



Growth and Communities

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BY EMAIL ONLY

13 July 2021

Dear Kevin,

Re: EIA Scoping Opinion for a proposed development at Land South and South East Mascalls Court Road, Paddock Wood, Tonbridge, Kent [application reference: 21/02129/EIASCO]

Thank you for consulting Kent County Council (KCC) on the request for a Scoping Opinion for the proposed development of approximately 1,200 dwellings and related facilities.

The County Council has reviewed the Environmental Impact Assessment (EIA) Scoping Report and sets out its comments below, following the order of the report.

Chapter 8 Landscape and Visual Impacts

Public Rights of Way (PRoW): The County Council, in respect of its statutory duty to protect and improve PRoW in the County, is committed to working in partnership with the applicant to achieve the aims contained within the Rights of Way Improvement Plan (ROWIP) and Strategic Statement for Kent.

Public Footpaths WT255, WT256, WT257, and WT270 are located within the site and would be directly affected by the proposed development. The extract of the Network Map (Appendix A) illustrates Public Bridleways WT315 and WT318 and Public Footpaths WT262, WT263, WWT269 and WT271. -These are adjacent to, or in close proximity to the site and must also be addressed as part of the wider network as they provide links across the area.

Visual

Paragraphs 8.9 – 8.11

PRoW: KCC welcomes the inclusion of the PRoW routes as one of the main receptors for consideration; visual amenity is a significant element for all PRoW users and any impact must be mitigated. Reference to the wider network is also welcomed.

Chapter 9 Biodiversity and Nature Conservation

Biodiversity: The County Council considers that a good range of surveys are proposed; however, it is noted that a breeding bird survey will not be carried out. The hedgerows and arable fields at the site provide opportunities for breeding birds, and due to the bird interest demonstrated by the wintering bird survey, KCC would recommend that a breeding bird survey is carried out.

It should also be noted that any Biodiversity Net Gain assessment must use Version 3 of the metric as released in July 2021.

Chapter 10 Water Quality, Hydrology and Flood Risk

Water Quality

Sustainable Urban Drainage Systems (SuDS): There is currently a review of the Non-Statutory Technical Standards for Surface Water Drainage, which KCC, as Lead Local Flood Authority (LLFA), uses to assess drainage strategies for new major developments. It has been proposed the surface water standards will include revisions that are likely to include more requirements in relation to multi-functionality of the drainage systems, specifically in relation to biodiversity net gain and amenity areas. It is preferable that above ground features are used against any below ground storage options in an effort to provide multifunctionality, reflecting the Environment Bill (October 2019). The Bill requires a 'biodiversity net gain', whereby new developments should enhance biodiversity and not only mitigate against development. It should therefore be demonstrated that above ground SuDS features have been thoroughly considered within the planning submission.

Flood Risk

SuDS: Proposals for drainage accommodation within the design are provided within the Scoping Report. The County Council would strongly recommend the Flood Risk Assessment considers surface water at the early stages of the design. The Assessment will need to include consideration of existing overland flow paths and ponds and how they will be maintained and managed within the proposed drainage strategy, along with enhancing the natural environment, such as blue-green infrastructure and provision of multi-functional benefits.

It has been highlighted that due to the geology of the area being a clay bedrock formation, it is not considered feasible to undertake an infiltration approach. Therefore, the proposals include discharge to the East Rhoden Stream and other watercourses within the vicinity of the site at Qbar (5.7 l/s/ha). This high level drainage strategy would be acceptable, provided all up and downstream catchments are considered, where required, to ensure that there will be minimal impact to the watercourse network. All discharge points will also require Internal Drainage Board liaison and consent.

KCC recommends that ground investigations are undertaken within each phase of the development as there could be the opportunity for bespoke SuDS options dependant of local infiltration rates - with the inclusion of SuDS features throughout the development to form part of the surface water strategy.

It is recommended that all natural channels are retained and integrated into the open space allocations. KCC would support re-profiling of ordinary water courses where this occurs. This should also be considered with other environmental matters.

Chapter 11 Soils, Geology and Contamination

Minerals and Waste: The proposed development site is in conflict with a strip of economic mineral deposit, Sub Alluvial River Terrace Deposits. These deposits are marginal in economic viability, being shallow and laterally not extensive. Therefore, the County Council as Minerals and Waste Planning Authority, requests that any planning application is accompanied by a Minerals Assessment to demonstrate that the proposal would not be in conflict with policies CSM 5 and DM 7 of the Kent Minerals and Waste Local Plan.

Chapter 12 Archaeology and Heritage

Heritage Conservation: The proposed development is broadly within a rural, countryside location, although is notably within close proximity to Paddock Wood town. It is noted that the extent of formal archaeological investigation has been limited. This site does have potential for remains of Prehistoric and later date. The geology, topography and landscape generally suggests an area favourable for prehistoric and later activity. There is limited evidence for Roman activity but there are indications of Medieval activity with Moat Plat's (possible former site of Coptgrove Manor).

There are indications of later Medieval and Post Medieval farming and horticulture as well as industrial activity. Some of the historic farms include designated heritage assets, such as Mascells Court Farm but there are historic farm buildings in the area which are not designated but are of archaeological interest.

There may be modern farming and military and social history sites close to and within the development site. Some of these sites are identifiable on aerial photos and early OS maps

but the precise location of certain military sites, such as crashed plane sites, are not always known. The County Council considers that there is potential for this proposed development to have an impact on significant but as yet unknown archaeology. Robust and comprehensive assessment is essential to ensure planning decisions are appropriately informed.

With regard to submitted data from the applicants, KCC welcomes the proposal to scope in archaeology and heritage. However, only an Archaeological Desk Based Assessment (DBA) and a Built Heritage Assessment are proposed which is not considered to be sufficient. For a large scale scheme such as this one, in this location, it is essential that a specialist Archaeological Landscape Assessment is undertaken as well. Landscape Visual Impact Assessments (LVIAs) cover historic landscapes and focus on the natural environment. These do not address Archaeological Landscape requirements which include consideration of ancient field systems, earthworks, historic lanes, industrial, ritual, Medieval and earlier landscape features, land use etc., some of which may actually be obscured by natural vegetation (e.g. scrub on a linear bank, water in a quarry). Any archaeological landscape assessment must include a detailed site walkover and noted observations of earthworks and "ancient" vegetation.

Therefore, KCC recommends that the assessment of the historic environment should include an Archaeological DBA, Historic Built Environment Report and an Archaeological Landscape Assessment. All should be undertaken by appropriate, relevant specialists.

The summary of heritage issues in the Scoping Report seems to focus on the Post Medieval period and earlier. It is essential that the archaeological assessment includes consideration of archaeology of Prehistoric, Roman, Early Medieval and Medieval periods as well as the later archaeology. For example, there is mention of Mascell's Court, which includes a designated building, but this site is of Post Medieval interest, whereas the possible site of Coptgrove Manor may be of Medieval date and as such associated remains may have greater archaeological significance. There may well be prehistoric remains which are of significance and could be widespread but are as yet unknown. KCC therefore recommends that there is a need to consider preliminary fieldwork.

KCC recommends that fieldwork supporting the assessments is essential. There needs to be walkover site visits, but KCC also would recommend the need for a geophysical survey across the entire site and consideration of targeted trial trenching. This would ensure that the character and significance of archaeological remains identified is fully understood at an early stage, prior to the detailed masterplan being finalised. The County Council does not therefore agree with the Scoping Report statement in paragraph 12.8, which states that there are no archaeological constraints to this development. At present there is insufficient information to state this and there is potential for as yet unknown significant Prehistoric or later remains which could be of a significance and be a constraint on some area (s) of the development.

It is noted that a masterplan has been provided, but it is strongly recommended that flexibility is needed to accommodate preservation in situ for significant archaeology, in accordance with National Planning Policy Framework (NPPF) guidance.

KCC would also encourage consideration of the initial paragraphs of Section 16 of the NPPF which encourage the use of heritage. KCC encourages the integration of archaeological remains within a development. This can often have positive contribution to the new environment and to the wellbeing of the community. The County Council would therefore encourage consideration of a statement on Heritage Enhancement Measures.

Overall, although KCC welcomes Archaeology and Heritage being included within the scope, the historic environment assessment must include all periods including Prehistoric, Roman, Early Medieval and Medieval as well as Post Medieval. The archaeological assessment must include an Archaeological Landscape Assessment and walkover site visits and fieldwork in the form of geophysical surveying and consideration of targeted trial trenching. The County Council does not support the Scoping Report statement in paragraph 12.8 because there is insufficient information on archaeology at this stage. The County Council would welcome further engagement with the applicant regarding guidance on DBAs and the range and scope of the archaeological assessment.

Chapter 15 Transport and Access

Highways and Transportation: The Scoping Report identifies a range of potential impacts on the local transport networks owing to the proposed development. It confirms that a Transport Assessment (TA) will be submitted in support of a planning application.

KCC, as Local Highway Authority, regards the submission of a detailed TA to be essential in enabling the cumulative transport related impacts of the proposed development to be properly understood. Importantly, it should identify the measures that will be implemented to ensure such impacts can be appropriately mitigated. In addition to the topics proposed in the EIA Scoping Report, the TA should include the following:

- Consideration of the proposed junction improvements at Colts Hill roundabout and at the signalised junction of Badsell Road/Maidstone Road/Mascalls Court Road (developer funded schemes to be implemented by KCC); and
- How optimum permeability by sustainable modes will be achieved between existing residential areas/key-destinations, as well as development being constructed to the west of the proposed sites, and to and from other potential development sites outlined in the Pre-Submission Local Plan.

Given the size and nature of the proposal, KCC considers that use of the Strategic Transport Model, which has been prepared by SWECO for Tunbridge Wells Borough Council, will be critical in demonstrating the highway and environmental impacts on both the strategic and local highway network. KCC would welcome the opportunity to discuss the scope and content of the TA at the earliest opportunity.

In conclusion, the proposed EIA scoping assessment methodology outlines a suitable approach for testing the environmental impacts of the proposed development from a transport perspective.

Paragraph 15.1

PRoW: The County Council requests the inclusion of Active Travel within the key issues for assessment.

Paragraph 15.3

PRoW: The Transport Assessment and Travel Plan must include Active Travel schemes and the PRoW network in order to identify opportunities to improve and incorporate routes.

Paragraph 15.10

PRoW: Reference should also be made to the KCC Rights of Way Improvement Plan alongside the Kent Design Guide.

Paragraph 15.20

PRoW: With regards to the potential environmental impacts, KCC requests specific mention of PRoW network.

Paragraphs 15.21 – 15.24

PRoW: Any Traffic Management Scheme should include the PRoW network and the impact on pedestrian, cycle, and equestrian use. All PRoW must remain open, safe, and attractive to all users.

Paragraph 15.27

PRoW: KCC welcomes the need to address the effect on the PROW network and that the opportunities that the network can provide through positive incorporation and early planning are not missed.

Paragraph 15.46

PRoW: KCC supports the aims regarding PRoW onsite and also would encourage the applicant to explore opportunities are sought for wider network connectivity to local facilities and transport hubs.

Chapter 13 Socio-economics

Provision and Delivery of County Council Community Services and Facilities: The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution. A request summary is provided below, with full details provided within Appendix B (Request Letter). The County Council would welcome engagement with the Borough Council to secure the necessary infrastructure to support sustainable growth.

Request Summary¹

	Per 'Applicable' ² House	Per 'Applicable' Flat	Project
Nursery	26 place nursery to be provided as part of a 2 form entry primary school		
Primary Education New Build	£6,800.00	£1,700.00	New on-site 2FE primary school
Primary Land	1 No. 2 FE primary school level site of 2.05ha at 'nil' cost to the County Council (transferred as per KCC's General Site Transfer Requirements (Appendix C))		
Special Education Needs	£1,051.82	£262.96	Towards providing additional places for those children with special educational needs within specialist settings and /or mainstream specialist resource provision
Secondary Education (Expansion)	£4,540.00	£1,135.00	Towards the 2FE expansion of the Mascalls Academy School OR
Secondary Education New	£5,176.00	£1,294.00	Towards a new 6FE secondary school within the Tonbridge & Tunbridge Wells non-selective and West Kent selective planning groups
Secondary Land	£4,392.89	£1,098.22	Towards the cost of secondary school land purchase if the developer is not transferring land at nil cost to KCC

¹ Please note that these figures:

- are to be **index linked by the BCIS General Building Cost Index from April 2020 to the date of payment** (Apr-20 Index 360.3)
- are valid for 3 months from the date of this letter after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.
- Bonds will be required by KCC for Education contributions where the applicant wishes to pay the contribution in instalments. If paid in instalments, the applicant will also be required to cover KCC's borrowing costs for the construction of the school.

² 'Applicable' excludes 1 bed units of less than 56 sqm GIA, and sheltered accommodation.

	Per Dwelling (x1,200)	Total	On Site Community Buildings	Project
Community Learning	£16.42	£19,704.00	Free use of on-site community facilities for adult education classes	Contributions towards IT, equipment and resources to enable outreach work in the vicinity of the development
Youth service	£65.50	£78,600.00	Free use of on-site community facilities for youth sessions	Contributions towards IT, equipment and resources to enable outreach work in the vicinity of the development
Libraries	£55.45	£66,540.00	Free use of on-site community facilities for library purposes	Contribution towards bookstock, equipment, IT and resources at Libraries serving the development
Social Care	£146.88	£176,256.00	Free use of new community facilities on-site for meetings, groups and therapy sessions	Towards specialist housing provision in the District, adaptation of community facilities, technology to promote independence, multi- sensory facilities and changing place facilities in the vicinity of the development.
	All Homes built as wheelchair accessible & adaptable dwellings in accordance with Building Regs Part M 4 (2)			
Community Buildings specification	<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 Equality Act, including adjustable height work surfaces, wash areas, cupboards etc • 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 			
Waste	£183.67	£220,404.00	Towards new Waste Transfer Station and new and improved Household Waste and Recycling Centre to serve Tunbridge Wells residents	
Broadband:	<p>Condition: Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mb) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details.</p> <p>Reason: To provide high quality digital infrastructure in new developments as required by paragraph 112 NPPF.</p>			

Public Health: The County Council recommends that health care and the effects of the proposed project on population and human health should be considered alongside socio-economics matters in relation to the need of facilities/services.

The proposed development is within the Borough of Tunbridge Wells where, generally, residents live in good health in comparison to the rest of England. However, there are significant pockets of deprivation in some wards in which residents suffer from poor health in comparison to the rest of the Borough (and in some instances, England). The site is in the ward of Paddock Wood East, which performs significantly worse on a number of health indicators than the rest of the Borough. When considering population and human health, it is therefore important to understand the health profile of the existing community and whether the impact of the proposed development will be significant on this community, as well as the residents living in the proposed new development.

Population and human health should be considered in a broader sense to ensure any proposed development supports priorities within the Tunbridge Wells Borough Council Five Year Plan (2017-2022) of 'supporting a well borough' and 'improving social and health inequalities'. This is also supported by the National Planning Policy Framework in particular section 8 – promoting healthy and safe communities, as well as by objectives within the Kent Health and Wellbeing Strategy. To support the robustness of identifying or excluding population and human health issues at this stage, a greater use of the evidence base is recommended; using data from the [Kent Joint Strategic Needs Assessment](#) (JSNA) and other sources of public health data from the [Public Health Outcomes Framework](#) (PHOF), including ward level data.

Chapter 16 Environmental topics scoped out of the EIA

16.1 Waste

Waste Management: Whilst it is recognised that this housing development forms part of the proposed allocations in Tunbridge Wells emerging Local Plan, the assumption that there is sufficient waste capacity to accept waste arising from the development is not correct. KCC, as Waste Disposal Authority, has been working with the Borough Council and as part of the Local Plan consultation process, raised concern over the pressure the proposed additional homes in the Paddock Wood area will place upon overstretched waste infrastructure. KCC has identified the need for additional waste transfer station (WTS) and household waste recycling centre (HWRC) capacity to be able to meet the projected demand from new housing developments such as this. This has been accepted by the Borough Council and a project has been included in its most recent Infrastructure Delivery Plan; and an exercise to locate a suitable site is currently ongoing

Appendix A Potential Viewpoints and Receptors

PRoW: The substantial size of this development will have an adverse impact on the PRoW network, through increased use, loss of amenity and potential generation of traffic. Significant measures will need to be taken to help mitigate all these impacts and future proof sustainable Active Travel in both the development and the wider area of the Borough. The increase in investment and policy from both central and local government towards a modal

shift away from short car journeys should focus this project to provide a sustainable development for the future.

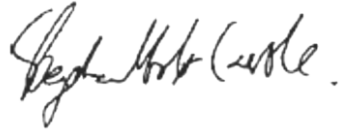
The County Council is likely to request developer contributions to mitigate the loss of amenity, increased use and subsequent surface improvements that will be required in the wider network as the area is developed. The applicant should also have consideration of the following:

- The likely usage and visual impact on users participating in recreational activity on the above-mentioned footpaths and restricted byways.
- The likely loss of recreational walks within open countryside.
- Connections with planned cycle pedestrian routes and existing PRow network schemes through the adjacent developments at Church Farm and Mascalls Court Farm are essential.
- The impact of increased vehicular traffic along rural lanes, which currently provide valuable connections for equestrians and cyclists travelling between off-road PRow routes. The proposed development could deter public use of the PRow network if vehicular traffic increases along these roads.
- The viability of upgrading existing PRow, as a means of providing walking and cycling between residential dwellings, education facilities, employment hubs and local amenities, to encourage active travel.
- The creation of new walking, cycling and equestrian routes that connect the site with the surrounding countryside, providing opportunities for outdoor recreation.
- The provision of safe crossings points over the railway for non-motorised PRow users, to address safety concerns and improve network connectivity.
- In consideration of Kent Design standards and policy, any forthcoming master plan should keep PRow within overlooked areas of open space, to facilitate a safer environment for path users. Path extinguishments and long term severance of routes should also be avoided, to prevent fragmentation of the PRow network.

The County Council will continue to work closely with the Borough Council to help to ensure the delivery of new housing and infrastructure in response to local needs. The County Council will welcome further engagement with the Borough Council and the applicant on the matters raised in this response.

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

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Stephanie Holt-Castle'.

Stephanie Holt-Castle
Director for Growth and Communities

Encs:

Appendix A: Extract of the Network Map

Appendix B: Request letter - Provision and Delivery of County Council Community Services:

Appendix C: General Land Transfer Terms