

From: [REDACTED]
To: [localplan](#)
Subject: KCC's Response to TMBC Reg 19 Draft Local Plan - 19.11.18
Date: 19 November 2018 15:48:50
Attachments: [KCC Response to TMBC Reg 19 Draft Local Plan 19.11.18.pdf](#)
[Appendix 1 Schedule of KCC's Technical Responses to Policies 19.11.18.pdf](#)
Importance: High

Good afternoon

Please find attached correspondence sent on behalf of Barbara Cooper,
Corporate Director, Growth, Environment & Transport.

Kind regards

[REDACTED]

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significant infrastructure provisions, which could also enable further services and access provisions to land to the north.

King's Hill has been properly master planned and has provided for its own infrastructure needs over the last thirty years. However, the Broadwater Farm site covered by LP30 will take years to deliver and without the Kings Hill social infrastructure, the creation of any level of residential community will be significantly compromised and isolated.

The master-planning of Broadwater Farm must therefore be fully cognisant of the existing King's Hill development. Policy LP30 must be a robust policy that sets out how the proposed development will come forward so that it is designed as a fully integrated part of King's Hill and will need to set out what has to be achieved from the master planning and design of the Broadwater Farm site, in order for the approximately 900 dwellings to be sustainable.

Kent Design Guide sets out clear standards in relation to vehicular access for new developments – triggering the need for two vehicular access points to serve this development site. Crucially, in addition to the submission of a Transport Assessment to fully assess the potential transport impacts of the Broadwater Farm proposal and to identify necessary mitigation measures, the County Council requires that a further vehicular access is provided through to Kings Hill - in addition to the proposed pedestrian and cycle links. This is necessary in improving permeability between the sites and in ensuring safe and effective access to the services and facilities that the existing settlement has to offer. It will also improve network resilience and will accommodate and improve the sustainability and journey time of the bus service to West Malling Station and beyond.

The County Council would also like to ensure that the scheme shall provide for necessary financial contributions towards the construction of associated education facilities and services relating to Adult Social Care, Community Learning, Youth Service and Libraries. Full details are set out in the schedule (Appendix 1).

Highways and Transportation

The County Council as Local Highway Authority has worked in partnership with the Borough Council to inform a sustainable development strategy that identifies transportation infrastructure constraints and requirements.

The range of evidence produced to inform the Draft Local Plan (including the A20 Corridor Study, the A20 VISUM transportation model, a Forecast Junction Assessments Report, Transport Assessment and Transport Assessment Addendum) tests the impact of the housing and employment allocations with proposed highway infrastructure on the transport network. The County Council is satisfied that the transport initiatives and infrastructure requirements are included within the Draft Local Plan and the Infrastructure Delivery Plan. The proposed site distribution and the provision of a sufficient quantum of development will unlock the delivery of key infrastructure improvements and will therefore address existing issues with the transport network.

The County Council is therefore generally supportive of the Local Plan development strategy in respect of highways and transportation matters. There are a number of matters relating to the housing allocations which will need addressing to ensure the Draft Local Plan is consistent with national policy (this crucially includes the provision of a second vehicular access into the Broadwater Farm site, as set out above, under LP30). These matters are set out in full within the schedule attached (Appendix 1).

Provision and Delivery of County Council Community Services

The additional demand on school places that will result from the growth proposed within the Draft Local Plan has been assessed, and the County Council is generally satisfied with the level of provision proposed. This additional demand can be accommodated through a combination of the new schools proposed within the “strategic allocations” policies and the expansion of existing schools.

The incorporation of new schools as part of new developments within the proposed strategic sites will mean that, in the majority of cases, additional school provision will be provided as geographically close to the new homes as possible. An exception to this is in relation to the proposed development in Hadlow, which will result in an additional fifty primary pupils who cannot be accommodated through an expansion of the school in the village. The additional primary places required to accommodate the pupils generated by this housing will need to be provided within Tonbridge.

It is essential that the new schools identified within the Draft Local Plan are deliverable. The County Council’s requirements for land transfer to ensure the delivery of the new education facilities as part of the development of the allocated sites are set out in the attached schedule (Appendix 1).

In order to accommodate the additional demand from all proposed site allocations (both strategic and non-strategic), the County Council also requests that all developments will need to provide the necessary financial contributions towards the construction of associated educational facilities (as set out in the schedule), as well as services relating to adult social care, community learning, youth services and libraries.

Minerals and Waste

The County Council as Mineral and Waste Planning Authority has been working with the Borough Council on mineral and waste planning matters and has previously drawn the Borough Council’s attention to mineral and waste safeguarding requirements set out in the Kent Minerals and Waste Local Plan (2016).

The Kent Minerals and Waste Local Plan identifies the safeguarded economic geology within the Tonbridge and Malling area and sets out the need to safeguard associated infrastructure. Specifically, within the Draft Local Plan, there are a number of active mineral sites that affect the “North of Borough Green” strategic site. Local and national policy require that mineral resource shall not be sterilised - this is not necessarily a bar to development, but it does have implications for the timing of development coming forward. The County Council understands from the Borough Council that the intention is for the mineral to be worked prior to the proposed (non-mineral) development coming forward. This is crucial because without this commitment, the County Council’s soft sand supply considerations which are underpinning the development of its Minerals Sites Plan work will be undermined.

KCC would welcome further discussions with the Borough Council on this matter. The Minerals and Waste Planning team can be contacted on 03000 422370 or mwlp@kent.gov.uk.

Sustainable Urban Drainage Systems

The County Council recognises, and is supportive of, the Draft Local Plan's incorporation of a strategic objective that requires development to mitigate its impact on the environment and is resilient to the effects of climate change, including requirements for flood mitigation.

KCC does not, however, consider that this strategic objective has been followed through or sufficiently addressed within Local Plan policy, as throughout the Draft Local Plan there appears to be minimal consideration of flood and water management matters. KCC therefore recommends that the robustness of the policies around flood and water management is improved.

Policies within the Local Plan should recognise flood risk as a constraint and should provide information on how surface water could be managed through multifunctional design features within a scheme. For a number of the strategic sites, KCC would like also to see flood risk considerations being incorporated into Draft Local Plan policy, to ensure that it is designed for and managed appropriately.

KCC would welcome further discussions with the Borough Council on this matter. The County Council's Sustainable Drainage Systems (SuDS) team can be contacted at SUDS@kent.gov.uk.

Heritage and Conservation

To enable the appropriate consideration of the historic environment, the Draft Local Plan should ensure coherence with the National Planning Policy Framework (NPPF) policies on heritage. Particular consideration should be given to ensuring that the Plan puts forward a positive strategy for the conservation and enjoyment of the historic environment, taking into account the variety of historic assets, both designated and non-designated (as set out in paragraphs 185 and 195 of the NPPF). The strategy within the Local Plan should seek to take into account the desirability of sustaining and enhancing the significance of heritage and the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.

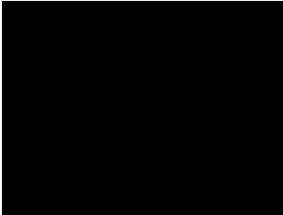
At present, there is only one policy in the Draft Local Plan - Policy LP11 - that makes reference to the heritage of the Borough. Therefore, the County Council is not satisfied that the Draft Local Plan includes appropriate consideration of the historic environment.

The County Council's Heritage Conservation team currently provides advice to the Borough Council on archaeology in relation to planning matters and officers would be happy to discuss how the historic environment policies could be improved to better consider the historic environment within the Borough. The County Council's Heritage Conservation Team can be contacted at heritageconservation@kent.gov.uk or telephone 03000 413800.

The County Council recognises the role and importance of the emerging Local Plan in guiding and managing sustainable development in the Borough up to 2031. The County Council will continue to work closely with the Borough Council to ensure the delivery of new housing, employment and required infrastructure and services across the Plan period.

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

Yours sincerely



Growth, Environment and Transport

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Appendix A: Policy Schedule of Technical Comments.

Page	Chapter	Policy / paragraph	Respondent	Commentary
10	3. Strategic Objectives 3.1 What are the strategic objectives?	LP2: Strategic Objectives	Public Rights of Way and Access Service	KCC would request that reference is made within the Draft Local Plan Objective 7 to the Rights of Way Improvement Plan (ROWIP) at a strategic level, as it links directly with the concept of sustainable development.
			Sustainable Urban Drainage Systems	Strategic Objective 9 states that development is required to mitigate its impact on the environment and should be resilient to the effects of climate change – this encapsulates the requirements for flood mitigation. The Local Plan should ensure that development considers flood risk and that sustainable drainage is included within major development to maintain adherence with national and local policy.
18	4. Strategic Policies 4.4 What is the strategy for Tonbridge Town?	LP7: Tonbridge Town	Sustainable Urban Drainage Systems	KCC notes that this policy does not acknowledge flood risk as a major constraint for delivery of new development and re-development within the town centre. The town centre does have existing flood defences, but there is no standard of protection for all areas of the town. Sustainable drainage measures are not usually promoted within flood zones 2 and 3. In order for the Lead Local Flood Authority to undertake their statutory duties, local policy needs to be clear on surface water management. Therefore, the Borough Council must provide direction within this policy on how surface water will be managed within these areas in Tonbridge to manage runoff generated from proposed developments.
			Public Rights of Way and Access Service	KCC recommends that this policy should include the need to improve and extend non-motorised vehicle links both with the town, as well as to and from it from surrounding settlements and developments.
20	4. Strategic Policies 4.6 How will existing community services and transport be safeguarded?	LP9: Safeguarding of Community Services and Transport	Public Rights of Way and Access Service	KCC recommends that Kent Local Transport Plan 4 (LTP4) should be referred to and supported within the Draft Local Plan. KCC also recommends that the ROWIP is referenced, as a statutory policy document for the protection and enhancement of PRoW and as an appendix to the LTP4. KCC would also recommend that reference is made to the PRoW network. This is a valuable access resource that provides significant opportunities for walking and cycling in both urban and rural areas. KCC recommends that a paragraph is inserted within this section to highlight the existence of the PRoW network as a vital component of the highways and transport network.
22	4. Strategic Policies 4.8 How will valued assets be protected?	LP11: Designated Areas	Heritage and Conservation	The National Planning Policy Framework (NPPF) requires that local plans “should set out a positive strategy for the conservation and enjoyment of the historic environment” (paragraph 195). The NPPF further presents several objectives for such a strategy. One of the methods to achieve the outcomes of paragraph 195 of the NPPF, which has been employed by Dover, Folkestone and Hythe, Ashford, Sevenoaks, Tunbridge Wells, Swale and Medway, is to develop a heritage strategy, and adopting the strategy as a Supplementary Planning Document. Other Districts and Boroughs have fulfilled the objective by developing a suite of historic environment policies that encompass the range of heritage assets - including Conservation Areas, Listed Buildings, Scheduled Monuments, archaeology and designed and historic landscapes. KCC notes that the Draft Local Plan has not sought to fulfil the NPPF objective by using either of these strategies and therefore KCC is unclear on the Borough Council’s approach to satisfying paragraph 195. Policy LP11 – “Designated Areas” requires that for the designated areas identified, “the Council will apply the relevant policy in the National Planning Policy Framework, or whatever represents the relevant national planning policy at the time the planning application is determined”. KCC is concerned that this does not constitute a positive strategy for the conservation and enjoyment of the historic landscape as required under paragraph 195 of the NPPF. The policy does not consider the elements of the historic environment that are not designated – which includes archaeology, Conservation Areas and Listed Buildings – some of which are the direct responsibility of the Borough Council. The County Council considers that the Local Plan should identify what makes the heritage of the Borough special and explain how the Borough Council will use the policies in the Local Plan to conserve and enhance this significance. The Local Plan should explain how other policies will respect and take advantage of the historic environment to improve the quality of the development in the Borough – as set out in the four criteria of paragraph 185 of the

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				<p>NPPF.</p> <p>At present, KCC considers that the Draft Local Plan may not meet the criteria of paragraph 185 of the NPPF, nor does it appear to commit to achieving them by other means. The County Council's Heritage Conservation team currently provides advice to the Borough Council on archaeology in relation to planning matters and officers would be happy to discuss how the historic environment polices could be improved within the Local Plan.</p>
25	<p>4. Strategic Policies</p> <p>4.9 How will a high quality environment be achieved?</p>	<p>LP14: Achieving High Quality Sustainable Design</p>	<p>Provision and Delivery of County Council Community Services</p>	<p>On review of this policy, KCC recognises that there is no narrative to explain how to achieve sustainable design, and instead, the policy only specifies what development should seek to achieve through design. KCC therefore recommends that the policy includes wording around how to achieve sustainable design through:</p> <ul style="list-style-type: none"> • Tools being made available, such as Design Review Panels; • The role of collaboration between applicants, communities and planning authorities; and • The need to deploy tools consistently to achieve well designed places across the Borough. <p>KCC also recommends that the policy wording includes a requirement that to be considered a well-designed place, a development must:</p> <ul style="list-style-type: none"> • Include consideration of new technology e.g. charging points for electric vehicles to achieve some of the aims listed in their draft policy; • Pay attention to the arrangements for the long-term maintenance of places to ensure they remain as the original designers intended; and • Maximise opportunities for community cohesion. <p>KCC recommends amending part 2C of the policy to read “maximise opportunities for healthy active lifestyle choices and modal shift including access to open spaces”.</p>
			<p>Sustainable Urban Drainage Systems</p>	<p>KCC would like to would emphasise that the management of surface water from new development is fundamental in ensuring flood risk is not created and development is sustainable. Climate change and resilience are technical matters that are incorporated into design, but climate change is not the driver for promoting sustainable drainage. The inclusion of sustainable drainage systems should be an element of LP14 Achieving High Quality Sustainable Design and KCC recommends the inclusion of the following: “must deliver integrated landscape, open space and surface water management”.</p>
28	<p>4. Strategic Policies</p> <p>4.10 How will climate change be taken care of</p>	<p>LP18: Sustainable Urban Drainage Systems (SuDS)</p>	<p>Sustainable Urban Drainage Systems</p>	<p>KCC considers that this policy does not reflect current good practice approach to the provision of SUDS, which considers integration with open space and the benefits which may be provided to landscape, amenity and biodiversity. KCC considers that the brevity of the policy does not provide sufficient direction on the implementation of sustainable drainage with biodiversity, open space and landscape policy and is insufficient in satisfying paragraph 165 of the NPPF which encourages multi-functionality.</p> <p>This focus on multifunctionality should also be a consideration in relation to the Open Space Standards and Implementation Process included within Appendix R.</p>
29	<p>4. Strategic Policies</p> <p>4.10 How will climate change be taken care of?</p>	<p>LP19: Habitat Protection and Creation</p>	<p>Biodiversity</p>	<p>KCC notes that this policy refers to habitat creation within major development to support connectivity through the Borough for species and habitats and that to support this, a Green Infrastructure and Ecology network diagram has been produced. KCC is supportive of this aim, as there is a need for developments to create habitats, to think about the design of developments and to ensure that the creation of green space is connecting to the surrounding area and not isolated by housing.</p> <p>However, KCC notes that there appears to be limited consideration given within Draft Local Plan to require all developments to consider the impact on protected/notable species and to ensure appropriate mitigation is in place. There is a need to ensure that individual developments (regardless of size) are not having a negative impact on protected/notable specie and appropriate mitigation is implemented – this will help support the Borough, demonstrating that they will have net loss of biodiversity.</p> <p>KCC considers that there is a need for developments to have ecological surveys carried out, so they can understand what the ecological impacts are from the development and to enable the Borough Council to consider their biodiversity duty when determining the planning application. KCC highlights that the presence of protected species is a material consideration within planning, and therefore there is a need for the relevant information to be</p>

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				<p>submitted with any planning application to ensure that the Borough Council can consider the impact on protected species when determining the planning application. In addition, where developments are creating habitat (which can be used for habitat connectivity/ open space, etc.) the base line ecological data will also ensure that these areas are designed and managed appropriately for the species utilising them.</p> <p>KCC recommends that there is a need for a specific biodiversity policy to be included, requiring the need for ecological surveys and mitigation reports to be submitted with any planning application and demonstrating that there will be no net loss of biodiversity.</p>
30	<p>4. Strategic Policies</p> <p>4.11 How will air quality be addressed?</p>	LP20: Air Quality	Public Rights of Way and Access Service	High quality walking and cycling routes provide opportunities for active travel across the Borough. The Local Plan should ensure that developments incorporate convenient walking and cycling routes, which provide realistic alternatives to short car journeys. Reducing the number of short distance car journeys should help to address vehicle congestion on roads, which contribute towards air quality issues.
33	<p>4. Strategic Policies</p> <p>4.14 How will sustainable transport be supported?</p>	LP23: Sustainable Transport	Public Rights of Way and Access Service	KCC recommends that the policy should explicitly refer to the RoWIP.
34	<p>4. Strategic Policies</p> <p>4.15 How will mineral and waste planning matters be addressed?</p>	LP24: Minerals and Waste	Minerals and Waste	<p>KCC notes the inclusion of this policy, which requires development to comply with the Kent Minerals and Waste Local Plan (KMWLP) and any future minerals and waste development plan documents that are adopted at the time that planning applications are determined. This seeks to meet the County Council's previous request to the Borough Council in relation to the Regulation 18 consultation, which sought consideration of minerals and waste policy.</p> <p>This additional draft policy and explanatory text is welcomed, however KCC recommends that reference is also made to minerals and waste safeguarding matters, as well as a reference to the Tonbridge and Malling Mineral Safeguarding Map. KCC recommends that locations of minerals and waste safeguarded areas could be included this as part of the proposals map.</p> <p>KCC considers that the policy or explanatory text could also usefully be expanded to identify those mineral sites that may be affected by development. This will ensure greater transparency for mineral and waste safeguarding matters and compliance with the NPPF.</p> <p>Previous advice provided by the County Council as Minerals and Waste Planning Authority to the Borough Council requested that mineral and waste sites that may be affected by development should be identified in the Local Plan - this exercise has not yet been completed by the Borough Council. Where development is proposed within 250m of a safeguarded minerals or waste facility or a safeguarded mineral, this will trigger the need to a Minerals/Infrastructure Assessment. The Local Plan should therefore highlight on which sites this will be the case, so that any applicant is made aware of this requirement.</p>
36	<p>5. Sustainable Growth – where development is planned</p> <p>5.1 What it is the spatial distribution of housing development?</p>	LP25: Housing Allocations – Overview	Provision and Delivery of County Council Community Services	<p>KCC recommends that, to ensure sustainability and in order to accommodate the additional demand from each proposed site (both strategic and non-strategic), the County Council requests the following text is incorporated into the relevant policies - to apply to all housing proposals:</p> <p>The development shall provide necessary financial contributions towards the construction of associated education facilities and services relating to Adult Social Care, Community Learning, Youth Service and Libraries.</p>
			Minerals and Waste	KCC notes that the Draft Local Plan proposes a number of strategic sites, none of which makes reference to minerals and waste issues. The site-specific policies should refer to the need to comply with the KMWLP where relevant.

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41	<p>5. Sustainable Growth – where development is planned</p> <p>5.1 What it is the spatial distribution of housing development?</p>	<p>LP27: Strategic site – Bushey Wood, Eccles</p>	<p>Provision and Delivery of County Council Community Services</p>	<p>KCC recommends that, as this site allocation includes the provision of a new two-form entry primary school, the below wording should be included within the Policy:</p> <p>An area of regularly shaped and level land within the development, of no less than 2.05ha, to be transferred at nil value to the County Council for the purposes of providing a Two Form Entry Primary School. The site to be adequately serviced by the developer, including utilities and highway access.</p> <p>The current policy wording relating to secondary education generated by the strategic sites requires “proportionate contribution to provision of a new school in the north-east part of the borough”. The County Council recommends that this wording be amended to reflect the requirement for existing schools to be expanded, as well as the delivery of a new secondary school. The effect would be to amend the wording as follows: ‘proportionate financial contributions to the provision of either a new school in the north-east part of the borough, or expansion of existing secondary schools, as deemed necessary by the County Council as the Local Education Authority’.</p> <p>To ensure sustainability and to accommodate the additional demand from each proposed site (both strategic and non-strategic), the County Council requests the following text be incorporated into the relevant policies to apply to all housing proposals:</p> <p>The development shall provide necessary financial contributions towards the construction of associated Education facilities and services relating to Adult Social Care, Community Learning, Youth Service and Libraries.</p>
			<p>Minerals and Waste</p>	<p>KCC notes that the west and south-west areas of the fall within areas of safeguarded sub-Alluvial River Terrace Deposits, River Terrace Deposits and silica/construction sand. Therefore, the policy should make reference to the need to comply with the KMWLP.</p>
			<p>Sustainable Urban Drainage Systems</p>	<p>KCC considers that the masterplan will need to account for the areas of flood risk associated with River Medway and integrate sustainable drainage measures within open space allocations to ensure that surface water from the site is managed to appropriate standards to protect water quality.</p>
			<p>Heritage and Conservation</p>	<p>This strategic site extends up to Eccles Roman villa SAM and has potential to contain associated nationally important remains, which include Iron Age and Anglo Saxon archaeology. There are indications on the Historic Environment Record suggesting other prehistoric and later burial and settlement sites, some of which may be of significance. The area has been subject to some quarrying and remains associated with the post medieval and later quarrying would be of historic importance. This area has a striking post medieval industrial historic landscape character and the quarrying is a key, distinctive factor in the heritage and character of this area.</p> <p>Development of Bushey Woods site would need to be supported by a detailed Historic Environment Assessment including Historic Landscape and Geoarchaeological Assessment. There is potential for multi-period and complex highly significant archaeology and it is essential that early consideration of heritage is encouraged. There would need to be a specific assessment of Eccles Roman villa complex appropriate to its character and importance. Heritage issues would be a major factor to be considered and could present constraints as well as opportunities. As such, the County Council strongly recommends appropriate consideration of the historic environment within this policy.</p> <p>This is an initial assessment of the proposed strategic site undertaken by KCC, using readily available resources held by the KCC Historic Environment Record</p> <p>KCC has provided a broad, initial, view on the sensitivity of the archaeological resource and the way in which this should be approached for the early stages of decisions on housing allocations. The Borough Council should note however that the sensitivity of particular sites may change following more detailed appraisal. The process of assessment will need to be reviewed and refined as the Local Plan process continues. The County Council therefore recommends the inclusion of consideration of the historic environment within the strategic housing allocations to ensure early stage consideration of positive heritage strategies for the strategic sites.</p>

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41	5. Sustainable Growth – where development is planned 5.1 What it is the spatial distribution of housing development?	LP28: Strategic Site – South Aylesford	Highways and Transportation	<p>KCC recommends that the policy also needs to require safe sustainable travel to Barming Station, Maidstone Hospital and Maidstone Town Centre. The transport modelling evidence includes an allowance of 10% for modal shift to sustainable transport and to achieve. It is essential that the correct infrastructure and services are available. This is to ensure a fast and efficient bus service between the development and the Town Centre of Maidstone via the bus gate at Beaver Road will help to reduce the number of car trips and support sustainable transport Policy LP23.</p> <p>KCC also recommends that for the Area of Opportunity identified in South Aylesford, the policy includes a requirement to provide a link road between the Quarry Wood Industrial Estate and Hermitage Lane. This follows Kent Design advice, which requires a minimum of two vehicular accesses for developments of over 300 units. Additionally, the link road would allow connectivity and permeability between the existing and the new areas of development, which would allow for bus connections supporting the sustainable transport Policy LP23.</p>
			Provision and Delivery of County Council Community Services	<p>KCC recommends that as this site allocation includes the provision of a new two-form entry primary school, the below wording should be included within the policy:</p> <p>An area of regularly shaped and level land within the development of no less than 2.05ha to be transferred at nil value to the County Council for the purposes of providing a Two Form Entry Primary School. The site to be adequately serviced by the developer, including utilities and highway access.</p> <p>The current policy wording relating to secondary education generated by the strategic sites requires “proportionate contribution to provision of a new school in the north-east part of the borough”. The County Council recommends that this wording be amended to reflect the requirement for existing schools to be expanded as well as the delivery of a new secondary school. The effect would be to amend the wording as follows: ‘proportionate financial contributions to the provision of either a new school in the north-east part of the borough or expansion of existing secondary schools, as deemed necessary by the County Council as the Local Education Authority’.</p> <p>KCC recommends that to ensure sustainability and in order to accommodate the additional demand from each proposed site (both strategic and non-strategic) the County Council requests the following text is incorporated into the relevant policies to apply to all housing proposals:</p> <p>The development shall provide necessary financial contributions towards the construction of associated education facilities and services relating to Adult Social Care, Community Learning, Youth Service and Libraries.</p>
			Minerals and Waste	<p>The site is within an area of safeguarded Limestone Hythe Formation (Kentish Ragstone) and Sandstone – Sandgate formation - so the policy should make reference to the need to comply with the KMWLP.</p>
			Sustainable Urban Drainage Systems	<p>As the site is underlain by Hythe Bed formation, KCC recommends that the masterplan must take account of appropriate spatial arrangements required to manage ground risks associated with any proposed infiltration within the site area to manage surface water.</p>
			Heritage and Conservation	<p>This strategic site lies in an area of broad archaeological potential for evidence of prehistoric and later activity. The site lies on Hythe Beds which, on the basis of current assessment of deposits exposed at Hermitage Quarry, have potential for prehistoric remains. There are Iron Age and Romano-British settlement and burial sites known in the general area and similar remains may survive on this site. This site may also contain important remnants of WWI or WWII defence network. Many such military sites have not yet been appropriate identified and modern structures of historic value need to be considered. Although there is nothing designated on this site, there is potential for as yet unidentified archaeology which would need to be considered as part of this scheme.</p> <p>Development of South Aylesford would need to be supported by a detailed Historic Environment Assessment, including an Historic Landscape and Geoarchaeological Assessment. As such, the County Council strongly recommends appropriate consideration of the historic environment within this policy.</p> <p>This is an initial assessment of the proposed strategic site undertaken by KCC, using readily available resources held by the KCC Historic Environment</p>

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				<p>Record</p> <p>KCC has provided a broad, initial, view on the sensitivity of the archaeological resource and the way in which this should be approached for the early stages of decisions on housing allocations. The Borough Council should note however that the sensitivity of particular sites may change following more detailed appraisal. The process of assessment will need to be reviewed and refined as the Local Plan process continues. The County Council therefore recommends the inclusion of consideration of the historic environment within the strategic housing allocations to ensure early stage consideration of positive heritage strategies for the strategic sites.</p>
43	<p>5. Sustainable Growth – where development is planned</p> <p>5.1 What it is the spatial distribution of housing development?</p>	<p>LP29: Strategic Site - Borough Green Gardens</p>	Highways and Transportation	<p>KCC recommends that the policy includes a requirement for a Transport Assessment to be undertaken.</p>
			Provision and Delivery of County Council Community Services	<p>KCC recommends that as this site allocation includes the provision of a new two-form entry primary school and a three-form entry primary school. The below wording should be included within the policy:</p> <p>An area of regularly shaped and level land within the development of no less than 2.05ha to be transferred at nil value to the County Council for the purposes of providing a Two Form Entry Primary School. The site to be adequately serviced by the developer, including utilities and highway access.</p> <p>AND</p> <p>An area of regularly shaped and level land within the development, of no less than 3.0ha, to be transferred at nil value to the County Council for the purposes of providing a Three Form Entry Primary School. The site to be adequately serviced by the developer, including utilities and highway access.</p> <p>The current policy wording relating to secondary education generated by the strategic sites requires “proportionate contribution to provision of a new school in the north-east part of the borough”. The County Council recommends that this wording be amended to reflect the requirement for existing schools to be expanded as well as the delivery of a new secondary school. The effect would be to amend the wording as follows: ‘proportionate financial contributions to the provision of either a new school in the north-east part of the borough or expansion of existing secondary schools, as deemed necessary by the County Council as the Local Education Authority’.</p> <p>KCC recommends that to ensure sustainability and in order to accommodate the additional demand from each proposed site (both strategic and non-strategic) the County Council requests the following be incorporated into the relevant policies to apply to all housing proposals:</p> <p>The development shall provide necessary financial contributions towards the construction of associated education facilities and services relating to Adult Social Care, Community Learning, Youth Service and Libraries.</p>
			Minerals and Waste	<p>The proposal for development on this site affects a number of active mineral sites, which provide a valuable contribution to the County’s mineral supply and play an important role in providing the raw materials necessary to meet the Government’s housing and growth agenda. The site affects silica sand (a national resource), construction sand and sub alluvial river terrace deposits. It is not clear whether the proposal is anticipated to come forward before the minerals have been fully worked out.</p>

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				<p>To ensure that these resources are not sterilised and to comply with mineral planning policy, the minerals will need to be worked out prior to other non-mineral development taking place. <u>The policy criteria should therefore reflect this.</u> It would also be useful for the Borough Council to have an understanding of the reserves that remain and estimated lifetime of the mineral activity to inform Draft Local Plan Policy. These could have an influence over the timescale for any future development.</p> <p>KCC recommends that the Borough Council also notes that the H+H Celcon's block making facility sits adjacent to the southern boundary of phase 1A, which is safeguarded minerals infrastructure and should be treated in accordance with the KMWLP.</p>
			Heritage and Conservation	<p>Much of this strategic site (phases 1A, 1B and 1C) is within former or existing sand quarries and as such the potential for heritage assets is compromised. There are known prehistoric through to modern archaeological sites, some of which were located within the quarry sites, which suggest similar archaeology could survive in the land outside the quarried area. There are some nearby designated heritage assets, especially historic buildings, which would need careful consideration, especially in terms of setting. It will be important for detailed heritage assessment of the areas not quarried to be part of preliminary assessment. Of especial interest is the presence of <i>East Park</i>. Part of Phase 1B contains <i>East Park</i>, a medieval deer park which may still be reflected through park pales, field boundaries and historic landscape features, which should be retained. A detailed historic landscape assessment would be appropriate to ensure suitable consideration of <i>East park</i> and also identify elements which could be used to benefit the character and quality of new development.</p> <p>Although this strategic site is south of the M26, it is of such a large scale that there may be a significant impact on the historic landscape, especially in terms of light and noise pollution, as well as fundamental impact on historic land character. Any assessment should include a review of impact from wider afield, from the North Downs especially.</p> <p>Development of Borough Green Gardens would need to be supported by a detailed Historic Environment Assessment including Historic Landscape Assessment of <i>East Park</i>. As such, the County Council strongly recommends appropriate consideration of the historic environment of the areas not subject to historic quarrying within this policy.</p> <p>This is an initial assessment of the proposed strategic site undertaken by KCC, using readily available resources held by the KCC Historic Environment Record</p> <p>KCC has provided a broad, initial, view on the sensitivity of the archaeological resource and the way in which this should be approached for the early stages of decisions on housing allocations. The Borough Council should note however that the sensitivity of particular sites may change following more detailed appraisal. The process of assessment will need to be reviewed and refined as the Local Plan process continues. The County Council therefore recommends the inclusion of consideration of the historic environment within the strategic housing allocations to ensure early stage consideration of positive heritage strategies for the strategic sites.</p>
47	<p>5. Sustainable Growth – where development is planned</p> <p>5.1 What it is the spatial distribution of housing development?</p>	<p>LP30: Strategic Site – Broadwater Farm, north of Kings Hill</p>	Highways and Transportation	<p>King's Hill was the result of extensive master planning, with phased development and access to the local centre designed in to ensure that the King's Hill community is sustainable - providing all residents with access to schools, facilities and services.</p> <p>KCC requests the submission of a Transport Assessment to fully assess the potential transport impacts of the Broadwater Farm proposal and to identify necessary mitigation measures. The County Council requires that a further vehicular access is provided through to Kings Hill - in addition to the proposed pedestrian and cycle links. This is necessary in improving permeability between the sites and in ensuring safe and effective access to the services and facilities that the existing settlement has to offer. It will also improve network resilience and will accommodate and improve the sustainability and journey time of the bus service to West Malling Station and beyond. This requirement is in line with the standards set out in Kent Design Guide which requires a minimum of two vehicular access points (applicable for developments of over 300 units).</p> <p>Direct vehicular links to Kings Hill are needed to ensure that the new residents at Broadwater Farm development have vehicular access to Kings Hill and the facilities and services it has to offer. The link road would allow connectivity and permeability between the existing and the new areas of development, which would allow for bus connections supporting the sustainable transport Policy LP23.</p>

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				<p>The master-planning of Broadwater Farm must therefore be fully cognisant of the existing King's Hill development. KCC recommends that this policy must be robust in setting out how the proposed development will come forward so that it is designed as a fully integrated part of King's Hill, and it will need to set out what has to be achieved from the master planning and design of the Broadwater Farm site, in order for the approximately 900 dwellings to be acceptable.</p>
			Provision and Delivery of County Council Community Services	<p>KCC recommends that as this site allocation includes the provision of a new two-form entry primary school and a six-form entry secondary school, the below wording should be included within the policy, as it is preferable for these two schools to be co-located within the same area of the development and may be delivered as an 'all-through' school accommodating both the primary and secondary provision within one school:</p> <p>An area of regularly shaped and level land within the development, of no less than 10ha, to be transferred at nil value to the County Council for the purposes of providing a Two Form Entry Primary School and a Six Form Entry Secondary School. The site to be adequately serviced by the developer, including utilities and highway access.</p> <p>To ensure sustainability and in order to accommodate the additional demand from each proposed site (both strategic and non-strategic) the County Council requests the following be incorporated into the relevant policies to apply to all housing proposals:</p> <p>The development shall provide necessary financial contributions towards the construction of associated education facilities and services relating to Adult Social Care, Community Learning, Youth Service and Libraries.</p>
			Minerals and Waste	<p>The entirety of the site is within an area of safeguarded Limestone Hythe Formation (Kentish Ragstone) - therefore, the policy should make reference to the need to comply with the KMWLP.</p>
			Heritage and Conservation	<p>This strategic site lies north of the Kings Hill, the former West Malling Airfield. Much of the airfield and associated heritage assets lie to the south but there is potential for some outlying elements, pillboxes, defensive ditches etc, to survive within these sites. Although there are not numerous known Historic Environment Record sites within this strategic site, there are key sites of New Barns, Broadwater Farm and Well Street, which are likely to be of early origins and associated remains may survive in the surrounding area. Well Street is considered to be a spring site, and these tend to be focus for prehistoric and later settlement and ritual activities.</p> <p>Development of Broadwater Farm site would need to be supported by a detailed Historic Environment Assessment including Historic Landscape Assessment of West Malling Airfield outskirts. As such, the County Council strongly recommends appropriate consideration of the historic environment within this policy.</p> <p>This is an initial assessment of the proposed strategic site undertaken by KCC, using readily available resources held by the KCC Historic Environment Record</p> <p>KCC has provided a broad, initial, view on the sensitivity of the archaeological resource and the way in which this should be approached for the early stages of decisions on housing allocations. The Borough Council should note however that the sensitivity of particular sites may change following more detailed appraisal. The process of assessment will need to be reviewed and refined as the Local Plan process continues. The County Council therefore recommends the inclusion of consideration of the historic environment within the strategic housing allocations to ensure early stage consideration of positive heritage strategies for the strategic sites.</p>
49	5. Sustainable Growth – where development is planned	LP31: Strategic Site – South West Tonbridge	Highways and Transportation	<p>KCC recommends that the policy includes a requirement that a Transport Assessment will be needed.</p> <p>KCC also recommends that the policy is amended to read “to connect with” existing cycle routes. There are existing cycle routes in Tonbridge, but these do not connect with the proposed development site. These connections are important to encourage and promote sustainable transport and support Policy LP23.</p>

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	5.1 What it is the spatial distribution of housing development?			
			Provision and Delivery of County Council Community Services	<p>KCC recommends that as this site allocation includes the provision of a new two-form entry primary schools. The below wording should be included within the Policy:</p> <p>An area of regularly shaped and level land within the development, of no less than 2.05ha, to be transferred at nil value to the County Council for the purposes of providing a Two Form Entry Primary School. The site to be adequately serviced by the developer, including utilities and highway access.</p> <p>To ensure sustainability and in order to accommodate the additional demand from each proposed site, both strategic and non-strategic, the County Council requests the following be incorporated into the relevant policies to apply to all housing proposals:</p> <p>The development shall provide necessary financial contributions towards the construction of associated education facilities and services relating to Adult Social Care, Community Learning, Youth Service and Libraries.</p>
			Minerals and Waste	The site is in conflict with safeguarded Sandstone – Ashdown Formation and River Terrace Deposits - therefore, the policy should make reference to the need to comply with the KMWLP.
			Heritage and Conservation	<p>This strategic site lies in an area of potential associated with early prehistoric activity. It is situated on River Terrace Gravels which can contain stone artefacts and palaeoenvironmental remains. There are indications of springs and water channels which would be a focus for later prehistoric activity. The limited nature of the HER here may reflect a lack of formal investigation rather than no archaeology.</p> <p>Development of South West Tonbridge site would need to be supported by a detailed Historic Environment Assessment including Geoarchaeological Assessment. As such, the County Council strongly recommends appropriate consideration of the historic environment within this policy.</p> <p>This is an initial assessment of the proposed strategic site undertaken by KCC, using readily available resources held by the KCC Historic Environment Record</p> <p>KCC has provided a broad, initial, view on the sensitivity of the archaeological resource and the way in which this should be approached for the early stages of decisions on housing allocations. The Borough Council should note however that the sensitivity of particular sites may change following more detailed appraisal. The process of assessment will need to be reviewed and refined as the Local Plan process continues. The County Council therefore recommends the inclusion of consideration of the historic environment within the strategic housing allocations to ensure early stage consideration of positive heritage strategies for the strategic sites.</p>
51	<p>5. Sustainable Growth – where development is planned</p> <p>5.2 How will long-term housing needs beyond the Plan period be addressed?</p>	LP33: Areas of Opportunity	Highways and Transportation	<p>KCC recommends the inclusion of a requirement for a link road between the Quarry Wood Industrial Estate and Hermitage Lane. This is because the area identified is likely to deliver in excess of 300 homes and Kent Design requires a minimum of two vehicular accesses for developments of over 300 units. Additionally, the link road would allow connectivity and permeability between the existing and the new areas of development, which would allow for bus connections supporting the Sustainable Transport Policy LP23.</p> <p>KCC also recommends the removal of reference to improvements to M20 Junction 5 and to add that improvements are required to A20/Coldharbour Lane roundabout. This is due to the VISUM transport model and Forecast Junction Assessments report clearly showing that M20 Junction 5 is predicted to operate within capacity in 2031 with development, however A20/Coldharbour Lane is predicted to be over capacity and requires mitigation.</p>

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52	5. Sustainable Growth – where development is planned 5.3 What is the spatial distribution of economic development?	LP35: Employment Land: Former Aylesford Newsprint	Highways and Transportation	KCC recommends the inclusion of a requirement within the policy that a Transport Assessment will need to be submitted at masterplan stage. KCC also recommends that the policy includes a requirement for improvements to the junction of the site access with Station Road and this should be designed to allow safe and suitable access for all except for HGVs. HGVs are required to access the site via Bellingham Way. This is due to Bellingham Way and Lunsford Lane providing a more suitable access for HGV traffic than Station Road and Aylesford. KCC also recommends the inclusion within the policy that local highway improvements will be required, as identified in the Transport Assessment, and this will include safety and capacity improvements to the junction of Station Road and Hall Road.
57	5. Sustainable Growth – where development is planned 5.4 How will the accommodation needs of Travellers and Travelling Showpeople be addressed?	LP38: Travellers and Travelling Show People	Highways and Transportation	KCC recommends that the policy includes text that states that proposals for the development of these sites should only be permitted where they do not result in unacceptable impacts on the highway network.
62	6. Managing Development – local requirements 6.1 How will development be managed?	LP41: Publicly Accessible Open Space	Public Rights of Way and Access Service	The PRoW text within this draft policy is welcomed and supported. It is requested that the PRoW section is clearly defined under its own heading and separated from the other paragraphs within the policy. KCC considers the inclusion of a specific PRoW reference within this policy text would support the work of the PRoW and Access Service and help secure improvements to the path network. KCC recommends that there should be a requirement for applicants to record the route of any PRoW affected by development, clarifying intentions for accommodating, diverting or enhancing paths. KCC recommends that this policy should clearly state that planning applications that would adversely affect the existing PRoW network will not be permitted. With reference to NPPF paragraph 98, this policy should make reference to the North Downs Way National Trail and locally promoted routes across e.g. Darent Valley Way. Development should provide new path links and enhance promoted routes where possible e.g. creation of new paths that enable promoted routes to be re-aligned off roads. KCC recommends that it should also be mentioned that contributions are required, through planning obligations, towards the PROW network, including the delivery of routes both on site and off site where appropriate.
66	6. Managing Development – local requirements 6.1 How will development be managed?	LP:44 Water Efficiency Standard	Sustainable Urban Drainage Systems	As it stands, this policy does not make a strong case for the Optional Standard of 110 litres/person/day. KCC recommends that it would be helpful to add supporting information, including the designation of the South East England as a water stressed area (referencing the relevant Environment Agency document), the relevant sections of the Thames River Basin Management Plan that support water efficiency and the role of Local Planning Authorities and the relevant parts of South East Water's current Water Resources Management Plan.
Appendices				
A	Glossary		Public Rights of Way and Access Service	KCC recommends that the definition of a PRoW is amended to say the following: “A way over which the public have a right to pass and repass, including; Public Footpaths, Public Bridleways, Restricted Byways and Byways Open to All Traffic”

APPENDIX 1: KCC response: schedule of technical comments – Tonbridge and Malling Draft Local Plan Consultation – October 2018

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Proposals Map				
			Highways and Transportation	KCC welcomes the inclusion of the Proposals Map, which provide a clear picture of the proposed allocations. The County Council recommends that the maps should also show the infrastructure necessary to deliver the allocated sites to graphically demonstrate the infrastructure to be delivered.
Additional Comments				
			Waste Management	<p>Kent County Council Waste Management operates a network of eighteen Household Recycling Centres (HWRCs) and six co-located Waste Transfer Stations (WTSs) and demand on these sites is at unprecedented levels. As a result of additional demand generated by housing growth, this could result in a requirement to build more, larger sites or invest in the maintenance or repair of existing HWRCs and WTSs. With regards to HWRCs, the proposed development would likely cause more pressure on the Tovil, Maidstone HWRC or the Sittingbourne HWRC. As a result of increased population due to housing growth, KCC would expect an increase in waste throughput at all these sites. Maidstone HWRC already faces significant challenges due to access to the site and queuing which will be exacerbated further. Sittingbourne HWRC is also nearing capacity and would be difficult to expand in size. With regards to WTSs, any household waste collected from households by the waste collection authority, in this case Tonbridge and Malling Borough Council, would likely be taken to Allington WTS, where it is not envisaged that the additional waste would cause any issues.</p> <p>The challenge that KCC has as the Waste Disposal Authority is the ability to secure developer contribution funding i.e. S106 and CIL, to invest in the development of waste infrastructure as a result of increased housing growth and therefore demand on the service provided - in this case the proposed development would exacerbate the issues faced at both Maidstone and Sittingbourne HWRCs. KCC would welcome discussions with the Borough Council on this matter.</p>
			Broadband and Connectivity	In consideration of paragraph 112 of the NPPF, and the Future Telecoms Infrastructure Review, KCC recommends that a Local Plan policy is developed which requests full fibre connectivity . KCC recommends that the Borough Council review example policies such as Ashford Borough Council Local Plan Policy EMP6 – Promotion of Fibre to the Premise (FTTP) and develop similar wording for input into the Tonbridge and Malling Local Plan. The policy should seek to ensure that new build developments should be planned to have fibre-to-the-premise to ensure connectivity is delivered with growth.