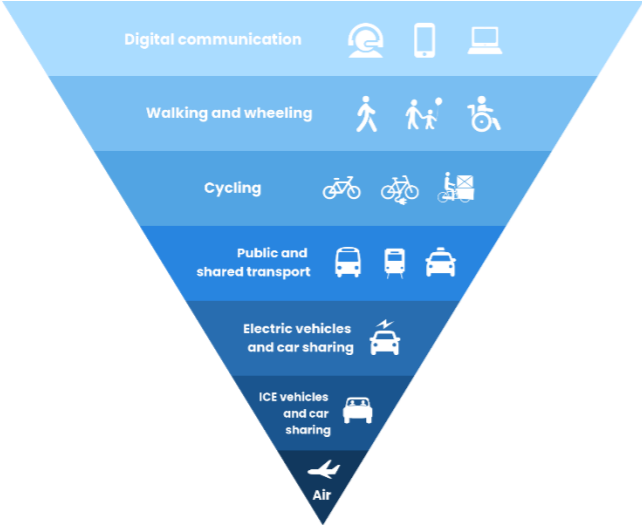


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<b>1. Introduction</b>	
	<p>The County Council recognises that the Borough Council is at the early stages in producing it's Local Plan and appreciates the opportunity to comment early in the Local Plan process. It is noted that within this Regulation 18 consultation, although growth strategies are presented, the Borough Council is not giving any indication at this stage as to whether it has a preferred growth strategy. It is noted that Appendix B provides a list of proposed sites, and aside from initial consideration of these sites within the Interim Sustainability Appraisal Report, there is little consideration as to whether these sites are actually suitable for development. The County Council's response has provided initial commentary on all of the proposed growth strategies put forward but given the lack of detail available for the options presented, this response is not providing detailed feedback or a preferred strategy at this stage. KCC would welcome continued discussions as a preferred growth strategy emerges. The County Council has highlighted that spatial strategy options which propose focusing growth allocations within one area of the Borough are likely to result in considerable infrastructure pressures in the area, unless the development proposed is able to provide critical mass to meet it's own infrastructure need.</p> <p>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 Borough – whilst also considering any cross boundary, strategic implications of growth. The County Council would therefore welcome continued engagement as the growth strategy for the Borough is developed and sites are identified for allocation. The County Council is committed to working with the Borough 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.</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>The response provides general commentary on the relevant sections of the Local Plan. KCC Officers have also sought to provide summary of specific requests for sections and would be willing to discuss the specific requests, and the matters raised in the general commentary further as the Local Plan progresses.</p>
<b>2. Local Context</b>	
<p><b>2.1 What is the spatial portrait of the borough?</b></p>	<p><u>Public Rights of Way (PRoW)</u></p> <p>The County Council is keen to ensure that it's interests are represented in respect of its statutory duty to protect and improve PRoW in the county. The County Council committed to working in partnership with local and neighbouring authorities, councils and others to achieve the aims contained within the KCC <a href="#">Rights of Way Improvement Plan</a> (ROWIP) and the KCC <a href="#">'Framing Kent's Future' strategy</a> for 2022-2026. KCC intends for people to enjoy 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.</p> <p>PRoW is the generic term for Public Footpaths, Public Bridleways, Restricted Byways, and Byways Open to All Traffic. The value of the PRoW network is in providing the means to realise many objectives of the Local Plan being consulted upon - as examples, the PRoW network can enhance community connectivity and cohesion; improve local environments by reducing local traffic congestion and improving air quality; support personal health and well-being of individuals and groups; and support local economies, whether in providing passing trade such as with a cafe, or larger supply businesses as with cycle or equestrian users.</p> <p>The County Council recommends that the Local Plan has more positive regard to the PRoW Network and explicitly references the ROWIP to ensure that partnership working continues to deliver improvements to the PRoW network. The ROWIP is a statutory strategic document that aims to provide a high quality, well maintained public rights of way network, that will support the Kent economy, encourage active lifestyles and sustainable travel choices and contribute to making Kent a great place to live, work and visit.</p> <p>In consideration of the above, the County Council would therefore recommend that in Table 1 'Spatial Portrait', the 577km of PRoW which exists in the Borough be considered and referenced as an asset.</p> <p><i>Specific requests for section 2.1:</i></p> <ul style="list-style-type: none"> <li>• <i>The Local Plan should have more positive regard to the PRoW network.</i></li> <li>• <i>Consideration and explicit reference should be made to the ROWIP.</i></li> </ul>

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	<ul style="list-style-type: none"> <li>Table 1 'Spatial Portrait' should reference the PRow network as an asset of the Borough.</li> </ul>
<p><b>4. Spatial Distribution of Development</b></p>	
<p><b>4.2. How should development be distributed across the borough?</b></p>	<p>At this stage, the County Council is not providing a detailed assessment of each of the growth strategies proposed given the high level nature of the consultation, but does note that a preferred growth strategy is not identified by the Borough Council. The County Council, as a key infrastructure provider would emphasise that any growth strategy progressed will need to be supported by adequate infrastructure. This could be through improvements made to existing infrastructure (including key services and facilities), or through the development of new infrastructure to support the new communities. Either way, growth in the Borough must be supported by infrastructure that is planned for, funded and delivered in a timely manner. In respect of County Council services below, an initial view is provided in respect of the impact of the growth strategies proposed, and the potential considerations for the Borough Council when progressing the Plan towards a preferred growth strategy.</p> <p><u>Highways and Transportation</u></p> <p>The County Council, as Local Highway Authority, notes that at this stage in the Local Plan process, only high level questions regarding the Borough's growth strategy are being considered. KCC would welcome engagement as more detail emerges regarding potential development sites to better understand potential highway impacts and necessary mitigation measures to support sustainable growth.</p> <p>The County Council, as Local Highway Authority notes that areas which, from a highway perspective offer the most sustainable growth solutions include those which have rail and frequent bus services already in place, are close enough to amenities to offer active travel (walking and cycling modes) solutions, yet still offer car travel (although car should not be the preferred choice).</p> <p>The Borough Council should also consider the potential for Active Travel to have wider environmental benefits, for example improving air quality as well as health and wellbeing benefits from new and existing communities.</p> <p>The County Council would also draw attention to the Highway Code, which is placing higher priority on cyclists, pedestrians and horse riders in the hierarchy of road users - in cohesion with the Energy Saving Trust graphic below:</p>  <p>The graphic is an inverted pyramid divided into seven horizontal sections, each representing a mode of transport. From top to bottom, the sections are: Digital communication (with icons of a speech bubble, smartphone, and laptop); Walking and wheeling (with icons of a person walking, a person pushing a stroller, and a person in a wheelchair); Cycling (with icons of a bicycle, a person on a bicycle, and a person on a bicycle with a basket); Public and shared transport (with icons of a bus, a train, and a car); Electric vehicles and car sharing (with an icon of an electric car); ICE vehicles and car sharing (with an icon of a petrol car); and Air (with an icon of an airplane).</p> <p><u>Infrastructure Development</u></p> <p>The County Council acknowledges the Borough Council's understanding that housing affordability is one of the issues affecting the Borough and encourages consideration of how the Local</p>

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	<p>Plan can provide innovative solutions for this issue. The County Council notes that for growth and the provision of infrastructure, it can be more effective if development is allocated within the most sustainable locations in the Borough, where allocations have access to existing infrastructure that has the capacity to meet the needs of the growth or can reasonably be expanded; or where allocations can support the delivery of new local and strategic infrastructure to support growth. These focused areas for growth will likely offer better opportunity to deliver more strategic infrastructure. The County Council does not consider it desirable to focus development only in the north of the Borough as it will place a considerable strain on infrastructure in the area, nor a more dispersed approach – where there is not the critical mass of development to deliver the infrastructure to support the new and existing communities.</p> <p>Overall, the County Council would draw attention that all growth must be supported by necessary infrastructure to ensure sustainable and resilient communities. As an advocate for 'Infrastructure First', the County Council requests that infrastructure is planned for, funded and delivered in a timely manner to support growth and would welcome engagement with the Borough Council at this early stage to ensure sustainable growth, supported by the necessary infrastructure, is delivered through the Local Plan.</p> <p><u>Education</u></p> <p>The County Council as the Local Education Authority has a statutory duty to ensure that a school place is offered to every child in the county that requires one. A significant element of discharging this duty is working with Local Planning Authorities to ensure additional school provision is integrated within housing growth over the medium and long term, ensuring sustainability of growth.</p> <p>School provision as infrastructure is 'lumpy' in that additional school places can typically only be commissioned in set quantities at a time, for example 30 additional reception places in an existing primary school, it is not typically possible for schools to expand by less than a Form of Entry (210 pupils across Years R-6 at Primary or 150 at Years 7-11 at secondary). Due to this commissioning constraint, a spatial strategy which allocates housing across many areas, such as existing settlements, can mean that additional school places required to accommodate increased demand may have to be provided strategically in a different geographic location if growth within one small geographic area doesn't create the critical mass to justify and support the expansion of an existing school or the establishment of a new one. This is largely almost always the case for secondary provision outside of the establishment of a new large settlement, but can also be applicable to primary provision depending on the scale of proposed development.</p> <p>Options 4 and 5 are characterised by development across a wide range of existing settlements across the Borough, this approach to development is unlikely to allow for additional education provision to be provided in all areas of housing growth; for example, with growth across several villages it may be necessary for a single existing school in one village to expand in response to growth in a collection of existing settlements. This, however, does not mean that additional school places could not be provided, it does however mean that the impact of a proposed strategy should be assessed in full, such as travel to school patterns that may result and the impact on local highway networks.</p> <p>Options 1, 2 and 3 focus development largely around existing urban areas; this approach is generally less likely to mean that the areas of growth don't have access to an existing school nearby, but detailed assessment would need to be undertaken to establish whether the existing schools could be expanded or whether alternative options of providing capacity would need to be explored.</p> <p>The County Council as Education Authority is not expressing a preference or objection to any of the options consulted, however it is important that the Borough be cognisant to the dynamics, challenges and potential opportunities of each of the options with regards to school provision. It will be essential for the two authorities to work closely together to ensure there is sufficient education capacity for the growth within the Local Plan, this will require exchange of information such as the number of dwellings proposed in each area and under different scenarios. It will also be essential that the Local Plan integrates, supports and unlocks additional school provision through the allocation of land for education use where necessary and a policy requirement for the capital cost of new and expanding schools to be met by development. As Local Education Authority, KCC looks forward to working with the Borough Council on this detail and request that cooperative work takes place well in advance of any further consultation on the Local Plan.</p> <p><u>Minerals and Waste</u></p> <p>The County Council, as Minerals and Waste Planning Authority notes that the Borough contains important safeguarded deposits of aggregate forming minerals, including:</p> <ul style="list-style-type: none"> <li>- Sub-Alluvial River Terrace Deposits and River Terrace Deposits (including one allocation in the <a href="#">Kent Mineral Sites Plan</a>)</li> <li>- Folkestone Formation (a highly important aggregate resource actively being extracted and with significant resources running through the Plan area)</li> <li>- Limestone-Hythe Formation and the Sandgate Formation (as indicated on the <a href="#">Mineral Safeguarding Areas map</a> for the Tonbridge and Malling Borough area)</li> </ul>

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	<p>In addition, there are safeguarded mineral handling, processing and transportation facilities including the East Peckham Rail depot and waste management facilities in the area.</p> <p>The County Council notes that most sites which could be allocated as part of the five growth options proposed could have land-won minerals safeguarding issues. KCC notes the reference made within the Local Plan to the Kent Minerals and Waste Local Plan 2013-30. The County Council recommends that the existence of safeguarded land-won minerals and waste and minerals infrastructure is investigated as part of considerations of site allocations. Proposed development sites should be assessed against any of the exemption criteria as set out in the policies DM 7: Safeguarding Mineral Resources and DM 8: Safeguarding Minerals Management, Transportation, Production &amp; Waste Management Facilities of the <a href="#">Kent Minerals and Waste Local Plan 2013-30 (Early Partial Review 2020)</a>. The County Council, as Minerals and Waste Planning Authority, would welcome engagement to assist in how the assessments should be undertaken. The County Council would also recommend consideration of the <a href="#">Safeguarding Supplementary Planning Document</a> (2021).</p> <p><u>Waste Management</u></p> <p>The County Council, as Waste Disposal Authority note that any growth in the Borough will result in further demand KCC's Waste Disposal Service. Collection rounds from the Borough are currently split with those in the North and East being taken to the Allington Waste Transfer Station (WTS) and those in the South and West taken to the North Farm WTS in Tunbridge Wells. The County Council has highlighted a current lack of capacity at the North Farm WTS as of particular concern and something that will require mitigation to enable a sustainable service to operate in the future. Allington WTS is currently coping with the level of demand placed upon it; however, there is only a small opportunity for growth before vehicle numbers become prohibitive to its efficient operation.</p> <p>The County Council, as Waste Disposal Authority, considers that development focused in the north of the Borough, as shown in Growth Strategy Option 1, would place significant demand on the operation of the Allington WTS and additional capacity at this WTS would be required. Conversely, Option 2, which indicates significant expansion of Tonbridge, would exacerbate the existing capacity issue at North Farm WTS. This facility would need to be expanded or re-located to a larger site (although it should be noted that existing site constraints make expansion difficult). If a new settlement is delivered as proposed in Option 5, this would place great pressure on waste disposal infrastructure and the County Council would seek a new WTS facility to serve the new settlement. Overall, the County Council, as Waste Disposal Authority, would like to see development pressures spread between the existing facilities, with balanced growth in the Borough to ensure necessary waste disposal infrastructure has the capacity to support growth in the Borough.</p> <p><i>Specific requests for section 4.2:</i></p> <ul style="list-style-type: none"> <li>• <i>The Local Plan should consider potential for Active Travel opportunities through the Local Plan.</i></li> <li>• <i>The Borough Council should take account of the Highway Code priorities for travel when assessing proposed development allocations.</i></li> <li>• <i>Consideration required and innovative solutions should be sought through the Local Plan to tackle housing affordability challenges affecting the Borough.</i></li> <li>• <i>infrastructure first approach to development, ensuring that for the preferred spatial strategy, necessary infrastructure can be planned for, funded and delivered in a timely manner to support sustainable growth.</i></li> <li>• <i>The existence of safeguarded land-won minerals and waste and minerals infrastructure is investigated as part of considerations of site allocations.</i></li> <li>• <i>Recognise and work with the County Council to ensure that increased demand on waste management infrastructure is mitigated accordingly.</i></li> </ul>
<b><u>5. Strategic Matters</u></b>	
<b>5.1 What are the strategic matters that the Plan needs to be addressed</b>	<p><u>Minerals and Waste</u></p> <p>The County Council notes that reference has been made to the Kent Minerals and Waste Local Plan but would further recommend that the existence of minerals in the Borough is considered as a strategic matter within this section.</p> <p><i>Specific requests for section 5.1:</i></p> <ul style="list-style-type: none"> <li>• <i>Existence of safeguarded minerals is considered a strategic matter within the Local Plan.</i></li> </ul>
<b>5.5 Transport – what are the issues</b>	<p><u>PRoW</u></p> <p>The County Council recognises that opportunities to promote walking, cycling and public transport use are identified in the Local Plan, however, it is advised that the PRoW network is</p>



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	<p>specifically referenced.</p> <p>KCC would recommend that in respect of paragraph 5.5.3, consideration should also be had to the ROWIP.</p> <p>In reference to the role of the County Council in paragraph 5.5.8, KCC is the Local Highway Authority for the PRow network and therefore has a wide range of responsibilities. This includes involvement in all legal processes and aims to create a network that provides a safe, sustainable means of travel but also delivers the benefits that access to the network, countryside, coast and green spaces can make to improve the quality of life for Kent's residents and visitors.</p> <p>The proposed Active Travel Strategy (LCWIP) in paragraph 5.5.14 must include the PRow network, with specific recognition of PRow as a valuable component of active travel. It is noted that the County Council has been engaged on the production of this Active Travel Strategy to date.</p> <p>KCC supports the objective in paragraphs 5.5.19 and 5.5.20, for development proposals to show commitment to encouraging modal shift from short car journeys and towards active travel. The County Council would recommend that the ROWIP is included here as KCC policy regarding PRow, walking, cycling and equestrian use incorporation within development.</p> <p>The County Council agrees with the risks presented in paragraph 5.5.25 regarding a failure to shift to sustainable transport modes and would draw attention to the aims and objectives of the ROWIP to reduce these.</p> <p>Within paragraph 5.5.26, the County Council would request that reference is made to the 'PRow network' as opposed to "Footpath Network". Enhanced connectivity for walking, cycling and equestrian activity across the borough, provides a range of sustainable transport options available for the public and opportunities to access high quality open space. While the existing PRow resource provides extensive opportunities for active travel and outdoor recreation, there are gaps in the network and accessibility issues that need to be addressed. Future growth and development should help to address these issues and enhance the PRow network, so that the benefits of this access resource can be maximised by residents and visitors.</p> <p>The County Council is supportive of the matters set out within paragraph 5.5.28.</p> <p><i>Specific requests for section 5.5:</i></p> <ul style="list-style-type: none"> <li>• <i>Reference to the PRow network in respect of transportation considerations within the Local Plan.</i></li> <li>• <i>Consideration of ROWIP in respect of paragraphs 5.5.3, 5.5.19 and 5.5.20 .</i></li> <li>• <i>LCWIP must include the PRow network, with specific recognition of PRow as a valuable component of active travel.</i></li> <li>• <i>Reference to footpath network to be amended to PRow network in paragraph 5.5.26.</i></li> </ul>
<p><b>5.7 Retail – what are the issues?</b></p>	<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 an holistic environment for retail, leisure, social and community uses. Walking, cycling and accessibility to town centres, local centres and rural facilities must be ensured, in order to encourage modal shift away from short car journeys for local needs.</p> <p>Cultural infrastructure is also an essential feature within a town or local centre to create a vibrant mix of uses. It can be delivered as multifunctional spaces that offer opportunities for community services and affordable creative workspaces to support small businesses and freelancers, alongside cultural offerings. The cultural sector also provides local employment opportunities, with the role of higher and further education facilities developing skills in the cultural and creative industries. The Local Plan should therefore consider the delivery of necessary cultural infrastructure to support sustainable development in the Borough. The County Council encourages the use of art in design to create a sense of place and identity in both new and existing communities. The County Council, in partnership with The Creative Estuary Partnership, is producing a Cultural Planning Toolkit through a commission led by the Town and Country Planning Association and Urban Roots Consulting. The County Council would welcome further discussions with the Borough Council in respect of cultural infrastructure and the potential of this Toolkit.</p> <p><i>Specific requests for section 5.7:</i></p> <ul style="list-style-type: none"> <li>• <i>Consideration the delivery of necessary cultural infrastructure to support sustainable development in the Borough.</i></li> <li>• <i>Consideration of opportunities to access town centres, local centres and rural facilities using sustainable modes of transport.</i></li> </ul>

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<p><b>5.8 Community facilities and infrastructure – what are the issues?</b></p>	<p><u>Infrastructure Development</u></p> <p><i>Paragraph 5.8.9</i></p> <p>KCC notes the Borough Council’s acknowledgement of the use of Section 106 agreements to secure funding for infrastructure – whilst also recognising the Government’s proposals to introduce a new mandatory infrastructure levy – although the details and delivery timings of this levy remain unclear at the time of writing. For the time being, it will be important to plan strategically for infrastructure under Section 106 planning legislation. KCC would strongly welcome the Borough Council’s continued support to deliver necessary infrastructure using Section 106 agreements for Education, Community Learning, Libraries, Youth Services, Adult Social Care, Waste and Broadband infrastructure – which are referred to in more detail below:</p> <p><i>Education provision</i></p> <p>KCC is very keen to ensure that education infrastructure is afforded key prioritisation in the list of funding requirements via section 106 agreements within the emerging Local Plan. Education is fundamental to community development. Children living in new developments as well as in existing communities will need school places, which require careful, strategic planning by the County Council as Education Planning Authority.</p> <p>The County Council is aware of substantial, evidenced pressures on the primary and secondary education need, particularly within the North of the Borough. Broadwater Farm was identified within the previous, now withdrawn Local Plan as a strategic site for the delivery of secondary education and is also referred to at para 5.8.7 (page 61), which is welcomed. While KCC hopes this site remains an opportunity, the County Council would welcome engagement with the Borough Council to ensure sites are identified to meet educational needs.</p> <p>It is essential that the full costs of infrastructure provision are mitigated by developments. In the case of education infrastructure, this includes the cost of education land where schools are being developed. Any and all developments where a pupil place pressure is generated must be required to contribute towards the mitigation of both education build and land costs where these arise.</p> <p><i>Early years</i></p> <p>As set out within the Kent County Council Education Commissioning Plan, assessing the childcare market and ensuring sufficiency and long-term viability of provision for early years is both complex and presents a significant challenge for local authorities. The County Council (commissioned through The Education People) is required to work with providers in making available a sufficient range of flexible provision, in the right geographical areas, at the right times and offering the right sessions to fit with both standard and atypical working patterns. The County Council would welcome engagement with the Borough Council to ensure adequate early years provision is provided to support growth. The Borough Council should work closely with developers/promoters to consider opportunities for early years settings to be integrated within areas of new development, particularly into new or expanding communities.</p> <p><i>Adult Social Care</i></p> <p>KCC would welcome the Borough Council’s continued support for Adult Social Care, particularly as the county’s population continues to age and the nature of social care needs becomes more complex. The County Council is encouraged by the Local Plan references within paragraph 5.8.8 - <i>“Healthy, safe and prosperous communities... being a key for the vision of the borough, supported by the right infrastructure in the right places”</i>.</p> <p>Adult Social Care primarily concerns social work, personal care, and practical support for adults (18 years+) with a physical disability, learning disability, physical or mental illness. It also includes safeguarding for those at risk of harm and abuse, as well as support for unpaid carers. A key priority of the service is to enable residents to live independently and stay well and safe in their own communities for as long as possible. Consequently, Adult Social Care services may include support in people’s own homes (home care or ‘domiciliary care’); support in day centres; support in specialist accommodation and ‘reablement’ services to help people regain independence; providing aids and adaptations for people’s homes; providing information and advice; and providing support for family carers. For those unable to stay in their own homes, services may be provided via care homes and nursing homes (‘residential care’).</p> <p><i>Libraries</i></p> <p>KCC is encouraged that the Borough Council has consistently shown its support for libraries in its requests for section 106 planning obligations. KCC would respectfully ask that this continues</p>

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	<p>and potentially incorporated into Local Plan policy to ensure that the bookstock, equipment and services to keep the libraries service as a valued resource is maintained, and that opportunities to enable social mobility for Kent's residents is maximised.</p> <p>In addition to book lending, KCC libraries provide free access to PCs and public Wi-Fi; help for job seekers; a range of free physical and digital activities for all ages - for example baby rhyme time, talk time, book groups, craft clubs, and after school homework help; a mobile library service for smaller, more remote communities; study spaces; a Home library delivery service and Red Book box service to care homes; business resources; registration services and community space for group activities.</p> <p><i>Community Learning and Skills</i></p> <p>The Borough Council has continually been supportive of the provision of planning obligations to support Community Learning and Skills (CLS). The CLS vision is to 'help every adult and young person in Kent to achieve their potential in life, whatever their background'. In collaboration with other skills and education services in Kent, CLS's priority is to support the following groups:</p> <ul style="list-style-type: none"> <li>- Adults seeking skills for employment.</li> <li>- Young people entering the world of work</li> <li>- Organisations seeking to improve the skills and potential of their staff</li> <li>- Adults learning for personal development, pleasure, and wellbeing</li> <li>- Families (especially those in Kent's disadvantaged neighbourhoods).</li> </ul> <p>In addition to increasing skills and educational attainment, participation in CLS programmes can help those moving into new developments to overcome social isolation and encourages community cohesion, both within the new development and wider area. The County Council would welcome consideration of this service within it's Local Plan policy as may be appropriate.</p> <p><i>Waste Management</i></p> <p>The County Council welcomes reference to the need to implement measures through the Local Plan to minimise waste. However, waste infrastructure continues to be a key infrastructure requirement to support sustainable communities for the effective disposal and recycling of waste, a service for which the County and Borough Council have significant roles .</p> <p>The support of planning obligations by the Borough Council in respect of KCC's need to enhance and replace its Household Waste Recycling Centre (HWRC) infrastructure has been inconsistent, even with KCC having consulted Borough and District Councils on the waste infrastructure need, which is acute given the scale of new housing development. On occasion, the Council notes that the Borough Council has not always supported the request for waste planning obligations which creates pressures on this key infrastructure provision.</p> <p>Housing growth across the county is increasing demand upon Household Waste and Recycling Centre (HWRC) and Waste Transfer Station (WTS) facilities, with many now needing to be replaced or expanded to meet capacity requirements. KCC's Kent Waste Disposal Strategy 2017-2035 sets out the current position, identifies future pressures, and outlines how KCC will maintain a sustainable waste management service. It references population and housing growth, budget pressures, market provision, current performance, legislation, and performance targets.</p> <p>KCC would kindly request the new Local Plan process supports the consistent request for planning obligations where there is an identified need for county waste infrastructure.</p> <p><i>Youth Services</i></p> <p>KCC has welcomed the Borough Council's support of planning obligations for youth services to date, which has been largely consistent. The provision of effective youth services is yet another example of giving young people the chance to be socially mobile.</p> <p>Youth services are delivered across Kent's districts via direct delivery and commissioned services, with central youth hubs and community buildings, outreach/mobile units and outdoor spaces providing different ways for young people to get involved. The current and future focus for youth services is on the following projects, enabling it to reach as many young people as possible:</p> <ul style="list-style-type: none"> <li>- expanding and enhancing Youth Hubs to offer more specialist help and advice and provide access to more young people</li> </ul>

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	<ul style="list-style-type: none"> <li>- expanding Mobile and Outreach service provision to increase remote access to youth services and targeted help for more complex issues.</li> <li>- temporary outreach provision in high streets and other public spaces in high-need areas to increase access during peak times of the year</li> <li>- enhancing links with local district contextual safeguarding meeting to provide targeted resources to identified areas to meet local needs of Young People.</li> <li>- connectivity within Government Family Hub agenda to ensure the whole family approach is maximised across Kent</li> </ul> <p>KCC would welcome the Borough Council's continued support for youth services via planning obligations</p> <p><i>Broadband</i></p> <p>Broadband is a pre-requisite for all communities, and is especially essential to enable social mobility and commercial productivity especially as flexible hybrid working continues for a proportion of the workforce. Without exception, within planning decisions in the Borough, KCC has been unsuccessful in its requests for planning conditions for Superfast Broadband installation to be considered in planning decisions.</p> <p>KCC understands that the Borough Council does not currently have a broadband / digital connectivity policy to enable the installation of superfast broadband fibre into new developments. It is essential this is rectified. There is very limited consideration of digital connectivity within the Regulation 18 consultation document and the County Council would welcome engagement in respect of this to develop an appropriate digital connectivity to support resilient and connected communities in the Borough.</p> <p><u>PRoW</u></p> <p>The County Council would welcome consideration of the PRoW network as an infrastructure provision which can provide wider ranging benefits for the community and would also welcome reference to the aims of the ROWIP within this section.</p> <p>The Medway Towpath provides great offroad connectivity between the Borough and wider area, and as such is receiving investment from various funding opportunities as they arise. The County Council would like to highlight the importance of any future development opportunity which could contribute further to this investment through development contributions.</p> <p><u>Sports and Recreation</u></p> <p>The County Council would welcome further consideration of opportunities for communities to engage in physical activity and would encourage the Borough Council to engage with Active Kent<sup>1</sup> to support the creation of such opportunities for the benefit of new and existing communities. Active Kent is able to provide support and advice to the development of new initiatives relating to sport and recreation.</p> <p>The County Council is keen to ensure the Borough Council Local Plan makes adequate provision for sport and recreation and gives consideration as to how activity and recreation facilities, and green and blue spaces are accessed, and provide opportunities that make active travel an easy option.</p> <p>The County Council would also recommend consideration of the following guidance available from Sport England to inform strategies around tackling inactivity, supporting / encouraging under-represented groups to be active and ensure healthy and resilient communities thrive the in the Borough:</p> <ul style="list-style-type: none"> <li>• <a href="https://www.sportengland.org/facilities-planning/active-design/">https://www.sportengland.org/facilities-planning/active-design/</a></li> <li>• <a href="https://www.sportengland.org/facilities-planning/planning-for-sport/playing-fields-policy/">https://www.sportengland.org/facilities-planning/planning-for-sport/playing-fields-policy/</a></li> <li>• <a href="https://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/">https://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/</a></li> <li>• <a href="https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/playing-pitch-strategy-guidance/">https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/playing-pitch-strategy-guidance/</a></li> </ul>

<sup>1</sup> [www.activekent.org](http://www.activekent.org)



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	<ul style="list-style-type: none"> <li>• <a href="https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/facilities-planning-model/">https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/facilities-planning-model/</a></li> <li>• <a href="https://www.sportengland.org/facilities-planning/active-design/">https://www.sportengland.org/facilities-planning/active-design/</a></li> </ul> <p><i>Specific requests for section 5.7:</i></p> <ul style="list-style-type: none"> <li>• <i>The continued support for the delivery necessary infrastructure using Section 106 agreements for Education, Community Learning, Libraries, Youth Services, Adult Social Care, Waste and Broadband infrastructure.</i></li> <li>• <i>Prioritisation of education infrastructure within list of funding requirements for via section 106 agreements,</i></li> <li>• <i>Engagement between Borough and County Council to ensure sites are identified to meet educational needs.</i></li> <li>• <i>Recognition in the Local Plan that all developments which generate pupil place pressure must be required to contribute towards the mitigation of both education build and land costs where these arise.</i></li> <li>• <i>Engagement between Borough and County Council to ensure adequate early years provision is provided to support growth.</i></li> <li>• <i>Continued support for the provision of Adult Social Care services in the Borough through the Local Plan.</i></li> <li>• <i>Continued support for libraries within section 106 agreements through the Local Plan.</i></li> <li>• <i>Consideration of policy support for the delivery of Community Learning and skills programmes to support existing and new communities in the Borough.</i></li> <li>• <i>Consistent Local Plan policy support for planning obligations where there is an identified need for county waste infrastructure to support development.</i></li> <li>• <i>Continued support for the provision of youth services in the Borough through the Local Plan.</i></li> <li>• <i>Engagement between Borough and County Council regarding the development of policies relating to digital connectivity.</i></li> <li>• <i>Acknowledgement of the wide ranging benefits offered by the PRow network and necessary Local Plan policy support.</i></li> <li>• <i>Engagement between the Borough Council and Active Kent.</i></li> <li>• <i>Appropriate provision in Local Plan policy for sport and recreational infrastructure.</i></li> <li>• <i>Consideration of Sport England guidance (links provided).</i></li> </ul>
<p><b>5.9 Natural environment – what are the issues?</b></p>	<p><u>PRow</u></p> <p>The County Council would welcome consideration of the PRow network and the aims of the ROWIP within this section.</p> <p><u>Sustainable Urban Drainage Systems (SuDS)</u></p> <p>The County Council, as Lead Local Flood Authority notes that the section does not appear to consider the water environment. The County Council strongly recommends that the Borough Council consider the inclusion of surface water and waterways within the Local Plan, defining the priorities and strategies which should be implemented within new development as well as the opportunities provided within the water environment.</p> <p>KCC does recognise that that flood risk and sustainable drainage systems are mentioned within 5.12 Climate Change, however, it may be easier certainly for the delivery of surface systems which are integrated within green space to be addressed within this Natural Environment section as it pertains to the preference in approach to surface water management.</p> <p><u>Biodiversity</u></p> <p>The County Council would recommend that the Borough Council considers seeking more than 10% biodiversity net gain where viable – with sites potentially specifically allocated for biodiversity net gain within the Local Plan. Local Plan policy should support the delivery of net gain onsite as a preference, with offsite solutions only where it is not possible to deliver onsite.</p> <p>The County Council agrees with the justification for a requirement for tree canopy coverage on new development and the references to flooding and microclimate regulation. Indeed, 'ecosystem services', or 'natural capital', is referenced within the NPPF (paragraph 174) so there is justification in developing a tree canopy plan for this reason, as well as to create 'green corridors' and strengthen ecological resilience. The County Council would question how a minimum requirement for tree canopy coverage could be practically applied to new development.</p>

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	<p>The County Council agrees that new developments should integrate into the fabric of buildings habitat space for wildlife as these are in-situ for much longer compared to externally mounted bird boxes and have a higher chance of utilisation.</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><i>Specific requests for section 5.9:</i></p> <ul style="list-style-type: none"> <li>• <i>Representation of the PRow network and the ROWIP in respect of the natural environment.</i></li> <li>• <i>Reference to the water environment including surface water and waterways in respect of the natural environment. This should be the priorities and strategies which should be implemented within new development as well as the opportunities provided within the water environment.</i></li> <li>• <i>Assessment of policy for securing above 10% biodiversity net gain, where viable.</i></li> <li>• <i>Assessment of the practicality and deliverability of a tree canopy requirement.</i></li> <li>• <i>Reference made in the Local Plan to Kent's Plan Bee.</i></li> </ul>
<p><b><u>5.10 – Built and Historic Environment – what are the issues?</u></b></p>	<p><u>Heritage Conservation</u></p> <p>The County Council welcomes the commitment within paragraph 5.10.19 to the development of a heritage strategy. This will be an essential resource for helping the Borough Council identify ways that the Borough's historic environment can enhance life in the Borough. The County Council would recommend that the Strategy includes the following goals:</p> <ul style="list-style-type: none"> <li>• To identify and describe the key themes of relevance of the heritage of the Borough and the heritage assets that represent them</li> <li>• To assess the role that these can play in regeneration, tourism and life in the Borough</li> <li>• To identify both their vulnerabilities and the opportunities they provide</li> <li>• To inform site allocations within the Borough</li> <li>• To support policy development</li> </ul> <p>The County Council, in respect heritage conservation, recommends the Local Plan considers the following:</p> <p><i>Development</i></p> <p>A key issue is the need to take account of any existing historic character of proposed development sites. This is crucial to ensuring high quality developments are properly integrated into the existing towns and villages. The Local Plan should require that such schemes be sympathetic to any existing structures and in character with other buildings. Development should be in keeping with the scale of the surroundings and in character with any existing traditional and historic buildings on the site. KCC would also recommend materials used in the design are appropriate to the existing character, if possible, by using locally sourced and traditional materials.</p> <p><i>Non-designated heritage assets</i></p> <p>At present, KCC considers the text focuses rather heavily on designated heritage assets. However, the vast majority of heritage assets in the Borough are non-designated. These nonetheless play a critical role in the character of the Borough as they are known to local people and have been part of their communities for generations. They provide opportunities to connect new growth and development with existing settlement and thus integrate new residents with the existing community. To ensure these assets are not sacrificed to development, the Local Plan should ensure that it includes a policy on non-designated assets so that decision-making is supported effectively.</p> <p><i>Climate Change</i></p> <p>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 sometimes 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</p>

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	<p>England has produced a range of guidance on climate change and the historic environment that reviews the threats to the historic environment posed by climate change (<a href="#">Climate Change: Mitigation, Adaptation and Energy Measures   Historic England</a>). The guidance also demonstrates that historic structures, settlements and landscapes can sometimes in fact be more resilient in the face of climate change, and more energy efficient than more modern structures and settlements.</p> <p><i>Historic Landscape</i></p> <p>An aspect of Tonbridge and Malling Borough’s heritage that should be a strength for the Borough is its historic landscape. 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 <a href="#">Kent Historic Landscape Characterisation (2001)</a> is a tool for understanding this historic context and should be used to inform decisions taken regarding the landscape character of the Borough. Ideally, however, this county level study should be both updated and deepened to be more relevant at the Borough and local level, as has happened recently in Tunbridge Wells and on the Hoo Peninsula. This will allow more effective decision-taking and assist the application of key landscape principles on a case-by-case basis. KCC would also encourage the Borough Council to ensure that the historic aspects of landscape character are fully integrated into considerations of more general character which often neglect the role that the past has played in establishing the modern character and the extent to which historic features survive and need consideration in development control and agricultural practice.</p> <p><i>SUDS schemes</i></p> <p>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.</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 <a href="#">Kent Historic Environment Record</a> (HER) and by taking relevant expert advice. KCC has recently produced guidance 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.</p> <p><i>Rural development</i></p> <p>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, KCC 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 the Borough Council considers adopting the guidance as Supplementary Planning Document (SPD) as part of the Local Plan process. The County Council would welcome further discussion with the Borough Council on this point.</p> <p><i>Open Space sites</i></p> <p>Open spaces have an important role to play in conserving and promoting the heritage of the Borough. Some of the open spaces are heritage assets in their own right representing urban spaces that have been designed as public amenities or that reflect the wealth and aesthetic tastes of private individuals. Other open spaces may not be assets in their own right but they may contain heritage assets, for example in the form of historic structures or buried archaeological sites. Others again can be important in that they allow heritage assets to be displayed, for example where a listed building is located next to an open space. As such, any alterations to open spaces need to be considered for the impact that they may have on the historic environment of the Borough. Over the last few years the County Council has been working with volunteers from the Kent Gardens Trust to review the gardens and open spaces of other Districts/Boroughs in order to better understand the history and development of the gardens and their surviving remains. These reviews are accompanied by Statements of Significance for each garden that allows the Local Planning Authority to use them effectively in the development control process. The information also makes it easy for the Local Planning Authority to include the gardens on a list of local heritage assets (a ‘Local List’) as the reports generated are to the same standard as those used for Registered Parks and Gardens. The County Council would be happy to discuss a similar project for the Borough.</p>

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	<p><i>Archaeology</i></p> <p>The Local Plan should contain a policy specifically on archaeology that commits the Council to promoting the enjoyment of the Borough’s archaeological resource through the protection and enhancement of archaeological sites, monuments and historic landscape features, and seeks to encourage and develop their educational, recreational and tourism potential through research, public access, management and interpretation.</p> <p>Where possible, developers should seek to use the Borough’s archaeological assets to shape their development proposals, provide interest and character and protect the assets. The framework for the management and enjoyment of the archaeological heritage should be the Tonbridge and Malling Heritage Strategy.</p> <p>Development proposals affecting heritage assets with an archaeological interest should be accompanied by a desk-based assessment and, if appropriate, by archaeological fieldwork, that:</p> <ul style="list-style-type: none"> <li>• Characterises the nature, extent and condition of the archaeological deposits in the development area</li> <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 should normally be refused.</p> <p>Where development proposals affect non-designated heritage assets with an archaeological interest, it is expected that the archaeological remains will be preserved in-situ. Where this is not possible, clear justification will be required. Where the justification is accepted, a programme of archaeological excavation and recording is likely to be required. 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 Borough 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>The County Council has provided an example for archaeology and would welcome engagement with the Borough Council regarding the potential content of a Borough Council policy.</p>

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	<p><i>“The Council will promote the enjoyment of Tonbridge &amp; Malling Borough’s 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 the Borough’s 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 Tonbridge &amp; Malling’s archaeological heritage will be the Tonbridge &amp; Malling Heritage Strategy (to be adopted in xxxx).</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> <li><i>• Assesses the significance of the deposits and the contribution made by their setting</i></li> <li><i>• Describes and assesses the impact of the development proposals on the archaeological deposits, their significance, and their setting</i></li> <li><i>• 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</i></li> </ul> <p><i>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.</i></p> <p><i>Where development proposals affect non-designated heritage assets with an archaeological interest, the Borough 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 Borough 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.”</i></p> <p><i>List of Local Heritage Assets</i></p> <p>Local Lists are intended to help the Local Planning Authority give special regard to assets of local character in their development control decision-making. These can include buildings, open spaces and archaeological sites. The County Council would suggest that a commitment to developing a Local List of Heritage Assets should be included in the Local Plan.</p> <p><i>Well-being and the historic environment</i></p> <p>Over the last couple of decades, there has been a growing body of evidence that is demonstrating how access to and participation in the arts and cultural activities can dramatically improve health and increase wellbeing. <a href="#">‘Heritage Counts 2017’</a>, produced by Historic England, contained the following conclusions:</p> <ul style="list-style-type: none"> <li>• 93% of residents say that local heritage has an impact on their quality of life.</li> <li>• Heritage supports social cohesion and inclusion – people can develop much stronger, long-lasting connections with their communities through heritage conservation work.</li> <li>• 80% of people think local heritage makes their area a better place to live.</li> </ul> <p>Heritage-led activities are contributing to improved public health in many ways such as reducing social exclusion, reducing health inequalities within society, increasing opportunities for community engagement and increasing physical activity to combat conditions such as obesity and diabetes. However, whilst there is a growing evidence base there is still no clearly established assessment and evaluation framework for heritage in health and so much of the evidence is still unavailable to health professionals and those with commissioning responsibilities. The potential of heritage in public health is underestimated and more needs to be done to properly measure and evaluate the health outcomes from these activities in order to build a robust evidence base and make use of heritage as an effective and financially valuable health resource. The County Council would be happy to discuss further the ways that the Borough’s heritage</p>



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	<p>can contribute to health and well-being in the Borough and how that can be incorporated into planning policies moving forward.</p> <p><i>Green infrastructure</i></p> <p>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 Tonbridge and Malling has been used for centuries to link the Borough's towns, villages, hamlets and countryside. By taking advantage of these existing and historic routeways people will be able to move through the Borough while retaining the historic geography of the region, but also following routes more likely to be accompanied by historic hedgerows and planting. This has the potential to unite heritage and ecology to help people access and enjoy green infrastructure features more easily and naturally.</p> <p>Using historic routeways also allows green infrastructure designers to incorporate heritage assets to provide features of interest. In turn this will help people accessing the green infrastructure to become more aware of and value the Borough's heritage, which will in turn assist their conservation and re-use.</p> <p>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 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 the County Council would encourage that they be respected and protected as though they were statutorily protected sites and should be considered accordingly within the Local Plan.</p> <p><i>Specific requests for section 5.10:</i></p> <ul style="list-style-type: none"> <li>• <i>The Borough Council to work with the Council to develop a Heritage Strategy which includes the goals identified in this response.</i></li> <li>• <i>Consideration of the existing historic character of proposed development sites and a potential requirement within the Local Plan for schemes be sympathetic to any existing structures and be designed in character with other buildings as may be appropriate.</i></li> <li>• <i>Consideration recommendation within the Local Plan that where applicable, that materials used in the design of new developments use locally sourced and traditional materials.</i></li> <li>• <i>Inclusion of a Local Plan policy regarding non-designated assets so that decision-making is supported effectively.</i></li> <li>• <i>Consideration of guidance around threats to the historic environment posed by climate change (<a href="#">Climate Change: Mitigation, Adaptation and Energy Measures   Historic England</a>).</i></li> <li>• <i>The <a href="#">Kent Historic Landscape Characterisation (2001)</a> is a should be both updated and deepened through the Local Plan process to be more relevant at the Borough and local level,</i></li> <li>• <i>Borough Council to ensure that the historic aspects of landscape character are fully integrated into considerations of the more general character of an area.</i></li> <li>• <i>Consideration of the direct and indirect impacts of SuDS on the historic environment and reference guidance on the topic accordingly within the Local Plan.</i></li> <li>• <i>Adoption of the <a href="#">Kent Farmsteads Guidance</a> as an Supplementary Planning Document (SPD).</i></li> <li>• <i>Borough Council to engage with County Council in respect of a Local List of heritage assets to include gardens, generating reports similar to the standard as those used for Registered Parks and Gardens.</i></li> <li>• <i>Borough Council to engage with County Council in respect of a specific Local Plan policy regarding archaeology.</i></li> <li>• <i>Commitment to the development of a Local List of Heritage Assets should be included in the Local Plan.</i></li> <li>• <i>Borough Council to engage with County Council regarding policy support regarding how the Borough's heritage can contribute to health and well-being in the Borough.</i></li> <li>• <i>Consideration of historic routeways and the County Council would encourage that these assets are protected and respected through Local Plan policy.</i></li> </ul>
<p><b>5.12 Climate Change – what are the issues?</b></p>	<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>SuDS</u></p> <p>The County Council, as Lead Local Flood Authority, is pleased to note that the document actively encourages the “potential multi-functional role of green infrastructure”. In respect of</p>

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	<p>references to flooding and sustainable drainage, the Borough Council should specifically refer to the Lead Local Flood Authority policy and also the Non-Statutory Technical Standards as laid out by DEFRA<sup>2</sup> given that these reflect those desired outcomes also and that they underpin the design of SuDS systems:</p> <p>The County Council is also pleased to note (and would actively encourage) that the Borough Council “will work with statutory consultees such as the Environment Agency and Kent County Council as the Local Lead Flood Authority to ensure all sources of flooding are taken into account as well as the appropriate future climate change adaptations.”</p> <p>The County Council notes that paragraph 5.12.16 references the sequential test and this being applied to the borough to inform the spatial strategy. It is important that this considers all forms of flooding, especially given the recent precedents of planning being refused due to the sequential test not being passed due to surface and ground water flooding issues elsewhere in the country.</p> <p><i>Specific requests for section 5.12:</i></p> <ul style="list-style-type: none"> <li>• Consideration of the <a href="#">Kent and Medway Energy and Low Emissions Strategy</a> and Kent <a href="#">County Council's Environment Strategy</a></li> <li>• Local Plan to consider all forms of flooding, including surface and ground water flooding.</li> </ul>
<b>6. Other Matters</b>	
<p><b>6.1. How should development be managed?</b></p>	<p><u>PRoW</u></p> <p>Local requirement priorities play a significant role as development comes forward, and greatly assist in understanding the needs of the communities. The County Council considers that existing PRoW must be protected in the event of any development, but development should also present opportunities to enhance the existing PRoW network and boost connectivity for communities – giving Active Travel options for all NMUs.</p> <p><i>Specific requests for section 6.1:</i></p> <ul style="list-style-type: none"> <li>• Necessary protection should be offered through the Local Plan for existing PRoW, but also opportunities explored to deliver network improvements to boost connectivity.</li> </ul>
<b>Appendix B</b>	
	<p>At this stage of the Local Plan process, the County Council has not provided commentary on all of the individual sites listed within this Appendix. The County Council would strongly encourage the Borough Council to engage with the County Council regard the assessment of the proposed development sites and growth strategy to better understand the infrastructure mitigation measures which may be required to support growth in the Borough.</p> <p><u>PRoW</u></p> <p>The County Council requests that as part of the site assessments and the preparation of the Draft Local Plan, the Borough Council has consideration of the following:</p> <ul style="list-style-type: none"> <li>- Enhancements to and positive incorporation of the existing PRoW network must be considered for each site, in preparation for the expected increase in use of the existing paths as a result of the proposed developments.</li> <li>- Local Plan policy should aim to protect and enhance the quality of PRoW contained within (or linking to) development sites. The inclusion of a PRoW reference will help support other policies within this document and send a clear message to developers that PRoW are a material consideration at the start of the planning process.</li> <li>- That the PRoW network is considered at an early stage of the design process and successfully incorporated into future developments.</li> <li>- The current ROWIP should be referenced as it is a statutory policy document for PRoW. It is crucial that this is referred to, as it is a strategic and statutory policy document for the protection and enhancement of PRoW.</li> <li>- The emerging Kent Design Guide</li> <li>- Financial contribution - new development provides opportunities to secure investment in the PRoW network, which could enhance opportunities for active travel and outdoor recreation across the Borough. Developer contributions are used to upgrade existing routes or create new path links that address existing network fragmentation and issues highlighted by the</li> </ul>

<sup>2</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/415773/sustainable-drainage-technical-standards.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf)

**Tonbridge and Malling Local Plan Regulation 18 Consultation.**  
**Kent County Council Response (October 2022)**

Policy/Paragraph	Commentary
	<p>public. Inclusion should therefore be given to the investment of planning obligation contributions and s106 funding into the PRoW network.</p> <ul style="list-style-type: none"> <li>- Rail crossings – where PRoW from a new development into central amenities cross a rail line, due consideration has to be given to increase of use and the impact on crossing safety. Many PRoW currently cross “at grade” crossings, which are not deemed appropriate for higher level of use.</li> <li>- Enhanced connectivity for walking, cycling and equestrian activity across the borough, with a range of sustainable transport options available for the public and opportunities to access high quality open space. While the existing PRoW resource provides extensive opportunities for active travel and outdoor recreation, there are gaps in the network and accessibility issues that need to be addressed. Future growth and development should help to address these issues and enhance the PRoW network, so that the benefits of this access resource can be maximised by residents and visitors.</li> <li>- There should be a requirement for applicants to record the route of any PRoW affected by development, clarifying intentions for accommodating, diverting or enhancing paths. Any policy should clearly state that planning applications that would adversely affect the existing PRoW network will not be permitted.</li> </ul>
<b>Interim Sustainability Appraisal Report</b>	
	<p><u>PRoW</u></p> <p>The County Council welcomes the inclusion of the PRoW network within 1.42 Material Assets but would emphasise that the increase in population leads to inherent demands on the network. The existing PRoW network, particularly when improved and enlarged, could make a significant contribution to realise the Plan's aims for the future community and the prominence of walking and cycling should place this to the fore in future development plans.</p> <p>The Objectives proposed within this Interim Sustainability Appraisal Report all connect and overlap with the aims of the ROWIP, particularly:  SA Obj 1 / SA Obj 2 / SA Obj 4 / SA Obj 5 / SA Obj 6 / SA Obj 10</p> <p>And the following from the Proposed SA Monitoring Framework:</p> <p>SA Obj 1 / SA Obj 2 / SA Obj 4 / SA Obj 6 / SA Obj 10 / SA Obj 12</p> <p><u>Waste Management</u></p> <p>The County Council, as Waste Disposal Authority, notes that paragraph C.63 in Appendix C Baseline Information needs to be updated to reflect the newly opened Allington HWRC within the Borough.</p> <p>Indicators and Targets for SA Objective 13 needs to recognise that these will only be met if sufficient infrastructure is provided. The County Council's commentary in respect of waste infrastructure and spatial distribution notes the current and future pressure on Waste Transfer Station infrastructure. Much emphasis is put on reduction of waste to landfill but Kent already sends less than 2%. Focus needs to be on providing infrastructure to facilitate increased recycling.</p>