

**Tonbridge and Malling Borough Council**

**LOCAL DEVELOPMENT FRAMEWORK**

**TONBRIDGE CENTRAL AREA ACTION PLAN**

**RESPONSE STATEMENT No TON 01**

**Tonbridge Central Area**

**Development-related Issues**

Slade Area Residents' Association – Matter 01/104/1  
Southern Water Services – Matter 01/65/1 WR  
Highways Agency – Matter 01/69/1/WR  
Beaucette Property Portfolio Matter 01/301/1/WR



# Tonbridge and Malling Local Development Framework

## Response Statement No TON 01

### Development-Related Issues

#### **1 Introduction**

- 1.1 This Response Statement addresses the specific questions raised by the Inspector in relation to Matter 1. In addition, it also incorporates responses to specific points raised in three further responses from the Slade Area Residents Association (SARA), Southern Water Services and Beaucette Property Portfolio. Responses are structured in the Inspector's order.

#### **2 Are the development proposals set out in Policy TCA11 (sites a- w) the most appropriate in all the circumstances?**

- 2.1 The development proposals were initially formulated and analysed during the preparation of the Master Plan<sup>1</sup> consultation exercise. They were subsequently tested and subjected to scrutiny during the extensive public consultation process at the Preferred Options stage. Many of the sites have a substantial element of mixed-use development proposed which is in accordance with the general direction of government policy. The proposals provide a robust development mix that can respond to changing economic circumstances and patterns of demand.
- 2.2 PPS6<sup>2</sup> seeks to promote the vitality and viability of town centres by planning for the growth, development and enhancement of existing centres. The range of uses proposed in the Area Action Plan (AAP) seeks to secure this objective. The development proposals, therefore, are appropriate in circumstances where the main thrust of policy is seeking to regenerate the town centre, promote sustainable development, increase expenditure and raise the profile of retailing in the centre and reduce leakage to other centres. Importantly, the creation of a more vibrant and attractive town centre, with an improved retail offer, will promote more sustainable travel patterns and reduce the overall need to travel.
- 2.3 Discussions with interested parties and stakeholders, during the Town Centre Master Plan exercise, identified demonstrable developer interest in pursuing development schemes in the town centre. Clear evidence of market demand for the uses proposed were pursued at a series of meetings. The development proposals have been formulated in the context of the existing physical form of the town and the potential to secure a change in its physical structure by influencing the redevelopment of major sites.
- 2.4 The preparation of the Botany Area Planning Brief<sup>3</sup> is an important further stage in testing both the viability and deliverability of town centre proposals. The consultation response to the Botany Area Planning Brief and the willing participation of Sainsbury's confirms that for the most significant site in the

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<sup>1</sup> RD 7.27 – Tonbridge Town Centre Master Plan

<sup>2</sup> RD 1.15 – PPS6 Planning for Town Centres

<sup>3</sup> RD 7.30 – Draft Botany Area Planning Brief

town centre the development proposals are entirely appropriate. It is, however, possible that on a limited number of sites developers could seek to promote a mix of uses that varies from that set out in Policy TCA11. This eventuality is to be expected in a dynamic retail, commercial and residential development market. Paragraph 7.6.3 of the AAP acknowledges just such a possibility and builds in an appropriate element of flexibility to ensure that the AAP remains robust.

- 2.5 Beaucette Property Portfolio questions the appropriateness of limiting the range of uses on certain town centre sites and has requested that Policy TCA11 is amended to...

**Avenue de Puy East (SDC 20 and SDC 21) – suitable for commercial offices, further education or other uses appropriate to a town centre location subject to:**

- 2.6 The Council response to this suggestion is set out in Annex B to Position Statement TON01. The Council's preferred wording is as follows:

**Avenue de Puy East (SDC20 and SCD21) – suitable for commercial offices further education, or other non-retail uses appropriate to a town centre location, subject to:**

- 2.7 The suggested replacement wording by the Council provides clear guidance on the range of acceptable uses and specifically excludes retail. An extensive area of the town centre is already identified as either a primary or secondary retail area. These areas comprise the existing High Street and adjacent retail concentrations. The Council's policy fully accords with PPS6 on Town Centres that seeks to promote a plan-lead approach to town centres. Paragraph 2.16 urges local authorities to define the extent of the primary shopping area and the town centre. This is just the approach taken by the AAP. In addition PPS6 requires that in selecting sites for development local planning authorities should:

- *Assess the need for development (paragraphs 2.32 – 2.40);*
- *Identify the appropriate scale of development (paragraphs 2.41 – 2.43);*
- *Apply the sequential approach to site selection (paragraphs 2.44 – 2.47);*
- *Assess the impact of development on existing centres (paragraph 2.48);*  
*and*
- *Ensure that locations are accessible and well served by a choice of means of transport (paragraphs 2.49 – 2.50).*

- 2.8 The AAP has followed these proscribed stages in allocating land uses to development sites. Any extension to the retail area could dilute the retail offer, undermine ambitions for the Botany Area and risk an over-provision of retail floorspace. Avenue de Puy provides a clear and well-defined physical boundary to the primary retail area. Retail development on the east side of Avenue de Puy would be physically separate from the main shopping core and

would lead to an unnecessary and undesirable flow of pedestrians across the main central area access road, creating danger to pedestrians and unacceptable interruptions to traffic flow. No robust case has been advanced for such an extension of the retail area.

**3 Is the scale and form of proposed residential development appropriate and are the indicative figures a reasonable guide? Is the plan consistent with government guidance in PPS3?**

- 3.1 Since the publication of PPG3 in 2000 there has been an increased pressure for the development of brownfield sites at higher densities, particularly in town centres. This has been evidenced Tonbridge where some very high quality housing schemes have been brought forward on former employment sites, particularly alongside and overlooking the river on both the north and south banks downstream of the Big Bridge, but also in the Avebury Avenue area. The Council believes this trend should be encouraged, not only does it visually enhance the riverside and make use of one of the town's main assets, it is a sustainable location close to services and facilities and to public transport. The provision of smaller units at higher density is also in line with the findings of the Housing and Market Needs Assessment<sup>4</sup>.
- 3.2 Each development site was analysed during the preparation of the Master Plan and indicative capacity estimates prepared. The process helped establish the potential net floorspace increase anticipated for each of these sites and to inform subsequent traffic generation calculations. For each development opportunity site the assessment was based upon an appropriate form and mix of development as outlined by the Master Plan and the application of clear density assumptions. These assessments are brought forward into the AAP. The approach that was adopted was to discount the overall potential housing capacity by a proportion depending on the other uses appropriate to a mixed-use site.
- 3.3 Paragraph 7.6.2 of the AAP emphasises that the site capacities can only be estimates and that the actual figure achieved on any particular site could vary from that indicated in Annexe A to the AAP. The precise figure achieved will depend upon the quality and character of the detailed design for the final planning application scheme and the final mix of uses proposed. They provide a range that is sufficiently robust to provide broad residential capacity estimates for the town centre.
- 3.4 The Slade Area Residents Association (SARA) considers that Policy TCA2.4(e) will encourage planning applications with unacceptably high residential densities across the whole town centre. PPS3<sup>5</sup> is no longer overly prescriptive about density targets. However, PPS3 does require local planning authorities to develop density policies having regard to a number of factors including public transport accessibility (Paragraph 46 refers). The guidance provided in the AAP is consistent with that advice and seeks to encourage high-density development adjacent to the station. In response to representations the Council has proposed an amendment<sup>6</sup> that is not so prescriptive and has suggested

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<sup>4</sup> RD 7.9 – Housing and Market Needs Assessment

<sup>5</sup> RD 1.14 – PPS3 - Housing

<sup>6</sup> Annex B to Position Statement TON01

changing the reference to high density housing being located “where there is good access to public transport links”. SARA considers this to be worse because it could mean higher density development anywhere within the town centre.

- 3.5 Since the Submission Draft of the Area Action Plan the Government has published PPS3 (November 2006). In line with this national guidance, the planning policy context contained within the AAP will generally seek to promote the most efficient use of land. This is in line with Core Policy CP1.6 which seeks to concentrate development at the highest density compatible with the local built and natural environment, mainly on previously developed land, and at locations where there is a reasonable range of services available and where there is the potential to be well served by sustainable modes of transport. The density of development will therefore be considered against local environmental as well as transport considerations.
- 3.6 Good and careful design is fundamental to using land efficiently particularly where development relates to the intensification of the existing urban fabric and is well related to public transport. The AAP emphasises the need for high quality design rather than promoting an over-prescriptive approach that sets out densities for specific areas and sites. When considering appropriate densities locational factors, such as proximity to public transport facilities and other services and facilities, will be taken into account and tested alongside environmental considerations through the detailed planning process and ultimately in the consideration of planning applications.

#### **4 Is the quantum and type of retail development proposed appropriate in all the circumstances?**

- 4.1 Retail potential studies carried out as part of the evidence base for the AAP<sup>7</sup> concluded that the town centre has the potential for 13,410 square metres of additional retail floorspace (comparison and convenience) up to 2016 assuming a 10% increase in retention levels. The AAP identified potential for some 13,500 square metres of additional retail space<sup>8</sup> which is in line with this assumption. Attached at **Annex A** is a commentary by Nathaniel Lichfield on this issue in the light of the proposals in the AAP.
- 4.2 Policies controlling the type of retail development are set out in TCA3. These policies are relatively permissive and seek to encourage development that will underpin Tonbridge’s role as part of a Primary Regional Centre<sup>9</sup>. This is a robust response in a situation where the District Council is seeking to reduce the leakage of potential retail expenditure to surrounding centres. The Retail Capacity Study identifies that there is potential for a greater level of comparison retail floorspace (up to 17,350 sq metres by 2016) if retention levels can be significantly increased and this will depend upon the attractiveness of the retail offer and the quality of the environment generally in the town centre.

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<sup>7</sup> RD 7.5 – Tonbridge Town Centre Stage 1 Study (NLP)

<sup>8</sup> RD 5.8 – Tonbridge Central Area Action Plan – Annex A

<sup>9</sup> RD 2.2 – South East Plan – Policy TC2

- 4.3 There is an error in the background text of the AAP that needs to be corrected to ensure internal consistency. The final part of para 2.2.4 needs to be revised to read:

“Initial research prior to the AAP exercise suggested the opportunity exists to provide up to a further 24,000 12,066 sq.m of comparison retail floorspace and some 2,600 1,350 sq m of convenience floorspace within the central area up to 2016 assuming a 10% increase in retention levels. This could increase up to 16,024 sq. m of comparison floorspace if there were to be significantly increased retention levels in excess of 20%. The master planning exercise established Annex A demonstrates that there is scope to accommodate a potential net increase of at least 13,500 27,000 sq. m of new retail floorspace within the central area.

## **5 Does the Plan adequately address the need for new and improved community facilities?**

- 5.1 The main location proposed for new and improved community uses is in the Botany Quarter. The replacement and enhancement of the facilities in the Angel Centre was a consistent response to consultation during the Master Plan process. TCA11(a) refers to the Botany Quarter and community uses are part of the redevelopment proposals. The Planning and Transportation Advisory Board of the Council is recommending that the Botany Area Planning Brief<sup>10</sup> should now be adopted following consultation. The brief is clear in requiring a new community facility, potentially incorporating a library, adult education, arts centre and community meeting space. Para 3.5 of the Brief states:

*The Council will continue in its obligation to deliver managed facilities for a variety of community uses. The replacement of the Angel Centre with a flexible, modern facility will enhance opportunities for community activities. It is essential that a continuity of provision be made within the vicinity of the site for the duration of any development works, and the Council will seek to work alongside the developer to achieve this objective.*

- 5.2 This clear statement of policy, together with the leverage afforded to the Borough Council by its substantial landholding in the Botany Area, provides the best available guarantee that new and improved facilities will be delivered.

## **6 Has adequate account been taken of the risks of flooding?**

- 6.1 In conjunction with the Environment Agency the Council has prepared a Strategic Flood Risk Assessment (SFRA) so that a more informed view can be taken about the nature of acceptable development and a more practical approach to mitigation and detailed design can be adopted. In line with guidance contained within PPS25<sup>11</sup>, the Council, through the preparation of the SFRA has outlined the sequential approach to site selection at the strategic

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<sup>10</sup> RD 7.30 – Botany Area Planning Brief

<sup>11</sup> RD 1.22 - PPS25 – Development and Flood Risk

level. It is of note that the Environment Agency has raised no objection to the proposals of the AAP. On the contrary, they have been working in partnership with the Council to find an acceptable solution to the regeneration of the town centre that is compatible with the flooding constraint.

- 6.2 The SFRA is a tool to determine areas of flood risk that will require further detailed and careful study through Flood Risk Assessments (FRA) for individual schemes and sites. The evidence that the SFRA has brought to the LDF process is very valuable in that respect. The regeneration objectives for the town centre, which are central to the AAP strategy, will need to be advanced in this context and the SFRA. FRAs will help determine the precise location of uses within individual development sites and importantly the mitigation measures required to overcome or minimise risk.

**7 Has adequate account been taken of infrastructure requirements to serve new development (notably water and sewerage), and of the impact of existing water treatment infrastructure on proposed new development?**

- 7.1 The Council acknowledges the need to secure the necessary infrastructure in order to support the development proposed by the AAP. This issue is addressed within the Core Strategy Policy CP25 which states that service infrastructure necessary to serve development should either be available, or will be made available by the time it is needed. In relation to the need to protect existing groundwater and/or waste water infrastructure this will be part of routine development control procedures in the light of Southern Water's role as a statutory consultee.
- 7.2 Southern Water raises a specific issue concerning the requisitioning of sewer capacity to serve individual developments. Core Policy CP25 makes it clear that all development proposals must either incorporate the infrastructure required as a result of the scheme or make provision for financial contributions to secure such infrastructure provision at the time it is needed. In this respect, it must be recognised that most of the sites referred to are redevelopment sites which are already producing effluent. It would only be any net change on the existing situation that would be relevant.
- 7.3 In the case of sewerage, the Water Authorities have their own powers under the Water Industries Act 1991 to levy an infrastructure connection charge to cover the cost of enhancements. The Council would not therefore normally expect itself to require a development to make such provision by means of condition or legal agreement. In the view of the Council, it is therefore not necessary to be specific in the Policy about the need for improvements to the sewerage system, but if the Inspector thinks it would be helpful to flag up the issue in the policy, then the Council would have no objection to the addition of another clause to the policy as follows:

- **Contributions towards the improvement of off-site sewerage capacity**

This should apply in respect of the following sites in Policy TCA11 identified by Southern Water as having inadequate sewerage capacity:

- (a) Botany
- (b) Tonbridge Station
- (f) River Lawn
- (i) Quarry Hill Road/Waterloo Road
- (j) Sovereign House
- (k) Waitrose/Iceland Car Park
- (l) Tanery Trading Estate
- (n) Sovereign Way North
- (o) Munday Works
- (v) Priory Road/Goldsmith Road Junction West
- (w) Priory Road/Goldsmith Road Junction East

7.4 Furthermore, for consistency of approach with the Development Land Allocations DPD, the Inspector might consider it helpful to add the following sentence at the end of the introductory paragraph of Policy TCA11:

**.....business/commercial, community, cultural, leisure, hotel and residential use. They should be developed in accordance with the criteria identified in respect of each site and all general policy requirements including any necessary contributions towards the provision of recreation, education and other community facilities pursuant to Core Policy CP25.**

These additional words are not considered to be essential because all proposals have to be considered in the context of the entire development plan, including the Core Strategy. Nevertheless, the Inspector may consider the addition to be helpful and consistent with the approach in the Development Land Allocations DPD.

- 7.5 Southern Water has also explicitly requested that various housing sites, together with two mixed-use sites, are actually deleted from the Area Action Plan on the grounds that these sensitive sites are subject to inadequate odour dispersion. In effect, Southern Water is seeking a cordon sanitaire around its wastewater treatment works that would sterilise development and significantly reduce the regeneration potential in large sectors of the town centre. This position is totally unacceptable to the Council.
- 7.6 In support of their objection Southern Water paraphrase guidance in Annex A of PPS23<sup>12</sup> which advises that separation of sensitive development from existing potentially polluting land-uses should be considered in the preparation of development plan documents. In their view the AAP is inconsistent with this advice because, based on odour dispersion modelling of emissions from the Tonbridge Wastewater Treatment Works (TWWTW) (see **Annex B**), a number of sensitive sites are said to be subject to inadequate odour dispersion. In their view the proposed land use allocations are not based on a robust and credible evidence base and should therefore “be deleted”.
- 7.7 The Council does not accept that the output of Southern Water’s odour dispersion modelling properly reflects the amenity impact of the operation of TWWTW and accordingly it does not provide the required evidence to sustain the objection raised by Southern Water. The output of the model is a 6ppb

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<sup>12</sup> RD 1.21 – PPS23 – Planning and Pollution Control

Hydrogen Sulphide (H<sub>2</sub>S) odour contour. It is of note that the contour (shown on Annex B) extends in a direction due west from the treatment works. The Council considers this to be somewhat surprising. Odour molecules are dispersed by the wind which is predominantly from the south west and it would therefore have been expected that the contour would extend in a north east direction. In this respect, it is of note that a similar H<sub>2</sub>S measurement exercise carried out in relation to the Aylesford Waste Water Treatment Works some 11 miles from Tonbridge (see **Annex C**) shows just such a dispersion pattern. Furthermore, the dispersion is very much less extensive at Aylesford.

- 7.8 No justification is provided for the adoption of a 6ppb H<sub>2</sub>S criterion above which no new sensitive development should be permitted. Furthermore, no information is provided as to the model used, its input parameters, dispersion assumptions, sensitivity testing or validation. In view of the paucity of necessary supporting information and the apparent inconsistency with H<sub>2</sub>S dispersion measured at a nearby works it would not, in the Council's opinion, be appropriate to base such fundamental judgements on the modelled H<sub>2</sub>S concentrations as shown in Annex B.
- 7.9 In the Council's view it is much more appropriate to adopt an empirical approach to identifying the real degree to which amenity is impacted upon by the operation of TWWTW. A review of the Council's database of complaints received in relation to the works has been undertaken. In the 12 years between 1995 and 2007 a total of 13 complaints have been received relating to odour and fly nuisance from the works; 7 of those complaints being from two parties. Southern Water's own evidence under Annex B indicates that they have received only one complaint a year over the past 4 years and these were from the residential area to the south of the works and not in the alleged dispersion area to the west. Within the modelled H<sub>2</sub>S contour there are currently some 170 dwellings and 120 commercial premises. In the view of the Council, a comparison of the number of complaints received in relation to the number of people living and working in the vicinity of the works does not support a conclusion that the proposed land allocations in the AAP would be expected to be unacceptably affected by emissions from the TWWTW.
- 7.10 Neither is it accepted that the Council has been "insufficiently robust" in its application of Local Plan Policy P3/16. For example, when the Council recently considered an application for the construction of a McDonalds drive-through restaurant on land South of Woodgate Way, Tonbridge, (reference TM/01/00990/FL) on a site that adjoins the south western boundary of the TWWTW the Director of Health and Housing initially objected to the grant of planning permission on the basis of the detrimental impact of emissions from the TWWTW. He was only able to withdraw his objection after the applicant submitted detailed proposals as to the means that were to be employed to treat odoriferous air drawn into the building.
- 7.11 In summary, in the Council's view the objection raised by Southern Water in terms of both the odour impact of the TWWTW and the Council's application of Policy P3/16 is not supported by the available evidence and should be set aside.

## **8 Is the proposed Central Area Regeneration Fund in conformity with government guidance and appropriate in all other respects?**

- 8.1 In line with guidance set out in PPS12 the specific mechanisms of how the Central Area Regeneration Fund will work will be set out within a Supplementary Planning Document on which preliminary work has already started<sup>13</sup>. The Regeneration Fund will deal mainly with essential public realm and transportation enhancements that cannot directly be attributed to individual developments. It would not be used for services such as education that will continue to be funded in the established way.
- 8.2 Circular 05/2005 sets out in Paragraphs B21 to B24 advice on pooled contributions. It describes the precise circumstances that the AAP policy is seeking to address.

*Where the combined impact of a number of developments creates the need for infrastructure, it may be reasonable for the associated developers' contributions to be pooled in order to be secured in a fair and equitable way. Pooling can take place both between developments and between local authorities where there is a cross-authority impact. Local authorities should set out in advance the need for this joint supporting infrastructure and the likelihood of a contribution being required, demonstrating both the direct relationship between the development and the infrastructure and the fair and reasonable scale of the contribution being sought. There should be a clear audit trail between the contribution made and the infrastructure provided.*

- 8.3 The policy framework now being put in place by the Council to implement the Central Area Regeneration Fund conforms to both the spirit and substance of the guidance. It provides the most robust way of ensuring the provision of the common infrastructure required to secure holistic regeneration rather than just the limit it to that which can be achieved in relation to the redevelopment of individual sites

## **9 Conclusion**

- 9.1 With the amendments to wording suggested in this Statement and Position Statements TON01 and TON02, none of which are so significant as to require further public consultation or Sustainability Appraisal, the Tonbridge Central Area Action Plan is considered to be sound and the objections to it should not be upheld.

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<sup>13</sup> see RD 7.15 – Local Development Scheme – April 2007





CL/06660/DL/LCJ  
8<sup>th</sup> October 2007

## **Tonbridge and Malling Borough Council**

### **Tonbridge Town Centre Report – Supplementary Note prepared by Nathaniel Lichfield and Partners**

#### **Introduction and Scope of Supplementary Note**

- (1) This Supplementary Note has been prepared by Nathaniel Lichfield and Partners (NLP) in response to Matter 1(3) identified by the Planning Inspector in the Draft Issues and Matters Note dated 21<sup>st</sup> August 2007, specifically,

*“Is the quantum and type of retail development proposed appropriate in all the circumstances”.*

- (2) Specifically this note,
- Summarises the main conclusions within the Tonbridge Town Centre Stage 1 Report (September 2004).
  - Reviews how these findings have been incorporated within the subsequent Tonbridge Central Area Action Plan (TCAAP); and
  - Assesses how the implementation of the retail elements of the TCAAP would meet the principle retail policy objectives of TMBC.

#### **Tonbridge Town Centre Stage 1 Report (November 2004)**

- (3) The Tonbridge Town Centre Stage 1 Report (November 2004)<sup>14</sup> (hereafter 2004 NLP Report) examined the potential for further development within certain land use categories (including retail in Tonbridge Town Centre) specifically the report looks at both economic capacity and demand.<sup>(1)</sup>
- (4) While the preparation of the 2004 Report preceded publication of PPS6, it was prepared having regard to draft PPS6 (December 2003) and the approach and methodology are broadly consistent with the subsequently published PPS6, and the subsequent publication of this does not require the analysis to be readdressed.

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<sup>14</sup> RD 7.5 – Tonbridge Town Centre Stage 1 Report (NLP) – November 2004

- (5) In terms of retail need, the report assessed the scope for both additional comparison goods floorspace (Section 2.0) and convenience floorspace (Section 3.0) in the period to 2016.
- (6) In respect of comparison goods floorspace the analysis:
- noted that the current retention rates identified (ie. the proportion of available expenditure originating within the catchment being spent in Tonbridge) within the primary and secondary catchment areas of Tonbridge as being relatively low (around 38% and 17% respectively);
  - assessed future capacity for further comparison floorspace across a range of scenarios based on different trends in market share. These were:
    - (1) Tonbridge losing market share, particularly following the development of the Fremlin Centre in Maidstone Town Centre.
    - (2) Tonbridge maintaining market share.
    - (3)&(4) Tonbridge increasing market share on the basis of additional retail development with Tonbridge Town Centre increasing the attraction of the centre.
- (7) The analysis identified the scope for following ranges of additional comparison floorspace in the period to 2016.

#### **Summary of Scope for Additional Comparison Floorspace**

	<b>Scope for Additional Floorspace (sq.m.)</b>		
	<b>2006</b>	<b>2011</b>	<b>2016</b>
Scenario 1 - Reduced Retention Levels (- 10%)	N/A	N/A	4,150
Scenario 2 - Constant Retention Levels	N/A	1,615	8,108
Scenario 3 - Increased Retention Levels (+10%)	N/A	4,985	12,066
Scenario 4 - Significantly Increased Retention Levels (+20%)	2,133	8,354	16,024

Source: Table 4.1, Appendix 1, NLP July 2004 Report

- (8) We further concluded (Appendix 1, para. 4.46) that there was merit in TMBC considering further the scope for increasing Tonbridge's market share and that this would be consistent with then draft PPS6. This approach remains consistent with PPS6 as subsequently issued. Within the indicative ranges identified however, our analysis was not prescriptive as to the precise level of additional retail floorspace for which capacity ought to be identified within the town centre.

#### **Convenience Floorspace**

- (9) Our analysis of the scope for further convenience floorspace identified relatively limited scope for further convenience floorspace (around 415 sq.m net in 2006, 857 sq.m net in 2011 and 1,344 sq.m net in 2016). This reflects in part the relatively high level of existing convenience floorspace within Tonbridge Town Centre with two large food stores (Sainsbury's and Waitrose), three smaller food stores (Somerfield, Lidl and Iceland) as well as a number of smaller units.

## **Incorporation of NLP Retail Analysis within TCAAP**

- (10) The TCAAP draws on the NLP July 2004 Report in addressing retail issues. The TCAAP retail strategy is underpinned by the recognition (para. 5.1.2) both that,
- An improved retail offer is a crucial element of the regeneration of the town centre; and
  - Stemming the leakage of spending to other towns by the residents of the Borough through improvements to the local retail offer is a primary objective.
- (11) Within these overarching policy aims the TCAAP identifies a number of sites for retail development (as well as other uses) within the Town Centre. The preliminary analysis within policy TCA11: Development Site Capabilities is that the potential sites identified for retail development currently contain existing retail floorspace totalling 31,640 sq.m, are physically capable of accommodating proposed floorspace totalling around 45,220 sq.m, and would therefore lead to a net increase of around 13,579 sq.m.
- (12) The TCAAP does not purport to seek to match potential retail development sites with the retail capacity assessed within the July 2004 Report, although the latter forms an important starting point in guiding allocations for retail development and other uses. There are also a number of further points to consider when addressing the potential for further retail developments on the sites identified within the TCAAP in the context of the July 2004 analysis.
- (1) The TCAAP period runs to 2021 whereas the NLP period of analysis is only to 2016. In considering quantitative need over longer periods of time there is increased uncertainty in the latter periods as to future population growth and expenditure rates. Reflecting this, PPS6 advises (para. 2.32) that *“need assessments for the development plan document period should be carried out as part of the plan preparation and review process, and updated regularly”*. We would recommend that the forecasts are reviewed periodically with the potential end date then extended further into the future.
  - (2) In the absence of detailed schemes relating to the TCA11 sites, an assessment of physical capacity and mix of uses is extremely difficult, indeed the TCAAP emphasises (para. 7.6.2) that *“the actual capacity that might be achieved on each site could vary from that indicated”*.
  - (3) The re-use of existing retail floorspace could also affect overall capacity, for example if following development secondary retailing was replaced by a prime retailing with a higher turnover level per sq.m, there is effectively a greater absorption of retail capacity than might be suggested by a comparison of retail floorspace figures alone.
- (13) The TCAAP identifies a range of potential town centre retail development sites which are capable of accommodating different quantum and type of retail development.

- (14) For the reasons set out above the precise cumulative development yield of these sites is not entirely certain. Nevertheless, the sites identified, in aggregate, are capable of accommodating additional retail floorspace at the higher end of the level of need identified within the NLP 2004 Report up to 2016. The subsequent development of most or all of these sites for uses including retail development would meet TMBC's primary objectives of enhancing the Town Centre and reducing the leakage of expenditure.
- (15) The sites identified are at least sufficient to meet the requirements within PPS6 (para. 2.52) of both,
- Allocating sufficient sites to meet the identified need for at least the first five years from the adoption of the development plan document; and
  - Allowing for large town centre schemes which may come forward over a longer period.
- (16) Implementation of the TCAAP (specifically policy TCA11), the development of which has been informed by the evidence base including the NLP 2004 Report will therefore enable TMBC to both implement both its retail strategy and comply with national planning guidance. We would recommend a review and monitoring process over the development plan document period to enable the continued implementation of their policy objectives in the light of possible future variations in retail need, retail developments and site availability.

## **ANNEX B**

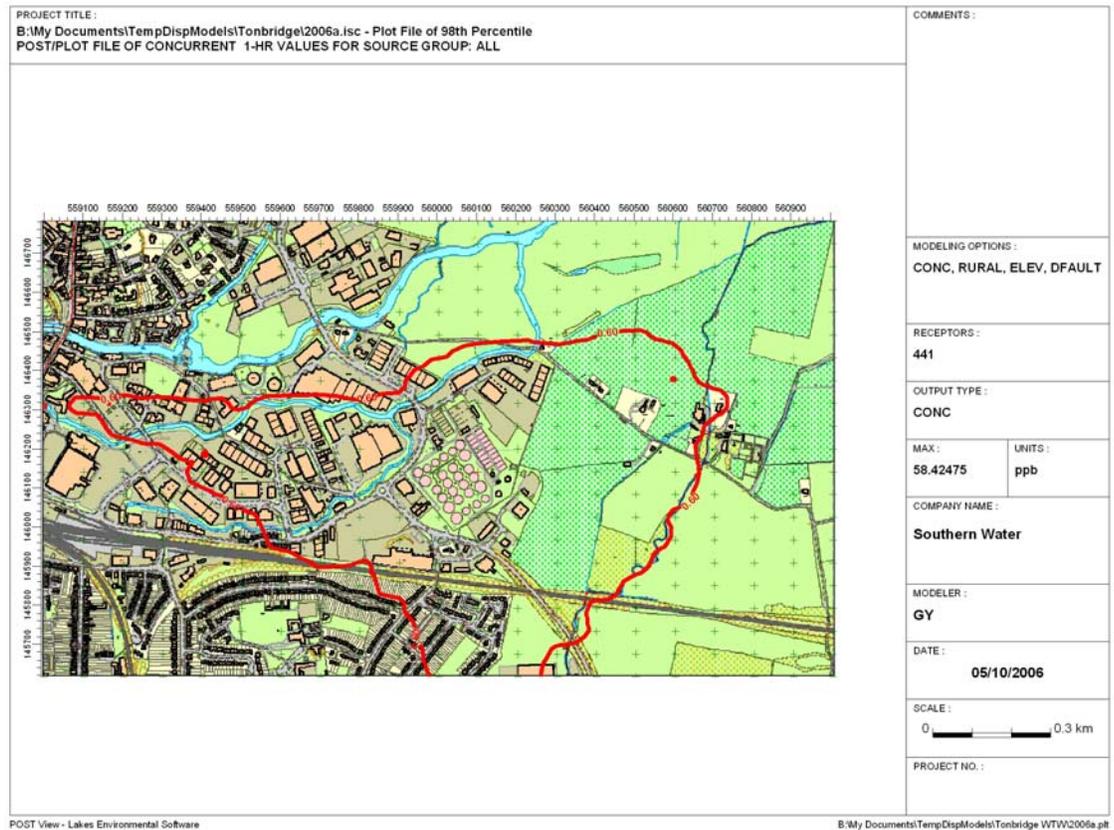
**Southern Water**

**Tonbridge WTW**

**AIR QUALITY MODEL**

Date	Issue No.	Revision	Author	Document Approved	Typing Layout approved	Authorised
05/10/06	1	1	G Yang			

## Tonbridge WTW 98<sup>th</sup> Percentile Air Quality Model



### Complaints

There were one odour complaints per year over the last 4 years from the residential area south of the works. Three to four complaints were also received each year by the local EHO.

### Effect of future site development

Additional sludge storage and dewatering are planned at Tonbridge. The new treatment processes and return of additional sludge liquor to treatment have the potential to increase the level of odour emitted from the site.

### RECOMMENDATIONS

It is recommended that no residential or commercial building occur in the areas exposed to 0.6 ppb of H<sub>2</sub>S.



TM / 05 / 4 134

The survey found that background H<sub>2</sub>S concentrations at the site were in the range of 2-4 ppb (parts per billion). These levels are likely to originate from a number of sources including the M20 and Aylesford Newsprint. In combination with the WwTW, hydrogen sulphide levels at the site boundary were as high as 5-10 ppb and locally higher on the downwind side of the site and where the boundary comes close to the inlet works. At the upwind boundary, concentrations were generally less than 5 ppb H<sub>2</sub>S. Both days during the odour survey were bright and sunny, with temperatures up to 27°C, and winds in a south westerly direction. Periods of hot dry weather tend to favour higher odour potential and the hydrogen sulphide levels reflect this.

easterly boundaries). The principle causes of these emissions were identified as:

- The inlet and preliminary treatment
- The return liquors settlement tank
- Primary distribution and primary tanks
- Sludge consolidation tanks
- Digested sludge holding tanks
- Sludge cake storage area
- Imported sludge balance tanks

The above indicates that a proportion of the odour issues are the result of the existing SRC where there is little in the way of formal odour control.

9.53 Odour concentrations and potential sources of odour arising within the works during the survey are shown on Figure 9.2, which maps odour contours. Table 9.1 summarises the on-site hydrogen sulphide results and Table 9.2 the off-site hydrogen sulphide results. These show that hydrogen sulphide emission were evident at a number of points at the downwind boundary (north

9.54 The spot samples of ammonia and mercaptan taken during the survey were generally below the minimum level of detection for the equipment used of 0.25 ppm with the exception of the following where measurable levels of ammonia were detected:

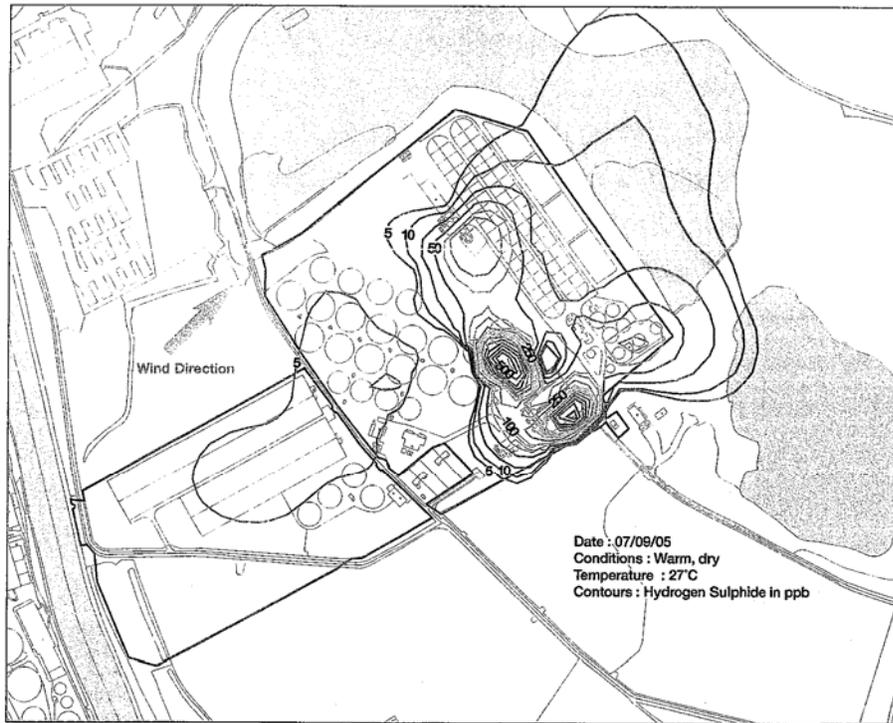


Figure 9.2 : Odour Control Map

Source MWH