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BY EMAIL ONLY

Dear Stephen

Re: Tunbridge Wells Borough Council – Draft Local Plan

Thank you for inviting Kent County Council (KCC) to comment on the Tunbridge Wells Borough Council – Draft Local Plan Regulation 18 Consultation.

The County Council recognises the role and importance of the Local Plan in guiding and managing sustainable development in the Borough up to 2036.

The proposed spatial strategy for growth is characterised by a mix of dispersed growth across the majority of settlements in the Borough, a new 'standalone' garden settlement and the transformational expansion of an existing settlement using garden settlement principles. The County Council recognises the challenges for the Borough Council to allocate sites that will meet the identified housing requirement but would strongly emphasise the necessity for a robust approach to the identification, funding and delivery of necessary infrastructure and services to support the delivery of truly sustainable new communities. It will be imperative that this approach provides a strategic focus for the planning and delivery of KCC infrastructure and services in an effective and timely manner.

The County Council recognises that the Borough Council has commissioned specialist consultant advice on whether it is most appropriate to secure infrastructure through CIL, section 106 agreements, or a combination of both for the site allocations within the Draft Local Plan. The County Council would strongly recommend that the section 106 agreement approach is the most effective approach to secure development contributions towards infrastructure in a timely manner to deliver sustainable growth in the Borough, and this must be a vital component of the master-planning work of the strategic sites, going forward.

The County Council has reviewed the relevant consultation documents and provides a full technical commentary on the Draft Local Plan in the attached appendices, which include a Technical Schedule of Policy Commentary and comments on the Infrastructure Delivery Plan (IDP).

Highways and Transportation

The County Council as Local Highway Authority provides comments on this Local Plan consultation with reference to the Draft Local Plan and accompanying documents¹. The Draft Local Plan and accompanying documents have been valuable in determining the need for public transport, cycling and walking infrastructure to be dramatically improved in order to achieve the modal shift required to make the Local Plan work. They have also been important in identifying the junctions and links that require further investigation before the Local Highway Authority can be confident mitigation is possible to alleviate severe impact on the network. It is hoped that work will continue on these points prior to the Regulation 19 consultation to give reassurance to the County Council as Local Highway Authority that the modal shift and highway mitigation required to make the Local Plan growth targets is deliverable.

New Settlement at Tudeley Village (AL/CA1) / Paddock Wood (AL/PW 1)

The proposed Colts Hill bypass and a direct public transport link between Tonbridge town centre/station, Tudeley and Paddock Wood town centre/station are absolutely key to the delivery of Tudeley settlement and the Paddock Wood extension. Whilst the opportunity exists to deliver dedicated and direct bus routes through the allocated sites, little work has been done on connections into the existing town centre networks. This should be a priority as part of the upcoming masterplanning exercise programmed for these allocations.

There is currently no reference to a new rail station at Tudeley Village in the Draft Local Plan or IDP. The inclusion of an additional stop on this line in the heart of the new Tudeley settlement would make a considerable difference to the road traffic generated by these developments and exploration into the feasibility for a station should be pursued in conjunction with the masterplanning exercise, prior to the Regulation 19 consultation. Without this station, the 11% modal shift would be even more difficult for the very limited remaining public transport options to deliver.

Consideration should also be given to trips heading north on the A228 into Maidstone/Tonbridge and Malling to understand the impact on the wider road network and whether mitigation is required.

Royal Tunbridge Wells

There is concern over the cumulative impact of the allocations in the town centre, Pembury and Southborough, coupled with the trips that would be generated by the new settlement at Tudeley Village and the Paddock Wood housing allocations – particularly with regard to congestion on the A26 and A264. Where junction upgrades on the A26 and A264 are referred to, these are identified as requiring mitigation (identified in the SWECO Local Plan Transport Evidence Base). However, at this stage, no work has been done to identify if and how improvements can be made and the costs of such improvements. Further work will be required to show how capacity can be increased whilst maintaining or improving safety.

¹ TWBC Draft Local Plan: Regulation 18 Consultation Draft, SWECO Local Plan Transport Plan Evidence Base, TWBC Infrastructure Delivery Plan – August 2019 and other supporting documents

With respect to the A26, the IDP states the intention for the 'reallocation of road space with smart traffic management to improve journey time reliability and provide infrastructure for sustainable modes (walk, cycle and bus)'. The County Council as Local Highway Authority is not confident that this methodology will improve flows on the A26 enough to mitigate the additional traffic generated by Local Plan growth. The addition of smart traffic management (such as MOVA or SCOOT) to junctions that currently do not have signals in order to control the corridor could add delays that cannot be mitigated against, and may not bring benefits to this corridor either in the current situation or with the housing growth and associated trips applied.

This is not acceptable and mitigation measures should be explored before the Regulation 19 consultation, in order to provide assurance to KCC as Local Highway Authority that the impact of growth will not result in unacceptable safety or congestion issues on the A264, A26 and other key junctions in the town.

To assist at this stage, KCC as Local Highway Authority has provided site specific comments on all policies (Appendix 1).

Hawkhurst

The IDP sets out that new infrastructure is required in the form of a new relief road through the Hawkhurst Golf Club site, linking the A268 High Street and A229 Cranbrook Road and new junction with the existing A229 Cranbrook Road.

The reference to the new section of road being a 'relief' road is misleading. It is not yet evident that the changes to the main junction (proposed through the Hawkhurst Golf Club planning application (Ref: 19/02025/HYBRID)) will be acceptable in achieving nil detriment or decrease the level of traffic/congestion/journey time through the junction - thereby not causing a severe impact for the number of dwellings proposed on the Golf Club site. It also does not take into account the further allocations in the area that would affect the junction. There is a presumption that the road diversion will relieve the junction significantly in order to allow more development in the village. However, this has not yet been demonstrated to the Local Highway Authority's satisfaction.

Until the Hawkhurst Golf Club application is properly assessed, the cumulative impact of all the allocations at Hawkhurst would be likely to cause a severe impact on the junction, in lieu of suitable mitigation proposals. KCC Highways and Transportation Officers are currently awaiting more information on the Golf Club application which will assist in this assessment.

To assist Tunbridge Wells Borough Council and KCC in understanding the impact of development in this area, it is recommended that Tunbridge Wells Borough Council undertakes:

- An assessment of the cumulative impact of all proposed allocations (excluding the Golf Club) on the junction as it is currently; and
- An assessment of the cumulative impact of all proposed applications (including the Golf Club) with the proposed A229 diversion across the Golf Club site in place.

As it stands, this matter has resulted in an objection from the County Council as Local Highway Authority, to all residential allocations in Hawkhurst (as set out in Appendix 1).

It is also pertinent to mention that whilst developer contributions towards much needed public transport services have, to date, been a suitable mitigation measure in relation to the most recent small site applications in the village, this is not an effective mitigation for the level of growth proposed through the Local Plan allocations as part of a plan-led approach. Public transport improvements are likely to always be required through developer contributions, but

highway infrastructure improvements are key to sustainably delivering the growth planned for Hawkhurst.

Car-dependant locations

In response to the “Issues and Options” consultation in Spring 2017, the County Council as Local Highway Authority raised concern that, in relation to the option for dispersed growth (Option 3), without significant growth in individual areas, services (including health centres, retail facilities and education facilities) are likely to be a car-drive away, and so this option would be likely to cause the most significant increase in vehicular trips to the Borough.

Since the consultation, the County Council as the Local Highway Authority has continued to raise concerns about new residential development in locations across the Borough (Sissinghurst, Frittenden, Beneden, Goudhurst, Sandhurst and Brenchley/Matfield) that have no, or very few, facilities. With only a very few non-residential allocations that would provide services and facilities within these settlements, such housing growth would result in a large percentage of car borne trips.

Whilst the County Council has provided comments on individual sites in these villages (Appendix 1), Tunbridge Wells Borough Council is asked to consider the implication of locating housing sites that are a car drive away from key facilities.

The Park and Ride site at Woodsgate Corner (Policy AL/PE 7)

KCC as Local Highway Authority agrees with the ambitions of Tunbridge Wells Borough Council to maintain and enhance the rail and bus networks and services and to ‘encourage an efficient and improved strategic public transport network and safeguard any routes that may be required in the future, in places that will cater to those who commute, and will encourage a reduction in the necessity for the private car’ (paragraph 4.60).

However, the allocation of the Park and Ride site at Woodsgate Corner (Policy AL/PE 7) as car showrooms goes against this objective. The proposed removal of the Park and Ride site effectively removes the chance of an improved direct public transport service into the town. With the levels of proposed growth to the north of this site further along the A228 corridor, the safeguarding of this well located site for Park and Ride (or innovative alternative) is vital. The inability to deliver a Park and Ride site could compromise the Borough Council’s ability to deliver the preferred growth strategy.

Impact on adjacent districts

The impact of the proposed settlement in Tudeley will have an impact on Tonbridge town and this impact will need to be assessed in much greater detail prior to the Regulation 19 consultation. In addition, impacts resulting from the Tudeley Village and Paddock Wood allocations on the road network in Tonbridge and Malling Borough and Maidstone Borough should also be assessed.

Developer contributions and mitigation

Throughout the Draft Local Plan, many of the policies state that ‘*It is expected that contributions will be required towards the following if necessary, to mitigate the impact of the development...*’. This wording is not acceptable to the County Council as Local Highway Authority. It is suggested instead that the policies state that ‘*It is expected that mitigation measures will be implemented by the developer. A contribution may be taken if appropriate*’.

Summary

The County Council as the Local Highway Authority has fundamental concerns that the impact of the additional vehicular traffic brought about by the preferred growth strategy has not yet been effectively addressed in the Draft Local Plan by clearly defined mitigation measures. KCC would welcome continued dialogue to address these matters as the Local Plan progresses.

Education

Proposed growth within Paddock Wood and Tudeley Village (Policy STR/PW 1) is forecast to generate the combined need for an additional eight forms of entry of secondary provision. It is proposed that two forms of entry are provided through the expansion of the existing Mascalls School prior to the establishment of a new six form entry secondary school within the area. The total level of growth cannot be accommodated through the expansion of Mascalls School alone and therefore Policy STR/PW 1 relating to growth in Paddock Wood must reflect the need for sites relating to the policy to contribute financially to the provision of the new six form secondary school.

The policy referring to Land to east of Tonbridge/west of site for Tudeley Village (Policy AL/CA 2) relates to land proposed for the establishment of a new six form entry secondary school. The establishment of a new school is wholly required to support the proposed level of growth. It would be advantageous for the school to be located closer to the proposed development towards the east; this would increase the likelihood of more sustainable modes of travel being used by students. However, the geographic location of the school is acceptable in order to meet the additional need for school places. However, the identified site is significantly constrained - consisting of two sites separated by a railway line with deep embankments, the southerly part of the site containing a sizeable area of Ancient Woodland, a high pressure gas pipeline runs from south to north through the western side of the site and the south of the site is identified as an area of potential archaeological importance.

It would not be KCC's preferred option to establish a new school on split sites and the site's additional constraints are likely to make design and construction of a new secondary school far more challenging. The maintenance and management of the Ancient Woodland could not be the responsibility of the school, nor could the maintenance of the bridge that crosses the railway line. However, the school would require security that the bridge will be maintained in perpetuity and there is potential that a second bridge over the railway would be required within the school site to overcome some of the site's constraints; this would enable students to cross the two sites without leaving the safeguarding line of the school during the school day.

Delivery of a secondary school at this location is therefore highly likely to cost significantly more than that of a regularly shaped and unconstrained single site; the school will need to be wholly funded by development and therefore the financial contributions from contributing developments would need to be increased to cover the additional costs derived from both the site's abnormalities and the likely need to deviate from the Department of Education's baseline design. In order for the County Council to confirm that the necessary secondary provision could be provided within the proposed site, it is suggested that prior to the Regulation 19 stage, the Borough Council undertakes a detailed design and costing exercise relating to the site, or that an alternative site with fewer physical constraints is identified within the area.

Provision and Delivery of County Council Community Infrastructure

The County Council generally favours growth strategies that include sustainable, larger development sites as they are more capable of supporting new infrastructure, including schools, early years, childcare, libraries and community centres. KCC supports the objective to

establish garden settlements as a model of future delivery, provided that they are suitably located with respect to existing infrastructure and that upgrades to existing infrastructure are properly assessed for their ability to cope with new development. New supporting infrastructure must be appropriate in terms of scale. The Paddock Wood and Tudeley Village developments will be considerable, so it is critical that KCC services are considered at an early stage and that they are commensurate with the scale of the development and future proofed to cater for the growing community.

The County Council is responsible for ensuring the provision of Community Learning (formerly known as adult education), as well as Early Help for young people (from birth to 25 years old). Early Help duties include the delivery and commissioning of children's centre services, other specialist children's services, youth services and wider public health services. KCC also has a duty to ensure early years childcare provision in Kent, as set out in the Childcare Acts (2006 and 2016).

The County Council would like to see continued support for funding towards multi-functional Cultural Hubs at Tunbridge Wells, Cranbrook and Southborough. These provide an excellent mix of services including social care, libraries and education facilities.

KCC would emphasise the need for close collaboration between key partners to ensure that required infrastructure is planned, funded and delivered in a timely manner – this is critical to the success of new developments, ensuring a sustainable community is created and maintained.

Youth Services

There does not appear to be specific reference to youth services within the consultation document. There is a county wide need to make appropriate consideration for youth services – and youth services should clearly be seen as an essential element of community services.

Adult Social Care

The County Council has adult social care responsibilities (delivered through the Kent Accommodation Strategy for Adult Social Care) to ensure adequate facilities for older persons in the County. The Borough Council should have regard to the Kent Accommodation Strategy for Adult Social Care in determining housing options for adult social care clients.

The Local Plan should also reference "Your Life Your Well-Being" - Kent County Council's strategy for Adult Social Care. The strategy seeks to 'help people to improve or maintain their well-being and to live as independently as possible'. Its vision is for people to live independently in their own home receiving the right care and support and the strategy sets out the strategic direction for suitable housing and care home provision for all Adult Social Care client groups. It identifies the need for more extra care housing and to explore the opportunities to develop mixed tenure models of extra care housing. It is important to support older persons' care homes in the areas where there is a need for specific support, including for people with dementia that presents as challenging. High quality, affordable dementia care is needed across Kent. In Tunbridge Wells, the average cost for care home beds is significantly higher than the Kent average and this creates a challenge for the County Council to place people in suitable, affordable residential care. The County Council is keen to work with the Borough Council to ensure an adequate, affordable supply of housing options are delivered through the Local Plan.

Broadband and mobile connectivity

KCC welcomes the inclusion of the policy ED 3 (Digital Communications and Fibre to the Premises), as there is a need to ensure that new development has either full fibre (FTTP) or gigabit capable connections. Given the recent shift in Government policy (set out in the Future Telecoms Infrastructure Review) from superfast speeds (in excess of 24mbps) to 'gigabit-capable' speeds (delivered either via wired i.e. FTTP or wireless solutions), the County Council would request that the references to 24mbps, high speed and 'next generation-access' are replaced with the term 'gigabit-capable'. This will help ensure that the plan is in keeping with current and emerging national digital infrastructure policy.

The County Council also considers that, given the increasing importance of mobile connectivity, developers should be strongly encouraged at an early stage to discuss mobile coverage and capacity with mobile network operators to ensure that new development has the mobile connectivity that businesses and residents would expect.

Sustainable Businesses and Communities

KCC is supportive of the Plan's approach to sustainable development. The Plan's policies to support the transition to a zero-carbon economy to promote environmental sustainability, through requiring high standards of energy and water efficiency, improving climate change resilience, incorporating green infrastructure and supporting innovative low carbon transport options and renewable energy are particularly welcomed. These measures align with and support the priorities of the Kent Environment Strategy and the draft Kent and Medway Energy and Low Emissions Strategy, which sets a vision for achieving net-zero carbon emissions by 2050.

The draft Kent and Medway Energy and Low Emissions Strategy seeks to ensure that the decisions and plans made for the future embrace clean growth and allow the development of a clean, affordable and secure energy future. This can only be achieved through informed planning decisions, good quality sustainable design, investment in new technologies and cleaner fuels.

The Local Plan presents a real opportunity to progress future low carbon energy infrastructure such as district heating schemes, hydrogen grids and local energy centres supplied by locally produced renewable energy sources. The draft Local Plan could further support the zero-carbon agenda by identifying where there is potential for new settlements to become zero-carbon development hubs, for instance, utilising district heating networks or hydrogen energy grids. This could encourage investment in trials and pilots of new zero-carbon technologies and infrastructure. The County Council would be keen to explore these opportunities further with the Borough Council to support the transition to a zero-carbon economy.

Place shaping and design

The County Council strongly supports the Local Plan's ethos of place shaping and good design. Kent Design Guidance is being refreshed for publication in 2020 and there is opportunity to make appropriate reference to ensure that development is aligned to the principles set out in the Kent Design Guidance.

Minerals and Waste

There are economic mineral deposits that are potentially threatened with sterilisation by the allocations in the Draft Local Plan. The safeguarding of these potentially economic minerals is required by Policy CSM 5 of the adopted Kent Minerals and Waste Local Plan 2013-30 (KMWLP). Whilst the KMWLP is referenced at paragraph 6.1 and in Policy EN 32 of the consultation document, it does not evidence that any assessments against the criteria of

Policy DM 7 have been carried out to determine if there are grounds for exemption from the presumption to safeguard the potentially affected minerals. Given the economic resources affected, it is possible that an argument could potentially be advanced that the sandstone formations are not threatened with sterilisation in any meaningful manner. This is because they are massive crustal sedimentary units that do not require a maintained landbank in the County as required by aggregate minerals.

The County Council has submitted a Mineral Sites Local Plan to the Secretary of State, which is currently under examination. It identifies two allocations in the vicinity of the proposed Tudeley Village allocation (CA1). Whilst policy STR/CA1 does identify that this allocation is in the vicinity of the mineral site allocations and should have regard to them, it is unclear as to whether there may be any conflict with the mineral site allocations; their accessibility in the future; or whether there is any significant potential for adverse impacts on their future potential to supply mineral to the market as required by National Planning Policy Framework (paragraph 207).

Given the implications for mineral and waste safeguarding and the need for both local planning authorities to work together on this strategic matter, the County Council's Waste and Minerals Planning Policy team would be grateful to be kept engaged as the Tunbridge Wells Borough Local Plan progresses.

Sustainable Urban Drainage Systems

The magnitude of the impacts of flood risk and surface water flooding within the considered and understood within the Draft Local Plan to the satisfaction of the County Council. The Draft Local Plan recognises the importance of ensuring that the necessary infrastructure is in place to accommodate new development. The Draft Local Plan recognises that for a number of developments, an improvement in the existing flood alleviation situation in the area must be evidenced. Multi-functionality within sustainable drainage schemes and/or integration within open space should be considered.

Heritage and Conservation

The County Council supports the inclusion of a strategic objective to protect the valued heritage and built and natural environments of the Borough, and the recognition that design must take account of the outstanding built and historic environment of the Borough.

Some sites have been identified as having major or sensitive archaeological issues and some that KCC recommends should be withdrawn on heritage grounds, or for which an allocation will need to be supported by an Archaeological Desk-based Assessment. Full comments on policies are provided in Appendix 1.

Public health and air quality

It will be essential for the growth strategy to address health and wellbeing – and this must capture wider determinants of health, such as access to green space and air quality. It is considered that this could be brought out more explicitly as a priority in the Vision of the Local Plan. The County Council supports the recognition in the Plan of the role of open space and the recognition of the need to enhance opportunities to provide linkages between cycle and pedestrian routes to help improve public health and air quality in the Borough. The inclusion of active travel in the vision of the Local Plan is welcomed - active travel can help reduce vehicle congestion on roads, alleviate air quality issues and improve the health and well-being of the public.

The County Council also welcomes the incorporation of air quality policies EN 23 and EN 24 - to mitigate air quality issues and control development in Air Quality Management Areas (AQMA). Air quality issues identified in the consultation document must be addressed and

mitigated against – they will need to be managed through a range of means and this can include engineering solutions, reduction in emissions from vehicles and access to cleaner forms of transport (such as electric vehicles).

The County Council recognises the role and importance of the emerging Local Plan in guiding and managing sustainable development in the Borough up to 2036. The County Council will continue to work closely with the Borough Council to ensure the delivery of new housing, employment and required infrastructure and services across the Plan period.

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

Yours sincerely



Barbara Cooper
Corporate Director – Growth, Environment and Transport

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[Appendix 1: KCC Technical Schedule of Policy Comments](#)
[Appendix 2: KCC Comments on the Infrastructure Delivery Plan](#)