turning areas on site, which are currently used by service and delivery vehicles. Finally, with regard to the crash data provided in the TS and TN, the Highway Officer concurs with the view that there is no evidenced pattern of crashes associated with travel to the school on the London Road corridor.
44. The NPPF states 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. The Transportation Planning Team as Highway Authority and statutory consultee have considered all relevant aspects of this school expansion, as set out above, and have concluded that the development would not result in a severe impact on the highway. The Borough Council has not objected to the proposal and subject to the conditions requested by the Highway Officer (as set out in paragraph 16 and the recommendation below) and the signing of the MoU to secure monitoring of the STP and funds for additional bus services should they be needed, the development would accord with Policies SP23, DM1, DM21 and DM23 of the Maidstone Borough Local Plan.
45. It is noted that the objector considers that there are congestion and related problems caused by parking and movement of parent and student cars in a significant number of adjacent roads and that the school expansion would only exacerbate the problems. They have suggested that parking restrictions should be extended to include further neighbouring roads. However, the issue of parking on surrounding streets has been addressed in the TN and the Highways Officer is satisfied that sufficient spare capacity has been demonstrated to accommodate the additional drop off/pick up activity associated with the proposed development. A requirement in the form of an extension to the controlled parking zone would not therefore meet the planning obligation tests as it is not necessary to make the development acceptable in planning terms. It is therefore considered that this cannot be justified as part of this application.

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**Sustainability**

46. The application has been supported by the submission of an ‘Energy and Thermal Modelling Assessment’ and a ‘Carbon Neutral Statement’ in order to assess the development in sustainability terms. The design of the new building has been based on the principles of passive design, seeking to achieve the ‘Be Lean, Be Clean, Be Green’ hierarchy. The Energy Assessment states that by using hybrid ventilation and adding thermal mass to the modular construction, the building would stay cool and maintain low levels of CO<sub>2</sub> whilst providing a bright and naturally lit learning environment for the students. It goes on to state that the building fabric performance has been specified to improve insulation to counteract the heat loss incurred by the natural ventilation and large glazed windows.
47. The report states that the passive approach would yield an excellent energy performance that would pass Part L of the Building Regulations (with a 51% improvement) and the energy benchmarks, without the requirement to use on site renewable energy sources. However, KCC have requested that the scheme includes a PV Array on the roof, and with the inclusion of this the building would achieve an 84% improvement on Part L of the Building Regulations. The PV Array is highlighted (dashed red) on the roof plan below.



48. The submitted Carbon Neutral Statement explains how the building has been developed to meet KCC’s carbon reduction brief, considering embodied carbon and carbon construction, operational carbon and energy efficiency, building orientation, and end of life carbon. The statement concludes that despite various constraints such as inherited feasibility design, congested site location, stakeholder requests and a reduced programme, the project team has designed a low carbon development, with no on-site emissions through combustion on site. The report also states that further carbon reduction proposals will be continuously reviewed during the design and construction phases of the project to continue to target carbon net zero.

**Biodiversity and Landscape**

49. The application included the submission of a Construction Environmental Management Plan (CEMP) and a Preliminary Ecology Appraisal (PEA). A survey was carried out for the PEA by an experienced ecologist who concluded that the site contained only common or widespread habitat types which are not of conservation concern, and there

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would be no potential impacts to habitats considered to be significant. No evidence of bats was recorded during the surveys and no potential for bats found in relation to the buildings, but the site does contain potentially suitable habitats for breeding birds (although no evidence was found for this during the survey). The CEMP outlines what actions would be taken to mitigate any potential impacts on the environment and ecology in the area during the construction phase.

50. The County Council's Biodiversity Officer has considered the documents submitted in support of the application and concurs with the findings. They state that they are satisfied that the proposals are unlikely to support protected/notable species (with the exception of breeding birds) and no further surveys are required. The control over the timing of the lights on site would ensure that there would be no impact on biodiversity due to light spill. They comment that the PEA has made recommendations to enhance biodiversity through the erection of bat and bird boxes, but feel that more could be done on site, particularly on the footprints of the buildings due for demolition. In order to address this issue they recommend that further details could be secured through the imposition of a condition for an Ecological Enhancement Plan, and this is included in the recommendation at the end of this report. In addition, in order to protect habitats on site which are suitable for breeding birds, the 'breeding birds informative' is also included in the recommendation. It is therefore considered that the scheme, with the above condition and informative in place, would accord with the aims of Policies DM1 and DM3 of the Maidstone Local Plan.
51. An Arboricultural Impact Assessment was also submitted with the planning application, and this confirms that no trees would require removal as part of the development proposal. A condition to ensure that tree protection measures are erected on site prior to the commencement of development is proposed, should permission be granted. Given the proposed location of the new teaching block, amongst the other school buildings and adjacent to the school boundary and railway line, there would be limited scope for the implementation of a wider landscape scheme. However, the Design and Access Statement confirms that new planting raised beds would be provided to the main elevation and these would be planted by the school as a school student project.

**Ground Investigation and Contamination**

52. The application was supported by the submission of a Ground Investigation and Contamination Risk Assessment Report which found that there was a low risk to controlled waters from historical land use. The Environment Agency (EA) have considered the report and advised that subject to the imposition of a condition to deal with any contamination that may be found on site during construction which hasn't previously been identified they have no objection to the development. A piling condition, which would not allow piling or other foundation design using penetrative methods without the consent of the County Planning Authority, is also requested by the EA to ensure that the development does not contribute to unacceptable levels of water pollution caused by mobilised contaminants.

**Drainage**

53. The application was supported by the submission of a Flood Risk Assessment (FRA) and Surface and Foul Water Drainage Safety Report, both of which have been reviewed

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by the Environment Agency and the County Council's Flood and Water Management Team. The site lies within Flood Zone 1, where there is the lowest risk of flooding, and therefore the FRA concludes that no additional site-specific flood mitigation is considered necessary.

54. In terms of drainage the proposed development would be served by new, separate foul and surface water drainage systems which would combine at the final manhole prior to discharging to the existing foul drain running parallel with the railway boundary along the eastern boundary. In order to reduce flood risk off-site, the flow rates would be controlled through the use of a Hydrobrake (or equivalent) and below ground attenuation tanks to store excess volumes for all storms up to and including the 1:100 year event with a 40% allowance for climate change. The Environment Agency have advised that they are in agreement with these proposals given the underlying geology and its high potential for instability. The Flood and Water Management Officer has stated that they are satisfied that the principles proposed for dealing with surface water would not result in an increased risk of flooding from the development, and therefore raise no objection to the development. Conditions are requested to ensure the surface water drainage scheme is built in accordance with the details already submitted, and also for the submission of a verification report prior to occupation of the building, to demonstrate that the constructed drainage system is consistent with that which was approved.

**Noise Impact**

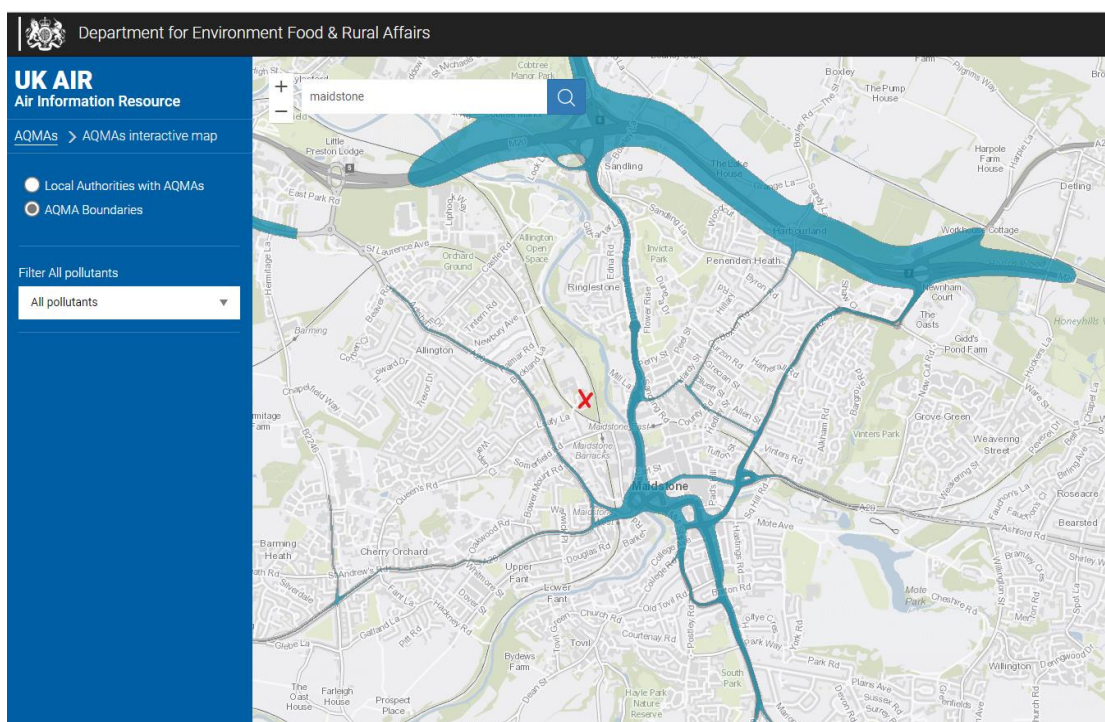
55. The application was supported by a Noise Impact Assessment Report which considered the internal educational spaces within the new teaching block from external noise sources, and the impact of the rooftop plant installations on the closest residential property. The report acknowledges that the proposed glazing and ventilation specifications of the scheme would ensure that the teaching rooms would have internal noise levels that meet the Building Bulletin for 'Acoustic Design of Schools: performance standards'. No additional mitigation measures would be required to protect the teaching spaces from external noise intrusion.
56. The closest residential property is approximately 195m away from the site on Buckland Road, and the proposed teaching block would be on the other side of the existing school buildings in relation to this property. The noise impact of the rooftop plant was assessed through the comparison of measured background noise levels at this property with the noise emission levels provided by the manufacturers for the proposed units. The report concludes that the amenity of nearby residential properties would not be affected by the rooftop plant and that no additional mitigation would be required to meet the British Standard for acceptable noise levels in residential properties. It is considered that the proposed development is located at a sufficient distance away from the closest residential properties to ensure that there would be no noise disturbance impact on local residential amenity, and the scheme would therefore accord with Policy DM1 of the Maidstone Local Plan.

**Air Quality**

57. An Air Quality Management Area (AQMA) has been designated in Maidstone, which covers all major roads in the Borough. (This was declared in 2018 when the previous AQMA covering the whole urban area, which had been in place since 2008, was

## Erection of a new part 2 and part 3 storey school building and visitors centre (1FE expansion) at Maidstone Grammar School For Girls, Buckland Road, Maidstone, Kent ME16 0SF - 22/503012 (KCC/MA/0108/2022)

revoked.) Maidstone Grammar School for Girls is not located within the AQMA but lies approximately 250m to the east of the A20 stretch and is shown on the map below. An Air Quality Assessment was submitted in support of the planning application, which considered both the construction phase and operation phase in relation to air quality. The report states that through good site management and the implementation of suitable mitigation measures, the effect of dust and particulate matter releases during construction would be significantly reduced, and the residual effects of the construction phase on air quality are considered to be 'Negligible'. The air quality impacts from the proposed development during the construction phase would therefore be 'Not Significant'.



58. Monitored pollutant concentrations in the vicinity of the site are below the relevant health-based objectives, therefore the report concludes that the future occupants of the proposed development would not be exposed to unacceptable air quality and the site is deemed suitable for its proposed future use. During the intended operation phase, a screening assessment was undertaken for traffic, which concluded that the net change in traffic flow was below the relevant criteria. The proposals would not change road alignments or vehicular access and would not introduce or change a bus station. As such the air quality impacts from the proposed development in the operational phase would also be considered as 'Not Significant'.
59. Policy DM6 seeks to ensure that the impacts to air quality in Air Quality Management Areas appropriately considered. Although the school is actually outside the AQMA the Air Quality Assessment has properly considered the likely impacts on air quality as a result of this development and found them to be 'Not Significant' for both construction and operation phases. The scheme is therefore considered to meet the aim of Policy DM6 of the Maidstone Local Plan.

**Erection of a new part 2 and part 3 storey school building and visitors centre (1FE expansion) at Maidstone Grammar School For Girls, Buckland Road, Maidstone, Kent ME16 0SF - 22/503012 (KCC/MA/0108/2022)**

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**Archaeology**

60. The application was supported by the submission of an Archaeological Desk-Based Assessment by the Canterbury Archaeological Trust, which states that given the proximity of the development area to the River Medway there is a possibility of finds from the Palaeolithic period surviving in the locality, especially given the general importance of such river valleys in prehistory. The report suggests there is likely to be (based on the available evidence) Anglo-Saxon, medieval or post-medieval archaeology surviving on the development site associated with the settlement at Great Buckland, which is shown on maps from the late eighteenth century onwards. The report goes on to state that whilst there may be some previous impacts to the development site as a result of the earlier construction of the existing school buildings, it is unlikely to have completely removed all earlier archaeological remains.
61. The County Council's Archaeological officer has considered the Assessment and the details of the planning application and advises that the report gives good data on the archaeological potential and can be used to guide further archaeological assessment and mitigation. They state that the archaeological issues could be addressed through the imposition of conditions on any consent, which would secure archaeological field evaluation works prior to the commencement of development, and then prior to occupation of the new teaching block the implementation of a phased programme of archaeological interpretation work in accordance with a written specification to be agreed with the County Planning Authority. These conditions are included in the recommendation below, and subject to this it is considered that the development would accord with Policy DM4 of the Maidstone Local Plan.

**Conclusion**

62. In my view the key determining factors for this proposal are the principle of the development and the educational need, together with the appropriateness of the design and siting of the new building, and any highway and transportation implications linked to the proposal. There is strong Government support in the NPPF for the development or expansion of schools to ensure that there is sufficient provision to meet growing demand, increased choice and raised educational standards, subject to being satisfied on local amenity and all other material considerations. In my view the proposed development would not give rise to any severe, significant or demonstrable harm that would be overriding as far as planning, highways, environmental and amenity aspects are concerned, as demonstrated in the discussion above.
63. Support for the provision of school places is heavily embedded within the NPPF, the Planning for Schools Development Policy Statement, and local planning policy, and this development would satisfy a required need for secondary school places. In my view the development is sustainable and in accordance with the aims of the NPPF and I recommend that planning permission be granted subject to the signing of the Memorandum of Understanding and the conditions set out below.

**Erection of a new part 2 and part 3 storey school building and visitors centre (1FE expansion) at Maidstone Grammar School For Girls, Buckland Road, Maidstone, Kent ME16 0SF - 22/503012 (KCC/MA/0108/2022)**

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**Recommendation**

64. SUBJECT TO the signing of the Memorandum of Understanding (securing funding for the monitoring of the School Travel Plan and the agreement to fund additional bus services for the school should they be needed) I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO conditions covering (amongst other matters) the following:
1. The standard 3-year time limit;
  2. The development to be carried out in accordance with the permitted details;
  3. The development shall be constructed in accordance with the details of all construction materials set out in the submitted documents and application drawings;
  4. Retention/maintenance of at least 30 car parking spaces being kept available for the use of the development outside of school times;
  5. All construction and demolition works shall be undertaken in accordance with the submitted Construction Management Plan (Rev 1.3 dated 10/01/23);
  6. Provision and implementation of a revised School Travel Plan that has been approved by the Planning and Highway Authorities prior to occupation, to include monitoring of bus users, encouragement of staff members to travel by non-car means, monitoring of cycle spaces, and monitoring and managing the arrival and departure of pupils, amongst other matters;
  7. Travel Surveys of both staff and pupils to be undertaken annually in accordance with the submitted School Travel Plan (via the Jambusters website) and compared to the targets given. Any further mitigating measures, if the targets are not met, to be submitted to and approved by the County Planning Authority. Any identified shortfall in the bus services to be appropriately addressed in accordance with the submitted MOU regarding provision of bus services;
  8. The provision of 22 secure and weatherproof cycle parking spaces prior to occupation, details of which to be agreed by the Planning and Highway Authorities;
  9. Permanent retention of the on-site car parking, vehicle loading/unloading and turning facilities shown on the submitted plans;
  10. Provision of measures to prevent the discharge of surface water onto the highway;
  11. Provision of wheel washing facilities prior to the commencement of works on site;
  12. Submission on an Ecological Enhancement Plan within 3 months of work commencing on site to be and agreed in writing by the County Planning Authority;
  13. The installation of tree protection fencing prior to the commencement of development;
  14. The external lights shall be controlled by a daylight sensor control and shall be switched off by 9pm at the latest;
  15. Roof lights shall only be used for emergency access;
  16. No infiltration of surface water drainage into the ground, other than with the written approval of the County Planning Authority and shall only be used in those areas where there would be no unacceptable risk to controlled waters or ground stability;
  17. If during development contamination not previously identified is found to be present, then no further development shall take place until a remediation strategy has been agreed with the County Planning Authority;
  18. No piling shall take place on site without the written approval of County Planning Authority;
  19. The surface water drainage system shall be implemented as set out in the approved documents;



## Item D1

### **Erection of a new part 2 and part 3 storey school building and visitors centre (1FE expansion) at Maidstone Grammar School For Girls, Buckland Road, Maidstone, Kent ME16 0SF - 22/503012 (KCC/MA/0108/2022)**

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20. Submission of a verification report covering the surface water drainage scheme, to be approved in consultation with the Lead Local Flood Authority prior to occupation of the development;
21. Prior to commencement of development, the submission of archaeological field evaluation works to be submitted and approved by the County Planning Authority;
22. Implementation of a phased programme of archaeological interpretation work, prior to occupation.
23. Within 6 months of the occupation of the new School Building, Blocks N and T shall be demolished and the site made good in accordance with the approved drawings and documents.

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

1. The registering with Kent County Council of the School Travel Plan through the "Jambusters" website following the link <http://www.jambusterstpms.co.uk>;
2. Advice that planning permission does not convey any approval to carry out work on or affecting a public highway and that engagement with KCC Highways and Transportation would be required at an early stage
3. The applicant be reminded of the need to protect breeding and nesting birds under the Wildlife and Countryside Act
4. Advice on risks caused by piling resulting in contamination of ground water
5. That disposal of contaminated soil should be carried out in accordance with waste management legislation
6. That the developers should refer to the Definition of Waste: Development Industry Code of Practice

Case Officer: Mrs Helen Edwards
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Tel. no: 03000 413366
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Background Documents: see section heading
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**E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED/REFUSED UNDER DELEGATED POWERS - MEMBERS' INFORMATION**

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

**Background Documents** - The deposited documents.

MA/22/502575/R15 Details of Archaeological Field Evaluation Works pursuant to Condition (15) of planning permission MA/22/502575.  
 Cleansing Services Group Ltd, Forstal Road, Aylesford, Kent, ME20 7AG  
 Decision: Approved

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

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

**Background Documents** – The deposited documents.

CA/21/1093/R10 Details of a Verification Report pertaining to the surface water drainage system pursuant to Condition 10 of planning permission CA/21/1093.  
 Simon Langton Grammar School for Boys, Langton Lane, Nackington, Canterbury, Kent, CT4 7AS  
 Decision: Approved

DO/20/1048/R5 Details of fence, railings and gates pursuant to condition (5) of planning permission DO/20/1048.  
 Dover Fastrack - Land to the north of Dover and to the south of Whitfield, Kent  
 Decision: Approved

DO/20/1048/R16 Details of the implementation of a programme of archaeological work pursuant to Condition 16 of planning permission DO/20/1048.  
 Dover Fastrack - Land to the north of Dover and to the south of Whitfield, Kent  
 Decision: Approved

DO/19/1120/R11 Details of a Travel Plan pursuant to Condition 11 of planning permission DO/19/1120.  
 Dover Grammar School for Boys, Astor Avenue, Dover, Kent CT17 0DQ  
 Decision: Approved

GR/21/0823/R9	<p>Details of a scheme of landscaping and tree planting pursuant to Condition 9 of planning permission GR/21/0823. Gravesend Grammar School for Boys, Church Walk, Gravesend, Kent DA12 2PR Decision: Approved</p>
GR/21/0823/R17 & R18	<p>Details of the provision of parking restrictions on both sides of the length of Church Walk between its junction with Milton Road and the end of the vehicular carriageway, which should apply between the hours of 07:30 to 09:30 and 14:30 and 16:30 Monday to Friday (Condition 17) and details of an extension to the existing "School Keep Clear" marking in Pine Avenue by 10 metres to the west (Condition 18) of planning permission GR/21/0823. Gravesend Grammar School for Boys, Church Walk, Gravesend, Kent DA12 2PR Decision: Approved</p>
GR/22/1280	<p>Temporary construction compound for the Bath Street Contraflow Bus Lane scheme comprising offices, welfare and material storage facilities. Clifton Road Site Compound, Clifton Road, Gravesend, Kent DA11 0AH Decision: Permitted</p>
MA/22/505123	<p>Installation of Air Source Heat Pumps. Palace Wood Primary School, Ash Grove, Allington, Maidstone, Kent ME16 0AB Decision: Permitted</p>
MA/22/505165	<p>Installation of external access ramp and associated landscaping works. Senacre Wood Primary School, Maidstone, Kent, ME15 8QQ Decision: Permitted</p>
MA/22/505182	<p>Renewal of temporary change of use of former station master's house to enable continued use of the site as a public library (use class D1) for a further period of up to 5 years. Bearsted Library, Station House, Ware Street, Bearsted, Maidstone, Kent ME14 4PH Decision: Permitted</p>
SE/19/3123/R5	<p>Details of a scheme to deal with the risks associated with contamination of the site pursuant to Condition 5 of planning permission SE/19/3123. Riverhead Infants School, Worships Hill, Riverhead, Sevenoaks, Kent TN13 2AS Decision: Approved</p>
SE/22/645/R3	<p>Details of external materials, including colour finishes, pursuant to Condition 3 of planning permission SE/22/645. Broomhill Bank School (Northern Site), Rowhill Road, Swanley, Kent BR8 7RP Decision: Approved</p>

SW/21/505738/R	Non-material amendment to planning permission SW/21/505738 for the inclusion of a new roundabout on Grovehurst Road to serve land east of Iwade & Pond Farm developments. A249 Grovehurst Road Junction, Sittingbourne, Kent ME10 2FF Decision: Approved
SW/21/505738/ RVRA	Details of Ecological Design Strategy & details of Landscape Masterplan & Planting Specification pursuant to conditions 16 & 20 of planning permission SW/21/505738. A249 Grovehurst Road Junction, Sittingbourne, Kent ME10 2FF Decision: Approved
TM/22/1541	Proposed installation of a Multi-Use Games Area (MUGA) and associated fencing, replacement and relocation of trim trail and installation of x2 outdoor classrooms. Woodlands Primary School, Hunt Road, Tonbridge, Kent, TN10 4BB Decision: Permitted
TM/22/2500	Replacement of the existing cedar shingle roof covering with an insulated standing seam roof system to the entire school. Kings Hill Primary School, Crispin Way, Kings Hill, West Malling, Kent ME19 4LS Decision: Permitted
TW/22/1710/R4	Details of a Construction Management Plan pursuant to Condition (4) of planning permission TW/22/1710. St James's CE Primary School, Sandrock Road, Tunbridge Wells, Kent TN2 3PR Decision: Approved

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

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**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/FH/0114/2022- Erection of 3 no. replacement buildings to be used to relocate waste management facilities for the packaging and temporary storage of radioactive waste, together with enabling works.  
Dungeness A Power Station, Dungeness Road, Romney Marsh, Kent TN29 9PP

KCC/FH/0188/2022 - The variation of conditions A2, A4, C1, C10 and C12 of planning permission SH/17/338 to extend the date for the completion of sand and gravel extraction until 31 December 2025, extend the dates for the completion of the site restoration, the removal of all plant, machinery, equipment and buildings and the removal of the access to Kerton Road and the reinstatement of that land until 31 December 2026 and enable minor amendments to the restoration plan and outline aftercare scheme.

Denge Quarry, Kerton Road, Lydd, Kent, TN29 9NP

KCC/SW/0205/2022 - Section 73 Application to vary conditions contained in permission SW/22/500475 to extend the consent life to 31st October 2023 allowing site restoration.

Land to the South of the A2 (Hempstead House) and East of Panteny Lane, Bapchild, Sittingbourne, Kent

- (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**

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- (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.

## **F. PLANNING CONSULTATIONS FOR MEMBERS' INFORMATION**

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** Planning Application Ref: PA/2022/2772 - Land south of Asda, Kimberley Way, Ashford

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

**F2** Planning Application Ref: EDC/22/0168 – Ebbsfleet Central East, Land adjacent to Ebbsfleet Railway Station, Thames Way, Ebbsfleet

County Council's response to Ebbsfleet Development Corporation on the above.

**F3** Maidstone Borough Council Design and Sustainability Development Plan Document Consultation

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

**F4** Dover District Council Local Plan Regulation 19 Consultation

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

**F5** Sevenoaks District Council Plan 2040 Regulation 18 Consultation

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

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**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 December 2022

**Our Ref:** MH

**Application - PA/2022/2772**

**Location - Land south of Asda, Kimberley Way, Ashford**

**Proposal - Application for outline planning permission for up to 46,000 sqm of employment floorspace (Use Class E and B2) with all matters reserved except access (excluding internal circulation routes and links to pedestrian and cycle network) and change of use of land to parkland including flood storage area.**

Thank you for the consultation on the above planning application. The proposals have been subject to significant discussions with the applicant to discuss the scope of the submitted Transport Assessment and proposed access arrangements in the form of a traffic signal junction onto the A2042 (Avenue Jacques Fauchaux). Nonetheless, I have the following comments to make:

**Transport Assessment**

Chapter 4 - Existing and Proposed Use

Site Access - Pedestrians and Cycles

- KCC Highways and Transportation would wish to see the footway/cycleway on the corner between the A2042 and Norman Road be widened to provide a 3.5 metre wide segregated route to/from the existing toucan crossing on the A2042 and then up to the coach exit point on Kimberley Way. This would be in the form of a 2 metre cycleway and 1.5 metre wide footway. This is to make the proposal more compliant with Local Transport Note 1/20 due to the significant bend here due to the roundabout junction and to prevent potential conflicts between pedestrians and cyclists. These works are likely to require the provision of a retaining structure at the back of the footway / cycleway and require vegetation clearance / relocation of existing streetlighting. As such an amended plan should be submitted showing these improvements.
- KCC Highways and Transportation requests that the applicant provides a toucan crossing across Norman Road to link in with the existing footway / cycleway that runs through open space to the west of the A2042. This has been promoted as part of the Land at Norman Road planning application (PA/2022/2669), however this application has not yet been decided and so the provision of this toucan crossing cannot be guaranteed at this stage.
- All of these works will need to be delivered by a Section 278 Highway Agreement at the applicant's expense.



### Site Access - Vehicles

- The provision of a signalised left in / left out arrangement onto Avenue Jacques Faucheux is accepted by KCC Highways and Transportation. As part of the access arrangement, the speed limit is proposed to be reduced to 50mph along Avenue Jacques Faucheux and so an Automatic Traffic Count (ATC) survey recording speed, volume and classification was carried out in November 2021 which showed that mean vehicle speeds were 52.6mph. The access onto the A2042 will be restricted to use by delivery vehicles (vans and HGVs) and emergency vehicles.
- A turntable is being proposed within the site so that vehicles can be turned around within the site. However, should for any reason the turntable stop working vehicle tracking has been undertaken to demonstrate that an articulated HGV can turn in the space. Given that HGVs can turn within the site it is questioned as to whether or not this turntable is actually required.
- A Road Safety Audit stage 1 was undertaken for the signalised arrangement of the site access onto the A2042. Following further discussions with KCC Highways and Transportation and the Road Safety Auditors, the drawing was amended, moving the access 125m north towards the outlet, and signals were added to the outlet southern car park slip road and the A2042. The access has been designed in accordance with CD109 and CD123 for a 50mph road. The location of the access provides at least the required stopping sight distance for a 50mph road, which is deemed to be sufficient for this class of road. Swept path analysis has been carried out assuming the maximum legal articulated vehicle (16.5 metres long).
- The submitted access drawing (332410583/100\_100/004 Revision F) can be found in Appendix M of the Transport Assessment.

### Parking

- 30 disabled parking spaces are being proposed, accessed via the Designer Outlet overflow car parking. These car parking spaces will need to meet minimum size requirements of 3.6 metres in width by 5.5 metres in length as part of any future Reserved Matters planning application. 3 of the spaces will need active charging provision and the other 27 spaces should have passive provision, in accordance with the Kent Design Guide parking standards. People can then access the building via the raised footway either by foot or by electric buggy that will be available to use.
- No further car parking is being proposed, which is accepted by KCC Highways and Transportation given the nature of the applicant's business and the fact that they are encouraging sustainable travel from the outset.
- Cycle parking will need to be provided for both Brompton Bikes and conventional bikes as part of any future reserved matters planning application.

## Chapter 5 - Transport Strategy

### Travel Plan

- A travel plan will be of key importance to support the provision of no general staff car parking being provided on site. The travel plan will need to set out the measures, targets, monitoring and reporting which the company will obligate to as part of planning conditions. This will be secured by planning condition and produced in detail as part of the first reserved matters planning application. A travel plan monitoring fee of £5,000 (£1,000 per annum over a 5 year period) is required so that KCC Highways and Transportation can effectively monitor the travel plan and ensure that appropriate measures are implemented from day 1 and appropriate targets are set out over a 5 year monitoring period. This will include a cycle loan and purchase scheme, cycling events for staff and the wider public, community involvement with local charities and schools, public transport discounts for staff, car parking management on roads within the Newtown and South Willesborough area (which are the two most likely locations for staff car parking) and Section 106 parking monitoring and

safeguarding of funding for potential controlled parking zones in the Newtown and South Willesborough area.

- A Construction Logistics Plan (CLP) will be required prior to the commencement of any works on site. This is due to the sensitive nature of the A2042 and the need to prevent lane closures within peak hour periods and also ensure that construction traffic accesses the site via the M20 Junction 10 and 10a and does not go via Ashford Town Centre.

## Chapter 6 - Parking

- As discussed above there will be no car parking spaces provided at the proposed development site other than for mobility impaired drivers, hence the development will be considered 'car free development'.
- Brompton has entered into discussions with the operator of the HS1 car parks, including the large 1,200 space multi storey Eurostar car park and the surface car parks within the same area, and there is an agreement in principle between the parties for use of this car park on a paid-for arrangement.
- A parking strategy document will be developed by Brompton to outline the parking options available for staff. Details of this will need to be secured through a suitably worded planning condition requiring details prior to the occupation of any development on site.
- For the purpose of junction modelling, a worse case position has been assumed where all car trips use the nearest Outlet car park, as detailed further below.
- It is acknowledged that employees of Brompton could potentially park at the McArthur Glen southern car park due to its locality to the site. Whilst no on-site parking will be provided for employees as the ethos of Brompton is sustainable travel, it is recognised that there may be staff that are unable to use sustainable travel to get to and from work. However, it does not mean that Brompton wish to encourage driving and therefore a carefully balanced approach to parking will be used when confirming where and how users park within existing facilities nearby.
- Car parking data for the McArthur Glen southern car park has been submitted for a typical weekday and Saturday and a peak weekday and Saturday. The car parking does not reach its maximum occupancy levels on any of the above days. The maximum parking accumulation is below the total number of parking spaces available, with approximately 613 spaces still available during the peak parking period on a typical weekday, and 139 spaces available during the peak parking period on a peak weekday. On both an average and peak Saturday, the maximum parking accumulation is below the total number of parking spaces available, with approximately 507 spaces still available during the peak parking period on a typical Saturday, and 21 spaces available during the peak parking period on a peak Saturday. Whilst it is acknowledged that the peak Saturday accumulation is close to the 750 parking spaces, there are significantly less people working at Brompton on a weekend in comparison to a weekday. It is noted that the peak Saturday shown within the graph is in the run up to Christmas, which would only impact a few weekends of the year.
- On the days when there may be peak traffic to the Designer Outlet such as discount/promotion days, there may not be adequate capacity to accommodate the parking worst case. However there is still plenty of capacity in the HS1 car parks for Brompton staff which can easily be reached on foot / cycle.
- It is suggested that the in the car parking strategy that the applicant has regular discussions with the Designer Outlet management so that they are informed of the busy periods such as discount/promotion days and so Brompton staff will be able to make alternative arrangements such as the HS1 car park.

## Chapter 7 - Existing Traffic Flows

- The following junctions were surveyed in November 2021. This was a time when there was no Covid-19 related restrictions and so is therefore acceptable to KCC Highways and

Transportation:

1. Priority roundabout of Norman Road / A2042 Romney Marsh Road / Kimberly Way;
  2. Signal controlled junction of Newtown Road / A2042 Romney Marsh Road;
  3. Priority roundabout of A2042 Ave Jacques Faucheux / A2042 Bad Munstereifel Road / Malcolm Sergeant Road;
  4. A2042 / Elwick Road / Station Approach;
  5. A2042 Beaver Rd / Victoria Road / A2042 Signal Junction
  6. A2070 Bad Munstereifel Road / The Boulevard / Waterbrook Avenue.
- Appropriate TEMPRO growth factors have been used up to 2030 (which is the end of the Local Plan period)

Committed Developments

- The Designer Outlet expansion (14/01402/AS) should not be classed as a committed development as it was fully built out at the time of the traffic surveys and should therefore be removed.
- The land at Junction of Romney Marsh and North of Norman Road (19/00709/AS) application should be removed as this refused at a planning appeal.
- Elwick Phase 1 (15/01195/AS) should not be classed as a committed development as it was fully built out at the time of the traffic surveys and should therefore be removed.
- All of the above traffic figures should therefore be removed to avoid double counting.

Chapter 8 - Traffic Generation, Distribution and Assignment

- The existing Brompton site at Greenford has a current modal share of 33% car driver and 50% cyclist. The other 17% either walk or take public transport.
- The table below shows Brompton's aims for modal share based on a decide and provide approach. This is reasonable based on their existing Greenford site.

Mode	Mode Share
Train	2%
Bus or coach	4%
Taxi	0%
Motorcycle	1%
Driver of Car or Van	31%
Passenger in a car or van	9%
Bicycle	35%
On foot	18%

- The Greenford site has currently 150 parking spaces which are typically all utilised. As the proposed site is expected to have three times the floor space of the existing facility at Greenford, it is logical to assume the proposed site will have three times the number of employees and thus in a worst-case scenario a demand for three times the number of parking spaces. This equates to a demand of 450 spaces and thus 450 additional vehicles using the Ashford network to get to and from work, arriving to the site during the morning and leaving in the afternoon and evening.
- Data provided has shown that employees that currently work at the Greenford site have staggered start times, with most factory workers starting shifts at either 0600, 0630 or 0700

and finishing before 1700 or after 1800. The majority of non-factory workers, including customer services, sales, logistics, management etc, work 38 or 40-hour weeks. Therefore, it is assumed that they will start work between 0800-0900 and finish between 1700-1800. This is likely a worst-case scenario as many of the non-factory workers are expected to work from home several days a week, with such travel patterns now being typical in the post Covid-19 era.

- Even though the overall operation of the proposed site is likely to be similar to the existing site in Greenford, with an element of shift work and a number of similar roles, it is also likely that elements will be different as the proposed site will be much larger and producing a wider range of bicycle types (e.g. electric bicycles). Therefore, it is difficult to know at this stage exactly how many workers will arrive and leave within the peak hours (0800-0900 and 1700-1800) and how many will be working shifts and thus start and finish outside the peaks. Therefore, data from TRICS has been obtained to logic check and build on the first principles approach above. It also provides the opportunity to understand arrivals and departures per hour.
- Based on the TRICS assessment the site could generate 234 vehicle movements in the AM peak (8am-9am) and 230 vehicle movements in the PM peak (5pm-6pm) as set out in Table 8.4 of the Transport Assessment. This is acceptable to KCC Highways and Transportation.
- Brompton have highlighted that there are a variety of different vehicles that make deliveries to the site, which include HGVs and small delivery vans. The existing site in Greenford has approximately 59 deliveries a day to the site, which averages approximately 7 vehicles an hour. With the new proposed site to be three times as big as the existing site, this flow has been multiplied by three. This would equal an average of approximately 20 vehicles going to site each hour. This would be 40 two-way movements an hour.
- It is anticipated that all the delivery vehicles would arrive to the site from the M20 J10a, and enter the site from the south, U turning at the Norman Road/Kimberley Way roundabout and entering the site via the signalised left in left out arrangement along the A2042. All trips would leave the site via the left in left out arrangement and travel towards the M20 J10a. Details of this can be agreed as part of a delivery routing strategy condition prior to the occupation of any development on site.

#### Chapter 10 - Signal Controlled Site Access Junction

- This traffic signal junction will operate with plenty of spare capacity in a 2030 future year scenario with a maximum degree of saturation (DoS) of 54% on the Avenue Jacques Fauchaux arm in the PM peak with a maximum queue of 8 vehicles.

#### Chapter 11 - Signal Controlled Junction at Station Approach / A2042 Station Road / Elwick Road and at Victoria Road / Beaver Road / A2042 Ave Jacques Fauchaux

- These traffic signal junctions are operating in excess of capacity in a 2021 baseline year with a maximum DoS of 92.3% on Beaver Road A2042 Ahead Right in the AM peak and 91% on Station Road (A2042) Left Ahead in the PM peak. The practical reserve capacity is - 2.5% in the AM peak and -1.1% in the PM peak.
- In a 2030 Baseline the capacity worsens quite significantly with a worst maximum DoS of 108.8% on A2042 Romney Marsh Road Right in the AM peak and 109.2% on Station Road (A2042) Left Ahead in the PM Peak. The practical reserve capacity is -20.9% in the AM peak and -21.3% in the PM peak.
- In a 2030 scenario with development the capacity slightly worsens in the PM peak with journeys back towards Ashford Town Centre. This is however not considered to be severe as per the National Planning Policy Framework. The maximum DoS is 109.4% on Station Road (A2042) Left Ahead. The practical reserve capacity is -21.5%.
- Because of this slight worsening in capacity the applicant is proposing a minor adjustment to the staging sequence of the signals on the north side of Beaver Bridge. Within the

existing KCC traffic model, the pedestrian crossing on the Elwick Road exit arm, does not operate as a walk with traffic, only during an all red phase. A change has been made to the staging to allow this pedestrian crossing to operate with other staging and therefore adds additional traffic green time back into the model.

- The highway mitigation proposed is seen to improve practical reserve capacity by 2.5% in the AM peak hour and 5.2% in the PM peak hour, going to -17.5% in the AM peak and -16.3 in the PM peak.
- This mitigation should be secured through a suitably worded planning condition prior to the occupation of any development on site. This a very minor highway improvement which will be of minimal cost to the applicant.

#### Chapter 12 - Signal Controlled Junction at A2042 Avenue Jacques Faucheux / Newtown Road

- This traffic signal junction will operate with plenty of spare capacity in a 2030 future year scenario with development with a maximum degree of saturation (DoS) of 77% on A2042 Ahead Left in the PM peak and a queue of 12 vehicles.
- No highway mitigation measures are therefore required for this junction.

#### Chapter 13 - Priority Roundabout at A2042 Avenue Jacques Faucheux / Norman Road / Kimberley Way

- The roundabout junction will operate with plenty of spare capacity in a 2030 future year scenario with development with a maximum RFC of 0.58 on A2042 South arm in the AM peak and a queue of 1 vehicle.
- No highway mitigation measures are therefore required for this junction.

#### Chapter 14 - Priority Roundabout at A2042 Avenue Jacques Faucheux / A2042 Bad Munstereifel Road / Malcolm Sargent Road

- KCC Highways and Transportation have recently upgraded this roundabout through the use of turbo markings to indicate lane usage. This in effect reduces the number of conflict points at the roundabout.
- There are however wider plans by KCC to improve this roundabout through part signalisation, widening of entry arms and a bypass lane from the A2042 North to the A2042 Bad Munstereifel Road.
- Currently the turbo roundabout operates with minor queuing and delay on all arms in the AM and PM peaks as suggested in Table 14.1.
- The modelling results in a 2030 future year scenario without the proposed development show that in the AM Peak hour the junction operates with long delays and queues on the A2042 (E) arm, the Malcolm Sargent Road arm and the A2042 (S) arm. In the PM peak hour, the modelling results also show that the junction operates with long delays and queues and queues on the A2042 (E) arm and the A2042 (N) arm.
- The modelling results in a 2030 future year scenario with the proposed development show significant worsening on the A2042 (S) arm and the Malcolm Sargent Road arm in the AM peak. In the PM Peak there is significant worsening on the A2042 (E) arm and A2042 (N) arm.
- The traffic signal scheme significantly improves the operation of the junction such that the junction will still operate within capacity in both a 2030 baseline and a 2030 baseline plus development scenario with a maximum degree of saturation (DoS) of 89.5% on the Malcolm Sargent Road Left Ahead in the AM Peak together with a practical reserve capacity of 0.6% in a with development scenario. The PM peak modelling results are better still with a maximum degree of saturation of 67.9% on the A2070 (E) Exit Left Ahead together with a practical reserve capacity of 32.6% in a with development scenario.
- Funding for this improvement scheme has not been fully secured to date and so an

appropriate Section 106 contribution is required from this site. It has been identified in the Transport Assessment that there is the potential for 118 movements through this junction in the PM peak, although based on their likely modal share targets (31% driving a car compared to 2011 census data which suggests 61%) the likely number of movements is 60 movements so contributions should only be calculated on this basis. This equates to a required contribution of £564,942 and this should be payable prior to the occupation of any development on site. The financial contribution will need to be index linked from Quarter 4 2022 and be based on the construction price index (new work, infrastructure).

#### Chapter 15 - Signal Controlled Junction at A2070 / The Boulevard (Orbital Park – Bellamy Gurner)

- This junction is within the ownership of National Highways and so their views should be sought on the impact of the proposed development on this junction.
- This junction is being upgraded from a priority roundabout to a signalised junction and works are due to be completed by the end of January 2023. This will allow vehicles to be able to turn right out of Avocet Way (currently they can only turn left out).
- The signalised junction will operate just over capacity in a 2030 baseline and baseline plus development scenario and therefore a mitigation scheme is being proposed which involves minor adjustments to the stage sequence
- Table 15.4 is however exactly the same as Table 15.3 and does not identify the capacity improvements as a result of these adjustments. The Table should therefore be updated accordingly.

I look forward to further commenting on the planning application once additional information is submitted to address the above concerns.

**Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.**

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

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 public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

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 have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant 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.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

Yours Faithfully

**Director of Highways & Transportation**

\*This is a statutory technical response on behalf of KCC as Highway Authority. If you wish to make representations in relation to highways matters associated with the planning application under consideration, please make these directly to the Planning Authority.



## Growth and Communities

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Phone: 03000 412064  
Ask for: Stephanie Holt-Castle  
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### BY EMAIL ONLY

22 December 2022

Dear Michael,

**Re: Outline Planning Application for a proposed development at Ebbsfleet Central East, Land adjacent to Ebbsfleet International Railway Station, Thames Way, Kent (Ref: EDC/22/0168)**

Thank you for consulting Kent County Council (KCC) on the Outline Planning Application for the proposed mixed-use development comprising the demolition of the existing car parking, structures and station forecourt and provision of residential dwellings (Use Class C3); flexible commercial, business and service uses (Use Class E) to allow provision of retail, offices, restaurants/cafes, nurseries, and healthcare facilities; flexible learning and non-residential institutions (Use Class F1); flexible local community uses (Use Class F2); hotel use (Use Class C1); residential institutions (Use Class C2); and Sui Generis uses to allow provision of co-living and student accommodation, public houses/drinking establishments, and theatres/cinemas. Associated works include hard and soft landscaping, a River Park, car parking and multi-storey car parks, pedestrian, cycle and internal vehicular network, and other ancillary infrastructure; and associated crossings, highway accesses, and junction improvements.

In summary, Kent County Council has reviewed the outline planning application as it currently stands and raises a **holding objection** on the following grounds:

Highways and Transportation: The planning application fails to provide sufficient sustainable transport opportunities, including reference and consideration to the importance of Fastrack and the Public Rights of Way network. Highway proposals plans require the inclusion of geometry to demonstrate that standards are satisfied. Issues have also been raised in respect of the Stage 1 Road Safety Audit, the requirement for further junction assessments,



trip rates, level of financial contribution for measures to encourage modal shift and the Framework Travel Plan.

The County Council has reviewed the outline planning application and sets out its comments in full below:

## **Highways and Transportation**

### Introduction

The County Council considers that it is disappointing that for various reasons, key aspects of the original sustainable aspirations for this site have not been taken forward in the Application. These include:

- Segregated lanes for the Fastrack buses, as requested by KCC and as noted within the Gravesham Core Strategy, the Draft Dartford Local Plan and the Ebbsfleet Development Corporation (EDC) Sustainable Travel Strategy.
- The walking and cycling link between the site and Northfleet Station, identified in the Dartford and Gravesham Core Strategies and the EDC Implementation Framework.
- The connection to the 'Bridge to Nowhere' from the western side.
- Widening of the A2260 to accommodate segregated cycle facilities.
- Improvements to pedestrian and cycle facilities along Southfleet Road.

Each of these are important elements which would support the sustainable transport outcomes for the site in accordance with the National Planning Policy Framework (NPPF). They are also in line with the ethos of development provision in Kent Thameside over previous years. In addition, the following detailed points need to be addressed.

### General Comments

The general planning documents make little reference to the importance of Fastrack, with the exception of the dedicated link across Southfleet Road. However, it is understood that this is no longer considered to be a 'dedicated route' (as originally envisioned), but a shared two-way road with a small dedicated section / bus gate. KCC is concerned that the increased traffic coming to/from the site, plus the change from roundabout to signal junctions on the highway could lead to an increase in journey time for the buses. As this is a Fastrack only link that commercial buses are not permitted to use, the impact on commercial services and their journey times will also need consideration. Evidence should be provided to demonstrate the proposed time saving to both Fastrack and commercial buses.

The Green Corridors scheme along Thames Way referred to in paragraph 2.7.18 of the Transport Assessment (TA) is not yet committed. If this is not delivered, the applicant will need to deliver the fully segregated pedestrian and cycle route as part of this scheme.

## Highway Proposals

Proposed changes to junction locations are described in section 5.1 of the TA, with plans provided in TA Appendix E. However, the plans do not show any geometry, as requested during pre-application discussions with the Local Highway Authority. The plans should be updated to show appropriate geometry including visibility splays, footways and cycle routes, and the highway and red line boundaries in order to demonstrate they meet current standards and that all of the required land is within KCC or the applicant's control. Autotracks were provided post application but should be reviewed in line with the comments provided.

*Fastrack link* - In line with previous aspirations for the site, a new Fastrack walking and cycling link is proposed to be provided across Southfleet Road, linking Eastern Quarry with International Way. During pre-application discussions, the applicant proposed three locations for the link and KCC confirmed a preference for it to be located as close to the spur on Castle Hill as possible, to reduce the time a bus would need to spend on Southfleet Road where it is likely to get caught up in congestion. This was as per the original intention of the link. It is therefore extremely disappointing that the proposed location shown on the plans in Appendix E is so far north. KCC considers this link to be too far north and is likely to impact journey times for Fastrack. The junction is shown as a priority junction on the plans in Appendix E but is described as a signal junction at paragraph 5.5.3 of the TA. To confirm, Fastrack should have priority at junctions. Considering the site has very reduced parking provision, the attractiveness of the Fastrack, public transport, walking and cycling provision are fundamental to the effective operation of the site. The location of the link should therefore minimise journey times by these modes and the location and design of the link should be secured as part of this application.

*Stage 1 Road Safety Audit* - A Stage 1 Road Safety Audit for the proposed changes to the highway was submitted on 01.11.22. A number of the issues raised by the auditor need to be addressed further. Further comments are provided in Appendix 1.

*Public Rights of Way (PRoW) Routes* - The planning documents do not emphasise just how important the PRoW network is for this site. It is not enough to simply reduce parking provision, it is vital that key links are significantly improved in order to create attractive routes for sustainable travel. This includes DS17 (a key east-west link), NU2 (link to Northfleet in the west) and NU7a (a key link to Northfleet). Further improvements are required. Further detail in respect of the PRoW network is provided within the relevant section within this response.

*Pedestrian Audit* - Appendix B of the TA contains a pedestrian audit of the route between car park C and Northfleet Station and identifies a number of issues. However, no key measures have been proposed to improve the route. Table 9-24 estimates the site will generate almost 11,000 pedestrian trips and 600 cycle trips across the day and a number of these will be to/from Northfleet Station / High Street. Improvements to the routes are therefore required to create attractive walking and cycling corridors.

## Traffic Assessment

The study area identified in Figure 9-1 of the TA does not incorporate three of the four additional junctions requested by KCC during pre-application discussions. These junctions are required to be assessed to determine whether they are able to accommodate the development or whether mitigation is required, particularly as the previous application was not only consented 20 years ago, but is also set to expire this month. These are as follows:

- Grove Road / B1275 / A226 roundabout (Appendix J shows there will be over 100 development generated trips going through this junction in each of the AM and PM peaks).
- Springhead Road / Thames Way roundabout (Appendix J shows there will be over 310 development generated trips going through this junction in each of the AM and PM peaks, under the 'max commercial' scenario).
- Hall Road / Springhead Road roundabout (it is unknown how many of the above trips will travel to/from this junction as no assessment has been provided).

Traffic flows used to model the A2260 / Springhead Bridge junction were based on a 2018 traffic count combined with estimated flows extracted from the LinSig model that was used to model the proposed bridge. The assessment assumes all houses were occupied at this time. KCC disagrees with this approach as firstly, the flows are based on estimated data and also EDC planning have confirmed that only 577 residential units were occupied in Springhead in December 2018. An updated traffic count is required for this junction.

Paragraphs 9.4.15 – 19 of the TA refer to committed development flows for Eastern Quarry and states that the assessment has used the trip rates that KCC accepted for application EDC/21/0164 instead of those in the 2006 TA, and that the vehicular trip rate has been reduced by a further 15% due to its proximity to Ebbsfleet Central. The use of the revised trip rates for EDC/21/0164 were agreed during pre-application discussions, based on the fact that it is very unlikely the full permission will ever be built out and that the recent Eastern Quarry traffic surveys show the trips are well within the target set. However, Eastern Quarry has until 2033 to submit all Reserved Matter Approvals. Therefore, in order for a robust assessment to be undertaken, a sensitivity assessment is still required using the original Eastern Quarry trip rates. Mitigation could be secured through a Monitor and Manage approach, so that it will only be required should the full Eastern Quarry permission be built out. With regard to the further reduction of 15% of vehicle trips, Ebbsfleet Central would have already obtained its planning permission when the Eastern Quarry TA was developed and the trip rates are therefore considered appropriate. The reduction is therefore not acceptable.

Sections 9.5 and 9.6 of the TA relate to the internalisation of trips and total trip generation. KCC questions a number of the assumptions related to external trip generation and a lack of trip assessment for some of the proposed uses. Further information is required.

Table 9-24 of the TA presents predicted mode share information. The vehicle occupancy and pedestrian mode shares look significantly high. Further evidence / justification is required in order for this to be accepted.

### Financial Contributions

The applicant proposes a £100,000 contribution towards sustainable travel vouchers (bikes, helmets etc) and states “*A maximum claim of £50 per dwelling will be permitted*”. However, under the ‘max residential scenario’, this equates to only £36.66 per house and needs to be increased.

A transport fund needs to be established to be used to implement measures should the Travel Plan targets not be achieved. Other local developments have contributed between £300 and £2000 per unit (depending on bus requirements) to their transport fund and KCC seek a similar level of contribution from Ebbsfleet Central.

One year’s free membership to the car club and £50 driving credit should be secured for site users, to encourage take up.

### Framework Travel Plan

The monitoring section at 5.1.1 does not refer to site wide vehicle monitoring surveys, which are essential. It should also include information on car club usage, and parking surveys in the local area to confirm the site is not generating on street parking issues elsewhere.

The targets should be considered alongside the trip generation set out in the TA. No remedial measures have been set out to show what action will be taken should the Travel Plan not achieve its targets. This is required. Travel Plan monitoring should occur at six monthly intervals and continue for five years post full occupation. As requested during pre-application discussions, a Transport Review Group (TRG) should be established.

### Thames Way Dualling

The proposed development would utilise land currently safeguarded for the dualling of Thames Way, a scheme listed on the Strategic Transport Infrastructure Program (STIPS). The scheme is currently being reviewed by the County Council to determine whether it is still required. It is anticipated that the results will be taken to the County Council Cabinet Committee in January 2023 for a final decision on whether to remove it from the STIPS programme or not. KCC requests that either this Application is not determined until a formal decision has been made on the scheme, or a Grampian condition is applied to prevent any development occurring until it has formally been removed from the list.

### Conclusion

In conclusion the County Council, as Local Highway Authority, places a holding objection on the application until the above issues have been resolved.

## **Public Rights of Way**

KCC is keen to ensure that our interests are represented with respect to our statutory duty to protect and improve PRow in the County. KCC is committed to working in partnership with the applicant to achieve the aims contained within the KCC [Rights of Way Improvement Plan](#) (ROWIP) and '[Framing Kent's Future](#)' strategy for 2022-2026. Specifically, these relate to quality of life, supporting the rural economy, tackling disadvantage and safety issues, and providing sustainable transport choices.

Public Rights of Way, Public Footpaths, DS17, NU14 and NU7A are located within the site and would be directly affected by the proposed development. The locations of these paths are indicated in Appendix 2. The existence of the Rights of Way is a material consideration.

Overall, the County Council considers that the application is unsatisfactory with regard to Active Travel and a lack of opportunities providing green, off-road routes for future health and well-being opportunities for future residents and employees. There is a lack of regard given to the opportunities provided by the existing routes of the PRow network which gives rise to a concern regarding commitment to creating a development for the future.

## Transport Assessment

### *2. Site Context*

Paragraph 2.7.4: In relation to Public Footpath NU14, whilst the County Council appreciates engagement regarding this route South of Thames Way, KCC would advise improvements made to the length of NU14 to its junction with NU7A and NU7A onwards to connect with Northfleet Station and amenities (as identified within the assessment). This would provide a significant link for the benefit of the new and existing communities.

### *4. Summary of Highway Authority Engagement*

The reference to a financial contribution for the route of NU7A/NU14 is welcomed, but no firm detail is given regarding amount or timescale of contribution. This amount should be agreed with KCC as the Local Highway Authority in order to provide a high quality, safe and attractive route, and the amount must be index linked to meet future costs.

Paragraph 4.1.5: The route to and from Northfleet Station and Thames Way along NU7A should be seen as a “definite” not “potential” route, as above. Improvements and enhancements to this route in terms of surface, width, signage and lighting (note that lighting is not a PRow remit) can be delivered with the above funding within an achievable timeframe and is not dependent on any future negotiations or permissions.

Paragraph 4.1.6: With reference to the routes described within this paragraph - improvements and enhancements to this route in terms of surface, width, signage and lighting (note that lighting is not a PRow remit) can be delivered with the above funding within an achievable timeframe and is not dependent on any future negotiations or permissions.

## *5. Development Proposals*

### *5.5 On Site Transport Infrastructure*

The County Council notes that the proposed crossing NU14 and Thames Way would require new signage and would add to improvements coming forward to the stretch of NU14 south of Thames Way.

## *7. Transport Strategy*

### *7.2 Sustainable Transport Strategy*

The Northfleet link gives a simpler, realistic and timely opportunity, cutting out what would be in our experience of similar proposals, protracted negotiations and construction timescale with Network Rail. Such discussions are also not guaranteed to be successful. The route utilising the existing PRow network would, again, be complete by first occupation of Phase 1 providing connectivity immediately. The proposed toucan crossing is not considered to be sufficient in terms of fulfilling Active Travel goals.

In respect of the Travel Plan, the applicant should engage with KCC in respect of PRow and the County Council's promotional partner, Explore Kent, who will provide up to date information regarding sustainable travel, connectivity, and relevant network information to enable residents and employees to make informed travel choices. The Travel Plan should also reference the PRow network together with cycling routes for leisure, health and well-being purposes.

## *8. Construction and Planning*

The PRow network here must be included in any Construction Management Plan, with any temporary closures applied for and approved in a timely process, to enable pedestrian safety as a priority during construction. All PRow improvements are to be completed upon first occupation of Phase 1 to ensure connectivity.

## *11. Summary and Conclusion*

Paragraphs 11.1.11: An omission is noted in respect of definite PRow network improvements other than road crossings in this section; the points raised through the TA must be included in the Summary and Conclusion, as otherwise it would appear that they do not have significance within the application as a whole.

## Appendices

### *Appendix D*

Masterplan and Movement and Circulation Parameter Plan: The County Council notes the omission of the PRow routes on the plan and would request that this is rectified. PRow

routes should be clearly detailed on all relevant plans given the opportunities offered for Active Travel through the network.

## Figures

### *Figure 2-5 Public Right of Way*

Figure 2-5 appears to be the only part of the application which is showing the PRow network and the plan does not label the routes. On this plan, the routes should be identified on the map accordingly. The County Council requests that details are provided as part of this application to highlight the PRow network both within site and the wider area to demonstrate connectivity.

The County Council would also point to Public Footpath DS17 which crosses the north of the site, will require surface improvements as necessary and new signage through the development. This path is also a Cycle Track and again should therefore be seen as a strategic route for travel West to East. DS17 connects to the East to NU2, and KCC would also be looking at a funding contribution to improve this connectivity onwards to the amenities identified. KCC will provide estimate costings for the proposals as required.

The focus of this project should be to provide a sustainable development which promote modal shift away from short car journeys. The aims and objectives of the ROWIP and the ability of the PRow network to deliver such development should therefore be reflected on within the application and utilised for achievement in the future.

## **Development Investment**

The County Council requests further information and clarity relating to the number of units proposed, alongside the nature, mix and sizes of dwellings which are proposed on the site to inform considerations relating to the need for development contributions on the site.

KCC has assessed the implications of this proposal and considers that it will have an additional impact on the delivery of its community services. These impacts 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 Appendices 3a – 3e.

## Request Summary

	Per applicable <sup>1</sup> house (x 306)	Per applicable flat (x 1766)	Total	Project
<b>Primary Education</b>	EDC to Provide New 2FE Primary School at sites a) or b) as outlined on the application and to be confirmed in the s106 Agreement			Provision by EDC of new 2FE primary school.
<b>Primary Land</b>	EDC to provide land for 2FE Primary School (min2.05ha) at sites a) or b) as outlined on the application and to be confirmed in the s106 Agreement and to meet KCC General Land Transfer Terms.			Provision by EDC of land for new 2FE primary school to meet KCC General Land Transfer Terms.
<b>Secondary Education</b>	£5,176.00 <sup>2</sup>	£1,294	£3,869,060	Towards secondary school.
<b>Secondary Land</b>	£3,514.31	£878.58	£2,626,947.56	Towards secondary school land.
<b>Special Education Needs and Disabilities (SEND) School</b>	£505.17	£126.29	£377,610.16	Towards SEND school.
<b>Special Education Needs and Disabilities School Land</b>	£318.41	£78.15	£235,452.55	Towards SEND school land.

### Land Contribution

In respect of the Primary School Site/Indicative Locations/Phasing proposals, whilst the application is showing two possible primary school sites for the location of one 2FE, no further information is provided on the site sizes, and as such, their suitability is unknown.

The County Council will require the four corner point co-ordinates of the proposed school site to enable a site visit of the proposed school land. The applicant's attention is drawn to KCC's General Transfer Terms, for which the proposed site will need to be in accordance.

The education land will need to be provided to KCC at nil consideration.

<sup>1</sup> 'Applicable' excludes: 1 bed units of less than 56 sqm GIA, and any sheltered accommodation. Confirmation is required for the number of 1 bed units proposed and whether they are below this threshold.

<sup>2</sup> All figures will be revised when the number of 2,3 or more bedroom units are confirmed in the plans.



	Per dwelling (x 2072)	Total	Project
<b>Community Learning</b>	£16.42 <sup>3</sup>	£34,022.24	Towards additional equipment, services, and resources to assist with the education and training of the new learners arising from this development.
<b>Youth Service</b>	£65.50	£135,716.00	Towards youth service resourcing arising from this development.
<b>Library Service</b>	£55.45	£114,892.40	Library service resourcing arising from this development.
<b>Social Care</b>	£146.88	£304,335.36	Towards specialist care accommodation, assistive technology systems and equipment to adapt homes, adapting community facilities, sensory facilities, and Changing Places arising from this development.
	All homes built as <b>Wheelchair Accessible &amp; Adaptable Dwellings</b> in accordance with Building Regs Part M 4 (2).		
<b>Waste</b>	£129.20	£267,702.40	Ebbsfleet Waste Transfer Station (WTS).
<b>Broadband</b>	The requirement for gigabit capable connections for new dwellings will now be included as part of Building Regulations (2010) in <a href="#">Volume 1: Physical Infrastructure and Network Connection For New Dwellings</a> . This document comes into effect on Monday 26 <sup>th</sup> December 2022.		
<i>Highways</i>	<i>Kent Highway Services will respond separately.</i>		

### 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 below and in Appendices 3a – 3e.

#### Education

The County Council, as Local Education Authority welcomes the extensive dialogue with EDC that has taken place about school provision within this proposal which appears to have been acknowledged within this application.

Taking into account the information provided in both the Planning Statement and Design and Access Statement, KCC as Local Education Authority is content that sufficient recognition has been given to the fact that a 2FE primary school will need to be provided to meet demand that would be generated from the Ebbsfleet Central development.

The County Council expects that, with the numbers of dwellings ranging, a 2FE primary school would be required, even if a significant number of the dwellings are flats. The County Council look forward to giving a more precise figure of the expected demand once the number and type of dwelling is better known.

<sup>3</sup> 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). They 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.

KCC understands that the actual location for any new primary school is still to be determined as well as a determination as to whether it will actually be within this planned development or very nearby. However, on the basis that the applicant accepts new provision is required, the County Council requests that this situation is clarified in all relevant documentation including the application form itself.

The proposal for a new primary school has been assessed in accordance with the County Council's 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 proposal is projected to give rise to additional secondary school pupils from the first occupation of this development. The County Council would wish to engage on this matter accordingly to secure the relevant provision in a timely manner. Currently the amount of new education provision planned for this area of Dartford is tied to the numbers of planned new housing. There is no surplus built in, so any additional housing will also require KCC to commission new secondary places. This is going to prove challenging insofar that most schools in Ebbsfleet or nearby, have either already been expanded, or cannot be expanded. The County Council would welcome further engagement once the numbers are published to ascertain what the additional demand will be. However, KCC welcomes the acknowledgement that a financial contribution towards additional secondary provision will be required from the development.

The provision of new accommodation at the secondary school will be provided and delivered in accordance with the Local Planning Authority's Infrastructure Delivery Plan timetable and phasing, where available.

KCC would also welcome discussions with Dartford Borough Council to gain assurances that sufficient funding for the education contributions can be obtained through CIL.

The demand for Special School places is already in excess of capacity, so KCC requests specific reference to Special school/or specialist provision places at this outline stage. KCC would expect S106 contributions where appropriate, to be able to create sufficient places.

KCC notes that there will be space to accommodate Early Years provision on the development. KCC would welcome further conversations between the EDC and KCC Early Years Sufficiency Advisers to discuss how the additional new Early Years demand will be accommodated through nurseries and other provisions.

The impact of these proposals on the delivery of the County Council's services is assessed in Appendix (3b). 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.

### Build Contribution

The County Council requires EDC to provide a new primary school.

### Land Contribution

The County Council requires EDC to provide land (minimum 2.05ha) for the new primary School, and to meet KCC General Land Transfer Terms (Appendix 3a).

KCC notes that this process will be kept under review and may be subject to change, including possible locational change, as the Local Education Authority must 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 \(2022-2026\)](#) and [Children, Young People and Education Vision and Priorities for Improvement \(2018-2021\)](#).

### Community Learning

The County Council provides community learning facilities and services for further education in line with KCC policies. Community Learning and Skills (CLS) helps people moving to a new development overcome social isolation and encourages community cohesion, as well as improving skills in a wide range of areas.

There is an assessed shortfall in provision for this service. The current adult participation in both District Centres and Outreach facilities is in excess of current service capacity, as shown in Appendix 3c, along with the cost of mitigation.

To accommodate the increased demand on KCC Community Learning, the County Council requests £16.42 per dwelling towards the cost of providing the Community Learning Project, local to the development.

### Youth Service

The County Council has a statutory duty to provide Youth Services under section 507B of the Education Act (1996). This requires KCC, so far as reasonably practicable, to secure sufficient educational leisure-time activities and facilities to improve the well-being of young people aged 13 to 19 and certain persons aged 20 to 24.

To accommodate the increased demand on the Kent Youth Service, the County Council requests £65.50 per dwelling towards additional resources for the Kent Youth Service locally.

## Library Service

The County Council is the statutory Library Authority. Under the Public Libraries and Museums Act (1964), KCC has a statutory duty 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 Ebbsfleet items per 1000 population is below the County average of 1134 and both the England and total UK figures of 1399 and 1492, respectively.

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

The County Council, therefore, requests £55.45 per household to address the direct impact of this development, and the additional services, equipment and stock will be made available locally at the local library or mobile library service, as and when the monies are received.

## Adult Social Care

The impact of this proposal on the delivery of the County Council's services is assessed in Appendix 3d. KCC is the statutory authority for Adult Social Care. The proposed development will result in additional demand upon Adult Social Care Services (ASC), including older persons and adults with learning / neurodevelopmental / physical disabilities and mental health conditions. Existing care capacity is fully allocated, with no spare capacity to meet additional demand arising from this and other new developments.

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

- a proportionate monetary contribution of £146.88 per household (as set out in Appendix 3d) towards specialist care accommodation, assistive technology systems and equipment to adapt homes, adapting community facilities, sensory facilities, and [Changing Places](#) locally.
- In June 2019, the Department for Levelling Up, Housing and Communities identified in guidance that the need to provide housing for older and disabled people is critical. Accessible and adaptable housing enables people to live more independently and safely, providing safe and convenient homes with suitable circulation space, bathrooms, and kitchens. Kent Adult Social Care requests these dwellings are built to Building Reg Part M4(2) standard (as a minimum) to ensure that they remain accessible throughout the lifetime of the occupants, meeting any changes in the occupant's requirements.

## Waste

KCC is the statutory Waste Disposal Authority for Kent, responsible for the safe disposal of all household waste, providing Household Waste Recycling Centres (HWRC) and Waste

Transfer Stations (WTS). Each household produces an average of a quarter of a tonne of waste per year to be processed at HWRCs and half a tonne per year to be processed at WTS's. Existing HWRCs and WTSs are running at capacity and additional housing will create a significant burden on the manageability of waste in Kent.

A contribution of £129.20 per household is required towards the Waste facilities at Ebbsfleet, to mitigate the impact arising from this development, and accommodate the increased waste throughput within the Borough.

Section 4.3 of the Waste Strategy details the potential waste transfer methods and includes innovative ideas such as use of an Envac-type waste collection system. Section 4.3.5 states that this would only be implemented with the agreement of the Waste Collection Authority (Dartford Borough Council and Gravesham Borough Council). KCC as the Waste Disposal Authority would also like to be included in this discussion to alleviate concerns over material contamination and methods of delivery to the WTS.

#### Broadband: Fibre to the premise/gigabit capable

KCC recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning to decide on the appropriate solution and the availability of the nearest connection point to high-speed broadband. Most major telecommunication providers are now offering next-generation access broadband connections free of charge to developers. The County Council notes that further details are available on their websites.

#### Implementation

The County Council considers 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 (S106) obligation with the developer / interested parties prior to the grant of planning permission. The obligation should also include provision for the reimbursement of the County Council's legal costs, surveyors' fees and expenses incurred in completing the agreement, and County monitoring fee of £500 for each trigger within the agreement. The County Council requests a draft copy of any S106 agreement or unilateral undertaking prior to its finalisation, at the earliest possible date.

KCC also requests confirmation for when this application will be considered and that a draft copy of the Committee report is provided to the County Council, prior to it being made publicly available. If the contributions requested are not considered fair, reasonable, and compliant with CIL Regulation 122, the County Council requests to be notified immediately and to allow at least 10 working days to provide such additional supplementary information as may be necessary to assist the decision-making process in advance of the Committee report being prepared and the application being determined.

## **Minerals and Waste**

The County Council, as Minerals and Waste Planning Authority provided comments direct to Ebbsfleet Development Corporation on 19 October 2022 (Appendix 4).

## **Sustainable Urban Drainage Systems (SuDS)**

The County Council, as Lead Local Flood Authority provided comments direct to Ebbsfleet Development Corporation on 31 October 2022 (Appendix 5a), and additional commentary on 15 December 2022 (Appendix 5b).

## **Heritage Conservation**

The County Council has set out comments on matters of archaeological interest and has made no detailed comments or recommendations related to built heritage, which will be provided by Historic England.

The site lies within the Ebbsfleet Valley which is an area of multi-period archaeological potential with evidence for human activity from the Palaeolithic to the present day. The area has known remains of national importance dating from the Palaeolithic (Baker's Hole - Scheduled site NHLE 1003557) and the Neolithic (adjacent to the development site - Scheduled site NHLE 1004206) and the development site is likely to contain similar below-ground archaeological remains. The site has the potential to include waterlogged organic artefacts, structures and palaeoenvironmental evidence which would be of equivalent importance to that existing on the above-mentioned scheduled sites.

### *Environmental Statement (Chapter 14 – Cultural Heritage)*

Table 14.5 – it should be noted that non-designated 'receptors' could have high sensitivity, but this remains unknown without field evaluation, which has not been undertaken due to site access constraints. This lack of understanding of the nature and significance of below-ground archaeological remains, seriously restricts the ability to reach an informed decision about the environmental impact of the proposals. In the absence of site-specific evaluation data, it should be assumed, based on the assessment data, that the site will contain below-ground archaeological remains of a significance equivalent to, and most probably also related to, the nearby nationally important designated sites.

Non-designated organic deposits and remains of likely national importance that owe their significance to waterlogging, which lie outside the scheduled sites are not adequately considered. In Section 14.6 under Primary Mitigation, it is stated that '*In terms of archaeological deposits, finds and features, it is anticipated that these will be fully investigated and assessed ahead of construction of the scheme. It is intended that themes identified through these investigations will be embedded into the final scheme design of the detailed application in order to ensure that heritage and place making opportunities are met.*'. The field evaluation that will be required should be separated from mitigation. The field investigation will be needed to identify and define the extent, character, date and significance of below-ground archaeological remains at the site, in order to define

appropriate mitigation through design and/or through recording of remains that would be impacted. This will be especially important for those areas of the site which have waterlogged archaeological deposits. Areas of nationally important archaeological remains should be preserved in situ and the development should be designed to enable this to be achieved (see NPPF footnote 68).

#### *Archaeological Desk Based Assessment (ADBA) (Parts 1 – 6)*

The ADBA lacks detail on the archaeological potential and key research questions for the site. For example, there is a lack of detailed consideration of the potential of the site to contain archaeological remains relating to the Mesolithic – Neolithic transition (including for organic remains with the potential for dating).

The ADBA lacks models for the relationship between known and potential archaeological 'sites' and the palaeoenvironment. To help inform KCC's understanding of potential archaeological significance from the desk-based assessment approach adopted for this application it is recommended that landscape models for the following key periods are drafted, Lower, Middle and Upper Palaeolithic, Mesolithic-Neolithic, Bronze Age, Romano-British and Medieval. Such plans illustrating known archaeological 'sites' and areas of known impacts, would help to show where field evaluation will be needed. When such field evaluation has been undertaken, approaches to mitigation can be put forward to inform design choices and minimise impacts. Scheme parameter plans must define and respond to areas of high archaeological potential (as determined by the desk-based assessment stage).

Within the County Council's Scoping Opinion, KCC recommended - *The applicant should combine the surveys ... to provide historic environment character areas based on the desk-based and specialist assessments. These should then be used to identify areas of higher and lower potential within the site which in turn should identify areas in which development should be avoided and areas where development could proceed with low impact on the historic environment. This approach should be used to influence the layout of the development and the master planning process at an early stage.* Character areas have been defined for the Palaeolithic but they are also needed for subsequent archaeological periods.

The ADBA should make clear that depending on the results of field evaluation, the impact on nearby designated sites could be significantly greater than 'slight adverse'.

The ADBA notes that new information from archaeological recording within the site could increase the understanding and significance of the nearby scheduled sites and play an important part in outreach. Whilst new knowledge and outreach are very important, it should be noted, as per the NPPF (paragraph 205) that whilst local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. The ability to record evidence of the past should not be a factor in deciding whether such loss should be permitted.

The ADBA is not sufficiently detailed in relation to Palaeolithic archaeological potential and known remains – the County Council refers to comments regarding N4 – Geoarchaeological and Palaeolithic Desk Based Assessment and Deposit Model below. There is a need for more detailed assessment to be undertaken to inform the layout and impact of the proposed development. As mentioned previously, the approach to historic environment characterisation and iterative process of review used for other sites in the Ebbsfleet area e.g. Ebbsfleet Green should be followed for Ebbsfleet Central.

The County Council also notes there are a number of corrections required – this includes paragraph 4.14 - Baker's Hole rather than Berrow Hill.

#### *Heritage Statement (Parts 1 & 2)*

It is recommended that the Heritage Statement includes the subtitle - Built Historic Environment Statement – for clarity.

In this case the County Council will defer to Historic England on matters related to Built Heritage and KCC comments focus on Archaeology. The Local Planning Authority should consider whether more detailed advice on the historic built environment would be helpful as Historic England's comments are likely to be at a strategic level.

#### *Industrial Heritage Statement*

The Industrial Heritage Statement is thorough and written by Dr Chris Down with personal experience of the site. The report includes a useful consideration (Section 5.3) on the potential significance of any physical remains that might survive at the site. Considering recent experience on other former industrial sites within the EDC area, the County Council would raise caution against concluding that there is low heritage potential as there is a risk that below-ground archaeological remains may survive at the site and any such remains might help to support or challenge ideas based on documentary records. Appropriate field evaluation and/or mitigation (such as an archaeological watching brief) is recommended to be secured by a planning condition on any forthcoming consent.

#### *N4 Geoarchaeological and Palaeolithic Desk Based Assessment and Deposit Model*

The applicant has provided a specialist geoarchaeological assessment and deposit model for the site as recommended in the County Council Scoping Opinion response which includes useful summary information and sections. However, the assessment does not provide the Palaeolithic characterisation or identification of areas of expected survival of Pleistocene deposits which may contain significant Palaeolithic remains which the County Council had been expecting. This should include significant remains identified during HS1 reporting and examples such as Late Upper Palaeolithic remains which have not been found within the site boundary previously but it is possible to predict locations where geological deposits and other factors suggest they may be present. There are also some inaccuracies within the assessment such as in figure 4, with the inclusion of work for Northfleet Rise and Jayflex in HS1/STDR4 work. Some previous work in the area also does not seem to have



been included. Note that the site is bounded by a SSSI partly designated for Pleistocene geological deposits.

The assessment also does not provide a sufficiently detailed characterisation of the nature and potential of Holocene sequences within the development site. More detailed Holocene character areas have been provided previously for Northfleet Rise (now part of Ebbsfleet Central) and with the publication of Prehistoric Ebbsfleet it should be possible to provide a detailed characterisation for the site as a whole. Period based characterisation for the Mesolithic to Early Medieval periods should be undertaken and areas where there is high potential for nationally important Mesolithic, Neolithic and later remains should be identified.

The more detailed characterisation of the Palaeolithic and Holocene resource should have been provided at this stage of consideration of the application and should be undertaken as soon as possible. As with the Industrial Assessment, the input of academic specialists who have worked extensively in this area should be sought. Recent higher level characterisation and deposit modelling of the area which has been undertaken for the EDC Urban Archaeological Database and Characterisation should be included and referred to where relevant. This characterisation has prepared helpful preliminary models of the earlier courses of Ebbsfleet which should be included and added to as part of this work as appropriate.

It would be helpful if the plans of past impacts could be shown as shaded polygons rather than defined only by boundary lines. Plans of the Geoarchaeological Character Zones (GCZ) should be shown at a larger scale so that they are easier to relate to the underlying modern map. As noted above plans of Palaeolithic character areas (with reference to the KCC standard specification previously provided) and areas of known and likely survival of Pleistocene deposits should be provided. Plans for the Holocene and later period characterisations should be included.

Extensive previous archaeological investigation has been undertaken within the development area and a more detailed desk based assessment and characterisation phase as outlined above will help target any further archaeological evaluation and mitigation and save time in the development phase. It is quite possible however that further field evaluation at an early stage of areas which have not been evaluated previously, including areas of Holocene deposits.

### **Heritage Assessment Management Plan**

KCC recognises that this document is presently in a draft format but it would be helpful if there was greater clarity and distinction of aims and content between this document and the Historic Environment Framework.

The County Council recommends that there is a commitment to ensuring that interpretation and information for outreach is developed within the context of other approaches across the EDC area to ensure information is coordinated and complimentary.

The S106 agreement for the site should include provision for heritage interpretation and long term storage of and access to the physical archaeological archive. The County Council is able to provide further advice on this aspect.

Opportunities should also be sought for the enhancement of nationally important Palaeolithic and Neolithic present in the area adjacent to the application site.

#### *Historic Environment Framework*

The County Council recognises that this document is presently in a draft format, but it would be helpful if there was greater clarity and distinction of aims and content between this document and the Heritage Assessment Management Plan (the title of which does not, perhaps, need to include the work 'Assessment'). The document should be iterative and updated throughout the life of the project. On previous schemes the inclusion of archaeological character areas within the framework has been helpful.

In Section 4 there is a serious misunderstanding that field evaluation can be considered a part of mitigation. It must be made clear that the aim of field evaluation is to inform the understanding of archaeological potential and significance and for that information to then be available to make informed decisions about appropriate mitigation which could include design choices (including for example types of foundations, location of structures etc.) and/or archaeological recording in advance of destruction of archaeological remains.

This document should include a discussion and/or model of the likely state of preservation of archaeological remains (particularly those areas likely to be waterlogged) and be clear that following field evaluation, mitigation by design will include the preservation, in situ, of areas of high archaeological potential and this may reduce the amount of developed land available and this flexibility will need to be reflected in parameter plans.

KCC recommends that this document sets out a clearer strategy for outreach activities to start during the processes of archaeological assessment, evaluation and mitigation, particular by working with local schools and colleges.

#### *Cultural Heritage Sensitive Receptors (Appendix N.7)*

Waterlogged, non-designated archaeology should be seen as a sensitive receptor. KCC recommends that prehistoric and historic non-designated archaeological remains and organic deposits, especially those that are waterlogged, are included in the list of cultural heritage sensitive receptors in this appendix. Such archaeological remains may be similar to those surviving on the nearby scheduled site and could exist throughout the valley within the site (particularly in ED1, ED2 and ED6). Field evaluation is required to understand these sensitive receptors to ensure that the development can be designed to avoid any negative impacts which would reduce the significance of any such remains, such as a change to their hydrological context.

In conclusion, the County Council recommends that for an informed planning decision to be made, further work is undertaken to address the comments above, including to model the

extent of Holocene, as well as Palaeolithic archaeological potential and to develop research questions for each period and character area.

The County Council considers that the site has the potential to contain non-designated archaeological remains that may be of national importance and would therefore be subject to the relevant paragraphs in the NPPF, paras 194, 195 and 202) for designated heritage. More work is needed to define the potential for these areas, which will then have to be tested by field evaluation in order that impacts can be understood and avoided or minimised. If it is impossible to undertake any pre-determination field evaluation then KCC would wish to make recommendations for planning conditions to secure the field evaluation and subsequent design-refinements that would be required to ensure avoidance and minimisation of impacts to archaeological remains.

The County Council provided additional commentary on the planning conditions for this development direct to Ebbsfleet Development Corporation on 9 December 2022 (Appendix 6).

### **Biodiversity**

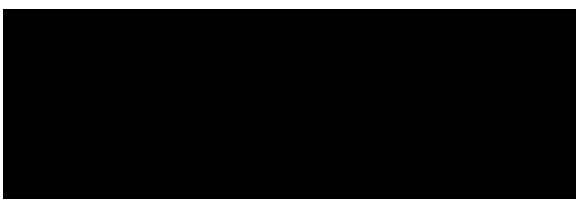
The County Council provided comments direct to Ebbsfleet Development Corporation on 4 November 2022 (Appendix 7).

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The County Council will continue to work closely with the Development Corporation to help ensure the delivery of new housing and infrastructure in response to local needs. The County Council will welcome further engagement with the Development Corporation 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,



**Stephanie Holt-Castle**  
Director – Growth and Communities

- Enc.
- Appendix 1: Local Highway Authority Detailed Response.
- Appendix 2: Extract of the Network Map
- Appendix 3a: KCC General Land Transfer Terms July 2020
- Appendix 3b: New School and Land Costs
- Appendix 3c: Communities Assessment
- Appendix 3d: Social Care Assessment
- Appendix 3e: Waste Assessment
- Appendix 4: Minerals and Waste Planning Authority commentary – provided direct to the LPA on 19.10.2022

Appendix 5a: Lead Local Flood Authority commentary – provided direct to the LPA on 31.10.2022  
Appendix 5b: Lead Local Flood Authority additional commentary - provided direct to the LPA on 15.12.2022  
Appendix 6: KCC Heritage Conservation additional commentary - provided direct to the LPA on 09.12.2022  
Appendix 7: KCC Biodiversity commentary – provided direct to the LPA on 04.11.2022

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## Highways and Transportation

### Introduction

It is very disappointing that key aspects of the original sustainable aspirations for this site have not been taken forward in the Application (for various reasons). These include:

- Segregated lanes for the Fastrack buses, as requested by KCC and as noted within the Gravesham Core Strategy, the Draft Dartford Local Plan and the EDC Sustainable Travel Strategy;
- The walking and cycling link between the site and Northfleet Station, identified in the Dartford and Gravesham Core Strategies and the EDC Implementation Framework;
- The connection to the 'Bridge to Nowhere' from the western side. In addition:
- Widening of the A2260 to accommodate segregated cycle facilities;
- Improvements to pedestrian and cycle facilities along Southfleet Road.

Each of these are important elements which would support the sustainable transport outcomes for the site in accordance with the National Planning Policy Framework and in line with the ethos of development provision in Kent Thameside over previous years. In addition, the following detailed points need to be addressed:

### General Comments

The general planning documents make little reference to the importance of Fastrack, with the exception of the dedicated link across Southfleet Road. However, this is not considered to be a 'dedicated route' (as originally envisioned), but a shared two way road with a small dedicated section / bus gate. Paragraph 11.1.10 of the Transport Assessment (TA) states that the Fastrack link from Southfleet Road, and the two way working of International Way will enable more efficient running of Fastrack. However, KCC are concerned that the increased traffic coming to/from the site, plus the change from roundabout to signal junctions on the highway could lead to an increase in journey time for the buses. As this is a Fastrack only link, the impact on commercial services also need consideration. Evidence should be provided to demonstrate the proposed time saving to both Fastrack and commercial buses. E.g what is the journey time saving from the football ground to Ebbsfleet Station? In both the Transport Assessment and the Environmental Assessment the Fastrack Network Plan Ref: App A is out of date. Please contact the Fastrack team for an up to date network plan.

The Green Corridors scheme along Thames Way referred to in paragraph 2.7.18 of the TA is not yet committed. If this is not delivered, the Applicant will need to deliver the fully segregated ped and cycle route. It is unclear whether the route is proposed to be tree lined / incorporate a verge. Regardless of whether Green Corridors delivers the segregated route, the verge is required in order to create an attractive route for the significant numbers of pedestrians and cyclists generated by the proposals and also assist in natural speed reduction. The highway plans should be updated to reflect this.

The online Natural England SSSI plan for Swanscombe Peninsula appears to show the area adjacent to Southfleet Road has been taken out of the designation. If so, pedestrian and cycle improvements are required to Southfleet Road to accommodate site users, particularly as this provides a route to the nearest Secondary School. The Applicant should liaise with Natural England regarding this section, and also whether they would consider permitting a slight widening of the A2260 (into the SSSI) to permit a segregated cycle route along the route, that the Applicant could deliver. Given time constraints, this scheme may need to come forward with a future planning application for Car Park D.

The proposals include use of the underpass between EC1 and EC2. Please provide confirmation that the underpass is under the Applicant's control and therefore cannot be closed by a third party.

7.3.1 bullet point 4 of the TA refers to the MSCPs. It is unclear how site users will be prevented from parking in the station MSCP, undermining the reduced parking provision for the site. Please also confirm that the existing drop off spaces will be re-provided.

At 2.3.1 The collision data presented is for the period 2016 – 2020 and is therefore two years out of date. This data should be updated to the latest available period and can be obtained by contacting [crashdata@kent.gov.uk](mailto:crashdata@kent.gov.uk).

## Highway Proposals

Proposed changes to junction locations are described in section 5.1 of the TA, with plans provided in Appendix E. However, the plans do not show any geometry, as requested during pre-app. The plans should be updated to show appropriate geometry including visibility splays, footways and cycle routes, and the highway and red line boundaries in order to demonstrate they meet current standards and that all of the required land is within KCC or the Applicant's control. Autotracks were provided post application but should be reviewed in line with the comments provided below. The appropriate access points should be tracked for 16.5m articulated vehicles and 12.2m electric bus but also checked for an 18m articulated bus, as has been the case for other developments. A control / monitoring system such as UTMC must be included in the detailed design proposals for all signal junctions. Additional comments that should be incorporated into the revised plans are set out below. These changes are required at this stage to ensure the appropriate layouts can be accommodated, the models show the junction is within capacity / nil detriment is achievable, and so that issues at the detailed design stage can be avoided.

A number of the proposed junctions show the cycle route narrow as it enters the site. The reason for this is unclear as the route should maintain a constant width, to LTN/120 standards.

*Thames Way / Thames Way Junction* - A226 southbound ahead movement in lane 2 is poorly aligned as it leads vehicles into the kerb as they exit the junction. This is not acceptable and needs to be improved. The two-lane approaches do not have an offside primary traffic signal that will be visible at all times. A 2m central island is required on each approach to locate a pole and signal head. Consideration should be given to altering the junction alignment as Phases B and C have the highest flows. Those from phase D are more likely to accept waiting for the 'major road' right turn as opposed to the current layout where drivers will expect to be able to move ahead when they are not blocked by their own right turn movement from phase D. This effectively makes Phase A the right turn movement and phase D a separate side road stage.

*Thames Way / Northfleet Terminal Junction* – It is imperative that the two-lane length is as long as possible for capacity benefits. The central islands on the southern approach and the western island between lanes 2 and 3 need to be 2m in width to assist in maintenance and accommodate two traffic signal heads. The ped/cycle route narrows significantly as it passes under the bridge. Cyclists must not be made to dismount. Improvements are required along this key ped and cycle route to Northfleet.

*Ebbsfleet Gateway / Thames Way Junction* – The central island on the southern approach needs to be 2.0m in width. The Linsig model shows separate control for the southern arm which makes the location and view of the primary and secondary signals a key issue. The stop line should be moved to the south and possibly the 3 lanes east to retain the internal stacking space to the west. The island should be reinstated if possible. Secondary signals on the northern side of the junction are unlikely to be of use. Lane 2 requires a clear view of a primary and secondary signal head.

*International Way (East) / Ebbsfleet Gateway Junction* – A 2m central island is required on the northern approach and a minimum 3m central island is required on the southern approach to ensure vehicles in lane 3 cannot travel ahead. Island modifications may be required at detailed design. KCC do not permit junctions with an uncontrolled right turn where drivers performing this movement would need to assess safe gaps in the opposing flow of more than one lane. The Linsig model needs to be revised to reflect this requirement. The Road Safety Audit (RSA) has raised the issue of blocking back to adjacent junctions which is concerning and not acceptable.

*Springhead Bridge / Ebbsfleet Gateway Junction* – KCC welcome the revision to the junction since pre-app, as requested. The southern approach incorporates a very short right turn lane as the demand is only 1 vehicle per cycle. However, the lane will sometimes be required to accommodate a higher than predicted flow due to the natural variation in traffic flows and there will be times when

vehicles turning right may block the ahead movement in lane 2. This lane should be lengthened so it can accept 2 or 3 vehicles before blocking lane 2.

*The International Way (west) / Ebbsfleet Gateway Roundabout* - The design shows a parallel crossing on both the western and northern arms. However, LTN 1/20 table 10.2 shows that parallel crossings are only suitable for roads that carry less than 8000 vehicles and have a speed limit of 30mph or less. This is supported by DMRB standards CD 116 pp 8.1.1. The speed limit changes at this roundabout from 40mph to 50mph. The crossings are therefore not suitable in this particular location and alternative provision needs to be considered (noting the requirement of 30m distance between a controlled crossing and the stop line of the offside kerb). There is an existing shared cycle route that runs down the eastern side of the A2260 (southern arm), however, no crossing is provided across the eastern arm to facilitate south – north east movement, meaning pedestrians and cyclists have to cross three arms of the roundabout instead of one. A crossing is therefore required. A toucan crossing should also be considered on the southern arm, particularly given the increase from two to three lanes of traffic that pedestrians and cyclists will need to negotiate. This issue was also raised in the RSA.

*Lane widths* – KCC will not generally accept lane widths of 3m. 3.6m is desirable and 4m is required where there are double turning lanes. Narrower lanes will cause safety issues for motorists with little margin for error, particularly where larger vehicles are involved. Furthermore, 2 larger vehicles will impede each other with a subsequent loss of junction capacity compared with the Linsig prediction.

*Pedestrian / Cycle Crossings* - Toucan crossings require a minimum crossing width 4.0m and a minimum island width 4.0m which should be reflected in the designs. However, LTN 1/20 raises concerns with toucans and further information should be provided to demonstrate the impact of more appropriate crossings.

*Fastrack link* - In line with previous aspirations for the site, a new Fastrack walking and cycling link is proposed to be provided across Southfleet Road, linking Eastern Quarry with International Way. During pre-app the applicant proposed three locations for the link and KCC confirmed a preference for it to be located as close to the spur on Castle Hill as possible, to reduce the time a bus would need to spend on Southfleet Road where it is likely to get caught up in congestion. This was as per the original intention of the link. It is therefore extremely disappointing that the proposed location shown on the plans in Appendix E is so far north. KCC consider this link to be too far north and is likely to impact journey times for Fastrack. The junction is shown as a priority junction on the plans in Appendix E but is described as a signal junction at paragraph 5.5.3 of the TA. To confirm, Fastrack should have priority at junctions. Considering the site has very reduced parking provision, the attractiveness of the Fastrack, public transport, walking and cycling provision are fundamental to the effective operation of the site. The location of the link should therefore minimise journey times by these modes and the location and design of the link should be secured as part of this application. The Applicant will need to work closely with Camland to deliver the link from the spur in Eastern Quarry.

It is assumed that the section adjacent to the Fastrack link is a shared ped/cycle route. In line with LTN 1/20, this should be segregated. The existing shared ped and cycle route from Southfleet Road forces users to cross International Drive and travel along its southern side. Site observations show pedestrians often walk along the verge on the northern side as this is more direct and allows them to avoid going all the way around the roundabout to the east. The proposed design retains the pedestrian link on the southern side but provides a two-way cycle route on the northern side. Whilst this is an improvement for cyclists, there is a concern that pedestrians will use the cycle lane instead of the footway, creating conflicts, and this needs to be considered further. The existing crossing facility on International Way has been removed under the proposals, but should be retained (if appropriate in line with traffic flows). Future RMAs need to consider the location of cycle parking for cyclists using this route, and cycle track to carriageway transitions to facilitate cyclists wanting to travel across the bridge.

*Priority Junctions* - The priority junction south of the railway line (EC2) does not include a right turn bay, something which KCC raised during pre-app. Junctions on A-class roads are required to be designed to DMRB standards, which require right turn lanes where the minor road flows are over 300 two-way movements per day. The minor arm flows in Appendix J do look low but please confirm the



daily flow. It is unclear if this access would permit drivers to continue through the site to International Way, or if the route is severed. If it continues through the site it will cut through one of the main ped and cycle routes and plaza, which isn't ideal. Buses should always be permitted. What measures will be implemented to stop all vehicles travelling west from using this priority junction instead of International Way? As the flows are so low, it is assumed this scenario has not yet been considered.

Paragraphs 5.4.6 and 5.4.12 of the TA refer to visibility splays of 4.5m x 70m. Whilst this corresponds with the previous version of CD123, the current version now requires the Y splay to be calculated based on 85<sup>th</sup> percentile speed (see pp 3.5). Please confirm the 85<sup>th</sup> %ile speed and therefore whether the 70m is still appropriate.

*Speed Limits* - A plan should be provided demonstrating the location of the proposed speed limit reduction on Thames Way so this can be Conditioned to the Application. During pre-app KCC confirmed acceptance of the reduction in speed limit from 40mph to 30mph providing that 50% of the uses fronting Thames Way have active frontages and that there are other speed reduction measures along the route (tree lined streets (referred to in the Design and Access Statement (DAS)), cycle routes, crossings etc), to make the 30mph limit self-enforcing. The highway plans should be updated to show the verges and other measures to be implemented. The speed reduction is proposed to be introduced under Phase 1, yet most of the junctions along this route (which could help to reduce the speeds) are not being improved until Phase 2. The speed reduction should not be introduced until natural enforcing measures are in place. This will impact on the delivery of the priority junction noted in the paragraph above, which requires the 30mph speed limit for a 70m splay and therefore needs further consideration.

*Stage 1 RSA* - A Stage 1 Road Safety Audit for the proposed changes to the highway was submitted on 01.11.22. Point 2.2.1 of the report relates to driver frustration at the Thames Way / Thames Way junction (a similar point noted above) and should be considered further. Points 2.3.5 and 2.3.6 require improvements to the Thames Way cycle route, which the Applicant has declined stating this is a KCC issue and that the Green Corridors scheme will address this. At this stage there is no guarantee that the Green Corridors programme will come forward. If it doesn't, the Applicant will be required to make the required improvements due to the significant increase in walking and cycling activity the site is predicted to generate. Point 5.2.2 refers to the Springhead Bridge junction and requires a cycleway/footway between the crossings. It is understood there is currently a shared route between them and this needs to be maintained (or improved) in the proposed layout. Point 6.1.2 refers to crossings at the A2260 roundabout. As noted above, this needs to be considered in the design.

*PROW Routes* - The planning documents do not emphasise just how important the PROW network is for this site. It is not enough to simply reduce parking provision, it is vital that key links are significantly improved in order to create attractive routes for sustainable travel. This includes DS17 (a key east-west link), NU2 (link to Northfleet in the west) and NU7a (a key link to Northfleet). Further improvements are required. Please refer to the PROW response for further detail.

*Pedestrian Audit* - Appendix B contains a pedestrian audit of the route between car park C and Northfleet Station and identifies a number of issues. However, no key measures have been proposed to improve the route. Page 161 of the DAS states "*There are existing routes which connect Northfleet and Ebbsfleet Central via Thames Way or A226, however there is currently no direct and easily accessible for all north-east connection between the two areas*". Table 9-24 estimates the site will generate almost 11,000 pedestrian trips and 600 cycle trips across the day and a number of these will be to/from Northfleet Station / High Street. Improvements to the routes are therefore required to create attractive walking and cycling corridors. Given the timescales for occupation, it may be that the future footbridge link could be secured and delivered prior to the improvements being required, but improvements need to be identified and secured at this stage, as the footbridge may never be delivered. In addition, the audit must consider cyclists, and the route via NU7a.

## **Traffic Assessment**

The study area identified in Figure 9-1 of the TA covers an area "*for those junctions which provide direct access to the development, or which are being amended to accommodate the masterplan*".

The study area does not incorporate three of the four additional junctions requested during pre-app. These junctions are required to be assessed to determine whether they are able to accommodate the development or whether mitigation is required, particularly as the previous application was not only consented 20 years ago, but is also set to expire this month. These are as follows:

- Grove Road / B1275 / A226 roundabout (Appendix J shows there will be over 100 development generated trips going through this junction in each of the AM and PM peaks, in both development scenarios).
- Springhead Road / Thames Way roundabout (Appendix J shows there will be over 310 development generated trips going through this junction in each of the AM and PM peaks, under the 'max commercial' scenario).
- Hall Road / Springhead Road roundabout (it is unknown how many of the above trips will travel to/from this junction as no assessment has been provided).

Paragraph 9.4.3 of the TA states that no background growth will be added between 2032 and 2039 as there is "*no known development growth beyond this period that would result in any significant variation to background traffic volumes*". TEMPro would normally be used to add growth to any future scenarios and whilst it is understood the new version of TEMPro being released in Nov 2022 may show reduced (or even zero) growth in some areas, this needs to be evidenced in order for it to be acceptable.

Paragraph 9.4.8 of the TA refers to the Northfleet Embankment West traffic flows that have been extracted for use as committed development. However, it is understood that there have been more recent applications than 2009, including the Northfleet Embankment West Mixed Use Development Addendum to Review of Residential Access Options Report, 2019. The flows from these later applications should be compared to the 2009 flows to determine if there is a significant difference.

Paragraph 9.4.13 of the TA refers to traffic flows at the A2260 / Springhead Bridge junction and states these are based on a 2018 traffic count combined with estimated flows extracted from the LinSig model that was used to model the proposed bridge. The assessment assumes all houses were occupied at this time. KCC disagree with this approach for two reasons: 1. The flows are based on estimated data and 2. EDC planning have confirmed that only 577 residential units were occupied in Springhead in Dec 2018. An updated traffic count is required for this junction. The updated count will not only reflect current traffic volumes and turning proportions at this junction but will also provide further confirmation that traffic flows have not increased since 2018 (as data from only one ATC has been obtained to evidence this and it is quite far east of the site).

Paragraphs 9.4.15 – 19 of the TA refer to committed development flows for Eastern Quarry and states that the assessment has used the trip rates that KCC accepted for application EDC/21/0164 instead of those in the 2006 TA, and that the vehicular trip rate has been reduced by a further 15% due to its proximity to Ebbsfleet Central. The use of the revised trip rates for EDC/21/0164 were agreed during pre-app, based on the fact that it is very unlikely the full permission will ever be built out and that the recent Eastern Quarry traffic surveys show the trips are well within the target set. However, Eastern Quarry have until 2033 to submit all RMAs. Therefore, in order for a robust assessment to be undertaken, a sensitivity assessment is still required using the original Eastern Quarry trip rates. Mitigation (potentially further MAAS credits / other sustainable measures) could be secured through a Monitor and Manage approach should the full Eastern Quarry permission be built out. With regard to the further reduction of 15% of vehicle trips, Ebbsfleet Central would have already obtained its planning permission when the Eastern Quarry TA was developed and the trip rates are therefore considered appropriate. The reduction is therefore not acceptable.

Sections 9.5 and 9.6 of the TA relate to the internalisation of trips and total trip generation. Whilst it is agreed that a school would serve the Ebbsfleet Central community and therefore unlikely to generate external trips, it is questioned whether 3000sqm of leisure (E(d), F1(b), F2(c) and F2(d)) would generate any external trips on the network as the draw for e.g an ice skating rink or swimming pool would likely come from a much larger area, thereby generating trips on the network. Further information is also required on the trip generation for the student housing and other sui generis uses. In addition, why have no trips been assumed for the community element of the HEiQ? A worst-case

scenario is required to be assessed and therefore further justification is required. Paragraph 5.66 states that no external trips have been considered for the retail element as it is expected to serve the local community. It is understood that a planning condition will be applied to any permission granted, limiting the size of the retail uses, which should result in these being used as a community facility rather than generating external trips, and the approach to the retail element is therefore acceptable.

Table 9-24 of the TA presents predicted mode share information. The vehicle occupancy and pedestrian mode shares look significantly high. Further evidence / justification is required in order for this to be accepted.

Tables 10-2 and 10-5 of the TA show the A226 / Thames Way / Car Park C Roundabout and the Thames Way / Northfleet Terminal Access Roundabout are predicted to operate well within capacity during the 2032 'with Phase 1 development' scenarios (max RFC of 0.38 and 0.47 respectively). No evidence has been provided to demonstrate that these junctions actually require signalisation under Phase 2 and clarification is required.

The traffic counts have not been provided for review and are required (Excel format would be appreciated).

Transport and Parking Strategy (Appendix H) - Table 7-1 states the first car club will become operational within one year of first occupation. This is too late. Research shows sustainable travel measures often have the most impact at first occupation when those moving into / travelling to the site are considering their travel options. A minimum of one car club space should be provided upon occupation. One years free membership and £50 driving credit should be secured for site users, to encourage takeup.

Trip Generation (Appendix I) - Table 5.15 sets out the number of patient appointments that will be available at the HEiQ RD centre. Why are appoints only available for 11 hours of the day (and only 7.5hrs per day for the Ultrasound) when the centre is open 12 hours a day (supporting the argument to remove staff trips)? My pre-app response of 02.02.22 stated "*Will the working hours be conditioned? If not, the staff trips should be assumed to occur in the peak hours.*" Please confirm whether staff trips are to be conditioned or whether they will be included in the assessment.

Financial Contributions - The applicant proposes to provide a contribution of £400,000 towards the implementation of MAAS. Whilst welcomed, this is significantly less than the one years free public transport and sustainable travel vouchers for all site users, previously discussed. Free public transport (along with segregated lanes) has proven to achieve a higher Fastrack modal share, as demonstrated by The Bridge development in Dartford. The proposed parking provision for the office use is lower than the EDC standards and therefore needs further encouragement for take up of sustainable modes. The contribution proposed is low and would only apply to residents rather than all site users. Further consideration is required.

The Applicant proposes a £100,000 contribution towards sustainable travel vouchers (bikes, helmets etc) and states "*A maximum claim of £50 per dwelling will be permitted*". However, under the 'max residential scenario', this equates to only £36.66 per house and needs to be increased.

A transport fund needs to be established to be used to implement measures should the Travel Plan targets not be achieved. Other local developments have contributed between £300 and £2000 per unit (depending on bus requirements) to their transport fund and KCC seek a similar level of contribution from Ebbsfleet Central. The payments could be made in six monthly intervals in line with occupations, and used only if the targets are breached, at the discretion of the TRG.

Paragraph 7.2 bullet points 4 and 6 of the TA are confusing. Is the £100 per house in addition to the £400,000 contribution towards the implementation of MAAS stated in bullet point 4?

One years free membership to the car club and £50 driving credit should be secured for site users, to encourage takeup.

## **Framework Travel Plan**

The monitoring section at 5.1.1 does not refer to site wide vehicle monitoring surveys, which are essential. It should also include information on car club usage, and parking surveys in the local area to confirm the site is not generating on street parking issues elsewhere.

The targets should be considered alongside the trip generation set out in the TA. No remedial measures have been set out to show what action will be taken should the Travel Plan not achieve its targets. This is required. Travel Plan monitoring should occur at six monthly intervals and continue for five years post full occupation. As requested during pre-app, a TRG should be established.

### **Design and Access Statement (DAS)**

Page 163 shows laybys along Thames Way, but these are not shown on the highway layout plans so it is unclear how these will be delivered.

The primary street indicative section set out on page 167 shows 4m planted verges with 2m cycle paths and 4m footways on either side of the 6.75m carriageway. However, this doesn't reflect the highway layout plans for Thames Way. The highway plans should be updated to show this can be delivered. Whilst the layouts in the DAS are indicative, it should be noted that any bus routes require a 6.75m carriageway, and in line with DfT guidance, KCC do not generally accept shared surfaces for sites with over 25 units.

### **Masterplan Cycle Infrastructure Crossing Layouts**

Masterplan Cycle Infrastructure Crossing Layout 64997 (drawing number 103780-PEF-EC-XX-M2-Y-000019 P01) refers to 'Type 6: In line Toucan Crossing LTN 1/20 Figure 10.26'. However, Figure 10.26 (as shown in the insert) is a Circulating Cycle Stage Junction, which enables cyclists to make all movements. This also does not correspond with the plan in Appendix E which shows a standard toucan crossing. The crossing types over the priority junctions need to be appropriate for the predicted traffic flows and in line with LTN 1/20. This can be determined at RMA stage.

### **Thames Way Dualling**

The proposed development would utilise land currently safeguarded for the dualling of Thames Way, a scheme listed on the Strategic Transport Infrastructure Program (STIPS). The scheme is currently being reviewed by the Major Capital projects team to determine whether it is still required. It is anticipated that the results will be taken to the cabinet committee in Nov for a final decision on whether to remove it from the STIPS programme or not. KCC request that either this Application is not determined until a formal decision has been made on the scheme, or a Grampian condition is applied to prevent any development occurring until it has formally been removed from the list.

### **Street Lighting**

The lighting documents contain reference to all of the recognised lighting guidance documents, which is positive. The only comment to note at this stage is in Section 5, where reference is made to Correlated Colour Temperature of 3000K. Whilst this is in line with the ILP Guidance notes for illumination in the presence of Bats, KCC only use or accept Neutral White lighting of 4000K/.

### **Conclusion**

In conclusion I would like to place a holding objection on the application until the above issues have been resolved. Should the application be determined before the issues have been resolved, the below conditions / S106 requests should be secured.

### **Conditions / S106**

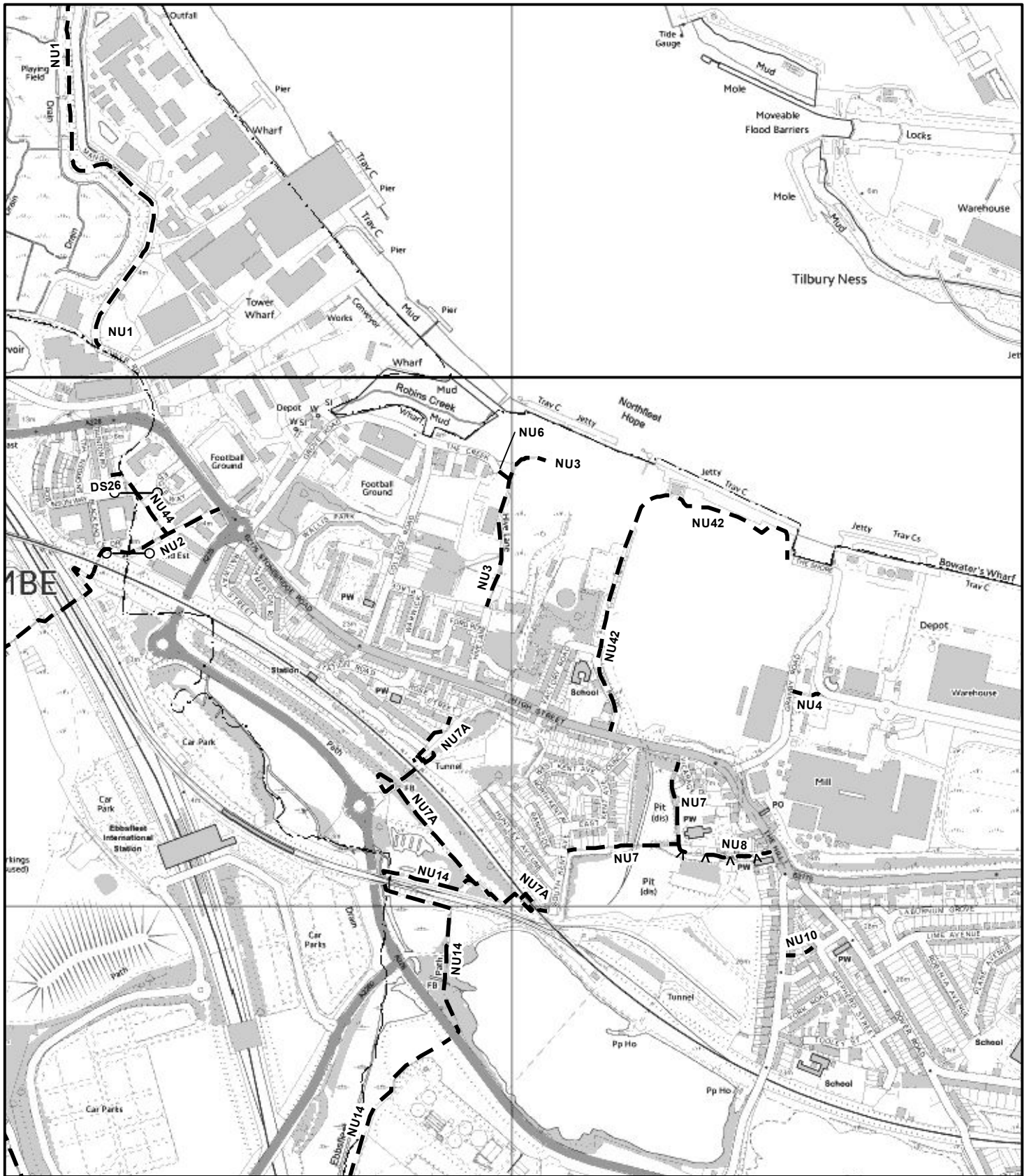
- Best endeavours to reduce the speed limit from 40mph to 30mph along Thames Way, south of Stonebridge Roundabout to the speed limit change on Ebbsfleet Gateway. 50% of the uses fronting Thames Way need to be active and other speed reduction measures are required along the route, to assist the 30mph limit being self-enforcing. Trigger to be determined based on further discussion with the Applicant.

- Best endeavours to implement site wide TRO's prior to occupation, to prevent ad hoc parking. The cost of preparing and implementing the TRO will be at the Applicants expense. Private parking enforcement will be required on all non-adopted roads.
- All signal junctions along the Fastrack route are required to have Fastrack priority. As an absolute minimum this comprises green wave and UTMC technology.
- A dedicated Fastrack, walking and (segregated) cycling link to be provided between Southfleet Road and International Way in the vicinity of the spur from Eastern Quarry. The link (and bus route through the site) should be open for use upon first occupation of the site.
- A segregated pedestrian and cycle link to and over the bridge to nowhere.
- A signal-controlled crossing to be located on Thames Way in the vicinity of PROW NU14, and resurfacing works to the connecting PROW. See PROW response for detail.
- Improvements / financial contribution secured through the S106 for improvements to the PROW network. See PROW response for details.
- A transport hub to be provided adjacent to the station. As a minimum, this should contain: Electric car club vehicle with plug in charge point; electric bike hub with plug in charge point, docking station & bicycles, bicycle stands and lockers, bicycle repair stand, bicycle pump, and an information terminal.
- Dedicated drop off area and taxi parking areas to facilitate trips to/from the site / station.
- The development proposals shall not impose on the safeguarded land for C2E.
- A Site Wide Travel Plan is required to be submitted three months prior to first occupation of the site. The Travel Plan should contain (as a minimum) site wide vehicle targets, a monitoring strategy, an action plan to be implemented to meet the targets, remedial measures to be implemented should the targets not be met, details of a transport fund to fund the remedial measures, and details of the TRG. Full Travel Plans for each individual use meeting the appropriate thresholds should be submitted to and agreed by the Council a minimum of three months prior to occupation of their associated use. These must be in accordance with the Site Wide Travel Plan.
- The Travel Plan must be monitored on a six monthly basis and needs to record the numbers of vehicles entering and leaving the site, with the results reported to the TRG within 3 months. The surveys should also record numbers of pedestrians, cyclists and public transport users. Speeds should be recorded along Thames Way to ensure they are within the newly implemented 30mph speed limit. Monitoring must include on and offsite parking survey to capture any ad hoc parking, and is to be paid for by the Applicant. The extent of the survey should be agreed with KCC and set out in the Full Travel Plan.
- A KCC Travel Plan monitoring fee of £1422 every five years is required and should be secured via the S106.
- A transport fund to be secured, to implement remedial measures, should the Travel Plan not achieve it's targets or there are other issues identified that need to be rectified. Suggested contribution of between £300 and £2000 per unit.
- A minimum of £400,000 contribution to KCC's MAAS (or equivalent) scheme to be secured through the S106 and delivered prior to occupation. In the event that MAAS (or KCC scheme) is not ready to receive contributions, the money is to be spent on sustainable travel improvements, with proposals to be agreed by the TRG.
- A minimum of £50 per unit for sustainable travel vouchers for the residential units, to be secured through the S106 and delivered upon occupation.
- A financial contribution will be required for new Fastrack shelters, secured via the S106.
- A car club to be implemented on site with a minimum of six cars, with a minimum of one vehicle on site upon occupation. A number of the vehicles should be electric with associate charging facilities. It is requested that one years free membership and £50 driving credit is also secured for the site users, to encourage takeup.
- No scheme can be implemented on the Thames Way safeguarded land unless the Thames Way Dualling scheme is formally removed from the STIPS program.
- The Applicant should actively seek to secure and deliver the proposed pedestrian and cycle link between Thames Way and Northfleet Station. The Applicant should fund and undertake a detailed study of the scale and magnitude of cost and an outline design of the scheme, prior to the submission of the first RMA. The land should be safeguarded.

- Walking and cycling link to be provided over the Bridge to nowhere, prior to occupation. The connection to the western end should be safeguarded and required to come forward as part of any application for the land on Car Park D.
- The schemes for the Thames Way priority junction (EC2), Thames Way / Ebbsfleet Gateway junction, International Way / Ebbsfleet Gateway junction, Springhead Bridge / Ebbsfleet Gateway junction, International Way / Ebbsfleet Gateway roundabout and the toucan crossing on Thames Way (for future link to Northfleet) to be implemented and operational upon first occupation of EC2 (Phase 1).
- The scheme for the Thames Way / Thames Way / Car Park C roundabout, Thames Way priority junction (EC1), Thames Way / Northfleet terminal roundabout and the toucan crossing on Thames Way south to be implemented and operational upon first occupation of EC1 (Phase 2).
- In line with KDG, an emergency or secondary vehicle access point must be available prior to the occupation of the 50<sup>th</sup> dwelling and connect to the highway of the primary access. A secondary access must be available prior to the occupation of the 300<sup>th</sup> dwelling.
- Pedestrian, cycle and public transport facilities to/from buildings / phases should be operational prior to their associated use.
- Vehicle and cycle parking provision set out in any subsequent RMAs to be based on EDC's parking standards at the time, with the exception of office vehicle parking which is to be based on 1/50sqm. If EDC is no longer the planning authority at that time, parking provision will need further agreement with KCC officers to ensure the most appropriate standards are implemented.
- No on site use (other than Ebbsfleet International Station itself) to be permitted to lease parking spaces in the MSCP as this would undermine the sustainable ethos of the site and may also displace station parking.
- A Construction Management Plan will be required for future RMAs.

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

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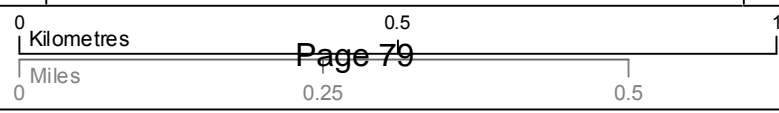
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## KCC General Land Transfer Terms

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

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

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

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

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

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

## PRIMARY SCHOOL Service Requirements – 2 Form Entry

### INCOMING SERVICES

#### ELECTRICITY – 200 kVA (280A)

##### Electric Vehicle Charging:

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

GAS – 60 cu m/hr 430,000 kWh/year

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

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

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

### DRAINAGE

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

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

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

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

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

#### NOTE

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

#### SECONDARY SCHOOL Service Requirements – 8 Form Entry

##### INCOMING SERVICES

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

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

GAS – 134 cu m/hr 1,440 kWh

WATER - 5.5 l/s (63mm NB)

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

BROADBAND – Before development commences details shall be submitted (or as part of reserved matters) for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 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.

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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

## Appendix 1A

### Education

Site Name	Ebbsfleet Central East Adjacent To Ebbsfleet International Railway Station Thames Way, Kent
Reference No.	EDC 22/0168
District	Gravesham

	Houses	Flats	Total
<b>Unit Numbers</b>	<b>306</b>	<b>1766</b>	<b>2072</b>

Primary Education		
	Per house	Per flat
<i>Primary pupil generation rate</i>	0.28	0.07
<b>New Primary Pupils generated from this development</b>		<b>209</b>
<b>EDC to Provide New 2FE Primary School</b>		
<b>New 2FE Primary School site: EDC to provide land (min2.05ha) to meet KCC General Land Transfer Terms</b>		

Secondary Education			
	Per house	Per flat	
<i>Secondary pupil generation rate</i>	0.20	0.05	
<b>New Secondary Pupils generated from this development</b>		<b>150</b>	
<b>New Secondary School build contribution</b>			
	per Pupil	per House	per Flat
<i>New Build Rate</i>	£25,880	£5,176	£1,294
<b>Contribution requested towards New Secondary School Build</b>			<b>£3,869,060.00</b>
<b>New Secondary School site contribution</b>			
Residential Land Price per acre for Gravesham			£800,000
	Pupils	Hectares	Acres
<i>6FE Secondary School</i>	900	8.00	19.768
	per Pupil	per House	per Flat
<i>Land Rate</i>	£17,571.56	£3,514.31	£878.58
Total = Secondary School Site area x Residential Land Value x (Number of pupils generated by development/Number of pupils in New Secondary School) = 19.768 x 800000 x (149.5 / 900)			
<b>Contribution requested towards New Secondary School Site</b>			<b>£2,626,947.56</b>
<b>Total Secondary Education Build and Land contribution</b>			<b>£6,496,007.56</b>



## Appendix 1A

### Education

Site Name	Ebbsfleet Central East Adjacent To Ebbsfleet International Railway Station Thames Way, Kent
Reference No.	EDC 22/0168
District	Gravesham

	<b>Houses</b>	<b>Flats</b>	<b>Total</b>
<b>Unit Numbers</b>	<b>306</b>	<b>1766</b>	<b>2072</b>

<b>Special Education Needs</b>			
		<b>Per house</b>	<b>Per flat</b>
<i>SEN pupil generation rate</i>		0.0110	0.0027
<b>New SEN Pupils generated from this development</b>			<b>8</b>
<b>New Special Educational Needs build contribution</b>			
	<b>per Pupil</b>	<b>per House</b>	<b>per Flat</b>
<i>New Build Rate</i>	£45,916	£505.17	£126.29
<b>Contribution requested towards New SEN School Build</b>			<b>£377,610.16</b>
<b>New Special Educational Needs site contribution</b>			
Residential Land Price per acre for Gravesham			£800,000
	<b>Pupils</b>	<b>Hectares</b>	<b>Acres</b>
<i>Special Educational Needs School</i>	140	2.05	5.06555
	<b>per Pupil</b>	<b>per House</b>	<b>per Flat</b>
<i>Land Rate</i>	£28,946.00	£318.41	£78.15
Total = Special Educational Needs Site area x Residential Land Value x (Number of pupils generated by development/Number of pupils in New SEN School) = 5.06555 x 800000 x (8.1342 / 140)			
<b>Contribution requested towards New SEN School Site</b>			<b>£235,452.55</b>
<b>Total SEN Build and Land contribution</b>			<b>£613,062.71</b>

#### Notes

**Costs** above will vary dependant upon land price at the date of transfer of the school site to KCC

**Totals** above will vary if development mix changes and land prices change

## Land Price Per Acre

Enter the land price per acre for each district here. These will be automatically picked up by Appendix 1A when a district is selected from the drop down. Note there is a value for both Primary and Secondary

District	Primary Land Price	Secondary Land Price
Ashford	£700,000	£700,000
Canterbury	£1,000,000	£1,000,000
Dartford	£800,000	£800,000
Dover	£500,000	£500,000
Folkestone and Hythe	£560,000	£560,000
Gravesham	£800,000	£800,000
Maidstone	£800,000	£800,000
Sevenoaks	£1,000,000	£1,000,000
Swale	£600,000	£600,000
Thanet	£380,000	£462,585
Tonbridge and Malling	£950,000	£950,000
Tunbridge Wells	£1,000,000	£1,000,000

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APPENDIX 2

# KCC Communities

## Development Contributions Assessment

Site Name	Ebbsfleet Central East Adjacent To Ebbsfleet
Reference No.	EDC 22/0168
District	
Assessment Date	20/11/2022
Development Size	2,072

COMMUNITY LEARNING & SKILLS	
	<b>Services</b>
Current Service Capacity	#N/A
<b>LESS</b> Current adult participation in district	#N/A
Initial capacity shortfall/surplus (Year ending 2019)	#N/A
<b>New adult participation from this development</b>	<b>74.36 clients</b>
Will service capacity be exceeded?	<b>YES</b>
<b>Contributions requested from this development</b> <i>2072 dwellings from this proposal</i>	<u>£16.42 per dwelling</u> <b>£34,022.24</b>

YOUTH SERVICE		
	Centre and Hub based Services	Outreach and Targeted Services
Current Service Capacity	#N/A	#N/A
<b>LESS</b> Current youth participation in district	#N/A	#N/A
Initial capacity shortfall/surplus (Year ending 2019)	#N/A	#N/A
<b>New youth participation from this development</b>		<b>103.6 clients</b>
Will service capacity be exceeded?		<b>YES</b>
<b>Contributions requested from this development</b> <i>2072 dwellings from this proposal</i>		<u>£65.50 per dwelling</u> <b>£135,716.00</b>

LIBRARIES	
Libraries assessed for this development	<b>Library Stock and Services</b>
Current Service Capacity	#N/A
<b>LESS</b> Current library participation in district	#N/A
Initial capacity shortfall/surplus (Year ending 2019)	#N/A
<b>New borrowers from this development</b>	<b>604.2 borrowers</b>
Will service capacity be exceeded?	<b>YES</b>
<b>Contributions requested from this development</b> <i>2072 dwellings from this proposal</i>	<u>£55.45 per dwelling</u> <b>£114,892.40</b>

**Net contributions requested for KCC Communities' Services**

**£284,630.64**

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APPENDIX 3

# KCC Social Care, Health and Wellbeing

Development Contributions Assessment over the planning period 1/1/2019 to 31/12/2039

Site Name	Ebbsfleet Central East, Ebbsfleet International Railway Station Thames Way, Kent
Reference No.	EDC 22/0168
District	
Assessment Date	20/11/2022
Development Size	2,072

<b>Net Social Care contributions requested: Social Care and Health Services</b>	<b>£304,335.36</b>
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Kent County Council has statutory\* responsibilities to provide a variety of services that support and care for vulnerable adults and children across the county. In line with KCC Strategy\*\*, the modern focus of the service is to support adults to live fulfilling and independent lives at home and in their community, ensuring adults receive the right care when they need it, and are also supported to get back on their feet when it is appropriate and possible.

To support this strategy, KCC seeks contributions toward five priority areas and may choose to apply the whole contribution to a single project, or proportionately between projects. The contribution from the development is the same. The result is greater certainty of project delivery and benefit to new communities to put together workable projects for the community and clients.

Proposed new housing development results in additional demands upon Adult Social Care (ASC) services from increases in older people and also adults with Learning, Physical and/or Mental Health Disabilities. Available care capacity is fully allocated already, with no spare capacity to meet additional demand arising from this and other new developments.

The focus of Adult Social Care is currently on the five areas listed below, offering a preventative approach to providing care. Based on an agreed set of service delivery models, an annual assessment of the impact of new and existing housing on these services has been carried out. Only the financial impacts relating to new housing are displayed.

**Note:** Client numbers are rounded for display purposes, but costs are based on unrounded figures

\* Under the Care Act 2014, Mental Health Act 1993 and Mental Capacity Act 2005

\*\*<https://www.kent.gov.uk/about-the-council/strategies-and-policies/adult-social-care-policies/your-life-your-wellbeing>

<b>A. ASSISTIVE TECHNOLOGY &amp; HOME ADAPTATION EQUIPMENT</b>	<i>Assistive Technology systems and Home Adaptation Equipment are delivered to vulnerable adults in their own homes, enabling them to: live with the confidence that help is available when they urgently need it and to remain independent in their own homes.</i>
<b>B. ADAPTING COMMUNITY FACILITIES</b>	<i>Adapting Community Facilities to be accessible for those with both mental and physical disabilities means vulnerable adults can access other support services and facilities safely and comfortably.</i>
<b>C. SENSORY FACILITIES</b>	<i>Sensory facilities use innovative technology to provide a relaxing or stimulating environment for people of all ages with sensory impairment conditions. The facilities may be used to calm stress and anxiety, or to encourage sensory development and social engagement.</i>
<b>D. CHANGING PLACE</b>	<i>Changing Places have additional features than standard accessible toilets to meet the needs of people with a range of disabilities and their carers. These toilets are usually located in or near a popular public area to ensure suitable facilities are available for use by vulnerable adults when necessary.</i>
<b>E. SPECIALIST CARE HOUSING</b>	<i>Specialist care housing includes extra care accommodation and other care living accommodation for those clients with special requirements. These requirements include but are not limited to, the elderly and those with physical and learning requirements.</i>

<b>New Social Care Clients generated from this development:</b> <i>Forecast SC clients generated from ALL proposed developments within the District (up to 2039)</i>	<b>417 client(s)</b> #N/A
<b>Contributions requested from this development</b>	<b>£304,335.36</b>
<b>Contributions requested towards Specialist Housing in the District, Assistive Technology &amp; Home Adaptation Equipment, Adapting Community Facilities, Sensory Facilities and Changing Places in the vicinity of the development.</b>	

**Note:** These projects will be delivered once the money is collected except where the implementation of the proposed project(s) relies upon pooled funds, then the project will commence as soon as practicable once the funding target has been reached.

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# KCC Waste Services

## Development Contributions Assessment over the planning period 1/1/2021 to 31/12/2030

Site Name	Ebbsfleet Central East Land Adjacent To Ebbsfleet International Railway S
Reference No.	EDC/22/0168
District/Area	Gravesham
Assessment Date	20/11/2022
Development Size	2,072

### Net Waste contributions requested:

Kent County Council is the statutory 'Waste Disposal Authority' for Kent, meaning that it is responsible for the receipt and onward processing/disposal of household waste, providing Waste Transfer Stations (WTS), Household Waste Recycling Centre Services (HWRC) and monitoring closed landfills. Kent residents make approximately 3.5 million visits to HWRCs per year and each household produces an average of a 1/4 tonne of waste to be processed at HWRCs, and 1/2 tonne to be processed at WTSs annually. Kent's Waste Management services are under growing pressure with several HWRCs and WTSs over operational capacity (as of 2020).

In accordance with the Kent Waste Disposal Strategy 2017-2035, contributions may be sought towards the extension or upgrading of existing Waste facilities, or towards the creation of new facilities where a proposed development is likely to result in additional demand for Waste services. Existing Waste services will be assessed to determine the available capacity to accommodate the anticipated new service demands before developers are requested to contribute to additional provision. The proportionate costs of providing additional services for households generated from the proposed development are set out below:

### A. WASTE TRANSFER STATIONS (WTS)

Additional waste generated by new households increase the throughput of waste and reduce speed of waste processing at Waste Transfer Stations.

<b>1. Applicable dwellings from this development</b>	<b>2,072</b>
2. Applicable dwellings from ALL proposed developments for County-wide projects (up to 2030)*	70,100
3. Overall cost of increasing capacity for 70,100 new dwellings by 2030	£9,056,920.00
4. Cost per new dwelling (£9,056,920 / 70,100 new homes)	£129.20

<b>Contributions requested from this development</b>	£129.20 per dwelling
2,072 dwellings from this proposal	<b>£267,702.40</b>

**Contributions requested towards Ebbsfleet WTS**

### B. HOUSEHOLD WASTE RECYCLING CENTRES (HWRC)

Additional households increase queuing times and congestion at HWRC's and increase throughput of HWRC waste.

<b>1. Applicable dwellings from this development</b>	<b>Nil</b>
2. Applicable dwellings from ALL proposed developments for County-wide projects (up to 2030)*	NIL
3. Overall cost of increasing capacity for NIL new dwellings by 2030	NIL
4. Cost per new dwelling (NIL / NIL new homes)	NIL

<b>Contributions requested from this development</b>	£NIL per dwelling
Nil dwellings from this proposal	<b>NIL</b>

**Contributions requested towards Ebbsfleet HWRC**

<b>Net Contributions requested for KCC Waste from this development</b>	<b>£267,702.40</b>
--	--------------------

\* Estimated

**Note:** These projects will be delivered once the money is collected except where the implementation of the proposed project(s) relies upon pooled funds, then the project will commence as soon as practicable once the funding target has been reached.



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**From:** [Bryan Geake](#) [REDACTED]  
**To:** [Michael Jessop](#)  
**Subject:** REFERENCE NO. EDC/22/0168 Ebbsfleet Central East Land Adjacent To Ebbsfleet International Railway Station Thames Way Kent  
**Date:** 19 October 2022 15:53:19

---

Dear Michael Jessop

**TOWN AND COUNTRY PLANNING ACT 1990 TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015  
REFERENCE NO. EDC/22/0168**

**PROPOSED DEVELOPMENT** Outline planning application (with all matters reserved) for mixed-use development comprising demolition of the existing car parking, structures and station forecourt and provision of residential dwellings (Use Class C3); flexible commercial, business and service uses (Use Class E) to allow provision of retail, offices, restaurants/cafes, nurseries, and healthcare facilities; flexible learning and non-residential institutions (Use Class F1); flexible local community uses (Use Class F2); hotel use (Use Class C1); residential institutions (Use Class C2); and Sui Generis uses to allow provision of co-living and student accommodation, public houses/drinking establishments, and theatres/cinemas. Associated works include hard and soft landscaping, a River Park, car parking and multi-storey car parks, pedestrian, cycle and internal vehicular network, and other ancillary infrastructure; and associated crossings, highway accesses, and junction improvements.

**SITE ADDRESS** Ebbsfleet Central East Land Adjacent To Ebbsfleet International Railway Station Thames Way Kent

Thank you for consulting the County Council's Minerals and Waste Planning Policy Team on the above planning application.

The County Council has no minerals or waste management capacity safeguarding objections or comments to make regarding this proposal.

Yours sincerely

*Bryan Geake* BSc Hons (Geol), MSc, MRTPI

Bryan Geake | Principal Planning Officer | Environment, Planning and Enforcement | Growth & Communities | Kent County Council First Floor, Invicta House, County Hall, Maidstone, Kent ME14 1XX | [REDACTED] | [www.kent.gov.uk/planning](http://www.kent.gov.uk/planning)

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**Michael Jessop**  
**Ebbsfleet Development Corporation**  
The Observatory  
Castle Hill Drive  
Cstle Hill  
Ebbsfleet  
Kent  
DA10 1EE

**Flood and Water Management**  
Invicta House  
Maidstone  
Kent  
ME14 1XX  
**Website:** [www.kent.gov.uk/flooding](http://www.kent.gov.uk/flooding)  
**Email:** [suds@kent.gov.uk](mailto:suds@kent.gov.uk)  
**Tel:** 03000 41 41 41  
**Our Ref:** EBBS/2022/092256  
**Date:** 31 October 2022

**Application No:** EDC/22/0168

**Location:** Ebbsfleet Central East Land Adjacent To Ebbsfleet International Railway Station Thames Way Kent

**Proposal:** Outline planning application (with all matters reserved) for mixed-use development comprising demolition of the existing car parking, structures and station forecourt and provision of residential dwellings (Use Class C3); flexible commercial, business and service uses (Use Class E) to allow provision of retail, offices, restaurants/cafes, nurseries, and healthcare facilities; flexible learning and non-residential institutions (Use Class F1); flexible local community uses (Use Class F2); hotel use (Use Class C1); residential institutions (Use Class C2); and Sui Generis uses to allow provision of co-living and student accommodation, public houses/drinking establishments, and theatres/cinemas. Associated works include hard and soft landscaping, a River Park, car parking and multi-storey car parks, pedestrian, cycle and internal vehicular network, and other ancillary infrastructure; and associated crossings, highway accesses, and junction improvements.

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

Kent County Council as Lead Local Flood Authority have reviewed the Drainage Strategy prepared by Pell Frischmann (21/09/22) and have the following comments:

It is understood that the outline proposal is split into three development areas; EC1, EC2 and EC6. EC6 is designated for open space with no additional impermeable surfaces proposed. No drainage strategy has been submitted for this development area.

EC1 is split into into EC1 east and EC1 west, either side of the River Ebbsfleet. EC1 east conveys water to several geocellular storage units, with a combined capacity of 2626 m<sup>3</sup>, which discharge at three new proposed headwalls to the River Ebbsfleett at a combined rate of 6.6 l/s (greenfield). EC1 west conveys water to a basin/wetland with attenuation volume of 190 m<sup>3</sup>. Geocellular storage tanks also attenuate a further 2418 m<sup>3</sup> to create a total of 2608 m<sup>3</sup> of available storage. These will discharge from two existing headwalls at greenfield rate (6.5l/s).

EC2 will utilise geocellular attenuation tanks to provide 7910 m<sup>3</sup> of storage. This will then be discharge at an restricted rate of 19.9 l/s (greenfield) to an existing manhole before being discharged to the watercourse at an existing headwall.

Pervious pavements and bioretention systems will also be incorporated around the site, along with proprietary treatment systems if needed to meet pollution mitigation requirements.

We have no objection in principle to these proposals however we do have the following comments:

1. The pollution hazard index should be the total sum of all individual land use indices present, where runoff from these land uses is entering the drainage system. Furthermore, the arrangement of water treatment measures should ensure that pollution is suitably mitigated, taking into account that a factor of 0.5 is used to account for the reduced performance of secondary or tertiary components associated with already reduced inflow concentrations. Table 4.4 suggests that the proposed drainage does not suitably meet the mitigation requirements for TSS and metals when these factors are taken into account.
2. At the detailed design stage, we would expect to see the drainage system modelled using FeH rainfall data in any appropriate modelling or simulation software. Where FeH data is not available, 26.25mm should be manually input for the M5-60 value, as per the requirements of our latest drainage and planning policy statement (November 2019)
3. As existing drainage features are to be utilised a CCTV survey should be conducted to confirm presence and condition of this network, as mentioned in the Drainage Strategy.
4. Moving forward to the reserved matters stage, the LLFA would expect the future site to be delivered as a phased approach. Therefore, we would seek for a phasing plan to be provided to ensure sufficient provision of drainage as each phase is delivered. Furthermore, any temporary works requirement associated with the construction of the surface water drainage will need to be established. Confirmation would also need to be provided as to whether there is to be the incorporation of further attenuation basins and blue/green roofs.

Should the Local Planning Authority be minded to grant planning permission for the proposed development, the LLFA would request for the following conditions to be attached:

**Condition:**

No development shall take place until the details required by Condition 1 (assumed to be reserved matters condition for layout) shall demonstrate that requirements for surface water drainage for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be accommodated within the proposed development layout.

**Reason:**

To ensure the development is served by satisfactory arrangements for the disposal of surface water and that they are incorporated into the proposed layouts.

**Condition:**

Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Drainage Strategy (21/09/22) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

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

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

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

**Reason:**

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

**Condition:**

No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

**Reason:**

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

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

Yours faithfully,

**Gideon Miller**  
Graduate Flood Risk Officer  
Flood and Water Management





**Michael Jessop**  
**Ebbsfleet Development Corporation**  
The Observatory  
Castle Hill Drive  
Cstle Hill  
Ebbsfleet  
Kent  
DA10 1EE

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**Email:** [suds@kent.gov.uk](mailto:suds@kent.gov.uk)  
**Tel:** 03000 41 41 41  
**Our Ref:** EBBS/2022/092256  
**Date:** 15 December 2022

**Application No:** EDC/22/0168

**Location:** Ebbsfleet Central East Land Adjacent To Ebbsfleet International Railway Station Thames Way Kent

**Proposal:** Outline planning application (with all matters reserved) for mixed-use development comprising demolition of the existing car parking, structures and station forecourt and provision of residential dwellings (Use Class C3); flexible commercial, business and service uses (Use Class E) to allow provision of retail, offices, restaurants/cafes, nurseries, and healthcare facilities; flexible learning and non-residential institutions (Use Class F1); flexible local community uses (Use Class F2); hotel use (Use Class C1); residential institutions (Use Class C2); and Sui Generis uses to allow provision of co-living and student accommodation, public houses/drinking establishments, and theatres/cinemas. Associated works include hard and soft landscaping, a River Park, car parking and multi-storey car parks, pedestrian, cycle and internal vehicular network, and other ancillary infrastructure; and associated crossings, highway accesses, and junction improvements.

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

Kent County Council as Lead Local Flood Authority have reviewed the updated information regarding pollution mitigation and have raise no issue with the proposals outlined. We have no further comment to make and would refer you to our previous response (31/10/22).

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

Yours faithfully,

**Gideon Miller**  
Graduate Flood Risk Officer  
Flood and Water Management



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Mark Pullin  
Ebbsfleet Development Corporation,  
The Observatory, Castle Hill Drive,  
Castle Hill, Ebbsfleet,  
Kent, DA10 1EE

**FAO Michael Jessop**

**Heritage Conservation  
Environment, Planning and  
Enforcement**

Invicta House  
County Hall  
MAIDSTONE  
ME14 1XX

Phone: 03000 419388  
Ask for: Casper Johnson  
Email: [casper.johnson@kent.gov.uk](mailto:casper.johnson@kent.gov.uk)

9 December 2022

Dear Mark

**EDC/22/0168 | Outline planning application (with all matters reserved) for mixed-use development comprising demolition of the existing car parking, structures and station forecourt and provision of residential dwellings (Use Class C3); flexible commercial, business and service uses (Use Class E) to allow provision of retail, offices, restaurants/cafes, nurseries, and healthcare facilities; flexible learning and non-residential institutions (Use Class F1); flexible local community uses (Use Class F2); hotel use (Use Class C1); residential institutions (Use Class C2); and Sui Generis uses to allow provision of co-living and student accommodation, public houses/drinking establishments, and theatres/cinemas. Associated works include hard and soft landscaping, a River Park, car parking and multi-storey car parks, pedestrian, cycle and internal vehicular network, and other ancillary infrastructure; and associated crossings, highway accesses, and junction improvements.**

**Ebbsfleet Central East Land Adjacent To Ebbsfleet International Railway Station Thames Way Kent**

Thank you for consulting Heritage Conservation on this application. We have also provided a response internally to KCC which covers some aspects of the more detailed response provided here.

We have set out below our comments on matters of archaeological interest and have made no detailed comments or recommendations related to built heritage, which will be provided by Historic England.

The site lies within the Ebbsfleet Valley which is an area of multi-period archaeological potential with evidence for human activity from the Palaeolithic to the

present day. The adjacent area has known remains of national importance dating from the Palaeolithic (Baker's Hole - Scheduled site NHLE 1003557) and the Neolithic (adjacent to the development site - Scheduled site NHLE 1004206) and the development site is very likely to contain presently non-designated archaeological remains related to the nearby designated sites. The Swanscombe Peninsula SSSI includes Pleistocene geological deposits and Palaeolithic archaeology in the area now known as Bakers Hole (including the scheduled area) as a reason for notification. Archaeological remains within the development site may include waterlogged organic artefacts, structures and palaeoenvironmental evidence, which would be of equivalent importance to that existing on the above-mentioned designated sites.

To help deliver the best possible outcomes for the archaeology of the site and so that our recommendations can be most easily addressed by the applicant, we set out our comments below in relation to each of the relevant application documents:

### **Environmental Statement (Chapter 14 – Cultural Heritage)**

- Table 14.5 – it should be noted that non-designated 'receptors' could have high sensitivity, but this remains unknown without field evaluation, which has not been undertaken due to site access constraints. This lack of understanding of the nature and significance of below-ground archaeological remains, seriously restricts the ability to reach an informed decision about the environmental impact of the proposals. In the absence of site-specific evaluation data, it should be assumed, based on the assessment data, that the site will contain below-ground archaeological remains of a significance equivalent to, and most probably also related to, the nearby nationally important designated sites.
- Non-designated organic deposits and remains of likely national importance that owe their significance to waterlogging are not adequately considered in the ES nor in the Cultural Heritage Sensitive Receptors (Appendix N.7). The nearby scheduled sites would be sensitive to changes in hydrology and the potential for such impacts resulting from the development need to be considered in the ES and associated documents. Baseline monitoring for the hydrological environment of the site is required to allow a model to be developed which can then be considered in relation to development proposals and so that appropriate mitigation by design and/or remedial works can be agreed upon.
- In Section 14.6 under Primary Mitigation, it is stated that *'In terms of archaeological deposits, finds and features, it is anticipated that these will be fully investigated and assessed ahead of construction of the scheme. It is intended that themes identified through these investigations will be embedded into the final scheme design of the detailed application in order to ensure that heritage and place making opportunities are met.'* The field evaluation that will be required should be separated from mitigation. The field investigation will be needed to identify and define the extent, character, date and significance of below-ground archaeological remains at the site, to define appropriate mitigation through design and/or through recording of remains that would be impacted. This will be especially important for those areas of

the site which have waterlogged archaeological deposits. Areas of nationally important archaeological remains should be preserved in situ and the development should be designed to enable this to be achieved (see NPPF footnote 68).

### **Archaeological Desk Based Assessment (ADBA Parts 1 – 6)**

- The ADBA lacks detail on the archaeological potential and key research questions for the site. For example, there is a lack of detailed consideration of the potential of the site to contain archaeological remains relating to the Mesolithic – Neolithic transition (including for organic remains with the potential for dating). Such remains could be of national importance.
- The ADBA lacks models for the relationship between known and potential archaeological ‘sites’ and the palaeoenvironment. To help inform our understanding of potential archaeological significance from the desk-based assessment approach adopted for this application it is recommended that landscape models for the following key periods are drafted, Lower, Middle and Upper Palaeolithic, Mesolithic-Neolithic, Bronze Age, Romano-British and Medieval. Such plans illustrating known archaeological ‘sites’ and areas of known impacts, would help to show where field evaluation will be needed. When such field evaluation has been undertaken, approaches to mitigation can be put forward to inform design choices and minimise impacts. Scheme parameter plans must define and respond to areas of archaeological potential (as determined by the desk-based assessment stage). At present none of the parameter plans (e.g. the Development Zones Below Ground plan) include any notes on archaeology. Including data on archaeological potential on parameter plans, drainage plans and proposed ground level plans would be helpful to ensure that all stakeholders are aware of how design must be led by an understanding of archaeological interest.
- In our Scoping Opinion we recommended - *The applicant should combine the surveys ... to provide historic environment character areas based on the desk-based and specialist assessments. These should then be used to identify areas of higher and lower potential within the site which in turn should identify areas in which development should be avoided and areas where development could proceed with low impact on the historic environment. This approach should be used to influence the layout of the development and the master planning process at an early stage.* Geoarchaeological Character areas have been defined but character areas are also needed for the Palaeolithic and subsequent archaeological periods as noted above. Relevant research questions should be set out in the ADBA, ES and the HEF and it should be noted that such research questions will be updated following each phase of fieldwork.
- The ADBA should make clear that depending on the results of field evaluation, the impact on nearby designated sites could be significantly greater than ‘slight adverse’, particularly in relation to potential impacts on hydrology within the valley.
- The ADBA notes that new information from archaeological recording within the site could increase the understanding and significance of the nearby

scheduled sites and play an important part in outreach. It should be noted that whilst new knowledge and outreach are very important and the Local planning authority should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

- The ADBA is not sufficiently detailed in relation to Palaeolithic archaeological potential and known remains – see comments on N4 below and our previous comments on the scoping opinion. There is a need for more detailed assessment to be undertaken to inform the layout and impact of the proposed development. As mentioned previously the approach to historic environment characterisation and iterative process of review used for other sites in the Ebbsfleet area e.g. Ebbsfleet Green should be followed for Ebbsfleet Central.
- There are some errors such as in 4.14 – Baker’s Hole rather than Berrow Hill.

### **Heritage Statement (Parts 1 & 2)**

- The Heritage Statement could have the subtitle - Built Historic Environment Statement – for clarity.
- In this case we will defer to Historic England on matters related to Built Heritage and our comments focus on Archaeology. The LPA should consider whether more detailed advice on the historic built environment would be helpful as Historic England’s comments are likely to be at a strategic level.

### **Industrial Heritage Statement**

- The Industrial Heritage Statement is thorough and written by Dr Chris Down with personal experience of the site.
- The report includes a useful consideration (Section 5.3) on the potential significance of any physical remains that might survive at the site. Considering recent experience on other former industrial sites within the EDC area, we caution against concluding that there is low heritage potential as there is a risk that below-ground archaeological remains may survive at the site and any such remains might help to support or challenge ideas based on documentary records. Appropriate field evaluation and/or mitigation (such as an archaeological watching brief) will be required to ensure any surviving archaeological evidence is appropriately preserved and recorded.

### **N4 Geoarchaeological and Palaeolithic Desk Based Assessment and Deposit Model**

- The applicant has provided a specialist geoarchaeological assessment and deposit model for the site as recommended in our Scoping advice which includes useful summary information and sections. However, the assessment does not provide the Palaeolithic characterisation or identification of areas of expected survival of Pleistocene deposits which may contain significant Palaeolithic remains which we had been expecting. This should include significant remains identified during HS1 reporting and examples such as Late

Upper Palaeolithic remains which have not been found within the site boundary previously but it is possible to predict locations where geological deposits and other factors suggest they may be present. There are also some inaccuracies within the assessment such as in figure 4 with the inclusion of work for Northfleet Rise and Jayflex in HS1/STDR4 work. Some previous work in the area also does not seem to have been included. Note also that the site is bounded by a SSSI partly notified for Pleistocene geological deposits.

- The assessment also does not provide a sufficiently detailed characterisation of the nature and potential of Holocene sequences within the development site. More detailed Holocene character areas have been provided previously for Northfleet Rise (now part of Ebbsfleet Central) and with the publication of Prehistoric Ebbsfleet it should be possible to provide a detailed characterisation for the site as a whole. Period based characterisation for the Mesolithic to Early Medieval periods should be undertaken and areas where there is high potential for nationally important Mesolithic, Neolithic and later remains should be identified.
- The more detailed characterisation of the Palaeolithic and Holocene resource should have been provided at this stage of consideration of the application and should be undertaken as soon as possible. As with the Industrial assessment, the input of academic specialists who have worked extensively in this area should be sought. Recent higher level characterisation and deposit modelling of the area which has been undertaken for the EDC Urban Archaeological Database and Characterisation should be included and referred to where relevant. This characterisation has prepared helpful preliminary models of the earlier courses of Ebbsfleet which should be included and added to as part of this work as appropriate.
- It would be helpful if the plans of past impacts could be shown as shaded polygons rather than defined only by boundary lines. Plans of the GCZs should be shown at a larger scale so that they are easier to relate to the underlying modern map. As noted above plans of Palaeolithic character areas (see KCC standard specification provided previously) and areas of known and likely survival of Pleistocene deposits should be provided. Plans for the Holocene and later period characterisations should be included.
- Extensive previous archaeological investigation has been undertaken within the development area and a more detailed desk based assessment and characterisation phase as outlined above will help target any further archaeological evaluation and mitigation and save time in the development phase.

### **Heritage Assessment Management Plan**

- We recognise that this document is presently in a draft format but it would be helpful if there was greater clarity and distinction of aims and content between this document and the Historic Environment Framework. Should the document be called Heritage Management Plan?
- We recommend that there is a commitment to ensuring that interpretation and information for outreach is developed within the context of other approaches across the EDC area to ensure information is coordinated and complementary. As noted for the HEF the bullet point list (HEF 5.2.3) of



proposed outreach is comprehensive but there must be a commitment to starting this work immediately following the granting of any planning consent and not left until the post-excavation assessment stage. This document and/or the HEF should include a commitment to appropriate storage with a funding contribution for storage and box charges.

- The S106 agreement for the site should include provision for heritage interpretation and long term storage of and access to the physical archaeological archive. We would be pleased to provide further advice on this aspect.
- Opportunities should also be sought for the enhancement of nationally important Palaeolithic and Neolithic sites present in the area adjacent to the application site.

### **Historic Environment Framework**

- We recognise that this document is presently in a draft format but it would be helpful if there was greater clarity and distinction of aims and content between this document and the Heritage 'Assessment' Management Plan. The document should be iterative and updated throughout the life of the project. On previous schemes the inclusion of archaeological character areas within the framework has been helpful.
- In Section 4 there is a misunderstanding that field evaluation can be considered a part of mitigation in this context. It must be made clear that the primary aim of field evaluation is to inform the understanding of archaeological potential and significance and for that information to then be available to make informed decisions about appropriate mitigation which could include design choices (including for example types of foundations, location of structures etc.) and/or archaeological recording in advance of destruction of archaeological remains.
- We recommend that the document includes draft research questions for each chronological period.
- This document should include a discussion and/or model of the likely state of preservation of archaeological remains (particularly those areas likely to be waterlogged) and be clear that following field evaluation, mitigation by design will include the preservation, in situ, of areas of high archaeological potential and this may reduce the amount of developed land available and this flexibility will need to be reflected in parameter plans.
- We recommend (see 5.2.3) that this document sets out a clearer strategy for outreach activities to start during the processes of archaeological assessment, evaluation and mitigation, particular by working with local schools and colleges. We would like to see more detail on options for including heritage interpretation in public realm features and public art. As note above with respect to the Heritage Management Plan, the HEF should include a commitment to appropriate storage with a funding contribution for storage and box charges.

### **Cultural Heritage Sensitive Receptors (Appendix N.7)**

- Waterlogged, non-designated archaeology should be seen as a sensitive receptor. We recommend that prehistoric and historic non-designated

archaeological remains and organic deposits, especially those that are waterlogged, are included in the list of cultural heritage sensitive receptors in this appendix. Such archaeological remains may be similar to those surviving on the nearby scheduled site and could exist throughout the valley within the site (particularly in ED1, ED2 and ED6). Field evaluation is required to understand these sensitive receptors to ensure that the development can be designed to avoid any negative impacts which would reduce the significance of any such remains, such as a change to their hydrological context.

In conclusion, we recommend that for an informed planning decision to be made, further work is undertaken to address the comments above, including to model the extent of Holocene, as well as Palaeolithic archaeological potential and to develop research questions for each period and character area. We would be happy to discuss how this could be achieved in detail with the applicant and their consultants.

We stress that the site has the potential to contain non-designated archaeological remains that may be of national importance and would therefore be subject to the relevant paragraphs in the National Planning Policy Framework (NPPF, paras 194, 195 and 202) for designated heritage. More work is needed to define the potential for these areas, which will then have to be tested by field evaluation in order that the character, date, extent and state of preservation can be understood and development impacts avoided or minimised. If it is impossible to undertake any pre-determination field evaluation then we would wish to make recommendations for planning conditions to secure the field evaluation and subsequent design-refinements that would be required to ensure avoidance and minimisation of impacts to archaeological remains. In the event that you are minded to grant outline planning permission we would be grateful if you could discuss appropriate conditions with us before issuing the decision notice. Our preference is for further assessment and field evaluation to be undertaken prior to determination but if that is not possible, we recommend that the following planning conditions be applied to any forthcoming consent:

***AR1: No demolition/development shall commence until the applicant, or their agents or successor in title, has secured the implementation of a programme of archaeological work (including further archaeological characterisation and field evaluation as a first stage). The programme of archaeological works will comprise:***

***A) Prior to any development works the applicant (or their agents or successors in title) shall secure and have reported a programme of archaeological characterisation and field evaluation works, in accordance with a specification and written timetable which has been submitted to and approved by the local planning authority.***

***B) Following completion of archaeological evaluation works, no development shall take place until the applicant or their agents or successors in title, has secured the implementation of any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further***



**archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the local planning authority.**

**C) The archaeological safeguarding measures, investigation and recording shall be carried out in accordance with the agreed specification and timetable.**

**D) Within 6 months of the completion of archaeological works a Post-Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include:**  
**a. a description and assessment of the results of all archaeological investigations that have been undertaken in that part (or parts) of the development; b. an Updated Project Design outlining measures to analyse and publish the findings of the archaeological investigations, together with an implementation strategy and timetable for the same; c. a scheme detailing the arrangements for providing and maintaining an archaeological site archive and its deposition following completion.**

**E) The measures outlined in the Post-Excavation Assessment Report shall be implemented in full and in accordance with the agreed timings.**

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

**AR2: Prior to any Reserved Matters Application the applicant, or their agents or successors in title will submit for approval in writing by the Local Planning Authority a Written Specification and timetable for the preservation in situ of important archaeological remains and/or for further archaeological investigation.**

Reason: To ensure that adverse impacts to features of archaeological interest are appropriately mitigated according to their significance and so that the archaeological heritage of the site can fully inform design.

**AR3: No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post-investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation, post-investigation assessment, final publication and archive deposition will be undertaken in accordance with the programme set out in the written scheme of investigation approved under condition AR2.**

Reason: To ensure appropriate assessment, analysis, reporting and dissemination of the results of the programme of archaeological work and the deposition of the project archive.

***Future Reserved Matters Applications will be in accordance with the parameter plans, save for where any changes are required to address or incorporate findings of the archaeological investigations, including those undertaken under AR1 or AR2.***

Reason: In order that the detailed design has full regard to archaeology that might be found post-outline approval.

***No demolition/development shall commence until the applicant, or their agents or successors in title has submitted and had approved in writing by the Local Planning Authority an updated Heritage Management Plan which will include a commitment to the principle that future archaeological site investigations will inform the detailed design and layout of the scheme and measures to ensure preservation of important archaeological remains.***

***Future Reserved Matters Applications will be accompanied by an updated Heritage Management Plan to explain how site archaeological conditions and further field evaluation has informed the final scheme design, including preservation, mitigation and interpretation.***

We would be pleased to discuss any of the above further and would suggest that we meet with the applicants' specialists to discuss the further work required in more detail.

Yours sincerely

**Casper Johnson**  
Senior Archaeological Officer  
Heritage Conservation

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## ECOLOGICAL ADVICE SERVICE

**TO:** *Michael Jessop*

**FROM:** *Helen Forster*

**DATE:** *04 November 2022*

**SUBJECT:** *Ebbsfleet Central East, Thames Way EDC/22/0168*

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*The following is provided by Kent County Council's Ecological Advice Service (EAS) for Local Planning Authorities. It is independent, professional advice and is not a comment/position on the application from the County Council. It is intended to advise the relevant planning officer(s) on the potential ecological impacts of the planning application; and whether sufficient and appropriate ecological information has been provided to assist in its determination.*

*Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed in every instance to the Planning Officer, who will seek input from the EAS where appropriate and necessary.*

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### **Summary**

We advise that the following additional information is required prior to determination of the planning application.

- Clarification on how the importance of habitats/species have been reached.
- Additional information on the proposed mitigation on species, habitat and designated sites
- Clarification on the differences between the illustrative plans and the parameter plans.
- Additional information on the submitted BNG assessment.

### **Detailed Comments**

We have reviewed the ecological information submitted with the planning application and we advise that it provides a good understanding of the ecological interest of the site. The surveys have detailed the following is present within the site:

- Dormouse
- Roosting bats within the surrounding area
- At least 8 species of bat within the site and surrounding area
- Water vole previously present within area.

- 3 species of reptiles
- 57 species of birds recorded during breeding bird surveys including Schedule 1, red, amber and priority species.
- Wintering bird surveys recorded schedule 1, red, amber and priority species.
- 270 terrestrial invertebrates – of which 6 were of conservation concern.
- Suitable habitat for eel
- Yellow vetchling – a nationally rare species.

In addition the site is directly adjacent to the Swanscombe Peninsula SSSI and is within the Ebbsfleet Marshes etc., Northfleet Local Wildlife site

We do query how the *importance* of some species have been assessed within the Environmental statement. We have provided details of our concerns below:

- Dormouse – has only been assessed as district / borough. The site is part of the populations which spans from the A2 corridor to the Swanscombe peninsula. It's our view that the site provides important connectivity for a population that spans wider than just district/borough.
- At least 8 species of bat within the site and surrounding area but the areas within/adjacent to the car parks have been assessed as less than local importance. The activity survey transect through areas EC1s (northern car park) was only carried out in the eastern boundary of the vegetation block not the western boundary. Therefore we query if there is sufficient survey data to conclude that the bat usage of the area is only local. We recommend that the bat activity interest of the whole site is considered as up to county importance within ES.
- Breeding Birds - While we acknowledge that the site does not meet the requirements to be considered as county importance due to the presence of Schedule 1, red, amber and priority species we are of the opinion that the importance of the site is greater than local.

We advise that the section on mitigation for impacts on the designated sites, habitats or species is not within the Environmental statement or is not substantial enough. We advise that details of the mitigation and assessing the impact of the proposals must be submitted as part of the planning application. An overview of the mitigation has been provided within the outline biodiversity mitigation and enhancement plan but it only details the practicalities of the mitigation proposed not an assessment of whether it would be successful or achievable within the proposed development. We advise that this information must be submitted prior to determination to ensure that the impact on the species, habitats and designated sites can be fully assessed against legislation and national and local policy.

We advise that we can not fully assess the impact from the proposed development until the details of the proposed mitigation or compensation has been submitted (if it is an omission) however if all the information is present we can provide updated comments. Therefore we have not provided detailed comments about the conclusions in the ES until this point has been clarified. However we have provided further advice on aspects which is unlikely to significantly change with the submission of the additional information.

The environmental Statement has detailed the following with regards to breeding birds: *Although some interchange of breeding bird species between the Site and the SSSI may occur, the*

*habitat areas within the Site are not considered to play an important role in supporting the SSSI breeding bird assemblages, such that the loss of small areas of woodland and scrub within the Site is unlikely to significantly affect the breeding bird assemblages present within the SSSI. We acknowledge that the surveys demonstrate that the site does not support the same breeding bird assemblages as the wider SSSI but the proposal will result in a loss of habitat which supports breeding birds which could have a negative impact on breeding birds especially when considered in conjunction with disturbance from recreation and lighting. It's our opinion that additional information is required assessing the impact on breeding birds.*

The report has highlighted that open areas of grassland cannot be re-created within the Proposed Development and there will be an adverse effect on the terrestrial invertebrate assemblage, particularly the brown banded carder bee. The submitted information has detailed that due to the proximity to the SSSI sufficient habitat will be retained within the wider area. As the proposal is reliant on the SSSI to ensure the population is not adversely impacted we question if there are opportunities to carry out management of the SSSI to further improve the habitat for those species groups.

We highlight that there are contradictions between the illustrative plan and the Landscape and Public Realm Parameter Plan. The Landscape and Public Realm Parameter Plan shows areas EC1.A1, EC1.C1, EC1.D1, EC1.D2 and EC1.H1 as development plots but the illustrative landscaping plan suggests the northern boundary will be largely vegetated. The illustrative landscaping plan gives the impression that this area will be largely undeveloped but as future development will be based on the parameter plans it means that there is uncertainty / confidence that the area will remain vegetated. We acknowledge that the landscape and public realm parameter plan does state that dormouse mitigation will have to be taken in to account in those areas but the plans do not provide confidence that the retained vegetated area will be as great as indicated by the landscaping plan.

The ecological report is reliant on the conclusions of noise, vibration and air quality reports. We advise that there is a need to ensure that EDC area satisfied they are valid. For example paragraph 11.11.3 of the ES states the following: *The Air Quality Chapter (Chapter 9) sets out the approach taken to assess predicted traffic emissions in relation to traffic movements on the road network as a result of the Proposed Development and in relation to consideration of other air quality effects. No International designated sites for nature conservation are located within 200m of the 'affected road network' for construction traffic. As such, no significant effects are anticipated in relation to effects from construction traffic emissions.* We advise that there is a need to ensure that the highways consultee are satisfied that the anticipated usage of the road network is as anticipated in the air quality chapter as there are roads in Kent which are within 200m of the international and nationally designated sites such as the A249. It's our understanding that the Lower Thames Crossing DCO has been submitted to PINS and highlight that if it's accepted there will be a need to consider the in combination impact of the Lower Thames Crossing with the development – this is particularly relevant in regard to vehicle numbers.

The submitted information has detailed that the site has been designed to retain the key features of the LWS including the River Ebbsfleet and associated riparian corridor, reedbeds, wet woodlands/ damp scrub woodland. The proposal details that the River Ebbsfleet will be subject to a 30m habitat corridor between development plots which is demonstrated within the parameter plans. However the river corridor is likely to result in high footfall and

therefore there is a risk that the habitats within that area will be degraded or not provide the same opportunities for species due to the increase in disturbance (including lighting and recreation). Due to the design of the development it's likely that there will be heavy recreational usage within the site and therefore there will be the need for lighting within this area. While the intention is for the habitat to be retained within the site we highlight that it is probably unlikely to provide the same ecological interest as it does currently and there is a need to acknowledge that and take it in to consideration when assessing the impact and understanding what mitigation/compensation is needed. The BNG metric currently demonstrates that there will be an anticipated 16% loss of habitats within the site however due to likelihood of disturbance within some areas it is our view that it is likely that the BNG loss will be higher.

To enable us to review the BNG metric in more detail we recommend a habitat creation plan is submitted which demonstrated the anticipated habitat retention, creation and enhancement as detailed within the metric. The plan should be annotated with numbers which correspond with the metric.

With regard to lighting the report does refer to a commitment to keep the River Ebbsfleet corridor free from lighting infrastructure other than where required for safe use of public rights of way across and states that lit routes crossing the corridor shall not exceed the minimum safe illuminance levels for their function. It's not clear within the submitted information the minimum and maximum level of lighting within those areas.

The environmental statement has detailed that there will be a loss 2.58ha of mixed scrub (with large areas dominated by bramble and buddleia), 0.7ha of species poor semi-improved grassland (dominated by perennial weeds and coarse grass species), and 0.83ha secondary broadleaved woodland (established in the last 15 to 20 years, dominated by sycamore, willow and ash) within the LWS. The report has concluded that those habitats are of low quality and are not listed within the LWS citation as a reason for designation, and therefore unlikely to have a significant role in supporting the conservation status of the LWS. We advise that we don't agree with that view as the citation details that the site contains scrub and rough grassland (as detailed above) and the habitats do support the species listed within the LWS. We do agree that the LWS is not in an optimum condition due to a lack of management in recent years but advise that it's our opinion that the loss will be greater than an impact at a local scale. The report refers to mitigation described in sections 11.8.138 to 11.8.153 of the Environmental statement but as detailed above that they are not within the ES.

The biodiversity Net Gain Assessment and the Design and Access Statement also indicates the provision of brown/green roofs. The submitted information details that the detailed design of these features will require input from a suitably qualified ecologist alongside the detailed design of the proposals. We are concerned that if the brown/green roofs are not demonstrated on parameter plans or information provided confirming the minimum area of brown/green roofs to be created within the site there will be no requirement for the brown/green roofs to be created in the detailed reserve matters application. We advise that there is need to ensure that green/brown roofs will be created within any development and there is no risk that they will not be created for other requirements (such as solar panels).

Currently the proposal states there will be an anticipated BNG loss of 16% but it has not been demonstrated what off site habitat creation or management will be carried out to enable the

development to demonstrate that there will be a 10% net gain. We advise that additional information must be submitted addressing this point.

It is anticipated that the proposal will result in an increase in recreation within the SSSI and LWS and the intention is to produce a recreation mitigation strategy within the areas in the applicants ownership. This hasn't been submitted with the application and we recommend that the principles of the strategy are submitted to demonstrate it can be achieved. The report has detailed that in the absence of further secondary mitigation, the presence of new residents and dogs may lead to a permanent adverse effect significant at the County scale. As this will result in the degradation of a SSSI (a nationally important site) we question why it has been considered an adverse impact at county scale and not at national scale. Details of the secondary mitigation details have not been provided as an outline and does not appear to have addressed the above point.

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

**Helen Forster MCIEEM**  
**Biodiversity Officer**

This response was submitted following consideration of the following documents:

*Environmental Statement; Stantec; September 2022*

*Environmental Statement Appendix K 1-15; Stantec*

*Illustrative Landscape Plan; Weston Williamson and Partners; October 2022*

*Landscape and Public Realm Parameter Plan; Weston Williamson and Partners; September 2022*



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Strategic Planning,  
Maidstone Borough Council,  
Maidstone House,  
King Street,  
Maidstone,  
ME15 6JQ

## Growth and Communities

Invicta House  
County Hall  
Maidstone  
Kent  
ME14 1XX

Phone: 03000 423203  
Ask for: Alessandra Sartori  
Email: [alessandra.sartori@kent.gov.uk](mailto:alessandra.sartori@kent.gov.uk)

### BY EMAIL ONLY

15 December 2022

Dear Sir/Madam,

### Re: Maidstone Borough Design and Sustainability Development Plan Document Regulation 18 Consultation

Thank you for consulting Kent County Council (KCC) on the Maidstone Borough Design and Sustainability Development Plan Document (DPD).

The County Council has reviewed the document and for ease of reference has provided comments structured under the chapter headings within the DPD. KCC would request further engagement with Maidstone Borough Council and would welcome the arrangement of a workshop to discuss the matters that have been raised.

### Introduction & How To Respond

#### The Purpose of this Development Plan Document

Heritage Conservation: The County Council recommends that the goal of the DPD, which is to build attractive and sustainable communities, will need to draw on Maidstone's heritage to be successful. The historic buildings, archaeological sites and monuments and historic landscape provide a range of opportunities that can serve to enhance life in the Borough. However, they also have vulnerabilities that must be recognised to prevent new growth from negatively impacting on them and reducing the attractiveness of Maidstone. KCC would therefore advise Maidstone Borough Council to develop a Heritage Strategy to approach this. The goals of a Heritage Strategy are:

- To identify and describe the key themes of relevance of the heritage of the district and the heritage assets that represent them
- To assess the role that these can play in in regeneration and tourism

- To identify both their vulnerabilities and the opportunities they provide
- To inform site allocations within the district
- To support policy development

The County Council would suggest that Maidstone Borough Council needs a similar strategy which would also be compliant with paragraph 190 of the National Planning Policy Framework (NPPF), which requires local authorities to have a '*positive strategy for the conservation and enjoyment of the historic environment.*' Policy ENV 1 'Development affecting heritage assets' in the Local Plan Regulation 18 Preferred Approaches consultation for the Local Plan Review in December 2020 contained the goal that a Heritage Assets Review and Heritage Strategy should be developed at some point in the future, in the 'Further work to do' section. This should be advanced as it would greatly support the placemaking and design work at the heart of this DPD.

### **What are the key cross-boundary issues?**

Highways and Transportation: The County Council, as Local Highway Authority, would recommend the inclusion of a '*movement / connectivity*' heading within the key strategic issues section to ensure that reference is made to highway matters.

Public Rights of Way (PRoW): KCC welcomes the opportunity to comment on the DPD at its Regulation 18 public consultation stage. The County Council is keen to ensure its interests are represented with respect to its statutory duty to protect and improve Public Rights of Way (PRoW) in the County. KCC is committed to working in partnership with local and neighbouring authorities, councils and others to achieve the aims contained within the [KCC Rights of Way Improvement Plan](#) (ROWIP) and '[Framing Kent's Future](#)' 2022-2026. These include for people to enjoy, amongst others, a high quality of life with opportunities for an active and healthy lifestyle, improved environments for people and wildlife, and the availability of sustainable transport choices.

The County Council seeks to ensure the positive promotion of the PRoW network within the Borough. The County Council notes that this consultation seeks to complement the emerging Local Plan and would draw attention to the positive contribution that PRoW can offer to the DPD's themes.

Sustainable Urban Drainage Systems (SuDS): The County Council, as Lead Local Flood Authority is pleased to note that water quality and quantity are mentioned within the key cross boundary section with the view to engage with KCC. The County Council is very supportive of this approach and would welcome any future conversations that Maidstone Borough Council would like to pursue further at this point.

## **Key questions for consideration:**

*Do you think we have identified all the issues that a Design and Sustainability DPD should consider?*

Public Health: The County Council considers that the way places are designed has a significant influence over whether communities can live healthy lives, in addition to Maidstone Borough Council having a cross-cutting strategic objective of reducing health inequalities. It is therefore advised that a section on 'Design for Healthy Places' is included within the DPD.

Design for Healthy Places and reducing health inequalities/deprivation should also be a consideration within the other issues identified in particular place-making. Within the issue of Design Quality it would be good to see design for optimal Human Health (including ageing well) as a consideration.

*Have we identified all the cross-boundary/strategic issues that the DPD should address?*

Public Health: Maidstone Borough Council has cross-cutting strategic priorities of reducing health inequalities and deprivation which should be reflected. Health inequalities are unfair and avoidable differences in health across the population, and between different groups within society. They arise because of the conditions in which we are born, grow, live, work and age.

To reduce health inequalities in a community, efforts must be made to ensure that new developments bring benefits for the least healthy or least affluent, wherever possible. This includes addressing health challenges in adjacent communities which should be considered and built into wider investment and improvement plans.

*Have we identified the key evidence base documents?*

Public Health: The Borough Council has a strategic objective of reducing health inequalities in addition to aspirations within the Design and Sustainability plan itself to develop healthy places and improve health and wellbeing. Therefore, the County Council recommends that the Borough Council has consideration of [Building for a Healthy Life](#).

Additionally, it is important to identify local health and wellbeing needs to understand the impact of any new development on the health needs of existing and future populations to ensure the design enables and supports healthy lifestyles or mitigates against any negative health impacts.

Developing predictions of the demographic and emerging needs of future populations of those moving into new developments is important and can be built upon by learning from similar sites and their own health needs. In order to reduce health inequalities it is also important to understand the impact of new development on surrounding existing communities and therefore how the development can bring benefits for the least affluent.

Local data and intelligence can be viewed via:

- [Kent Joint Strategic Needs Assessment \(JSNA\)](#)
- [Public Health Outcomes Framework \(PHOF\)](#)
- [Local Health](#)
- [Strategic Health Asset Planning and Evaluation \(SHAPE\)](#)

Additionally, it is important to use evidence informed principles to design healthy places to improve health outcomes for residents, in addition to Building for a Healthy Life. KCC would draw attention to [Spatial Planning for Health: An evidence resource for planning and designing healthier places](#) as a useful resource. Further Public Health and Built Environment guidance which could be used is:

- [Healthy weight environments: using the planning system](#) – Public Health England (PHE) (2020)
- [Spatial Planning and health: Getting Research into Practice](#) – PHE and University of West England (2020)
- [Putting Health into Place: Introducing NHS England's Healthy New Towns programme](#) – NHS (2018)
- [Healthy High Streets: good place-making in an urban setting](#) – PHE and UCL Institute of Health Equity (2018)
- [Securing constructive collaboration and consensus for planning healthy developments: A report from the Developers and Wellbeing Project](#) – TCPA (2018)
- [Spatial planning for health: an evidence resource for planning and designing healthier places](#) – PHE (2017)
- [Creating health promoting environments](#) – TCPA (2017)
- [Building the Foundations – tackling obesity through planning and development](#) – Local Government Association and TCPA (2016)
- [Active Design – planning for health and wellbeing through sport and physical activity](#) – Sport England (2015)
- [Planning Healthy Weight Environments](#) – TCPA (2014)
- [Obesity and the environment: regulating the growth of fast food outlets](#) – PHE (2014)
- [Planning Healthier Places](#) – TCPA (2013)

## **Placemaking**

**PRoW:** The County Council welcomes the aspiration for the Borough to be attractive with distinctive safe and secure places to attract people. As recognised within the DPD, place comprises of many different environments, from the Town Centre to rural settlements and the wider countryside. Ensuring safe and convenient access within and between all environments will therefore be key to the Borough realising this aspiration. The PRoW network and active travel can play an important part in providing that access and this should be recognised within the Placemaking Theme.

## **Key placemaking questions for consideration**

*What are the elements of The Borough's heritage and identity that make the borough special? / What do you think the DPD needs to do in order to deliver great places?*

Heritage Conservation: Maidstone Borough has been shaped and influenced by a long history, the legacy of which is a strong and rich cultural heritage. In addition to an extensive and important archaeological heritage from prehistory, Roman, Anglo-Saxon and Medieval and later periods, the Borough contains highly visible built heritage. A range of industries have shaped the Borough, including paper-making, brewing, extraction and transportation. Buildings have been constructed from local materials in the form of ragstone, clay and timber. The wider landscape of the Borough is also historic in nature, containing numerous ancient routeways as well as historic woodland, farms and farmsteads. There is therefore a rich resource to draw on when placemaking. However, KCC notes that Maidstone has a lack of placemaking tools. As mentioned above, there is currently no Heritage Strategy for Maidstone. The [Historic Landscape Characterisation](#) for Kent was produced in 2001 and needs to be refined and detailed for Maidstone, as has happened in Tunbridge Wells and the Hoo Peninsula. Many of the Conservation Areas still lack appraisals, however, the Local List of Heritage Assets has been added to since the 1970s. These tools have the potential to contribute to placemaking by helping integrate new development into what currently exists and the County Council would recommend that they are further developed and enhanced.

Placemaking is also important in the countryside. 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 Area of Outstanding Natural Beauty (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 the existing character of the countryside. KCC would advise the consideration of this guidance within the DPD.

The Kent Farmsteads Guidance has been endorsed by the County Council and it is recommended that Maidstone Borough Council considers adopting the guidance as an SPD, as part of the Local Plan process. KCC would welcome further discussions on this matter.

## **Streets and Buildings**

Highways and Transportation: KCC notes that '*Movement within Streets*' is listed as a topic for consideration within the Streets and Buildings Theme, however, this has not been expanded on. It is advised that a clear question is provided in the Key Streets and Buildings Questions section on how this topic will be taken forward. The text also makes reference to lack of definition of parking facilities, and the County Council would recommend that this is linked to overall design guidance and the Movement Theme within the DPD.

PRoW: The County Council welcomes the DPD's desire to support walking and cycling and the recognition that environments have been created leading to '*vehicle dominance, along with higher vehicle speeds.*' KCC encourages the recognition of active travel within initial

concept-stage design criteria to enable the Borough's aspiration for 'easy to navigate streets and public spaces' to be realised.

### **Key Streets and Buildings questions for consideration:**

*Have we identified the key issues relating to Streets and Buildings? / Do you think the borough should set out clear guidance on how to develop good urban design?*

Heritage Conservation: KCC notes that the text rightly states the following:

*'There are strong historic cues from which development can draw to create legible, human scale, land efficient, and coherent development proposals which makes effective use of land. A coherent arrangement of buildings promotes walking and cycling which and leads to an efficient layout. This provides continuity and enclosure and clearly defined public and private spaces which enables legibility with recognisable routes, landmarks, and waypoints.'*

New layouts should complement existing historic settlement patterns and should be undertaken sensitively, and existing patterns should be retained as much as possible. KCC would hope that developers will ensure that developments respect existing settlements in terms of scale, layout and orientation so that the pre-existing historic settlement is not diminished by the new development.

As referred to above, detailed Historic Landscape Characterisation can greatly assist with this by revealing the underlying pattern of tracks and lanes, hedgerows and planting that has developed in an area over centuries and that can be drawn upon to help create sustainable communities with appropriate linkages and through routes, as well as by identifying historic features that can help give a sense of place to new development. The County Council would advise that the DPD commits the Borough Council to revising the 2001 Historic Landscape Characterisation and would welcome engagement to discuss this further.

KCC would welcome clear guidance on master planning and good urban design as it would provide an opportunity to embed historic environment conservation principles into new development at the scheme level. There is a lack of clear national guidance for developers seeking to include heritage issues in their proposals except where they affect Conservation Areas. It is often that developments away from Conservation Areas fail to engage properly with the potential offered by heritage. Clear new guidance would therefore provide an opportunity to address this.

### **Open Space and Nature**

PRoW: The County Council recognises that a key element of the Open Space and Nature Theme is recognition that the PRoW network is a component of Green Infrastructure. This is not only because PRoW are found in green and open spaces, however they are increasingly the means for people to exercise active travel choices in making connections within their community and with neighbouring communities.

The County Council encourages the Borough to recognise and appreciate the value of liaison with neighbouring administrative areas and with other tiers of administration. For example, KCC and neighbourhood initiative groups. Delivering infrastructure to benefit more individuals and communities will ensure a higher return on investment, so bringing all parties together will deliver stronger and more valued outcomes. This will therefore deliver 'whole journey' outcomes through the consideration of neighbouring areas, rather than best practice up to a particular boundary.

The DPD states that the Borough is seeking to *'integrate green spaces and infrastructure at every scale of design ... making a genuine and significant contribution to ... the causes and effects of climate change, and the health and wellbeing of communities'*. To achieve this, the County Council encourages the Open Space and Nature Theme to recognise the PRoW network and active travel.

SuDS: KCC is pleased to note the key role that open space and the natural environment have in the management of water in the DPD. Whilst KCC agrees with the statement that *'sensitively designed SuDS can support important wet/dry habitats that contribute to a net gain of biodiversity'*, the County Council would dispute the statement prior to this regarding a reliance of high flow rates and over engineered balancing ponds. As Lead Local Flood Authority, the County Council would always seek for proposed developments to discharge at a flow rate equivalent to, or below, that of pre-development and subsequently to have sympathetically designed ponds, if proposed.

As a general comment, the County Council, as Lead Local Flood Authority would request for Maidstone Borough Council to consider the possible inclusion within the DPD of the utilisation of public open space for the purposes of surface water management and whether this can be accounted for as part of the public open space allocation. KCC would recommend that any water feature should be included within the open space allocation given that it provides additional amenity and biodiversity value, however the County Council understands some districts' reluctance to accept this. The requirement for this area to be removed from the open space allocation is normally as a result of the area not being able to be physically accessed over, and KCC would mention that, if correctly engineered, these features can be accessed for the majority of time. For example, the creation of low flow channels through an attenuation basin will mean that the majority of the basin will stay dry except for at times of extreme rainfall.

KCC would also comment that that neither the County Council's Drainage and Planning Policy Document (2019) (Appendix A) or the [Water People Places, A Guide for Master Planning Sustainable Drainage into Developments](#) appear to be referenced. Maidstone Borough Council is advised that all new developments should comply with these documents and that they should help to give weight to their own aspirations with regards to the relevant sections of the DPD.

Emergency Planning and Resilience: The County Council notes that high quality green spaces have a key role in delivering natural cooling and atmospheric moisture, particularly in urban and village centre areas. It is therefore advised that usable open space is created that benefits biodiversity and people and enhances connectivity.



KCC advises that design in new developments must take into account existing habitats onsite and the different site uses. It is recommended that native species planting should be encouraged in new developments, particularly in open spaces, and this must be managed appropriately.

### **Key Open Space and Nature questions for consideration**

*Have we identified the key issues related to Open Space and Nature? / Do you think the borough needs to set out clear guidance on how to deliver new development that fits within the landscape and natural environment?*

Biodiversity: The County Council agrees that Maidstone Borough Council has identified the key issues related to the Open Space and Nature Theme, however there is a need to highlight that any development or open space designed must ensure that it has been designed to consider species connectivity and does not result in islands being created.

KCC also agrees that there is a need to ensure there is consistency within developments throughout the Borough. This should be in all developments where open space is required including those in the middle of towns. Where there is no requirement for open space, developments should still be required to consider species connectivity and create habitats on site. In addition, there is a need to ensure that developments include enhancement features within buildings and open space to further benefit species.

The County Council would also advise that there is a need for the consideration of lighting within open spaces in developments. Lighting should be minimal to ensure that there are dark areas to benefit biodiversity.

Heritage Conservation: The County Council would draw attention to comments made in the Placemaking Theme which are also applicable here. This is regarding the suitability of Historic Landscape Characterisation for informing decision-taking at the landscape level and the role it can play in connecting urban centres with the surrounding countryside.

The current text rightly highlights the importance of Maidstone's historic parks and gardens. If this resource is to play its full role, however, there is a clear need to ensure this approach is evidence based. At present, the main information resource for the local (as opposed to Registered) historic parks and gardens of Maidstone is the 1996 Compendium of Historic Parks and Gardens produced by KCC and the Kent Gardens Trust. The Compendium needs reviewing in order to ensure that it is brought up to date and that the significance of the Borough's gardens is properly assessed. Only then can it be used to manage and, where possible, enhance this extremely important resource. The County Council has recently been working on a number of such reviews with the Kent Gardens Trust and KCC would welcome engagement to discuss an update for the Compendium for Maidstone with Maidstone Borough Council.

Many of the green and blue corridors are themselves historic routes and contain nationally and locally important heritage assets. For example, during the Second World War the River Medway was the General Headquarters (GHQ) Stop-Line and still contains dozens of pillboxes and defence sites. These constitute a nationally important group of heritage assets.

They may not be protected in law as protecting complexes such as this is particularly difficult and scheduling is seen as a management decision, but they need to be respected and protected as though they were statutorily protected sites, as noted within Section 16 'Conserving and enhancing the historic environment' of the NPPF.

KCC notes that where the River Len flows into the Medway is a constructed mill pond. It is a landmark feature for Maidstone Town with the reflection of the Rootes building and the industrial historic character being highly memorable. This site is particularly sensitive archaeologically in view of its position within the historic complex of the Archbishops Palace. There may have been a mill here during the Medieval Period, forming part of the medieval palace complex, but certainly post medieval mills were sited here and the adaptation of the River Len channel for industrial use just before it enters the River Medway is of key historic importance.

The River Len is also well known for the numerous mills which utilised the healthy flow of the river during the Medieval and Post Medieval periods and perhaps earlier. This distinctive character of the River Len is of special importance within the Borough and possibly makes it different to the other minor rivers flowing through Maidstone. An assessment of the heritage of the rivers in Maidstone would be a useful and informative dataset that could help develop the potential of the rivers and enable their effective management.

SuDS may have both direct and indirect impacts on the historic environment, which must be taken into consideration. Direct impacts could include damage to known heritage assets, for example, if a historic drainage ditch is widened and deepened as part of SuDS works. Alternatively, they may directly impact on unknown assets such as when SuDS works damage buried archaeological remains. Indirect impacts are when the ground conditions are changed by SuDS works, thereby impacting on heritage assets. For example, using an area for water storage, or improving an area's drainage can change the moisture level in the local environment. Archaeological remains 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.

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 produced advice for SuDS and the historic environment, which 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.

## **Movement**

**Highways and Transportation:** The County Council notes that the comment in the second paragraph regarding the disadvantages associated with reliance on a single point of access needs to be balanced against the highway safety implications of a proliferation of accesses, given that junctions represent points of conflict. Defining the movement hierarchy will also

have implications for road capacity and safety, and KCC would advise that this is mentioned within the text.

PRoW: KCC recognises that many people would like to make local journeys on foot or bicycle but are often deterred by, amongst others:

- a lack of dedicated local facilities - dedicated off-road routes may simply not be close by or users are only offered routes that share highway space with vehicles, which increases the perception or fear of likely accident or injury.
- that routes that do exist are not convenient to use in all weather conditions throughout the year - walkers and cyclists will prefer, much like motorists on roads, to have enough space for different modes to pass each other safely and conveniently; and for a surface they can have confidence of walking or cycling on as weather changes.
- that use of existing routes may not be considered safe - previously provided as an 'after-thought' by developers and to now outdated standards, users may also feel that their personal security could be endangered, such as with unlit narrow alleys or in having to share space with vehicles.

The DPD aims to '*Ensure that the Borough of Maidstone is delivering a connected network of streets that prioritises journeys by active and sustainable transport modes, whilst allowing the use of streets for essential private vehicle movements*'. However, by focusing on '*streets*', this statement overlooks the valuable contribution the PRoW network makes presently and will make in the future to Maidstone's residents and visitors, by providing the means to connect safely and conveniently within the Borough and to its surroundings. If the Borough is keen to seek cultural change towards active travel, it is encouraged to see '*movement*' as encompassing more than roads and streets.

KCC agrees with the statement that '*opportunities for new connections via foot or cycle can ... be overlooked*' when designing and approving proposals for new development. Delivering new routes, often multiple routes from a single development in order that users are offered direct connections for their desired destination, will over time contribute to creation of an integrated off-road network. If these are delivered on year-round useable surfaces and to standards where users will not feel their security is threatened, this will contribute to the cultural change the Borough is seeking.

The Borough is encouraged to place greater weight on the provision of off-road access in its guidance for developers and when determining planning proposals. There is considerable support for this within the NPPF, where paragraphs 92, 93, 98, 100, 104, 106 and 112 are particularly relevant.

The County Council would request further detail on the topic suggestions of '*dedicated active travel infrastructure*', '*safe and secure cycle parking*', and '*incorporation of green infrastructure in streets*' proposed for inclusion within its Movement Theme. This would enable the County Council to comment how or whether such proposals will positively contribute to the shared ambition for active travel.

## **Sustainable Buildings**

SuDS: The County Council is also pleased to note that the Sustainable Buildings Theme encourages the capturing and reuse of water. KCC would strongly encourage for this to be included in the future DPD and that it be further strengthened to include the use of blue and green infrastructure on the roofs of appropriate proposed buildings. Whilst KCC acknowledges the use of the word adaptation in this section, this could be strengthened by providing clarification within the DPD, as it is unclear if this is in reference to brownfield sites. If it is, 5.2.2 SuDS Policy 2 'Deliver effective drainage design' in the KCC Drainage and Planning Policy Document (2019) (Appendix A) requires that any brownfield site seeks to reduce its surface water run off rate to the equivalent greenfield run off rate, i.e. the rate if the site was simply open space, and if this is not achievable, it should be reduced to a minimum of 50% of the existing sites discharge rate.

Emergency Planning and Resilience: Buildings and wider communities must be resilient to climate change induced severe weather impacts including flooding, storms and extreme heat. The County Council would recommend that new developments in Maidstone utilise renewable energy where possible and would encourage the use of water saving technology and grey water reuse.

### **Key Sustainable Buildings questions for consideration**

*What are the most pressing sustainability issues you think should be addressed by new development?*

Heritage Conservation: The historic environment has a significant role to play in the conservation of resources required for development, and also in energy efficiency. Old buildings can often be more energy efficient than newer ones and of course have already been built. 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 a range of guidance on the role that heritage can play in mitigating climate change and historic building adaptation, including the [Climate Change Adaptation Report](#) (2016) produced by Historic England. 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 [There's no Place Like Old Homes: Re-use and Recycle to Reduce Carbon](#) (2019) report produced by Historic England. This could usefully be highlighted in the text which at present suggests that energy efficient housing must only be exhibited by new buildings.

## **Design Quality**

Provision of County Council Community Infrastructure and Services: The County Council supports the objective of promoting quality design in the built environment and actively encourages well designed places that consider and prioritise local context; distinctive identity; coherent built form; high-quality placemaking; intelligent movement and connectivity; sustainable homes and buildings; lifetime use; and preserves natural resources.

Heritage Conservation: The County Council would expect that schemes will only be permitted where the design complements any existing local historic character that the area may have. KCC would also hope that the materials used in the design are appropriate to the existing character, if possible, using locally sourced and traditional materials. Some of these materials are rare, however, and local sources need to be identified and protected, as noted within the [Kent Minerals and Waste Local Plan](#) (2013-2030).

### **Key Evidence Documents**

PRoW: KCC would request that the ROWIP is referenced as key evidence in the Movement Theme but also in the Placemaking, Streets and Buildings, and Open Space and Nature Themes.

### **General Comments:**

Highways and Transportation: The County Council, as Local Highway Authority would request that any queries relating to parking standards are sent to the County Council Highways and Transportation team<sup>1</sup>.

Sport and Recreation: The County Council would welcome clarification of where community buildings and facilities sit within the DPD and to ensure that Sport England's [Active Design Guide](#) and principles are given consideration in this process.

Sport England is currently redeveloping this guidance and KCC would be happy to communicate this with Maidstone Borough Council when it is finalised.

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KCC would welcome continued engagement as the DPD 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

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Appendix A: Kent County Council Drainage and Planning Policy Document (2019)

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<sup>1</sup> [Developmentplanningwest@kent.gov.uk](mailto:Developmentplanningwest@kent.gov.uk)

Kent County Council

# Drainage and Planning Policy

- a Local Flood Risk Management  
Strategy Document

December 2019

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Date	Revisions details
October 2016	Clarification on technical matters; submission summary form.; pre-application advice; post-construction verification reports; standard advice.
June 2017	Further clarification of technical matters and amendments to general wording including revised M5-60, 50% reduction for brownfield sites, runoff control per soil type, discharge to highway systems, off-site drainage improvements and developer contributions.
November 2019	Clarification of drainage submission requirements and revised drainage policies to reflect latest changes in NPPF and include the requirements for a verification report and any changes as a result of consultation.

The overall policy will be assessed biennially and reviewed when National policy or other relevant policy changes occur.



# 1 Role of this Policy

This policy sets out how Kent County Council (KCC), as Lead Local Flood Authority (LLFA) and statutory consultee, will review drainage strategies and surface water management provisions associated with applications for major development. It is consistent with the Non-Statutory Technical Standards for Sustainable Drainage (as published by Defra in March 2015) and sets out the policy requirements KCC has for sustainable drainage. It should be read in conjunction with any other policies that promote sustainable drainage, specifically:

- the National Planning Policy Framework and,
- any specific policy set out by the relevant Local Planning Authority

This policy is also supported by KCC guidance and policy provided in:

- Kent Design Guide Technical appendices ('Making It Happen') 2019;
- Water. People. Places - a guide for Masterplanning sustainable drainage in developments;
- KCC Land Drainage Policy

The aim of this policy document is to clarify and reinforce these requirements. It also includes references to other design considerations which impact sustainable drainage design and delivery.

This policy should be used by:

- developers when considering their approach to the development of new sites or redevelopment of brownfield sites;
- developers or their consultants when preparing submissions to support a planning application for major development;
- professionals involved in developing drainage schemes including engineering and urban and landscape professionals;
- development management officers when considering development applications,
- Local Authorities when developing local planning and land-use policy.

With this current update, we seek to ensure that multifunctionality of open space is now emphasised within development master planning. This provides an opportunity for Kent to look to wider benefits of sustainable drainage and strengthen policies for the delivery of drainage systems which are fully sustainable, thus providing quantity control, quality improvement, biodiversity enhancement and amenity. Changes to the National Planning Policy Framework (NPPF) in 2019 and Defra's 25-Year Environmental Plan<sup>1</sup> promote a robust approach to sustainable development.

<sup>1</sup>25-year Environment Plan, published January 2018 on [www.gov.uk/government/publications/25-year-environment-plan](http://www.gov.uk/government/publications/25-year-environment-plan)

## 2 Introduction

### 2.1 Background

KCC was made a LLFA for Kent by the Flood and Water Management Act 2010 (the Act). As LLFA, KCC has a strategic overview of 'local flooding'. Local flooding is defined by the Act as flooding which is caused by:

- Surface water,
- Groundwater,
- Ordinary Watercourses

The management of surface water within new development is a key factor in managing local flooding.

Since commencement of the Act in 2010, the Government has assessed various means of promoting sustainable drainage systems. In April 2015, LLFAs were made statutory consultees in planning for surface water. Our understanding of local drainage and local flood risk presents a strong platform from which to provide advice and guidance to Local Planning Authorities on the management of surface water.

In undertaking this role KCC coordinates with the 12 local authorities as well as Kent's own planning department and the Ebbsfleet Development Corporation. Where appropriate we will also liaise with other relevant flood risk management authorities, such as the Environment Agency, sewerage undertakers and the county's Internal Drainage Boards (IDB).

## 2.2 Legislative Framework

As a LLFA within Kent, KCC is required under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 ('the Development Management Procedure Order') to provide consultation response on the surface water drainage provisions associated with major development.

Major development is defined within the Development Management Procedure Order as development that involves any one or more of the following:

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwelling houses where:
  - (i) the number of dwelling houses to be provided is 10 or more; or
  - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more.

As a statutory consultee, KCC must provide a substantive response within 21 days of consultation (Article 22 of the Development Management Procedure Order). A substantive response is one which:

- (a) states that the consultee has no comment to make;
- (b) states that, on the basis of the information available, the consultee is content with the development proposed;
- (c) refers the consultor to current standing advice by the consultee on the subject of the consultation; or
- (d) provides advice to the consultor.

The Planning and Compulsory Purchase Act 2004 describes the duty to respond as a consultee, including the duty to report to the Secretary of State on compliance with the provision of substantive responses.

The Town and Country Planning (General Development Procedure Amendment No. 2, England) Order 2006 introduces the concept of Critical Drainage Areas as *"an area within Flood Zone 1 which has critical drainage problems and which has been notified [to] the local planning authority by the Environment Agency"*. However, no Critical Drainage Areas have yet been defined within Kent and will not require further consultation.

## 2.3 Sustainable Drainage in Planning

Sustainable drainage systems are designed to control surface water as close to its source as possible. Wherever possible they should also aim to closely mimic the natural, pre-development drainage across a site. A well-designed sustainable drainage approach also provides opportunities to:

- reduce the causes and impacts of flooding;
- remove pollutants from urban run-off at source;
- combine water management with green space with benefits for amenity, recreation and wildlife.

The purpose of the planning system is to contribute to the achievement of sustainable development and deliver the requirements of the National Planning Policy Framework (NPPF). The use of sustainable drainage systems helps to achieve the sustainability objectives of the NPPF.

## 2.4 Design Strategies

Development has the potential to change surface water and ground water flows, depending upon how the surface water is managed within the development proposed. Planning applications for major development should therefore be accompanied by a site-specific drainage strategy that demonstrates that the drainage scheme proposed is in compliance with KCC's sustainable drainage policies, as outlined within this document.

The drainage strategy must also demonstrate that the proposed surface water management proposal is consistent and integrated with any other appropriate planning policy and flood risk management measures that are required.

## 2.5 Strategic Consultation

As a LLFA, KCC has a consultation role in relation to the preparation of local plans, neighbourhood plans, strategic flood risk assessments and other planning instruments produced by Local Planning Authorities<sup>2</sup>.

KCC will provide advice and guidance on local flood risks and appropriate policy for any area upon request.

KCC will also provide information to individuals and other organisations with respect to drainage and local flood risk for use in the preparation of other relevant planning documents upon request.

<sup>2</sup> National Planning Policy Guidance, Flood Risk and Coastal Change, paragraph 2.

## 3 Planning policy and guidance for drainage

This section sets out the sources of planning policy relevant to the management of surface water. These policies will form the basis of KCCs assessment of any submitted drainage strategy. The drainage strategy will need to demonstrate how the development meets these requirements.

### 3.1 NPPF

The National Planning Policy Framework (NPPF) was published on 27 March 2012 with further revisions in 2019; it sets out the Government's planning policies for England and outlines how these are expected to be applied. Planning law requires that applications for planning permission must be determined in accordance with the relevant Local Planning Authority's development plan, following public consultation and with due regard for other material considerations.

The NPPF is a material consideration in the determination of planning applications. At the heart of the NPPF is a presumption in favour of sustainable development, excepting where adverse impacts significantly outweigh the benefits (or where specific policies indicate that development should be restricted). Flooding and drainage may also be considered material considerations in the determination of planning applications as their management contributes to sustainable development.

Paragraphs 155, 157, 163, 165 and 170 of the NPPF (Appendix A) have particular relevance to flooding and drainage. These paragraphs include consideration for area of flood risk, incorporation of sustainable drainage systems, taking account of advice from LLFA, operational standards, maintenance requirements and multifunctionality.

The NPPF is supported by the **Planning Practice Guidance**<sup>3</sup> which provides further advice on how planning can take account of the risks associated with flooding in plan-making and the application process.

### 3.2 Water Environment Regulations 2003

The Water Environment Regulations 2003 make provision for the purpose of implementing in river basin districts the Water Framework Directive (Directive 2000/60/EC of the European Parliament) which established a framework for Community action in the field of water policy. These regulations will remain in place until such time that UK law is revised to reflect changes in EU membership. These Regulations require a new strategic planning process to be established for the purposes of managing, protecting and improving the quality of water resources<sup>4</sup>.

Therefore, this provides an opportunity to plan and deliver a better water environment, focusing on ecology. The WFD aimed for the water environment to reach 'good' chemical and ecological status in inland and coastal waters by 2015. Planning and programmes are continuing in six year cycles until 2027.

The WFD drives water quality improvement planning along total river catchment areas, with the production of River Basin Management Plans. The directive puts a duty on public bodies to have regard to river basin management plans (and associated supplementary plans) when exercising their functions where it may affect a river basin district.

Controlling water is inherent in the WFD's objectives, as uncontrolled surface flow or flooding can cause unmanageable water quality problems. Sustainable drainage principles are key to meeting the objectives of the WFD in its continuing cycles.

### 3.3 Habitats Regulation 2017

The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive<sup>5</sup>), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales.

The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.

Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.

The sites where habitats and species are legally protected due to their exceptional importance are known as Natura 2000 sites; this network protects rare, endangered or vulnerable habitats and species. The Natura 2000 network includes Special Areas of Conservation (SACs, identified under the Habitats Directive), Special Protection Areas (SPAs, identified under the Birds Directive) and Ramsar sites (wetlands of international importance designated under the Ramsar Convention). All Natura 2000, or 'European', sites are also classified as Sites of Special Scientific Interest (SSSIs) but not all SSSIs are Natura 2000 sites.

<sup>3</sup> The Planning Practice Guidance is a web-based resource which can be accessed from the Planning Portal at: [http://planningguidance.planningportal.gov.uk/?s=Drainage&post\\_type=guidance](http://planningguidance.planningportal.gov.uk/?s=Drainage&post_type=guidance)

<sup>4</sup> This framework became UK law in December 2003

<sup>5</sup> More information on the Habitats Directive can be found at: [http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index\\_en.htm](http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm)

## 3.4 Defra's 25-Year Environment Plan

The 25 Year Environment Plan was published in January 2018; it sets out government action to tackle the growing problems we face in the environment and aims to deliver cleaner air and water in our cities and rural landscapes, protect threatened species, reduce risk of environmental hazards and promote sustainable development.

The plan is supported by the concept of natural capital, meaning it places value on natural assets, which includes geology, soils, water and all living organisms. Specific components of the Environment Plan are introduced in current updates of the NPPF.

The Environment Plan will need to be underpinned by law and enforced by a new legal framework for the environment to replace the system the EU currently provides. It is beneficial to be aware of the changes in legislation and policy indicated in this plan as it provides government direction to sustainable development.

## 3.5 Non-statutory technical standards for sustainable drainage

To support the LLFAs statutory consultee role, Defra published the 'Non-Statutory Technical Standards for Sustainable Drainage Systems' on 23 March 2015. These standards provide advice and guidance for the design, maintenance and operation of sustainable drainage systems<sup>6</sup>.

Further guidance on the application of the Non-Statutory Technical Standards will be provided by Defra and associated stakeholders.

A summary of the requirements of these non-statutory standards is provided in Appendix B. The policies in this policy are consistent with the Non-Statutory Technical Standards.

## 3.6 Local Authority Guidance

Local Planning Authorities are ultimately responsible for determining planning applications and have numerous planning and policy documents to support the delivery of sustainable development within their districts.

### 3.6.1 Local Plans and Neighbourhood Plans

National planning policy places Local Plans at the heart of the planning system. Local Plans set out a vision and a framework for future development of the area. Local Plans should be based upon and reflect the presumption in favour of sustainable development. They should also address housing provision, the economy, community infrastructure and environmental issues such as adapting to climate change and ensuring high quality design.

The management of flood risk and surface water can be dealt with through policies for sustainable construction, flood risk, open space, landscape character and green infrastructure. These policies may be supported by further Supplementary Planning Documents or guidance notes.

Neighbourhood planning is a right for communities introduced through the Localism Act 2011. Parish Councils and Neighbourhood Forums (where there is no Parish Council) and their communities can shape development in their areas through the production of Neighbourhood Development Plans. These plans become part of the Local Plan and the policies contained within them are then used in the determination of planning applications.

Any drainage strategy should make reference to relevant Local Plan and Neighbourhood Plan policies. It may also have to provide evidence which supports delivery of biodiversity, amenity and other benefits.

### **3.6.2 Supplementary planning documents**

Some local authorities in Kent have specific drainage guidance, policies and standards for development within their district areas, which may include specific surface water discharge rates. Other local authorities may introduce similar guidance. These documents provide substantive guidance on how drainage should be delivered.

### **3.6.3 Strategic Flood Risk Assessments (SFRA)**

Strategic Flood Risk Assessments are required to inform the development of Local Plans, as stated within the NPPF. A SFRA assesses the risk to an area from flooding from all sources, taking into account the effects of predicted climate change. They should also assess the impact that land use changes and development will have on flood risk within the district in question. Each Local Planning Authority in Kent has prepared and referenced a SFRA within their planning documents. These documents provide key information on the potential sources and magnitude of flooding and may provide information for specific site allocations.

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<sup>6</sup> The Non-statutory Technical Standards are published at: <https://www.gov.uk/government/publications/sustainable-drainage-systems-non-statutory-technical-standards>



## 3.7 Kent County Council Guidance

The Local Flood Risk Management Strategy (the Local Strategy) for Kent sets out a countywide strategy for managing the risks from local flooding. One of the five objectives set out in the Local Strategy specifically states the importance of ‘ensuring that development in Kent takes account of flood risk issues and plans to effectively manage any impacts’.

To support delivery of this objective, KCC has developed guidance to define the approach to planning and design of drainage. When considering surface water drainage within new developments in Kent, it is therefore recommended that reference is made to specific guidance and wider information available:

### 3.7.1 Water. People. Places - a guide for masterplanning sustainable drainage into developments

This guidance outlines the process for integrating sustainable drainage systems into the masterplanning of large and small developments<sup>7</sup>. This guidance should be used as part of the initial planning and design process for all types of development, with specific reference made to the relevant development typologies.

### 3.7.2 Kent Design Guide Technical Appendices: Making It Happen

The Kent Design Guide was produced to ensure that all new development results in vibrant, safe, attractive, liveable places. ‘Making It Happen’ comprises technical appendices that provide advice and guidance on the design and construction of drainage systems which KCC may be adopting.

The sustainability chapter (drainage systems) has been revised in May 2019 and contains specific technical guidance for drainage design.

### 3.7.3 Land Drainage Policy

KCC has powers under Section 23 of the Land Drainage Act 1991 to consent works in an ordinary watercourse and to enforce the removal of unconsented works.

Land Drainage regulations are generally concerned with the physical condition of watercourses, including whether they are blocked or how they are modified, including the introduction of new structures to them. This policy sets out how Kent County Council exercises these land drainage functions.

### 3.7.4 Surface Water Management Plans

Surface Water Management Plans (SWMPs) have been prepared by KCC (in partnership with other relevant stakeholders) to identify specific local actions to manage local flood risk. They have been undertaken in areas which were identified as a potential risk from local flooding in the Preliminary Flood Risk Assessment. These studies may provide a greater understanding of the current flood risk. Any proposed development should include consideration of any findings and recommendations of the relevant SWMP for the area. The areas covered by SWMPs are regularly being updated and can be found on the KCC website<sup>8</sup>.

### 3.7.5 Kent Environment Strategy

As part of a county wide partnership, KCC has produced a Kent Environment Strategy– A strategy for environment, health and economy (KES) setting out how Kent and their partners propose to address significant opportunities and challenges from environmental change and development pressures (such as a need for improved air and water quality, decline in biodiversity and the impacts of climate change)<sup>9</sup>. It is accompanied by an implementation plan and includes partnership actions that will deliver against the priorities set out in the strategy. KCC adopted the strategy in January 2016 and has invited the District Councils to also adopt it to provide a basis for co-ordinated action.

The KES recognises that the environment is a key part of the infrastructure supporting the Kent economy. The strategy aims to make the most of environmental opportunities whilst addressing challenges arising from development pressures, need for improved air and water quality, decline in biodiversity and the effects of climate change.

## 3.8 Other Guidance & Tools

In approaching or reviewing design, technical aspects may need clarification and specification in order to satisfy KCC that it meets the required standard. KCC will make reference to good practice presented within the following documents, and would recommend that any designer also refers to:

### 3.8.1 CIRIA SuDS Manual (C753), 2015

This guidance document provides comprehensive information on the all aspects of the life cycle of sustainable drainage from initial planning, design through to construction and management including landscaping, waste management and costs.

### 3.8.2 Building Regulations

Building Regulations exist to ensure the health, safety, welfare and convenience of people in an around buildings. Part H of the Building Regulations specifically covers drainage. The consultation with the LLFA addresses flood risk to and from developments and does not replace any requirement for Building Regulation approval.

### 3.8.3 BS 8582:2013 Code of practice for surface water management for development sites

The British Standard gives recommendation on the planning, design, construction and maintenance of surface water management systems for new development and redevelopment sites in minimizing and/or mitigating flooding and maximizing the social and environmental benefits.

<sup>7</sup> The document can be found at: [www.kent.gov.uk/waste-planning-and-land/flooding-and-drainage/sustainable-drainage-systems](http://www.kent.gov.uk/waste-planning-and-land/flooding-and-drainage/sustainable-drainage-systems)

<sup>8</sup> SWMPs can be found at: [www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/flooding-and-drainage-policies/surface-water-management-plans](http://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/flooding-and-drainage-policies/surface-water-management-plans)

<sup>9</sup> The Strategy can be found at: <http://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/environmental-policies/kent-environment-strategy>

### 3.8.4 UK Sustainable Drainage Guidance

The UK SuDS Tools website which provides estimation tools for the design and evaluation of surface water management systems. The website has been developed and is supported by HR Wallingford. The web site can be accessed at: <https://www.uksuds.com/>. The website provides estimations for greenfield runoff, storage analysis and other tools.

### 3.8.5 Long Term Flood Risk Information

In 2013 the Environment Agency, working with LLFAs, produced the Long Term Flood Risk map, which depicts the risk associated with surface water flooding. The Risk of Flooding from Surface Water maps show flooding scenarios as a result of rainfall with the following chance of occurring in any given year (annual probability of flooding is shown in brackets): 1 in 30 (3.3%), 1 in 100 (1%), and 1 in 1000 (0.1%).

The Risk of Flooding from Surface Water map is published on the Gov.UK website on the "Long Term Flood Risk Information". This mapping is key to assessing overland flow routes and to identifying any locations at high risk of surface water flooding.

# 4 Drainage Consultation

## 4.1 Introduction

A drainage strategy should be submitted to the relevant Local Planning Authority along with any planning application for major development. It may either form part of a wider Flood Risk Assessment, or it can be submitted as a separate and dedicated standalone document.

Whilst consultation is not undertaken with KCC for minor development, applicants should be aware that the NPPF priorities for sustainable drainage do apply to all development, irrespective of scale (NPPF, Paragraph 163). Developers of sites for minor development are encouraged to consider the policies outlined in this document, as well as any local specific policy with respect to site drainage design. Applicants for these smaller developments are directed to guidance and standing advice on best practice to help minimise flood risk.

It is important that any consultation request we receive reflects the level of risk to a site (or the risk that may result from its development). Consequently, consultation may also occur for development, other than major development in areas of higher local flood risk, as described in Section 4.3.

Consultation on flood risk will also occur with other risk management authorities. For example, the management of tidal and fluvial flood risk and the prevention of inappropriate development in the associated flood-plain remains the responsibility of the Environment Agency. The Environment Agency is also responsible for the management of permitting regulations which may affect discharge to water bodies or the ground. Similarly, if any drainage scheme requires connection to a public sewer, additional approval will be required from the appropriate sewerage undertaker.

Within Flood Zones 2 or 3 (areas of medium/high tidal or fluvial flood risk), a Drainage Strategy should be a component of a wider Flood Risk Assessment and should outline how the management of runoff will not exacerbate the existing flood risk to/from the development proposed.

A Flood Risk Assessment should also be submitted with any application for planning permission on sites in excess of 1 ha in Flood Zone 1 (low flood risk); in these instances the Flood Risk Assessment/Drainage Strategy should be primarily concerned with the management of surface water within the proposed development site.

Other third parties, including but not limited to the Environment Agency, IDB, The Highways Authority, the Sewerage Undertaker and adjacent landowners, could have an effect on the design of a drainage system. Consultation with relevant third parties is essential early in the design process. This information should be provided as part of the consultation process.

## 4.2 Consultation Process

### 4.2.1 Overview

Consultation with KCC will occur through the planning process. KCC will be notified of the submission of a major planning application by the Local Planning Authorities within Kent (as defined in Section 2.5).

A substantive response to the LPA is legally required from KCC within 21 days of consultation.

### 4.2.2 Pre-application Advice

Incorporating appropriate drainage is easier and more sustainable if it is planned and designed in from the start of a development. KCC encourages pre-planning consultation to ensure that the issues are appropriately addressed at an early stage.

Pre-planning advice from KCC can provide the following benefits:

- background information to identify constraints and matters in relation to flood risk and drainage pertinent to the application;
- an indication of whether a proposal would be acceptable in principle, saving time and cost within the planning process;
- reduced time to prepare the proposal;
- provides clarification of the guidance and policies that will be applied to the development proposal;
- identifies whether specialist input is required; and,
- identification and engagement of other key stakeholders.

KCC's pre-application planning advice in relation to new development is discretionary and is provided as a chargeable service. Details and forms for pre-application advice is found on [kent.gov.uk](http://kent.gov.uk). Standing advice for specific development scenarios and types is also available on Kent's website<sup>10</sup>.

We provide free advice to:

- individual homeowners who have specific drainage or flood related issues which may impact their own house for development; and,
- Parish councils, Local community groups, or Flood Forums on works proposed to improve local communities.

### 4.2.3 Planning application submission

The Local Planning Authority will confirm that a Drainage Strategy has been submitted with the planning application and pass it to KCC for consultation. KCC will review the submitted material for adequacy and, depending upon the submission, may request further information. This will be communicated to the applicant via the Local Planning Authority.

The drainage strategy submitted to support a planning application must reflect the development proposal (including site area, type of development, general arrangement and layout).

All elements of the proposed drainage strategy should be within the defined planning and development application boundary as defined by the development's "red-line" boundary. This ensures that planning approval and any subsequent conditions will apply to the entirety of the drainage measures. It would not be acceptable to have any drainage measures, most notably attenuation basins or soakaways outside of the planning application site boundary unless secured by other planning conditions, approvals or agreements.

In reviewing a drainage application, KCC will, in the first instance, confirm compliance with this policy, national planning policy (as defined in the NPPF), and compliance with the Non-Statutory Technical Standards. Local planning requirements (as set out in Local Plans or other local planning documents) and other site-specific land-use factors that affect surface water management will also be referenced, where appropriate. Additionally, KCC will consider adherence to wider environmental principles of the NPPF that may have a bearing on drainage design (for example, water quality, biodiversity and amenity).

A consultation response will be prepared and returned to the Local Planning Authority within the required 21 days following receipt of a suitably detailed submission. The consultation response may result in a request for further information or for planning conditions for subsequent determination.

## 4.3 Consultation Submission Requirements

### 4.3.1 Introduction

Detailed information will be required to demonstrate that a drainage design is appropriate and will operate effectively. This information may be required for all drainage measures, including (but not limited to) pipe networks, attenuation features, ponds, soakaways and control structures.

Key design information must be evidenced and assessed. Key information which may be needed to demonstrate the feasibility or applicability of a design philosophy includes:

- existing discharge rates and post development discharge rates;
- ground investigation information, groundwater levels and infiltration rates;
- condition and connectivity surveys of receiving watercourses and sewers;
- ground level and topographical survey;
- deliverability of discharge destination and right to connect.

Detail of this technical information is provided in Chapter 6 of Making it Happen C2: Sustainable Drainage Systems. The lack of detailed technical information may increase the level of uncertainty we may have about the effectiveness of a drainage strategy. If the degree of uncertainty is great, this is that the proposal cannot clearly demonstrate a functioning system in line with requirements, then KCC will have grounds to object to the drainage proposal or may delay return of a substantive comment to the planning authority.

We therefore encourage pre-application discussion to identify any areas which may need further investigation or clarification to reduce any uncertainty with respect to the functioning of the system.

The detail provided in the submission will reflect the type of planning application submitted, whether 'outline' (Surface Water Management Strategy) or 'full' (Detailed Drainage Strategy) or discharge of condition (detailed design). The submission requirements are provided in Table 1 and are read as minimum requirements. It is expected that later stages of planning submissions will provide greater detail (such as estimates of storage vs modelled network calculations).

KCC recommends the inclusion of a summary sheet which contains pertinent information to assist in ensuring sufficient detail is submitted and to simplify the review process. A Drainage Strategy Summary Form is included in Appendix C.

We recommend that applicants confirm the submission requirements through pre-application discussion with KCC, particularly to identify any needs for ground investigation.

**Table 1- Submission Requirements for stages of planning**

Information required	Outline	Full	Reserved Matters	Discharge of Condition	Verification condition <sup>11</sup>
Identification of discharge destination					
Development information including location plan, site layout, and drainage schematic					
Surface water drainage strategy report or statement					
Calculation assumptions and results including impermeable areas, infiltration rates, network calculations and models					
Existing and proposed drainage arrangements			12		
Existing and proposed discharge rates					
Ground investigation reports/survey and soakage testing results					
Maintenance programs and access arrangements					13
As built drawings or tender construction drawings				14	
Exceedance plan <sup>15</sup>					
Catchment plans					
Water quality index					
Watercourse condition and connectivity					
Proposed detailed drainage network plans and cross-sections including cover and invert levels, locations of flow controls (Critical Drainage Assets)					
Attenuation device details including cross-sections					
Landscape Plan					
Discharge agreements, consents and/or evidence of third-party agreement for discharge to their system					
Phasing plan					
Identification or designation of maintaining authority/ organisation					

<sup>11</sup> specific requirement for confirmation of drainage. Please see section 4.3.5

<sup>12</sup> as required, where not already demonstrated in the original application

■ require greater design detail than previous planning stage ■ Greatest amount of detail required

<sup>13</sup> Specific for each critical drainage asset

<sup>14</sup> Drawings of proposed construction

<sup>15</sup> includes conveyance, volume and depths



### 4.3.2 Large scale development

**Surface water management strategies** for large developments (with multiple phases) will require the submission of an overall drainage strategy at outline planning stage that provides the overall site drainage strategy and a framework for the delivery of the drainage in each phase of the site.

The Surface Water Management Strategy should set out the following for the whole site, and each phase:

- discharge destination(s);
- discharge rate and volume;
- catchment areas;
- estimated impermeable areas per phase and per catchment; and,
- phasing plan with timing of construction.

This Surface Water Management Strategy should act as an overall **drainage masterplan** for all phases of the development.

A Surface Water Management Strategy will be tied to a planning condition at the outline stage. Pre-application discussions are encouraged in the case of phased development to agree the level and detail of any strategic Surface Water Management Strategy and subsequent Detailed Drainage Strategies that will be required for each phase.

Depending upon the level of detail submitted at outline planning, it may be necessary to submit additional drainage information to accompany reserve matters associated with the layout to demonstrate that the Surface Water Management Strategy can be accommodated within the proposed layout.

Further details regarding the surface water management proposals for each phase of development should then be provided within a Detailed Drainage Strategy. Each phase must remain consistent with the overall site strategy and drainage masterplan.

Supporting information must be submitted to demonstrate that any variations can be accommodated within the site without exacerbating flood risk. The overall site Surface Water Management Strategy may be reviewed as different phases are delivered.

Large sites in close proximity or in one catchment are encouraged to cooperate or consult concurrently as there may be opportunities for combined solutions with mutual and greater benefit.

Any strategic drainage features that are required for the wider site's drainage strategy to function properly must be identified and delivered prior to the connection of the drainage from any phase or sub-phase. If a single site within a wider development (e.g. school or commercial site) is reliant upon the strategic drainage system, this must be clearly indicated within the phasing plan.

### 4.3.3 Consultation for minor and low risk development

Minor development will not normally be reviewed by KCC, unless specifically requested by the LPA due to local drainage concerns, existing or mapped surface water flood risk, or other matters identified by the LPA in relation to delivery of sustainable drainage.

In some instances, due to the size of the development or proposal, construction for drainage provision is not needed or substantial and therefore considered low risk. Low risk development for the purposes of consultation may be regarded, but not limited to:

- change of use<sup>16</sup>;
- limited external building envelope alterations;
- or which results in less than 100 m<sup>2</sup> of additional impermeable area and which is not located in an area of existing flood risk or drainage problems.

### 4.3.4 Easements and way leaves

If any surface water flows off site and is required to cross third party land, then information must be submitted which demonstrates that the applicant has the ability to deliver the outfall from the site. This may require confirmation of agreement from a third-party landowner or confirmation of an agreed easement way leave.

### 4.3.5 Maintenance and verification

The design of any drainage system must take into consideration the construction, operation and maintenance requirements of both surface and subsurface components, allowing for any personnel, vehicle or machinery access required to undertake this work.

The continued operation of any drainage system is dependent upon ongoing maintenance, which may be undertaken by an adopting authority or management agent. Any drainage strategy must include details of the intended adopting authority or agent and specific details of appropriate and sufficient maintenance, and then be confirmed in the verification report.

Developers will be required to demonstrate that the drainage was constructed according to the approved plans through post-construction verification reports. These reports will also include maintenance and requirements specific to the drainage system constructed. Detailed drainage layouts will be required which also identify “critical drainage assets<sup>17</sup>”.

<sup>16</sup> change of use where vulnerability is not increased

<sup>17</sup> KCC’s definition of critical drainage assets would be those items of interest in relation to Section 21 (1A) of the Flood and Water Management Act (2010), namely any assets that are “likely to have a significant effect on a flood risk in its area” and could include items such as inlets, outlets, controls, attenuation structures etc. Further clarification can be provided by contacting KCC’s Flood and Water Management team.

## 4.4 Adoptable highways and drainage

Most major development would normally include some aspect of highway construction or improvement, which may be adopted or require approval by KCC as the Highway Authority. The provision of drainage to adopted highways is normally subject to Section 38 or 278 Agreement, with approval and inspection by KCC as the Highway Authority.

Highway matters may be reviewed within the consultation by KCC as LLFA. KCC will endeavour to seek internal consultation on such matters; however, the detail provided within a planning submission may not be sufficient. The response from KCC as LLFA does not commit KCC as Highways Authority to any particular highways arrangement. The nature and extent of adoption should be confirmed with the Highways team at an appropriate time within the planning and design process.

Any review provided by KCC as LLFA within the planning process does not constitute a technical approval; however the LLFA's approval may be required prior to any further adoption by KCC as the Highways Authority.

# 5 Policies for Sustainable Drainage

## 5.1 Introduction

A range of sustainable drainage techniques may be utilised across a site to manage the surface water runoff from the planned development; the use of more than one technique will often be appropriate to achieve the objectives of sustainable development on any given site (notwithstanding situations which may still arise where a conventional solution may be the most appropriate).

Given the range of design options to provide a drainage solution, KCC has defined:

- Drainage Policies (SuDS Policy 1 through 6) that set out the requirements for a drainage strategy to be compliant with the NPPF and guidance within the Non-Statutory Technical Standards for Sustainable Drainage.
- Environment Policies (SuDS Policy 7 through 9) that set out expectations to be considered within a drainage strategy in response to environmental legislation and guidance that KCC and the Local Planning Authorities have a duty to comply with.

These policies, summarised in Table 2, reflect the requirements of the Local Flood Risk Management Strategy, Surface Water Management Plans and Local Planning Authority Local Plans. Sufficient information must be submitted to demonstrate that the drainage proposals comply with these policies.

**Table 2: Kent County Council SuDS Policies**

Policy	Summary
SuDS Policy 1	Follow the drainage hierarchy
SuDS Policy 2	Deliver effective drainage design
SuDS Policy 3	Maintain Existing Drainage Flow Paths & Watercourses
SuDS Policy 4	Seek to Reduce and Avoid Existing Flood Risk
SuDS Policy 5	Drainage sustainability and resilience
SuDS Policy 6	Sustainable Maintenance
SuDS Policy 7	Safeguard Water Quality
SuDS Policy 8	Design for Amenity and Multi-Functionality
SuDS Policy 9	Enhance Biodiversity

## 5.2 Drainage policies

These policies are specified from the NPPF and the guidance within the Non-Statutory Technical Standards for Sustainable Drainage, as published by Defra.

### 5.2.1 SuDS Policy 1: Follow the drainage hierarchy

Surface runoff not collected for use must be discharged according to the following discharge hierarchy:

- to ground,
- to a surface water body,
- a surface water sewer, highway drain, or another drainage system, or
- to a combined sewer where there are absolutely no other options, and only where agreed in advance with the relevant sewage undertaker.

The selection of a discharge point should be clearly demonstrated and evidenced.

When development occurs, the urbanisation process within a catchment affects the natural hydrology; if the destination of the water is altered this may result in:

- a reduced supply of rainfall to groundwater;
- an accelerated passage of flow to the receiving watercourses; and
- water directed away from existing receiving catchments.

In order to maintain the natural balance of the water cycle, the above discharge hierarchy must be adhered to. Where development results in changes in runoff destinations, the design must account for how the surface flows are managed and demonstrate it does not exacerbate off-site flood risk.

Any development application must follow the hierarchy and be accompanied by evidence as to why infiltration is not utilised. Technical information on the uses of infiltration is provided in Kent Design Making It Happen, including testing methodology and design criteria. Infiltration testing must assess infiltration rates appropriate to underlying ground conditions and may require consideration of both shallow and deep infiltration.

If infiltration is not feasible further information is required from appropriate authorities indicating the acceptability of a discharge location, discharge rate and consent to connect. This agreement may be with the relevant owner or responsible body including IDBs, highway authorities, sewerage undertakers, riparian owners, port authority, Environment Agency, Canals and River Trust and others.

Any connection or discharge must be compliant with regulations or guidance governing the operation of the existing drainage system (e.g. IDB by-laws or standard specifications for public sewers). Correspondence with the relevant owner or responsible body should be submitted to demonstrate agreement in principle to the discharge and connection point as early in the development planning process as possible.

If we are aware of a capacity issue or a sewer flooding issue that a sewer connection is likely to exacerbate, we will inform the Local Planning Authority and the sewerage undertaker. We may oppose any such proposal until it can be adequately demonstrated that the receiving authority has confirmed the acceptability of the intended rate of discharge.

## Discharge to Ground

The drainage strategy may be constrained if the drainage discharges to the ground via infiltration in a source protection zone (specifically SPZ 1), area of low permeability or area with high groundwater. Consultation with the Environment Agency early in the planning process is recommended to identify any constraints or specific requirements in these areas, specifically in relation to groundwater contamination. We recommend reference to the EA's latest policy guidance on groundwater protection<sup>18</sup>.

## Discharge to Sewer

An existing connection to a sewer does not automatically set a precedent and it must be demonstrated why infiltration and/or a connection to a watercourse cannot be utilised. There is a presumption against any discharge of surface water to a foul sewer.

Combined sewer systems, which carry both foul and surface water, have limited capacity and are more likely to lead to foul flooding. In our commitment to ensuring development is sustainable, we will therefore seek to reduce surface water discharges to combined sewer systems.

We will encourage developers to look for available surface water systems within a radius of the proposed development before discharges to a combined sewer is agreed acceptable. For small developments surface water sewer connections should be assessed within 90m of the development site boundary. For larger development (over 100 units), a suitable distance for connection to a surface water sewer will be assessed at the time of planning, dependent upon the size and location of the development.

Where a surface water connection to an existing combined sewer is unavoidable, it must be undertaken in such a manner and at such a location to facilitate future separation of the surface water from that combined system.

<sup>18</sup> The Environment Agency's approach to groundwater protection, February 2018 or latest version as published. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/692989/Environment-Agency-approach-to-groundwater-protection.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/692989/Environment-Agency-approach-to-groundwater-protection.pdf)

## Discharge to Highway Drains

KCC may consider surface water discharges into highway drainage sewers in the following circumstances:

- a) the developer/property owner is prepared to upgrade the system where required to accommodate any increased flows; and,
- b) there is a proven existing connection to the highway drainage systems.

Highway drainage connections should be raised in pre-application discussion with KCC to ensure there will be appropriate arrangements in place for highways and drainage adoption, where appropriate. Highways advice for planning applications is provided on the County's website. Please refer to Kent Design Guide - *'Making it Happen'*.

## Other Consents

Other consents by regulation may be required in relation to the discharge location (e.g. Flood Risk Activity Permit and Ordinary Watercourse consent). KCC may recommend consultation with other authorities in these instances.

## 5.2.2 SuDS 2: Deliver effective drainage design

Any proposed new drainage scheme must manage all sources of surface water and should be designed to match greenfield discharge rates, and volumes as far as possible.

Development in previously developed land should also seek to reduce discharge rates and volumes off-site and utilise existing connections where feasible.

Drainage schemes should provide for exceedance flows and surface flows from offsite, ensure emergency ingress and egress and protect any existing drainage connectivity, so that flood risk is not increased on-site or off site.

### Design Criteria

The drainage system must be designed to be consistent with pre-development flow rates and designed to operate without any flooding occurring during any rainfall event up to (and including) the critical 1 in 30 year storm (3.33% AEP). The system must also be able to accommodate the rainfall generated by events of varying durations and intensities up to (and including) the critical, climate change adjusted 1 in 100 year storm (1% AEP) without any on-site property flooding and without exacerbating the off-site flood-risk. The choice of where these volumes are accommodated may be within the drainage system itself or within other areas designated within the site for conveyance and storage.

Flooding of the highway **may** be permitted in exceptional circumstances for rainfall events between 1 in 30 year and 1 in 100 year events provided that:

- depths do not exceed the kerb height;
- no excessive or prolonged ponding (beyond 10 minutes) so that the highway primarily operates as a conveyance route to another attenuation feature;
- flood extents are within the site boundary.

### Rainfall Simulation

KCC will generally require the use of the more detailed and up-to date FEH13 dataset within detailed drainage design submissions. Where FSR data is used to determine the extreme rainfall intensity values for a site, we would expect the FSR/FEH ratios depicted in Appendix 1 of the 'Rainfall runoff management for developments' report<sup>19</sup> (Environment Agency, 2013) to be used to adjust the calculated attenuation requirements.

If FEH13 is unavailable (and unless otherwise calculated), we will accept a rainfall depth M5-60 of 26.25 mm to be utilised in appropriate modelling software to account for this variation.

<sup>19</sup> [http://evidence.environmentagency.gov.uk/FCERM/Libraries/FCERM\\_Project\\_Documents/Rainfall\\_Runoff\\_Management\\_for\\_Developments\\_-\\_Revision\\_E.sflb.ashx](http://evidence.environmentagency.gov.uk/FCERM/Libraries/FCERM_Project_Documents/Rainfall_Runoff_Management_for_Developments_-_Revision_E.sflb.ashx)



## Runoff Rates

Greenfield runoff rates must be supplied. Preferred methods are loH124, FEH, ReFH2 or others as agreed with KCC. The rates must reflect soil conditions specific to the site and applied to an appropriate drainage area consistently through the drainage strategy.

- **Local District or Parish Greenfield Runoff Rates**

Local planning policy may identify preferred discharge rates to be utilised in place of greenfield rates based upon a strategic flood risk assessment. In these areas, the preferred discharge rates should be utilised in the design.

KCC may also set strategic discharge rates to contribute to flood risk management within a district or parish council area; or to provide a more efficient approach to surface water management within a local area. If a strategic assessment of greenfield runoff rates has been undertaken by KCC, these rates must be utilised in design.

- **Minimum discharge rates**

Small sites are associated with low greenfield runoff rates. Given advances in technology and design of flow controls, it is now possible to achieve controlled flow rates of 2 l/s. This should be considered the minimum rate to be set for small sites, unless agreed with KCC.

- **Capacity constraints**

If the proposed development contributes to an area or network with known local flood risk issues or capacity constraints, then discharge rates and volume control specific to the local conditions will be specified. Developers may be required to provide flood risk modelling/assessment to identify potential constraints.

- **Previously developed land**

Redevelopment on previously developed land or “brownfield land” has the potential to rectify or reduce flood risk. For developments which were previously developed, the peak runoff rate from the development must be as close to the greenfield runoff rate from the development as reasonably practicable for the same rainfall event, but must not exceed the rate of discharge from the development prior to redevelopment for that event. As a minimum we would expect to see evidence that a 50% reduction in the peak runoff rate from the existing site has been sought.

An assessment of the peak flow rate of an existing drainage system must consider: (a) the connectivity and condition of the drainage system; (b) the existing total impermeable area contributing to the drainage system; and (c) the pipe full capacity of the final 5m of the outfall pipe. Within all accompanying calculations, the post-redevelopment discharge rate must take account of the predicted effects of climate change.

Runoff characteristics for a previously developed site can be estimated by other methods as described within the CIRIA SuDS Manual (Chapter 24.5). It should be noted that if a simulation model for any existing network is utilised, the operation of the network must be confirmed by a network survey to establish the network arrangements, contributing areas and network condition.

## Runoff Volumes

Runoff volumes from the developed site will usually increase in comparison to the site in its natural condition; this may increase flood risk in natural receiving systems. Controlling the volume of runoff from the site is therefore vital to prevent flood risk in natural systems. Within Kent, the need and type of volume control will vary according to the soil type present, which can be broadly broken down into the following categories:

- Highly permeable soils – in areas underlain by chalk, we will expect that use of infiltration will be maximised. With no off-site discharge, additional volume control will not be required
- Intermediate permeability soils - in these areas infiltration should still be maximised; offsite discharge should be limited to QBAR, (the mean annual flood flow rate, equivalent to an approximate return interval of 2.3 years). Where sites are small and flows are calculated to be less than 2 l/s, the minimum flow rate will apply of 2 l/s.
- Low permeability soils - areas underlain by largely impermeable soils (e.g. Weald clay and London clay) will require “staged” discharge.

This requires that rates mimic existing greenfield runoff rates of the 1:1 year, 1:30 year and 1:100 year storm events as long as long term storage is utilised for flow volumes in excess of the greenfield volume for the 1:100 year 6 hour event.

The long term storage volume must discharge at a rate no greater than 2 l/s/ha and the total flow rate must not exceed the 1:100 year greenfield flow rate.

If long term storage is not designed for, QBAR should be applied to all events from the 1:30 year rainfall event.

## Exceedance

Exceedance flows that cannot be contained within the drainage system shall be managed in flood conveyance routes. The primary consideration shall be risks to people and property on and off site.

Exceedance should be considered in two parts; very high intensity storms to ensure bypass flows from overloaded pipework (including potentially blocked gullies due to debris), and overflowing of storage systems. Consideration of exceedance routes will ensure that any residual risk arising from either or these are safely managed.

## Emergency access arrangements

Access should be maintained into and through the site for emergency vehicles during all storms up to (and including) the critical, climate-change adjusted 1 in 100 year event. The drainage application must give consideration to flood risk vulnerability classifications (as defined through Planning Practice Guidance to the National Planning Policy Framework), as specific measures or protections may be assessed and need to be agreed with the appropriate authority.

## Unrestricted discharge rates

If the proposed system discharges to a watercourse or main river, consideration must also be given to any requirements due to high water levels in the receiving watercourse due either to tide (i.e. tide-locking) or flood flows. Attenuation volumes required onsite to manage flows must take into account the effects of high receiving water levels. This also applies to connection made to sewers.

If the proposed site is immediately adjacent to a watercourse or main river, there may be instances where direct discharge to the waterway is promoted without attenuation. This is only likely to be a recommendation on or immediately upstream from tidal areas. Direct discharge without attenuation or limited attenuation based on high (non-standard) discharge rates to a main river must be agreed in consultation with KCC and the Environment Agency.

## Phased Delivery

If a proposed development is to be delivered in phases, a commitment should be made for a surface water management strategy to be delivered with the first phase of development, designed to be capable of accommodating the runoff from each of the subsequent phases. If this is not possible, the runoff from each separate phase must be controlled independently.

Whichever approach is taken, the control of surface water runoff during construction should be considered. Temporary works may be required to accommodate phased construction. Any temporary drainage measure must be identified and clearly shown on a drainage layout drawing.

### 5.2.3 SuDS Policy 3: Maintain Existing Drainage Flow Paths & Watercourses

Drainage schemes should be designed to follow existing drainage flow paths and catchments and retain where possible existing watercourses and features.

By mimicking the natural drainage flow paths and working within the landscape, more effective and cost-efficient design can be developed. Working with existing natural gradients also avoids any reliance on pumped drainage, with its associated energy use and failure risk. The natural environment including woods, trees and hedgerows can play a part in water management.

KCC encourages maintenance of the existing flow paths and drainage connectivity. Where this is the case the following conditions apply:

- a) If the proposed development is reliant on an existing discharge point, then it is recommended that the condition and conveyance capacity is confirmed through CCTV or other survey with the discharge capacity confirmed.
- b) Outfalls to ordinary watercourses should not occur to “blind-ended” ditches and should be part of a wider and contiguous drainage network.

Some sites may lie in or near more than one hydrological catchment. Surface water flows should be continued through the pre-development catchments and not diverted to adjacent catchments, in order to preserve the hydrology of catchments and prevent an increase in flood risk.

#### Ordinary Watercourses

An ‘ordinary watercourse’ is defined as any channel capable of conveying water that is not part of a ‘main river’; Small rivers, streams, ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) can all be classified as ‘ordinary watercourses’.

When considering the development/redevelopment of any site, existing ordinary watercourses should be identified and accommodated within any drainage strategy and site masterplan. They should be preferably retained as an open feature within a designated corridor, and ideally retained within public open space. Any outfall to an ordinary watercourse should be designed to ensure there is adequate erosion protection for the receiving channel and its banks.

It is not sufficient to undertake earthworks to the top of the bank of a boundary ditch. Any site improvements should include the channel itself. The landowner has riparian responsibilities for these ditches and new development provides an opportunity to address any existing ditch issues such as excessive vegetation, channel clogging, culvert improvements or bank stability.

It is recommended that any discharge to an ordinary watercourse or any modification to an ordinary watercourse be identified and agreed in principle with KCC (or other consenting

authority if required) prior to the submission of any planning application. The ability of a watercourse to convey water (and to function as an effective exceedance flow route, where appropriate) will always need to be maintained.

## Flood risk

For ordinary watercourses, developers may need to consider the potential flood risk arising from them, particularly where there are structures which might influence water levels. Where a risk from flooding has been identified, appropriate flood risk mitigation should be identified and agreed with the Local Planning Authority/ KCC; development should be avoided in any area likely to be affected by exceedance of the channel's capacity, reflecting requirements of SuDS Policy 4.

## Culverts

Culverting of open watercourses will not normally be permitted (except where demonstrably essential to allow highways and/or other infrastructure to cross). In such cases culverts should be designed in accordance with CIRIA C689: Culvert Design and Operation Guide, (2010) and KCC's Land Drainage Policy. Culverts will not be approved below/ beneath any proposed structure.

If a culverted watercourse crosses a previously developed site, it should be reverted back to open channel, wherever practicable. In any such case, the natural conditions deemed to have existed prior to the culverting taking place should be re-instated.

Measures should be in place to ensure that any future owner of a property through which a watercourse passes is aware of their maintenance responsibilities as a riparian owner.

Under the terms of the Land Drainage Act 1991, any works within an ordinary watercourse will require consent under Section 23 of the Act. This will be either from KCC or from an IDB (in the areas where they operate). Consents are unable to be amended once granted so any changes to design will need to apply for Land Drainage consenting again. Consents cannot be granted retrospectively if works are undertaken prior to approval.

If land drainage consent is required in relation to the proposed development, we recommend that the submission of any application for consent is delayed until planning permission is granted, (excepting instances when consents are required to construct or upgrade site access) as the proposed site layout may be subject to further change. Please refer to KCC web pages for guidance on ordinary watercourse consents<sup>20</sup>.

## Overland flow paths

Account should be taken for any overland flow routes which cross the site from adjacent areas. Flow routes may be indicated by reference to the EA's surface water flow mapping however the magnitude of the contribution from upstream catchments should be assessed to determine flows and the extents of flooding. It is usually preferred that these flow routes would be accommodated within the development layout; however, flood assessment or more detailed modelling may be undertaken if these routes are to be modified or channelised. It is not acceptable to culvert overland flow routes. **Page 164**

## 5.2.4 SuDS Policy 4: Seek to Reduce and Avoid Existing Flood Risk

New development should be designed to take full account of any existing flood risk, irrespective of the source of flooding.

Where a site or its immediate surroundings have been identified to be at flood risk, all opportunities to reduce the identified risk should be investigated at the masterplanning stage of design and subsequently incorporated at the detailed design stage.

Remedial works and surface water infrastructure improvements may be identified in the immediate vicinity of the development to facilitate surface water discharge from the proposed development site.

Paragraph 165 of the National Planning Policy Framework outlines how flood risk management bodies should seek to manage flood risk through using opportunities offered by new development to reduce the causes and impacts of flooding, taking the predicted effects of climate change into account.

As LLFA, KCC will endeavour to ensure that this principle is applied across the County. Where a developer's Drainage Strategy has identified that there are existing flood risks affecting a site or its surroundings, there would be an expectation that the developer manages the identified risk appropriately to ensure that there are no on or off site impacts as a result of any development. Similarly, where there are opportunities to reduce the off-site flood risk through carefully considered on-site surface water management, we will encourage developers to explore these fully.

### Avoiding areas of flood risk

All development should be preferentially located in the areas of lowest flood risk, irrespective of the source of flooding. At the earliest stages of masterplanning, an appropriate flood risk or drainage impact assessment should be undertaken to ensure that any vulnerable forms of development are located outside Flood Zones 2 or 3 and/or those areas identified as being at medium to high risk of surface water flooding. The Environment Agency's Flood Map for Planning and Long-Term Flood Risk pages should be referred to for this information.

Residential buildings should in the first instance not be located within any area indicated to be at high risk<sup>21</sup> from surface water flooding, according to the Long Term Flood Risk<sup>22</sup> maps or any local flood maps.

If development is unavoidable within a surface water flood risk or flow route, then the land use should be water compatible; designed and constructed to be flood resilient; having consideration of the estimated flow depths and be designed accordingly.

<sup>20</sup> [www.kent.gov.uk/waste-planning-and-land/flooding-and-drainage/owning-and-maintaining-a-watercourse](http://www.kent.gov.uk/waste-planning-and-land/flooding-and-drainage/owning-and-maintaining-a-watercourse)

<sup>21</sup> High risk means that each year an area has a chance of flooding of greater than 3.3% (i.e equates to 1 in 30-year risk of flooding), with flood depths over 900mm and velocities over 0.25 m/s.

<sup>22</sup> <https://flood-warning-information.service.gov.uk/long-term-flood-risk>

## Remedial works and infrastructure improvements

Local flood risk “hot spots” may be known to KCC or the local council in the vicinity of the proposed development. If the receiving system is in a poor condition and unable to convey flow effectively, remedial works may be required prior to connection or discharge to the system.

A condition survey of the outfall location and of the receiving system may be required to confirm connectivity and capacity along with any potential works required to ensure discharge can occur without impedance.

Dependent upon ownership and responsibilities, these works may be recognised as part of the development description for the proposed development as would occur for any infrastructure improvement to accommodate strategic growth, new connections and new local development.

## 5.2.5 SuDS Policy 5: Drainage Sustainability and Resilience

The design of the drainage system must account for the likely impacts of climate change and changes in impermeable area over the design life of the development. Appropriate allowances should be applied in each case.

A sustainable drainage approach which considers control of surface runoff at the surface and at source is preferred and should be considered prior to other design solutions.

Drainage infrastructure normally has a defined design life. This varies depending upon the nature of the system's components. The drainage must be designed to function properly to protect the development and downstream from flooding over this timeframe. This includes accommodating predictable changes, including climate change and urbanisation.

### Climate Change

In 2016, the Environment Agency published new guidance on how to use climate change allowances in flood risk assessments. The guidance can be found at: [www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances](http://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances)

KCC require that the drainage design accommodates the 1 in 100 year storm with a 20% allowance for climate change, with an additional analysis undertaken to understand the flooding implication for a greater climate change allowance of 40%.

This analysis must determine if the impacts of the 40% allowance are significant and lead to any unacceptable flood risks (it is not normally expected that the site would not flood in this scenario, only that if this storm were to occur the impacts would be minimal i.e no flooding of property or sensitive infrastructure and no flooding leaves the site). The design may need to be modified to avoid any unacceptable risks, but may also need additional mitigation allowances, for example a higher freeboard on attenuation features or provision of exceedance routes. This will tie into designing for exceedance principles.

### Sustainability

Design of drainage systems utilising a sustainable drainage design approach and reducing reliance on below ground systems in pipes and tanks, provides greater visibility for maintenance as well as many other benefits. Sustainable measures which control flow rates near to the source and which maximise natural losses through infiltration and evaporation are preferred. Operation of surface systems is also more easily observed.



## Urban Creep

To take account of possible future conversion of permeable surfaces to impermeable over time (e.g. surfacing of front gardens to provide additional parking spaces, extensions to existing buildings, creation of large patio areas). Consideration of urban creep should be assessed for residential developments.

An allowance for the increase of impermeable area from urban creep must be included in the design of the drainage system. The allowances set out in Table 3 must be applied to the impermeable area within the property curtilage according to the proposed dwelling density.

**Table 3: impermeable area allowances for urban creep**

Residential development density(Dwellings per hectare) (% of impermeable area)	Change allowance
≤ 25	10
30	8
35	6
45	4
≥ 50	2
Flats & Apartments	0

## 5.2.6 SuDS Policy 6: Sustainable Maintenance

**Any proposed drainage schemes must be designed to be maintainable to ensure that the drainage system continues to operate as designed and must be accompanied with a defined maintenance plan.**

The drainage system must be designed to take account of the construction, operation and maintenance requirements of both surface and subsurface components, allowing for any personnel, vehicle or machinery access required to undertake this work. Without maintenance, the function of drainage systems may alter. Increased leaf litter, sediments and colonisation of vegetation may clog drainage measures or impact the characteristics of operational controls.

### Design to be maintainable

The drainage strategy must demonstrate that adequate access is available and practicable for personnel and equipment either through an appropriate layout or legal agreement to provide agreed access arrangements in perpetuity. Consideration should also be given to the Construction Design and Management regulations for health and safety purposes.

Wherever possible, it is preferable that drainage schemes should be designed at the surface to allow easy inspection and maintenance. Drainage maintenance can usually be incorporated as part of a typical landscape maintenance specification.

KCC recommends that shared drainage measures or drainage measures serving the wider development are located within common land or public open space to facilitate easy access and maintenance. Drainage measures which serve more than one property should not be located within back gardens or other private areas.

If the proposed development incorporates existing field ditches or ordinary watercourses, we would normally require a minimum setback of 5 m to 8 m (depending upon the location, and whether the ditch/watercourse falls within an IDB regulated area). This will allow the safe access and operation of any tracked machinery that may be required to undertake any maintenance works to the banks or channels, and provides a reasonable buffer for any flora and fauna within the watercourse.

We would generally recommend that new development is designed to facilitate the maintenance of existing watercourses, with roads or walkways being provided alongside at least one bank for access. Closed fence-lines to the rear of properties bordering a watercourse should be avoided owing to the maintenance difficulties and the potential for the inappropriate depositing of material beyond property boundaries.

With surface water drainage systems, a careful balance must be struck over the creation of habitats. The encouragement of certain protected species or creation of protected habitats may conflict with the regular maintenance works essential to ensuring long term functionality of the drainage measures. An awareness of any biodiversity objectives or site wide strategic ecological management plan should be considered as part of a maintenance plan for the drainage measures, specifically timing of vegetation cuts and silt removal to ensure no conflict with nesting birds or specific life stages of biota.

Where, in particular circumstances, underground techniques are used, more extensive inspection processes will be necessary, for example where longer pipe runs are used, CCTV surveys may be required. All inlet, outlet and control structures must be indicated and known to the appropriate adopting authority to be protected from blockage and located near the surface, to allow for easy management during routine maintenance visits.

## **Maintenance Plan**

An operation and/or maintenance plan should be provided which indicates a schedule and time of activities, as well as critical controls or components of the drainage scheme. This plan should include an indication of the roles and responsibilities for each authority or organisation which may have a responsibility for maintenance activities. Any inter-connectivity with or reliance upon other drainage systems should be indicated.

KCC may work with LPAs to ensure that the drainage schemes associated with large, strategic, potentially problematic or sensitive sites have been established and are able to function in accordance with the approved plans and specifications.

Information on maintenance requirements will be required in early stages of planning submissions to demonstrate that adequate access is provided.

## **Verification report**

KCC may also require the submission of a Verification Report after development completion (Appendix D). This report will demonstrate that the constructed drainage system operates as approved; will include the identification of "critical drainage assets"; and, will outline specific maintenance requirements and obligations for each drainage measure.

As LLFA, KCC has a duty to maintain a register of structures or features which are likely to have a significant effect on flood risk. Drainage schemes within new developments may include structures or features that will be required to be included within the register. Critical drainage assets which are not adopted by others will be recorded.

## 5.2.7 SuDS Policy 7: Safeguard Water Quality

When designing a surface water management scheme, full consideration must be given to the system's capacity to remove pollutants and to the cleanliness of the water being discharged from the site, irrespective of the receiving system.

Interception of small rainfall events should be incorporated into the design of the drainage system.

Paragraph 170 (e) of the National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to (or being put at unacceptable risk from) unacceptable levels of water pollution or land instability. Development should whenever possible help improve local environmental conditions.

Additionally, the Water Framework Directive has been established to improve and integrate the way water bodies are managed throughout Europe. It provides a legal framework to protect and restore clean water throughout Europe to ensure its long-term sustainable use. In particular it will help deal with diffuse pollution which remains a big issue following improvements to most point source discharges.

The design of any drainage proposal should therefore ensure that surface water discharges do not adversely impact the water quality of receiving water bodies, both during construction and when operational. Sustainable drainage design principles have the potential to reduce the risk of pollution, particularly through managing the surface water runoff close to the source and on the surface. Below grade pipes and tanks which are efficient for drainage purposes may not provide appropriate water quality treatment.

The CIRIA SuDS Manual describes a methodology for determining the hazard posed by land use activities (refer to Chapter 26 of the CIRIA SuDs Manual). A simple index approach enables an assessment of the pollution hazard and value of mitigation provided by the sustainable drainage measure. This assessment will be required for all applications.

Runoff from small rainfall events can pose a particular problem for water quality. The 'first flush' of runoff contains the initial high concentration load of pollutants that has built-up on surfaces during the preceding dry period. It is possible to get a high initial pollution concentration for relatively small rainfall events.

Rainfall events that are less than or equal to 5mm in depth also comprise more than half of the rainfall events that took place. The volume of runoff from these small events therefore can cumulatively contribute significantly to total pollutant loadings from the site over a specified period of time. Interception of an initial rainfall depth of 5mm for all rainfall events would mimic greenfield response characteristics in that runoff from small rainfall events do not generally produce any run-off.

KCC would expect that developers demonstrate that the first 5mm of any rainfall event can be accommodated and disposed of on-site, rather than being discharged to any receiving watercourse or surface water sewer. This can easily be achieved through the inclusion of sustainable drainage measures such as infiltration systems, rain gardens, bioretention systems, swales, and permeable pavement.

Where it proves exceptionally difficult to achieve this principle, it must be demonstrated that any water leaving the site has been appropriately treated to remove any potential pollutants.

When discharging to the ground, ground conditions and protection of any source protection zones should be confirmed.

Discharge to ground shall only occur within clean, competent, natural and uncontaminated ground and information should be provided to demonstrate that a sufficient unsaturated zone has been provided above the highest occurring groundwater level. Advice may need to be sought from the EA Groundwater team in relation to these matters, particularly in SPZ 1 and may require specific mitigation. Infiltration into Made Ground will not be accepted.

## Construction Management Plan

The management and control of erosion and sediment should be considered throughout design and construction, operation and maintenance to ensure that no impact to offsite watercourses occurs.

Sedimentation can cause the loss of aquatic habitat, decreased fishery resources and can lead to increased flooding due to reduction in hydraulic capacity of the watercourse.

A Construction Management Plan will be required to demonstrate that erosion and sediment controls are adequately planned to protect water quality in receiving water environments. Any sites within a sensitive receiving catchment may require additional information. Situations in which this is a consideration will be confirmed through coordination with KCC's Biodiversity team and the Environment Agency.

## 5.2.8 SuDS Policy 8: Design for Amenity and Multi-Functionality

Drainage design must consider opportunities for inclusion of amenity and multi-functionality objectives and thus provide multi-functional use of open space with appropriate design for drainage measures within the public realm.

Local environmental objectives may identify other benefits which can be agreed to be delivered through appropriate design of the drainage system.

### Amenity and Open Space

Where land performs a range of functions it affords a far greater range of social, environmental and economic benefits than might otherwise be delivered (Landscape Institute Position Statement, Green Infrastructure). Open spaces are often multifunctional, fulfilling several different valuable roles; for example, in the main they may be for recreational use, but they may also provide valuable wildlife habitat, an attractive landscape, paths for walking and cycling and space for community events.

Well-designed, open, sustainable drainage measures may also provide this degree of opportunity, optimising all of these functions in a way which fits with the surrounding landscape. For example, park areas which can be used as temporary flood storage during heavy rainfall events, and wetlands being used to deliver amenity value and habitat as well as water treatment. The aim should be to create networks of high quality open space which adapt for attenuation of surface water, sports and play and enhancement of biodiversity.

The integration of sustainable drainage measures into open spaces can introduce open water and variable ground surfaces into the public realm with associated risks of: drowning; slips, trips and falls; waterborne disease; and bird strike if near airports. The majority of potential risks can be assessed and removed through good site design. Reference should be made to best practice for appropriate design is provided in CIRIA's 'SuDS Manual'.

### Multi-functional Design Benefits

Multi-functional design may also deliver other benefits as summarised in Table 4 (BS 8582 Code of Practice for Surface Water Management for Development Sites). New evaluation tools (B&EST Benefits Estimation Tool, CIRIA) may enable a full accounting of benefits to demonstrate economies and efficiencies to including specific design elements within the drainage provision. Simple elements such as inclusion of trees, or rain gardens within kerb build-outs may deliver other priorities being sought by the local authority.

**Table 4: Multi functional surface water management design (Source: BS 8582:2013)**

Infrastructure objective	Multi-functional surface water management system design and associated environmental value
<b>1. Recreational opportunities</b>	<ul style="list-style-type: none"> <li>• Subsurface attenuation storage systems can be sited below permeable surfaces used for recreation</li> <li>• Infrequently flooded detention zones can also serve as recreational/amenity areas</li> <li>• Vegetated conveyance and/or storage systems can be designed to promote education, play and amenity value</li> <li>• Intensive green roofs can provide amenity landscape in dense urban settings</li> <li>• Surface water management components can be integrated with sustainable transport corridors (e.g. cycle routes) to maximize benefits</li> </ul>
<b>2. Water resources conservation</b>	<ul style="list-style-type: none"> <li>• Surface water run-off from roofs and uncontaminated paved surfaces, can be captured and stored for use</li> <li>• Rainwater harvesting systems can be designed to deliver surface water management benefits in addition to water supply (see BS 8515)</li> </ul>
<b>3. Habitats/ biodiversity enhancement</b>	<ul style="list-style-type: none"> <li>• Vegetated surface water management components, which store or convey water either temporarily or permanently, can often deliver locally important habitat</li> <li>• Such areas can contribute to urban “corridors” and “networks” of green (vegetated) and blue (water) spaces that support the movement of species</li> </ul>
<b>4. Traffic management</b>	<ul style="list-style-type: none"> <li>• Appropriately designed roads can provide, during times of extreme rainfall, short-term effective management of flood waters, either for conveyance or storage</li> <li>• Local road surfaces and pavements can often be designed to be pervious and allow run-off to infiltrate into the sub-base</li> <li>• Bioretention/biofilter zones can be integrated within pavement design to provide both traffic calming and stormwater management units</li> <li>• Vegetated swales running alongside roads can be designed to treat and control road run-off</li> <li>• Tree pits can be included to intercept run-off (with additional subsurface storage included within or adjacent to the pit)</li> </ul>

<b>5. Car parking</b>	<ul style="list-style-type: none"> <li>• Where the car parking surface is designed to be pervious, surface water can be stored and treated within the sub-base, prior to either controlled discharge, infiltration to the ground, or use.</li> <li>• Car parks can store additional volumes of floodwater above the surface during extreme events.</li> <li>• Vegetated strips, swales, bioretention systems and basins can be designed adjacent to the car park to treat and control run-off</li> </ul>
<b>6. Public education/ awareness</b>	<ul style="list-style-type: none"> <li>• Local community engagement strategies can deliver:</li> <li>• an understanding of the functionality and environmental importance of the surface water management system in mitigating human impacts</li> <li>• a commitment towards contributing to the management of the drainage components</li> <li>• an understanding of the health and safety risk management strategy for the site in relation to surface water</li> <li>• ideas as to how the system could be used to promote children's education strategies and increased local amenity benefits</li> </ul>
<b>7. Air temperature / urban heat island mitigation</b>	<ul style="list-style-type: none"> <li>• Urban cooling can be promoted via the return of moisture to the air through evaporation and evapotranspiration from vegetated surface water management features</li> <li>• Direct cooling can be provided by trees integrated within the surface water management system providing shade</li> <li>• Green roofs and vegetative surfaces reflect more sunlight and absorb less heat</li> </ul>
<b>8. Reduced energy use</b>	<ul style="list-style-type: none"> <li>• Green roofs provide good building insulation</li> </ul>
<b>9. Air quality improvement</b>	<ul style="list-style-type: none"> <li>• Trees, larger shrubs and vegetated surfaces used as part of the surface water management strategy can filter out airborne pollutants</li> </ul>
<b>10. Landscape character</b>	<ul style="list-style-type: none"> <li>• Well designed and integrated SuDS features can enhance aesthetic appeal and local landscape and townscape character and distinctiveness</li> </ul>
<b>11. Health benefits</b>	<ul style="list-style-type: none"> <li>• Green and blue space within developments promotes health benefits linked to increased outdoor recreation and a feeling of well-being</li> </ul>



## 5.2.9 SuDS Policy 9: Enhance Biodiversity

Drainage design must consider opportunities for biodiversity enhancement, through provision of appropriately designed surface systems, consideration of connectivity to adjacent water bodies or natural habitats, and appropriate planting specification.

Biodiversity is defined as the variety of life on Earth; designing to protect and enhance biodiversity is therefore essential. As a direct result of human activity, the rate of species extinction over the last 200 years is far higher than in any period of the preceding 65 million years<sup>23</sup>. In the UK, freshwater ecosystems are at the most risk and populations of key species have declined significantly.

The NPPF requires that Local Planning Authorities set out a strategic approach to plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure (NPPF para 171). Maximising the ecological value of drainage systems is consistent with national and local policies which aim to conserve and enhance biodiversity. This is underpinned by a variety of legislation including the biodiversity 'duty' for public bodies which is enshrined in the Natural Environment and Rural Communities (NERC) Act 2006.

Working with the landscape to provide drainage may promote other opportunities with greater benefits for biodiversity but also provide greater attractiveness. The linear nature of many SuDS features can help create green corridors through developments; these are important for wildlife and ensure that the associated development is connected with its surrounding environment.

KCCs 'SuDS and Biodiversity' project (2014) has demonstrated that drainage schemes within residential areas contribute to the biodiversity of the local area and provide important habitats for animals and plants that would otherwise be absent. In some cases invertebrate species of significant nature conservation value have been found.

A number of key factors were identified to strongly influence the biodiversity value of the sustainable drainage features. These included:

- connectivity with other waterbodies and habitats,
- planting assemblage and cover,
- waterbody design,
- retained water,
- fish/wild fowl presence, and
- water quality.

When assessing drainage design, particularly surface systems, it is important to consider the drainage scheme in the context of the surrounding landscape character area. Effective integration will also require carefully researched and selected plants, which work to improve the local green infrastructure.

The design of any drainage scheme can provide an opportunity for increasing biodiversity value by including surface vegetated systems with some retained water and through ensuring appropriate edge treatments and gradients. Review of engineering design by an ecologist may identify simple improvements in pond design and planting specification that would maximise the biodiversity potential.

## Glossary

<b>Aquifer</b>	A source of groundwater comprising water-bearing rock, sand or gravel capable of yielding significant quantities of water.
<b>Adopting authority</b>	General term utilized in this guidance and relates to the authority that will ultimately manage the proposed drainage system
<b>Attenuation</b>	Attenuation is the process of water retention on site and slowly releasing it in a controlled discharge to a surface water or combined drain or watercourse. The amount of discharge will vary depending whether it is a brown or greenfield site. For brownfield sites the developer must determine the likely run off and agree an acceptable discharge with the LLFA, environment agency or water authority.
<b>Brownfield site</b>	Any land or site that has been previously developed.
<b>Catchment</b>	The area contributing surface water flow to a point on a drainage or river system.
<b>CIRIA</b>	Construction Industry Research and Information Association. <a href="http://www.ciria.org">www.ciria.org</a>
<b>Climate change</b>	Long-term variations in global temperature and weather patterns both natural and as a result of human activity (anthropogenic) such as greenhouse gas emissions
<b>Culvert</b>	A structure which fully contains a watercourse as it passes through an embankment or below ground.
<b>Development</b>	The undertaking of building, engineering, mining or other operations in, on, over or under land or the making of any material change in the use of any buildings or other land.
<b>EA</b>	Environment Agency. Government Agency responsible for flooding issues from main river, and strategic overview of flooding.
<b>Flood event</b>	A flooding incident usually in response to severe weather or a combination of flood generating characteristics.
<b>Flood risk</b>	The combination of the flood probability and the magnitude of the potential consequences of the flood event.
<b>Flood Risk Assessment</b>	An appraisal of the flood risks that may affect development or increase flood risk elsewhere
<b>Flood Zones</b>	Flood Zones provide a general indication of flood risk, mainly used for spatial planning.

<b>Floodplain</b>	An area of land that would naturally flood from a watercourse, an estuary or the sea.
<b>Freeboard</b>	A vertical distance that allows for a margin of safety to account for uncertainties.
<b>Flood and Water Management Act</b>	The Flood and Water Management Act clarifies the legislative framework for managing surface water flood risk in England.
<b>Flow control device</b>	A device used to manage the movement of surface water into and out of an attenuation facility.
<b>Geocellular storage systems</b>	Modular plastic systems with a high void ratio, typically placed below ground which allow for storage of storm water to infiltrate or discharge to another system.
<b>Gravity drainage</b>	Drainage which runs through pipework installed to a fall, and not therefore under pressure.
<b>Greenfield</b>	Undeveloped land.
<b>Greenfield runoff rate</b>	The rate of runoff which would occur from a site that was undeveloped and undisturbed.
<b>Groundwater</b>	Water that exists beneath the ground in underground aquifers and streams.
<b>Groundwater flooding</b>	Flooding caused by groundwater rising and escaping due to sustained periods of higher than average rainfall (years) or a reduction in abstraction for water supply.
<b>Highway Authority</b>	Body responsible for the management and maintenance of public roads
<b>Impermeable</b>	Will not allow water to pass through it.
<b>Impermeable surface</b>	An artificial non-porous surface that generates a surface water runoff after rainfall.
<b>Infiltration</b>	Infiltration or soakaway is the temporary storage of water to allow it to naturally soak away into the ground. Because water soaks into the ground gradually, reduces the risk of flooding downstream. Infiltration may be used where there is no surface water sewer or where existing systems are at full capacity. Infiltration helps to recharge natural ground water levels.

<b>Internal Drainage Board (IDB)</b>	<p>An internal drainage board (IDB) is a public body that manages water levels in an area, known as an internal drainage district, where there is a special need for drainage. IDBs undertake works to reduce flood risk to people and property, and manage water levels for agricultural and environmental needs within their district. There are six IDBs in Kent:</p> <p>The River Stour Upper Medway Lower Medway Romney Marshes Area North Kent Marshes</p>
<b>Lead Local Flood Authority</b>	<p>Under the terms of the Flood and Water Management Act 2010, LLFAs are responsible for developing, maintaining and applying a strategy for local flood risk management in their areas and for maintaining a register of flood risk assets. They also have lead responsibility for managing the risk of flooding from surface water, groundwater and ordinary watercourses. Kent County Council are the LLFA within Kent.</p>
<b>Local Flood Risk Management Strategy</b>	<p>Strategy outlining the Lead Local Flood Authority's approach to local flood risk management as well as recording how this approach has been developed and agreed.</p>
<b>Main River</b>	<p>A watercourse designated on a statutory map of Main rivers, maintained by Department for Environment, Food and Rural Affairs (Defra).</p>
<b>Mitigation measure</b>	<p>A generic term used in this guide to refer to an element of development design which may be used to manage flood risk to the development, or to avoid an increase in flood risk elsewhere.</p>
<b>National Planning Policy Framework</b>	<p>Framework setting out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.</p>
<b>Overland Flow</b>	<p>Flooding caused by surface water runoff when rainfall intensity exceeds the infiltration capacity of the ground, or when the soil is so saturated that it cannot accept any more water.</p>
<b>Permeability</b>	<p>A measure of the ease with which a fluid can flow through a porous medium. It depends on the physical properties of the medium.</p>

<b>Pitt Review</b>	An independent review of the 2007 summer floods by Sir Michael Pitt, which provided recommendations to improve flood risk management in England.
<b>Rainwater harvesting</b>	Collection and Re-use or recycling of rainwater for the purpose of garden irrigation, car washing, toilet flushing etc.
<b>Runoff</b>	Water flow over the ground surface to the drainage system. This occurs if the ground is impermeable, is saturated or if rainfall is particularly intense.
<b>Source Protection Zone</b>	Defined areas showing the risk of contamination to selected groundwater sources used for public drinking water supply.
<b>Strategic Flood Risk Assessment</b>	A study to examine flood risk issues on a sub-regional scale, typically for a river catchment or local authority area during the preparation of a development plan.
<b>Surface water flooding</b>	Flooding caused by the combination of pluvial flooding, sewer flooding, flooding from open channels and culverted urban watercourses and overland flows from groundwater springs
<b>Surface Water Management Plan</b>	A study undertaken in consultation with key local partners to understand the causes and effects of surface water flooding and agree the most cost effective way of managing surface water flood risk for the long term.
<b>SUDS</b>	Sustainable (urban) drainage systems. A sequence of management practices and control structures that are designed to drain surface water in a more sustainable manner.
<b>Watercourse</b>	A term including all rivers, streams, ditches, drains, cuts, culverts, dykes, sluices and passages through which water flows.

## Appendix A. National Planning Policy Framework (Extract)

155	Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
157	<p>All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:</p> <ul style="list-style-type: none"> <li>a) applying the sequential test and then, if necessary, the exception test as set out below;</li> <li>b) safeguarding land from development that is required, or likely to be required, for current or future flood management;</li> <li>c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and</li> <li>d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.</li> </ul>
163	<p>When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment<sup>50</sup>. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;</li> <li>b) the development is appropriately flood resistant and resilient;</li> <li>c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;</li> <li>d) any residual risk can be safely managed; and</li> <li>e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.</li> </ul>
165	<p>Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:</p> <ul style="list-style-type: none"> <li>a) take account of advice from the lead local flood authority;</li> <li>b) have appropriate proposed minimum operational standards;</li> <li>c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and</li> <li>d) where possible, provide multifunctional benefits.</li> </ul>

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Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

## Appendix B. Non-Statutory Technical Standards for Sustainable Drainage

### Flood risk outside the development

**S1** Where the drainage system discharges to a surface water body that can accommodate uncontrolled surface water discharges without any impact on flood risk from that surface water body (e.g. the sea or a large estuary) the peak flow control standards (S2 and S3 below) and volume control technical standards (S4 and S6 below) need not apply.

### Peak flow control

**S2** For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.

**S3** For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event.

### Volume control

**S4** Where reasonably practicable, for greenfield development, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event should never exceed the greenfield runoff volume for the same event.

**S5** Where reasonably practicable, for developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but should never exceed the runoff volume from the development site prior to redevelopment for that event.

**S6** Where it is not reasonably practicable to constrain the volume of runoff to any drain, sewer or surface water body in accordance with S4 or S5 above, the runoff volume must be discharged at a rate that does not adversely affect flood risk.

### Flood risk within the development

**S7** The drainage system must be designed so that, unless an area is designated to hold and/or convey water as part of the design, flooding does not occur on any part of the site for a 1 in 30 year rainfall event.

**S8** The drainage system must be designed so that, unless an area is designated to hold and/or convey water as part of the design, flooding does not occur during a 1 in 100 year rainfall event in any part of: a building (including a basement); or in any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.



**S9** The design of the site must ensure that, so far as is reasonably practicable, flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that minimise the risks to people and property.

### **Structural Integrity**

**S10** Components must be designed to ensure structural integrity of the drainage system and any adjacent structures or infrastructure under anticipated loading conditions over the design life of the development taking into account the requirement for reasonable levels of maintenance.

**S11** The materials, including products, components, fittings or naturally occurring materials, which are specified by the designer must be of a suitable nature and quality for their intended use.

### **Designing for maintenance considerations**

**S12** Pumping should only be used to facilitate drainage for those parts of the site where it is not reasonably practicable to drain water by gravity.

### **Construction**

**S13** The mode of construction of any communication with an existing sewer or drainage system just be such that the making of the communication would not be prejudicial to the structural integrity and functionality of the sewerage or drainage system.

**S14** Damage to the drainage system resulting from associated construction activities must be minimised and must be rectified before the drainage system is considered to be completed.



<b>4. Post-Development Discharge rates, without mitigation</b>		<b>Document/Plan where information is stated:</b>	
Developed discharge rates (l/s)	1 in 1 year		
	1 in 30 year		
	1 in 100 year		
	1 in 100 year + CC		
<b>5. Post-Development Discharge rates, with mitigation</b>		<b>Document/Plan where information is stated:</b>	
Describe development drainage strategy in general terms:			
(a) No control required, all flows infiltrating <input type="checkbox"/>			
(b) Controlled developed discharge rates (l/s)	1 in 1 year		
	1 in 30 year		
	1 in 100 year		
	1 in 100 year + CC		
<b>6. Discharge Volumes</b>		<b>Document/Plan where information is stated:</b>	
	Existing volume (m <sup>3</sup> )	Proposed volume (m <sup>3</sup> )	
1 in 1 year			
1 in 30 year			
1 in 100 year			
1 in 100 year + CC			

All information presented above should be contained within the attached Flood Risk Assessment, Drainage Strategy or Statement and be substantiated through plans and appropriate calculations.

Form completed by	
Qualifications	
Company	
Telephone	
Email	
On behalf of (client's details)	
Date	

**Appendix D. Drainage Asset Record Sheet for Verification Report**

IDENTIFICATION	Type of Structure or Feature	
	Location Name	
	Drawing Identifier	
MANAGEMENT/ OWNERSHIP	Owners Name / Company	
	Address of owner	
	Owners Contact Number	
	Maintained By	
	Adoption proposed	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Name of Adopting Authority	
	Estimated Date of Adoption	
ASSET DETAILS	National Grid Reference (NGR)	
	Cover Level	
	Invert Level	
	Max volume	
	Height	
	Diameter/Width	
	Length	
	Depth	
	Designed Flow Rate	
	Any Additional Uses	







Policy/Paragraph	Commentary
	<p>Kent County Council (KCC) is committed to working with the District Council and other key stakeholders to ensure that sustainable growth is supported by necessary infrastructure – that is planned for, funded and delivered in a timely manner, ahead of housing / commercial growth where required – ensuring an ‘Infrastructure First’ approach to development. An “Infrastructure First” approach is embedded in the Kent and Medway Infrastructure Proposition, a proposal that seeks to enable accelerated housing delivery, which is focussed on building the right homes in the right places and providing the public services, transport infrastructure, jobs and homes that residents will need now and in the future. To deliver sustainable development, close working and a collaborative approach with all key stakeholders will be crucial – taking in to account all necessary infrastructure and services required to deliver robust and resilient communities during the plan period and beyond within the District – whilst also considering any cross boundary, strategic implications of growth. The County Council would therefore welcome continued engagement.</p> <p>As the Local Plan progresses, the County Council would value timely engagement in the shaping and inputting, as appropriate, into the draft Statement of Common Ground to ensure that all cross-boundary and strategic matters are properly and clearly addressed.</p> <p>Please see a summary of the strategic issues raised:</p> <ul style="list-style-type: none"> <li>• KCC is encouraged by the fact that Heritage features so prominently in the Vision.</li> <li>• It welcomes the amendments to reflect the Rights of Way Network.</li> <li>• It supports the vision that necessary infrastructure is required to support the housing growth.</li> <li>• KCC have recommended amendments to wording and have also suggested additions to some of the policies put forward. We hope these changes either help to make policies clear and in some cases provide more flexibility.</li> <li>• They have suggested that reference to a number of the following Council’s documents should be included: <ul style="list-style-type: none"> <li>○ the County Council’s Right of Way Improvement Plan</li> <li>○ Kent and Medway Low Emissions Strategy</li> <li>○ County Council’s Environment Strategy</li> <li>○ Kent’s Plan Bee</li> </ul> </li> <li>• KCC would also encourage further car free development.</li> <li>• They would hope that the Dover Fastrack project is reflected in policy.</li> <li>• They also raise some concerns in regard to safeguarding and waste linked to Policy SA3 and Policy DM8.</li> <li>• They would like further dialogue in regard to how further highway related evidence is produced.</li> <li>• They consider that an historic landscape characterisation assessment is carried out in order to fully appreciate the landscape character and incorporate it into green Infrastructure effectively.</li> <li>• KCC would suggest a Transport Strategy for the District.</li> <li>• They would also ask that further discussions took place with Kent Highways before the IDP is published.</li> </ul>
<b>Introduction</b>	
	<p><u>Public Rights of Way (PRoW):</u> As a general statement, the County Council is keen to ensure that their interests are represented within the local policy frameworks of the Districts and Boroughs in Kent. KCC is committed to working in partnership with Local District Councils to achieve the aims contained within the ‘Rights of Way Improvement Plan 2018 – 2028 (ROWIP)’. As the Local Highway Authority, KCC promotes the protection and enhancement of the PRoW network and, experience shows that local planning policy support for the work it does is mutually beneficial in both protecting the network and negotiating enhancements to it, through new development.</p> <p>In respect of PRoW, the County Council supports the draft Regulation 19 Local Plan and it welcomes the amendments made to reflect the PRoW network following the County Council’s response to the Regulation 18 Consultation on 17 March 2021. However, there is still no reference to the County Council’s Rights of Way Improvement Plan (ROWIP) and KCC would emphasise again that reference to the ROWIP is included to enable the successful partnership working to continue to deliver improvements to the District’s PRoW network.</p>
<b>2.1 Overarching Vision</b>	<p><u>Heritage Conservation:</u> The County Council welcomes Dover’s heritage feature so prominently in the Vision. Dover does indeed have a wealth of historic sites that can be used to drive regeneration, tourism and wellbeing in the District in the various ways highlighted in the Dover Heritage Strategy</p>
<b>2.2 Strategic Objectives</b>	<p><u>Heritage Conservation:</u> The County Council welcomes the commitment of the District Council to conserving the heritage of Dover, recognising that heritage assets are a finite resource and the contribution that they make to life and well-being in the district.</p>



Policy/Paragraph	Commentary
<b>Strategic Policies</b>	
<b>SP1 - Planning for Climate Change</b>	<p><a href="#">Kent and Medway Energy and Low Emissions Strategy</a> seeks to ensure that the decisions and plans embrace clean growth and allow the development of a clean, affordable and secure energy future – the County Council would recommend consideration of this strategy and the <a href="#">County Council's Environment Strategy</a> during the development of the Local Plan for the Borough,</p> <p><u>Development Investment:</u> The County Council supports the objective of promoting quality design in the built environment. The County Council supports the objective of promoting quality design in the built environment and actively encourages well designed places that consider and prioritise local context; distinctive identity; coherent built form; high-quality placemaking; intelligent movement and connectivity; sustainable homes and buildings; lifetime use; and preserves natural resources.</p> <p>The County Council requests that allocations which include education provision, designs in sustainable transport routes to and from the school site planned in order that sustainable travel can be supported, including walking and cycling routes for residents of the new development</p>
<b>SP2 - Planning for Healthy and Inclusive Communities</b>	<p><u>Development Investment:</u> The County Council welcomes paragraph 1 of this policy, and the County Council commits to providing assessment of County infrastructure contributions in order to mitigate the impact of new development on existing services.</p> <p>The County Council requests that the wording paragraph 1 of the policy is broadened to encompass social care – a service which is requiring ever greater investment as a result of our ageing population and one which is not necessarily covered by the reference to health care and community. The inclusion is demonstrated below.</p> <p style="padding-left: 40px;"><i>1. Ensuring that new development is well served by services and facilities (for example, education, health <b>and social care</b>, community, cultural facilities, play youth, recreation, sports, faith and emergency facilities) and that a mix of uses are provided in new development that support daily lift.</i></p> <p>The County Council emphasises the importance of ensuring that all new and existing community facilities are made as accessible as possible – for example through the provision or retro-fit of Changing Places.</p> <p>With reference to paragraph 3 of the policy, the County Council will consider the use of county developer contributions to increase the capacity of existing community facilities if they are considered appropriate to deliver services which meet the needs of local residents at the time of needs.</p> <p>The County Council also supports the policy that seeks to ensure that new developments are designed to be safe and accessible, to minimise the threat of crime and improve public safety.</p> <p>The County Council supports the objective of promoting quality design in the built environment and would recommend reference is made to the emerging County Council Design Guide which promotes the principles of quality design in new development.</p>
<b>SP3 - Housing Growth</b>	<p><u>Development Investment:</u> The County Council welcomes the commitment to resist development that cannot be supported by the necessary infrastructure and services or that would result in a loss of services facilities.</p> <p>The County Council would wish to emphasise the necessity to provide the appropriate infrastructure mitigation in timely manner to support housing growth provision in the district over the plan period. The County Council has provided detailed comments on the Infrastructure Delivery Plan within this response.</p>
<b>SP4 - Residential Windfall Development</b>	<p><u>Development Investment:</u> Any impact of windfall development on County Council infrastructure and services would need to be mitigated and KCC will request contributions as applications for windfall development are prepared and submitted.</p>
<b>3.82 Strategic Policy 5 - Affordable Housing</b>	<p><u>Highways and Transportation:</u> The aspiration for delivery of 30% affordable housing outside the Dover Urban Area is noted, however, it is essential that the viability of individual sites identified as being liable for significant highway infrastructure provision is clarified to sufficient detail to manage stakeholder expectations at the earliest possible juncture, which will potentially speed up future development planning decisions. Such an approach will also assist KCC in making informed infrastructure planning/funding decisions at the earliest possible juncture.</p>

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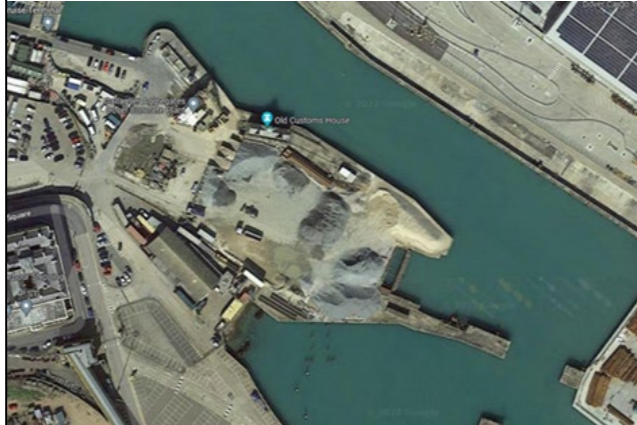
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<b>SP7 - Retail and Town Centres</b>	<u>Development Investment:</u> With reference to paragraph 4 referring residential provision in and on the edge of town centres across the main towns of Dover, Deal and Sandwich – additional households in these locations will require a proportionate increase in infrastructure provision, commensurate with the profile of occupants/residents.
<b>SP8 - Dover Town Centre</b>	<p><u>Highways and Transportation:</u> The County Council recommends that this policy could further encourage car-free development within the Town Centre where existing and future controlled parking zones are present, to reduce unnecessary car-based journeys, especially from Whitfield.</p> <p><u>Heritage Conservation:</u> The County Council welcomes see General Principle 5 which highlights the role that dover’s heritage can play in successful development, and which links the policy to the forthcoming Supplementary Planning Document (SPD) for the archaeology of Dover town.</p> <p><u>Development Investment:</u> The County Council recommends reference to the fact that any increase in households in Dover town centre will require a proportionate increase in infrastructure provision, commensurate with the profile of occupants/residents.</p>
<b>SP9 - Deal Town Centre</b>	<p><u>Heritage Conservation:</u> The County Council welcomes consideration of the role of the historic environment recognised as recognised in paragraph 4.</p> <p><u>Development Investment:</u> With reference to paragraph 1, any increase in households in Deal town centre will require a proportionate increase in infrastructure provision, commensurate with the profile of occupants/residents.</p>
<b>SP10 - Sandwich Town Centre</b>	<p><u>Heritage Conservation:</u> The County Council welcomes consideration of the role of the historic environment recognised as recognised in paragraph 4.</p> <p><u>Development Investment:</u> The County Council recommends reference to the fact that any increase in households in Sandwich town centre will require a proportionate increase in infrastructure provision, commensurate with the profile of occupants/residents.</p>
<b>SP11 - Infrastructure and Developer Contributions</b>	<p><u>Highways and Transportation:</u> The Local Plan could be more succinct in its approach to transport infrastructure, by providing a level of traffic/trip impact assessment and a subsequent mitigation strategy to inform site by site policy and specifically commit linked development sites to related infrastructure.</p> <p>Whilst an element of overarching policy is required to encompass any windfall or opportunity sites that might be identified throughout the lifetime of the Local Plan, the wording of the policy does not provide sufficient indication of when infrastructure will be sought. Reference to site-by-site viability is noted, however it is essential that sufficient detail is included within the whole plan viability assessment, to ensure that the final site selection provides a realistic picture of the prospects of the county council receiving infrastructure contributions in the future. This also includes a realistic indication as to the level of affordable housing likely to be secured to assist in speeding up the development planning process at planning application stage.</p> <p>KCC would welcome further constructive dialogue with Dover District Council in identifying these requirements as the process moves forward and as further highway related evidence is produced.</p> <p><u>Development Investment:</u> The County Council welcomes the inclusion of County Council infrastructure and services as <i>Types of Infrastructure</i> within the explanatory paragraphs for this policy.</p> <p>Where viability evidence is presented by the applicant which may have a subsequent impact on mitigation for necessary county infrastructure, KCC requests that it is consulted by the District Council at the earliest opportunity.</p> <p>The County Council operates a network of 19 Household Waste and Recycling Centres, this should be corrected within paragraph 3.215.</p>
<b>SP12 - Strategic Transport Infrastructure</b>	<u>Highways and Transportation:</u> The A2 corridor is a key consideration within the proposed growth aspirations, it is important that this is reflected in policy, however this could equally form part of a future Transport Strategy for the district, which is absent from this round of consultation. Given the wide-ranging traffic challenges within the district, there would be merit in encompassing highway and transportation matters into a single supporting document. As the Dover Access Project is potentially several years away from being completed/clarified in

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	<p>full, it is accepted that mitigation proposals in relation to the A2 corridor will need to be suitably fluid in nature.</p> <p>Modelling forecasts indicate that infrastructure improvements are required on the A256 corridor. Given that this road corridor forms part of the Major Road Network, it would be prudent to consider policy to safeguard future upgrading opportunities on this road corridor.</p> <p>The policy should also specifically allow for the provision and maintenance of bus shelters under the heading of Bus Infrastructure.</p> <p><u>PRoW</u>: The County Council requests that this policy includes consideration for how walking and cycling opportunities, including the PRoW network, can be improved and how this investment in Active Travel will complement the road, rail and bus networks. The County Council is in discussion with National Highways for designated funding and funding through section 106 agreements should also be explored.</p>
<p><b>SP13 - Protecting the District's Hierarchy of Designated Environmental Sites and Biodiversity Assets</b></p>	<p><u>Biodiversity</u>: Section D of this policy states: <i>Wintering bird surveys will be required for all sites with high or moderate suitability (as identified in the HRA or subsequent habitat assessment) for qualifying bird species of Thanet Coast and Sandwich Bay SPA and Ramsar Site, Stodmarsh SPA and Ramsar Site and Dungeness, Romney Marsh and Rye Bay SPA, in order to determine their individual and cumulative importance for these species and whether the thresholds of significance are exceeded (greater than 1% of the associated European or international site). In such circumstances, when impacts cannot be avoided, appropriate mitigation in the form of habitat creation and management in perpetuity on-site in the first instance, or through provision of strategic sites for these species elsewhere within Dover District, will be required. Permission will only be granted when proposals for appropriate, adequate and achievable mitigation measures have been agreed. All such necessary mitigation will need to be fully functional prior to any development which would affect significant numbers of SPA or Ramsar Site birds.</i></p> <p>Some of the allocated sites are close to the border of other districts (such as PRE017 Site north-west of Appletree Farm, Stourmouth Road) therefore it might not be appropriate for the habitat creation and management to be carried in the Dover district. For example for site PRE017 Site north-west of Appletree Farm, Stourmouth Road it may be more appropriate for habitat creation/management works to be carried out in Canterbury. It is therefore recommended that the policy allows for flexibility for works to be carried out outside there district where it may be appropriate.</p> <p>The County Council recommends that Section H requires details of compensation for loss or damage to locally identified biodiversity assets to be submitted as part of planning applications.</p> <p>The County Council recommends reference to <a href="#">Kent's Plan Bee</a>, a pollinator action plan developed by the County Council that seeks to improve the food sources and general habitat for pollinators.</p>
<p><b>SP14 - Enhancing Green Infrastructure and Biodiversity</b></p>	<p><u>PRoW</u>: The PRoW network should be included as part of the aim to protect the landscape, and against significant visual impact, and loss of air quality which is a significant part of user enjoyment and the wider natural environment. Historical routes are part of the rural heritage and the "landscape character and distinctiveness of the coastline" – reference should be made to the National Trails North Downs Way and the England Coast Path and other historic routes across the District.</p> <p><u>Heritage Conservation</u>: 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 Dover has been used for centuries to link Dover's towns, villages, hamlets and countryside. By taking advantage of these existing and historic routeways people will be able to move through the District 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 (GI) designers to incorporate heritage assets to provide features of interest. In turn this will help people accessing the GI to become more aware of and value Dover's heritage which will in turn assist their conservation and re-use. For example, along the cliffs east of Dover town there is an internationally significant group of fortifications. If the GI were to feature these it would help raise their profile to assist with conservation whilst supporting tourism.</p> <p>To fully appreciate Dover'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</p>

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	<p>character of the modern landscape.</p> <p>The <a href="#">Kent Historic Landscape Characterisation (2001)</a> has identified the broad historic character of the landscape of Kent but more detailed refinement is needed to bring the baseline data for Dover up to the standard of areas such as the High Weald and the Hoo Peninsula which have more detailed and relevant data. The County Council would welcome further discussion with the District Council on this.</p> <p>The text rightly highlights the contribution of green infrastructure 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 which could be referred to within the Local Plan.</p>
<b>3.295 to 3.297 Strategic Policy 15 - Protecting the Districts Historic Environment</b>	<p><u>Heritage Conservation:</u> The County Council welcomes the clear explanation of why the historic environment policies in the Local Plan have been selected and broadly support these decisions. There is a case to be made for a specific policy on the Archaeology of Dover Town, but the County Council notes the commitment to develop an SPD for this.</p>
<b>3.296 Strategic Policy 15 - Protecting the Districts Historic Environment</b>	<p><u>Heritage Conservation:</u> It should be noted that there are currently 7 Registered Parks and Gardens (note the corrected term - not Historic Parks and Gardens) on the National Heritage List for England. The Kent Historic Environment Record now lists more than 14,000 non-designated entries for Dover (however – not all appear online).</p>
<b>3.302 Strategic Policy 15 - Protecting the Districts Historic Environment</b>	<p><u>Heritage Conservation:</u> The County Council welcomes the commitment to developing a Local List which is also one of the recommendations of the Heritage Strategy. KCC would encourage the District Council to ensure that the list is eligible to the full range of heritage assets including buildings, archaeological sites and monuments, green spaces and landscapes so that all aspects of Dover’s past can be recognised. This was also a recommendation of the Dover Heritage Strategy (R14). In addition to the Local List, however, the Heritage Strategy recommended that the District Council develops a Register of Heritage Assets at Risk (R15). This would complement a Local List and allow assets at most risk to be highlighted and to potentially receive more focused attention. The County Council recommends that such a register be created in addition to the Local List.</p>
<b>SP15 - Protecting the District's Historic Environment</b>	<p><u>Heritage Conservation:</u> KCC welcomes the inclusion of an entire chapter dedicated to the Historic Environment. Dover’s heritage is of an exceptional quality and has a very important part to play in the future life of the District, and it essential that it is given the recognition it deserved.</p>
<b>Site Allocations</b>	
<b>General Comments</b>	<p><u>Highways and Transportation:</u> There are several draft allocation sites that are relatively remote from good quality sustainable walking, cycling and public transport options. Therefore, site specific public transport and sustainable transport strategies should be considered at this stage. This will encourage a coordinated approach to public transport provision (and secured through the Infrastructure Delivery Plan), subsequently assisting strategic development planning decisions in the future.</p>
<b>4.10 Garden village principles</b>	<p><u>Heritage Conservation:</u> To ensure that settlements of the ‘garden village’ scale to not appear to be to be dropped into the landscape with no real reference to what is already there, it is essential that such new development works with the grain of the existing landscape and settlements so that they appear to be a natural expansion rather than an entirely new construct. To that end, it is important that any heritage assets, in the form of historic buildings or archaeological monuments, and the historic landscape, in the form of the pattern of tracks, lanes and field boundaries, are integrated into the masterplans for the new villages. At present this is not reflected in the text and KCC would recommend that the text needs to be strengthened so that the heritage of the new settlement is fully integrated into the new design.</p>
<b>4.21 Movement and Highways</b>	<p><u>PRoW:</u> The PRoW network should be included in all Transport Assessments and therefore reflected in Policy T12 as part of sustainable measures within Travel Plans.</p>
<b>4.68 SAP1 Whitfield Urban Expansion</b>	<p><u>Development Investment:</u> The County Council welcomes the acknowledgement that the necessary community and social infrastructure including new schools and community facilities will need to be provided. Further specific comments on education, waste and community facilities at Whitfield are provided below under the Infrastructure Delivery Plan (IDP).</p> <p>The County Council ask specifically that the Whitfield SPD includes plans for cycling and walking routes to schools within the development to each of the designated school sites, as part of the necessary community and social infrastructure provision and sustainable transport measures.</p> <p>The County Council awaits the revised SPD which will set out the quantum and distribution of land uses, an updated phasing and delivery strategy.</p>



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<p><b>SAP1 - Whitfield Urban Expansion</b></p>	<p><u>Highways and Transportation:</u> A revised SPD document is essential to the consideration for the Whitfield Urban Expansion (WUE), however this needs to be produced as soon as possible to avoid a potential policy vacuum occurring for any emerging development proposals. There should be a clearer definition over which infrastructure and phasing requirements will be encompassed within the Local Plan Policy and which will be addressed within the future SPD, as this could have a direct impact on modelling forecasts. It is essential that a specific policy is included to secure the future route of the Fastrack service.</p> <p>It is stated that the SPD should be prepared by the landowner, however there are several stakeholders that have land interests within the WUE, therefore, it is essential that they are all involved in the process where possible. A Statement of Common Ground should be encouraged with relevant land stakeholders to ensure that a joined-up approach to the SPD review is achieved. This may require the use of equalisation agreements and mechanisms to ensure that ransom situations between development land parcels are avoided.</p> <p>Travel Plans for any portion of development should include community engagement with new residents for the Fastrack service, with service updates, opportunities for feedback and incentives for use.</p> <p><u>PRoW:</u> The County Council welcomes reference to upgrades as well as improvements to existing routes to address network fragmentation.</p>
<p><b>SAP2 - White Cliffs Business Park (Phases 2, 3, and 4), Whitfield</b></p>	<p><u>PRoW:</u> The County Council would request inclusion of EB10 within this policy.</p>
<p><b>SAP3 – Dover Waterfront</b></p>	<p><u>Minerals and Waste:</u> To deliver economic growth in the district, this may have an impact on mineral safeguarding facilities.</p> <p>Paragraph 3.117 states:</p> <p><i>3.117 Furthermore, to achieve the aspirations set out in the Council's Growth Strategy and deliver a step change in the delivery of economic growth in the District, over and above the level of employment need identified in the EDNA, further allocations are required. Sites are therefore allocated at Dover Waterfront, Fort Burgoyne and the Citadel, Western Heights in Dover, in addition to the former Snowdown Colliery in Aylesham, in accordance with this strategy. These sites offer significant opportunity to regenerate brownfield sites in key locations in the District and deliver flexible employment uses, to achieve a higher level of job growth and help provide additional flexibility and choice to the market over the Plan period. No floorspace allowance has been included for The Citadel, Fort Burgoyne and Snowdown Colliery as these are brownfield sites allocated for regeneration, and the mix of development and floorspace requirements will need to be determined through the planning application process in accordance with the policies in the Local Plan.</i></p> <p>The 'Dover Waterfront' is a major element of the Local Plan's regenerative growth area. The relevant Policy for this area being SAP3-Dover Waterfront.</p> <p>The area has two safeguarded mineral facilities, in close association with each other, the Dunkirk Jetty marine aggregates importation wharf and a concrete batching plant to its immediate west. The extract from Google maps below shows the mineral importation wharf in operation and the 'Gallagher Aggregates Dover Concrete Plant'. Both are safeguarded by virtue of policies CSM:6 Safeguarded Wharves and Rail Depots and CSM 7: Safeguarding Other Mineral Plant Infrastructure of the Kent Minerals and Waste Local Plan 2013-30 (as Early Partially Reviewed and adopted in 2020).</p> 

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	<p>Policy SAP3 - Dover Waterfront lists the regenerative objectives for the area, and the assessments that will be required in bringing forward these developments. Including such assessments for archaeology, air quality, noise etc but it omits any assessment of the safeguarding status of these facilities. It is assumed that they would not be retained as part of the Western Docks regeneration. This matter is also not mentioned in the policy's explanatory paragraphs 4.92 to 4.100 – however, it is assumed, in the absence of any information to the contrary, that these safeguarded mineral facilities would be threatened with direct loss by the Plan's regenerative objectives, as their retention would be incompatible with the Plan's regeneration objectives outlined in the policy.</p> <p>An Infrastructure Assessment (IA) is required to assess whether the loss of these safeguarded facilities is justified against the exemption criteria of Policy DM 8 of the KMWLP. As a general matter, wharf capacity, once lost, is very unlikely to be able to be replaced at another location, of equal or superior operational capacity. Therefore, the County Council, as Minerals and Waste Planning Authority default position is to seek to retain these facilities and ensure regenerative development allows for this. The IA's should demonstrate that the proposed development will meet the requirements of Policy DM 8 and allow the lawful and viable operation of these facilities to be able to be continued.</p> <p><u>PRoW</u>: It is requested that this development does not affect the route of the National Trail.</p>
<b>4.104 SAP4 - Dover Western Heights (Citadel)</b>	<p><u>Heritage Conservation</u>: As the text notes, a master plan for the Western Heights was adopted into policy by Dover District Council in 2015. An action plan was contained in the document but almost no progress has been made since that time. In the discussions that took place during the preparation of the master plan, it was understood that the action plan needs to be resourced if it is to be delivered and that a designated officer would need to be given responsibility for delivery. The County Council would urge the District Council to re-engage with the action plan so that it can be taken forward and the future of the monument be secured.</p>
<b>SAP4 - Dover Western Heights Fortifications Scheduled Monument and Conservation Area</b>	<p><u>PRoW</u>: The County Council recommends the policy includes reference to PROW network and sustainable access improvements as outlined in ROWIP</p> <p><u>Heritage Conservation</u>: The County Council supports this policy in respect of heritage conservation matters.</p>
<b>SAP8 - Land adjacent to the Gas Holder, Coombe Valley Road, Dover (DOV022B)</b>	<p><u>PRoW</u>: The County Council requests reference to improvements to the EBX16 link to the school within this policy.</p>
<b>SAP9 - Land at Barwick Road Industrial Estate, Coombe Valley, Dover (DOV022E)</b>	<p><u>PRoW</u>: The County Council requests reference to improvements to EB16 Bridleway for connectivity within this policy.</p>
<b>SAP11 - Westmount College, Folkestone Road, Dover (DOV026)</b>	<p><u>PRoW</u>: The County Council requests specific reference is made to the improvements to EBX4 within this policy.</p>
<b>SAP13 - Dover Small Housing Sites</b>	<p><u>PRoW</u>: The County Council recommends that all Coombe Valley proposed sites working together can create a great pedestrian and cycle route and the Local Plan should therefore allow for the investigation and upgrading of Public Footpaths EB7, EB6 &amp; EB17 to Bridleway to link to EB16.</p>
<b>SAP16 - Deal Small Housing Sites</b>	<p><u>PRoW</u>: The County Council recommends that policy specifically references improvements to Public Footpath ED49.</p>
<p><b>SAP 17 - Land south of Stonar Lake and to north and east of Stonar Gardens, Stonar Road, Sandwich (SAN004)</b></p> <p><b>SAP 18 - Sandwich Highway Depot/Chippie's Way, Ash Road, Sandwich (SAN006)</b></p>	<p><u>Development Investment</u>: The County Council welcome the inclusion of policy SAP21 to safeguard land adjacent to Sandwich Technology School. It should also be noted by the District Council that land may be required for primary school expansion in Sandwich.</p> <p><u>PRoW</u>: The issue of PROW ES3 link to / Sandwich bridge due to river erosion should be acknowledged by the District Council as there is danger that access to coast, England Coast Path, and a direct link out of Sandwich will be lost.</p>

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<p>SAP 19 - Land at Poplar Meadow, Adjacent to Delfbridge House, Sandwich (SAN007)</p> <p>SAP 20 - Woods' Yard, rear of 17 Woodnesborough Road, Sandwich (SAN008)</p> <p>SAP 21 – Land adjacent to Sandwich Technology School Deal Road, Sandwich (SAN013)</p>	
<p>SAP24 - Land to the South of Aylesham (AYL003)</p>	<p><u>PRoW</u>: The County Council welcomes the inclusion of reference to the PROW network</p>
<p>SAP25 - Aylesham Development Area</p>	<p><u>Development Investment</u>: The County Council references comments made on the IDP within this response in respect of this site.</p> <p><u>PRoW</u>: The County Council requests specific mention of connection to the PROW network within this policy.</p>
<p>SAP26 – Former Snowdown Colliery, Aylesham</p>	<p><u>PRoW</u>: The County Council requests specific mention of connection to the PROW network within this policy and requests that the Transport Assessment includes consideration of the PRoW network.</p>
<p>SAP28 - Land between Eythorne and Elvington (EYT003/EYT009/EYT012)</p>	<p><u>PRoW</u>: The County Council requests specific mention of connection to the PROW network including upgrades for walkers and cyclists within this policy.</p>
<p>SAP34 - Land at Woodhill Farm, Ringwould Road, Kingsdown</p>	<p><u>PRoW</u>: The County Council requests that the Transport Assessment must include consideration of Bridleways ER21, ER20 and PROW network offsite,</p>
<p>SAP36 - Land to the north and east of St Andrews Gardens and adjacent to Mill House, Shepherdswell</p>	<p><u>PRoW</u>: The County Council requests that the policy includes reference to Footpath ER78 improvements for connection to North Downs Way.</p>
<p>SAP37 - Shepherdswell Small Housing Sites</p>	<p><u>PRoW</u>: The County Council requests that the policy includes reference to improvements required to Footpath ER81.</p>
<p>SAP39 - Land to the west of Townsend Farm Road St. Margaret's at Cliffe (STM007 &amp; STM008)</p>	<p><u>PRoW</u>: The County Council requests that the policy includes reference to improvements required to Footpath ER21.</p>
<p>SAP41 - Footpath Field, Staple Road, Wingham (WIN014)</p>	<p><u>PRoW</u>: The County Council requests that the policy includes reference to better pedestrian connectivity.</p>
<p>SAP44 - Land to the east of GreatCauldham Farm, Capel-le-Ferne (CAP006)</p>	<p><u>PRoW</u>: The County Council requests that the policy includes reference to Bridleways ER253 252 and the required improvements to support connectivity.</p>
<p>SAP46 - Land adjacent Langdon Court Bungalow, The Street, East Langdon (LAN003)</p>	<p><u>PRoW</u>: The County Council welcomes the inclusion of ER45/56/57 improvements within this policy.</p>
<p>SAP47 - Land adjacent to Lydden Court Farm, Church Lane,</p>	<p><u>PRoW</u>: The County Council requests that the policy includes reference to improvements required to ER116 and ER115.</p>

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<b>Lydden (LYD003)</b>	
<b>SAP48 - Apple Tree Farm and north west of Apple Tree Farm, Stourmouth Road, Preston (PRE003 PRE016 and PRE017)</b>	<u>PRoW</u> : The County Council requests that the policy includes reference to the improvements required to Footpath EE480.
<b>SAP49 - Worth Small Housing Sites</b>	<u>PRoW</u> : The County Council requests that improvement pedestrian links are provided to the Church and School in respect of Public Footpath ER250  Restricted Byway EE237A, Bridleway EE236, Footpath EE235A will required consideration through well managed Active Travel Plans to upgrade, improve and incorporate.
<b>Development Management Policies</b>	
<b>5.16 CC2 - Sustainable Design and Construction</b>	<u>Heritage Conservation</u> : The County Council was pleased to see that the text highlights the role that historic buildings can play in addressing climate change and refers to Historic England guidance. Old buildings can sometimes be energy efficient than newer ones and of course have 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.
<b>5.43 CC6 - Surface Water Management</b>	<u>Heritage Conservation</u> : The County Council was pleased to see that the text identifies potential impacts on the historic environment from SUDS schemes. 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 when SuDS works damage buried archaeological remains. Indirect impacts are when the ground conditions are changed by SuDS works, thereby impacting on heritage assets. For example, using an area for water storage, or improving an area's drainage can change the moisture level in the local environment. Archaeological remains 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.  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. Kent County Council 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.
<b>CC8 - Tree Planting and Protection</b>	<u>Heritage Conservation</u> : The County Council welcomes consideration of the historic aspect of woodlands recognised in this policy.
<b>PM1 - Achieving High Quality Design, Place Making and the provision of Design Codes</b>	<u>Highways and Transportation</u> : The policy reference to prioritising sustainable transport choices is noted, although this should specify high quality pedestrian and cycle infrastructure to the <a href="#">LTN 1/20</a> standard.  <u>PRoW</u> : Reference to Active Travel, the PROW network and ROWIP must be included within this policy.  <u>Development Investment</u> : The County Council supports the objective of promoting quality design in the built environment.  <u>Heritage Conservation</u> : The County Council was pleased to see the historic environment highlighted in paragraph 1a of this policy.
<b>PM2 - Quality of Residential Accommodation</b>	<u>Development Investment</u> : The County Council welcomes the commitment set out in PM2 and at section 6.9 which will enable people to remain in their homes and live independently throughout their lives as set out below.  The Department for Levelling Up, Housing and Communities identified in June 2019 guidance <i>Housing for older and disabled people</i> , that the need to provide housing for older & disabled people is critical. Accessible and adaptable housing enables people to live more independently and safely, providing safe and convenient homes with suitable circulation space, bathrooms, and kitchens. Kent Adult Social Care requests these dwellings are built to Building Reg Part M4(2) standard (as a minimum) to ensure that they remain accessible throughout the lifetime of the occupants, meeting any changes in the occupant's requirements.
<b>PM4 - Sports Provision</b>	<u>Sport and Recreation</u> : With reference to paragraph 6.57, the County Council would draw attention to the Lawn Tennis Association (LTA) who currently have funding to support



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	<p>improvements and refurbishments to community tennis facilities. Active Kent, a County Council partner, would be happy to introduce a discussion if this connection has not already been established.</p> <p>Paragraph 6.58 which references the needs identified within the LFFP's around 3G pitches is welcomed - but it is noted that there is potential for further work to be undertaken around opening school facilities for community use. Within Active Kent, funding has been received from Sport England via 'Open Schools Facilities Funding' to support schools with the financial implications around opening their facilities outside of school hours. Active Kent would be willing to work with the District Council to identify school to target as a result of their planning and consultation.</p> <p>Active Kent is keen to understand how the service can support sport and physical activity in the district. Active Kent has access to internal funding streams that could support the development of new initiatives in Dover and are able to offer advice and support on capital developments and look to address shortfall on projects.</p>
<b>PM5 - Protection of Open Space, Sports Facilities and Local Green Space</b>	<p><u>PRoW</u>: The County Council welcomes this policy in respect of PRoW.</p>
<b>PM6 - Community Facilities and Services</b>	<p><u>Development Investment</u>: The County Council welcomes the clarification on the threshold for developer contributions. It is noted that in paragraph 2 of this policy, which considers the potential loss of community facilities, the County Council requests the following amendment:</p> <p><i>Across the district as a whole, planning permission will only be granted for proposals involving the loss or change of use of community services or facilities in the following <b>exceptional</b> circumstances</i></p> <p>The County Council requests that the reference in paragraph 6.98 to shared facilities should also be explicitly incorporated into this policy.</p>
<b>H1 - Type and Mix of Housing</b>	<p><u>Development Investment</u>: The County Council is supportive of this policy.</p>
<b>H2 - Rural Local Needs Housing</b>	<p><u>PRoW</u>: Further consideration is required in this policy to ensure connectivity for users between existing and new communities.</p>
<b>E1 - New Employment Development</b>	<p><u>PRoW</u>: The County Council recommends the policy includes reference to the need for sustainable Active Travel options, safety for Non Motorised Users (NMUs) on rural roads and sustainable infrastructure to link to transport hubs, and local facilities, avoiding short car journeys.</p> <p><u>Heritage Conservation</u>: The County Council welcomes the inclusion of Kent Farmsteads Guidance referenced in this section.</p>
<b>E4 – Tourist Accommodation and Attractions</b>	<p><u>PRoW</u>: The County Council requests specific reference to sustainable transport options within this section as well as reference to the ROWIP.</p>
<b>10. Transport and Infrastructure</b>	<p><u>Highways and Transportation</u>: The document is relatively silent on policy relating to the emerging Dover Fastrack project (formally known as Dover BRT). It is essential that this extremely important project is reflected in specific policy requirements relating to.</p> <ul style="list-style-type: none"> <li>• Identified routes that should be secured within the Whitfield/Dover areas that are safeguarded for the provision of Fastrack infrastructure.</li> <li>• Funding requirements of bus services and off-site infrastructure (potentially within the Infrastructure Delivery Plan).</li> <li>• Provision of on-site highway routes and complimentary infrastructure.</li> <li>• Strategy for the ongoing maintenance of bus shelter infrastructure, identifying delivery partners and funding opportunities.</li> <li>• Requirements in relation to development phasing and an active policy to avoid ransom between different phases of development.</li> </ul>
<b>T11 - Sustainable Transport and Travel</b>	<p><u>PRoW</u>: The County Council is supportive of this policy.</p>
<b>T12 - Transport Statements, Assessments and Travel Plans</b>	<p><u>PRoW</u>: Transport Assessments and Travel Plans must include consideration of the PRoW network and the ROWIP – this request should be reflected in this policy.</p>

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<b>T15 - Digital Technology</b>	<p><u>Development Investment:</u> The County Council is supportive of this policy. We welcome the intention that all new residential, public and business premises development will have gigabit-capable connections.</p> <p>As required by paragraph 114 of the NPPF, KCC requests that all new residential, commercial and community buildings benefit from the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mbps) connections to multi point destinations. The infrastructure installed should be capable of connection to commercial broadband providers and maintained in accordance with approved details.</p> <p>The County Council would also draw attention to the proposed Building Regulation Changes in respect of digital technology which will come into effect shortly.</p>
<b>11. The Natural Environment</b>	<p><u>PRoW:</u> 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 and the wider natural environment. Historical routes are part of the rural heritage and the “landscape character and distinctiveness of the coastline”. Reference within this policy should therefore be made TO THE National Trails and historic routes around the District.</p>
<b>NE1 - Biodiversity Net Gain</b>	<p><u>Biodiversity:</u> The County Council requests clarity regarding paragraph 2 of the policy – “<i>Biodiversity net gain must be in addition to any form of compensation</i>” and whether this is referring to additionality or stacking, where a piece of land is being used for more than one purpose (for example, carbon capture or nutrient neutrality).</p> <p>Reference should also be made to the adherence to the most recent iteration of the Biodiversity Net Gain metric – which is currently 3.1.</p> <p>In respect of paragraph 11.11, Biodiversity Net Gain is also not intended to be used for nationally or internationally designated sites.</p> <p>The County Council would also draw attention to the work being undertaken by the Kent Nature Partnership in respect of the proposal to secure 20% Biodiversity Net Gain where it may be viable to do so.</p>
<b>12.7 – 12.8 Policy HE1 - Designated and Non Designated Heritage Assets</b>	<p><u>Heritage Conservation:</u> The County Council welcomes the clear description of the purpose and need for a good Heritage Statement to accompany relevant applications. In paragraph 12.8, though, KCC would suggest that in addition to the Heritage Strategy, reference is made to consulting relevant Conservation Area Appraisals (CAA) and to the Dover Archaeological Characterisation for applications in Dover town centre. Both CAAs and the Characterisation should contribute directly to helping applicants reach the understanding necessary to write an effective Heritage Statement.</p>
<b>HE2 - Conservation Areas</b>	<p><u>Heritage Conservation:</u> The County Council supports this policy and the commitment in the preamble to the development of further Conservation Area Appraisals. This was also a recommendation of the Dover Heritage Strategy (R10).</p>
<b>12.32 Policy HE3 - Archaeology</b>	<p><u>Heritage Conservation:</u> The County Council welcomes the commitment to a Dover Town Archaeology SPD. This will help ensure that the outputs of the Dover UAD Project are fully integrated into Local Plan policy and thereby support the protection and enhancement of Dover’s internationally important archaeological remains. It will also help disseminate the understanding of Dover’s archaeology reached in the project, in particular via the Dover Archaeological Characterisation. The SPD should also provide an important toolkit for developers preparing their proposals, planners who need to assess them, and the community wishing to comment on them. This should underpin the management of Dover’s archaeology for many years.</p>
<b>HE4 - Historic Parks and Gardens</b>	<p><u>Heritage Conservation:</u> The County Council is supportive of this policy.</p>
<b>Appendices</b>	
<b>WSP - Dover and Deal Transport Model Local Plan Forecasting Report for Regulation 18</b>	<p><u>Highways and Transportation:</u> The general methodology for the forecasting work has been agreed with the Local Highway Authority. This report provides the high-level impact assessment of the Local Plan growth on the existing highway network in focussed locations. However, it does not at this stage explore potential mitigation measures, which will need to be resolved before a full steer can be provided in relation to the acceptability of the proposed sites.</p> <p>It is noted that the Dover VISUM model does not include coverage of the entire geographical area of Dover and as such some of the proposed allocation sites are located outside of the area of coverage are subsequently assessed using a spreadsheet model approach. Whilst from a consistency basis, ideally, the VISUM model would have been extended to</p>

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	<p>encompass the entire district, in this case a hybrid modelling methodology is an acceptable form of assessment as most of the Local Plan growth is located within the VISUM simulation area and the routing through the network outside of the can be identified relatively efficiently.</p> <p>The Local Highway Authority has the following comments to make on the contents of the report: -</p> <p><i>Executive Summary</i></p> <p>The current methodology of focussing on capacity improvements at Whitfield Roundabout and the Duke of York Roundabout is necessary so that the resulting redistribution of traffic can be considered in full before the scope of further assessment on other parts of the network can be fully scoped and explored. Therefore, the Local Highway Authority would like to reserve the right to review the required scope of further highway assessment.</p> <p>It is understood that Local Junction Modelling was also to include the A258/Deal Rd junction.</p> <p>KCC requires an outline of the strategy for each of the junctions listed in Table 5.</p> <p><i>1 - Introduction</i></p> <p>1.5.1 Manston Airport – It is relevant to highlight the recent DCO decision to reopen and develop Manston Airport in Thanet into a dedicated air freight facility able to handle at least 10,000 air cargo movements per year. The examination process for this development has highlighted that this will generate a material level of additional traffic within the Dover District (particularly on the A256 corridor), although the forecast report is currently silent on this point. Consequently, further sensitivity testing for the airport may now be required to enhance the robustness of this assessment.</p> <p>Consideration should also be given to the impacts of bifurcation of HGV traffic arising from the Lower Thames Crossing and with the potential reassignment of traffic how this could impact Dover's network and create a need for further junction modelling.</p> <p><i>2 - Forecasting Approach</i></p> <p>2.2.1 – The inclusion of just a single forecast year (2040) is noted at this stage, however as the process continues and any further highway mitigation is identified, it may be necessary for interim year assessment to be provided to assist in the identification of necessary infrastructure triggers.</p> <p>2.4.7 – This methodology has been agreed, however it is important to consider the cumulative impact of settlements where there are numerous smaller development sites (less than 100 dwellings) are within close proximity, as this could have a disproportionate impact on certain junctions within a polygon zone. This may include clusters of smaller sites in Wingham, Sandwich, Eastry, Walmer/Kingsdown and St Margaret's-at-Cliffe, which could respectively have unseen impacts on the A257, A256 and A258 corridors.</p> <p><i>3 - Forecast Transport Infrastructure</i></p> <p>3.2.6 – The wording should be updated to reflect that Albert Road link scheme (Court Marsh Road, Deal) has been completed and may need to be included in the forecast scenarios.</p> <p><i>4 - Forecasting Demand</i></p> <p>Table 4-2 – Whitfield Phase 1 (planning reference 10/01010) appears to be missing from this list – Whilst the position stated in section 3.3.6 &amp; 3.3.7 is understood clarification is required as to why the balance of housing up to 800 dwellings is not included in this table. E_1004 (planning reference 10/01011) also requires clarification as the table suggests that this includes new access road on the A256 and link to Archers Court Road, whereas the highway authority understands that this was secured under planning reference 10/01010. Furthermore, S_104 and S_129 have been dropped from the DM scenario whereas they were included previously in the Reg. 18 DM.</p> <p>4.4.7 – 4.4.10 – The proposed growth factors for HGV's are noted and agreed for the purpose of the forecasting report, however it is evident that the longer-term impacts of Brexit and</p>

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	<p>the potential arrangements for associated infrastructure such as the DEFRA Border Control Post may have a bearing on future distribution of HGV traffic on the strategic and local highway network, especially at the Whitfield and Duke of York Roundabouts. Therefore, port-based growth forecasts may need to be reviewed.</p> <p><i>5 - Local Plan Assessment</i></p> <p>5.2.19 - 5.2.23 – The diagram shows areas of the WUE under the potential control of the land promotor, however, does not outline how the remaining sections of the allocation will be accessed. It is recommended that a full access plan is produced to clarify exactly how the entire allocation will come forward. It is essential that access agreements are reached between local plan stakeholders. It is also relevant to point out that no technical drawings have been submitted to ascertain whether the new junction onto A256 is achievable. The stopping up of the existing A256/Sandwich Road priority junction should also be included within this scenario.</p> <p><i>6 - Results</i></p> <p>Figures 6-56 and 6-84 – The DS1 and DS2 assessments indicated that mitigation at the Whitfield Roundabout will lead to the transfer of trips onto less congested routes through Lydden in the AM peaks. Whilst this route is theoretically capable of accommodating some additional traffic flow at a link level, there is a concern that this could lead to strategic port bound HGV traffic rerouting through this part of the road network, which would not be appropriate.</p> <p><i>8 – Local Junction Models</i></p> <p>8.1.1 - It is understood that Local Junction Modelling was also to include the A258/Deal Rd junction.</p> <p>8.1.55 – The proposal for signalling the London Road/Alkham Valley Road would be subject to further technical approval by KCC Highways, although further consideration should be given to the implications of a left-turn ban from Alkham Valley to fully address the departures from design guidance. This would include potential delay, geometry at the London Road/Whitfield Hill roundabout and any foreseen impacts on capacity from U-turns.</p> <p>8.1.76 – The proposal for signalling the Dover Road/Station Road junction would again be subject to further technical approval by KCC Highways.</p> <p>8.2.7 and 8.2.8 – Noted that further discussion is required between DDC and KCC Highways to determine potential improvements at these junctions, we would anticipate that mitigation is agreed prior to publishing the IDP.</p> <p><i>9 - External Local Plan Sites</i></p> <p>Cluster 1 (Aylesham and Wingham)</p> <p>The Junction of Staple Road/B2046 is not included within the network diagram. This junction is subject to peak hour traffic queueing and there are two allocations proposed that access the B2046 via this junction, as such this should be included within the assessment.</p> <p>KCC maintains that the A257/B2046 junction, although limited in what can be achieved in the way of mitigation, should be modelled to inform KCC's position on the allocations within this cluster. All options for mitigation should be considered and discounted with appropriate commentary. An important factor in the consideration of these sites is the significant amount of growth proposed in the Draft Canterbury Local Plan, and we would recommend that Dover District Council works with Canterbury City Council and KCC as Local Highways Authority to fully scope the cumulative impact of both Local Plans on local network, along with the additional options this may present for effective mitigation at Wingham.</p> <p>KCC would recommend that the cluster also incorporates the A257/Preston Hill junction, and that trips leaving/joining the network at Holt Street should be quantified to assess impact on this route to Sandwich.</p> <p>Cluster 2 (Sandwich North &amp; Ash)</p>

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	<p>KCC has concerns that provision of just one point of access in Ash means that turning movements at the Sandwich Road/A257 junction are underestimated.</p> <p>Cluster 3 (Sandwich South)</p> <p>It would seem prudent to extend the model network into Sandwich to assess the cumulative impact of proposed developments in the town.</p> <p>The increase of flows at the A258/Deal Road junction in the PM peak would in my view warrant further modelling to test the capacity of this junction with Local Plan growth.</p> <p>Cluster 5 (Elvington)</p> <p>The increase of flows at the Shooters Hill junction would in my view warrant further modelling to test the capacity of this junction with Local Plan growth.</p> <p>KCC would also recommend that traffic routing from the Elvington and Shepherdsweil allocations via the Sandwich Road/Mill Lane junction is quantified to assess the impact of this route into Sandwich.</p> <p>Cluster 6 (Alkham Valley Road/Hawkinge)</p> <p>Dover Local Plan impacts at the A260/Spitfire Way junction (outside of the Dover District) should warrant proportionate contributions from the sites identified to be adding the most traffic to the Alkham Valley corridor.</p>
<p><b>Infrastructure Delivery Plan including Infrastructure Delivery Schedule IDP (2022)</b></p>	<p><b><u>Highways and Transportation:</u></b> In respect of paragraph 3.20 – KCC maintains the position that the Whitfield mitigation schemes should be delivered by National Highways as the junctions are located on the Strategic Road Network.</p> <p>Reference should also be made to comments provided in respect of Policy SP11 - Infrastructure and Developer Contributions.</p> <p><b><u>Development Investment:</u></b> For all Regulation 19 documents, the current rates quoted for developer contributions are correct at the time of publication, but will be subject to a consultation as part of the revised Kent County Council Developer Contributions Guide and will be subject to change as a result of this consultation. These updated rates are anticipated by the end of November 2022. All KCC Education, Communities, Social Care and Waste rates are subject to indexation as of April 2020 at (BCIS index 360.3).</p> <p><b><u>Introduction – Local Policy Context – Role of KCC - 2.16</u></b></p> <p>KCC is preparing a revised Kent County Council Developer Contributions Guide which will feed into future iterations of the IDP. We would request that this is a supplementary planning document (SPD) to this Local Plan.</p> <p><b><u>Theme 2: Waste Management Infrastructure.</u></b></p> <p>In respect of paragraph 5.1 – Kent operates a network of 19 House Waste Recycling Centres, not 18 – this should be corrected.</p> <p>Waste rates quoted in paragraph 5.6 are currently correct but are under review as part of the KCC Developers Guide.</p> <p><b><u>Part 2 – Social and Community Infrastructure – Theme 5 – Education – Primary School Provision</u></b></p> <p>The first sentence of 8.11 should be deleted and amended text inserted as follows:</p> <p><i>The draft Regulation 19 Local Plan increases the number of dwellings by 600 to 6,350. The additional 600 homes would increase the primary school requirement to 6.6FE which is over</i></p>

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	<p><i>three 2 FE primary schools at KCC's standard pupil rate. Three 2FE primary schools were identified in the masterplan. One schools site (2FE) is already secured and the first 1FE of capacity has been delivered. This leaves the second 1FE to be build, together with the need for a further 4.6FE of provision. This could be provided as two 2FE schools and a 1 FE school, or additional land could be safeguarded around one of the 2FE sites to enable it to expand to 3FE if required.</i></p> <p>KCC requests that paragraphs 8.12 and 8.13 are deleted.</p> <p>In respect of paragraph 8.18, the following amended text should be included:</p> <p><i>Sandwich and Eastry Planning Group - The plan would suggest 362 dwellings leading to 79 primary aged pupils. Extant permission of 1,133 dwellings leading to a further 246 pupils (total 325 pupils). This is equivalent to around just under 1.5FE of additional primary school provision. Extension of primary provision will be required.</i></p> <p>KCC requests that paragraphs 8.19, 8.20 and 8.21 are deleted.</p> <p>In respect of paragraph 8.22, the following amended text should be included:</p> <p><i>Ash and Wingham Planning Group - The plan would suggest 382 dwellings (of which 196 are allocated in the Ash Neighbourhood Plan) leading to 83 primary aged pupils. Extant permission of 174 dwellings leading to a further 38 pupils (total 121 pupils). Extension of primary provision may be required.</i></p> <p>KCC requests that paragraph 8.23 is deleted</p> <p>The County Council proposes the following amend to paragraph 8.25:</p> <p><i>If no other housing is to come forward in the Plan period, 1FE of additional primary school provision could be achieved by expansion of one or a number of the three schools:</i></p> <ul style="list-style-type: none"> <li>• <i>Aylesham Primary School</i></li> <li>• <i>St Joseph's RC Primary School</i></li> <li>• <i>Nonington CE Primary School</i></li> </ul> <p>KCC requests that paragraph 8.26 is deleted</p> <p><u><i>Part 2 – Social and Community Infrastructure – Theme 5 – Education –Secondary School Provision</i></u></p> <p>In respect of paragraph 8.27, the following amended text should be included:</p> <p><i>Eythorne and Sheperdswell Planning Group - The Local Plan would suggest 430 dwellings leading to 93 primary aged pupils. Extant permission of 41 dwellings leading to a further 9 pupils (total 102 pupils). This is equivalent to around 0.5FE of additional primary school provision. Extension of primary provision will be required</i></p> <p>KCC requests that paragraph 8.28 is deleted</p> <p>In respect of paragraph 8.31, the following amended text should be included and merged with the detail in paragraph 8.32:</p> <p><i>KCC would look at expanding existing schools, if required. However, the size of existing secondary school sites could limit the amount of expansion that is possible or could increase the costs of an expansion.</i></p> <p>KCC requests that paragraphs 8.35 and 8.36 are deleted</p> <p><u><i>Part 2 – Social and Community Infrastructure – Theme 5 – Education 8.4.</i></u></p>

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	<p>Paragraph 8.4 should be amended with new SEND rates - SEND Contribution Rate (Build Only) is estimated at £45,916.00 per Pupil equating to £505.17 per House and £126.29 per Applicable Flat. Indexed as of April 2020 at (BCIS index 360.3).</p> <p>Amendments should be made to 8.43 to include reference to Whitfield and Dover North planning group as follows:</p> <p><i>For Whitfield and Dover North planning group alone around 6 settings would be required. It would be expected that the two new schools would have a nursery provision and one could be added to on the Whitfield Aspen main site. Additional settings could be added to existing schools, located in community use buildings and commercial premises. DDC will work with KCC to consider how any new community buildings or commercial building could be located and designed in such a way as enable this to happen</i></p> <p><u>Part 2 – Social and Community Infrastructure – Theme 5 – Health and Social Care - 9.2</u></p> <p>KCC contribution rate for social care at 9.2 is incorrect – this should be correct to £146.88 per dwelling.</p> <p><b>Infrastructure Delivery Schedule</b></p> <p>In respect of footnote 9 – this states that all KCC costs are indexed as of April 2020 – these relate to KCC Education, Communities, Social Care and Waste costs are indexed as of April 2020.</p> <p><u>Table 1 - District-wide. Education – Primary.</u></p> <p>The County Council notes that [primary costs are incorrect and these should be amended throughout the Local Plan where they are referenced.</p> <p>Primary education rates:            Extension - £4,642 per house and £1,160.50 per flat            New build - £6,800 per house and £1,700 per flat            Primary land costs:            £1,688.52 per house            £422.13 per flat            Indexed as of April 2020 at (BCIS index 360.3).</p> <p><u>Education - Secondary</u></p> <p>The County Council is satisfied with statement that secondary is looked at across the whole district and the overall need of 11.2FE but would recommend that contributions are directed towards schools in the Dover district, as opposed to referring to specific schools.</p> <p>It is requested that wording on safeguarding land for secondary expansion is included as part of the 'Description/Purpose'. The size of existing secondary school sites could limit the amount of expansion that is possible or could increase the costs of an expansion. Should land adjacent to any existing secondary school become available, KCC requests that District Council consults with the Local Education Authority to determine whether the land should be safeguarded for future education expansion.</p> <p><u>Education – SEND</u></p> <p>County Council SEND rates are currently under review – and this should be clarified within the Estimated Costs column. SEND Contribution Rate (Build Only) is estimated at £45,916.00 per Pupil equating to £505.17 per House and £126.29 per Applicable Flat. Indexed as of April 2020 at (BCIS index 360.3).</p> <p>The build rate per pupil has resulted from a 2019 study commissioned by KCC, in which AECOM assessed the county council's SEND build projects and benchmarked these against national projects. A blended rate is used as the baseline rate, covering provision of a broad range of SEND school places. All rates are subject to indexation and review.</p>

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	<p><u>Education – Early Years</u></p> <p>The County Council requests the following amended text in respect of Whitfield Early Years settings.  <i>For Whitfield and Dover North planning group alone, around 6 settings would be required. It would be expected that the two new schools would have a nursery provision and one could possibly be added to the Whitfield Aspen Primary School.</i></p> <p><u>Education – Adult</u></p> <p>Estimated cost column states £ unknown – this should be amended to £16.42 per dwelling in the Estimated Cost column. Indexed as of April 2020 at (BCIS index 360.3).</p> <p><u>Health and Social Care – Wheelchair Accessible Housing</u></p> <p>KCC advises that all homes are built in accordance with Part M4 (2). All Homes built as Wheelchair Accessible &amp; Adaptable Dwellings in accordance with Building Regs Part M 4 (2).</p> <p><u>Health and Social Care – Adult Social Care</u></p> <p>The description wording should be amended to:</p> <p><i>Developer contributions will continue to be sought as appropriate to ensure sufficient provision of adult social care to the residents of new developments, including: assistive technology systems and equipment to adapt homes, adapting community facilities, sensory facilities and Changing Places within the District.</i></p> <p>Also – KCC requests that £146.88 per dwelling is added to the cost column. Indexed as of April 2020 at (BCIS index 360.3).</p> <p><u>Health and Social Care – Specialist Care Accommodation</u></p> <p>KCC requests that £146.88 per dwelling is added to the cost column. Indexed as of April 2020 at (BCIS index 360.3).</p> <p><u>Community Facilities - Youth</u></p> <p>Indexation should be included within the costs column - Indexed as of April 2020 at (BCIS index 360.3).</p> <p><u>Community Facilities - Libraries</u></p> <p>Indexation should be included within the costs column - Indexed as of April 2020 at (BCIS index 360.3).</p> <p><u>Digital infrastructure</u></p> <p>KCC request on broadband provision could be included. KCC requests that before new development commences details shall be submitted for the installation of fixed telecommunication infrastructure and gigabit-capable (minimal internal speed of 1000mbps) connections to multi-point destinations and all buildings including residential, commercial and community. The infrastructure shall be 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. The development should comply with any statutory or non-statutory guidance extant at the time a decision on the application for planning permission is made.</p> <p>Reason: To provide future-proof digital infrastructure in new developments as required by National Planning Policy Framework (NPPF) paragraph 114.</p>



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	<p><b>Site specific</b></p> <p><u>Table 2 Whitfield – Education Primary – Whitfield UE Primary Schools</u></p> <p>The County Council requests that the project is renamed: Whitfield and Dover North Primary Schools Group</p> <p>The County Council requests the inclusion of the following amended description:</p> <p><i>There is a total requirement of 6.6FE. Three 2FE primary schools were identified in the masterplan. One schools site (2FE) is already secured and the first 1FE of capacity has been delivered. This leaves the second 1FE to be build, together with the need for a further 4.6FE of provision. This could be provided as two 2FE schools and one 1 FE school, or additional land could be safeguarded around one of the 2FE sites to enable it to expand to 3FE if required.</i></p> <p>Primary school rates should also be amended as per the district wide section.</p> <p><u>Table 2 Whitfield – Education – Primary Whitfield and Dover North Primary Schools Group</u></p> <p>As a result of the amendments to the row above –please delete this row. Please delete the row on Whitfield and Dover North Primary Schools – leaving one row for all Whitfield primary education (above).</p> <p><u>Table 3 Deal – Education – Primary</u></p> <p>Primary rates should also be amended as per the district wide section.</p> <p><u>Table 3 Deal – Education – Secondary</u></p> <p>It is suggested that the description box should be amended – expansion not ‘extension’.</p> <p>The County Council also recommends the inclusion of the following:</p> <p><i>KCC education has identified a need for school expansion at Sandwich Technology School but the site is already undersized for the current form entry (FE) it provides.</i></p> <p><u>Table 4 – Sandwich – Education – Primary</u></p> <p>The project description should be amended to read the following:</p> <p><i>Extension of primary provision will be required.</i></p> <p>The remaining text in the description box should be deleted.</p> <p>Primary rates should also be amended as per the district wide section.</p>

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	<p><u>Table 5 – Aylesham – Education – Primary</u></p> <p>The project description should be amended to read the following:</p> <p><i>Requirement in Aylesham is equivalent to just over 1 FE of additional primary school provision. This could be achieved by expansion of one or a number of the three schools:</i></p> <ul style="list-style-type: none"> <li>• <i>Aylesham Primary School</i></li> <li>• <i>St Joseph’s RC Primary School</i></li> <li>• <i>Nonington CE Primary School</i></li> </ul> <p>The County Council would also draw attention to the typo in the costs column and the correction required to the primary costs – which should read S106 Primary Costs 2022</p> <p>Primary rates should also be amended as per the district wide section.</p> <p><u>Table 5 – Aylesham – Adult Social Care</u></p> <p>This infrastructure category should be Adult Social Care – not just ‘Adult’.</p> <p>Project name and description should be amended alongside the text relating to the ‘Linked Development Sites’.</p> <p>It is recommended that the project name could be amended to <i>Adult Social Care provision</i> and the description: <i>The District Council are liaising with KCC regarding alternative requirements for Adult Social Care. Details TBC.</i></p> <p>In Linked Development box, ‘as part of the Adult Education Contribution’ should be amended to ‘as part of the Adult Social Care’ contribution.’</p> <p><u>Table 6 Local Centres – Education – Primary – Sandwich and Eastry</u></p> <p>The project description should be amended to read the following:</p> <p><i>Extension of primary provision would be required.</i></p> <p>The Primary costs are incorrect. Primary rates should also be amended as per the district wide section.</p> <p><u>Table 6 Local Centres – Education – Primary – Ash and Wingham</u></p> <p>The project description should be amended to read the following:</p> <p><i>Should additional provision be required in Ash and Wingham Planning Group - extension of primary provision would be required.</i></p> <p>The Primary costs are incorrect. Primary rates should also be amended as per the district wide section.</p> <p><u>Table 6 Local Centres – Education – Primary – Eythorne and Shepherdswell</u></p> <p>The project description should be amended to read the following:</p> <p><i>The need in Eythorne and Shepherdswell group is equivalent to around 0.5FE of additional primary school provision. Extension of primary provision would be required.</i></p>

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	The Primary costs are incorrect. Primary rates should also be amended as per the district wide section.
<b>Archaeological characterisation for Dover (DDC/KCC 2020)</b>	Heritage Conservation: The County Council welcomes the inclusion of this document in the evidence base for the Local Plan. The archaeological characterisation represents the most up-to-date attempt to tell the story of Dover's development over time and assess the significance of this story and the heritage assets that underpin it. It will serve as a very useful tool for developers trying to assess the impact of their proposals and for planners who will draw upon it to inform their decision-making. It will also be of great interest to the community who may wish to learn more about the history of the town and the archaeological remains both beneath their feet and in some cases still visible in front of them. This is a once in a generation document of great importance.



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11 January 2023

Dear Sir/Madam

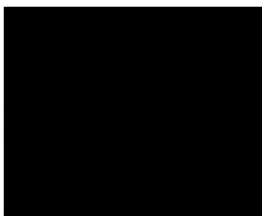
**Re: Sevenoaks District Council Plan 2040**

Thank you for consulting Kent County Council (KCC) on Sevenoaks District Council's Regulation 18 Local Plan consultation.

The County Council has reviewed the document and we have provided our comments in full in the document attached.

I trust this provides our initial views on the Local Plan and KCC would welcome continued engagement as the Local Plan progresses. If you require any further information or clarification on any matters raised above, please do not hesitate to contact me.

Yours sincerely



Simon Jones  
Corporate Director  
Growth, Environment & Transport



**Sevenoaks Local Plan Regulation 18 Consultation.**  
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Policy/Paragraph	Commentary
	<p>The County Council notes that the Regulation 18 consultation represents an early stage consultation in the Local Plan process. It is recognised that a two stage Regulation 18 process is being progressed, initially focused on sites outside the Greenbelt, then a second will consider sites within the Greenbelt. The County Council appreciates that challenges that exist within Sevenoaks in respect of the Greenbelt in terms of meeting the housing requirement, and the significant increase in delivery of homes required compared with the adopted Local Plan – and the necessary infrastructure that will be required to support this growth. For the avoidance of doubt, KCC considers that it is highly likely that a new secondary school to serve the Sevenoaks town area will be required irrespective as to the extent (if any) of green belt releases around the town and that the land for it will almost certainly have to be the subject of a green belt release given the lack of any other suitable sites and the extremely limited and logistically challenging options for expanding existing secondary schools in the area. This should be taken as a fundamental element in devising stage 2 of the regulation 18 process in respect of the green belt – because it will either need to be a component of a large green belt housing allocation in the area or will need to be a standalone green belt site allocation.</p> <p>The County Council is committed to working with the District Council and other key stakeholders to ensure that sustainable growth is delivered to meet the identified housing need, supported by necessary infrastructure – that is planned for, funded and delivered in a timely manner, ahead of housing / commercial growth where required – ensuring an ‘Infrastructure First’ approach to development. An “Infrastructure First” approach is embedded in the Kent and Medway Infrastructure Proposition, a proposal that seeks to enable accelerated housing delivery, which is focussed on building the right homes in the right places and providing the public services, transport infrastructure, jobs and homes that residents will need now and in the future. To deliver sustainable development, close working and a collaborative approach with all key stakeholders will be crucial – taking in to account all necessary infrastructure and services required to deliver robust and resilient communities during the plan period and beyond within the District – whilst also considering any cross boundary, strategic implications of growth. The County Council therefore welcomes the recognition within the Local Plan to the need for infrastructure to be delivered ahead of development commencement and would welcome continued joint working to secure this.</p> <p>The County Council recognises that the District Council has adopted the CIL, however, as set out in this response, the County Council wishes to work with the District Council to ensure that infrastructure is funded appropriately and adequately. The County Council continues to engage with the District Council regarding the challenges with securing the necessary levels of contributions towards critical infrastructure through the CIL funding arrangement.</p> <p>As the Local Plan progresses, the County Council would value timely engagement in the shaping and inputting, as appropriate, into the draft Statement of Common Ground to ensure that all cross-boundary and strategic matters are properly and clearly addressed.</p>
<b>Introduction</b>	
<b>Strategic Issues</b>	<p>The County Council remains concerned that the current Community Infrastructure Levy process operated by the District Council whereby infrastructure providers have to bid for schemes which have previously been assessed as necessary to facilitate sustainable growth is not fit for purpose – including where required to mitigate a severe highways impact and ensure adequate primary school and as raised above, secondary education provision. The County Council would request that infrastructure and mitigation be provided by developers themselves or funded via S106 contributions as appropriate.</p>
<b>General Commentary</b>	<p><u>Development Investment:</u></p> <p>The County Council met with the District Council on 24 November 2022 where the adoption for the emerging Local Plan was put forward by the District Council. Given the expected timeframe to have the Local Plan adopted, the County Council requests that there is an interim position set out by the District Council stating that the required levels of infrastructure will be delivered to meet the needs of current and predicted growth, prior to the adoption of the new Local Plan. The County Council is concerned regarding the reliance on outdated assessments which were relied upon for the adopted Local Plan (2011) policies as these do not provide sufficient mitigation to secure sustainable growth in the district given the changed context which growth is not being delivered in.</p> <p><u>Minerals and Waste:</u></p> <p>The County Council notes at this initial stage, Sevenoaks District Council (SDC) are not identifying any allocations for development at this stage. The District Council is required to demonstrate that landwon minerals, alongside waste and mineral infrastructure safeguarding matters are satisfactorily addressed during the plan making process, i.e. once potential sites are identified. The County Council would be happy to assist with this process. It should be noted that the Sevenoaks District has significant deposits of safeguarded landwon minerals. The presence of the Folkestone Formation (a strategic construction aggregate bearing geology in Kent and the wider South East) is of particular importance in this regard.</p> <p>It is noted that the Plan’s Spatial Vision identifies Sevenoaks Quarry as an ‘Emerging Development Site’, although there is no reference to the important permitted reserves this site has and the role it plays in regional soft sand supply. The site plays a key role in underpinning the County Council’s adopted and emerging landwon mineral planning strategy. The release of the site for non-mineral development will need to ensure that the mineral reserves are satisfactorily worked in advance of other development coming forward and that the mineral is not sterilised. The County Council</p>

Not a Greenbelt



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	<p>understands from prior discussions that this is to be the case and that this fed into Statement of Common Ground.</p> <p>The County Council recommends that for any emerging development allocations in future plans for the area, these are fully assessment against mineral and waste management capacity safeguarding policy requirements of the <a href="#">Kent Minerals and Waste Local Plan 2013-30</a> (Early Partial Review 2020).</p> <p><u>Waste Management:</u></p> <p>The County Council, as Waste Disposal Authority recognises that any significant development within the Sevenoaks District will undoubtedly put pressure on the waste services provided by KCC in this area. KCC as the Waste Disposal Authority (WDA) provides a Waste Transfer Station (WTS) at Dunbrik, Sevenoaks for the receipt of kerbside waste collected by Sevenoaks as the WCA. There is also a co-located HWRC for residents to dispose of household waste. Sevenoaks also benefits from a small standalone HWRC in Swanley. Both of these facilities are strategic, serving not only the whole of Sevenoaks District but also parts of adjoining Districts.</p> <p>The County Council is extremely disappointed to see that waste is not mentioned in detail in the document. Considering the significant amount of development that is proposed, KCC would like to see mention of waste and in particular the demand that this growth will place on waste infrastructure recognised. Taking the above forward, KCC considers this could be reported in a positive way as KCC already has a project in progress and another identified to address this projected demand, as set out below.</p> <p>KCC has undertaken an Infrastructure Review and identified an immediate need for a replacement Waste Transfer Station and future expansion of the Swanley HWRC to meet housing demand as set out in the Local Plan document.</p> <ul style="list-style-type: none"> <li>• The Waste Transfer Station is operating at capacity and will not be able to accommodate all the waste arisings collected by Sevenoaks DC as the Waste Collection Authority without redevelopment. A project to construct a replacement WTS on land adjacent to the existing WTS is currently being progressed.</li> <li>• The Swanley HWRC is a small site which accepts a wide range of household delivered materials and has a growing population catchment. As the site does not have enough space for a separate HGV area, it has to be closed when the bins need to be changed. This results in queues of householder vehicles building up on the approach road, which also impacts upon the local highway network. Bin changes are also more frequent than on larger sites, as a lack of space means that there is only storage for a limited number of empty bins. Due largely to the HWRC booking system, The County Council is currently forecasting sufficient capacity for the short term (up to 5 years) with the potential need to expand in the medium term (5-10 years).</li> </ul> <p>In addition to the above, it is also noted that the management of waste can also assist in Sevenoaks District Council meeting its Net Zero targets and KCC would therefore ask that this issue is considered further in relation to the formation of policies.</p>
<b>Chapter 1: Development Strategy</b>	
<b>Strategic Objectives</b>	<p><u>Highways and Transportation:</u></p> <p><i>Paragraph 1.4</i></p> <p>In respect of the achievement of the Council's vision for net zero and delivery of sustainable and equitable infrastructure, in transport terms, it is important to identify development sites in locations where it is possible to walk and cycle to key facilities and where public transport services are commercially viable or have the prospect of becoming commercially viable with 'up front' developer contributions. KCC's Local Transport Plan 5 is currently being developed in accordance with Government policy and this offers an opportunity for policies in this and the Local Plan to reinforce each other to deliver better outcomes and address challenges such as how to prioritise improved active travel provision within constrained highway networks.</p>
<b>Development Strategy – Existing Settlements</b>	<p><u>Highways and Transportation:</u></p> <p>KCC supports the focus of the Local Plan on development in existing settlements in respect of reasons set out in paragraph 1.4. The County Council as Local Highway Authority looks forward to working with SDC to address the challenges of promoting sustainable transport choices in these locations in line with emerging national and local transport policies.</p>
<b>Density Scenarios</b>	<p><u>Highways and Transportation:</u></p> <p>KCC supports SDC's approach to increase the density of housing provision where these will meet housing need and lead to properly planned for provision within the borough supported by the</p>

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	capacity studies. The Kent Transport Model (KTM) which is being utilised by SDC will provide a transport evidence base to inform decisions over housing quantities and locations.
<b>Sevenoaks Railway Station</b>	<u>Highways and Transportation:</u>  Sevenoaks Railway Station is a key sustainable transport hub and as such is considered a good location for growth and increased densities with appropriate parking standards and investment in enhancing public transport and walking and cycling infrastructure provision. The extent of the development area can be informed by the KTM.
<b>Chapter 3: Employment and Economy</b>	
<b>Policy TLC1 Town and Local Centres / TLC2 Town Centre Development Management / TO1 Tourism and the Visitor Economy</b>	<p>The County Council would suggest 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, cultural 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><u>PRoW:</u> The County Council welcomes Policy TLC1 and the promotion of walking and cycling; and Policy TLC2, which encourages access via sustainable modes of transport. It also appreciates the various references to promote sustainable access in town centres - whilst access within towns will often not be specifically use PRoW, the Plan's support for sustainable access will contribute to changing cultures and, over time, should see more people adopt these modes for local journeys, which is a goal of the County Council.</p> <p>Tourism and the visitor economy is an important economic driver for the District. Paragraph 3.24 recognises the contribution of PRoW and Figure 3.6 recognises National Trails (though the district has only one, the North Downs Way; there is also a Regional Trail, the Greensand Way). Policy TO1 seeks to encourage access to tourism sites 'by a range of means of transport including walking, cycling and by public transport' but acknowledges the limitation that existing infrastructure does not always exist. The County Council would request that proposals for new or enhanced visitor activities provide or contribute to sustainable access infrastructure so that, in time, these options are available.</p>
<b>Chapter 4 Climate Change</b>	
<b>General Commentary</b>	<p><a href="#">Kent and Medway Energy and Low Emissions Strategy</a> seeks to ensure that the decisions and plans embrace clean growth and allow the development of a clean, affordable and secure energy future – the County Council would recommend consideration of this strategy and the <a href="#">County Council's Environment Strategy</a> during the development of the Local Plan for the District.</p> <p><u>PRoW:</u></p> <p>The chapter's opening statement makes clear sustainable transport and active travel have a part to play to achieve this policy goal within the District and this is supported by Objective OB5. The County Council notes that this is dependent on there being suitable sustainable infrastructure available.</p> <p><u>Sustainable Urban Drainage Systems (SuDS):</u></p> <p>The County Council, as Lead Local Flood Authority notes that there appears to be no mention of brownfield sites when considering flooding / SuDS. The County Council would normally expect an approach for developments on brownfield sites which to seeks to reduce existing discharge rates to the equivalent Green Field Run off rate, thus freeing up capacity in existing surface water 'networks' and generally assisting with reducing flood risk. Further advice can be found in in the County Council Drainage and Planning Policy document (Appendix 1).</p>
<b>Policy CC1 Climate Change</b>	<p><u>PRoW:</u></p> <p>Policy CC1 is welcomed by the County Council in respect of PRoW, seeking to 'Minimise carbon emissions where possible through effective spatial planning by promoting sustainable development, supporting local services and facilities, and sustainable movement'.</p> <p><u>SuDS:</u></p> <p>The County Council is pleased to note that policy CC1 actively encourages the incorporation of sustainable drainage systems and avoiding areas at risk of flooding. It is noted that a Supplementary Planning Document (SPD) in regard to Climate Change will be available to support this policy - KCC as Lead Local Flood Authority would be willing to provide advice and assistance in its</p>

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	preparation.
<b>Policy W1 Flood Risk</b>	<p><u>SuDS:</u></p> <p>The policy defines the requirements for when a Flood Risk Assessment is required with regards to fluvial flood risk. The County Council notes that this fails to mention the requirement for sites which are “less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (for example from commercial to residential), where they could be affected by sources of flooding other than rivers and the sea (for example surface water drains, reservoirs)”<sup>1</sup>. The issue is that this refers to all risks of flooding not just purely fluvial – therefore if a site was to shown to be at risk from surface water flooding and less than 1Ha - KCC would expect for an FRA to be produced. This is also relevant for Policy W2.</p> <p>The County Council also request that this policy section also includes the requirements of the sequential / exception test.</p>
<b>Policy W2 Sustainable Drainage</b>	<p><u>SuDS:</u></p> <p>The policy requires that “All developments must incorporate natural flood alleviation measures and sustainable drainage provision which mimics natural flows and drainage pathways and ensures that surface water run-off is managed as close to its source as possible.”</p> <p>Further to this, KCC would add that ‘Drainage schemes should be designed to follow existing drainage flow paths and catchments and retain where possible existing watercourses and features’. By mimicking the natural drainage flow paths and working within the landscape, more effective and cost-efficient design can be developed. It would be beneficial to the aspirations of the policy if this could be included.</p> <p>In association with this KCC would further state that by working with existing natural gradients the reliance on pumped drainage can be avoided, with its associated energy use and failure risk. SDC may wish to consider this with regards to their climate change policies.</p> <p>Whilst appreciative that the policy requires for all developments to “incorporate natural flood alleviation measures” it would be useful if further consideration/encouragement is given to the use of public open space for the management of surface water and the multiple benefits (for example amenity, biodiversity, water quality) that this can provide.</p> <p>In association with this it would be useful if SDC could confirm categorically if the use of open space for surface water management can be utilised and that the space taken is not done so at the preclusion of the open space allocation. Alternatively, SDC may wish to consider if there would be specific requirements in order to maintain the open space allocation e.g. to only be used for surface water management of events over the 1:30 year rainfall event. The County Council as Lead Local Flood Authority would be happy to have further discussions with SDC regarding this matter.</p>
<b>Chapter 5: Design</b>	
<b>General Commentary</b>	The County Council supports the objective of promoting quality design in the built environment and actively encourages well designed places that consider and prioritise local context; distinctive identity; coherent built form; high-quality placemaking; intelligent movement and connectivity; sustainable homes and buildings; lifetime use; and preserves natural resources.
<b>Policy DE1 Delivering Design Excellence</b>	<p><u>PRoW:</u></p> <p>Policy DE1 seeks to require all new development to create well-designed places that promote sustainable and healthy communities. The proven benefits of safe and secure space, having green space in close proximity, and convenient walking and cycling access, is widely documented. In developing new Design Codes (Objective OB7), the County Council would ask that access for non-motorised users to be given considerable regard.</p>
<b>Chapter 7: Historic Environment</b>	
<b>Strategic Objective OB16</b>	<u>Historic Conservation:</u>

<sup>1</sup> <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications#when-you-need-an-assessment>



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	<p>The County Council supports this strategic objective. However, it is the County Council's view that the accompanying text underestimates the role that the historic environment can play. In addition to the benefits listed, the historic environment also contributes to social cohesion and public health. Heritage assets can act as a mechanism for bringing groups and communities together. People want to be proud of where they live, and the historic environment can act as a catalyst for engendering and reawakening local pride by strengthening and celebrating the self-image of communities. The heritage of a place is an identifying link that brings people together. Heritage-led regeneration also has a role to play in helping to reduce social exclusion in modern developments. Historic buildings come in all shapes and sizes. Just as they can break up the sometimes monotonous shape of a modern development, so they can help to break up the monotony of the social structures.</p> <p>The historic environment also has a role to play in public health. The current and substantial pressures faced by health and social care demand a search for innovative solutions to continue meeting the demands of a modern population over the coming years. Besides funding, the greatest challenges to health and social care systems come from an ageing population and the prevalence of long-term and complex conditions. There is presently an ongoing shift from an acute and hospital-centred, illness-based system to a person-centric, health-based system that will rely upon individual and community assets. 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. 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.</p> <p>In 2017, SDC published its Historic Environment Review document. Section 6.3.3 states “6.3.3 <i>The District's legacy has been handed down through the generations, but it cannot be taken for granted. Some of that inheritance is under greater threat than ever before, and its future cannot be taken for granted. There is an important story to tell, and it is strongly recommended that the Council prepare an overarching heritage strategy which articulates the historic character and evolution alongside reference to the spectrum of strategies and potential projects which would enable more effective protection, celebration and enhancement of the historic environment.</i>” The County Council is not aware of the Sevenoaks Heritage Strategy having been developed and this is reflected in the draft Local Plan policies which do not fully describe the role that the District's heritage can play in life in the area and explain how it can contribute to health and wellbeing, the economy, social inclusion, education for example. KCC would ask that SDC develop the Heritage Strategy as the SDC Historic Environment Review recommended at the earliest opportunity.</p> <p>In addition, the final section of the Historic Environment Review summarises the range of vulnerabilities and opportunities offered by the District's historic environment and emphasises that the Local Plan must do more than simply underline the need for conservation and enhancement. Paragraph 6.1.5 of the Historic Environment Review states “<i>It is recommended that the thematic framework and individual themes and sub-themes form a reference tool for policy purposes in the emerging Local Plan and other corporate strategies. Section 6.3 makes specific recommendations from a planning perspective, and it is clear that the Local Plan should make deeper, more nuanced reference to the historic environment. This will embed a more holistic and positive attitude to the value of the historic environment, and help to facilitate an earlier, more proactive incorporation of heritage in the planning process with respect to place-making, design work and planning decisions.</i>”</p> <p>At present the policies in the draft Local Plan do not make this “<i>deeper, more nuanced reference to the historic environment</i>” and are focused on broad categories of heritage asset. This limits the positive role that heritage can play in life in the District, and KCC would encourage SDC to ensure that the historic environment is more deeply integrated into Local Plan and its policies.</p>
<p><b>Policy HEN1 Historic Environment / HEN2 Protecting and enhancing the historic environment</b></p>	<p><u>Historic Conservation:</u> The County Council considers that it is currently unclear how the goals of these two policies differ from one another and KCC suggest that the two could be amalgamated unless the intention is to make HEN1 relate to the wider historic environment and HEN2 to heritage assets - If so, keeping them distinct is considered agreeable.</p> <p>The text correctly identifies several relevant policies and sources of supporting information, including the Historic Environment Review and the Historic Environment Record, but it does not say what SDC wishes to achieve by these policies except for the general conservation and enhancement of the historic environment.</p> <p>The Local Plan should identify what makes the heritage of the District special and explain how the District Council will use the policies in the Local Plan to conserve and enhance this significance. It should explain how other policies e.g. on rural development, green space, the natural environment and sustainable design will respect and take advantage of the historic environment to improve the quality of development in the District. The NPPF states that:</p> <p><i>“Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:</i></p> <ul style="list-style-type: none"> <li><i>a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;</i></li> <li><i>b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;</i></li> </ul>



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	<p>c) <i>the desirability of new development making a positive contribution to local character and distinctiveness; and</i></p> <p>d) <i>opportunities to draw on the contribution made by the historic environment to the character of a place. “</i></p> <p>At present the range of policies proposed for the Local Plan addresses some, but not all, of these needs. Policies are proposed for managing change, archaeology, locally listed buildings, responding to climate change, shop fronts and historic parks and gardens. There are, however, no policies on Conservation Areas or built heritage generally, development in rural areas or historic landscape issues, except in as much as they may be included in the catch-all Policy HEN2. There doesn't seem to be a recognition of <i>“the wider social, cultural and environmental benefits that conservation of the historic environment can bring”</i>. If there are not to be specific policies for these issues in the Historic Environment section, then it is imperative that they are fully included in the Design, Health and Well-being and Natural Environment policies. Again, some of these could be more fully addressed by the full Heritage Strategy. KCC would recommend that the policy includes a clause:</p> <p><i>“Implement the recommendations of the emerging Sevenoaks Heritage Strategy”</i></p>
<p><b>Policy HEN3</b> <b>Sensitively managing change in the historic environment</b></p>	<p><u>Historic Conservation:</u></p> <p>The County Council is supportive of the general goals of this policy. Key to its success will be ensuring that the policy includes all aspects of the historic environment, not just designated assets but non-designated assets and the historic landscape more generally.</p> <p>Change in rural areas should certainly be managed sensitively. 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. Historic England, the County Council and Kent Downs AONB Unit 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 <a href="#">Kent Farmsteads Guidance</a> has been endorsed by the County Council and it is recommended that SDC considers adopting the guidance as SPD, as part of the Local Plan process. The County Council would be happy to discuss this further.</p> <p>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 Survey (2001) is an important resource for understanding the landscape of Kent and its development through time. The County Council would emphasise, however, that the HLC is a strategic, not local, assessment. It allows a 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 small scale. It is not appropriate, therefore, to use the HLC data alone to inform specific development proposals or to identify potential development sites. To assess the historic landscape in a detailed way it is necessary to refine the existing HLC further. Tunbridge Wells Borough Council has recently undertaken this exercise. The County Council would willing to discuss this matter further.</p> <p>In addition, it should be reinforced that features within the historic landscape may also be heritage assets in their own right.</p>
<p><b>Policy HEN4</b> <b>Archaeology</b></p>	<p><u>Historic Conservation:</u> The County Council welcomes inclusion of a policy on Archaeology which will help explain why archaeology is important and the Council's approach to the conservation and enhancement of its historic environment. Archaeological policies can be difficult to write for organisations – the County Council has therefore provided some example wording below and would be willing to discuss this further with SDC accordingly.</p> <p><i>“The Council will promote the enjoyment of Sevenoaks’ archaeological resource through the protection and enhancement of archaeological sites, monuments and historic landscape features, and will seek to encourage and develop their educational, recreational and tourist potential through research, public access, management and interpretation.</i></p> <p><i>Where possible developers should seek to use Sevenoaks’ archaeological assets to shape their development proposals, provide interest and character and protect the assets.</i></p> <p><i>The framework for the management and enjoyment of Sevenoaks’ archaeological heritage will be is the Sevenoaks Heritage Strategy (to be forthcoming early in the plan period).</i></p> <p><i>Development proposals affecting heritage assets with an archaeological interest must be accompanied by a desk-based assessment, and if necessary by archaeological fieldwork, that :</i></p> <ul style="list-style-type: none"> <li><i>• Characterises the nature, extent and condition of the archaeological deposits in the development area</i></li> </ul>



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	<ul style="list-style-type: none"> <li>Assesses the significance of the deposits and the contribution made by their setting</li> <li>Describes and assesses the impact of the development proposals on the archaeological deposits, their significance, and their setting</li> <li>Describes how the archaeological deposits will be protected during development. Where this is not possible the assessment should clearly justify why this is not possible and should describe the proposals for mitigating any impacts</li> </ul> <p>Development proposals leading to substantial harm to the archaeological interest of designated heritage assets such as Scheduled Monuments, Registered Parks and Gardens, Protected Military Remains or heritage assets of comparable significance will normally be refused.</p> <p>Where development proposals affect non-designated heritage assets with an archaeological interest, the District Council would expect the archaeological deposits to be preserved in-situ. Where this is not possible clear justification will be required. Where the justification is accepted a programme of archaeological recording may be required to be carried out. The fieldwork will be appropriate to the significance of the archaeological deposits and must be carried out by an appropriately qualified contractor following a written specification agreed by the District Council. The programme will include all phases of desk-based and fieldwork, post-excavation analysis, publication of the results and deposition of the site archive in an appropriate repository.”</p>
<p><b>Policy HEN5 Locally listed buildings</b></p>	<p><u>Historic Conservation:</u> The County Council supports this policy goal but would emphasise that it should include all aspects of the historic environment such as historic buildings, urban features, archaeological sites, green spaces and the historic landscape, not just buildings as it currently suggests. All have the potential to contribute to local distinctiveness and character and must be regarded as eligible for locally listed status. This would also make the policy compliant with SDC’s own Local List SPD. The Local List SPD makes it clear that the creation of the local list derives from Policy SP1. Policy SP1 specifically lists ‘archaeological remains’ among the heritage assets to be conserved by the local plan but archaeological remains have somehow been excluded from the Local List SPD. KCC would suggest that this be rectified so that locally valued archaeological sites can be protected in the same way as locally valued historic buildings.</p> <p>The County Council would also suggest that the Historic Environment Record be identified as the appropriate repository of information about locally listed assets so that it is available to all those preparing development proposals in the District.</p>
<p><b>Policy HEN6 Responding to climate change in the historic environment</b></p>	<p><u>Historic Conservation:</u> The County Council welcomes a policy on this issue. The historic environment has a significant role to play in the conservation of resources required for development, and also in energy efficiency. Old buildings can often be more energy efficient than newer ones and of course have already been built. Thus, at times, 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 a range of guidance on the role that heritage can play in mitigating climate change and historic building adaptation (<a href="#">‘Climate Change Adaptation Report’</a> (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 <a href="#">‘There’s no Place Like Old Homes : re-use and Recycle to Reduce Carbon’</a> (Historic England 2019). This could usefully be highlighted in the accompanying text. The County Council is also preparing a project to consider the heritage of Kent in light of climate change. This will complete in 2023/4 and KCC would be happy to share the results with the District Council when ready.</p> <p>A second issue of relevance that should be mentioned here is the role that Sustainable Drainage Systems can have on buried archaeological remains as these are an important response to climate change. SuDS may have both direct and indirect impacts on the historic environment. Direct impacts could include damage to known heritage assets – for example if a historic drainage ditch is widened and deepened as part of SuDS works. Alternatively, they may directly impact on unknown assets such as when SuDS works damage buried archaeological remains. Indirect impacts are when the ground conditions are changed by SuDS works, thereby impacting on heritage assets. For example, using an area for water storage, or improving an area’s drainage can change the moisture level in the local environment. Archaeological remains in particular are highly vulnerable to changing moisture levels which can accelerate the decay of organic remains and alter the chemical constituency of the soils. Historic buildings are often more vulnerable than modern buildings to flood damage to their foundations.</p> <p>When SuDS are planned it is important that the potential impact on the historic environment is fully considered and any unavoidable damage is mitigated. This is best secured by early consideration of the local historic environment following consultation with the Kent Historic Environment Record (HER) and by taking relevant expert advice. The County Council has recently produced guidance for SuDS and the historic environment, which can be provided upon request. It provides information about the potential impact of SuDS on the historic environment, the range of mitigation measures available and how developers should proceed if their schemes are believed likely to impact on heritage assets.</p>
<p><b>Policy HEN8 Historic Parks and Gardens</b></p>	<p><u>Historic Conservation:</u></p> <p>The County Council welcomes a policy on this matter.</p>



**Sevenoaks Local Plan Regulation 18 Consultation.  
Kent County Council Response (January 2023)**

Policy/Paragraph	Commentary
<b>Chapter 8: The Natural Environment</b>	
<b>General Commentary</b>	<p>The County Council recommends reference to <a href="#">Kent's Plan Bee</a>, a pollinator action plan developed by the County Council that seeks to improve the food sources and general habitat for pollinators.</p> <p><b>P</b></p> <p><u>PRoW:</u></p> <p>The County Council welcomes the recognition within paragraph 8.11 that PRoW and cycle routes are part of the District's Blue Green Infrastructure Network.</p>
<b>Policy BW1 Safeguarding Places for Wildlife and Nature</b>	<p><u>Biodiversity:</u></p> <p>The County Council agrees that locally designated sites should be protected from development. Where locally designated sites are within the red or blue line boundary, they should be enhanced as part of any development. This should be over and above any mitigation which may be required.</p>
<b>Policy BW2 Biodiversity in New Development</b>	<p><u>Biodiversity:</u></p> <p>The County Council is supportive of the 20% Biodiversity Net Gain (BNG) target, where viability assessments demonstrate that it achievable.</p> <p>In addition to BNG, developments must demonstrate that they are incorporating enhancement features into the site. The proposed policy must ensure that the on site BNG requirement will be appropriately managed and retained for the lifetime of the development. Off-site BNG must not be restricted to the SDC area. Benefits to the district can be implemented through the creation/enhancement /management of areas outside of the district.</p> <p>The County Council would encourage SDC to include a policy requiring a minimum number of enhancement features to be included within the buildings and the sites. The number must be associated by the size of the site/number of dwellings - Brighton and Hove are proposing something similar and the District Council is encouraged to have consideration of this<sup>2</sup></p>
<b>Chapter 9: Infrastructure and Community</b>	
<b>General Commentary</b>	<p><u>Development Investment:</u></p> <p><u>CIL and S106</u></p> <p>The County Council seeks continued engagement with the District Council to ensure that Section 106 Planning Obligations secure essential county infrastructure alongside the CIL to mitigate the impacts of development. The County Council notes the reference made in respect of Policy ED1 on this matter but would draw the District's attention to the other key infrastructure and services also provided by the County Council which contribute to sustainable growth. The County Council seeks further collaboration with the District Council to ensure that necessary infrastructure is planned for, funded and delivered in a timely manner and draws attention to the current discussions regarding the use of the CIL / Section 106 agreements within the District.</p> <p><u>Ring fencing of CIL</u></p> <p>KCC is concerned that a large proportion of CIL money is set aside for all Parish and Town Councils (25%) whether there is a neighbourhood plan in place or not, as this means less CIL is likely to be available to support strategic infrastructure projects. To date, CIL monies has been mainly supported community projects in Sevenoaks. KCC's concern is that by adopting a higher percentage to be paid to Parishes and Community projects that the amount available to strategic projects is reduced. With repeated references throughout SDC's Plan 2040 documentation towards sustainability, the County Council would encourage the percentage split between community and essential infrastructure projects to be realigned so that sustainability can be achieved and much needed infrastructure projects be funded.</p> <p>The County Council would encourage SDC to consider the following:</p>

<sup>2</sup> : [https://consultations.brighton-hove.gov.uk/planning/draft-bnc-spd-consultation/supporting\\_documents/BNC%20SPD%20FINAL.pdf](https://consultations.brighton-hove.gov.uk/planning/draft-bnc-spd-consultation/supporting_documents/BNC%20SPD%20FINAL.pdf) See 6.3 and 6.5 for examples.

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	<p>1. In line with most CIL authorities, ring fence 75 – 85% of CIL to meet the infrastructure requirements of statutory service providers including infrastructure necessary to facilitate new developments;</p> <p>2. Provide a mechanism for accruing CIL to enable very large contributions to major infrastructure projects; and</p> <p>3. State through their Infrastructure Delivery Plan where there is a funding gap. KCC suggests that this may have to be met by s.106 obligations (subject to heavily scrutinised developer viability claims) pending the SPD and the new local plan.</p> <p><u>Education:</u></p> <p>The County Council, as Local Education Authority has reviewed the information provided to date and would raise the following commentary. The County Council would encourage joint working through the Local Plan process to ensure the provision of necessary education is planned for, funded and delivered in a timely manner. Based on the number cited by SDC in the Reg 18 consultation, there will be a clear need for new secondary schools in Sevenoaks District (with one likely to be required in or near Sevenoaks town). The focus on housing provision in the Sevenoaks District urban areas and fringes, suggest that any new Secondary school would have to be sited on green belt land in view of the required land take.</p> <p><i>Primary Capacity</i></p> <p>Across Sevenoaks District, KCC currently has surplus capacity. The table below shows the forecasted surpluses over the next ten years but <b>does not take into account</b> any new demand from any new housing (agreed planning or awaiting planning). The amount of surplus will therefore reduce rapidly with any new housing.</p> <p>The table below indicates the forecasted spare capacity numbers for Years R to 6 (whole school) for all primary schools in Sevenoaks District.</p> <table border="1"> <thead> <tr> <th>Planning Group name</th> <th>2023-24</th> <th>2024-25</th> <th>2025-26</th> <th>2026-27</th> <th>2027-28</th> <th>2028-29</th> <th>2029-30</th> <th>2030-31</th> <th>2031-32</th> </tr> </thead> <tbody> <tr> <td>Swanley</td> <td>130</td> <td>161</td> <td>157</td> <td>158</td> <td>170</td> <td>167</td> <td>159</td> <td>168</td> <td>139</td> </tr> <tr> <td>Sevenoaks Rural North</td> <td>157</td> <td>159</td> <td>110</td> <td>94</td> <td>69</td> <td>46</td> <td>33</td> <td>20</td> <td>9</td> </tr> <tr> <td>Hartley and New Ash Green</td> <td>18</td> <td>45</td> <td>28</td> <td>32</td> <td>41</td> <td>53</td> <td>73</td> <td>73</td> <td>72</td> </tr> <tr> <td>Sevenoaks Northern Villages</td> <td>234</td> <td>234</td> <td>238</td> <td>237</td> <td>234</td> <td>231</td> <td>239</td> <td>243</td> <td>246</td> </tr> <tr> <td>Sevenoaks East</td> <td>102</td> <td>122</td> <td>111</td> <td>105</td> <td>97</td> <td>83</td> <td>78</td> <td>66</td> <td>48</td> </tr> <tr> <td>Sevenoaks</td> <td>257</td> <td>344</td> <td>392</td> <td>471</td> <td>529</td> <td>544</td> <td>579</td> <td>590</td> <td>551</td> </tr> <tr> <td>Westerham</td> <td>239</td> <td>236</td> <td>231</td> <td>236</td> <td>233</td> <td>225</td> <td>229</td> <td>232</td> <td>232</td> </tr> <tr> <td>Edenbridge</td> <td>192</td> <td>168</td> <td>104</td> <td>50</td> <td>15</td> <td>-36</td> <td>-35</td> <td>-34</td> <td>-59</td> </tr> <tr> <td>Sevenoaks Rural South East</td> <td>71</td> <td>74</td> <td>88</td> <td>106</td> <td>122</td> <td>128</td> <td>124</td> <td>131</td> <td>139</td> </tr> <tr> <td><b>Sevenoaks District</b></td> <td><b>1,402</b></td> <td><b>1,543</b></td> <td><b>1,459</b></td> <td><b>1,490</b></td> <td><b>1,509</b></td> <td><b>1,439</b></td> <td><b>1,479</b></td> <td><b>1,489</b></td> <td><b>1,377</b></td> </tr> </tbody> </table> <p>A map of Sevenoaks Primary Planning Groups is at Appendix 2.</p> <p>The issue for Sevenoaks District primary provision is that despite their being significant surplus capacity, it is not concentrated in any single planning group and is spread across the District. Some areas may need additional provision after the addition of only a small number of new dwellings, while others could absorb more, before the pinch is felt.</p> <p><i>Secondary Capacity</i></p> <p>The primary situation above is not replicated at secondary level. There are three non-selective secondary schools in Sevenoaks District and two annexes of Grammar provision. All are full and there is currently no realistic opportunity for significant expansion of any of them. Therefore, any new housing will create demand which cannot be absorbed in existing provision thereby requiring new secondary provision.</p> <p>The table below indicates the forecasted numbers for Years 7 to 11 (whole school, not including sixth form) for all secondary schools in the planning groups that affect Sevenoaks District without any</p>	Planning Group name	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	Swanley	130	161	157	158	170	167	159	168	139	Sevenoaks Rural North	157	159	110	94	69	46	33	20	9	Hartley and New Ash Green	18	45	28	32	41	53	73	73	72	Sevenoaks Northern Villages	234	234	238	237	234	231	239	243	246	Sevenoaks East	102	122	111	105	97	83	78	66	48	Sevenoaks	257	344	392	471	529	544	579	590	551	Westerham	239	236	231	236	233	225	229	232	232	Edenbridge	192	168	104	50	15	-36	-35	-34	-59	Sevenoaks Rural South East	71	74	88	106	122	128	124	131	139	<b>Sevenoaks District</b>	<b>1,402</b>	<b>1,543</b>	<b>1,459</b>	<b>1,490</b>	<b>1,509</b>	<b>1,439</b>	<b>1,479</b>	<b>1,489</b>	<b>1,377</b>
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	4,000	1,120	5	3	800	5	1 x 6FE															
	3,000	840	4	2	600	4	1 x 6FE															
	<p><i>Type of Dwellings</i></p> <p>Following on from an explanation of PPR, KCC would point out that the types and size of homes will also affect demand.</p> <p>For example, a hundred dwellings with a high percentage of one or two bedrooms flats would likely generate fewer pupils/students than a hundred 3, 4 or 5 bedroomed homes.</p> <p>KCC would therefore seek early sight of any masterplans to enable robust planning for education.</p> <p><i>Cost of New Build and Land Requirement</i></p> <p>The current costs and land requirement for the delivery of education provision is set out below. This is subject to change and SDC should engage with the County Council accordingly.</p> <table border="1"> <thead> <tr> <th>Build</th> <th>Cost Range</th> <th>Land Required circa</th> </tr> </thead> <tbody> <tr> <td>New 1FE primary school</td> <td>£7m to £8m</td> <td>1.05ha</td> </tr> <tr> <td>New 2FE primary school</td> <td>£8m to £9.5m</td> <td>1.7ha to 2.05ha</td> </tr> <tr> <td>New 6 FE secondary school</td> <td>£30m to £35m</td> <td>5.5ha to 7ha</td> </tr> <tr> <td>New 8FE secondary school</td> <td>£35m to £40m</td> <td>7ha to 8ha</td> </tr> </tbody> </table> <p><i>Special School Provision (SEND)</i></p> <p>The c.13,000 new homes proposed through this Local Plan would also indicate a significant new demand for Special School places. SEND forecasting is calculated differently from mainstream forecasting, but KCC would expect to see a requirement for approximately 400 new Special School places, or two new special schools. The estimated cost of 2 x 200 place Special School would be expected to be in the region of about £50m – engagement is again requested on this point.</p> <p><i>Early Years Provision</i></p> <p>KCC would also seek to flag up Early Years provision. The delivery of c.13,000 new homes would create a huge demand for Nursery and Early Years provision. KCC would advise that SDC and/or developers seek advice from the KCC Early Years Sufficiency Team<sup>3</sup>.</p> <p><i>Net Zero Ambition</i></p> <p>KCC supports SDCs ambition towards Net Zero Carbon, by making fewer journeys by motor transport. One way of achieving this is to ensure that for the movement of school children to and from their school, is to site any new schools very close to the community they serve.</p> <p>Where feasible, KCC would recommend that primary school aged children do not travel more than two miles to their primary schools. The distance for secondary is less of a constraint, although it would not be ideal for secondary students to be travelling long distances to and from school.</p> <p>The County Council would recommend this matter is considered as part of the Local Plan process.</p>							Build	Cost Range	Land Required circa	New 1FE primary school	£7m to £8m	1.05ha	New 2FE primary school	£8m to £9.5m	1.7ha to 2.05ha	New 6 FE secondary school	£30m to £35m	5.5ha to 7ha	New 8FE secondary school	£35m to £40m	7ha to 8ha
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<sup>3</sup> KCC Early Years Sufficiency Team - [Marilyn.Okoli@theeducationpeople.org](mailto:Marilyn.Okoli@theeducationpeople.org) and [Jenny.Stickens@theeducationpeople.org](mailto:Jenny.Stickens@theeducationpeople.org)



**Sevenoaks Local Plan Regulation 18 Consultation.  
Kent County Council Response (January 2023)**

Policy/Paragraph	Commentary
	<p><i>Developer Viability</i></p> <p>The County Council seeks to ensure that the sustainability of a site is balanced appropriately against viability. The County Council would urge the District Council to ensure that development allocations are sustainable, and do not require a reduction in the level of infrastructure provision to make them so at planning application stages.</p> <p><i>CIL and Section 106 Agreements</i></p> <p>The County Council has advised the District Council that the CIL is not sufficient to cover the cost of new schools – section 106 agreements are the only (current) effective way of securing the delivery of education infrastructure. The County Council would therefore request that education infrastructure is secured through section 106 agreements as opposed to the CIL.</p>
<p><b>Strategic Objective OB19</b></p>	<p><u>Development Investment:</u></p> <p>The County Council notes the bullet points on page 110 which outline the different types of infrastructure. The County Council would request confirmation that these have not been listed in order of priority.</p> <p>Within this Strategic Objective, the District Council should recognise that Section 106 agreements must be used alongside the CIL to secure necessary infrastructure to support sustainable development.</p> <p>The County Council would also welcome further engagement and be a part of the commitment of the District Council to work with stakeholders in the addressing of barriers that prevent necessary infrastructure being delivered.</p>
<p><b>Policy Infrastructure Delivery</b></p> <p><b>IN1</b></p>	<p><u>Development Investment:</u></p> <p>The County Council recommends that the District Council should also explore central Government funding streams to deliver the infrastructure necessary to support growth within the Local Plan.</p> <p>To deliver infrastructure, the County Council would also request that the Local Plan allows for a more vigorous examination of an applicant's financial viability reporting should be carried out. A financial viability statement that claims that neither affordable housing or education infrastructure is unaffordable within a development scheme should raise a fundamental question as to whether the development is sustainable. The applicant viability claim should not lead to permissions to grant approval that subsequently pushes the cost of infrastructure mitigation onto the statutory deliverer. Developers must accept responsibility for their developments impact on infrastructure need.</p> <p>In the balancing of infrastructure requirements, the District Council is urged to have consideration of those infrastructure requirements which are considered to be critical to the needs of communities to function sustainably – this includes consideration of services and infrastructure provided by the County Council which impact both people and the environment.</p> <p><u>PRoW:</u></p> <p>Policy IN1: Infrastructure Delivery states '<i>new development makes a contribution towards infrastructure needs arising from development, facilitating necessary infrastructure on or off site</i>'. Recognition of the need to deliver infrastructure 'off site' is vital as access between destinations is rarely limited to a single environment. The County Council will expect to secure commitments from developments through the Community Infrastructure Levy and Section 106 legal agreements to fund and/ or deliver improvements to the PRoW network.</p> <p>Paragraph 9.5 recognises the need for infrastructure to be delivered on occasions ahead of development. The County Council is strong advocate of the infrastructure first approach which can promote positive transport choices from the occupation of new developments where sustainable transport modes are offered from the outset.</p>
<p><b>Policy OS1 Open Space and Recreation</b></p>	<p><u>Biodiversity:</u></p> <p>The County Council considers that there a need to ensure that open space and Biodiversity Net Gain are considered in conjunction with each other. Open space can provide opportunities for BNG</p>

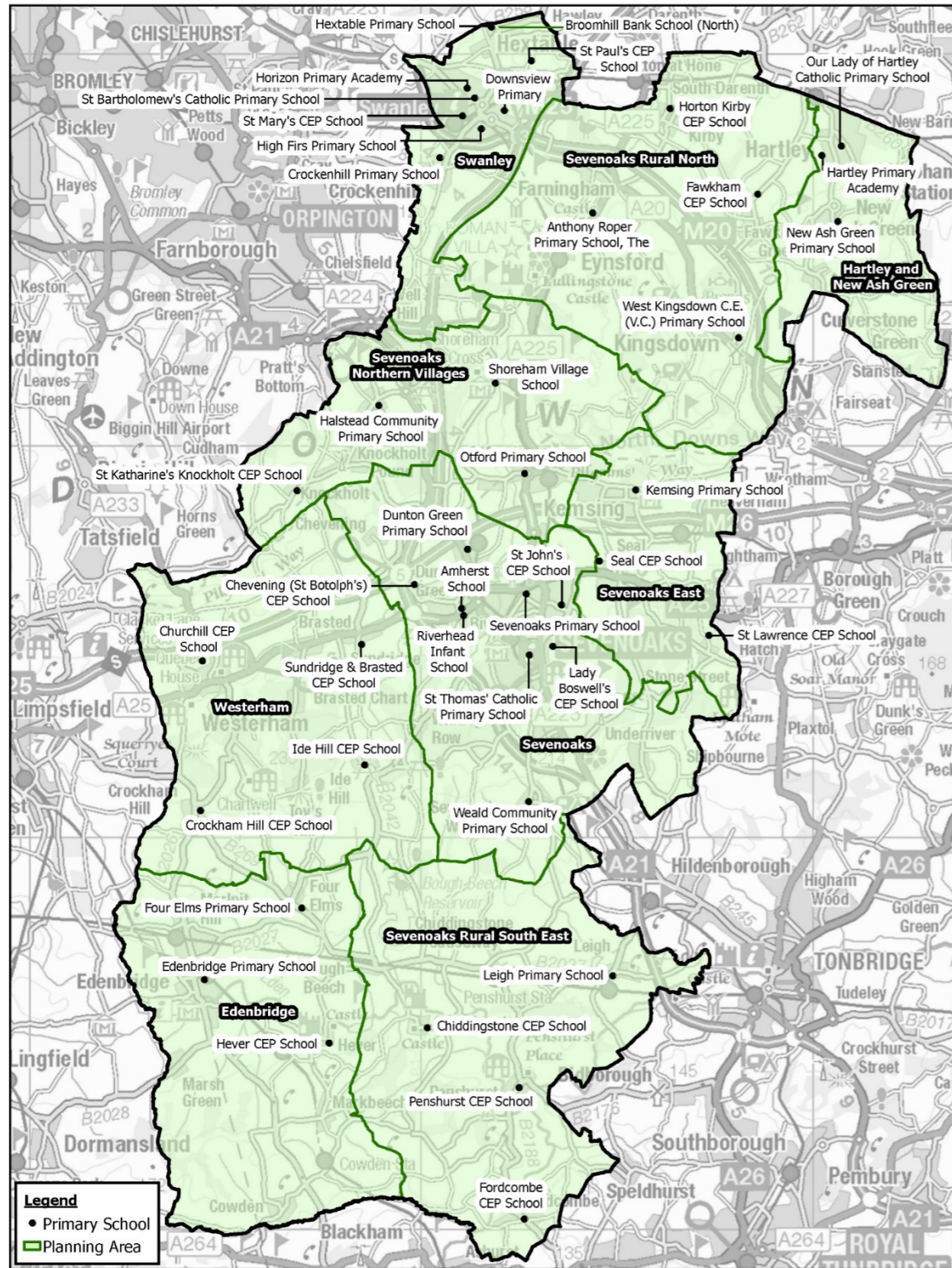


**Sevenoaks Local Plan Regulation 18 Consultation.  
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Policy/Paragraph	Commentary
	but there is a need to be realistic about how much BNG can be achieved within areas that have heavy recreation.
<b>Policy ED1 Education</b>	<p><u>Development Investment:</u></p> <p>The County Council would encourage early, meaningful and constructive engagement regarding education provision to ensure it is identified and secured through Local Plan policy accordingly. Explicit reference to SEND provision also recommended within this section.</p>
<b>Policy SL1 Sports and Leisure Facilities</b>	<p><u>Sports and Leisure (Active Kent):</u></p> <p>A question is raised as to whether the District Council is planning on revising their Playing Pitch Strategy (PPS) – which would be well received. Multi sport polices, as well as a focus on engaging the underrepresented groups, tackling inequalities, and equal access for women &amp; girls would be supported alongside a Local Football Facility Plan (LFFP) refresh which could support local priorities around sport, physical activity, health and wellbeing. The District Council is recommended to consider the following:</p> <ul style="list-style-type: none"> <li>• Football: Investment from Football Foundation and F.A. driven through LFFP <a href="https://localplans.footballfoundation.org.uk/local-authorities-index/sevenoaks/sevenoaks-executive-summary/">https://localplans.footballfoundation.org.uk/local-authorities-index/sevenoaks/sevenoaks-executive-summary/</a>. Sevenoaks is short of five 3g pitches the largest demand in the County.</li> <li>• Cricket: Sevenoaks currently only has access to a softball indoor cricket league due to a lack of suitable indoor space for hardball match play. There is potential for a solution with a combination of community usage agreements and upgrades to existing facilities. Cricket clubs in the area are growing at junior and senior level and both male and female. This is mirrored in neighbouring authorities (Bromley, Tunbridge Wells and Tonbridge) which is placing greater demand on existing facilities.</li> <li>• Tennis: Pay and play opportunities have increased in the Sevenoaks area in park venues such as Hollybush Park and Swanley Rec Park however still opportunity to increase pay and play/community use/access within education establishments.</li> </ul>
<b>Chapter 10: Transport</b>	
<b>Policy T1 Sustainable Movement Network / Policy T2 Cycling and Walking</b>	<p><u>PRoW:</u></p> <p>This policy is welcomed for supporting the incorporation, enhancement and creation of cycling and walking routes and provisions within a new development that is connected to the wider transport network'; as is Policy T2: Cycling and Walking for its ambition to enhance cycling and walking routes, including Public Rights of Way. However, it is considered an omission that there is no specific statement of protecting PRoW paths - the County Council expects SDC to both protect and enhance the District's PRoW network and this should be considered within the policy.</p>

Appendix 2: Map of Sevenoaks District Primary Education Planning Areas

**Sevenoaks District Primary Planning Areas**



Management Information, KCC  
06/07/2018

Source - Management Information Schools Database

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