

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

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

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

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

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

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

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

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

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

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AL/SA 1 Land on the south side of Sayville, Rye Road and west of Marsh Quarter Lane, Sandhurst	<p>Public Rights of Way</p> <p>The County Council requests direct reference to Public Footpath WC295 that runs through site and the need for improvements to link to the wider network. Improvements are required to Public Footpath WC297 to provide an active travel link to local facilities.</p>
SPELDHURST	
PSTR/SP 1 The Strategy for Speldhurst parish	<p>Public Rights of Way</p> <p>The County Council requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRow network to provide Active Travel opportunities in the area.</p>
SECTION 6: DEVELOPMENT MANAGEMENT POLICIES	
ENVIRONMENT	
Environment and Design	
EN 1 Sustainable Design	<p>Sustainable Business and Communities</p> <p>The County Council supports the sustainable design criteria outlined within this policy. KCC requests consideration of whether there would be ground to consider if it would be viable and reasonable for the requirement for a Construction Environmental Management Plan to be extended to all developments - not just those over 20 units or 2,000sqm floorspace.</p> <p>Furthermore, the County Council would encourage the inclusion of policy/guidance on the use of carbon offset, and to state whether or not developers can use offsetting to deliver emission reduction targets.</p> <p><i>1. Design, character and site context</i></p> <p>Broadband</p> <p>The County Council supports the need for proposals to include infrastructure that meets the need of modern communication and technology.</p> <p><i>4. Landscape, trees, and amenity / 5. Biodiversity and geodiversity</i></p> <p>Biodiversity</p> <p>The County Council requests consideration of native species planting. In an ecological context, one of the most positive landscape contributions of any development is to include native plant species only. Many native insects (c.10,000 species) will require native species in which to complete their lifecycle (with non-natives unable to provide this function).</p> <p>Section 5 also states “Proposals should identify and not undermine the value of ecosystem services that the site provides”. The County Council is supportive of this in principle, though KCC would question how development proposals can practically and definitively assess a site’s capacity to provide various ecosystem services.</p> <p><i>6. Residential Amenity</i></p> <p>Given the anticipated impact from COVID-19 of increased home working as a permanent adjustment to people’s working lives, the County Council recommends consideration of how to ensure safe and reasonable home working areas. Ensuring that suitable spaces for home working are designed into new development will have positive benefits by boosting the resilience in this area of the local workforce and their ability to continue working and to learn.</p> <p>High quality design should also be accessible, taking into account the varying needs of the evolving community, which includes providing diverse housing types, such as extra care housing, that is flexible and responsive to changing needs. The County Council recommends that this should include consideration of dementia friendly design within the Local Plan. Small design changes to housing and infrastructure can help someone living with dementia to be more independent by providing a home and environment that is clearly defined, easy to navigate, and feels safe.</p>

Policy / Paragraph	Commentary
	<p>Sustainable Urban Drainage Systems</p> <p>The County Council notes that the Local Plan makes reference to many design elements that will provide multiple benefits and makes note specifically of green roofs. Green roofs are drainage measures that can control runoff from roof areas for small storm events, which comprise the majority of UK's rainfall. Unfortunately, as a design element and part of the building fabric, it is difficult for Kent as Lead Local Flood Authority to influence planning at early stages for their inclusion, so they must be considered as part of the design code for an area.</p> <p>The County Council would encourage the promotion of green roofs in planning guidance for appropriate developments and recommends that they are included in design codes or supplementary planning documents for strategic sites, especially in relation to large commercial buildings, logistic hubs and public buildings.</p> <p>This policy also includes the requirements for preparation of a Construction Environmental Management Plan (CEMP). Recently, KCC has experienced a number of queries from concerned residents in relation to the control of erosion and silt deposition from construction sites. KCC would recommend that the importance of erosion and silt control is also included in the detail of a site's CEMP.</p>
EN 3 Climate Change Mitigation and Adaptation	<p>Sustainable Business and Communities</p> <p>This policy includes a section on energy reduction in new buildings, calling for a "A 'fabric first' approach in which all development comprising the construction of new buildings is required to reduce operational CO₂ emissions by at least 10% below the Target Emission Rate (TER), as set out in Building Regulations Part L (2013)". The Future Buildings Standards, due to come into force in 2021, will introduce an uplift to Part L of 31%, which will mean Policy EN3 will be superseded.</p> <p>This policy also includes requirements to address climate change adaptation. KCC welcomes this inclusion and would recommend that the policy references the Kent Climate Change Risk and Impact Assessment, which will help ensure developments understand more localised future risks from climate change.</p>
EN 4 Historic Environment EN 5 Heritage Assets	<p>Heritage Conservation</p> <p>The County Council is supportive of these policies. The Borough Council has held extensive discussions with KCC during the development of the historic environment policies and have included commentary in the revised policy proposals and supporting text. The policies also build on a Heritage Strategy and relevant Supplementary Planning Documents (SPD) (Local List of Heritage Assets and Historic Farmsteads).</p>
EN 8 Outdoor Lighting and Dark Skies	<p>Biodiversity</p> <p>The County Council is supportive of the references to dark skies/light pollution in relation to wildlife within this policy.</p>
Natural Environment	
EN 9 Biodiversity Net Gain	<p>Biodiversity</p> <p>The County Council considers that this policy is of vital importance for biodiversity/and ecology, denoting that applications must demonstrate a net-gain in biodiversity can be achieved. The policy includes all the necessary information linked to achieving and maintaining, biodiversity net-gain.</p> <p>Importantly, all the site-specific policies caveat that Policy EN 9 must be referred to, ensuring an ecological baseline is undertaken and demonstrable net-gain proposals are provided.</p> <p>The County Council recommends reference to Kent's Plan Bee, a pollinator action plan developed by the County Council that seeks to improve the food sources and general habitat for pollinators.</p>
EN 10 Protection of Designated Sites and Habitats	<p>Biodiversity</p> <p>The wording of this policy adequately accounts for all statutory and non-statutory designated sites. These sites have been defined and identified within the Local Plan. The County Council is therefore supportive of this policy.</p>

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

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

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

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