

**TONBRIDGE AND MALLING BOROUGH LOCAL DEVELOPMENT FRAMEWORK
PREFERRED OPTIONS
RESPONSES TO CONSULTATION UNDER REGULATION 25**

General

	Representation	Response
Page 8 Para 3.8 Line 4	<p>English Nature</p> <p>The nature conservation sites seem a bit of an add-on - perhaps the following might help to tie the designated sites into the 'Borough Description' more:</p> <p>"The varied geology and land use in the Borough has given rise to a number of important nature conservation sites: 3% of the Borough is statutorily designated as being of National importance for nature conservation ('Sites of Special Scientific Interest' (SSSI)); of this over 100ha is of international importance."</p>	Agree to reflect this additional wording
Page 17 Para 6.1	In my previous letter to TMBC I listed a number of documents that may be relevant to Local Authorities undertaking the LDF process. A number of these were identified as being of specific relevance for nature conservation. I trust that this list of plans and projects has also been considered in this section of the 'Preferred Options Report'.	Reference to these documents will be included as appropriate.
Page 23	English Nature are concerned that no study data has been included in regard to the Borough's biodiversity as this should be a key factor in determining those areas most sensitive to development. It would also inform how developments could most useful	An updated Habitat Survey for Kent was published in 2003 and the Kent BAP and Red Book Data for Kent provide

	<p>contribute to the local environment – perhaps by ensuring links between habitat and prevention of fragmentation.</p> <p>It would be very useful to have this information included as within the ‘Preferred Options report’ there is a general presumption that development will only be supported where it falls within a ‘brownfield’ site. Brownfield development can have adverse impacts on biodiversity as these sites are often important urban wildlife refuges, particularly for invertebrates and reptiles: often they hold more value for biodiversity than ‘green field’ intensively farmed areas.</p> <p>A study for biodiversity in the Borough would help to determine the effect of TMBC’s preference for brownfield redevelopment. We would welcome the inclusion of such a study, which should consider the following:</p> <ul style="list-style-type: none"> • What biodiversity is present in the Borough and how it is organised in time and space • How it works (key functional relationships and interdependencies) • Why it is important (including designated and protected status but also wider importance) • What condition it is in and how the content of the various LDD’s will affect this status <p>In addition, this would be an ideal time to list the statutory designated sites within the Borough. A brief account of what they are important for would also assist users in determining how the preferred options may impact upon them.</p>	<p>information on key habitats and species that are a priority for conservation in the Borough. Reference to these sources can be included in the baseline Studies section of the Preferred Options Report.</p> <p>However, most of these matters are too detailed for the Core Strategy and will be fully taken in to account in preparing the Environmental Protection DPD.</p> <p>In the meantime, the existing Local Plan policies protecting such areas and resources are still effective.</p>
<p>Page 37 Add para</p>	<p>Sites which are statutorily designated for their nature conservation interest have not been identified here. English Nature would like to see a paragraph (2.11) which covers TMBC’s policy for sites designated under the Wildlife and Countryside Act 1981 (as amended) and the Habitats Regulations 1994.</p>	<p>Agree that a paragraph should be included indicating that there was no choice with regard to SSSIs</p>

<p>Page 39 Paras 3.2 and 3.3</p>	<p>Within this text TMBC have again focussed on landscape issues, but have not given any regard to nature conservation sites and biodiversity. English Nature would like to see T & M B C giving similar support within this section for Kent Biodiversity Action Plan Habitats and also consideration for county and local nature conservation sites including SNCIs and LNRs.</p> <p>We would particularly like to see detail on:</p> <ul style="list-style-type: none"> • Protecting existing areas of nature conservation importance from development pressures and associated leisure and recreational impacts • Opportunities to link existing wildlife habitats • Commitment to the appropriate management of quality habitats within the Borough 	<p>The Council did not consider any policy options with regard to nature conservation. It considered it inappropriate to depart from national policy as set out in PPS9 and there is therefore no policy option to explore.</p> <p>Its intention is to carry forward its existing policies and review them in the context of the more detailed Environmental protection DPD.</p>
<p>Page 51 Para 3.1</p>	<p>Throughout the objectives English Nature would welcome more consideration of nature conservation and open space issues as these are important factors in meeting T & M B C's aims of sustainability, infrastructure services and a high quality environment. In particular, we have the following points:</p> <p>Aim 1</p> <p>c Concentrating development on previously developed land</p> <ul style="list-style-type: none"> • Brownfield development can have adverse impacts on biodiversity: brownfield sites are often important urban wildlife refuges, particularly for invertebrates and reptiles. They often hold more value for biodiversity than 'green field' intensively farmed areas <p>f Conserving....natural and historic....resources and local diversity</p> <ul style="list-style-type: none"> • It would be useful to state what they are being conserved from, eg from development pressures and associated leisure and recreational impacts or even the introduction of management 	<p>It has to be recognised that some objectives may be in conflict. Decisions on individual sites would be a matter of judgement in the light of objective (f)</p> <p>Not necessary. The objective is to conserve the resource regardless of the nature of the threat.</p>

	<ul style="list-style-type: none"> • Include a new point about the importance of greenspace provision in association with development <p>Aim 3 The following phrases, underlined and in bold, could be added to enhance these aims:</p> <p>c “Providing new open space.... <u>which has the potential to be designated as Local Nature Reserves</u>”</p> <p>h “Protecting and enhancing public access to the Borough’s natural and built heritage <u>in a managed way that recognises the fragility of these resources</u>”</p> <p>English Nature would also like to see the inclusion of further points as follows:</p> <ul style="list-style-type: none"> • Encourage the use of British-origin native species in landscaping and amenity planting • Seize opportunities to link existing wildlife habitats and create new areas of high quality habitats 	<p>Include a reference to natural greenspace in Aim 3, Objective (c)</p> <p>Too detailed. The matter is already adequately addressed by subsection (f). There are all sorts of reasons for providing open space. Designation of Nature Reserves will be a matter for the Environmental Protection DPD</p> <p>Agree to change</p> <p>This is too detailed for a Core Strategy Objective. It is a matter for the Environmental protection DPD</p> <p>Again, this is too detailed for the Core Strategy. It is covered in general terms by Objective 3(d). It will be a matter to be considered further in the Environmental Protection DPD.</p>
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<p>Page 53 Para 4.1 Line 4</p>	<p>Sites of Special Scientific Interest are considered here as one of the 'high-level planning constraints'. It would therefore be consistent to ensure that these designated sites are included as such, throughout the 'Preferred Options Report' as many of the comments made in this response highlight.</p>	<p>Agree – SSSIs omitted in error.</p>
<p>Para 4.4 Line 3</p>	<p>This paragraph may read better if the following text was included; the changes are shown underlined and in bold:</p> <p>“ Much of the remaining area is covered by the important Strategic Gap separating Maidstone and the Medway towns from the Medway Gap; by countryside of ‘Outstanding Natural Beauty’; areas liable to flooding; <u>sites which are designated for their nature conservation interest.</u>”</p>	<p>Agree to agree to refer to areas of nature conservation interest</p>
<p>Pages 53 and 54 Para 4.5</p>	<p>It would be useful if the area referred to in this paragraph was identified on a map. Please see the section at the end of this annex about the Key Diagram.</p> <p>Whilst English Nature does not object to 'Peter's Pit' being mentioned within this paragraph, we would like to clarify that this development is adjacent to Peter's Pit SAC and any development here must protect the area within the designation and put in place appropriate management strategies to safeguard the site.</p>	<p>The extent of the area can be clarified in the text.</p> <p>These matters were taken into account in considering the planning application, now permitted.</p>
<p>Page 55 Para 4.10</p>	<p>This paragraph focuses on transport issues, but does not consider any air pollution or air quality issues.</p>	<p>Include reference to air quality</p>
<p>Page 57 Para 5.3 Line 3</p>	<p>English Nature would like to see this amended to include reference to international sites:</p>	<p>Agree</p>

	“.....landscape importance), sites of international , national and local wildlife importance...”	
Page 58 Para 5.5	The paragraph refers to assessing development proposals against general policies. Given that this new planning system is supposed to encourage public interest and input, perhaps it would be useful to clarify whether these are Government or local ‘general policies’.	The “General Polices” have been renamed as “Other Core Policies”
Page 58 Policy CP1	English Nature is keen to encourage the adoption of greenspace provision within local plan policies. Within the context of a high quality development, providing ‘greenspace’ can help to meet the objectives of contributing to local distinctiveness. Not only does this ensure that local biodiversity is enhanced within the built environment, but also supports social policies in enhancing the wellbeing of inhabitants. We would therefore support the inclusion of an additional point under Policy CP1 Part 3 - perhaps wording such as: “Provide opportunities for provision and enhancement of natural greenspace.”	For a Core Strategy this issue is adequately covered by the generality of the first part of Policy CP1. The provision of natural greenspace is a detailed matter for the Open Space Strategy and the Environmental Protection and Open Space DPDs
Page 59 Policy CP2	If TMBC were to maintain a policy of only developing such sites we would stress the need for adequate survey effort <u>prior to development</u> and the provision of mitigation measures to support the findings.	Concentrating development on brownfield sites is Government policy which is merely being reflected in the LDF. Mitigation is covered by Policy CP5. This point is too detailed for the Core Strategy.

	<p>English Nature would also like to see an additional point to this policy concerning the safeguarding of nature conservation sites and BAP habitats.</p>	<p>The conservation of natural resources is covered in general terms by Policy CP1. Greater detail will be provided in the Environmental Protection DPD.</p>
<p>Page 60 Policy CP3</p>	<p>English Nature would support the inclusion of measures to increase biodiversity within developments outside of settlement confines.</p> <p>This could include provision of:</p> <ul style="list-style-type: none"> • landscaping to protect bat commuting routes • use of high quality seed mixes with species appropriate to the locality, providing opportunities for invertebrates • site layouts that enable existing habitats to be linked 	<p>This is covered by sub-section (d) which refers to the conservation of features of acknowledged importance. The suggestions are too detailed for the Core Strategy. They are matters for the Environmental Protection DPD.</p>
<p>Pages 60/61 Policy CP4</p>	<p>English Nature would welcome policies that encourage the provision and use of public transport.</p> <p>Perhaps the introductory paragraph might read better as follows:</p> <p>“Transport is an important aspect of sustainability; the aim is to reduce the overall need to travel, particularly by car. New developments and services should be as accessible as possible and links between these and existing destinations of high quality. Safe, efficient and attractive alternatives to private car use should be available throughout the Borough. Where new transport infrastructure is essential, measures to minimise its impact will be sought. The following policy.....”</p> <p>Points ‘b’ and ‘d’ could also be revised as follows:</p>	<p>Agree that the thrust of these suggested changes could be incorporated, but the Council does not itself provide public transport services and so the actual availability of public transport is not within its control.</p>

	<p>b “minimise the need to travel, especially through the production of travel plans <u>and the provision of appropriate local services</u>”</p> <p>d “provide <u>a choice of alternative transport modes, or link into and enhance existing provision. This should include public transport, cycling and walking, particularly school walking buses.</u>”</p>	<p>Take on board the additional words but clarify that this is not referring to bus services and that travel plans are not the only way of reducing the need to travel.</p> <p>Include reference to “alternative” transport modes and “enhancing” provision of services, but exclude specific reference to “walking buses” – too detailed.</p>
<p>Page 61 Para 5.9 Line 7</p>	<p>In connection with the provision of mitigation on a ‘like-by-like’ basis, it is generally accepted that this is ineffective and takes significant periods of time to develop a similar value to that which it is designed to replace. In particular it is not possible simply to replace an existing high quality natural habitat by replanting with similar species in a different area.</p> <p>English Nature would prefer that this wording was changed – perhaps to:</p> <p>“Where existing historic built resource are affected, mitigation measures should be provided on a “like-for-like basis”. Where existing natural habitats or resources are affected, it will be expected that <u>only when there are no other opportunities</u> will it be acceptable to ‘create’ a new habitat of at least equal size with a similar species composition.”</p>	<p>Although different words are used the thrust of this point is accepted. The words “only where there are no other opportunities” are ambiguous, because it could mean that no action at all was an option.</p>
<p>Para 5.10 Line 6</p>	<p>The final line refers to the maintenance of this replacement habitat. Maintenance is a very passive term which could result in nothing being done; I would therefore like to see this changed to ensure actual management occurs – perhaps:</p>	<p>Agree</p>

	<p>“...arrangements should be made for ongoing management of the replacement resource to ensure it’s successful future.”</p>	
<p>Page 62 Para 5.12</p>	<p>Point 3 – perhaps the phrase ‘and promote social cohesion’ could be added.</p> <p>Additional mitigation measures that TMBC could seek are pollution control and waste minimisation schemes.</p>	<p>Agree, though waste minimisation is principally a matter for the County Council’s Waste Development Framework</p>
<p>Page 63 Paras 6.2 onwards</p>	<p>The Green Belt - As this is an area that is so well protected, perhaps T & M B C could seek major biodiversity enhancements within this area.</p>	<p>The Green Belt is not in itself a countryside protection policy. Biodiversity enhancement is most appropriate where there is the greatest potential. The Borough Council’s priority for the foreseeable future is a major initiative in the Medway Gap area which is identified as an area with the great biodiversity potential in the South East Plan.</p>
<p>Page 69 Policy CP12</p>	<p>The following wording within point 3 may help to continue the themes of high quality development through the document.</p> <p>“New development, redevelopment and extensions to existing buildings within areas at risk of flooding must include <u>high specification to meet the potential flood risk for the lifetime of the development – including considerations of emergency and safety.</u>”</p>	<p>No change. This duplicates PPG25. Policy CP12 already includes reference to safety and the lifetime of the development.</p>

Para 6.29	This refers to Urban areas. Urban and rural areas could be incorporated into the suggestions given at the end of these comments regarding the Key Diagram. This could potentially delineate the 'defined confines' of each identified settlement.	The confines of the urban and rural settlements are shown in detail on the Proposals Map. The Key Diagram is, by definition, only diagrammatic.
Pages 63-69	Again, there is no consideration of sites designated for their nature conservation interest.	Agree to add a section dealing SSSIs since these are a strategic constraint.
Page 72 Policy CP14	English Nature would like to clarify that there is a SSSI within Wateringbury, one of the rural settlements where housing development will be permitted.	Noted. No development would be permitted that would adversely affect the SSSI at Wateringbury.
Page 72 Para 7.7	English Nature would like to clarify that both of the 'identified sites on damaged land' are in close proximity to designated sites. I am aware that there are ongoing consultations in regard to Peter's Pit, but Bushey Wood, near Eccles is within 350m of the 'Holborough to Burham Marshes SSSI'. English Nature will wish to comment on any scoping reports and pre planning application documents to ascertain any potential impact to the designated sites.	The Policy is to safeguard the area at Bushey Wood from any development within the Plan period. Para 7.13 makes it clear that at Bushey Wood the protection of areas of Nature Conservation Interest will be an important consideration at the time that development is contemplated.
Page 76 Policy CP18	Point 'a' refers to a major new housing development at Holborough; English Nature presumes that this is at Holborough Quarry. This site is in close proximity to the internationally designated 'North Downs Woodlands' and also to the nationally important sites 'Holborough to Burham Marshes' and 'Houlder to Monarch Pits'.	This development already has planning permission and is under construction. These matters were taken into account by the Secretary of State in granting planning permission.

<p>Page 85 Policy CP24</p>	<p>Point 'c' refers to all spaces being 'attractive'. Is there some way that this phrase could be clarified? There is potential for this to be taken to mean that all hedges must be trimmed regularly, grass always kept shortly mown, flowers consistently deadheaded. This perception of 'attractive' may therefore preclude opportunities for wildlife within these new developments.</p> <p>With regard to 'appropriate landscaping' English Nature would support of a policy of British origin native species appropriate to the locality.</p>	<p>Delete the word "attractive". It is subjective and in the eye of the beholder. What is more relevant is that the site should be "appropriately landscaped" which means that the landscaping should be appropriate to its location, setting and function.</p> <p>Too detailed for the Core Strategy. A matter for the Environmental Protection DPD.</p>
<p>Page 86 Policy CP24</p>	<p>Point 'i' concludes that meeting Kent BAP objectives and the use of natives should be 'where appropriate'. English Nature would prefer that the presumption was that this latter phrase was replaced by 'unless there is an over-riding reason against this'.</p> <p>English Nature would also like to see an additional point relating to public space, perhaps:</p> <p>"Make provision for quality open space to ensure the health and well-being of residents."</p>	<p>Wording revised to reflect the fact there will be exceptions where native species are not appropriate – eg some Ornamental Parks.</p> <p>This covered in appropriate detail in Policy CP36 (a). In any case the policy should include the reason for it.</p>
<p>Page 86 Para 8.3</p>	<p>Conservation and enhancement of the built environment, is covered within this section, but again there is not similar text within the 'general policies' addressing the needs of the natural environment. This is a subject which has already been stressed as important to people of the Borough (Section 5 Community Strategy) and we would like to see it given adequate consideration in this 'general policies' section.</p>	<p>Do not agree. It would duplicate of the sustainability policies. Greater detail will be included in the Environmental protection DPD.</p>

<p>Page 87 Policy CP26</p>	<p>This policy gives consideration for transport infrastructure but makes no reference to public transport and how this might be targeted and used as a means of reducing need for new road building.</p>	<p>The provision of transport infrastructure is a matter for the County Council as Highway Authority and covered by Policy CP4. Policy CP26 is merely a policy which seeks to safeguard land for any transport scheme adopted by the County Council including any public transport proposals that have land use implications.</p>
<p>Page 87 Para 8.7</p>	<p>“The general alignment of safeguarded road schemes is shown on the Key Diagram”. Unable to determine these safeguarded road schemes on the diagram.</p>	<p>Omitted in error</p>
<p>Pages 87 and 88 Paras 8.7 and 8.9</p>	<p>There is no mention within this section about general provision of transport services for communities and whether there is adequate provision and incentive for the use of alternative transport modes. Perhaps T & M B C could encourage any firms with high levels of employment to implement ‘green travel strategies’ to assist in meeting such policies.</p>	<p>The provision of transport services and infrastructure s a matter for the County Council as Transport Authority though the Local Transport Plan. The issue of Green Travel Plans is covered by policy CP4 which relates to development proposals.</p>
<p>Page 88 Para 8.11</p>	<p>Perhaps the first sentence could be changed to sound more positive. In the previous paragraph you mention two rivers and different tributaries – do you also need to clarify which of these is being referred to here?</p> <p>‘The character of the River(s) [name] varies considerably along its length and there are consequently a great range of valuable features associated with it. Any new development should, therefore, respect its sensitive location and the local character and should aim....’</p>	<p>Para 8.11 is specifically referring to the River Medway. Agree to clarify wording in the way suggested.</p>

<p>Page 88 Para 8.12 Line 4</p>	<p>Suggest the following wording:</p> <p>“The Borough Council will therefore support diversification schemes planned on a comprehensive basis that <u>aim</u> to retain viable agricultural units through <u>the creation of</u> supplementary income <u>based</u> upon a suitable rural enterprise.”</p>	<p>Agree to some of the changes, but the words “with a view to” should be retained to make it clear that it is the Council which wishes to facilitate rural diversification.</p>
<p>Key Diagram</p>	<p>No nature conservation sites are illustrated on this diagram. The safeguarded road schemes referred to in the document do not seem to be illustrated.</p> <p>It would seem that there are a number of themes which might be easier split into a separate diagrams and then merged into your key diagram:</p> <ul style="list-style-type: none"> • Key transport routes, safeguarded road schemes, problem areas, public transport hubs • Landscape and nature designations (to include SACs, SSSIs, SNCIs, LNRs, and perhaps ancient woodland and other key BAP habitats where they exist in a large area) • Green Belt, Strategic gap and other safeguarded land under policy CP10 • Water features, Rivers Medway and Bourne + their tributaries, areas at risk of flooding • General map showing urban and rural areas, highlighting those where some development will be acceptable. It might be useful to have some coding for the ‘settlement hierarchy’ to which you refer¹. The retail centres could be added on to this map • Strategic development sites, giving an outline of the area concerned: eg ‘East Bank’ <p>The summarising diagram could perhaps include all the transport related issues in black, the landscape/nature conservation ones in green and so on, so that people can refer back to greater detail on the preceding diagram.</p>	<p>Road schemes omitted in error. Major SSSIs of strategic significance should be shown, but this is not the Proposals Map which will show all areas of nature conservation interest in detail.</p> <p>Some useful suggestions for improving the presentation of the Key Diagram.</p> <p>Main water features and main transport routes could be added to give the diagram structure.</p> <p>The settlement hierarchy could be more clearly indicated.</p> <p>Detailed maps of areas of nature conservation interest are a matter for the Environmental Protection DPD.</p>

Key Diagram	<p>Environment Agency</p> <p>The diagram is a very useful tool and the Agency welcomes the inclusion of a basic fluvial flood plain. However, the Agency feels it could be improved by the addition of the main rivers to help in spatial understanding and the tidal floodplain to the north east of the borough. Such information can be found in the recently issued 'Catchment Flood Management Plan' for the Medway but please feel free to contact us if you require any further information or assistance.</p>	The main Rivers could usefully be added to the Key Diagram to give it structure as could the addition of the tidal floodplain.
Para 3.7	The Agency asks that the final sentence be amended to read "Downstream of Allington Lock, parts of the borough are liable to tidal flooding." Whilst it may not be a regular occurrence, tidal flooding is extremely fast and dangerous when it does happen and the Agency would not wish its impact to be misinterpreted as a low risk event.	Agree
Para 6.35	The Agency asks that this section be added to and reference made to our Catchment Abstraction Management Strategy (CAMS) for the Medway. The aim of the CAMS is to identify long-term, sustainable policies to manage water resources within the catchment.	Agree
Para 6.36	<p>The Agency asks that this section be added to and reference made to our Catchment Flood Management Plan for the Medway. The aim of the CFMP is to identify long-term, sustainable policies to manage flood risk within the catchment.</p> <p>We would also recommend that you consider the implications of the Water Framework Directive. In general terms, the Water Framework Directive will establish a strategic framework for managing the water environment. It establishes a common approach to protecting, and setting environmental objectives for, all groundwaters and surface</p>	Agree to add reference to the CFMP, but not the Water Framework Directive since this high level document will be taken into account by the lower order documents.

	<p>waters (defined as rivers, canals, lakes, reservoirs, transitional and coastal waters up to one mile from the shore). For surface water, the Directive requires that environmental objectives are based on the chemical and, more significantly, ecological status of the water body. For groundwater, quantitative and chemical objectives must be set.</p> <p>The Directive also requires that statutory strategic management plans be produced for each River Basin District (RBD). These plans, known as River Basin Management Plans (RBMPs), will set out how the objectives for all the water bodies within each river basin are to be achieved. The plans will be based upon a detailed analysis of the pressures on the water bodies within each river basin and an assessment of their impacts, likely future trends and environmental problems.</p>	
Para 3.10	The Agency welcomes this section but asks that the first sentence be amended to read "..... policies to conserve and enhance riverside character and biodiversity, facilitate the provision of"	Agree
Para 3.11	Without a grid reference or detailed location map the Agency cannot make specific comments on the suitability of these two sites for development. However, much of the land north of Lower Haysden Lane is within a high risk flood zone, as is a section of the land north of Dry Hill Park closest to the Hilden Brook. The Agency would therefore respond accordingly to any planning applications for development at these sites.	No development is proposed during the plan period. Only relatively small parts of the areas are affected. This is a matter of detail when a planning application is eventually received.
Aim 3 (d)	The Agency welcomes the inclusion of (d).	Noted

Aim 3(f)	It is unclear whether this objective relates to a safe living environment in terms of crime, or a safe living environment free from the risks of flooding, land contamination, air pollution etc. The Agency therefore requests that this policy be amended to clarify this and that if it does relate to crime, a separate objective be created which deals with the aforementioned environmental matters.	It is meant to relate specifically to crime-related issues. Revise wording to clarify.
Para 5.1	The Agency suggests that the second sentence should read "The Planning and Compulsory Purchase Act 2004 requires"	Correction made
Policy CP1	The Agency welcomes the inclusion of 3(d) and 3(e).	Noted
Para 6.26	The Agency requests that the last sentence be amended to read "Where development is proposed in such areas a Flood Risk Assessment should be undertaken in line with the guidance in PPG25"	Agree
Policy CP12	The Agency requests that paragraph 1 be amended to read "Proposals for new development within the flood plain must follow a sequential test, seeking to avoid areas at high to medium risk, where"	Policy wording amended to make it clear that where there is a choice in the context of the sequential test the first preference would be for a site which is not subject to a high risk of flooding.
Para 7.28	The Agency is pleased to note that it is recognised future development at East Peckham is restricted due to the flood plain.	Noted
Policy CP23	The Agency welcomes the inclusion of (g).	Noted

Policy CP24	The Agency welcomes the inclusion of (f) and (i), but would request that in (i) the words "as appropriate" are deleted as it should be a strong objective to encourage native only planting schemes if the authority is to preserve the natural character and environment of the borough.	Wording revised to reflect the fact there will be exceptions where native species are not appropriate – eg some Ornamental Parks.
Policy CP29	<p>The Agency requests that (b) be amended to read "Protects and enhances the biodiversity of the river and its banks";</p> <p>Further to the above comments the Agency would wish to ask for a Strategic Flood Risk Assessment of the district to be undertaken as part of the SEA/SA process. The SEA Directive requires the rigorous analysis and prediction of environmental effects, as well as an assessment of the likely significant effects on the environment, including cumulative effects. We understand that some other Council's have produced a Strategic Flood Risk Assessment as a separate undertaking, and have then included the report as a DPD.</p>	<p>Agree</p> <p>A strategic flood risk assessment is only necessary if meeting the needs of the Borough is likely to come into conflict with areas at risk of flooding. This is mainly a matter for site-specific consideration.</p>
Policy CP1.3	<p>Southern Water</p> <p>In order to strengthen the wording, revise to read:</p> <p>Proposals should must result in a high quality development in terms of:</p>	Agree
Policy CP1.3(e)	<p>In order to recognise that SUDS technologies are not appropriate in all locations, revise clause (e) to read:</p> <p>Natural drainage of surface water, including SUDS technologies where appropriate;</p>	Agree

Policy CP1.3	To provide for the protection of water resources, add additional clause as follows: (I) protecting the quality and potential yield of water resources	Agree
Policy CP2	To strengthen the wording revise CP2.4 to read: Development should must demonstrate that the services and community infrastructure necessary to serve the development is available.	Agree
Section 1 Part 2	<p>Kent County Council</p> <p><i>Structure Plan</i></p> <p>The policies of the Structure Plan are saved for at least three years once it has been adopted (until at least the end of 2008) and it will continue to form part of the development plan until then. It is felt that this needs to be made clearer throughout the document, particularly in Section 1, Part 2 (The New Planning System). The Structure Plan provides an important bridge between the role of the LDF and the higher level of the SE Plan policy framework and this should be reflected</p>	The status and relevance of the Structure Plan can be clarified in Section 1 Part 4, but it is not considered helpful to make any specific reference in the LDF to Structure Plan policies which are likely to be superseded within months of the adoption of the first LDF documents.
	<p><i>Sustainable Development</i></p> <p>Sustainable development is clearly at the heart of the Core Strategy but by basing its approach on the terms of the Government's 1998 sustainable development strategy, the LDF risks being constructed around an outdated vision of UK sustainable development policy. Rather than the 1998 strategy, the starting point for the LDF's approach to sustainable development should be the Government's new strategy for sustainable development, <i>Securing the Future</i> (launched in March 2005). The 2005 sustainable development strategy differs from the 1998 strategy in some significant respects in that it places far greater emphasis on:</p>	Update all references to the 2005 Strategy

	<ul style="list-style-type: none"> • Respecting environmental limits, the efficient use of natural resources and biodiversity. • A sustainable economy (and less on a narrow definition of economic growth). 	
	<p><i>Lack of recognition of environmental limits and framing of policies accordingly</i> The recognition of the importance of environmental limits requires a shift in approach to LDFs. It is not clear that this shift has yet been made in this document. As written it implies that meeting 'identified needs' will automatically conflict with 'conserving the natural environment', and that the natural environment does not have its own needs. Similarly the vision statement refers to meeting identified needs and conserving the environment, as if conserving the environment were an optional by-product of meeting need, rather than a need in itself. To further sustainable development, the needs of the natural environment in terms of, for example, biodiversity, need to be identified and reflected with a view to their protection and enhancement.</p>	<p>Do not agree. Meeting housing and other needs is a Government requirement. Where this comes into conflict with the natural environment the aim is to minimise and mitigate the impact. The first part of the first policy says that built and natural resources will be conserved and enhanced. It does not say "except where development is needed". Planning is always about making choices, but nowhere in the Core Strategy does it say that the natural environment comes second.</p>
	<p>This concern is reinforced by the description in the context report of the baseline studies which have informed the LDF – these relate to housing land supply, urban capacity, employment land, housing needs and retail. This does not suggest that respect for environmental limits (which starts with understanding what they are in relation to, for example, different habitats, water availability and quality, air quality etc) and social needs (other than housing) have informed the early stages of preparing the core strategy.</p>	<p>This is written as though the Council was starting with a blank sheet of paper. All the Council is doing is reviewing an existing plan and rolling it forward 5-10 years. The Council first tested to see whether there was likely to be any conflict. The fact that there is sufficient land identified for housing without the need to release any new sites means that there is no need to carry out a comprehensive assessment of rural areas because there is no need to look for any greenfield release. In any</p>

		<p>case the overall scale of development is determined by the Structure Plan and South East Plan which would have been prepared having regard to environmental capacity. Nevertheless, reference will be made to the sort of background studies that have been paid regard to – eg Phase II Habitat Survey review.</p>
	<p><i>Qualified references to environmental enhancement</i> The qualification of objectives with the words ‘where possible/practicable’ is used in the Core Strategy. As outlined above, the principles of sustainable development would suggest policies to ‘protect and enhance’ natural resources, rather than ‘enhance where possible’. The inclusion of the ‘where possible’ caveat may reflect a lack of confidence in the deliverability of such enhancements, though it is the job of the LDF to seek to make them deliverable, rather than imply that there is some doubt (and in doing so make them less likely to happen). The caveats on environmental enhancement should be removed. If they are not, the playing field will remain tilted against the environmental elements of sustainability.</p>	<p>This does not reflect a lack confidence. It reflects realism. Habitats can only be created where the conditions are right. It would be unrealistic to require the impossible. The words are changed to “wherever possible” which clarifies the intention. The revised wording makes it clear that wherever enhancement is possible it will be sought.</p>
	<p><i>Assessment of Options</i> There is perhaps inevitably a selective approach to the elements of national/regional policy which are cited as leaving TMBC ‘no option’ and this raises the following questions:</p> <ul style="list-style-type: none"> • Approach to options: some of the options described are presented as ‘either/or’ situations when a wider range of options could be said to be available. For example, the options in relation to SLAs can be summarised as ‘retain or not’ with no consideration given to options around extending or strengthening the existing ones (which might be an issue given the discontinuation of Areas of Local Landscape Importance and Green Wedges). Similarly, the options around the 	<p>The options were confined to those that were considered to be realistic and meaningful. In the light of PPS7, it was not considered realistic to explore extending the SLAs when they were base upon a thorough investigation by KCC. However,</p>

	<p>policy to maintain the gap between settlements is 'include or not', when consideration could also be given to tightening existing policies as a third option.</p> <ul style="list-style-type: none"> • Approach to minimum/maximum standards: as a general principle, it is important to treat e.g. national standards as minima/maxima, not as targets – it is a reasonable option to consider policies which seek to exceed these standards. A good example is parking – the report suggests that PPG13 maximum standards means that there are 'no options' in regard to parking provision associated with new development. But there is the option of taking a more stringent approach with a view to reducing car dependence and traffic associated with new development. • The same could be said for housing density or development on previously developed land. This is particularly important in Kent as we face higher volumes of development and more acute environmental pressures compared to many other parts of the country – <i>minimum</i> standards may be an inadequate response to the challenges of <i>above average</i> growth. 	<p>their detailed boundaries will be reviewed when the Environmental Protection DPD is prepared.</p> <p>In a predominantly rural area like Tonbridge and Malling which is heavily car dependent there is a view that the Government's maxima is too low. The detailed policies allow for a lower standard to be applied in circumstances where access to public transport is good.</p> <p>In the view of the Council density is something that can only properly be considered on a site by site basis. Tonbridge and Malling, at 93%, already has one of the highest rates of development on previously developed land in the County.</p>
	<p><i>The Vision Statement</i> The above comments imply a number of changes from the vision statement down. The vision statement is used below as an example of the kind of changes which might be considered – the vision as drafted is compared with a possible alternative to illustrate the differences:</p> <p><i>To make Tonbridge and Malling a great place to live in, work in and visit for future generations, where our natural assets, heritage and public realm are valued, protected and enhanced built development is sustainable and of high quality and social, economic and environmental needs are met, and reconciled where they come into conflict.</i></p>	<p>Whilst such changes are somewhat esoteric, some amendments to the original Vision have been made in the light of these comments.</p>

	The language is similar but the sense of the alternative given as an example is quite different. The same logic outlined here could be applied to a number of areas throughout the Core Strategy.	
Context		
Para 3.6	Regarding the quarrying of Ragstone, the quarry at Hermitage Lane is still operating, but the operation at Blaise Farm has recently been mothballed, although the permission is still extant.	Update accordingly
Para 4.6	Text should be added here to clarify that the Kent & Medway Structure Plan policies will be saved for a period of at least three years on adoption. The Plan provides an important bridge between LDFs and the higher level SE plan policy framework.	The status and relevance of the Structure Plan can be clarified in Section 1 Part 4, but it is not considered helpful to make any specific reference in the LDF policies to Structure Plan policies which are likely to be superseded within months of the adoption of the LDF.
Para 6.15	Delete “Kent Minerals Local Plan: Sand & Gravel Ragstone (November 1983)” – this is no longer part of the Minerals Local Plan. The plan is in four parts in three documents as follows: <ul style="list-style-type: none"> • Kent MLP: Brickearth Written Statement (May 1986) • Kent MLP: Construction Aggregates (December 1993) • Kent MLP: Chalk & Clay/Oil & Gas (December 1997) (with the latter being two plans combined into one document).	Correct references
Para 6.17	The latest on the Kent MWDF is as follows:	Update accordingly

	<ul style="list-style-type: none"> • The Kent Minerals and Waste Development Scheme was approved by GOSE on 11 April 2005. • The Statement of Community Involvement was formally submitted to the Secretary of State on 8 April 2005 and confirmation is awaited as to whether an inquiry is necessary and what form it might take. • Minerals and Waste Issues and Options due for consultation in September 2005. 	
Page 24, Table 1	It should be noted that the Kent & Medway Structure Plan figures for housing provision for Tonbridge & Malling Borough are likely to change as a result of the KMSP EIP Panel recommendations. It is anticipated that Proposed Modifications will be published towards the end of July 2005, subject to KCC and Medway Council approval.	The table will be updated to reflect the modifications.
Options and Choices 2.	<p><i>Policy Approaches and Sites – No Options Available</i></p> <p>The South East Plan and PPS9 both call for the highest level of protection for sites with a designation, national or international, for nature conservation (Sites of Special Scientific Interest, Special Protection Areas, Special Areas of Conservation and Ramsar sites). In light of this, the Council should treat these sites in a similar manner to Areas of Outstanding Natural Beauty and Metropolitan Green Belt in having no option other than to conserve and enhance their current status.</p>	A new section on SSSIs has been added.
Para 2.3	Policy WK1 of the Kent & Medway Structure Plan also confirms that there will be no release of land from the Metropolitan Green Belt to meet strategic requirements for West Kent. It might add more weight if the text also reflected this.	Reference to be added.

Para 3.13	<p><i>Strategic Gap</i></p> <p>It is noted that it is proposed to extend the Strategic Gap across the Area of Opportunity at Bushey Wood during the plan period and this is welcomed.</p>	Noted
Paras 3.14-3.15	<p><i>East Bank of the Medway</i></p> <p>It should be noted that, strategically, there is no commitment to Bushey Wood as a development location/Area of Opportunity in the short or longer term. The Structure Plan consequently limits provision for development on the East Bank of the Medway during the timescale of the Plan to Peters Pit.</p>	Noted. There is no proposal for any development at Bushey Wood within the plan period
Paras 3.16-3.20	<p><i>Affordable Housing</i></p> <p>We would wish to review the proposal to remove Isles Quarry West from the Green Belt in more detail, most likely through the detailed allocations DPD.</p>	Noted
<p>Core Strategy</p> <p>Para 2.3</p>	<p>The Vision for the LDF recognises the need to conserve or enhance natural beauty and heritage, but does not specifically mention biodiversity. It is suggested that the Vision could be amended as follows: "...to conserve <u>and/or</u> enhance the natural beauty, heritage <u>and biodiversity</u> of the area..."</p>	Agree to include reference to biodiversity, but "and/or" is unnecessary. You either conserve something (ie retain it unaltered) or enhance it (ie retain it and improve it)
Paras 4.1 to 4.11	<p>In general terms, the Strategy broadly reflects that of the Kent and Medway Structure Plan. This is welcomed.</p>	Noted

<p>Para 4.2</p>	<p>This paragraph states that development will “seek to maintain the separation and individual identity of settlements, preserve or enhance areas of architectural or historic interest and minimise the need to travel”. It would also be appropriate to include “protect and enhance areas of value for biodiversity” within this paragraph.</p>	<p>Agree to add reference to nature conservation/biodiversity</p>
<p>Para 4.10</p>	<p>Perhaps more emphasis could be made in this paragraph on the importance of providing community facilities. Also, perhaps more emphasis on sustainable transport measures to contribute towards reducing the need to travel by private car in particular.</p>	<p>Agree to make appropriate amendments</p>
<p>Policy CP1</p>	<p><i>Part 1.</i> It is felt that the inclusion of “where possible” introduces a sense of ambiguity into the policy. It might be better simply to say “will be conserved and enhanced”.</p> <p><i>Part 3.</i> It may be worth making reference to the use of more sustainable construction materials and/or recycling of construction materials.</p> <p>Part (d) – there would be benefit in treating biodiversity separately. The text could read: “Protection and enhancement of existing biodiversity resource and habitat and species management, restoration and creation”.</p> <p>Part (h) – could “where possible” be removed?</p>	<p>Do not agree. In this case the aim is to conserve the resource as a minimum and wherever it is possible go further than this and enhance the resource. Change the words to “wherever possible”.</p> <p>Agree to add a clause but this is really a matter for the building regulations.</p> <p>Do not agree. This is a high level policy which seeks generally to conserve or enhance natural resources</p> <p>Change to “wherever possible” to clarify meaning.</p>

CP2	<p>Policy numbering does not follow.</p> <p>Points 4, 5 and 6 are particularly welcomed in terms of providing a hook for the provision of community services and infrastructure and safeguarding of land to meet identified community needs.</p>	<p>Corrected</p> <p>Noted</p>
CP3	<p>Part (d) – The policy could be expanded with the addition of: “...or promote the enhancement of biodiversity”.</p>	<p>Prefer the more generic approach which applies both to the natural and built heritage, but add the word “enhancement”</p>
CP4	<p>The first part of the policy before “Development should” almost reads as if it were explanatory text rather than policy.</p> <p>Part (b) – location of development and services is also a key factor in minimising the need to travel.</p> <p>Part (d) – could text be added to reflect the need to make these modes available to all user groups e.g. elderly, people with disabilities, etc.</p>	<p>It is. This is a typographic error which has now been corrected.</p> <p>Agree – reference added</p> <p>Not sure that cycling is necessarily suitable for the elderly or those with disabilities. Add a new clause referring generally to accessibility.</p>
Paras 5.8-5.12 & CP5	<p>The accompanying text seems to refer only to mitigation of development impacts in relation to the natural and built environment, until para 5.12, which then introduces transport, community facilities and flood alleviation measures. These other areas of impact could perhaps be brought out more in the accompanying text.</p>	<p>Agree this needs clarification</p>

	With regard to the final sentence, this should be a minimum requirement with the policy embracing the concept of enhancement. This could be achieved by the following amendment: "...should preferably be provided on-site, and <u>as a minimum</u> , on a like for like basis".	Agree
CP6	It is noted that it is proposed to delete Isles Quarry West from the Green Belt to meet affordable housing needs in the rural area. See comments on CP20.	Noted
Para 6.12	Text should also refer to Kent County Council.	Agree
CP8	Does "unless justified by special circumstances" weaken the policy?	No – what would weaken the policy would be to say that absolutely no development will be permitted and then to subsequently allow something because of "special circumstances". This could then be used as a precedent.
CP9	It may be worth giving some consideration to the addition of text referring to the need for proposals to maintain and enhance the setting of settlements, either in the policy or accompanying text.	Agree
CP10	Not sure why the phrase "or as otherwise approved by the Secretary of State" is included in the policy as the explanatory text covers the fact that AONBs are designated by national government.	This is a legacy of the old Local Plan which referred to the AONB as shown on the Proposals Map. It allowed for any designations during the lifetime of the Plan. In the new high level policy this is not necessary.

	Part (b) – should contain an additional sentence stating that where permission is granted, measures will be required to mitigate or compensate for any residual impacts on the AONB.	Do not agree. This is exactly the sort of duplication we have sought to avoid in the new plan. Policy CP5 is an all-embracing policy dealing with mitigation in such cases.
CP10 & CP11	These policies could give the impression that the protection afforded to Special Landscape Areas will be greater than that afforded to AONBs – CP10 contains clauses relating to where development may be permitted, whereas CP11 does not address situations where development might be approved.	Wording now clarified.
Para 6.20	It may be worth adding to the text here that the concept of SLAs was endorsed at the recent Structure Plan EIP.	No – this is a draft of a document that will not be adopted until 2007 at the earliest and will then have a life of 5-10 years. The EIP will be history by then.
CP13, CP14, CP15, CP16	Policies broadly reflect KMSP settlement hierarchy policies.	Noted
CP17	With regard to the allocation of Bushey Wood as an Area of Opportunity, it should be noted that, strategically, there is no commitment to Bushey Wood as a development location/Area of Opportunity in the short or longer term. The Structure Plan consequently limits provision for development on the East Bank of the Medway during the timescale of the Plan to Peters Pit.	The LDF also limits any development on the East Bank of the Medway to Peters Pit.

CP18	<p>The major new housing developments reflect the strategic development locations for the Borough as set out in the Structure Plan. It should be noted that the KMSP EIP Panel have recommended that housing provision figures post 2016 are not contained in the Structure Plan, and that the housing provision figure for Tonbridge & Malling Borough should be modified to 8,700 dwellings. We have some concerns about the interpretation of these recommendations. Subsequent Proposed Modifications are subject to Kent and Medway Council approval and are due to be published at the end of July 2005. It would also be prudent to track the progress of the advice that the County Council, in conjunction with the Borough Council, will be submitting as part of the regional work for the period to 2026.</p>	<p>The Preferred Options Report will be prepared in the light of the evolving figures in the South East Plan which should be available in draft by the time the document is published.</p>
CP19	<p>Policy on affordable housing does not appear to deal with the issue of the respective contributions planned for shared equity, key worker and other forms of intermediate housing (KMSP Policy HP8(b)).</p>	<p>Include reference to shared equity and key worker housing</p>
CP20	<p>It is noted that this policy proposes to remove land at Isles Quarry West from the Green Belt for around 200 dwellings, including 60 affordable, plus associated infrastructure/services. We would like to examine this proposal in more detail through the development allocations DPD and consider issues including the overall visual impact on the openness of the Green Belt, nature and disposition of uses on the site, potential footprint, transport impacts on Borough Green particularly prior to construction of the Bypass, landscape, biodiversity and service provider implications.</p>	<p>Noted</p>
CP22	<p>Policy does not set out any criteria for how employment proposals not on allocated sites or within the built up area will be assessed. This may already be covered by general development criteria?</p>	<p>Include references from Policy P5/17 from the TMBLP.</p>

CP24	<p>Part (i) – while a policy advocating the use of native species in landscaping proposals is welcomed, this on its own is unlikely to be sufficient to contribute towards targets in the Kent BAP. It may therefore be better to expand this slightly to read as follows: <u>“...and to contribute towards the objectives of the Kent Biodiversity Action Plan through appropriate habitat creation and enhancement schemes using native species”</u></p>	Agree.
CP27	<p>It may be worth explaining in the accompanying text some examples of the range of service providers and types of community services, to illustrate the breadth that the policy covers.</p>	<p>Examples can be given, but the detail is for the Land Allocations DPD.</p>
	<p><i>Other Relevant Policy Areas from the Kent & Medway Structure Plan</i> There are a number of policy areas of the Kent and Medway Structure Plan which guide particular aspects of policy into Local Development Documents. The list below suggests some of these areas where you might like to give some further consideration, although it is acknowledged that some of these issues, may be better tackled through the more detailed development documents:</p> <ul style="list-style-type: none"> • Policy QL7: LDDs should include policies which protect, within conservation areas, the plan form, buildings, architectural features, archaeological sites, trees, streets, spaces, etc. • Policy QL16: LDDs to make provision for sport, informal and formal recreation facilities, taking account of potential for dual and/or joint use. • Policy HP8: Identify respective contributions for shared equity, key worker and other forms of intermediate housing. 	<p>A matters for the Environmental Protection DPD</p> <p>A matter for the Open Space DPD</p> <p>Too detailed for a Core Strategy. A matter for SPD.</p>

	<ul style="list-style-type: none"> • Policy NR2: LDDs to include criteria for location of development necessary for production of energy from renewable sources. LDDs to include renewable energy production targets in support of sub regional targets for individual energy sources and will identify sites for renewable and sustainable energy facilities where viable proposals have been put forward. • Policy NR3: LDDs to assess, and where viable, provide for CHP schemes in the planning of major development proposals. • Policy WM3: LDDs to include policies requiring submission of a waste minimisation and recycling plan alongside major development proposals. 	<p>Policy CP1.3 (b) deals with renewable energy in general terms. Greater detail will be a matter for the Environmental Protection DPD. It is not possible to have meaningful local targets without studies and guidance at the Regional level.</p> <p>This will be a matter for a Generic DC Policy. All major sites already have planning permission or an application submitted.</p> <p>This is either a matter for the Generic DC Policy DPD or the Waste Development Framework.</p>
	<p><i>Other General Comments:</i></p> <ul style="list-style-type: none"> • Housing schemes are also required for people with disabilities, physical and learning. This should be flagged in the relevant housing-related detailed policies, but a statement in principle in the Core Strategy would be useful. • There does not appear to be any mention of land, space or buildings for young people to 'hang out' – this is an important issue which would benefit from a mention in the text. 	<p>Agree to add wording</p> <p>A matter for the Open Space DPD</p>
	<p>South East of England Regional Assembly</p> <p>Too busy to comment.</p>	<p>Noted</p>

	Tunbridge Wells Borough Council No comment	Noted
	Transco No comment	Noted

Firm Housing Allocations

Site Name	Map Ref	Consultee Comment	Response
Preston Hall, Aylesford	E1	Environment Agency The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.	Agree – add a relevant policy requirement.
Royal British Legion Village, Hall Road, Aylesford	E2	No comments received.	

Site Name	Map Ref	Consultee Comment	Response
Oil Depot, Station Road, Aylesford	E3	<p>Network Rail</p> <p>Will impact on the level crossing. Transport assessments should consider this impact and assess the need for upgrades at the level crossing, including the need for developer contributions.</p> <p>Southern Water</p> <p>Infrastructure crossing site</p> <p>Environment Agency</p> <p>The site is within a High Risk Flood Zone and a flood risk assessment will be required.</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p> <p>The nature conservation interest of all watercourses should be fully assessed.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Noted.</p> <p>Agree – add reference to a flood risk assessment.</p> <p>Agree – there is already a policy requirement to this effect.</p> <p>Agree – this is generally covered by policy CP1.</p>
109 Hall Road, Aylesford	E4	No comments received.	

Site Name	Map Ref	Consultee Comment	Response
Nu-Venture Coaches, Mill Hall, Aylesford	E5	<p>Environment Agency</p> <p>The site lies within a Source Protection Zone 2 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The site is within a High Risk Flood Zone and a flood risk assessment will be required.</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p> <p>The nature conservation interest of all watercourses should be fully assessed.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree – add reference to a flood risk assessment.</p> <p>Agree – there is already a policy requirement to this effect.</p> <p>Agree – this is generally covered by policy CP1.</p>

Site Name	Map Ref	Consultee Comment	Response
<p>Castledene Transport and Pickfords Removals, Mill Hall, Aylesford</p>	<p>E6</p>	<p>Network Rail</p> <p>Will impact on the level crossing. Transport assessments should consider this impact and assess the need for upgrades at the level crossing, including the need for developer contributions.</p> <p>Expand site in south east corner to include railway land to make a more coherent site with better road access.</p> <p>Environment Agency</p> <p>The site lies within a Source Protection Zones 2 and 3 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The site is within a High Risk Flood Zone and a flood risk assessment will be required.</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p> <p>The nature conservation interest of all watercourses should be fully assessed.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree.</p> <p>Agree – add a relevant policy requirement.</p> <p>Agree – add reference to a flood risk assessment.</p> <p>Agree – there is already a policy requirement to this effect.</p> <p>Agree – this is generally covered by policy CP1.</p>

Site Name	Map Ref	Consultee Comment	Response
New Road Industrial Estate, Ditton	E7	<p>Southern Water</p> <p>Sewer capacity available if surface water removed from combined system.</p> <p>Infrastructure crossing site.</p> <p>Environment Agency</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Noted.</p> <p>Agree – there is already a policy requirement to this effect</p>
Park House, 110/112 Mill Street, East Malling	E8	<p>Environment Agency</p> <p>The site lies within a Source Protection Zone 3 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The site is within a High Risk Flood Zone and a flood risk assessment will be required.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree – add reference to a flood risk assessment.</p>

Site Name	Map Ref	Consultee Comment	Response
Land rear of Brionne Gardens / 68 Lodge Oak Lane, Tonbridge	E9	<p>Southern Water</p> <p>Infrastructure crossing site.</p> <p>Environment Agency</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Noted.</p> <p>Agree – add a relevant policy requirement.</p>
Kings Hill (remainder)	E10	<p>Southern Water</p> <p>Possibly sewer capacity available.</p> <p>Infrastructure crossing site.</p>	<p>Noted.</p> <p>Noted.</p>

Site Name	Map Ref	Consultee Comment	Response
2 London Road, Leybourne	E11	<p>Southern Water</p> <p>Infrastructure crossing site.</p> <p>Environment Agency</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p> <p>The site is in close proximity to a landfill site which may contain leachable contamination and/or soil gases. Appropriate assessments should be undertaken.</p>	<p>Noted.</p> <p>Agree – there is already a policy requirement to this effect.</p> <p>Agree – there is already a policy requirement which deals with land contamination.</p>
Brickmakers Arms, Maidstone Road, Platt	E12	<p>Environment Agency</p> <p>The site lies within a Source Protection Zone 3 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p>	<p>Agree – add a relevant policy requirement.</p>

Site Name	Map Ref	Consultee Comment	Response
Peters Pit	E13	<p>Southern Water</p> <p>No sewer capacity available.</p> <p>Infrastructure crossing site.</p> <p>Environment Agency</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p> <p>A small part of the site is at risk from flooding.</p> <p>Any watercourses within the site are likely to have nature conservation interest and should not be culverted. The nature conservation interest of these should be fully assessed.</p> <p>The site is in close proximity to a landfill site and site investigations and monitoring of landfill gas should be carried out. Suitable protection/remediation measures should be implemented.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Noted.</p> <p>Agree – there is already a policy requirement to this effect.</p> <p>Agree – add a relevant policy requirement.</p> <p>Agree – there is already a policy requirement relating to the nature conservation interest in the area.</p> <p>Agree – there is already a policy requirement which deals with land contamination.</p>

Site Name	Map Ref	Consultee Comment	Response
Bingley Close, Snodland	E14	<p>Southern Water</p> <p>Infrastructure crossing site.</p>	Noted.
Land adjacent Snodland Station, Snodland	E15	<p>Network Rail</p> <p>Site has good potential for residential development subject to retaining the operational elements. There could be potential to link with the development on the adjacent sports fields.</p> <p>Southern Water</p> <p>Infrastructure crossing site.</p> <p>Environment Agency</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Noted.</p> <p>Noted.</p> <p>Agree – there is already a policy requirement to this effect.</p>

Site Name	Map Ref	Consultee Comment	Response
Isles Quarry West, Borough Green	Ann ex B	<p>Southern Water</p> <p>No sewer capacity available</p> <p>Environment Agency</p> <p>The site lies within a Source Protection Zone 3 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree – add a relevant policy requirement.</p> <p>Agree – there is already a policy requirement to this effect.</p>

General Comments

Consultee	Consultee Comment	Response
English Nature	<ol style="list-style-type: none"> 1. Supports the provision and increase in accessible green space where development opportunities permit. 2. Protected species should be taken into account throughout the planning process. 3. The promotion of British sourced native species in landscaping plans helps local biodiversity and promotes local character. 	<ol style="list-style-type: none"> 1. This matter is generally addressed by policy CP1. 2. This matter is generally addressed by policy CP1. 3. This matter is generally addressed by policy CP1.

<p>Network Rail</p>	<p>Omission of Tonbridge Station Car Park development sites on Vale Road and Priory Road which are likely to come forward for a residential led mixed-use development.</p>	<p>These sites will be addressed in the Tonbridge Central Area Action Plan.</p>
<p>Southern Water</p>	<p>Assume that surface water will be discharged to a soakaway or to a local watercourse. In the few cases where there are local surface water sewers, a capacity check will be required when the proposed surface water flows have been quantified by the developer.</p> <p>Development that takes place before adequate sewerage infrastructure is available may lead to service failures such as flooding of property and environmental pollution.</p> <p>New development must connect to a point where there is adequate sewer capacity. If the nearest sewer has inadequate capacity, it needs to be extended before a development can connect into it. The improvements required can be provided by developers, facilitated by the application of planning conditions.</p> <p>Development design must ensure that any infrastructure crossing the development site is not built over. Some sites will be severely constrained through the size and number of sewers crossing. Diversion of the sewers may be possible, but this would be at the developer's expense and is subject to a feasible alternative route being available.</p>	<p>These are all matters of detail for the planning application stage.</p>

	<p>Many sites in central Tonbridge are constrained by sewer capacity. However, a few of these do present opportunities for the removal of surface water from the system to create additional capacity for foul sewage. They look to developers to investigate the areas contributing surface water to the foul sewer so that they can model the effects of the removal of surface water and additional foul flows.</p>	
South East Water	<p>Would like to see more information on the phasing / timescales of the housing developments as this will assist in their water demand forecasting. South East Water submit water resources to the EA on an annual basis. These plans detail how they intend to develop resources to meet future demand in all but exceptional circumstances.</p>	<p>Noted.</p>

Constrained Housing Sites

Site Name	Map Ref	Consultee Comment	Response
<p>Scott Bros, Mill Hall, Aylesford</p>	<p>F1</p>	<p>Network Rail</p> <p>Will impact on the level crossing. Transport assessments should consider this impact and assess the need for upgrades at the level crossing, including the need for developer contributions.</p> <p>Environment Agency</p> <p>The site lies within a Source Protection Zone 2 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The site is within a High Risk Flood Zone and a flood risk assessment will be required.</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p> <p>The nature conservation interest of all watercourses should be fully assessed.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree – add a relevant policy requirement.</p> <p>Agree – add reference to a flood risk assessment.</p> <p>Agree – there is already a policy requirement to this effect.</p> <p>Agree – this is generally covered by policy CP1.</p>

Site Name	Map Ref	Consultee Comment	Response
West of Maidstone Road, Blue Bell Hill	F2	<p>Environment Agency</p> <p>The site lies within a Source Protection Zone 3 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree – there is already a policy requirement to this effect.</p>
20-22 Western Road, Borough Green	F3	<p>Environment Agency</p> <p>The site lies within a Source Protection Zone 2 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree – there is already a policy requirement to this effect.</p>

Site Name	Map Ref	Consultee Comment	Response
43 Maidstone Road, Borough Green	F4	<p>Environment Agency</p> <p>The site lies within a Source Protection Zone 2 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree – there is already a policy requirement to this effect.</p>

Site Name	Map Ref	Consultee Comment	Response
613 London Road, Ditton	F5	<p>Southern Water</p> <p>Infrastructure crossing site.</p> <p>Environment Agency</p> <p>The site lies within a Source Protection Zones 1 and 2 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The site is within a flood risk area associated with the adjacent culvert beneath the A20 London Road. A flood risk assessment will be required.</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Noted.</p> <p>Agree – add a relevant policy requirement.</p> <p>Agree – add reference to a flood risk assessment.</p> <p>Agree – there is already a policy requirement to this effect.</p>

Site Name	Map Ref	Consultee Comment	Response
Ditton Service Station, 675 London Road, Ditton	F6	<p>Southern Water</p> <p>Sewer capacity may be available if surface water is disconnected.</p> <p>Environment Agency</p> <p>The site lies within a Source Protection Zone 2 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree – add a relevant policy requirement.</p> <p>Agree – there is already a policy requirement to this effect.</p>

Site Name	Map Ref	Consultee Comment	Response
TA Centre, London Road, Ditton	F7	<p>Southern Water</p> <p>No sewer capacity available.</p> <p>Downstream flooding predicted.</p> <p>Environment Agency</p> <p>The site lies within a Source Protection Zone 2 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Noted though no change is proposed as the Environment Agency have not raised this as an issue.</p> <p>Agree – add a relevant policy requirement.</p> <p>Agree – there is already a policy requirement to this effect.</p>
Industrial Site, Blacklands, East Malling	F8	<p>Environment Agency</p> <p>The site lies within a Source Protection Zone 3 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The site is within a High Risk Flood Zone and a flood risk assessment will be required.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree – add a relevant policy requirement.</p>

Site Name	Map Ref	Consultee Comment	Response
Millbrook House, 114 Mill Street, East Malling	F9	<p>Environment Agency</p> <p>The site lies within a Source Protection Zone 3 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The site is within a High Risk Flood Zone and a flood risk assessment will be required.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree – add a relevant policy requirement.</p>
Builders yard, Brunswick Square, East Peckham	F10	<p>Environment Agency</p> <p>There is a possible flood risk as it is bisected by a watercourse and culvert. A flood risk assessment should be undertaken.</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – add reference to a flood risk assessment.</p> <p>Agree – there is already a policy requirement to this effect.</p>

Site Name	Map Ref	Consultee Comment	Response
140-142 Tonbridge Road, Hildenborough	F11	<p>Southern Water</p> <p>Sewer capacity available if surface water removed from combined system.</p> <p>Environment Agency</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree – there is already a policy requirement to this effect.</p>
Clare Park Service Station and B&Q Store, London Road, Larkfield	F12	<p>Southern Water</p> <p>Sewer capacity may be available if surface water disconnected.</p> <p>Environment Agency</p> <p>The site lies within a Source Protection Zone 3 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree – add a relevant policy requirement.</p> <p>Agree – there is already a policy requirement to this effect.</p>

Site Name	Map Ref	Consultee Comment	Response
Garage, Malling Road, Ham Hill, Snodland	F13	<p>Southern Water</p> <p>Infrastructure crossing site.</p> <p>Environment Agency</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Noted.</p> <p>Agree – there is already a policy requirement to this effect.</p>
294 Malling Road and Land adjacent, Snodland	F14	<p>Southern Water</p> <p>Infrastructure crossing site.</p> <p>Environment Agency</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Noted.</p> <p>Agree – there is already a policy requirement to this effect.</p>

Site Name	Map Ref	Consultee Comment	Response
17 Preston Road, Tonbridge	F15	<p>Network Rail</p> <p>Site is currently used by train crews which they are seeking to relocate. However this building may be taken over by relocating SWTrains from their existing office in Priory Road.</p> <p>Southern Water</p> <p>No sewer capacity available.</p> <p>Environment Agency</p> <p>The site lies within a Source Protection Zone 3 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The site flooded in 1968 but is now considered to benefit from adequate flood protection. A flood risk assessment should still be undertaken.</p>	<p>Noted – this site is appropriately included in the constrained category.</p> <p>Agree – add a relevant policy requirement.</p> <p>Agree – add a relevant policy requirement.</p> <p>Agree – add a relevant policy requirement.</p>
54 Quarry Hill Road, Tonbridge	F16	<p>Environment Agency</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – there is already a policy requirement to this effect.</p>

Site Name	Map Ref	Consultee Comment	Response
159-159a Pembury Road, Tonbridge	F17	<p>Southern Water</p> <p>Sewer capacity available if surface water removed from combined system.</p> <p>Environment Agency</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree – there is already a policy requirement to this effect.</p>
60A Priory Street and 31 Pembury Road, Tonbridge	F18	<p>Southern Water</p> <p>Sewer capacity available if surface water removed from combined system.</p> <p>Environment Agency</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree – there is already a policy requirement to this effect.</p>

Site Name	Map Ref	Consultee Comment	Response
Land East of Priory Road, Tonbridge	F19	<p>Southern Water</p> <p>No sewer capacity available.</p> <p>Environment Agency</p> <p>The site lies within a Source Protection Zone 3 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Agree – add a relevant policy requirement.</p> <p>Agree – there is already a policy requirement to this effect.</p>

Site Name	Map Ref	Consultee Comment	Response
Land West of Strawberry Vale, Tonbridge	F20	<p>Network Rail</p> <p>Part of this site may be needed for uses related to the operational railway though some land may be available for residential development.</p> <p>Southern Water</p> <p>No sewer capacity available</p> <p>Infrastructure crosses site and may constrain layout.</p> <p>Environment Agency</p> <p>The site lies within a Source Protection Zone 3 of a public water supply abstraction and all precautions should be taken to avoid discharges and spillages to the ground during construction and operation.</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Noted.</p> <p>Agree – add a relevant policy requirement.</p> <p>Noted.</p> <p>Agree – add a relevant policy requirement.</p> <p>Agree – there is already a policy requirement to this effect.</p>

Site Name	Map Ref	Consultee Comment	Response
Farm Ground Allotments, Gorham Drive, Tonbridge (Part)	F21	<p>Southern Water</p> <p>No sewer capacity available.</p> <p>Infrastructure crossing site.</p> <p>Environment Agency</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – add a relevant policy requirement.</p> <p>Noted.</p> <p>Agree – add a relevant policy requirement.</p>
20 Bow Road, Watlington	F22	<p>Environment Agency</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Agree – there is already a policy requirement to this effect.</p>

Site Name	Map Ref	Consultee Comment	Response
263-265 London Road, West Malling	F23	<p>Southern Water</p> <p>Infrastructure crossing site.</p> <p>Environment Agency</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Noted.</p> <p>Agree – there is already a policy requirement to this effect.</p>
242 London Road, West Malling	F24	<p>Southern Water</p> <p>Infrastructure crossing site.</p> <p>Environment Agency</p> <p>The previous use of the site may have left contamination and this should be investigated in accordance with PPS23. Assessment and appropriate remediation should be carried out.</p>	<p>Noted.</p> <p>Agree – there is already a policy requirement to this effect.</p>