



## Growth and Communities

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### BY EMAIL ONLY

28 June 2021

Dear Councillor Akenhead

### Re: Brenchley and Matfield Neighbourhood Plan (2020-2038) - Regulation 14 Consultation

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

The County Council has reviewed the Neighbourhood Plan and for ease of reference, has provided comments structured under the chapter headings and policies used within the document.

#### **Chapter 1 – Introduction**

**Heritage Conservation:** The County Council notes that although the Neighbourhood Plan discusses the rich heritage of the parish, it is at present rather disjointed, with relevant text being presented in a number of different places. Iron working, for example, is mentioned in the Landscape Context section, but only one site is identified (Furnace Pond). The later section on Historical Context then reviews the heritage assets of key settlements, but not those of the wider countryside. The result is that the reader does not get an accurate overall view of the heritage of the parish, with some key heritage assets being omitted.

KCC would recommend that for such a historic area, the Neighbourhood Plan could be strengthened by incorporating an introductory section titled 'Landscape History and Heritage'. This could present not only the history of the parish, but also review the range and quality of the surviving heritage assets. This would in turn make it easier to relate the heritage to the themes that are developed later in the Neighbourhood Plan. Additional information could be provided on the history of iron-working in Brenchley, including mention

of the sites at Horsmonden Furnace and Badsell Park Farm, the range of agricultural buildings in the parish, and the historic farmsteads.

## **Chapter 2 - Background on Parish**

Public Rights of Way (PRoW): The County Council welcomes references to the PRoW network and the County Council's Rights of Way Improvement Plan (ROWIP). This inclusion will enable successful partnership working to continue and deliver improvements to the PRoW network in Brenchley and Matfield.

On page 15, the County Council recommends that “*excellent network of Footpaths*” is amended to “excellent Public Rights of Way network”. Within the parish, the majority of Public Footpaths are not only for leisure opportunities but increasingly should be seen as providing local Active Travel opportunities and connectivity across the area.

The County Council requests that it is involved in future discussions regarding projects that will affect the PRoW network. KCC can then advise on the design and delivery of these projects, ensuring that new routes successfully integrate with the existing PRoW network. KCC would welcome future engagement to consider local aspirations or access improvements and potential funding sources for the delivery of these schemes.

### *Landscape Context / Historical Context*

Heritage Conservation: The current Landscape Context text is a good review of the landscape history of the parish, but the historic context section is limited and does not include consideration of the many of the sites within the parish. Given how closely the landscape and heritage are integrated in Brenchley, KCC would recommend that these two sections either be amalgamated into a Landscape History and Heritage section, or a Landscape section which avoids mention of individual sites, and a History and Heritage section that includes the full range of heritage asset types.

## **Chapter 4 - Vision Statement and Strategic Objectives**

PRoW: The County Council is supportive of the Access and Movement objective but recommends including text around encouraging the use of Active Travel and sustainable transport measures.

Public Health: The Neighbourhood Plan contains a number of objectives and policies that support improvements in health and wellbeing of residents in the area. To ensure the robustness of the Neighbourhood Plan and its evidence base, consideration of 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, is recommended. In addition, text should be included to reference 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 justify planning policies regarding health and wellbeing.

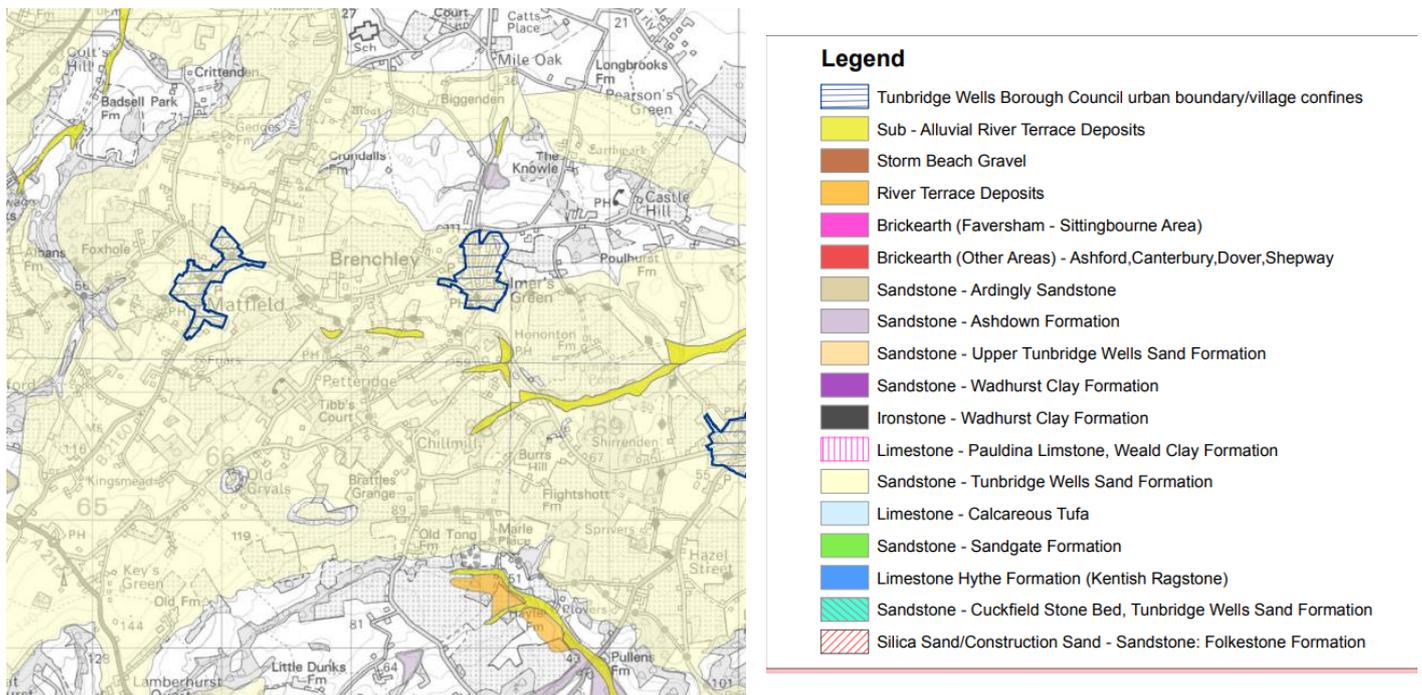
Whilst the Public Health indicators show that Brenchley and Matfield perform significantly better than the England average on the majority of public health indicators, this does not mean the area will not face challenges and that it will need to take these into consideration. For example, data from the [Public Health England Fingertips](#) indicates that whilst the number of overweight and obese children in Year 6 in Brenchley and Matfield is significantly lower than the England average, nearly 1 in 4 children in the area will leave primary school as overweight or obese. This should be considered within the Neighbourhood Plan.

## Chapter 6 – Neighbourhood Plan Policies

### 6.1 Housing

**Minerals and Waste:** The County Council, as Minerals and Waste Planning Authority, notes that the Neighbourhood Plan does identify that land-won mineral safeguarding policy (as set out in the Kent Minerals and Waste Local Plan (as modified) 2013-30 (KMWLP)) is relevant to the area.

The map extract below shows the approximate Neighbourhood Plan area, most of which comprises a Mineral Safeguarding Area, the safeguarded mineral being the Tunbridge Wells Sand Formation (sandstone) and some limited Sub-Alluvial River Terrace Sand and Gravel deposits.



The County Council notes that the Neighbourhood Plan is not allocating any development sites but identifies the two sites proposed within the emerging Tunbridge Wells Local Plan.

It is noted that these sites have not had any mineral safeguarding analysis undertaken via a Mineral Assessment to establish an exemption from the presumption to safeguard the economic minerals in the area. However, given the relatively low economic importance of the

sandstone, this would not represent a significant problem for the Neighbourhood Plan to achieve. The County Council would recommend that reference is made to the presence of the safeguarded minerals and would welcome further engagement if any clarity is required on this matter.

### *H2 Location of housing development*

Heritage Conservation: KCC welcomes the commitment to ensuring that new development in the countryside is in keeping with the character of existing settlement. It should be noted that development between villages and hamlets and among farm buildings would in many places be consistent with the historic character of those areas. Historic England (together with KCC and the Kent Downs AONB team) has published guidance on historic farmsteads in Kent that considers how rural development proposals can be assessed for whether they are consistent with existing character of the countryside<sup>1</sup>.

### *Policy H10 Developer Contributions*

PRoW: Developer contributions could be used to upgrade existing routes or create new path links that address existing network fragmentation issues and reference should therefore be given to investment into the PRoW network. KCC recommends that general wording is included within this section to support funding to ensure the PRoW network is not degraded.

### *Policy H11A – Site Specific Policies for the Island site*

#### *Part C)*

PRoW: The “*public footpath beside the south side of Maidstone Road*” is not a recorded Public Footpath, so the phase should therefore be amended to “footway”.

#### *Part F)*

PRoW: Public Footpath specific references should be used where relevant within this section of the policy. The nearest recorded Public Footpaths are WT283/284 to the south and WT275 to the north of this site.

### *Policy 11b Matfield Village Hall Site*

PRoW: The County Council recommends that this policy includes a requirement for the creation of a link to PRoW network for pedestrian use within parish. Public Footpath WT286B should be referenced as improvements to this route and WT286 would enable a quality off road pedestrian link to the site and its proposed amenities.

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<sup>1</sup> <http://www.kentdowns.org.uk/publications/kent-downs-aonb-farmstead-guidance>

*Policy H12 Good Practice in Construction*

PRoW: The County Council recommends that a Construction Management Plan should include any impact on PRoW including visual and air quality affects.

## **6.2 Design**

*Policy D6 Climate Change, Environment Sustainability and Resilience*

The County Council welcomes reference to the need for sound waste management within the Neighbourhood Plan.

*Policy D7 Flood Risk Management / D8 Surface Water Management*

Sustainable Urban Drainage Systems: The County Council welcomes consideration of surface water and flood risk within the Neighbourhood Plan.

KCC as Lead Local Flood Authority would recommend that the Neighbourhood Plan includes a requirement for developments to incorporate surface water drainage features that provide multi-functional benefits, considering water quality, biodiversity and amenity. It is important to consider the quality of design for these features and the opportunities that may be provided for a drainage system that is appropriately integrated into open spaces where possible

Heritage Conservation: Sustainable Drainage Schemes (SuDS) may have both direct and indirect impacts on the historic environment. Direct impacts could include damage to known heritage assets – for example if a historic drainage ditch is widened and deepened as part of SuDS works. Alternatively, they may directly impact on unknown assets such as if SuDS works damage buried archaeological remains. Indirect impacts are when the ground conditions are changed by SuDS works, thereby impacting on heritage assets. For example, using an area for water storage, or improving an area's drainage can change the moisture level in the local environment. Archaeological remains are highly vulnerable to changing moisture levels, which can accelerate the decay of organic remains and alter the chemical constituency of the soils. Historic buildings are often more vulnerable than modern buildings to flood damage to their foundations.

Therefore, when SuDS are planned, it is important that the potential impact on the historic environment is fully considered and any unavoidable damage is mitigated. This is best secured by early consideration of the local historic environment following consultation with the Kent Historic Environment Record (HER) and by taking relevant expert advice. KCC has recently produced advice for SuDS and the historic environment. It provides information about the potential impact of SuDS on the historic environment, the range of mitigation measures available and how developers should proceed if their schemes are believed likely to impact on heritage assets.

## **6.3 Business and Employment**

*Policy BE2 Supporting additional employment and new ways of working*

PRoW: KCC recommends that the policy considers the need for development to be within proximity to sustainable, active travel links and connectivity to the Public Rights of Way network.

#### *Policy BE3 Infrastructure for Business*

PRoW: KCC requests reference to the PRoW network, which includes Public Footpaths, Bridleways, Restricted Byways and Byways Open to all Traffic. Support should also be offered to the upgrading of Public Footpaths to Bridleways where feasible to create new higher rights links to increase connectivity across both Parishes.

## **6.4 Landscape and Environment**

#### *LE2 Development affecting the AONB and its setting*

Heritage Conservation: The text rightly identifies the Tunbridge Wells Borough Council Landscape Character Assessment 2017 as a key information resource for consideration of landscape issues but should also refer to the Historic Landscape characterisation for the Borough, and specifically that for Brenchley<sup>2</sup>. This will help developers, planners, decision-makers and the public assess the historic importance of Brenchley's landscape and its component elements.

#### *LE3 Historic Landscapes and Heritage Assets*

Heritage Conservation: The County Council is supportive of this policy, although the existing text does not really suggest that the heritage of the parish can be used proactively in educational, community and health projects to improve life in the parish. It would be helpful if the potential of the historic environment to contribute more widely to life in the parish could be discussed more fully.

#### *Policy LE4 – Protection of Views*

PRoW: The County Council supports this policy in relation to the importance of views from the PRoW network.

#### *Policy LE5 – Protection of Green Spaces*

PRoW: The County Council supports this policy.

#### *LE6 Biodiversity*

Biodiversity: There are no statutory designated sites within the Neighbourhood Plan Area, but the area does feature several blocks of ancient woodland (non-statutory designated sites), which has been acknowledged.

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<sup>2</sup> [https://tunbridgewells.gov.uk/\\_data/assets/pdf\\_file/0009/387657/e-HLC\\_Brenchley.pdf](https://tunbridgewells.gov.uk/_data/assets/pdf_file/0009/387657/e-HLC_Brenchley.pdf)

There is a need not only to protect and enhance biodiversity on sites to be developed but also to protect and enhance the local habitat as a whole. Wildlife and native plant life corridors will be expected to be enhanced rather than disrupted by new development and resilience to climate change will be expected to be increased.

Highway verges are one of the most important remaining reservoirs of wildflowers, particularly important for pollinating insects. This includes ecologically rich verges on historic routeways as well other highway verges in the parish, including new highways and public rights of way in new developments. Other important areas to protect and enhance include coppiced woodland and rare remaining areas of semi-improved grassland and lowland heathland.

KCC is highly supportive of a specified minimum percentage for biodiversity net-gain (10% which is in alignment with the upcoming Tunbridge Wells Local Plan), and acknowledgement that future management must be secured with the local planning authority.

KCC is also supportive of the supplementary information, i.e., the recognition of other important habitats in the parish (and would advise that, if not done so already, these areas should be mapped and included with the plan) and 'wildlife and native plant life corridors'.

#### *LE7 Protection and planting of Trees and Hedges*

**Biodiversity:** There is a need to preserve the ancient woodland and the existing mature trees in the parish that make a positive contribution to the landscape. Planting more native and fruit trees throughout the parish is also encouraged. This will be beneficial to the community by:

- Contributing to the long-term conservation of the traditional High Weald landscape;
- Compensating to a small extent for the loss of orchards in recent years;
- Reducing run-off and flooding;
- Enhancing biodiversity;
- Improving air quality; and
- Absorbing carbon dioxide from the atmosphere.

This policy is similar to Policy Propositions 31 and 32 of 'Living with Beauty', the report of the Government-appointed 'Building Better, Building Beautiful Commission', which the proposed new paragraph 130 of the National Planning Policy Framework (NPPF) reflects.

This policy will promote biodiversity, help preserve the parish's rural character and provide room for hedges to grow without impeding pedestrians or other traffic. Hedging, once mature, is normally at least one metre deep and can grow up to one metre per year, for which allowance is made in this policy. Where necessary for security or to constrain movement of children or animals, hedges may be reinforced on the side away from the road or public right of way by fencing, which should be unobtrusive and preferably constructed using materials from local coppiced woodland.

In the Neighbourhood Plan Visioning Events and Design Forum events, the desire to reduce and limit the number of Leylandii in the villages was mentioned. In several locations, it has

been allowed to grow unchecked or is poorly maintained by close cropping, after which the tree becomes vulnerable and may die.

KCC is supportive of all aspects of this policy, notably the inclusion of native plant species in alignment with the soils and landscape and the recognition of ecosystem service value.

Due to the amount of the ancient woodland within the parish, the County Council recommends consideration of a specific ancient woodland policy. Whilst ancient woodland has reasonable protection within the NPPF and there is also Standing Advice from Natural England (recommending a minimum 15m buffer), consideration within the Neighbourhood plan could be beneficial. For example, 'green corridors' between ancient woodland (and non-ancient woodland) could be identified and protected and, if possible, the recommended buffer-zone could be increased from the recommended buffer-zone at present.

## **6.5 Access and Movement**

### *Policy AM1 Sustainable and Active Travel*

PRoW: KCC is supportive of this policy and the aim for off road access and connectivity across the parishes especially to schools and transport facilities. KCC also welcomes reference to KCC's Rights of Way Improvement Plan and supports the aim to increase the number of higher rights Public Bridleways through upgrades and improvements to the network.

KCC does request consideration of improvements and upgrades to the existing PROW network and creation of new off-road routes for all users of all mobilities”.

### *Policy AM2 The Provision of a non-motorised route from Brenchley to Matfield*

PRoW: KCC is supportive of this policy and would suggest a feasibility study is carried out in partnership with KCC at the earliest stage regarding issues outlined (landownership, available widths, legal processes etc.).

## **6.6 Community, Leisure and Recreation**

Sport and Recreation: The enablement of a local sustainable community by maintaining and improving the availability and quality of community services within the parish is welcomed. KCC would recommend consideration is given on the accessibility of services and connections available for the wider community, to seek limit car usage where possible.

KCC seeks to ensure the adequate provision for sport and recreation within the surrounding area and open spaces, and would recommend consideration in how activity, green space and services are accessed and provide opportunities, where possible, for Active Travel.

It is clear that the Neighbourhood Plan has taken into account physical activity and highlights the need for additional facilities, particularly for younger adults and those who are at risk of being socially isolated. The County Council would be keen to engage on this matter. KCC has been consulted on other similar proposals that encourage new activity groups and

organisations in the community. Some parishes have taken the opportunity to put a small pot of funding aside as a Kickstarter grants fund to get some of these new groups off the ground. Some of these grant awards have been as little as £500. KCC also has funding streams that could support the development of new initiatives for younger adults to get into sport and physical activity.

Consideration of the Kent Design Guide and the Sport England Active Design Guide is recommended, and it is important to ensure that these strategies and any subsequent developments take account of the KCC and Sport England Guidance that is available<sup>3</sup>.

Sport England currently runs two surveys: Active Lives Adult, which is published twice a year, and the world-leading Active Lives Children and Young People, which is published annually. Both surveys give a unique and comprehensive view of how people are getting active and can be focused down to local authority level. The latest Adult report can be read [here](#). Data can also be explored and filtered using the [Active Lives Online tool](#). A summary of the Children and Young People report can be found [here](#).

The latest figures support the notion that inactivity significantly impacts on an individual's physical and mental health, as well as social/community development. Therefore, any development needs to consider this and seek to provide a mix of formal and informal areas/spaces (indoor and out) where people can be active.

#### *Policies CLR1/CLR2/CLR3/CLR4/CLR5*

**PRoW:** Reference to the KCC's ROWIP is recommended, as it sets out a strategic approach for the protection and enhancement of PRoW to connect the wider community and green open spaces. The provision of high quality open green spaces and opportunities for outdoor recreation should be a priority and the Neighbourhood Plan should aim to increase the provision of accessible green spaces and improve opportunities to access this resource. There is a growing body of evidence demonstrating that physical exercise in open green space can have a positive impact on mental health and wellbeing. Good public transport and active travel links with open spaces should be made available, so that the public are not dependent on private vehicle use for visiting these sites.

The reference to registration of new Village Greens, of which KCC is the Registration Authority, needs clarification and engagement is encouraged to correct the wording and described process.

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<sup>3</sup> <https://www.sportengland.org/facilities-planning/active-design/>  
<https://www.sportengland.org/facilities-planning/planning-for-sport/playing-fields-policy/>  
<https://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/>  
<https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/playing-pitch-strategy-guidance/>  
<https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/facilities-planning-model/>  
<https://www.sportengland.org/facilities-planning/active-design/>

## **Chapter 7 - Community Action Projects**

*Non-vehicular access*

PRoW: Reference should be made to the "Public Rights of Way Network".

### **Appendix 3 Protected Views**

PRoW: KCC welcomes the inclusion of the specific PRoW and acknowledgement of the importance of visual quality from the Public Rights of Way Network.

### **Appendix 5 Site Analysis – Island site**

PRoW: KCC would support a through site link to WT275 and would request contributions for improvements to create quality link.

### **Matfield Village Hall Site**

PRoW: KCC would support the aim to for the provision of pedestrian link to WT286/286B to avoid access through car park and provide safe, non-mechanical user access.

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

Yours sincerely,



**Stephanie Holt-Castle**  
Director for Growth and Communities