



Pembury Neighbourhood Plan
Planning Policy
Planning Services
Tunbridge Wells Borough Council
Town Hall
Royal Tunbridge Wells
Kent TN1 1RS

Growth and Communities

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30 January 2023

BY EMAIL ONLY

Dear Sir / Madam,

Re: Pembury Neighbourhood Plan (2020-2038) - Regulation 16 Consultation

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

The County Council has reviewed the Neighbourhood Plan and for ease of reference, has provided comments structured under the chapter headings and policies used within the document. The County Council appreciates the opportunity to comment on the Neighbourhood Plan and is generally in support of the policies laid out within the document.

2. About Pembury

Public Rights of Way (PRoW): The County Council considers that the Neighbourhood Plan could go further in recognising the value of connections between local communities. Off-road improvements, such as those shown in Figures 9.2 and 9.3, will enhance access around Pembury, the parish's principal settlement; however, improvements should also be considered to connect with local settlements and to larger communities such as Matfield, Paddock Wood and as far as Tonbridge. The Neighbourhood Plan also recognises that access to nearby settlements is a 'challenge' (paragraph 2.13). Working jointly with neighbouring parish councils will therefore benefit Pembury residents by providing better access opportunities. Moreover, working actively with neighbouring councils who similarly can secure funding, and then pooling resources, should increase the likelihood of delivering such improvements.

3. Vision and Objectives

PRoW: The Neighbourhood Plan's Vision and Objectives allow considerable opportunity for maintaining and enhancing the local PRoW network and therefore make a significant contribution in delivering the Neighbourhood Plan's overall aims. The Neighbourhood Plan proposes a positive role for PRoW to help shape the parish in the years ahead, such as ensuring (together with the adoption of the Tunbridge Wells Borough Council Local Plan) new development connects to and enhances the local PRoW network (paragraph 4.3, bullet 7); identifying where improvements can be made to support sustainable active travel routes (Figures 9.2 and 9.3); and with a series of Non-Policy Actions (Section 13).

KCC notes that the Neighbourhood Plan recognises the need for the local community to work with various partners to achieve the Neighbourhood Plan's ambitions, including the County and Borough Council. The County Council strongly encourages partnership working between Pembury Parish Council and KCC regarding changes around the PRoW network, and would encourage the Neighbourhood Plan to specifically state this. This will ensure consistency both with standards around the county PRoW network and the various applicable statutory procedures, such as when upgrading the status of a Public Footpath to Public Bridleway to establish public access rights for cyclists and horse riders. It will also ensure consistent advice and working can be delivered to neighbouring councils.

5. Housing

Policy P5: Sewerage and Drainage Infrastructure

Sustainable Urban Drainage Systems (SuDS): The County Council, as Lead Local Flood Authority, recognises that consideration is not given to brownfield development sites in Policy P5. It is advised that the Parish Council reviews the KCC Drainage and Planning Policy document (Appendix A), particularly Policy 2, which gives guidance on acceptable run off rates to use for brownfield development and to therefore reflect these requirements within the Neighbourhood Plan.

It is also recommended that reference is made to the County Council's [pre-application service](#), and the Neighbourhood Plan includes encouragement for it to be used alongside that of the water authority, as per page 33 of the document.

6. Character, Heritage and Design

Policy P6: Conserving Heritage Assets

Heritage Conservation: In respect of point A, the correct name for the record of heritage assets is the Historic Environment Record (HER) and the link should go to www.kent.gov.uk/HER. The Heritage Gateway is a portal that presents data from the Kent HER. The County Council is pleased that this paragraph reflects that not all heritage assets are identified in paragraph 6.30 and remain to be identified.

In respect of point C, where development proposals have the potential to impact on archaeological remains, KCC advises that a full archaeological desk-based assessment and potentially archaeological fieldwork is needed, rather than just a Heritage Statement. The assessments should be carried out by fully qualified specialists and it is recommended that this is included within the policy.

8. Environment and Green Space

Biodiversity opportunity areas within Pembury

Biodiversity: The County Council recognises that the Neighbourhood Plan refers to the Biodiversity Opportunity Area (BOA) boundaries. KCC would highlight that, following the production of the Local Nature Recovery Strategy, BOAs may no longer exist. This is because they may be absorbed into the Local Nature Recovery Strategies and the BOAs could be made obsolete. It is therefore recommended that the Parish Council replaces this reference to include the Local Nature Recovery Strategy.

9. Transport and Movement

Highways and Transportation: The County Council, as Local Highway Authority, is pleased to note that the policies in the Neighbourhood Plan accord with those in the Tunbridge Wells submitted Local Plan and support active travel, which is a key policy for KCC.

PRoW: As a general statement, the County Council is keen to ensure its interests are represented with respect to its statutory duty to protect and improve 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 the [Framing Kent's Future](#) strategy (2022-2026). KCC intends 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.

KCC notes that 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 this Plan and much more. For example, 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. PRoW should therefore be given positive regard in this Plan.

KCC recognises that the Neighbourhood Plan does not refer to the KCC ROWIP, a statutory strategic document, and would strongly recommend that reference is made variously within the Neighbourhood Plan. This will assist successful partnership working, deliver

improvements to the PRow network in the town, and help avoid loss of access to funding opportunities.

Policy P13: Improving walking, cycling and equestrian opportunities

PRow: The County Council welcomes Policy P13, however, would encourage point E to refer to PRow in general rather than bridleways specifically. By stating that existing PRow must be retained, the Neighbourhood Plan will support KCC's statutory duty and it would not exclude future enhancements if new Public Footpaths were to be proposed.

The Neighbourhood Plan has recognised that future funding is necessary to deliver access projects (paragraph 9.4); however, KCC considers that the detailing where funding may be sourced is vague. Funds collected from future development would typically be used to deliver priority projects across the Borough listed within an Infrastructure Delivery Plan (IDP). The Parish Council is encouraged to promote local access improvements, such as those shown in Figures 9.2 and 9.3, and to compile an on-going list of other schemes across the parish. These could be included in an expanded Item 11 within Section 13, so that they are considered for delivery as part of a future IDP.

The compilation of an on-going list of access schemes by the Parish Council will allow residents to continually suggest additions to a projects list and KCC would recommend that this is kept under constant review. Sharing this list routinely thereafter with Tunbridge Wells Borough Council and the County Council will, in the event development comes forward, greatly assist in understanding the needs of the communities when allocating funding and priority. Having a list of potential projects readily available will therefore allow the Parish Council to readily seize opportunities and deliver for the benefit of local communities.

KCC would suggest the following additional possible schemes:

- i. Upgrade of status to Public Bridleway of the Public Footpath from Pembury village, over the A21 along Chalket Lane to the parish boundary, where it meets Tunbridge Wells Public Bridleway WB43 - this would establish a largely off-road cycling route between Pembury and Tunbridge Wells;
- ii. Upgrade of status to Public Bridleway of Public Footpath WT231 that is recorded on the village's western settlement boundary and proposed in part to be improved for horse riders (Figure 9.2, point B). Were the path upgraded from the High Street close to its junction with the A228 through to the northern point of Church Road, it would connect to an existing bridge carrying Public Bridleway users over the A228, so enabling access to the quieter lanes and Public Bridleways north of the A228;
- iii. Improving the crossing of the A228 close to Hawkwell Farm to better connect Public Bridleway WT248 with Public Footpath WT208 would be valuable for walkers seeking access to the northern part of the parish and beyond;
- iv. The Parish Council could actively create a volunteer group focusing on managing aspects of the local PRow network, thereby providing opportunities for social interaction, physical activity, a positive public profile, and more. The Neighbourhood Plan already proposes undertaking an audit of footpaths in the parish (it would be expected the audit extends to Public Bridleways also) but a local volunteer group might wish to undertake a programme of minor works, such

as surfacing of paths. If this possibly has local support, the Parish Council is encouraged to discuss with the County Council how to develop a group and programme.

10. Community Facilities

Policy P15: Improving Opportunities for Community and Cultural Facilities, Sport and Recreation

Sport and Recreation: In respect of paragraph 10.3, the County Council would advise the consideration of the following guidance '[Make Space for Us - Women In Sport](#)' for the provision of facilities aimed at teenagers.

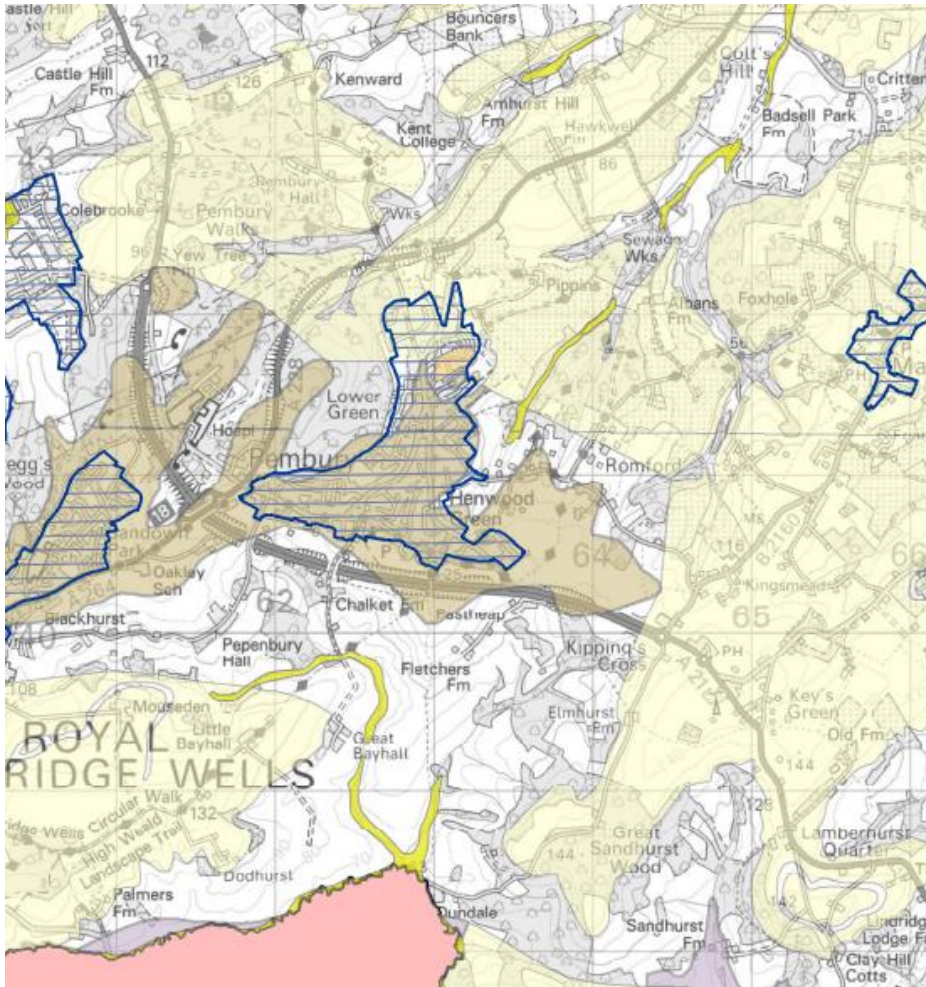
The County Council would also highlight that potential funding and support for the provision of improved and additional sports pitches is available via Kent FA, by contacting Adrian Ainsley¹.

General Comments:

Minerals and Waste: The County Council, as Minerals and Waste Planning Authority, can confirm that the area of the Neighbourhood Plan is coincident with safeguarded land-won mineral deposits. These are the superficial sand and gravel deposits (River Terrace and Sub-Alluvial River Terrace deposits), although these are marginal in their occurrence. The more significant mineral deposit is the solid crustal unites of the sandstone (Ardingly and Tunbridge Wells Sand Formation) units that are present. These sandstones are extensive, massive geological units that occur across the Tunbridge Wells Borough area, and have historically been used for construction block production. The supply of this material now largely occurs from quarries in East Sussex; KCC notes that extraction in Kent has ceased in recent times.

These safeguarded mineral deposits are shown on the extract from the Tunbridge Wells Borough Council Mineral Safeguarding Area Proposals Map of the [Kent Minerals and Waste Local Plan](#) (LMWLP) (2013-2030) (Early Partial Review) (2020) below:

¹ Aidan.Ainsley@kentfa.com



- River Terrace Deposits
- Sub - Alluvial River Terrace Deposits
- Sandstone - Ardingly Sandstone
- Sandstone - Tunbridge Wells Sand Formation

The Neighbourhood Plan acknowledges that the Development Plan for the area includes the KMWLP. As the Neighbourhood Plan does not propose any development sites that would require Mineral Assessments, KCC has no management capacity safeguarding objections.

The County Council notes that there are no substantive waste management or minerals handling and processing safeguarded infrastructure in the area of the Neighbourhood Plan.

15. Glossary

PRoW: The County Council welcomes the various references to 'Rights of Way' and recommends that the Neighbourhood Plan's Glossary includes a definition, in order for all readers have the same understanding. KCC would advise the definition used in Section 9 of this response.

It is also recommended that the Neighbourhood Plan's Glossary is revised to include a definition of active travel. This will ensure that the various references are consistently interpreted and that designers of future developments and Tunbridge Wells Borough Council give it due weight in preparing and determining future planning applications. The County Council would encourage the definition used in the KCC [Active Travel Strategy](#).

KCC would welcome continued engagement as the Neighbourhood Plan progresses. If you require any further information or clarification on any matters raised above, please do not hesitate to contact me.

Yours faithfully,



Stephanie Holt-Castle
Director for Growth and Communities

Encs:
Appendix A: Kent County Council Drainage and Planning Policy Document