

**Statement of Common Ground**  
between  
**Tunbridge Wells Borough Council**  
and  
**Kent County Council**

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in respect of the  
**Tunbridge Wells Borough Local Plan**

[February 2022 -Version 2]



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## 1.0 Introduction

- 1.1 This 'Statement of Common Ground' (SoCG) is a jointly agreed statement between Kent County Council (KCC) and Tunbridge Wells Borough Council (TWBC), hereafter referred to as "the parties", in relation to the preparation of the Tunbridge Wells Borough Local Plan.
- 1.2 It takes account of the development of the Local Plan including the Pre-Submission (Regulation 19) stage. Specifically, it reflects the comments and representations submitted by KCC on the emerging Local Plan at each stage of plan-making, as well as the Borough Council's responses. As such, this SoCG provides an agreed position with respect to relevant strategic matters within the scope of the emerging Local Plan as at February 2022. This SoCG is termed Version 2, to reflect the fact that it has been updated from the previous version to take into account further discussions between Tunbridge Wells Borough Council and Kent County Council, particularly in regard to minerals and education.
- 1.3 The strategic matters covered by this SoCG relate to the provision of services and infrastructure where these are provided by KCC to support the growth in the borough proposed within the Local Plan, with the exception of Highways matters, which are dealt with in a separate Statement of Common Ground. Therefore, this Statement of Common Ground covers the following matters;
- Public Rights of Way
  - Natural and Historic Environment – Surface Water Drainage, Biodiversity and Heritage
  - Education – Primary and Secondary, Early Years and SEN
  - Social and community – Libraries and Digital Communications
  - Minerals and Waste infrastructure
- 1.4 In particular, the SoCG sets out the parties' views on the consistency of the Pre-Submission Local Plan with national policies in relation to the provision of services and infrastructure as set out in the National Planning Policy Framework (NPPF).

- 1.5 At the same time, it is appreciated that liaison in relation to the matters included in this SoCG is ongoing and will be subject to review. Moreover, this SoCG is not binding on any party and is agreed without prejudice to further matters of detail that either party may wish to raise subsequently through the examination into the Local Plan.

## **2.0 Overview**

- 2.1. The parties agree that both TWBC and KCC have been proactive in their approach to these strategic matters in accordance with the requirements under the Duty to Cooperate (DtC).
- 2.2. Paragraph 1.28 of the Local Plan refers to the extensive liaison between Tunbridge Wells Borough Council and KCC in the preparation of the Local Plan, notably in terms of KCC's roles as the minerals and waste local planning authority, the local highway authority, local education authority and lead local flood authority. Further to this, paragraph 1.30 confirms that regard has been had to other strategies and plans of key agencies, including those of the County Council in relation to transport, education, adult social care and public health.
- 2.3. It is agreed that TWBC has an evidence base and appreciation of the importance of a range of services and infrastructure that are provided for by KCC – including the provision of essential infrastructure.
- 2.4. This SOCG also highlights a shared commitment to the provision of a range of services and infrastructure to serve the development proposed within the borough and TWBC's continuing commitment to this, as set out in Section 5, via ongoing liaison with KCC.

## **3.0 Local Plan context**

- 3.1 TWBC is preparing a new, comprehensive Local Plan for the borough. It will set out the overall vision and objectives, development strategy, spatial strategies and site allocations, together with Development Management policies to guide development over the period 2020 – 2038.

- 3.2 There were two stages of consultation at the Regulation 18 stage, the first on '[Issues and Options](#)' in 2017 and the second, on a full '[Draft Local Plan](#)' in autumn 2019. Following further evidence base work and consideration of comments received at these stages, a '[Pre-Submission Local Plan](#)' was published and consulted upon over a 10-week period from 26 March to 4 June 2021.
- 3.3 Details of engagement between the parties are set out in the [Duty to Cooperate Statement](#) that supports it, and are agreed by the parties.

## 4.0 Local Plan issues affecting infrastructure and the range of services provided for by Kent County Council

- 4.1 Paragraph 20 of the National Planning Policy Framework (2021) requires that Strategic Policies within the Local Plan should set out the overall strategy for the pattern, scale and quality of development, and make sufficient provision for;
- a) *'infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
  - b) *Community facilities (such as health, education and cultural infrastructure); and*
  - c) *Conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaption'.*
- 4.2 Furthermore, the NPPF sets out specific guidance on the provision of the various forms of infrastructure and requirements in relation to the strategic issues set out including the delivery of sufficient supply of homes, building a strong, competitive economy, promoting healthy and safe communities, promoting sustainable transport, supporting high quality communications, meeting the challenge of climate change, flooding and coastal change, conserving and enhancing the natural environment, conserving and enhancing the historic environment, and facilitating the sustainable use of minerals.
- 4.3 The above requirements have been taken into account in the preparation of the Local Plan and much of the above infrastructure is delivered or maintained by KCC.

- 4.4 TWBC has liaised with KCC officers throughout the preparation of the Local Plan. This has taken place through an iterative process, informally through the preparation stage via ongoing liaison and discussions between the parties and at the more formal stages as referenced above.
- 4.5 The issues that have been raised during the preparation of the Local Plan can be seen as relating to the following matters:
- a) Has the Local Plan had overall regard to the provision of services and infrastructure and the protection of the natural and historic environment?
  - b) Has the provision of infrastructure to support new development proposed through the Local Plan been adequately assessed, considered and provided for?
- a. **Has the Local Plan, had overall regard to the provision of services and infrastructure and the protection of the natural and historic environment?**
- 4.6 Section 2 (Setting the Scene) of the Local Plan, identified the 'Key Issues, Challenges and Opportunities', of the Plan, of which one is identified as'
- 'Key issue/challenge: ensuring sufficient infrastructure is available to meet the needs of new development and support sustainable communities'.*
- 4.7 The different types of infrastructure to be provided are detailed in Table 2. A number of the other 'Key issues' cross cut with services provided by KCC, including in relation to meeting housing needs, including those of an ageing population, climate change, conserving and enhancing the borough's natural, built and historic environment, flooding and transport.
- 4.8 Section 3 (Vision and Objectives) of the Plan, details the 'Vision' and 'Strategic Objectives' and again the provision of infrastructure is specifically stated as Strategic Objective 5 – *'To achieve the timely delivery of all forms of infrastructure that meets the needs of development and supports the vitality of communities.'*
- 4.9 Within Section 4 (The Development Strategy and Strategic Policies), of the Local Plan, paragraph 4.37 recognises the availability of infrastructure, including proposed infrastructure improvements to support growth as being a key concern to be addressed in formulating the development strategy.

- 4.10 Furthermore, paragraph 4.59 recognises the importance of essential infrastructure being provided to support the proposed growth and refers to the strategic approach to delivering infrastructure as being set out within Policy STR5 and Policy STR6 in relation to transport. It is also confirmed that details of particular infrastructure, to be provided in association with development is set out within the place shaping policies and the individual site allocations in Section 5 of the Local Plan. It is also stated that a detailed Infrastructure Delivery Plan is produced in parallel with the Local Plan and is published as a supporting document. A comprehensive list of the supporting documents that are relevant to the provision of infrastructure and the services provided for by KCC are detailed within Appendix 1 of this SoCG.
- 4.11 As referred to above, Policy STR5 – Infrastructure and Connectivity is the key policy in the Local Plan in terms of the provision of infrastructure. Paragraphs 4.88- 4.96 set the context and supporting text to the policy and details the importance of the delivery of infrastructure and the types of infrastructure. Essential infrastructure projects are identified by TWBC at Paragraph 4.95 and further detail is set out within Policy STR5 itself. Both parties agree that a robust approach is required to ensure the timely provision of infrastructure to support the growth proposed across the borough within the Local Plan.

**b) Has the provision of infrastructure to support new development proposed through the Local Plan been adequately assessed, considered and provided for?**

- 4.12 This SoCG reflects ongoing liaison between TWBC and KCC with regard to the range of services that KCC provides for the borough. Additionally, a number of specific meetings were held with officers of KCC and TWBC during the Regulation 19 consultation period. This enabled officers of TWBC to brief KCC officers on the Regulation 19 consultation period, draw the evidence base and supporting documents to their attention and highlight any specific sections of the Local Plan and answer any queries, in order to assist KCC in formulating their responses. Details of these meetings are included within the Duty to Cooperate Statement.
- 4.13 Following on from this liaison, KCC has made a number of comments on the Regulation 19 Plan relating to a range of infrastructure and services. The detailed comments made by KCC are detailed in Appendix 2. Commentary on the

representations made and the areas of agreement between the two parties in relation to the infrastructure and service areas provided by KCC is summarised below.

### **General comments made by KCC**

- 4.14 KCC as a key stakeholder, has made a number of comments and observations on the Local Plan in regard to a range of issues. Of particular note, KCC, as a key infrastructure provider, recognises that the Local Plan looks to deliver a sustainable future, ensuring that the necessary infrastructure is available to support development and welcomes the incorporation of strategic policies such as Policy STR5 - Infrastructure and Connectivity, which sets out the role of infrastructure in the delivery of new communities and the delivery of a range of services and community facilities across the borough.
- 4.15 Additionally, support is also noted for the detailed consideration of the infrastructure requirements to support development in each of the proposed site allocations. Both parties agree that sustainable development requires timely provision of infrastructure to meet the planned growth proposed for the borough.
- 4.16 KCC is also generally supportive of Policy STR1 – The Development Strategy but seeks to have a continued role in the master-planning process of the Strategic Sites to ensure that necessary infrastructure is planned and delivered. It is agreed by both parties that they will continue to work collaboratively on such matters and liaise with other neighbouring authorities as necessary throughout the process.
- 4.17 In terms of developer contributions to support the provision of infrastructure, KCC supports the continued commitment by TWBC for the use of Section 106 agreements to secure development contributions within the borough, which both parties agree is effective in the timely and effective delivery of infrastructure to support growth within the Local Plan. KCC also considers that there is opportunity through this Local Plan to support the collection of developer contributions for sites of fewer than 10 dwellings and/or on sites of 0.5 ha or more in order to seek contributions towards local infrastructure to support all development in the borough. TWBC's position is that there is no set threshold for infrastructure contributions in the TW Local Plan. However, TWBC considers that where there is a demonstrable additional demand for a particular service, such as school places, the policy stance does not preclude seeking contributions towards that need. Therefore, TWBC will continue to seek



developer contributions where a clear need has been identified on a case-by-case basis, and no change/additional wording is considered necessary. KCC and TWBC are not agreed on this matter.

- 4.18 The approach taken to Policy STR4 – Ensuring Comprehensive Development, is also supported by KCC and both TWBC and KCC are committed to working together, particularly in relation to the masterplanning for the Strategic Sites to ensure that infrastructure requirements are integrated within the proposals for new development from the outset.
- 4.19 More generally, in terms of the economy of the borough, KCC has registered its support of the flexible approach taken by TWBC within the Local Plan to the provision of retail and town centres to allow adaptable and resilient centres. The importance and inclusion of community facilities and cultural infrastructure is also welcomed.
- 4.20 Support by KCC is also noted for Policy ED1 – The Key Employment Areas, Policy ED2 – Retention of Existing Employment Sites and Buildings, ED4 – Rural Diversification, ED5 – Conversion of Rural Buildings outside of the Limits to Built Development and ED6 – Commercial and Private Recreational uses in the Countryside.
- 4.21 KCC has made a number of comments on the Strategic Sites that are allocated within the Local Plan as part of the growth strategy – Policy STR/SS1 – The Strategy for Paddock Wood, including land at east Capel and Policy STR/SS3 – The Strategy for Tudeley Village. The comments raise a variety of issues, including the provision of a range of infrastructure items as part of the development proposed – primarily in relation to transport, education, drainage and waste management. KCC is engaged with TWBC in this process through the Strategic Sites Working Group - see also Section 5 of this SoCG.
- 4.22 It is acknowledged by both KCC and TWBC that the Local Plan has been prepared during a time of unprecedented change through the impact (and continuing impacts) of the Covid 19 pandemic. It is agreed that the Local Plan should be adaptable to accommodate changing trends and patterns in terms of home working and travel patterns as the long-term influence of Covid 19 becomes apparent and KCC welcomes the Local Plan's recognition of this.

## PRoW

- 4.23 KCC has made a number of comments on individual site allocation policies in relation to PRoW – both in terms of the reference to a number of specific public footpaths, byways and bridleways that are affected by policies or fall within allocation sites, and also in terms of the inclusion of reference to the need for development contributions to be made as appropriate towards the PRoW network. The specific sites that these comments refer to are listed in Appendix 2 and responses are provided. PRoWs are detailed on the site layout plans included in the Local Plan and references made in the policies to pedestrian permeability, footpath links and associated matters. The County Council and TWBC do not agree on whether specific references to footpath numbers should be included within the Local Plan.
- 4.24 KCC has also requested that mention of Public Rights of Way should be added to paragraph 2.23/2.39 and the opportunities that it provides for enhancement through new development alongside walking and cycling as active travel opportunities. It is considered appropriate to add reference to Public Rights of Way within this section and the following wording will be added at paragraph 2.39 after the second sentence to provide context - *‘The borough’s Public Rights of Way (PRoW) network also provides linkages and opportunities for enhancement through new development.’*
- 4.25 Additionally, mention of PRoW is also requested within the general commentary to Section 3 of the Local Plan - Vision and Objectives. TWBC does not consider it to be necessary or appropriate, to make reference to the PRoW network within this section of the Local Plan, which sets out the background for formulating the Vision and Objectives for the Local Plan. As above, reference to the PRoW network and the enhancement opportunities through new development has been added to paragraph 2.39 above, which is considered by TWBC to adequately address this issue. KCC remains of the view that additional reference to PRoW should be made within Section 3 of the Local Plan to reflect the significant role the network can play in sustainable travel.
- 4.26 Car Parking and safeguarding Policies – KCC consider Policies TP3 – Parking Standards; TP4 – Public Car Parks; TP5 – Safeguarding Railway Land and TP6 – Safeguarding Road to be acceptable.

## Natural and Historic Environment – Flood Risk, Biodiversity and Heritage

### Water and Flood Risk

- 4.27 KCC has considered the policies in relation to water and flood risk contained within the Local Plan and has provided comments specifically on Policy EN25 – Flood Risk and Policy EN26 – Sustainable Urban Drainage.
- 4.28 KCC as the Lead Local Flood Authority is supportive of the flood risk considerations contained within the Local Plan and have confirmed that they were consulted during the preparation of the Strategic Flood Risk Assessment as well as in the consideration of the proposed Local Plan policies. Specifically, KCC has referred to the fact that in accordance with the requirements of the NPPF, the consideration of cumulative impacts has been considered through the Strategic Flood Risk Assessment – level 2, which is greatly appreciated given the size of development in the Paddock Wood area. Both parties have also recognised the contribution of the impact of surface water runoff and that site-specific Flood risk Assessments (FRAs) may be required in certain instances. The policies in the Local Plan provide for this requirement.
- 4.29 It is however recommended by KCC, that Policy EN25 should provide clarity in terms of which ‘*development proposals*’ require a flood risk assessment – KCC states that they, as a statutory consultee, are required to provide consultation responses on major development applications which have a wider application than those sites over 1 hectare as currently required in Policy EN25. KCC is therefore seeking an amendment to include reference to require that all ‘*major development*’ within Flood Zone 1, should provide a flood risk assessment and/or drainage strategy to assess any impact on flood risk. It is not considered necessary by TWBC to make this amendment, as the approach taken by TWBC is consistent with the requirements of the NPPF. It is however considered that there could be instances where it may be appropriate to require an FRA for smaller developments and it would therefore be appropriate to consult with KCC as the lead local flood authority on a case-by-case basis. An amendment to the supporting text to Policy EN25 is proposed to address this issue raised and is included in Appendix 2.

- 4.30 In terms of Policy EN26, KCC welcomes the reference to the requirements for the promotion of multi-functional sustainable drainage systems. KCC has however requested that clarity is provided in relation to the expectation by the Borough Council of how the provision of adequate drainage as part of new development is demonstrated. KCC has recommended revised text in this regard. The suggested text is not considered necessary as this issue is already covered within Policies EN25 and EN26. However, an amendment to the supporting text at paragraph 6.277 to address this point is proposed by TWBC and is included within Appendix 2.
- 4.31 Specifically, in relation to the Strategic Sites, KCC has made comments on the importance of appropriate drainage strategies for these areas and recommends the promotion of drainage measures integrated within open space to provide multi-functional benefits. The use of design codes or supplementary planning documents is recommended by KCC to provide guidance on such measures. It is agreed by both parties that a detailed drainage strategy should be dealt with through the production of Supplementary Planning Documents for the Strategic Sites. Additionally, the strategic policies should be considered alongside Policy EN26 – Sustainable Drainage, which provides policy guidance and consideration of multi-functional benefits and cross referencing to Policy EN26 provides clarity in this regard as set out within Appendix 2.
- 4.32 Climate Change - Support is also noted for Policy STR7 – Climate Change and the embedding of climate change, the environment and net zero throughout the Local Plan. Both parties are committed to working towards a sustainable future for the borough through the strategy and policies of the Local Plan. The County Council is also seeking that reference is made to address how climate change will impact farming and the need to adapt to new crops and farm practices – however it is considered by TWBC that reference to this is not necessary or justified and would be adequately covered by other plans and strategies rather than a Local land use Plan.
- 4.33 Biodiversity – KCC has made comments in support of a number of the Local Plan policies which provide policy protection for the natural environment and biodiversity. Of particular note, KCC is supportive of the references within Strategic Policy STR8 – Conserving and Enhancing the Natural, Built and Historic Environment to net gains for nature and green corridors.

- 4.34 In terms of biodiversity – the County Council requests that consideration of native species planting is included within Policy EN1: Sustainable Design. Policy EN1 already makes reference to native tree planting in the design checklist under Point 4 (d) – Landscape, trees and amenity – *‘In rural areas, has particular attention been paid to the retention and addition of native vegetation appropriate to the local landscape character to help assimilate development into its rural setting?’*. Native planting is also mentioned in the supporting text (at paragraph 6.173) to Policy EN12: Trees, Woodland, Hedges, and Development, which states *‘Where development does take place, there will be a presumption in favour of increasing tree cover, especially in urban areas, with planting specification, species selection, size, diversity, and connectivity being important considerations. Native species indigenous to the area should be used, unless justified by strong design reasons, using local provenance plants and seeds wherever possible.’* In addition, the suitability of trees proposed as part of any landscaping scheme submitted at the planning application stage would be assessed in context, including the use of native planting where appropriate. It is therefore agreed by both parties that no changes are required to the policy wording.
- 4.35 KCC is also supportive of a number of the Development Management Policies securing the protection of the natural environment including Policies EN8 – Outdoor Lighting and Dark Skies (in reference to dark skies/light pollution in relation to wildlife), Policy EN9 – Biodiversity Net Gain and additionally that the biodiversity value of an area will be *‘conserved and enhanced’* in accordance with national biodiversity policy. KCC also requests that Policy EN9 make reference to ‘Kent’s Plan Bee’ - a pollinator action plan developed by KCC. TWBC does not consider it necessary or justified to include reference to this within Policy EN9.
- 4.36 KCC also supports Policy EN10 – Protection of Designated Sites and Habitats, Policy EN12 – Trees, Woodland, Hedges and Development, EN13 – Ancient Woodland and Veteran Trees, EN14 – Green, Grey and Blue Infrastructure, EN19 – The High Weald Area of Outstanding Natural Beauty and EN20 – Agricultural Land.
- 4.37 Historic Environment - KCC has highlighted that TWBC has held extensive discussions with KCC during the development of the historic environment policies which build on the heritage strategy for the borough. KCC in particular, has registered its support for the approach taken in Policies EN4 – Historic Environment

and Policy EN5 – Heritage Assets. KCC and TWBC are in agreement that the Local Plan provides a sound basis for the protection of the historic environment of the borough through the Local Plan.

### **Public health and housing**

- 4.38 KCC’s support, in respect of public health, is noted for Policies STR 2 – Place Shaping and Design, STR 6 – Transport and Parking and STR 7 – Climate Change. Policy H1 – Housing Mix and Policy H3 – Affordable Housing are also supported by KCC.
- 4.39 In terms of health inequalities, the Local Plan provides for this through its Development Management Policies, including in relation to accessible housing, health infrastructure, access to open space, and protection and enhancement of employment opportunities.
- 4.40 Additionally, an Equalities Impact Assessment (EQIA) has been prepared in support of the Local Plan, which considers that the Local Plan has the potential to impact on all protected characteristics as it relates to all people who live in, work in, or visit the borough. It also has the potential to include outcomes that support all aims of the Public Sector Equality Duty. The EQIA considers that the Local Plan takes into account the needs of people with protected characteristics.
- 4.41 The Sustainability Appraisal has been produced alongside the Local Plan and evaluates the social, economic and environmental impacts of the strategy and policy within the Local Plan to assess if they align with the sustainable objectives. As part of the SA scoping exercise, a baseline review of the environmental, social and economic issues relevant to Tunbridge Wells Borough was undertaken. This includes the identification and consideration of a number of local and national datasets in relation to a range of issues including health.
- 4.42 A range of data has been used to inform the above documents and the Local Plan itself and is considered to be up to date. Objective 9 of the Sustainability Appraisal is to *‘improve health and wellbeing and reduce health inequalities’* and a number of considerations were taken into account in the SA scoring which related to health deprivation, any specialist health needs, access to accessible green open space and recreation etc. Additionally, a number of sites are specifically allocated within the

Local Plan which provide for improved health facilities and community facilities as part of a 'Community Hub' approach. TWBC does not consider it necessary or justified to include reference to further evidence as raised by KCC.

- 4.43 Community buildings – KCC has recommended that the Local Plan includes policy wording that requires community buildings to be designed and built to be inclusive to all users, including a number of measures such as being 'dementia friendly', accessible catering areas and toilet and changing facilities. It is considered by TWBC that such references are overly specific to be included in the Local Plan and would be covered by other legislation. Furthermore, Policy EN1 – Sustainable Design, provides an extensive list of design guidance documents, which cover issues such as accessibility for all types of development.
- 4.44 Specialist care accommodation – In terms of the delivery of specialist care accommodation, Policy H6 of the Local Plan details the policy approach towards 'Housing for Older people and people with disabilities'. Additionally, there are a number of individual site allocations in the Local Plan which safeguard land/sites for such specialist housing. Both parties will continue to work together with other partners to ensure that such specialist housing is provided for over the Plan period.
- 4.45 Sports and Recreation – KCC has confirmed its support for the approach taken in the Local Plan and is supportive of Policy OSSR1 – Retention of Open Space. KCC is keen to engage with the borough council to further support sport and physical activity provision and participation in the borough particularly following the impact of the Covid pandemic.

## **Education**

- 4.46 Throughout the preparation of the Local Plan, ongoing discussions have taken place between officers of TWBC and the County's West Kent Area Education Officer to ensure that adequate school places (both Primary and Secondary) are provided for to meet the needs of the borough and the growth planned.
- 4.47 The details of the additional education provision required are set out in detail in the IDP and are reflected within Policy STR5 and the individual strategic settlement policies and specific allocations where relevant.

4.48 The provision reflects that which is identified within KCC's most up to date Education Commissioning Plan which TWBC has taken account of to ensure that the growth proposed aligns with KCC's forecasting for education needs and KCC agrees that the provision set out within the Local Plan reflects the discussions that have taken place and appropriately provides for education within the Local Plan subject to the comments below.

4.49 KCC has, in its comments at the Regulation 19 stage, made a number of observations in relation to education, notably with regard to the provision under Policy STR/SS1 – The Strategy for Paddock Wood, including land at east Capel as follows;

*'The education provision outlined in the Local Plan incorporates the additional education provision required within the proposed allocations. It is important to note that the 2 FE Primary School within the Mascalls Court Farm site that already has planning permission, is required in part to also support the total growth within this policy'.*

4.50 TWBC note this comment and confirm that the primary school has planning permission.

4.51 Additionally, KCC has made a comment on STR/SS3 – The Strategy for Tudeley Village as noted below;

*'The County Council supports the proposal for a new three form entry primary school within the development. The County Council would request that additional land to support the expansion of Capel Primary School must be secured through this policy to enable the school to expand from one form of entry to two form entry. The County Council notes the revised location of the secondary school, which from an education perspective, is a much more satisfactory solution.*

*The County Council notes that the necessary new secondary school required to meet the additional demand for secondary school places arising from Paddock Wood and Tudeley Garden Village is outlined in Policy STR/SS 3 2d as to the South East of the proposed Garden Village. The County Council considers this an appropriate location to meet the educational needs and does not hold concerns regarding the suitability of this site, subject to site inspections and investigations at a later date.'*



- 4.52 With regard to Capel Primary School, it is understood that the primary school can expand within the existing site and contributions will be sought from the proposed development towards this provision which is already provided for within Policy STR/SS3 (criteria c) and is detailed within the IDP (and the Strategic Sites Masterplanning and Infrastructure Study) and no amendment to the policy or supporting text is required.
- 4.53 The comment in relation to the secondary school is noted and welcomed by TWBC and reflects the outcome of detailed discussions between TWBC and KCC following concerns raised during the Regulation 18 consultation from KCC and other parties. Subsequent amendments to the location of the Secondary School within the proposed garden village made to the Regulation 19 plan alleviate the concerns raised by KCC as confirmed by the above statement.
- 4.54 TWBC and KCC are in agreement that education matters and the adequate provision of both primary and secondary education across the borough over the plan period has been provided for. It is also acknowledged that KCC has recently updated its Kent Education Commissioning Plan and TWBC will ensure that they engage with the County in this regard. TWBC and KCC are also preparing a separate statement with reference to the High Weald Academy in Cranbrook. The statement will set out the position in relation to the provision of secondary education within the Cranbrook/Hawkhurst education planning area. This confirms that there is adequate provision of secondary education for the students' resident within this part of the borough and the position remains unchanged despite the closure of the High Weald Academy.
- 4.55 Additionally, TWBC acknowledge the requirement for Early Years and SEN provision across the borough and recognise the need for TWBC to engage with KCC to ensure necessary provision is delivered.

### **Libraries and Digital Communications**

- 4.56 Libraries - It is noted that KCC is keen to continue working in partnership with the Borough Council to bring forward more services under one roof or the provision of improved premises, such as those at the Southborough Civic Centre, the 'Amelia' and the planned new community centre at Cranbrook. TWBC and KCC are in agreement that working in partnership is a way for library services to remain at the heart of

communities and provide modern, fit for purpose buildings to accommodate existing and new residents as facilitated through the Local Plan.

- 4.57 Digital Communications/Broadband – With regard to Policy EN1: Sustainable design, KCC supports the need for proposals to include infrastructure that meets the need of modern communication and technology. However, they recommend that several elements of the wording relating to Policy ED3: Digital Communications and Fibre to the Premises (FTTP) be amended, as follows: at paragraph 6.462 of the supporting text to the policy they suggest that reference to 24mbps should be amended to 30mbps, as this definition is increasingly used by Government to define superfast broadband; and that the wording of paragraph 6.459 be reviewed so it reads better. Also, in relation to the wording of the policy itself, KCC has requested that clarity is provided as to why wireless is being allowed in areas which are within the limits of built development, as they should be close to a point of presence; and advise that wireless should only be considered if Fibre to the Premises (FTTP) cannot be offered. Therefore, KCC recommends that there should at least be reference gigabit-capable technologies within in the policy as ‘wireless’ can offer a range of speed options.
- 4.58 Also, in relation to the wording of the policy itself, KCC requests clarity as to why wireless is being allowed in areas which are within the limits of built development, as they should be close to a point of presence; and advise that wireless should only be considered if Fibre to the Premises (FTTP) cannot be offered. Therefore, KCC recommends that there should at least be reference gigabit-capable technologies within the policy as ‘wireless’ can offer a range of speed options.
- 4.59 Both parties have since discussed the issues raised above and have agreed to increase the emphasis and importance of FTTP and gigabit capable technologies, as well as to improve clarity, in the amendment of paragraph 6.459 of the supporting text to say- *‘The Council considers that such changes include the requirement to provide fibre to the premises (FTTP) for all new developments, wherever practical. FTTP is recognised by the Government and European Commission as a Next Generation Access (NGA) technology, investment in which has been prioritised accordingly. Should the implementation of FTTP not be possible for the reasons set out below at paragraphs 6.460 and 6.461, then consideration should firstly be given to opportunities for connections that are ‘gigabit capable’ (gigabit internet delivers*

*download speeds of up to one gigabit per second). Other wireless solutions, which can vary considerably in speed, should only be considered where the implementation of either FTTP or gigabit capable technologies are not possible.*

- 4.60 In order to address the issues raised in relation to minimum speeds (the suggested change of 24 mbps should be increased to 30 mbps), it is agreed by both parties that the minimum speed of 24mbps should remain, but that the following wording be added to paragraph 6.462 to cover the possibility that minimum speeds are likely to change in the future as technology advances - *'Where a FTTP solution is not deemed possible, or for smaller developments, the provision of other technologies capable of providing speeds in excess of 24 mbps (megabits per second) or the minimum speed specified in Government guidance at the time of submitting an application proposal, should be delivered wherever practical.'*
- 4.61 Finally, a number of changes are proposed to the policy wording itself of Policy ED3, which have been agreed by both parties, again to increase the emphasis on FTTP and cover minimum speed requirements, the proposed amendments are detailed in Appendix 2.

## **Waste Management**

- 4.62 Paragraph 2.22 of the Local Plan states that Local Plans must take account of, and where necessary, meet the needs of new development and the required improvements in infrastructure. Table 2 details the types of infrastructure to be delivered and includes 'Waste and recycling'. KCC welcomes the inclusion of 'Waste' in the list but recommend that the current sentence that states *'local waste collection, recycling and disposal, waste'* is altered to read – *'facilities to support local waste collection, bulking, recycling and disposal'*. It is agreed this suggested change would help to provide clarity on the waste service provided by KCC and the infrastructure that is required.
- 4.63 Policy STR5 details the Council's approach to the provision of all types of infrastructure including that required for the provision for waste and recycling. KCC has stated that they welcome the additional detail provided within the Regulation 19 Local Plan in respect of waste management following comments made at the previous Regulation 18 consultation. KCC and TWBC both acknowledge that pressures on the waste disposal service will continue to grow during the Local Plan

period due to increased development and therefore the Local Plan needs to ensure that waste management needs are considered.

- 4.64 Amendments were made to the Regulation 19 Local Plan at STR5 to highlight this issue and the recognised need for a new waste transfer facility for the borough, within the Local Plan period. Previous discussions with KCC had identified the timescale for the delivery of a new waste transfer facility as being within 5-10 years, which is reflected within the IDP, however more recent discussions arising as a result of current capacity issues have identified that additional infrastructure may be required within 5 years, which is reflected within the County's Regulation 19 comments which differ from the previous timescale identified.
- 4.65 Policy STR5 identifies the need for the infrastructure required and it is agreed between both parties, that the timescale will be updated. Both parties have committed to work together on this matter to bring forward a solution to meet the infrastructure needs identified.
- 4.66 Additionally, KCC has requested that contributions towards the expansion of essential waste infrastructure should be included within STR/SS1 and STR/SS3 under 'developer contributions'. The requirement for a new waste facility to serve the borough is detailed within Policy STR5 and within the IDP. It is therefore agreed that cross referencing to Policy STR5 should be made within Policies STR/SS1 and STR/SS3.

## **Minerals and Waste**

- 4.67 In terms of the comments made by KCC in regard to Minerals and Waste, the following section highlights the key issues raised and areas agreed between the two parties.
- 4.68 Waste - In terms of existing waste facilities, Policy AL/RTW17 – Land adjacent to Longfield Road and Policy AL/RTW18 – Land at the former North Farm landfill site, North Farm Lane and Land at North Farm Lane, North Farm Industrial Estate, require at criteria 5 and 9 and 5 respectively, that it must be demonstrated through any planning application that there will be no material adverse impact on the operation of safeguarded waste management facilities. The Kent Waste and Minerals Local Plan is part of the 'Development Plan' and so would be considered as part of any future

planning applications. A cross reference to the Kent Waste and Minerals Local Plan is provided at Paragraph 1.3 of the Local Plan, making it clear that it forms part of the Development Plan for the borough and further detail is provided at paragraph 1.6-1.7.

- 4.69 Minerals – KCC, as the Minerals and Waste Planning Authority, notes that the Local Plan accurately sets out the safeguarding policies of the Kent Minerals and Waste Local Plan 2013-30 and identifies the main minerals and waste developments that exist in the Borough.
- 4.70 TWBC and KCC have engaged in high level discussions regarding minerals in terms of screening of sites that may be affected by allocations and the requirements of the Kent Minerals and Waste Local Plan.
- 4.71 Between the TWBC Local Plan Regulation 18 and 19 consultations, both parties agreed that a new section relating to the Kent Minerals and Waste Local Plan (KMWLP) (modified in September 2020) would be included in the introduction of the TWBC Local Plan under the subheading Development Plan, as the KMWLP forms part of the TWBC Development Plan. This section in the Local Plan makes clear that the KMWLP identifies Mineral Safeguarding Areas to avoid the unnecessary sterilisation of any mineral resources and makes provision for the safeguarding of existing waste management and mineral plant infrastructure from incompatible development; and that development proposals in Mineral Safeguarding Areas, or within 250m of a safeguarded minerals or waste facility will need to comply with the minerals and waste safeguarding policies in the KMWLP (Policies DM7 and DM8). A link is also included to the KCC website for access to the KMWLP and Minerals Sites Plan, Safeguarding Mineral Areas Map for Tunbridge Wells, and the KMWLP Safeguarding Supplementary Planning Document (2017).
- 4.72 In addition to this, a mapping layer has been added to the TWBC Geographical Information System (GIS) to show the KCC minerals and waste safeguarded areas, so that when a pre-application proposal or planning application comes forward, including any relating to the proposed site allocations in the emerging TWBC Local Plan, these areas will be flagged up and KCC consulted on any requirements relating to safeguarding.
- 4.73 Furthermore, in light of comments received by KCC to the Regulation 18 Local Plan, amendments were made to address comments, in particular in relation to the

Strategic Sites. For completeness, Policy STR/SS1 – The Strategy for Paddock Wood, including land at east Capel (criteria 11) sets out a requirement for the consideration of potential mineral deposits and that any viably workable minerals should be extracted prior to development commencing on the site. Additionally, Policy STR/SS3 – The Strategy for Tudeley (criteria 9), requires that there should be the consideration of the potential for Tunbridge Wells Sand Formation Mineral Deposits across the site and that any planning applications will need to be accompanied by a minerals impact assessment in line with the requirements of the Kent Minerals and Waste Local Plan. The policy wording outlined aligns with the requirements of Policy DM 7 of the Kent Minerals and Waste Local Plan.


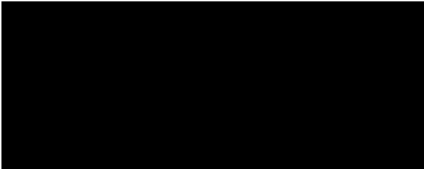
- 4.74 The above has been put forward for completeness, notwithstanding the current position of the County Council who considers that the minerals deposits to the west of Paddock Wood (east Capel, Policy STR/SS1) and at Tudeley Village (Policy STR/SS3) are unlikely to be of great significance to future sand and gravel (aggregate) supply given that the material is part of the Upper Medway Sandstone Gravels that are of lower quality (and utility) than the high value flint sand and gravels in other parts of the County. The extractive industry is operating in this area and the likelihood of this material being of high importance is low. The Tunbridge Wells Sand Formation sandstones (and others of the Wealden Formation) cover much of the Local Plan area. It is not extracted commercially in Kent, possibly not since the 19th Century for local construction, and the ‘market’ is now met by quarries in East Sussex. Accordingly, in line with exemption criterion 1) of Policy DM 7 of the Kent Minerals and Waste Local Plan, the County Council is satisfied that at this time the mineral is not of economic value which allows for planning permission to be granted. Land to the east of Paddock Wood (Policy STR/SS1) contains superficial Sub-Alluvial River Terrace deposits (river valley terrace sands and gravels), which contains mineral deposit commensurate with the stream. Development to the east of Paddock Wood will not be touching the stream and therefore the deposit will not be directly sterilised by the allocation’s development. Moreover, the viability of any prior extraction is likely to be absent, given the limited lateral extent of the deposit as it follows the watercourse. Accordingly, the delivery of this part of the allocation adheres to exemption criterion 2) of Policy DM 7 which states that development is acceptable when it is demonstrated that the extraction of the mineral is not viable or practicable.

## 5.0 Future working

- 5.1 TWBC undertakes to engage with KCC in relation to not only the progress of the Local Plan, but also in relation to its further work in relation to the provision of sufficient and timely services and infrastructure across the borough.
- 5.2 Regular 'District Liaison' meetings are held between officers of TWBC and KCC to discuss and update each other on current work/issues affecting the borough (from a KCC and TWBC perspective) and individual meetings are held on an ongoing basis. Such meetings cover a range of issues/services, including in relation to transport, education, flood risk, waste and other issues as necessary.
- 5.3 Officers of TWBC also regularly attend the Kent Planning Policy Forum as well as the Kent Chief Planners group.
- 5.4 There are also regular meetings between KCC and TWBC Councillors, which are referred to as 'Local Area Boards'. Additionally, the 'Joint Transportation Advisory Board', established in 2005, is a joint working group of KCC and TWBC to co-operate regarding highway and transportation issues.
- 5.5 KCC are also a member of the 'Strategic Sites Working Group', set up by TWBC to masterplan and deliver the Strategic Sites proposed within the Local Plan at Paddock Wood, land at east Capel and Tudeley and relevant KCC officers attend the meetings regularly.
- 5.6 Both parties are committed to continued collaborative working to plan and deliver sustainable growth and infrastructure within the borough. Discussions will continue with KCC and TWBC and an updated SoCG may be provided ahead of the Examination, if considered necessary and appropriate.

## 6.0 Signatories

6.1 This statement has been prepared and agreed by the following organisations:

<p style="text-align: center;"><b>Tunbridge Wells Borough Council</b></p> <p>Signature</p>  <p>Alan McDermott</p> <p>Date: 15.02.22</p> <p>Signature</p>  <p>William Benson</p> <p>Date: 15.02.22</p>	<p style="text-align: center;"><b>Kent County Council</b></p> <p>Signature</p>  <p><b>Stephanie Holt-Castle</b></p> <p>Date: 15.02.22</p>
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# Appendix 1: Evidence Base in relation to provision of infrastructure

## Evidence in relation to general infrastructure provision

- [Tunbridge Wells Borough Council – Infrastructure Delivery Plan](#) (March 2021) – This IDP sets out the details of the infrastructure that is required to support existing and future needs and demands for the borough to support new development and a growing population as envisaged through the Council’s Local Plan. It covers a range of services and infrastructure.
- [Development Constraints Study](#) (October 2016) – this study analyses the high-level constraints set out in footnote 6 of the NPPF. This was the starting point for the overall strategy for development advocated within the Local Plan.
- [Tunbridge Wells Strategic Sites Masterplanning and Infrastructure Study](#) (February 2021) - This report sets out the key findings and recommendations about whether the study sites should be allocated in the Local Plan, by gathering evidence on whether specified scales of development at the locations identified in the DLP are deliverable from a masterplanning, infrastructure and viability perspective.

## Evidence in relation to the natural environment

- [Biodiversity Evidence Base](#) (February 2021) – Includes baseline information on biodiversity used to inform the Local Plan, including Part 1- Habitats and Species in Tunbridge Wells borough, Part 2 - Impacts Assessment for SSSI’s and Part 3 – Species records for proposed allocated sites.
- [Tunbridge Wells Local Plan Regulation 19 Habitats Regulations Assessment](#) (September 2019) – a Habitats Regulations Assessment of the Regulation 19 Local Plan to identify any aspects of the Plan that would cause an adverse effect on the integrity

of European Sites, either in isolation or in combination with other plans and projects and to advise on appropriate policy mechanisms for delivering mitigation where such effects are identified.

- [Grassland Surveys](#) (September 2020) –A number of grassland surveys to assess the status of grasslands on a number of sites to inform potential development allocations in the Local Plan.
- [Green Infrastructure Framework for Pre-Submission Local Plan](#) (February 2021) - provides a framework for protecting and enhancing existing Green Infrastructure (GI) and for providing new GI as part of development provided for through the new Local Plan.
- [Landscape and Visual Impact Assessment of Proposed Allocation Sites within the High Weald AONB](#) (November 2020) – This high-level report provides Landscape and visual Impact Assessments for 21 potential site allocations which lie within the AONB. Advice is given on additional measures of mitigation which could reduce effects that have been assessed as adverse.
- [Landscape Sensitivity Assessment](#) (February 2017) - This study provides an assessment of the extent to which the character and quality of the landscape is susceptible to change as a result of development and was used to inform the new Local Plan and will be used to assist in future development management decisions.
- [AONB Setting Analysis Report](#) (November 2020) – The report was commissioned to provide an analysis of potential strategic sites outside of the AONB or larger sites that might raise concerns over the setting of the AONB.
- [Suite of Conservation Area Appraisals](#) – This link contains the suite of 14 Conservation Area Appraisals in the Tunbridge Wells borough, to accompany the 25 identified conservation areas.
- [Local Heritage Assets SPD](#) (2012) and [Local List of Historic Parks and Gardens](#) (part of the wider Kent Compendium)- the SPD provides the framework for the compilation of a Local List of Heritage Assets, which will include the Historic Parks and Gardens
- [Sustainability Appraisal](#) (February 2021) – a Sustainability Appraisal was carried out at each stage of Plan preparation.

## Evidence in relation to the Built Environment

- [The Strategic Housing and Employment Land Availability Assessment \(SHELAA\)](#) (January 2021)- All proposed sites promoted through the SHELAA were screened for their impact on a number of environmental and other designations, including in relation to environmental constraints and flood risk. This informed the final allocations identified within the Local Plan and any specific site and developer requirements detailed within the policies.
- [Housing Needs Assessment Topic Paper for Pre-Submission Local Plan February](#) (February 2021) – This paper identifies the overall housing need for the borough that the Local Plan should aim to meet over the plan period, and also identifies the particular housing needs, for instance in relation to affordable housing and gypsies and travellers.
- [Housing Supply and Trajectory Topic Paper for Pre-Submission Local Plan February](#) (February 2021) – This paper outlines the housing delivery and phasing methodology for phasing and like build-out rates of site allocations expected to be delivered within the plan period.
- [Review of Local Housing Needs Final Report](#) (December 2020) – This study was commissioned to consider whether the Government’s standard method provides an appropriate assessment of housing need to take forward as part of the Local Plan and whether there are exceptional circumstances to deviate from it.
- [Review of affordable housing needs in the context of ‘First Homes’](#) (February 2021) – This commissioned report provides an updated assessment of the need for affordable housing in the borough, particularly in light of the expectation of the introduction of a new tenure of affordable housing (First Homes).
- [Housing Needs Study](#) 2018 – This study considers the affordable housing needs of households, expectations of those households moving in the market, and the need for particular types of dwelling by virtue of age or disability.
- [Sevenoaks & Tunbridge Wells Strategic Housing Market Assessment](#) (September 2015) – The SHMA considers housing need in Tunbridge Wells Borough and Sevenoaks District, considering overall housing need, need for different size of homes and need for different types of homes.

- [Tunbridge Wells Strategic Housing Market Assessment Update](#) (January 2017) – This report provides an update on the SHMA 2015 and considers the objectively assessed need for housing in the borough and the implications of the latest population and household projections.

### **Evidence in relation to Heritage**

- [Historic Environment Review](#) (January 2018) – which examines the historic environment of the borough and contains an accessible summary of the predominant heritage themes of the borough, and heritage asset typologies.
- [Historic Landscape Characterisation](#) - which builds on the larger-scale Borough Landscape Character Assessment with a more detailed characterisation study of the historic landscape.

### **Evidence in relation to Highways**

- [Tunbridge Wells Borough Council Parking Strategy 2016 – 2026](#) (2016) – The strategy considers car parking in the borough by reviewing consultation responses on the provision of parking of town and responding to these along with initiatives for tackling congestion.
- [Tunbridge Wells Borough Council Transport Strategy 2015 – 2026](#) (July 2015) – The strategy, prepared jointly by TWBC and KCC, sets out the vision for transport in the borough between 2015 and 2026.
- [Tunbridge Wells Borough Council Transport Strategy Review: Context and Way Forward](#) (September 2019) – The paper sets out the contextual framework for the review of the Transport Strategy, including key challenges, from which proposed aims for the review are put forward. It sets out how the aims are relevant with the objectives and policies in the new Local Plan.
- [Transport Assessment Report Update for the Pre-Submission Local Plan](#) (March 2021) – This report sets out the modelling and analysis undertaken to support the Local Plan, with particular focus on the core model simulation networked centred around the key settlement centres, including Royal Tunbridge Wells, Pembury, and Paddock Wood. Mitigation measures are identified to offset the effects of additional trips from the Local Plan developments on the local transport network.

- [Tunbridge Wells Park and Ride Feasibility Study](#) (June 2018) – A commissioned study to investigate the feasibility of introducing Park and Ride in the town, with particular consideration of the effects and necessary actions related to town centre parking.
- [Residential Parking Standards Topic Paper for Pre-Submission Local Plan](#) (February 2021) – This paper sets out recommendations based on the analysis for new residential parking standards to take forward into the new Local Plan in the parking standards development management policy.

### **Evidence in relation to Active travel as well as Public Rights of Way**

- [Tunbridge Wells Borough Council Cycling Strategy 2016-2020](#) (2016) – The Cycling Strategy includes actions and principles which support the promotion of cycling and the delivery of related infrastructure in the borough. The document acts as a tool to assist in the delivery of the vision and objectives of the Transport Strategy.
- [Local Cycling and Walking Infrastructure Plan \(LCWIP\) Phase 1](#) (November 2019) – Phase 1 of the LCWIP focuses on key routes into Royal Tunbridge Wells town centre where there is a significant opportunity to convert many shorter journeys to more active and sustainable modes of travel.
- [Local Cycling and Walking Infrastructure Plan \(LCWIP\) Phase 2](#) (March 2021) – Phase 2 of the LCWIP was commissioned to expand upon Phase 1 LCWIP by developing complementary measures for Low-Traffic Neighbourhoods and Inter-Urban routes which further support the Borough’s ambition for mode shift to sustainable modes.

### **Evidence in relation to Water**

- [Tunbridge Wells SFRA Level 1 and Level 2](#) (July 2019) - The SFRA was produced to provide the evidence to inform the Local Plan and the proposed development strategy in relation to areas of flood risk. It demonstrates that flood risk has been fully taken into account in selecting sites for allocation in the Local Plan. It has also informed the Development Management policies in relation to flood risk.

- **Paddock Wood Flood Modelling work** (September 2021) - Further flood modelling work was carried out as part of the masterplanning of the proposed significant urban extension to Paddock Wood, including land in east Capel, as set out in the Strategic Sites Masterplanning and Infrastructure Report. The modelling work within the SFRA was updated flood modelling and the modelling assessment looked at the potential effects of the masterplan residential layout option on fluvial flood risk, compared with the existing 'baseline' condition, along watercourses flowing from south to north through Paddock Wood and East Capel (collectively referred to as the Paddock Wood Streams).
- [Water Efficiency Background Paper](#) (December 2017) – This study investigates the feasibility of introducing a development management policy that would facilitate a reduction in water consumption in new development.

#### Evidence in relation to Health

- [Tunbridge Wells Borough Council – Infrastructure Delivery Plan](#) (see above)

#### Evidence in relation to Education

- [Tunbridge Wells Borough Council – Infrastructure Delivery Plan](#) (see above)

## Appendix 2: Detailed comments by Kent County Council on the Pre-Submission Local Plan and minor modifications

Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
Section 1: Introduction		<p>The County Council recognises that the Tunbridge Wells Borough Local Plan looks to deliver a sustainable future, making effective use of brownfield land across the Borough and ensuring that the necessary infrastructure is available to support development.</p> <p>The County Council, as a key infrastructure provider, welcomes the incorporation of strategic policies such as Policy STR5 “Infrastructure and Connectivity” which set out the role of infrastructure in the delivery of sustainable new communities. This will help ensure that planned residential and commercial growth will be of high quality and delivered in a way that will help to create the places where people want to live. The detailed consideration of the infrastructure requirements to support development in each of the proposed site allocations is acknowledged and welcomed.</p> <p>Taking an “Infrastructure First” approach to growth is advocated by the County Council and is also embedded in the Kent and Medway Infrastructure Proposition; a proposed deal with Government for new infrastructure investment that will enable accelerated housing delivery, focussed on building the right homes in the right places and providing the public services, transport infrastructure, jobs and homes that residents will need, now and in the future. It is crucial for an infrastructure first approach to be applied to planned growth in the Borough - commitment to close collaboration between key</p>	Noted and support of KCC is welcomed by TWBC.

Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
		<p>partners will be essential to ensure that good growth is planned, funded and delivered in a timely manner.</p> <p>Within this response, the County Council provides detailed commentary on the proposed policies and supporting paragraphs. However, the County Council, in its role as Local Highway Authority, has not taken this approach on highways and transportation matters. This is because it is considered that further modelling is needed to inform the assessment of specific strategic and site policies.</p> <p>During the pandemic, a significant proportion of the population shifted to radically different ways of working, which has revealed the potential for long term changes in where people live and work and how they use infrastructure. It is too early to draw conclusions about long-term behavioural trends that may emerge as a result of the pandemic. However, it will be important to consider scenarios of how people's behavioural trends (that could impact infrastructure use) might change. As Local Highway Authority, the County Council would want to agree the assumptions for such scenario testing.</p> <p>The County Council, as Local Highway Authority, is concerned that whilst there are a number of welcomed policy proposals with regard to promoting sustainable access and development, the consultation requires further highway evidence to justify the Local Plan's growth strategy.</p> <p>The County Council, as Local Highway Authority, has worked closely with the Borough Council over the past years on the emerging growth strategy. Nevertheless, its current position is that</p>	<p>Subject to further discussion through the DtC and agreed position between the two parties via the separate SoCG covering highways matters.</p> <p>As above, TWBC is still in discussion with KCC on Highways matters which is being considered in a separate SoCG.</p>



Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
		<p>it requires further supporting evidence, to an agreed methodology, that accurately reflects the proposed growth before KCC can make a fully informed set of comments on the proposals presented in the Local Plan consultation document.</p> <p>The County Council has reviewed the Local Plan and supporting documents, including the Transport Assessment, and identifies the following key issues that require further work:</p> <ol style="list-style-type: none"> <li>1 Reference case validity (and therefore future scenario validity)</li> <li>2 The trip rates used</li> <li>3 Ambiguity regarding forecast modal shift</li> <li>4 Deliverability and viability of the mitigation package</li> </ol> <p>Therefore, a full assessment in respect of the impact of the growth strategy on highways and transportation matters cannot currently be carried out and commentary on the Local Plan policies and proposed allocations can be provided once the outstanding information is received.</p> <p>KCC will look to continue working with the Borough Council over the coming months on the provision of accurate modelling and commensurate and viable mitigation and will aim to update the position as work commences on the Statement of Common Ground.</p>	
<p><b>Section 2: Setting the Scene</b></p>			

Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
	General Commentary	<p><u>Waste Management</u></p> <p>Paragraph 2.22</p> <p>The County Council welcomes the inclusion of waste in the list of types of infrastructure that will need to be delivered alongside growth. KCC recommends that the sentence that states '<i>local waste collection, recycling and disposal, waste</i>' is altered to '<i>facilities to support local waste collection, bulking, recycling and disposal.</i></p> <p><u>Public Rights of Way</u></p> <p>Paragraph 2.23 / 2.39</p> <p>The County Council supports the reference to walking and cycling and the promotion of Active Travel within this chapter. However, KCC requests specific mention of the Public Rights of Way (PRoW) network and the opportunities for its enhancement through new development.</p>	<p>Noted and agreed to make minor amendment to amend the wording at paragraph 2.22 which should be replaced with the following wording to aid clarity on the waste service provided by KCC and the infrastructure that is required;</p> <p><i>'facilities to support local waste collection, bulking, recycling and disposal.'</i></p> <p>Noted. Policy STR 6: Transport and Parking makes explicit reference to active travel across various settlements and within the strategic sites. It also makes specific reference to enhancing PRoWs. It is considered appropriate to add reference to Public Rights of Way within this section and the following wording will be added at paragraph 2.39 after the second sentence to provide context - '<i>The borough's Public Rights of Way (PRoW) network also provides linkages and opportunities for enhancement through new development.'</i></p>

Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
<b>Section 3: Vision and Objectives</b>			
General Commentary		Tunbridge Wells has historical, attractive and well used routes that draw visitors to the area and as such these should be maintained and enhanced to a high-quality standard. The County Council requests specific mention of the 594km of PRow within the Borough and the role of the County Council and its Rights of Way Improvement Plan within this section.	Noted. TWBC consider that Active travel is specifically referenced within this chapter and it is not considered necessary to include the detail suggested. KCC remains of the view that additional reference to PRow should be made within Section 3 of the Local Plan to reflect the significant role the network can play in sustainable travel.
<b>Section 4: The Development Strategy and Strategic Policies</b>			
	STR1: The Development Strategy	Notwithstanding its position in respect of highways and transportation set out above, in principle, the County Council is generally supportive of strategic scale development where it is able to provide necessary infrastructure alongside housing growth to support both new and existing communities. KCC will welcome a continued role in the master-planning processes of the strategic sites to ensure that the necessary infrastructure is planned for, is of high quality design, funded and delivered in a timely manner, ahead of housing growth where necessary.	Noted and TWBC will continue to work with KCC and others on the matters raised– no changes proposed.

Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
		<p>The County Council advises that full consideration is given to assess the cumulative impacts of the dispersed growth to be delivered outside of the strategic developments across the Borough and the cumulative impact of these proposed development sites in respect of ensuring that necessary infrastructure is available to support new and existing communities.</p> <p>There is evidence that the proximity of schools in Tunbridge Wells to the East Sussex border in particular can have an impact on county infrastructure – with East Sussex residents crossing the border to access Kent schools, libraries, youth services, social care and waste facilities. The County Council appreciates that this is likely to occur, particularly because East Sussex schools are not in such close proximity to those of Kent. KCC would look to Tunbridge Wells Borough Council to support the County Council in its engagement with East Sussex County Council to mitigate and monitor the impacts that this has on the provision of county services.</p> <p>The County Council supports the continued commitment to section 106 agreements to secure development contributions in the Borough. The County Council considers that there is an opportunity through this Local Plan to support the collection of developer contributions for sites of less than 10 dwellings on sites of 0.5 ha or more. This would enable developer contributions to be sought towards local infrastructure to support all development in the Borough.</p>	<p>TWBC state that there is no set threshold for infrastructure contributions in the TW Local Plan. However, TWBC's position is that where there is a demonstrable additional demand for a particular service, such as school places, the policy stance does not preclude seeking contributions towards that need. Therefore, proposals would be assessed on a case by case basis. KCC and TWBC are not agreed on this matter.</p>

Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
	STR2: Place Shaping and Design	<p>The County Council welcomes reference to the Kent Design Guide in this section.</p> <p><u>Public Health</u></p> <p>In respect of its responsibilities concerning public health, the County Council is supportive of Policy STR 2, Policy STR 6 and Policy STR 7 which include considerations around active travel, air quality, climate change and a number of references to improving promoting healthy lifestyles. The County Council suggests that aligning the priorities and objectives from the Borough Council's Five Year Plan (2017-2022) could help strengthen the ability to address health inequalities in the Borough.</p> <p>To ensure the robustness of any policies supporting improvements in population health, a greater use of the evidence base is recommended using data from the Kent Joint Strategic Needs Assessment (JSNA) and/or other sources of public health data from the Public Health Outcomes Framework (PHOF), including ward level data, in addition to referencing how these policies support the Kent Health and Wellbeing Strategy. Providing evidence of the health needs of the population is in line with the National Planning Policy Framework and will further justify planning policies regarding health and wellbeing.</p>	<p>-KCC support noted by TWBC for Policies STR2, STR 6 and STR 7.</p> <p>In terms of health inequalities, the TWBC considers that the Local Plan provides for this through its Development Management Policies, including in relation to accessible housing, health infrastructure, access to open space, and protection and enhancement of employment opportunities.</p> <p>Objective 9 of the Sustainability Appraisal is to '<i>improve health and wellbeing and reduce health inequalities</i>' and a number of considerations were taken into account in the SA scoring which related to health deprivation, any specialist health needs, access to accessible green open space and recreation etc. Additionally, a number of sites are specifically allocated within the Local Plan which provide for improved health facilities and community facilities as part of a 'Community Hub' approach.</p> <p>Additionally, an Equalities Impact Assessment has been prepared in support of the Local Plan, which considers that the Local Plan has the</p>

Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
			<p>potential to impact on all protected characteristics as it relates to all people who live in, work in, or visit the borough. It also has the potential to include outcomes that support all aims of the Public Sector Equality Duty. The EQIA considers that the Local Plan takes into account the needs of people with protected characteristics.</p> <p>Therefore, although it is not specifically mentioned within the Local Plan, TWBC considers that the objectives of a 'prosperous', 'well' and 'inclusive' borough are enshrined within the Local Plan and its vision and objectives. The 5 Year Plan is currently the subject of review by TWBC. TWBC therefore does not consider it necessary or justified to include reference to further evidence as raised by KCC.</p> <p>KCC support noted by TWBC</p>

Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
		<p><u>Biodiversity</u></p> <p>The County Council welcomes consideration that the biodiversity value of an area will be 'conserved and enhanced'. This fits in with national biodiversity policy (Natural Environment and Rural Communities Act 2006 and section 15 of the National Planning Policy Framework).</p>	

Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
	STR4: Ensuring Comprehensive Development	<p><u>Provision and Delivery of County Council Community Services and Facilities</u></p> <p>Paragraph 4.85</p> <p>On large sites with multiple developers (perhaps where land may be in more than one ownership), the County Council would support the use of land equalisation agreements to avoid dispute and delays on the development of land for education or other community infrastructure requirements which could affect the delivery of sustainable residential growth. With the use of equalisation agreements, community infrastructure can be apportioned fairly and agreed early on in the process.</p> <p>The County Council as key infrastructure provider would welcome continued engagement from the early stages of master-planning to ensure that infrastructure requirements are integrated within the design of new developments from the outset.</p>	KCC support of approach noted – no changes proposed by TWBC
Support	STR5: Infrastructure and Connectivity	<p><u>Provision and Delivery of County Council Community Services and Facilities</u></p> <p>There is need to ensure that all growth is delivered with an appropriate range of community facilities, including Early Years provision, Youth Services, Adult Social Care, Community Facilities and Social Services.</p> <p>As set out within the Kent County Council Education Commissioning Plan, assessing the childcare market and ensuring sufficiency and long-term viability of provision for early years is complex and presents a significant challenge for local authorities. The County Council (commissioned through The Education</p>	KCC support noted by TWBC



Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
		<p>People) is required to work with providers in making available a sufficient range of flexible provision, in the right geographical areas, at the right times and offering the right sessions to fit with both standard and atypical working patters. The County Council would welcome engagement with the Borough Council to ensure adequate early years provision is provided to support growth.</p> <p><u>Community buildings</u> -The County Council recommends that the Local Plan includes policy wording that requires community buildings to designed and built to be inclusive to all users – this should include:</p> <ul style="list-style-type: none"> <li>• Design that is dementia friendly with dementia friendly decoration and signage</li> <li>• A catering area which is compliant with the Government’s Access to and use of buildings: Approved Document M, including adjustable height work surfaces, wash areas and cupboards</li> <li>• Toilets and changing facilities for the severely disabled in accordance with the Changing Places specification: <a href="http://www.changing-places.org/the_campaign/what_are_changing_places_toilets.aspx">http://www.changing-places.org/the_campaign/what are changing places toilets .aspx</a></li> </ul> <p><u>Specialist care accommodation</u></p> <p>KCC recommends that the Local Plan supports the delivery of specialist care accommodation through developer contributions secured through section 106 agreements. The Local Plan should ensure the delivery of specialised homes that support the diverse</p>	<p>It is considered by TWBC that such references are overly specific to be included in the Local Plan and would be covered by other legislation.</p> <p>Furthermore, Policy EN1 – Sustainable Design, provides an extensive list of design guidance documents, which cover issues such as accessibility for all types of development. No change is proposed by TWBC.</p> <p>Policy H6 of the Local Plan details the policy for ‘Housing for Older People and People with Disabilities’ and there are relevant site allocations within the Local Plan to deliver such form of housing. It is agreed that both parties will work together with other partners to ensure that such specialist housing is provided for over the Plan period.</p> <p>Policy STR5 identifies the need for the infrastructure required and it is agreed between both parties, that the timescale</p>

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		<p>and evolving range of needs of the local community, including those with learning and physical disabilities and other vulnerable groups. KCC would welcome continued engagement with the Borough Council in ensuring that the necessary homes to support a sustainable community are delivered.</p> <p><u>Waste Management</u></p> <p>The County Council welcomes the additional detail provided within this Regulation 19 consultation in respect of waste management, following the comments provided within the KCC Regulation 18 consultation response. Pressures on the County Council waste disposal service continue to grow and KCC would recommend a number of amendments within the Local Plan to ensure that waste management needs are fully captured and considered.</p> <p>The County Council, as Waste Disposal Authority, and the Borough Council, as Waste Collection Authority, have received feedback regarding delays to collection rounds which are caused by limited capacity - there is currently no capacity for contingency or resilience to change in the Borough. KCC is committed to close working with the Borough Council to ensure a sustainable future in respect of waste management.</p>	<p>will be updated. Both parties have committed to work together on this matter to bring forward a solution to meet the infrastructure needs identified.</p> <p>KCC comment noted by TWBC.</p> <p>Policy STR 6: Transport and Parking makes explicit reference to active travel</p>

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		<p>As set out in the Local Plan Regulation 19 consultation, KCC will require a new facility to be delivered in order to support the planned growth. The timescale for the delivery of the proposed new facility was set at five to ten years within the Infrastructure Delivery Plan, however, issues are beginning to arise with capacity now and so KCC has revised this timescale down to five years. KCC therefore requests that the Local Plan and evidence base are updated accordingly and will welcome further engagement to take this forward.</p> <p><u>Libraries</u></p> <p>The County Council is keen to continue the partnership working within the Borough including bringing more services under one roof at new or improved premises, for example at the Southborough Civic Centre, The Amelia and the planned new community centre at Cranbrook. Working in partnership is a way for library services to remain at the heart of communities and provide fit for purpose buildings to accommodate existing and new residents in the future.</p> <p><u>Public Rights of Way</u></p> <p>The Public Rights of Way network (PRoW) has an integral role in the delivery of sustainable growth. Growth in the Borough should seek to maintain and enhance the PRoW network to provide opportunities for active travel and outdoor recreation, improve connectivity to local services and boost the health and wellbeing of new and existing communities. To ensure that this consideration is factored into planning for growth at early stages of developments, the County Council would recommend that PRoW is included in the relevant place-shaping and development management policies</p>	<p>across various settlements and within the strategic sites. It also makes specific reference to enhancing PRoWs. TWBC do not consider it is necessary to also include reference to PRoWs in Policy STR2, STR4 or STR 5. KCC and TWBC do not agree on this.</p>

Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
		throughout the Local Plan (including the following policies: Policy STR 2 - Place Shaping and Design, Policy STR 4 - Ensuring Comprehensive Development and STR 6 -Transport and Parking).	
	STR7: Climate Change	<p>The County Council supports the embedding of climate change, the environment and net zero throughout the Local Plan, and the sustainability policies within it. The County Council welcomes the requirement for developments to support Net Zero targets and for this to be stated as a strategic objective. Reference to the Kent and Medway Energy and Low Emissions Strategy, as well as the Borough Council's own targets, is also welcomed.</p> <p>The County Council recommends that there is reference within the Local Plan to address how climate change will impact farming and the need to adapt to new crops and farm practices. This could have an impact on the land characteristics of the area and the introduction of more reliant crops. Consideration should also be had to water irrigation/bore holes and reservoirs which may be required to support sustainable farm practices.</p>	<p>KCC support to this approach is noted by TWBC.</p> <p>TWBC do not consider that reference to this is neither necessary or justified and would be adequately covered by other plans and strategies rather than a land use Local Plan.</p>
	STR8: Conserving and Enhancing the Natural, Built and Historic Environment	<p>The County Council is supportive of references to net gains for nature and green corridors within this policy. The objective to achieve net gains for nature and to protect and enhance sites of geological interest across the whole borough, and where possible, to secure the long-term management of sites, areas and features important for biodiversity and geodiversity is welcomed.</p> <p><u>Public Rights of Way</u></p>	<p>KCC support is noted by TWBC</p> <p>Noted. Policy STR 6: Transport and Parking makes explicit reference to</p>

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		<p>The County Council recommends that the PRoW network is considered an asset within the Borough.</p> <p>Consideration should also be given to ensure that the character and value of rural views in wider environments of development sites should not be changed to a state that they become unattractive or out of context for users.</p>	<p>active travel and enhancing PRoWs. No change proposed is proposed by TWBC.</p>
<b>Section 5: Place Shaping Policies</b>			
General		<p><u>Minerals and Waste</u></p> <p>The County Council, as Minerals and Waste Planning Authority, notes that paragraphs 1.6 and 1.7 of the Local Plan accurately set out the minerals and waste safeguarding policies of the Kent Minerals and Waste Local Plan 2013-30 and the main minerals and waste developments that exist in the Borough. However, the Plan does not detail how the proposed allocations have taken account of the safeguarded land-won minerals that are coincident with of these allocations (particularly for housing not within the defined urban areas within the Borough area where mineral safeguarding is exempted by the Kent Minerals and Waste Local Plan 2013-30 [Early Partial Review 2020]). The approach currently taken within the Local Plan is to identify safeguarded minerals where they coincide with areas identified for major new development, in order to state that workable minerals should be extracted prior to development (Policy STR/SS 1, point 11; The Strategy for Paddock Wood, including land at East Capel). Within</p>	<p><u>Minerals</u></p> <p>In correspondence between both parties between the Local Plan Regulation 18 and 19 consultations, firstly it was acknowledged by both parties that the potential site allocations identified as having a minerals safeguarding impact were being considered in the following documents (as part of the TWBC Local Plan evidence base): The Strategic Housing and Economic Land Availability Assessment, Sustainability Appraisal, the masterplanning of the strategic site allocations (Paddock Wood and land at east Capel and Tudeley Village) and the IDP.</p>

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		<p>the Tudeley Village proposal, any economic minerals (such as Tunbridge Wells Sandstone) should be accompanied by a Minerals Assessment, which seeks to assess mineral safeguarding issues (Policy STR/SS 3, point 9; The Strategy for Tudeley Village).</p> <p>The Local Plan's proposed allocations could be strengthened through the prior evaluation of the need to secure the long-term conservation of economic minerals - as set out by the National Planning Policy Framework (2019). A Mineral Assessment should be carried out to determine if an exemption to the presumption to safeguard could be applied for allocations where it may be a relevant issue. A similar approach is taken with safeguarded waste management and minerals handling and transportation infrastructure. Where it has been identified as being either coincident or within 250 metres of an allocation, the delivery criteria indicate that it should be considered as a requirement of the development - "It must be demonstrated through any planning application that there will be no material adverse impact on the operation of safeguarded waste management facilities" (Policy AL/RTW 17 Land adjacent to Longfield Road and at Policy AL/RTW 18 Land at the former North Farm landfill site, North Farm Lane and land at North Farm Lane, North Farm Industrial Estate).</p> <p>The County Council recommends that Minerals and/or Infrastructure Assessments (as appropriate) are carried out ahead of planning application stages to ensure due consideration of the Kent Minerals and Waste Local Plan and the deliverability of the proposed allocations.</p>	<p>It was also noted that there was less concern about the supplies/ protection of the Ardingly Sandstone Formation [ASS], Tunbridge Wells Sand Formation [TWSS] and Ashdown Sandstone Formation [ASH], as current supplies are meeting demand. Also, that the Pauldina Limestone Weald Clay Formation [PLS] is a rarely used specialist material, with no current requirement to maintain a landbank. For these reasons, no reference is made to these mineral deposits in any of the affected site allocations.</p> <p>However, with regard to the Superficial Sub-Alluvial River Terrace deposits (river valley terrace sands and gravels), it was noted that for affected site allocations, reference should be made for the potential need for the submission of a Minerals Assessment. This deposit relates mainly to the proposed strategic site allocations at Paddock Wood and land at East Capel and Tudeley Village (see relevant section on minerals in the main document above which explains how this has been addressed and agreed by both parties). As well as Wyevale Garden Centre (PSLP site</p>

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			<p>allocation AL/RTW14) – however, there is no reference to minerals safeguarding in this allocation in the PSLP and it is proposed that the following wording be added to the supporting text of this policy – <i>The site is located within a 250 metre buffer of a minerals and waste safeguarding area (in relation to Superficial Sub-Alluvial River Terrace deposits) and therefore advice should be sought from KCC (Minerals and Waste) in advance of submitting any planning application, as a minerals assessment may be needed.</i></p> <p>Also as mentioned above, a mapping layer has been added to the TWBC GIS system to include the KCC minerals and waste safeguarded areas, which will be flagged up at the pre/application stage and KCC consulted. KCC welcome this approach.</p> <p><u>Waste</u></p> <p>With regard to waste safeguarding there is an existing criterion in both site allocations AL/RTW17 and AL/RTW18 which states: <i>It must be demonstrated through any planning application that there will be no material adverse impact</i></p>

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			<i>on the operation of safeguarded waste management facilities. Therefore no changes are proposed by TWBC.</i>
Royal Tunbridge Wells			
	General	- KCC requests reference to the PRow network, the Rights of Way Improvement Plan (ROWIP) and the Local Cycling and Walking Infrastructure Plan (LCWIP) within this policy. These improvement Plans have a significant role in the connectivity for employment and leisure travel between local facilities.	Policy STR/RTW 1 sets out at point 8 the approach to active travel including reference to the LCWIP. The ROWIP is specifically mentioned in the IDP. TWBC do not consider that is necessary to reference all background documents in the Policy. No change proposed by TWBC.
	Policy allocations	- KCC have requested that direct reference is made to a number of Public Footpaths and Restricted Byways in proximity or within allocated sites including AL/RTW1, AL/RTW5, AL/RTW7, AL/RTW14, AL/RTW17 and AL/RTW21.	PROWs are shown on the site layout plan and reference made in the policy to footpaths. TWBC consider that specific references to footpath numbers are unnecessary. KCC and TWBC do not agree on whether specific references to footpath numbers should be included within the Local Plan.
Southborough			
	Policy STR/SO1: The Strategy for Southborough	KCC requests that the policy includes reference to the need for development contributions to be made as appropriate towards	Supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the



Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
		improvements to the PRoW network to provide Active Travel opportunities in the area.	approach for positive outcomes for PRoWs, including improving connectivity and securing contributions. Given that the Plan is taken as a whole specific reference in the Policy is not necessary. No change is proposed by TWBC.
	AL/SO1: Speldhurst Road Allotments	KCC requests direct reference to Public Footpath WS19A and links to WS22. Improvements to these footpaths would ensure urban connectivity in the area.	Reference is made in the policy to footpaths and their wider connectivity to the existing footpath network. Specific references to footpath numbers are unnecessary. TWBC and KCC do not agree on whether specific references to footpath numbers should be included within the Local Plan.
Strategic Sites			
	General	<p>Given the scale of the strategic developments proposed within this Local Plan, the County Council would welcome continued engagement to ensure the funding and delivery of necessary infrastructure, within a timely manner, to support the creation of balanced and sustainable communities.</p> <p>It will be critical to ensure that sites across the Borough are designed with an adequate supply of open space. Studies show the significant contribution that green spaces can provide in respect of health and well-being benefits for the public, but such spaces face increasing pressure from new development and population growth. Master-planning will need to ensure that necessary steps are put in place to protect, and provide</p>	Comment from KCC noted by TWBC

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		<p>sustainable access to, existing green spaces, and to also to ensure that new green spaces are an integral part of new development.</p> <p><u>Waste Management</u></p> <p>Additional development, especially within growth focussed at Paddock Wood and Tudeley Village, will place particular pressure on the waste transfer station in Tunbridge Wells. Contributions towards the expansion of essential waste infrastructure should be included within STR/SS1 under section 15 “developer contributions” and in Policy STR/SS 3, under section 12 “developer contributions”.</p>	<p>The requirement for a new waste facility to serve the borough is detailed within Policy STR5 and within the IDP. It is therefore proposed and agreed by both parties that cross referencing to Policy STR5 should be made within Policies STR/SS1 and STR/SS3 to reflect this.</p>
	<p>STR/SS1: The Strategy for Paddock Wood, including land at east Capel</p>	<p><u>Education</u></p> <p>The education provision outlined in the Local Plan incorporates the additional education provision required within the proposed allocations. It is important to note that the 2FE Primary School within the Mascalls Court Farm site that already has planning permission, is required in part to also support the total growth within this policy.</p> <p><u>Provision and Delivery of County Council Community Services and Facilities</u></p> <p>The County Council recommends that the provision of extra or specialist care goes beyond consideration of older people but also supports those with learning and physical disabilities and other vulnerable groups. KCC would welcome continued engagement with the Borough Council in ensuring that the necessary homes to support a sustainable community are delivered.</p>	<p>KCC comment noted by TWBC- no change proposed – the school has outline planning consent</p> <p>Comment by KCC noted by TWBC</p> <p>It is considered and agreed between both parties that a detailed drainage</p>

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		<p><u>Sustainable Urban Drainage Systems</u></p> <p>The County Council supports the requirement for a Drainage Strategy to be produced for development coming forward within the Paddock Wood and Capel area, which if based upon the assessment undertaken within the Strategic Flood Risk Assessment (SFRA), will ensure the management of surface water and flood risk within the locality.</p> <p>KCC recommends that the policy promotes the integration of drainage measures within open space to provide for multi-functional benefits.</p> <p>KCC also recommends that design codes or supplementary planning documents are developed for this strategic allocation to promote quality sustainable drainage design, which should include consideration of water quantity, quality, amenity and biodiversity. There must also be consideration of on-plot controls such as green roofs, rain gardens and swales. Any design code should also ensure that any existing watercourses are retained to the degree possible and have sufficient margins to enable maintenance.</p> <p><u>Public Rights of Way</u></p> <p>The PRow network should be specifically mentioned within this policy. The existing network of Footpaths, Bridleway and Restricted Byway in the area provides an opportunity for Active Travel connectivity across the Borough.</p>	<p>strategy should be dealt with through the production of Supplementary Planning Documents for the Strategic Sites. Additionally, the policy should be considered alongside Policy EN26 – Sustainable Drainage which provides policy guidance and consideration of multi-functional benefits.</p> <p>Noted by TWBC. The Policy sets out in point 9 that the design of the scheme should provide good levels of permeability, including walking &amp; cycling linkages. In addition, the supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the approach for positive outcomes for PRows, including improving connectivity and securing contributions. No change proposed by TWBC.</p>
	STR/SS2: The Strategy for	<u>Public Rights of Way</u>	Supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the

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	Paddock Wood Town Centre	The County Council supports the references made to pedestrian and cycle environments but would draw attention to the need for connectivity between the network to local facilities and safe use of these sustainable transport opportunities.	approach for positive outcomes for PRoWs, including improving connectivity and securing contributions. Given that the Plan is taken as a whole specific reference in the Policy is not necessary. No change proposed by TWBC.
	STR/SS3: The Strategy for Tudeley Village	<p><u>Education</u></p> <p>The County Council supports the proposal for a new three form entry primary school within the development. The County Council would request that additional land to support the expansion of Capel Primary School must be secured through this policy to enable to school to expand from one form entry to two form entry. The County Council notes the revised location of the secondary school, which from an education perspective, is a much more satisfactory solution.</p> <p>The County Council notes that the necessary new secondary school required to meet the additional demand for secondary school places arising from Paddock Wood and Tudeley Garden Village is outlined in Policy STR/SS 3 2d as to the South East of the proposed Garden Village. The County Council considers this an appropriate location to meet the educational needs and does not hold concerns regarding the suitability of this site, subject to site inspections and investigations at a later date.</p>	<p>KCC comment noted by TWBC - With regard to Capel Primary School, it is understood that the primary school can expand within the existing site and contributions will be sought from the proposed development towards this provision which is already provided for within Policy STR/SS3 (criteria c) and is detailed within the IDP (and the Strategic Sites Infrastructure Plan.</p> <p>Both parties agree that this will be dealt with through the Supplementary Planning Document and detailed planning applications for the sites.</p>

Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
		<p><u>Sustainable Urban Drainage Systems</u></p> <p>The County Council supports the requirement for a Drainage Strategy for development coming forward within Tudeley and would reference commentary stated for Policy STR / SS1 as also applicable for this policy.</p> <p>The County Council requests that clarity is provided regarding the development boundary on the northern border and the proximity to the areas of flood risk around Tudeley Hale. Surface water drainage measures to serve the proposed development must be outside of any areas of potential flood risk. This must be included within any design code for the development area.</p> <p><u>Public Rights of Way</u></p> <p>The County Council considers that this proposal offers significant opportunities for future sustainable transport and would therefore recommend specific mention of the PRoW network. Improvements and upgrades to the network will help create high quality connections both within the Garden Village and to the wider Borough. Mitigation will need to be sought to take account of the increased use of the network resulting from this growth proposal.</p>	<p>Noted by TWBC. The Policy sets out in point 7a that the design of the scheme should provide good levels of permeability, including walking &amp; cycling linkages, with the supporting text also highlighting the key garden settlement principles of a cohesive, walkable community. In addition, the supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the approach for positive outcomes for PRoWs, including improving connectivity and securing contributions. No change proposed by TWBC.</p>
Paddock Wood			
	STR/PW1: The Strategy for the parish of Paddock Wood	KCC requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRoW network to provide Active Travel opportunities in the area.	Supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the approach for positive outcomes for PRoWs, including improving connectivity

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			and securing contributions. Given that the Plan is taken as a whole specific reference in the Policy is not necessary. No change proposed by TWBC.
	AL/PW1: Land at Mascalls Farm	KCC requests direct reference to Public Footpath WBT268.	PROWs are shown on the site layout plan and reference made in the policy to pedestrian linkages connecting to the wider network. Specific references to footpath numbers are unnecessary. KCC and TWBC do not agree on whether specific references to footpath numbers should be included within the Local Plan.
Capel			
	STR/CA1: The Strategy for Capel parish	KCC requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRoW network to provide Active Travel opportunities in the area.	Supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the approach for positive outcomes for PRoWs, including improving connectivity and securing contributions. Given that the Plan is taken as a whole specific reference in the Policy is not necessary. No change proposed by TWBC.
Cranbrook and Sissinghurst			

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	Policy Allocations	<p>KCC have requested that direct reference is made to a number of Public Footpaths and Restricted Byways in proximity or within allocated sites including AL/CRS1, AL/CRS2, AL/CRS3, AL/CRS4, AL/CRS6, AL/CRS7.</p> <p>-KCC also request that active travel links and connectivity including pedestrian, cycling and equestrian are provided for under policy AL/CR2, AL/CR4 and AL/CR7.</p>	<p>PROWs are shown on the site layout plan and reference made in the policy to the provision of pedestrian links to provide permeability. Specific references to footpath numbers are unnecessary. KCC and TWBC do not agree on whether specific references to footpath numbers should be included within the Local Plan.</p>
Benenden	PSTR/BE1: The Strategy for Benenden Parish	<p>KCC requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the ProW network to provide Active Travel opportunities in the area. The local aim of improving and enhancing Public Footpaths WC326/325 to all weather routes, providing access to the school, should be referred to within this policy.</p>	<p>Supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the approach for positive outcomes for PRowWs, including improving connectivity and securing contributions. Given that the Plan is taken as a whole specific reference in the Policy is not necessary. No change proposed by TWBC.</p>
Bidborough			
	PSTR/BI1: The Strategy for Bidborough Parish	<p>KCC requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRow network to provide Active Travel opportunities in the area.</p>	<p>Supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the approach for positive outcomes for PRowWs, including improving connectivity and securing contributions. Given that the Plan is taken as a whole specific</p>

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			reference in the Policy is not necessary. No change proposed by TWBC.
Brenchley and Matfield			
	PSTR/BM1: The Strategy for Brenchley and Matfield Parish	KCC requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRoW network to provide Active Travel opportunities in the area.	Supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the approach for positive outcomes for PRoWs, including improving connectivity and securing contributions. Given that the Plan is taken as a whole specific reference in the Policy is not necessary. No change proposed by TWBC.
Frittenden			
	PSTR/FR1: The Strategy for Frittenden Parish	KCC requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRoW network to provide Active Travel opportunities in the area.	Supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the approach for positive outcomes for PRoWs, including improving connectivity and securing contributions. Given that the Plan is taken as a whole specific reference in the Policy is not necessary. No change proposed by TWBC.
Goudhurst			



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	Policy PSTR/GO1: The Strategy for Goudhurst	KCC requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRow network to provide Active Travel opportunities in the area.	Supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the approach for positive outcomes for PRowWs, including improving connectivity and securing contributions. Given that the Plan is taken as a whole specific reference in the Policy is not necessary. No change proposed by TWBC.
Horsmonden			
	Policy PSTR/HO1	KCC requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRow network to provide Active Travel opportunities in the area.	Supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the approach for positive outcomes for PRowWs, including improving connectivity and securing contributions. Given that the Plan is taken as a whole specific reference in the Policy is not necessary. No change proposed by TWBC.
	Policy AL/HO3	KCC requests direct reference to Restricted Byway WT340A and Public Footpath WT341. Reference should also be made within the policy to the need for wider network improvements to support connectivity.	Reference is made in the policy to the provision of a pedestrian link to join up with the existing footway network. Specific references to footpath numbers are unnecessary. KCC and TWBC do not agree on whether specific references to footpath numbers should be included within the Local Plan.

Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
Lamberhurst			
	Policy PSTR/LA1: The Strategy for Lamberhurst	KCC requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRoW network to provide Active Travel opportunities in the area.	Supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the approach for positive outcomes for PRoWs, including improving connectivity and securing contributions. Given that the Plan is taken as a whole, specific reference in the Policy is not necessary. No change proposed by TWBC.
	AL/LA1: Land to the west of Spray Hill	KCC requests direct reference to Public Footpath WT388	PROWs are shown on the site layout plan and reference made in the policy to the provision of a pedestrian link to join up with the existing footway network. Specific references to footpath numbers are unnecessary. KCC and TWBC do not agree on whether specific references to footpath numbers should be included within the Local Plan.
Pembury			
	PSTR/PE1: The Strategy for Pembury Parish	The County Council requests reference is made to the local PRoW opportunities that exist to ensure connectivity in the area and opportunities for active travel.	Supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the approach for positive outcomes for PRoWs, including improving connectivity and securing contributions. Given that the Plan is taken as a whole, specific

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			reference in the Policy is not necessary. No change proposed by TWBC.
	AL/PE4: Land at Downingbury Farm, Maidstone Road	KCC requests direct reference to Public Footpaths WT218 and WT217B.	PROWs are shown on the site layout plan and reference made in the policy to the provision of a pedestrian link to join up with the existing footway network. Specific references to footpath numbers are unnecessary. KCC and TWBC do not agree on whether specific references to footpath numbers should be included within the Local Plan.
Rusthall			
	PSTR/RU1: The Strategy for Rusthall Parish	KCC requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRoW network to provide Active Travel opportunities in the area.	Noted. Supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the approach for positive outcomes for PRoWs, including improving connectivity and securing contributions. Given that the Plan is taken as a whole, specific reference in the Policy is not necessary. No change proposed by TWBC.
Sandhurst			
	PSTR/SA1: The Strategy for Sandhurst Parish	KCC requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRoW network to provide Active Travel opportunities in the area.	Supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the approach for positive outcomes for

Section of Local Plan	Policy or paragraph	KCC's comment	TWBC and KCC position
			PRoWs, including improving connectivity and securing contributions. Given that the Plan is taken as a whole, specific reference in the Policy is not necessary. No change proposed by TWBC.
	AL/SA1: Land on the south side of Saville, Rye Road and west of Marsh Quarter Lane, Sandhurst	KCC requests direct reference to Public Footpath WC295 that runs through the site and the need for improvements to link to wider network. Improvements are required to Public Footpath WC297 to provide an active travel link to local facilities.	PROWs are shown on the site layout plan and reference made in the policy to the provision of a pedestrian link to join up with the existing footway network. Specific references to footpath numbers are unnecessary. KCC and TWBC do not agree on whether specific references to footpath numbers should be included within the Local Plan.
Speldhurst			
	PSTR/SP1: The Strategy for Speldhurst Parish	KCC requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRoW network to provide Active Travel opportunities in the area.	Policy PSTR/SP 1 makes specific reference to supporting <i>active travel by delivering improvements to the local pedestrian network...including through the provision of contributions</i> . No amendment necessary. In addition, supporting text to the Policy sets out cross reference to Policy TP 2: Transport Design and Accessibility which the approach for positive outcomes for PRoWs, including improving connectivity and securing contributions. Given that

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			the Plan is taken as a whole, specific reference in the Policy is not necessary. No change proposed by TWBC.
<b>Section 6: Development Management Policies</b>			
	Policy EN1: Sustainable Design	<p>The County Council supports the sustainable design criteria outlined within this policy. KCC requests consideration of whether there would be ground to consider if it would be viable and reasonable for the requirement for a Construction Environmental Management Plan (CEMP) to be extended to all developments - not just those over 20 units or 2,000sqm floorspace.</p> <p>Furthermore, the County Council would encourage the inclusion of policy/guidance on the use of carbon offset, and to state whether or not developers can use offsetting to deliver emission reduction targets.</p> <p><u>Broadband</u></p>	<p>The CEMP thresholds are deemed appropriate and reasonable, so as not to overburden smaller developers. No change proposed by TWBC.</p> <p>The council is trying to encourage developers to reduce emissions in preference to offset (in line with the energy hierarchy). In addition, carbon offsetting is considered generally by Policy EN3 in the form of renewable energy provision. No change proposed is proposed by TWBC.</p> <p>Comment from KCC Noted by TWBC</p> <p>As above, TWBC consider that native planting is adequately referred to in the</p>

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		<p>The County Council supports the need for proposals to include infrastructure that meets the need of modern communication and technology.</p> <p><u>Biodiversity</u></p> <p>The County Council requests consideration of native species planting. In an ecological context, one of the most positive landscape contributions of any development is to include native plant species only. Many native insects (c.10,000 species) will require native species in which to complete their lifecycle (with non-natives unable to provide this function).</p> <p>Section 5 also states "Proposals should identify and not undermine the value of ecosystem services that the site provides". The County Council is supportive of this in principle, though KCC would question how development proposals can practically and definitively assess a site's capacity to provide various ecosystem services.</p>	<p>design checklist to policy EN1 as well as policy EN12: Trees, Woodland, Hedges, and Development and the suitability of trees proposed as part of any landscaping scheme submitted at the planning application stage. No change proposed by TWBC.</p> <p>Guidance on ecosystem services is continuing to be developed but following existing Defra guidance will ensure that development can be policy compliant. Both parties agree that this is the correct approach</p> <p>This is already mentioned in criterion 7 of Policy EN1. No change proposed by TWBC.</p> <p>Paragraph 6.367 of Policy H6 - Housing for Older People and People with Disabilities - makes reference to accommodation for people with dementia. No change proposed by TWBC.</p>

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		<p><u>Residential Amenity</u></p> <p>Given the anticipated impact from COVID-19 of increased home working as a permanent adjustment to people's working lives, the County Council recommends consideration of how to ensure safe and reasonable home working areas. Ensuring that suitable spaces for home working are designed into new development will have positive benefits by boosting the resilience in this area of the local workforce and their ability to continue working and to learn.</p> <p>High quality design should also be accessible, taking into account the varying needs of the evolving community, which includes providing diverse housing types, such as extra care housing, that is flexible and responsive to changing needs. The County Council recommends that this should include consideration of dementia friendly design within the Local Plan. Small design changes to housing and infrastructure can help someone living with dementia to be more independent by providing a home and environment that is clearly defined, easy to navigate, and feels safe.</p> <p><u>Sustainable Urban Drainage Systems</u></p> <p>The County Council notes that the Local Plan makes reference to many design elements that will provide multiple benefits and makes note specifically of green roofs. Green roofs are drainage measures that can control runoff from roof areas for small storm events, which comprise the majority of UK's rainfall. Unfortunately, as a design element and part of the building fabric, it is difficult for Kent as Lead Local Flood Authority to influence planning at early</p>	<p>KCC comment noted by TWBC – This is covered by other policies within the Local Plan and other plans and legislation.</p> <p>Green roofs are already referred to in other policies and the Biodiversity Net Gain SPD will also include reference to them.</p> <p>The control of erosion and silt deposition would be included in the CEMP; and explicit mention is therefore not deemed necessary by TWBC. The word 'above' will be removed from the third line relating to CEMPs in the policy box, to improve clarity.</p>

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		<p>stages for their inclusion, so they must be considered as part of the design code for an area.</p> <p>The County Council would encourage the promotion of green roofs in planning guidance for appropriate developments and recommends that they are included in design codes or supplementary planning documents for strategic sites, especially in relation to large commercial buildings, logistic hubs and public buildings.</p> <p>This policy also includes the requirements for preparation of a Construction Environmental Management Plan (CEMP). Recently, KCC has experienced a number of queries from concerned residents in relation to the control of erosion and silt deposition from construction sites. KCC would recommend that the importance of erosion and silt control is also included in the detail of a site's CEMP.</p>	
	Policy EN3: Climate Change and Adaption	<p>This policy includes a section on energy reduction in new buildings, calling for a "A 'fabric first' approach in which all development comprising the construction of new buildings is required to reduce operational CO2 emissions by at least 10% below the Target Emission Rate (TER), as set out in Building Regulations Part L (2013)". The Future Buildings Standards, due to come into force in 2021, will introduce an uplift to Part L of 31%, which will mean Policy EN3 will be superseded. This policy also includes requirements to address climate change adaptation. KCC welcomes this inclusion and would recommend that the policy references the Kent Climate Change Risk and Impact Assessment,</p>	KCC comment noted by TWBC and no change proposed



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		<p>which will help ensure developments understand more localised future risks from climate change.</p> <p>KCC notes that EN3 Climate Change does not make reference to provisions for the climate change allowance, which is usually applied to flood risk assessments with respect to river levels or rainfall statistics. Climate change is referenced within the policy statement for EN25 but for completeness, it is recommended that reference is included within this policy (EN3).</p>	<p>The Climate change allowance has been incorporated within the Strategic Flood Risk Assessment and it is considered that Policy EN25 deals with flood risk and paragraph 6.34 explains that this policy deals with the elements of climate change that are not considered elsewhere in the Local Plan – It is proposed to add at the end of paragraph 6.48, the following text – <i>'Policy EN 3 details how the Local Planning Authority will ensure this takes place and developers should refer to KCC's Climate Risk and Impact Assessment for local advice'</i>. Both parties agree to this approach.</p>
	<p>Policy EN4: Historic Environment and Policy EN5: Heritage Assets</p>	<p>The County Council is supportive of these policies. The Borough Council has held extensive discussions with KCC during the development of the historic environment policies and have included commentary in the revised policy proposals and supporting text. The policies also build on a Heritage Strategy and relevant Supplementary Planning Documents (SPD) (Local List of Heritage Assets and Historic Farmsteads).</p>	<p>KCC comment noted by TWBC and no change proposed</p>
	<p>Policy EN8: Outdoor Lighting and Dark Skies</p>	<p>The County Council is supportive of the references to dark skies/light pollution in relation to wildlife within this policy.</p>	<p>KCC comment noted and no change proposed by TWBC.</p>

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	Policy EN9: Biodiversity Net Gain	<p>The County Council considers that this policy is of vital importance for biodiversity/and ecology, denoting that applications must demonstrate a net-gain in biodiversity can be achieved. The policy includes all the necessary information linked to achieving and maintaining, biodiversity net-gain.</p> <p>Importantly, all the site-specific policies caveat that Policy EN 9 must be referred to, ensuring an ecological baseline is undertaken and demonstrable net-gain proposals are provided.</p> <p>The County Council recommends reference to Kent's Plan Bee, a pollinator action plan developed by the County Council that seeks to improve the food sources and general habitat for pollinators.</p>	KCC comment noted – TWBC consider that reference to Kent's Plan Bee is not necessary within the Local Plan and that Policy EN9 provides adequate provision for this.
	Policy EN10: Protection of Designated Sites and Habitats	The wording of this policy adequately accounts for all statutory and non-statutory designated sites. These sites have been defined and identified within the Local Plan. The County Council is therefore supportive of this policy.	KCC support is noted by TWBC.
	EN12: Trees, Woodland, Hedges and Development, EN13: Ancient Woodland and Veteran Trees and EN14: Green, Grey and Blue Infrastructure	The County Council is supportive of these policies and the wording adequately accounts for trees, woodland and hedges	KCC support is noted by TWBC.

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	EN18: Rural Landscape, EN19: The High Weald Area of Outstanding Natural Beauty and EN20: Agricultural Land	The County Council is broadly supportive of these policies which fairly comprehensively cover rural issues.	KCC support is noted by TWBC.
	EN25: Flood Risk	<p>The County Council, as Lead Local Flood Authority, is supportive of the flood risk considerations within strategies for areas which are known to have flood risk issues, including Paddock Wood. KCC was consulted during the development of the Strategic Flood Risk Assessment Level 2 and was engaged with consideration of the proposed policies. Policy EN 25 "Flood Risk" requires that new development contributes to overall flood risk reduction. These policies will help address the constraints that occur within at-risk areas.</p> <p>Kent County Council, as a statutory consultee within the planning process, is required to provide consultation responses on major development applications which have a wider application than those sites over 1 ha. The County Council notes that this policy requires that all developments over 1 ha are required to have a Flood Risk Assessment, as well as those with other sources of flood risk. The County Council, as Lead Local Flood Authority, requests clarity of the meaning of "development proposals". For example, a multi-residential/commercial development with a parking area may have a site area less than 1 ha but may have a</p>	KCC Support is noted by TWBC for Policy EN25. It is not considered necessary by TWBC to make the amendment proposed, as the approach taken by TWBC is consistent with the requirements of the NPPF. It is however considered that there could be instances where it may be appropriate to require an FRA for smaller developments and it would therefore be appropriate to consult with KCC as the lead local flood authority on a case-by-case basis. An amendment to the supporting text to Policy EN25 at paragraph 6.279 is proposed and agreed by KCC to address this issue, as follows; <i>'The approach taken within Policy EN25 is in accordance with the NPPF, however there may be instances where it may be appropriate to require a Flood Risk</i>

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		<p>significant contribution of impermeable area that is required to be managed. Therefore, restricting the requirements for flood risk submissions, means that some development proposals will not be required to submit sufficient information to be assessed appropriately. As KCC is the Lead Local Flood Authority for major development, insufficient information to assess the creation or impact on flood risk would lead to an objection. Therefore, KCC would recommend that a flood risk assessment and/or drainage strategy is required for “all major development” within Flood Zone 1.</p> <p>The NPPF specifically references the consideration of cumulative impacts. This has been undertaken on a strategic level for the Paddock Wood area under the new Strategic flood Risk Assessment (SFRA) Level 2. That is greatly appreciated for the size of development in that area – however, it must also be acknowledged that infrastructure capacity issues may also mean that surface water contributions from smaller development (including minor development) may also need to be controlled to reflect the capacity of the receiving drainage system. A site-specific Flood Risk Assessment (FRA) may be required in those instances.</p>	<p><i>Assessment for smaller developments and it would therefore be appropriate to consult with KCC as the lead local flood authority on a case-by-case basis’.</i></p>
	EN26: Sustainable Drainage	<p>This policy states that all development applications include adequate drainage provision. KCC requests clarity as to whether there is any expectation by the Borough Council as to how this will be demonstrated - whether through the submission of a drainage strategy (for all major development) or building plans for minor development. KCC would recommend that the text is revised as follows - “All development applications should include adequate</p>	<p>TWBC consider that this issue is already adequately covered within Policy EN25, however an amendment to the supporting text at paragraph 6.277 is proposed by TWBC and agreed by KCC as follows;</p>

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		<p>drainage provision so that flood risk is managed appropriately, both within the site and off-site.”</p> <p>The County Council welcomes the reference to the requirements for the promotion of multi-functional sustainable drainage systems.</p>	<p><i>It is essential that new development across the borough does not increase flood risk, <u>either on site or elsewhere and provides adequate drainage provision so that flood risk is managed effectively. Any new development proposed in areas that are vulnerable to flood risk, should 'build in...</u></i></p>
	Policy H1: Housing Mix	<p>The County Council is supportive of this policy. Developments should seek to provide a diverse range of housing to take into account the varying needs of the evolving local community by providing diverse housing types, such as extra care housing, that is flexible and responsive to changing needs.</p>	<p>KCC support is noted by TWBC – no change proposed</p>
	Policy H3: Affordable Housing	<p>The County Council set up an Affordable Housing Select Committee in 2019 to determine whether KCC can play a greater role in maximising the development of affordable housing in Kent. The Select Committee report sets out a range of recommendations, many of which are for KCC to consider, and which would go some way to support the development of genuinely affordable housing for the people of Kent. The County Council will welcome continued engagement with key stakeholders, including the Borough Council, in the delivery of affordable housing. Affordable housing will need to be of high quality, in the right location and with the infrastructure to support residents to have a good quality of life, with a range of types and tenures delivered to meet the needs of the community.</p>	<p>noted by TWBC – no change proposed.</p>

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		The County Council notes that Building Regulation Standard Part M4(2) and Part M4(3) are only referenced in relation to affordable housing within the Pre-Submission Local Plan. The County Council would urge consideration of the adoption of these standards across all housing development types. The County Council's current development contributions requests that all homes should be built to these standards.	
	Policy H7: Rural Workers Dwellings	The County Council is broadly supportive of this policy.	KCC support is noted - no change proposed
	Policy ED1: The Key Employment Areas and Policy ED2: Retention of Existing Employment Sites and Buildings	The County Council supports the overarching principle of these policies to ensure that suitable employment spaces are retained and developed in the Borough to ensure there remains adequate employment opportunities available to support growth. The COVID 19 pandemic has had a considerable impact on the way communities live and work and the long-term impacts of this pandemic are still evolving. The Local Plan will have to be flexible and resilient to adapt to the changing needs of employers as the full impacts of the COVID-19 pandemic and its impact on the local workforce become apparent. There are likely to be changes in future working patterns as a result of COVID-19 and this will need to be considered alongside changing demands for employment space. Although the long-term impacts are unclear, there may be a shift in the demand for office spaces which could potentially be replaced with demand for shared workspaces and meeting spaces for Small to Medium Enterprises (SMEs), with further demands from entrepreneurs and potentially businesses relocating out of London in particular, in response to post-COVID ways of working.	KCC support is noted - no change proposed

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		<p>Shared workspaces and accessible employment locations have the added benefit of reducing the level of commuting out of the local area. The Local Plan should be adaptable to accommodate these changing trends in work patterns, as the long-term influence of COVID-19 becomes apparent and KCC welcomes the Local Plan's recognition of the potential impacts of COVID-19.</p>	
	<p>Policy ED3: Digital Communications and Fibre to the Premises</p>	<p>Broadband Paragraph 6.454-6.464</p> <p>The County Council recommends that reference to 24mbps should be amended to 30mbps, as this is definition increasingly used by Government to define superfast broadband.</p> <p>The wording of paragraph 6.459 should be reviewed to ensure it is clear.</p> <p><u>Policy ED 3 Digital Communications and Fibre to the Premises (FTTP)</u></p> <p>The County Council requests clarity as to why wireless is being allowed in areas which are within the limits of built development, as they should be close to a point of presence. Wireless should only be considered if FTTP cannot be offered. The County Council recommends that there should at least be reference gigabit-capable technologies within in the policy as 'wireless' can offer a range of speed options so there is value in being specific and clear.</p>	<p>Both parties have agreed the following amendments to this policy:</p> <p>Para 6.459 (supporting text)- <i>'The Council considers that such changes include the requirement to provide fibre to the premises (FTTP) for all new developments, wherever practical. FTTP is recognised by the Government and European Commission as a Next Generation Access (NGA) technology, investment in which has been prioritised accordingly. <u>Should the implementation of FTTP not be possible for the reasons set out below at paragraphs 6.460 and 6.461, then consideration should firstly be given to opportunities for connections that are 'gigabit capable' (gigabit internet delivers download speeds of up to one gigabit per second). Other wireless solutions, which can vary considerably in speed, should only be considered where</u></i></p>

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			<p><i><u>the implementation of either FTTP or gigabit capable technologies are not possible.</u></i></p> <p>Para 6.462 (supporting text: <i>'Where a FTTP solution is not deemed possible, or for smaller developments, the provision of other technologies capable of providing speeds in excess of 24 mbps (megabits per second) <u>or the minimum speed specified in Government guidance at the time of submitting an application proposal,</u> should be delivered wherever practical.'</i></p> <p><i>Agreed amendments within the policy box:</i></p> <p><i>All residential and employment developments within the Limits to Built Development of Royal Tunbridge Wells, Southborough, Paddock Wood, Hawkhurst, Cranbrook, Pembury and Tudeley Village, including site allocations promoted in this Plan, will enable FTTP <u>or where this is not possible,</u> other wireless solutions.</i></p> <p><i>In other areas, all residential developments over five dwellings and employment proposals of 500 sqm or</i></p>



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			<p><i>more (including through conversion) will enable FTTP or <u>where this is not possible</u>, other wireless solutions.</i></p> <p><i>For schemes under these thresholds, the Council's expectation is that provision for FTTP and other wireless solutions (where the implementation of FTTP is <u>not possible</u>), will be achieved wherever practical.</i></p> <p><i>For sites of less than five dwellings or 500sqm of employment space, or where it can be demonstrated that FTTP is not practical due to special circumstances, (such as issues of viability, the inability to provide the appropriate physical trench, and proximity to the nearest breakout point on the fibre network), then other non-Next Generation Access technologies, including wired and wireless infrastructure, providing all-inclusive internet access speeds in excess of 24Mbps, <u>or the minimum speed specified in Government guidance at the time of submitting an application proposal</u>, should be delivered wherever practical.'</i></p>

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	Policy ED4: Rural Diversification, Policy ED5: Conversion of Rural Buildings outside of the Limits to Built Development and ED6: Commercial and Private Recreational (Including equestrian) uses in the Countryside	The County Council considers that rural economic development is covered appropriately within these policies.	KCC comment is noted by TWBC - no change proposed
	General commentary	The County Council is supportive of the flexible approach set out within the Local Plan to ensure the “provision of retail and complementary uses and makes mixed use allocations within the defined centres to broadly meet the needs and provide a range of sites to meet future needs”. Adaptability of the high street will help secure the resilience of these spaces. The County Council would draw attention to the role of community facilities and services within the high street to ensure these spaces are easily accessible for both new and existing communities. Cultural infrastructure is also an essential feature within a town centre to create a vibrant mix of uses. It can be delivered as multifunctional spaces that offer opportunities for community services and affordable creative workspaces to support small businesses and freelancers, alongside cultural offerings. The cultural sector also provides local	KCC support of this approach is noted - no change proposed

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		<p>employment opportunities, with the role of higher and further education facilities developing skills in the cultural and creative industries. The Local Plan should therefore consider the delivery of necessary cultural infrastructure, as mentioned in Policy STR 5, to support sustainable development in the Borough. The County Council encourages the use of art in design to create a sense of place and identity in both new and existing communities.</p>	
	<p>Policy OSSR1: Retention of Open Space</p>	<p>Sports and Recreation</p> <p>The County Council welcomes the approvals sought from Sport England and is keen for further engagement to assess how KCC can further support to increase sport and physical activity provision and participation in the Borough.</p> <p>Attention is also drawn to the latest Active Lives data which considers the impact of Coronavirus on activity levels within the Borough - <a href="#">The impact of coronavirus on activity levels revealed   Sport England</a></p>	<p>KCC support is noted - no change proposed</p>