

Paddock Wood Neighbourhood Development Plan: Regulation 16 Consultation Response Report

Response Number	Name/ Organisation	Which part of Plan does response refer to?	Response	Do you wish to attend examination hearing?	Would you like to be notified of the Council's decision regarding the outcome of the Paddock Wood Neighbourhood Plan?	Supporting Documents
1	Elizabeth Goddard	Free parking	The proposal to end free parking in Paddock Wood would be an extremely detrimental to the traders who rely on people popping in for a quick shop , leaving their car for short term visits to various local shops including charity shops. If a fee was payable, those who also do a larger shop elsewhere would be tempted to not bother parking in Paddock Wood but go directly to the town where they could shop for everything with one car park free or a fee payable & refunded. For those trying to get round paying, there would surely be more illegal parking in Commercial Road which even now, creates a bottleneck when people do it.	Yes	Yes	
2	South East Coast Ambulance Service NHS Foundation Trust	Section 10 Housing and Infrastructure	<p>Following the merger of Surrey, Sussex and Kent NHS Ambulance Services in 2006, SECamb now operates Emergency 999 and NHS 111 Clinical Assessment Service (CAS) across Surrey, Sussex, Kent and North East Hampshire. Having inherited an estate of largely physically, functionally and economically obsolete ambulance stations, SECamb is implementing its more flexible and efficient “Make Ready” operational model – a network of hubs across the region with specialist teams to “make ready” (maintain, deep clean and stock) emergency vehicles and to which crews centrally report to collect a “made ready” vehicle on shift commencement. This ensures the more efficient turnaround of vehicles by specialist teams rather than leaving vehicle preparation to ambulance crews at multiple small traditional ambulance stations. The “Make Ready Centres” (MRCs)/hubs are then surrounded by “spokes” of small ambulance community response posts (ACRPs) across each Make Ready operating unit area. ACRPs provide community based welfare facilities for crews that are active on shift – often co-located with other blue light or public sector facilities. ACRPs are small flexible facilities which can be relocated and increased/decreased in number as patient demand varies over time. More information on Make Ready is available at this link: https://www.secamb.nhs.uk/what-we-do/about-us/make-ready/</p> <p>Our first Make Ready Centre was opened in Paddock Wood in 2011. The proposals within the Paddock Wood Neighbourhood Development Plan, together with other new housing development across the South East will put pressure on existing MRC capacity meaning that further strategically located MRCs may well be required going forward. In the medium term the existing Paddock Wood MRC, will need to be replaced with a larger facility – and likely even larger as a result of the 4,000 new homes proposed in the Neighbourhood Development Plan.</p> <p>4,000 plus new residential units will clearly generate increased demand on SECamb with the likely need for additional strategically located ACRPs as well as greater MRC capacity.</p> <p>We believe that this emergency service infrastructure requirement should be reflected in the Neighbourhood Development Plan with a view to appropriate developer contributions in due course.</p>	No	Yes	
3	Nigel Stratton- Hon. Secretary - Heritage Paddock Wood	Site 14 identified in the Paddock Wood Neighbourhood Plan Local Green Space Designations	<p>We disagree that this site should not be designated as a Local Green Space in the Neighbourhood Plan.</p> <p>Whilst we appreciate that currently the site has been enclosed because of the vandalism problems, it is an important “green lung” in the centre of Paddock Wood, surrounded by both residential and commercial development.</p> <p>We saw during the Covid-19 pandemic how important it is for local residents to have access to outside green spaces and what an impact their being able to do so can have on people’s well-being, especially mental wellbeing.</p> <p>It is the intention of our organisation to develop the Wesley Centre as a Community Asset and in particular as a Culture and Arts Centre. We are passionate that the adjoining green space should be retained and incorporated in our vision for the future. We have plans already to turn this area into a sensory and quiet garden for the residents of Paddock Wood, while at the same time making it available for the users of the Wesley Centre.</p> <p>Therefore, it would be our intention that the garden would be fully available to residents during daylight hours, it having to be secured against vandalism at night.</p> <p>We urge the Paddock Wood Neighbourhood Plan (“NP”) committee to reconsider their decision not to designate the green space adjoining the Centre as a Local Green Space, as we feel it is so important both to users of the Centre and more widely the residents of Paddock Wood for the future. It would be a tragedy if this area were to be released for development. As far as we are concerned, this green area is integral to our plans for the future of the Wesley Centre.</p>	Yes	Yes	

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			<p>Our view is in accordance with the themes that are set out in the Neighbourhood Plan “Quality of Life” section, theme 3, which says:</p> <p>“3. Nature. Contact with nature on a day-to-day, hour-by- hour and minute-by-minute basis is central to our wellbeing as humans. Many studies have shown that contact with nature, even just a green view from our window, is good for our mood and aids our recovery when we are ill. We need to green our towns and cities at every level, from our window boxes to the great parks, and maintain access in the countryside.....”</p> <p>Paragraph 4.24 of the draft NP provides under the Nature – a. Green Space section: The Plan seeks to protect green spaces, as well as requiring delivery of new green space within growth areas. The Plan promotes multi-functional green spaces that provide for leisure and recreation, as well as areas for wildlife and biodiversity gain.</p> <p>Paragraph 4.33 provides, amongst other things for “Promoting delivery of outdoor space for people to meet and interact”, which is precisely what the retention of site 14 would do. Our views are also in accordance Objective 09 of Paragraph 6 “Green Structure”, which is to “Enhance the town’s natural beauty and countryside setting by protecting and enhancing biodiversity”.</p> <p>Paragraph 6.3 states, “Green open space makes a vital contribution to the overall character and setting of the town.”</p> <p>The draft NP also provides:</p> <p>The importance of Green Space 6.7 Planning Practice Guidance (PPG) (Paragraph 5) highlights the importance of green infrastructure for communities, referencing benefits such as ‘enhanced well-being, outdoor recreation and access, enhanced biodiversity and landscapes, food and energy production, urban cooling and the management of flood risk’.</p> <p>6.8 Green infrastructure can drive economic growth and regeneration, reinforce and enhance local landscape character and contribute to a sense of place (PPG, Paragraph 6). It can also help to improve the health and well-being of a community, providing opportunities for residents and visitors to exercise, interact with one another, experience nature and get involved in their community through activities like food growing and gardening, all of which bring physical and mental health benefits (PPG, Paragraph 6).</p> <p>6.9 In their research project ‘Revaluing Parks and Green Spaces’, Fields in Trust, the independent charity working to secure the protection of parks and green spaces at both the local and national level, quantified the ‘Wellbeing Value’ of such spaces. Parks and green spaces are estimated to save the NHS around £111 million per year based solely on a reduction in GP visits.</p> <p>6.10 Such spaces are particularly important in light of the COVID-19 pandemic. With access to gyms, sports facilities, cafés, shops and other community facilities restricted, open spaces have become hugely important sites where people can exercise and interact with one another in a socially distanced and safe environment¹⁰.</p> <p>6.11 In recognition of the important role of green space, and to help foster community pride and cohesion, there should be opportunities for the community to have a greater role in learning about, managing and caring for the environment.</p> <p>We also feel that this site fits well within the criteria set out at Paragraph 102 of the NPPF in that Local Green spaces should only be designated where the green space is:</p> <p>a) in reasonably close proximity to the community it serves;</p> <p>b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</p> <p>c) local in character and is not an extensive tract of land</p>			

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			<p>The Wesley Centre is specifically referred to in the Draft NP as follows:</p> <p>The Wesley Centre</p> <p>7.23 The Wesley Centre is a valuable resource, particularly for youth group meetings and church use. It is a well-loved community and heritage asset to the town, and its central location makes it easily accessible and sustainable. Proudly bearing the date 1888, the Wesley Centre is the oldest publicly owned building in Paddock Wood. It is owned by the Borough Council and houses the town's oldest World War One memorial tablet to commemorate members of the church who died.</p> <p>7.24 Formerly the Wesleyan Methodist Chapel, between 1888 and 1979, the chapel was used for baptisms, marriages and funeral services by local residents and it is thought there may have been burials there. As an important symbolic example of the Town's Victorian heritage there is a continuing need to retain the Wesley Centre and its curtilage. It remains a valuable asset currently occupied by the `Community Storehouse (food bank) and Heritage Paddock Wood Ltd. The hall and-garden area is used by the Children's Centre (KCC) and other tenants. It is the oldest and last remaining 19th Century community building in the town. The retention of the curtilage is important as it is the only green space in the centre of Paddock Wood available for use.</p> <p>As your own plan says, "The retention of the curtilage is important as it is the only green space in the centre of Paddock Wood available for use". We could not put it any better and it would seem inconsistent with that view not to designate the area as a Local Green Space.</p> <p>Policy PW HD" provides at 1 a.: a. The Wesley Centre: The Wesley Centre and its curtilage should be retained because of its historic character, architectural merit and location in the centre of the town. This site should continue to be used for public and community purposes (Use Class F1 and F2). In the event of changing circumstances in terms of viability, and in light of robust and current evidence, other uses / activities (Use Class E) may be supported where this would enhance the vitality, amenities and current public need across the Neighbourhood Plan area.</p> <p>We urge you to reconsider your decision.</p>			
4	Rex Wakeling	All of them	(did not answer)	No	Yes	
5	Meryl Flashman	Chapter 8 Sports and Recreation	<p>I strongly support the policy objectives mentioned in 8.1. With reference to 8.12 and PW SR1 I believe it is essential that the Putlands leisure centre should be retained and improved. This site is readily accessible to all residents of Paddock Wood and for the majority of residents it is within walking distance which is an extremely important consideration for an expanding town. I have had conversations with people who have young teenagers and they have stressed the importance of their children being able to walk to the centre particularly in the evenings.</p> <p>The draft local plan is proposing that the indoor sports facilities should be focussed in an area which is outside the parish and would not be easily accessible to the majority of residents to whom it would not be within walking distance. Young people would have to be transported there by car. There is no evidence to support the view that they would walk or cycle there particularly along a busy road (Badsell Road). There are three housing developments currently being constructed in Paddock Wood, all of these are very close to Putlands and make the Putlands site even more accessible by foot for residents. Putlands also has a large car park which I walk through daily and have only once seen it full.</p> <p>I also support the Outdoor sports hub recommendations in 8.13 -8.18 and PW SR2 which have been compiled in consultation with the sports groups of Paddock Wood.</p>	No	No	
6	Meryl Flashman	Chapter 7 Heritage and Design	<p>I support the policy objectives stated in 7.1. Paddock Wood is a relatively young town dating from the mid 19th century and it is important to retain the little heritage that we have.</p> <p>7.23-25 : It is essential that this building and its curtilage be preserved. It is the oldest public building in Paddock Wood and its green space should be available for residents to use and not sold off for building as has been previously proposed.</p> <p>7.31: it is important that a list of local non-statutory heritage assets be compiled.</p> <p>I therefore strongly support PW HD2 and PWHc</p>	No	No	
7	Anna Hawkins - The British Horse Society	Access & Movement and	General lack of provision for horse riders plus excluding them during reference to active travel. They MUST be included. See attached cover note for government guidance.	Yes	Yes	See cover letter below on page 32

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		some other policies	GI1 - thank you for naming us as a consultant organisation to be partnered with. We welcome this and look forward to working together to deliver improved access for equestrians. PWHD2 - multi user path on historic railway, we welcome this and look forward to this including equestrians. PWAM1 - improve and extend bridleways, Yes, but how and where. We need to work with you on this point.			
8	Jane Piper, Barton Willmore now Stantec obo Crest Nicholson	C4, GI1, HD1, HD3, SR2, AM4, H11, HI3, HI5, HI6	<p>1.0 Introduction</p> <p>1.1 These representations have been prepared by Barton Willmore now Stantec, on behalf of Crest Nicholson who control land north west of Paddock Wood, identified as part of Strategic Policy STR/SS1 within the Regulation 19 Tunbridge Wells Local Plan (March 2021). The Neighbourhood Plan (NP) covers a relatively small part of the eastern part of the allocation site. The remainder of the allocation falls within Capel Parish.</p> <p>1.2 Notwithstanding specific land interests, these representations have been prepared in response to the Regulation 16 Neighbourhood Plan consultation as prepared by Paddock Wood Town Council, in objective terms and assessed against the prevailing planning policy framework – in particular the Government’s guidance set out in the National Planning Policy Framework (NPPF) (July 2021) and Planning Practice Guidance (NPPG) (March 2014 and as updated).</p> <p>1.3 These representations follow the comments previously submitted to the Regulation 14 consultation questionnaire submitted in April 2022.</p> <p>1.4 In order to satisfy legal requirements, the Neighbourhood Plan as drafted needs to meet the ‘basic conditions’ as defined in the Localism Act 2011 and Schedule 4B to the Town and Country Planning Act 1990 (as amended). The basic conditions, and how they relate to the Neighbourhood Plan, are detailed in Section 2.</p> <p>1.5 In the main, the Plan has been positively prepared and successfully sets out a vision for the future of Paddock Wood. However there are a number of policy changes required in order to achieve compliance with the basic conditions. This is discussed within Section 3.</p> <p>1.6 These representations set out the following: • Section 2 - Basic Conditions for the Neighbourhood Plan; • Section 3 - Response to the Neighbourhood Plan; and • Conclusions.</p> <p>2.0 Basic Conditions Statement</p> <p>2.1 To proceed to a referendum, a Neighbourhood Plan needs to meet the ‘basic conditions’ set out Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended), and as summarised in the national Planning Practice Guidance (paragraph 065, Reference. ID41-065-20140306). These are set out below</p> <p><i>a) Having regard to national policies and advice contained in guidance is the Secretary of State</i></p> <p>2.2 The National Planning Policy Framework sets out the Governments planning policies for England and provides the national context within which local planning policies should be formulated and local determinations of individual planning applications should be made. A neighbourhood plan must not constrain the delivery of national policy objectives.</p> <p>2.3 Paragraph 13 of the NPPF sets out that “Neighbourhood Plans should support the delivery of strategic policies contained in Local Plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies”. Qualifying bodies should plan positively to support local development, shaping and directing development in their area that is outside of the strategic policy framework.</p> <p>2.4 More specifically, paragraph 29 of the NPPF states that “Neighbourhood Plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies”. Footnote 18 directs that “Neighbourhood Plans must be in general conformity with the strategic policies contained in any development plan that covers their area”. (NPPF & NPPG Paragraph 070 Reference ID: 41-070-20190509).</p>			

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			<p>2.5 Furthermore, the NPPG confirms that “a qualifying body is advised to set out in its basic conditions statement how they have had regard to national policy and considered whether a particular policy is or is not relevant. A qualifying body is encouraged to set out the particular national policies that it has considered, and how the policies in a draft Neighbourhood Plan or the development proposals in an Order take account of national policy and advice.” (Paragraph: 070 Reference ID: 41-070-20190509).</p> <p>2.6 Strategic policies are defined within the NPPF as policies and site allocations which address strategic priorities whilst non-strategic priorities are defined as policies contained in a Neighbourhood Plan, or those policies in a plan that are not strategic policies.</p> <p>2.7 The NPPF, paragraph 20 notes that “strategic policies set out an overall strategy for the pattern, scale and quality of development and make sufficient provision for: (a) housing (including affordable housing), employment, retail, leisure and other commercial development; (b) 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); (c) community facilities (such as health, education and cultural infrastructure); and (d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation”.</p> <p>2.8 Paragraph 18 of the NPPF notes that policies to address non-strategic matters should be included in Local Plans that contain both strategic and non-strategic policies, and/or in Local or Neighbourhood Plans that contain just non-strategic policies.</p> <p>2.9 Therefore, the framework for the types of policies and what they should address is clearly set out within the NPPF and NPPG.</p> <p><i>b) The making of the neighbourhood plan co sustainable development</i></p> <p>2.10 The NPPF sets out three interdependent dimensions of sustainable development, which are economic (contributing to a strong and responsive economy by providing sufficient land of the right type in the right place); social (supporting vibrant communities and creating a high quality built environment); and environmental (enhancing the environment, using resources effectively and moving towards low carbon solutions).</p> <p>c) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority</p> <p>2.11 As confirmed in paragraph 13 of the NPPF, neighbourhood plans should reflect Local Plan policies and should plan positively to support them. Neighbourhood plans should not promote less development than set out in the Local Plan or undermine its strategic policies.</p> <p>2.12 The emerging Tunbridge Wells Local Plan provides the strategic policies by which the NP would need to be in accordance with.</p> <p><i>d) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and</i> <i>e) Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied the neighbourhood plan</i></p> <p>2.13 Both above items are intertwined, in-so-far-as the prescribed condition is that the “making” of the NP is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (Offshore Marine Conservation Regulations 2007) either alone or in combination with other plans or projects.</p> <p>2.14 As the Neighbourhood Plan does not seek to allocate development, it is unlikely to fail these tests.</p> <p>3.0 RESPONSE TO NEIGHBOURHOOD PLAN</p>			

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			<p>3.1 The NP sets out the proposed 'plan for Paddock Wood' covering the entire Town Council area over the period from 2020 to 2038, in line with the emerging Tunbridge Wells Borough Council Local Plan period.</p> <p>3.2 The NP acknowledges the plan does not attempt to undermine the strategic policies of the emerging Local Plan identifying that although the new emerging Local Plan is yet to be adopted, the plan presents the direction of travel for development in the area, and it is the strategic policies in the Local Plan that frame the Neighbourhood Plan for Paddock Wood.</p> <p>3.3 Notwithstanding the defined plan period, it is recognised that, with further changes to and review of the emerging Local Plan, the Neighbourhood Plan will need to be reviewed periodically. This is to ensure that the NP remains 'current' and in conformity with the emerging Local Plan and NPPF.</p> <p>3.4 As such, the NP is identified as an 'opportunity' for the Paddock Wood community to influence and shape future growth coming forward as part of the new Local Plan and help direct investment in the new infrastructure and other town-wide projects of importance to the community. We support this approach.</p> <p>3.5 The following sections set out our position on a number of policies which we consider could improve the Neighbourhood plan further.</p> <p>Town Centre Policies</p> <p>Policy TC4: Pedestrian and Cycle Bridges</p> <p>3.6 Policy PW TC4 identifies that new bridges will be provided across the railway line alongside growth, including one in the town centre and two within growth areas to the edge of Paddock Wood. The bridges will be for the use of pedestrians and cyclists and where appropriate and feasible, bridges should also include provision for horse riders.</p> <p>3.7 The only change to Policy PW TC4 from the Reg 14 NP stage is point 2. 'Where appropriate and feasible, bridge should also include provision for horse riders where possible'. Therefore, the comments made at the Reg 14 stage remain the same and are noted below.</p> <p>3.8 The proposed policy should be amended to be consistent with discussions between TWBC and the Development of the north western parcel. The policy should also have regard to the LP Policy STR/SS1(i) as set out within paragraph 2.39 of the SoCG between TWBC and Crest Nicholson (October 2021, TWBC Examination Core Document 3.137).</p> <p>3.9 As such, Policy PW TC4 should therefore be amended, to read:</p> <ol style="list-style-type: none"> 1. New bridges will be provided across the railway line alongside growth, including one in the town centre and two within growth areas to the edge of Paddock Wood. Bridges will be for the use of pedestrians and cyclists. They must: <ol style="list-style-type: none"> a. Be safe, providing adequate street lighting to ensure that the bridge is well lit at night; b. Be direct, providing uses with an efficient and practical way of moving north to south and vice versa; c. Provide adequate space and infrastructure for cyclists and pedestrians to use the bridge in tandem; d. Incorporate disable access; e. Be located to integrate with wider pedestrian and cycle network; and f. Allow cycle use without the need to dismount 2. Where appropriate and feasible, bridges should also include provision for horse riders. 3. The design, construction and delivery of bridges will be subject to consultation and approval from Network Rail and other relevant partners. <p><u>4. Subject to agreement with Network Rail, the Council will bring forward an improved pedestrian and cycle crossing over the railway line linking neighbourhoods and public facilities in the western parcel.</u></p>			

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			<p>Policy PW GI1 – Access to Countryside</p> <p>3.10 Policy PW GI1, requires existing routes that form part of the Public Right of Way network that run through proposed development sites, shall be retained and incorporated into development proposals. Routes should be well integrated and designed wherever possible to accommodate all types of non-motorised user. Any proposal that would result in harm or loss of a greenspace route must be justified and harm minimised. Proposals to improve or provide new links will be supported.</p> <p>3.11 The above is in line with good practice, national policy and in conformity with the emerging Tunbridge Wells Local Plan. In addition, we support the policy which promotes and encourages active travel within Paddock Wood.</p> <p>3.12 The policy has been amended since the Reg 14 stage to include bridleways within the existing routes that will be protected. However, the policy should be amended to ensure that routes are provided for all users where safe and appropriate to do so, especially when considering how these routes will be used by a variety of users. It is not always safe or appropriate to have horses in close proximity to pedestrians and cyclists.</p> <p>3.13 As such, Policy PW GI1 should be amended to read:</p> <p style="padding-left: 40px;">Where existing routes forming part of the Public Right of Way network, including bridleways, run through proposed development sites, the route shall be retained and incorporated into the development proposals <u>where safe and appropriate</u>. Such routes should be well integrated within the development and designed wherever possible to accommodate all types of non-motorised user, such that there are safe and attractive for all to use. The stopping up of these will not be permitted. Any proposed that would result in harm to, or loss of a green route must be justified, and any harm minimised.</p> <p style="padding-left: 40px;">Proposals to improve links or provide new links will be supported, particularly where they increase access to the countryside and make better use of the former Hop Pickers railway line as a ‘green route’ for non-motorised movements.</p> <p>Policy PW HD1 Design</p> <p>3.14 Policy PW HD1 requires all new development to contribute to the creation of high quality places through a design-led approach to development underpinned by good practice principles. Development shall respond to guidance and best practice principles set out in the Paddock Wood Design Guidelines and Code.</p> <p>3.15 Original comments made to the Reg 14 NP identified that part 2(e) of the Policy required development to maintain views of the landscape when entering the town. This was not substantiated by a landscape assessment and did not form part of the evidence base. As such, we recommended that the following text is added to the beginning of HD1-2(e) “Subject to site specific landscape and visual impact assessment, maintain as far as practicable identifies landscape views of importance”.</p> <p>3.16 The Policy has since been updated to ensure that maintaining the views of the landscape are subject to landscape and view assessment. This is welcomed.</p> <p>3.17 In addition, Policy PW HD1 added a paragraph to include off-street parking wherever possible, combined with landscaping to minimise the visual impact of vehicle on the street scene. The proposal of off-street parking within new development is subject to consultation with KCC Highways. As such, we recommend that the policy is amended as below (with the rest of the policy remaining the same):</p> <p style="padding-left: 40px;"><u>Subject to discussion with KCC Highway, to</u> include off-street parking wherever possible, combined with landscaping, to minimise the visual impact of vehicles on the street scene.</p> <p>Policy PW HD3 Low and Zero Carbon Development</p> <p>3.18 Policy PW HD3 will support the development of new homes in growth areas around Paddock Wood where they are designed as Low or Zero Carbon buildings.</p>			

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			<p>3.19 The reference to Passivhaus standards or similar should be removed as this is not in conformity with LP Policy EN3 and fails basic condition C. There are many different ways to reduce carbon emission of new housing without referencing the Passivhaus model specifically.</p> <p>3.20 UK housebuilders are bringing forward dwellings that meet the national standards for carbon usage, through the Future Homes standards. This is being introduced in steps to recognise the significant shifts in production required by the housebuilding industry but also the behaviour of the public. The public will need to learn to live in lower carbon houses in a way that enables the house and household to function effectively.</p> <p>3.21 As such, we recommend that the policy is amended as below (with the rest of the policy remaining the same):</p> <p style="padding-left: 40px;">New homes within the growth areas around Paddock Wood will be supported where they are designed as Low or Zero Carbon buildings, being 'Future Homes Standard ready', reflecting Passivhaus standards or similar. Where possible and subject to viability</p> <p>Policy PW SR2 Outdoor Sports Hub</p> <p>3.22 Policy PW SR2 supports proposals that seek to create a hub for outdoor sports for all ages. The preferred location for this is land of north of Eastlands Lane off Maidstone Road. The new hub must incorporate elements of flexibility within the provision and must provide on-site changing facilities, toilets and a café/bar.</p> <p>3.23 The Policy has not evolved since the Reg 14 stage and therefore the comments made to the previous consultation process remain.</p> <p>3.24 This Policy is not in conformity with basic condition C, and as such is not in conformity with LP Policy STR/SS1. The Policy states “the preferred location is land to the north of Eastlands Lane off Maidstone Road”. This location is identified within the Local Plan that could be better utilised for housing development if remained.</p> <p>3.25 As such, we recommend that the policy is amended as below (with the rest of the policy remaining the same):</p> <p style="padding-left: 40px;">Support will be given for proposals that seek to create a hub for outdoor sports for all ages, including team sports and other activities, with space for future expansion. The preferred location for this is land to the north of Eastlands Lane off Maidstone Road.</p> <p>Policy PW AM4 Parking in new Residential Development</p> <p>3.26 Policy PW AM4 states that where parking is provided within the proposed development, it should be unobtrusive. Key principles for integrating parking are illustrated in the Paddock Wood Design Guidelines and Code. Parking should be designed in relation to street hierarchy and innovative approaches to parking provision are welcome within areas of growth around Paddock Wood. All new development will have regard to the vehicle parking standards established by Kent County Council. The use of permeable surfacing material for parking areas, hardstanding areas and paths will be required.</p> <p>3.27 On large new garden community developments, there will be a variety of parking solutions that will be demonstrated to be appropriate within an overall parking strategy through the preparation of a planning applications. This will be the appropriate time to specify parking requirements, in liaison with the Highways Authority. As it stands, at this time, this policy is too prescriptive.</p> <p>3.28 Furthermore, the use of permeable surfacing material throughout new developments should only be used where appropriate.</p> <p>3.29 As such, we suggest the following amendments to the policy:</p> <p>The use of permeable surfacing material for parking areas, hardstanding areas and paths <u>is encouraged where safe and appropriate.</u></p>			

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			<p>Policy PW HI1 Housing Type and Mix</p> <p>3.30 Policy PW HI1 sets out that new residential development should provide a mix of housing types and tenures in line with the Local Plan requirements. In addition, the Policy sets out the required affordable provision for development of 10 or more units on greenfield sites (40%) and brownfield sites (30%). Furthermore, part 1(d) of the policies identifies that at least 25% of affordable homes shall be First Homes. All qualifying developments in Paddock Wood are encouraged to provide First Homes at a discount of 50%.</p> <p>3.31 This Policy is not in conformity with the LP or national policy and as such fails to conform with basic conditions A and C.</p> <p>3.32 Only Local Planning Authorities are able to increase the discount to 40% or 50% through the Local Plan process, subject to the LP justifying that is terms of need and viability. This has not be undertaken as part of the TWBC Local Plan Process.</p> <p>3.33 As such, we suggest that the wording in the Policy 1(d) is deleted or made flexible to be able to respond to changing local or national policy position changes.</p> <p>Policy PW HI3 Self and Custom build housing</p> <p>3.34 Policy PW HI3 states that provision of plots for self and custom build homes will be supported. Proposals for areas around Paddock Wood are encouraged to make provision for self and custom build, with the location of the plots to be determined through the detailed masterplanning for those areas.</p> <p>3.35 The Policy then goes on to stipulate that development proposals for growth areas around Paddock Wood are encouraged to set aside 5% of the development plots and no less than 10 plots for self and custom building.</p> <p>3.36 This is contrary to LP Policy STR/SS1 and H8. The LP Self and Custom Build Policy identifies three site allocations, that are not within Paddock Wood, that are required to allocate plots for self or custom build. Furthermore, the Policy states that self-build and custom plots will be encouraged on non-allocated sites. Therefore, this is not in conformity with basic condition C.</p> <p>3.37 The Policy has been amended from the Reg 14 stage to remove reference to the growth areas 'north, east and west of Paddock Wood', however this does not go far enough to conform with the Local Plan policy H8 and STR/SS1.</p> <p>3.38 As such, it is suggested that reference to non-allocated sites should replace reference to growth areas.</p> <p>Policy PW HI5 Local Centres within Growth Areas</p> <p>3.39 Policy PW HI5 identified three main areas of growth and expansion around Paddock Wood to all include the provision of a new local or neighbourhood centre. The location of these is to be determined through the masterplanning process.</p> <p>3.40 This Policy is not in conformity with LP Policy STR/SS1 as it specifies a list of uses beyond the LP Policy STR/SS1. Furthermore, the Policy specifies these uses to be located with the primary school, but this is subject to the masterplanning process.</p> <p>3.41 To ensure conformity with the LP, it is suggested that the suggested uses in the Policy be listed as examples in supporting text and not be a policy requirement.</p> <p>Policy PW HI6 Social and Community Facilities</p> <p>3.42 Policy PW HI6 sets out that for the new growth areas will provide a new school and healthcare within the north and eastern growth areas, and a health hub in either the eastern or the western growth areas. All should be integrated with delivery of new local centres, and where possible delivered during the early phases of development.</p>			

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			<p>3.43 The Policy sets out a specific list of uses, which are not in conformity with LP Policy STR/SS1. To ensure conformity with the LP, it is suggested that the suggested uses in the Policy be listed as examples in supporting text and not be a policy requirement.</p> <p>4.0 Conclusion</p> <p>4.1 The Policy sets out a specific list of uses, which are not in conformity with LP Policy STR/SS1. To ensure conformity with the LP, it is suggested that the suggested uses in the Policy be listed as examples in supporting text and not be a policy requirement.</p> <p>4.2 As demonstrated in this statement, the NP has been well prepared albeit there are areas in which we consider the NP could be improved further to meet the basic conditions.</p> <p>4.3 Subject to the amendments, the NP could successfully have regard to national policies and guidance, contribute to the achievement of sustainable development, be in general conformity with the Development Plan (including the emerging Local Plan), and be compatible with EU obligations..</p> <p>4.4 Subject to the amendments, the NP could successfully have regard to national policies and guidance, contribute to the achievement of sustainable development, be in general conformity with the Development Plan (including the emerging Local Plan), and be compatible with EU obligations.</p>			
9	Brenchley and Matfield Parish Council	AM1 and Project/aspiration PW AMa	Brenchley and Matfield strongly support this policy and look forward to co-operating with Paddock Wood Town Council and other partners on projects to improve active travel between the two parishes. We recommend that reinstatement of the Heritage Railway Line as an active travel route should also be mentioned under Project/aspiration PW Arna.	No	Yes	
10	Brenchley and Matfield Parish Council	AM3 and supporting text	This policy should also mention public transport to the sports hubs, secondary schools and surrounding villages.	No	Yes	
11	Brenchley and Matfield Parish Council	General	<p>Brenchley and Matfield Parish Council generally supports this Plan. We particularly support the recognition within it of Paddock Wood's importance to the residents of surrounding villages and parishes.</p> <p>We are pleased that this version of the Plan has responded to and incorporated a number of the suggestions we made at Regulation 14 stage.</p> <p>We recognise that a neighbourhood plan can only deal with matters within its boundaries. Nevertheless, if Paddock Wood is to continue to perform as a market town providing goods and services to the surrounding locality during and after the planned strategic growth, provision needs to be made for improved public transport and active travel connections to neighbouring parishes, together with increased car parking facilities. The retention of a taxi rank at the railway station is also important for residents of neighbouring parishes, unless there are to be sufficiently frequent bus services that operate day and night between the station and neighbouring villages, which appears unlikely.</p>	No	Yes	
12	Brenchley and Matfield Parish Council	HD2b	Brenchley and Matfield Parish Council strongly support this policy in its current form. A small section of the historic railway also passes through Brenchley and Matfield parish, and if re-used as a non-motorised route it could benefit not just our residents who live near it but it would also improve the quality of life for residents of Brenchley and Matfield villages by providing an active travel route from Horsmonden to Paddock Wood, reducing the need for car journeys that would otherwise have to pass through Brenchley and Matfield.	No	Yes	

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13	Brenchley and Matfield Parish Council	SR1	Brenchley and Matfield Parish Council strongly support this policy. However point 4 should also mention provision of public transport connections which should extend well into the evening.	No	Yes	
14	Brenchley and Matfield Parish Council	TC3	This policy should include a further point: "a taxi rank at or close to the station". Given the paucity of bus services to the settlements in Brenchley and Matfield parish, especially in the evenings, retention of a taxi rank is also essential if Paddock Wood is to continue to serve our residents who do not have a car. This is all the more important now that the bus service from Petteridge and Brenchley is to be withdrawn.	No	Yes	
15	Environment Agency	PW G14 / fluvial flood risk	While there is some mention of fluvial flood risk within the plan, there could be more focus regarding the risk to Paddock Wood and future development considerations. Policy PW G14 highlights some sound objectives regarding surface water risk, but more should be done here to cover fluvial flood risk. Paddock Wood has significant areas within high risk flood zones (Flood Zone 3) and so consideration must be given to fluvial flood risk as well as surface water risk. It is important that a sequential approach to new development is taken, placing development in the lowest risk areas and avoiding high risk areas (Flood Zone 3) where possible. Where this is not possible, then site specific Flood Risk Assessments (FRA's) should accompany any proposal within flood zone 2 and 3, and development larger than 1 Ha in Flood Zone 1. This should demonstrate the development will be safe, without increasing flood risk elsewhere. Where possible, the development should reduce flood risk overall. Flood mitigation measures in new development including raising floor levels, avoiding ground floor residential development in high risk areas and avoiding loss of flood storage should be encouraged. To summarise, we would like to see fluvial flood risk being considered further alongside surface water flood risk and this being reflected in any plans and policy within the area.	Did not say	Did not say	
16	Historic England	Whole plan	We do not consider it necessary for Historic England to provide detailed comments at this time. We would refer you to if appropriate to any previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here: https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/ We would be grateful if you would notify us on eastplanningpolicy@historicengland.org.uk if and when the Neighbourhood Plan is made by the council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed plan, where we consider these would have an adverse effect on the historic environment.	Did not say	Did not say	
17	Kent County Council	Chapters 2, 3, 4, 6, 8, 9, 10, 11 and Glossary	2. Tunbridge Wells Local Plan Minerals and Waste: The County Council welcomes reference to the need for developments to comply with policies within the Kent Minerals and Waste Local Plan 2013-2030, which forms part of the development plan for Paddock Wood. 3. Vision and Objectives / 4. Future Growth Strategy	Did not say	Did not say	See appendix A (KCC Response to Paddock Wood Neighbourhood Plan Regulation 14) below on page 34

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			<p>Public Rights of Way (PRoW): The County Council supports the proposed Vision in respect of the provision of 'appropriate infrastructure', 'accessible open spaces', and the 'promotion of active travel', together with Objectives 01, 02, 05 and 06. These provide considerable support to the maintenance and enhancement of the local PRoW network.</p> <p>The specific proposal that will benefit future local communities will be the creation of 'green wedges' to connect the town with countryside (paras. 4.13-4.15), in which PRoW can play a leading role.</p> <p>6. Green Infrastructure</p> <p>PRoW: In preparing the Plan, it is clear the local community has recognised the value of the local PRoW network. This appears to have guided the preparation of Policies PW GI1, PW GI2, and PW AM1 and Project / Aspirations PW Gb and PW AMa. These are all welcomed by the County Council in support of its duty to protect and improve the PRoW network.</p> <p>Furthermore, the County Council welcomes Policy PW GI2 – Green Fingers which seeks to provide positive opportunities to protect and enhance the PRoW network for the future.</p> <p>Biodiversity: The County Council notes that Policy PW G13 – Biodiversity states that development should not result in any significant loss of natural assets and where this is needed, under exceptional circumstances, mitigation / compensation must be proposed on or off site. The County Council considers that there is a need for this assessment to be based on current and up to date Ecological Impact Assessment (EclA)1. Furthermore, the policy should make provision for a minimum 10% Biodiversity Net Gain, alongside detail of requirements for offsite provision. Consideration of the 20% Biodiversity Net Gain target being promoted by the Kent Nature Partnership is also recommended.</p> <p>The measures set out in paragraph 6.27 are not all ecological enhancements features and could be described as compensation and mitigation. Enhancements are over and above any mitigation and compensation. The County Council recommends that paragraph 6.27 is updated to clearly set out what would be an enhancement feature and what would be mitigation / compensation or part of Biodiversity Net Gain. For example, ecological enhancement features are bird, bat and insect boxes, and habitat creation would come under Biodiversity Net Gain.</p> <p>Sustainable Urban Drainage Systems (SuDS): The Lead Local Flood Authority is pleased to note that previous recommendations, as set out within the Regulation 14 Consultation response (Appendix A), have been considered with reference to paragraph 6.35. The County Council would continue to recommend that reference is made to the County Council Drainage and Planning Policy (Appendix B).</p> <p>8. Sports and Recreation</p> <p>Sports and Recreation: The County Council welcomes reference within the Neighbourhood Plan to the creation of additional sports facilities, as well as maintaining existing ones. Active Kent and Medway would be willing to work with Paddock Wood regarding investments through National Governing Bodies to ensure necessary improvements are made to sports facilities in the area.</p> <p>9. Access and Movement</p> <p>Highways and Transportation: It is recognised and welcomed that the Neighbourhood Plan seeks to promote walking, cycling, public transport and a reduction in car use with improved infrastructure to support sustainable transport modes – in accordance with the National Planning Policy Framework and the emerging Tunbridge Wells Local Plan.</p> <p>Public Rights of Way: As a general statement, KCC is keen to ensure its interests are represented with respect to its statutory duty to protect and improve PRoW in the county. KCC is committed to working in partnership with local and neighbouring authorities, councils and others to achieve the aims contained within the KCC Rights of Way Improvement Plan (ROWIP) and 'Framing Kent's Future' strategy for 2022-2026.</p> <p>In order to deliver the Neighbourhood Plan's ambitions effectively and efficiently, the County Council strongly encourages partnership working between Paddock Wood Town Council and KCC in respect of the PRoW network. KCC is keen to ensure</p>			See appendix B (KCC Drainage and Planning Policy) on page 36

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			<p>consistency both with standards around the county PRoW network, and the various applicable statutory procedures, such as when upgrading the status of a Public Footpath to Public Bridleway to establish public access rights for cyclists and horse riders.</p> <p>Regarding standards around the local PRoW network, it should be noted these are led and defined by the ROWIP, a statutory document. The ROWIP is recognised on page 19 of the Neighbourhood Plan; however, Paddock Wood Town Council is encouraged to reference the ROWIP more widely within the Neighbourhood Plan to ensure applicants for future development take it into positive account in preparing development proposals.</p> <p>The County Council welcomes the consideration of horse riders within the Neighbourhood Plan, as they can make a significant contribution to rural economies. Paddock Wood and neighbouring parishes, however, do not have a large or integrated network of Public Bridleways or other off-road routes for horse riders to use so there will be reliance for them on using the local road network. Despite the ambition to realise active travel, the local road network can only be expected to carry an increased volume of vehicles. It would be safer for all concerned to increase the number of local bridleways, as encouraged in paragraph 9.11. Policy PW TC4, 2; Project/Aspiration PW Gb, 2; Policy PW GI2, 3; Policy PW HD2, 1b; and Project/Aspiration PW AMa, 1g, are welcomed as they also seek to deliver to this aim.</p> <p>10. Housing and Infrastructure</p> <p>Waste Management: The County Council is pleased to note that the comments provided in the Regulation 14 Consultation (Appendix A) relating to the need for new waste infrastructure to support new growth have been recognised, and that the suggested text has been inserted as a footnote.</p> <p>11. Projects</p> <p>PRoW: The Neighbourhood Plan has positively identified opportunities for future funding to deliver projects to realise the Neighbourhood Plan's Vision and Objectives. KCC would encourage the Neighbourhood Plan to create a list of access enhancements that local communities would like to see delivered around the parish, to allow residents to continually suggest additions to the list. The County Council would also encourage this list to be kept under constant review. A number of schemes are already suggested within the Neighbourhood Plan, such as use of the Hop Pickers Line for walking, cycling, and horse riding, in Policy PW TC3, 1e. Other suggestions could then be made, whether strategic, such as a cycling route to Hop Farm which was suggested when undertaking early public consultation, or local, such as improving the surface of a footpath to the shops. Sharing this list routinely with Tunbridge Wells Borough Council and KCC will, in the event development comes forward, greatly assist in understanding the needs of the communities when allocating funding and priority.</p> <p>Glossary</p> <p>PRoW: The PRoW network can be a valuable means to realise active travel ambitions. PRoW is the generic term for Public Footpaths, Public Bridleways, Restricted Byways, and Byways Open to All Traffic; and it is further recommended this is made clear in the Neighbourhood Plan's glossary definition for the avoidance of confusion.</p> <p>A definition of Active Travel should also be included within the glossary – this is to ensure the various references are consistently interpreted. This will ensure applicants of future developments and Tunbridge Wells Borough Council give it due weight in preparing and determining future planning applications. The County Council would therefore draw attention to the definition used in the KCC Active Travel Strategy.</p>			
18	Avison Young obo National Grid	General	<p>National Grid has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.</p> <p>About National Grid National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators across England, Wales and Scotland.</p> <p>National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.</p>			

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			<p>National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.</p> <p>Proposed development sites crossed or in close proximity to National Grid assets: An assessment has been carried out with respect to National Grid's electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines.</p> <p>National Grid has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area. National Grid provides information in relation to its assets at the website below.</p> <p>•www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/</p> <p>Please also see attached information outlining guidance on development close to National Grid infrastructure.</p> <p>Distribution Networks Information regarding the electricity distribution network is available at the website below: www.energynetworks.org.uk</p> <p>Information regarding the gas distribution network is available by contacting: plantprotection@cadentgas.com</p> <p>Further Advice Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:</p> <p>[TWBC: contact details supplied]</p> <p>National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.</p> <p><u>Electricity assets</u> Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.</p> <p>National Grid's 'Guidelines for Development near pylons and high voltage overhead power lines' promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: https://www.nationalgridet.com/document/130626/download</p> <p>The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.</p> <p>National Grid's statutory safety clearances are detailed in their 'Guidelines when working near National Grid Electricity Transmission assets', which can be downloaded here: www.nationalgridet.com/network-and-assets/working-near-our-assets</p> <p><u>Gas assets</u></p>			

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			<p>High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Grid's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.</p> <p>National Grid have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Grid's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.</p> <p>National Grid's 'Guidelines when working near National Grid Gas assets' can be downloaded here: www.nationalgridgas.com/land-and-assets/working-near-our-assets</p> <p><u>How to contact National Grid</u> If you require any further information in relation to the above and/or if you would like to check if National Grid's transmission networks may be affected by a proposed development, please visit the website: https://lsbud.co.uk/ For local planning policy queries, please contact: nationalgrid.uk@avisonyoung.com</p>			
19	National Highways	Potential impacts of the plan to the A21 in the vicinity of Kipping's Cross Roundabout and the A21/A228/A264 Roundabout	<p>Thank you for your notification dated 12 September 2022, inviting National Highways to comment on the Paddock Wood Neighbourhood Development Plan Regulation 16 Consultation, seeking a response no later than 24 October 2022. Due to IT issues, we were not able to respond yesterday. Please accept our apologies for the slight delay. In accordance with case law, the LPA should include any delayed representations unless it can be demonstrated that their processing of the plan and its progress towards examination and adoption would be unreasonably affected by virtue of the degree of lateness and/or content of the delayed representation. In this case, the delay is less than one day, so we would ask the Council to confirm it will accept our representation.</p> <p>We have been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.</p> <p>We will be concerned with plans and/or proposals that have the potential to impact on the safe and efficient operation of the SRN. In the case of the Paddock Wood Neighbourhood Plan, our focus will be on any potential impact to the A21 in the vicinity of Kipping's Cross Roundabout and the A21/A228/A264 Roundabout.</p> <p>We have previously been invited to comment on the Paddock Wood Neighbourhood Plan Regulation 14 Consultation. Our review at that time concluded that although, overall, we have no objections to the Regulation 14 Plan, additional information will be required in the future as the plan progresses, specifically in relation to the quantum, type and location of employment allocations.</p> <p>We notice that the updated Neighbourhood Plan confirms the housing development quantum identified in the emerging Tunbridge Wells Local Plan. As we mentioned in our previous response, we have already been consulted on the emerging Local Plan, and we are content that the residential development proposed by the current Neighbourhood Plan will not further affect the safe and efficient operation of the SRN in the area.</p> <p>In terms of non-residential development, the updated Neighbourhood Plan does not include any specific information in relation to the quantum, type and location of employment allocations, and as mentioned in our previous response, this information is required.</p> <p>This information is needed for us to be able to establish if the policies proposed within the Paddock Wood Neighbourhood Plan have any implications for the SRN supplementary to the ones already established for the current and emerging Tunbridge Wells Local Plans.</p> <p>In particular, we are unable to establish whether the traffic generated by employment allocations will have an unacceptable impact on the safety, reliability and/or operational efficiency of the SRN (the tests set out in DfT C2/13, especially paras 8 to 11 and MHCLG NPPF2021 especially paras 110 to 113).</p>	Did not say	Did not say	

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			<p>Given that this is a Regulation 16 consultation, we request that this representation is passed to the appointed independent examiner.</p> <p>Thank you for consulting us. Should you have any queries regarding our response, please contact us via planningse@nationalhighways.co.uk</p>			
20	Natural England	General	<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.</p> <p>Natural England does not have any specific comments on the Paddock Wood Neighbourhood Plan.</p>	Did not say	Did not say	
21	NHS Kent and Medway	All (including Policy PW HI6)	<p>On 1 July 2022 NHS Kent and Medway Clinical Commissioning Group was replaced by the NHS Kent and Medway Integrated Care Board. NHS Kent and Medway is the NHS organisation that plans and buys healthcare services to meet the needs of 1.9million people living in Kent and Medway. It is our responsibility to ensure health services and all future proposed developments are sustainable from a revenue affordability, capital investment and workforce perspective. We must also ensure that, wherever possible, we maximise the delivery of care closer to where people live. It is therefore vital that any proposals relating to the future provision of health services within Paddock Wood must be formally agreed by NHS Kent and Medway.</p> <p>NHS Kent and Medway will continue to work closely with local councils and public health teams to understand the impacts associated with significant housing developments, including the likely health needs and the future provision of health services. Through this process and as part of the wider healthcare infrastructure strategy, we will continue to identify infrastructure development requirements, including contributions through S106, that support the provision of additional healthcare services and healthcare facilities (including plans associated with maximising utilisation and potential development of existing facilities) for local populations.</p> <p>Policy PW HI6 –Social and Community Facilities reflects our understanding that provision of a new healthcare facility will be subject to discussion with NHS Kent and Medway (Integrated Care Board). Please could the term health hub in the document be replaced with healthcare facility.</p> <p>We are also pleased to see that the plan is based on the explicit intentions to provide healthy living and leisure facilities, to promote active lifestyles, to provide public green spaces and to promote active travel. All these factors are important determinants of health and well-being and are fundamental aspects that positively influence population health.</p>	No	Yes	
22	Judith Ashton obo Redrow Homes Southern and Persimmon Homes South East	Whole plan	<p>I write with reference to the above. I act for Redrow Homes Southern and Persimmon Homes South East who, as you are aware, have an interest in the land east of Paddock Wood that is identified in the Regulation 22 Tunbridge Wells Submission Local Plan (TWSLP) as part of a wider area to deliver approximately 3,490-3,590 dwellings and associated facilities pursuant to policy STR/PW 1.</p> <p>You will also be aware that we made reps on the Reg 14 Paddock Wood Neighbourhood Plan (PWNP) and associated supporting documents, in particular the Design Code, in April 2022 identifying a number of areas where we felt the then Reg 14 plan failed the basic conditions test as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004; in particular, its failure to</p> <ul style="list-style-type: none"> a) comply with National Planning Policy as set out in the NPPF. d) contribute towards the achievement of sustainable development; and e) comply with the aims and objectives of the adopted Development Plan which comprise the saved policies of the Tunbridge Wells Local Plan 2006, the Core Strategy (June 2010) and the Site Allocations Plan (July 2016). <p>We note that in the Consultation Statement June 2022 in responding to our reps on the Reg 14 plan states:</p> <p style="padding-left: 40px;">‘The submission received suggested that the Neighbourhood Plan fails the tests of the Basic</p>	Yes	Did not say	

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			<p>Conditions and that progress should wait until the Local Plan has been adopted. In the meantime, it should not rely on the emerging Local Plan or the evidence to support it. Although noting that many of the draft policies in the NDP are reflected in the emerging masterplans for growth being prepared by Redrow and Persimmon, the response objects to their inclusion of the following policies and associated wording: low / zero carbon homes, housing type and mix, self and custom build housing, local centres, social & community facilities, pedestrian & cycle bridges. The response also questions the role and function of the Design Code, and whether it is necessary given future SPDs to be prepared by TWBC for the growth areas (despite noting that the emerging proposals being developed by Redrow and Persimmon align with much of the Design Code).</p> <p>Based on the above, no changes are made to the Neighbourhood Plan. Engagement with TWBC through the process and receipt of comments from them indicates that the Neighbourhood Plan does meet the Basic Conditions (subject to matters associated with the location of the outdoor sports hub – see comments below). The response from TWBC and others also note that the Design Code is a helpful document. Indeed, the response from Redrow / Persimmon notes alignment between the Design Code, draft policies and their emerging masterplan.'</p> <p>We further note that the conclusions to the Consultation Statement advise:</p> <p>'Where comments have been made these have been reviewed and incorporated in the submission version of the Neighbourhood Plan where considered appropriate. Policies that express support for high sustainability standards (e.g.: Passivhaus, low and zero carbon etc) have not been changes, as these do not 'require' such standards, though do indicate a preference for these to be met. Policies in respect of design have not been amended in the submission version of the Neighbourhood Plan either as these are an expression of good urban design principles and reflect the increasing emphasis on design in national guidance and advice. Comments made in respect of the location of the outdoor sports hub are noted and, in agreement with TWBC, will be subject to the outcomes of the examination process (on the Local Plan and subsequently, the Neighbourhood Plan).'</p> <p>We do we not believe the Consultation Statement either accurately reflects our Reg 14 representations or looks to address them in a meaningful way. Nor do we find the conclusions of the Consultation Statement to be positive in its approach to the comments made. As a result we feel it necessary to repeat and where necessary elaborate on the comments we made at Reg 14, having regard to the additional documentation published alongside the Reg 16 plan Taking each basic condition in reverse order we would highlight the following:</p> <p>1 Failure to comply with aims and objectives of the adopted Development Plan</p> <p>1.1 The Reg 16 PWNP is we feel rather confused in its position vis a vis the plan that it seeks to rely upon. Whilst in para 2.2. of the Reg 16 PWNP it is clear that the Neighbourhood Plan Group accept the plan needs to be in general conformity with the current development plan the rest of section 2 looks to the Reg 22 TWSLP (Oct 2021) as the plan to which it seeks to conform. In doing so para 2.5 makes it clear that: 'Work on the Neighbourhood Plan is being undertaken in parallel to the submission Local Plan and is being progressed on the basis of the direction of travel established in this. Work on the Neighbourhood Plan has thus made use of evidence supporting the submission Local Plan to help demonstrate conformity.'</p> <p>1.2 Likewise the proposed vision and objectives set out in section 3 all appear to be linked to the proposed growth planned in the Reg 22 TWSLP.</p> <p>1.3 Whilst we actively support a number of the policy objectives contained within the Reg 22 TWSLP, including the proposed strategic allocation of the land east of Paddock Wood, it is at present a submission plan that has yet to be fully examined and found sound. To this end it has been subject to a number of objections from many local residents, as well as Paddock Wood Town Council (PWTC) itself, and indeed us on matters of detail. The inspectors interim report has at the time of writing still to be published and his findings acted upon. It is thus in our opinion premature for the Reg 16 PWNP to be looking to promote a neighbourhood plan that to all intense and purposes is predicated on a plan that is itself yet to be fully tested and</p>			

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			<p>found sound.</p> <p>1.4 The above is compounded by the fact that as is clear from para 4.11/ 4.12 of the Reg 14 PWNP, much of the longer-term growth proposed in and around Paddock Wood via the Reg 22 TWSLP is not limited to the parish of Paddock Wood, but that of Capel; and that PWTC will need to liaise with Capel Parish Council (CPC) on how the two parishes can guide the future development of the area so as not to put undue pressure on the services and facilities found in Paddock Wood. Given the fact CPC have still to release a Reg 14 NP for consultation (see Capel's NDP webpage) it is somewhat surprising that PWTC have chosen to consult on their Reg 16 NP now rather than await both the outcome of the TWLP EiP and to see how CPC will look to influence the development proposed to the west of Paddock Wood. A joint Reg 14 consultation, after the closure of the TWLP EiP would in our opinion have been a much more sensible approach to adopt. To this end, the suggestion in para 4.11 that 'it is hoped that the guidance and principles contained within the Plan will help inform a development response in those parts of the growth areas in Capel and thus which respond to the overarching aims and objectives for Paddock Wood' is we believe somewhat presumptuous as to what the Reg 14 Capel NP may ultimately look to promote, especially given the strong opposition CPC have made to the proposed development west of Paddock Wood. As is the suggestion in a number of policies and the Proposed Design Guide about what may occur on the land to the west - see for example Policies PW AM2, PW HI3, PW HI5, PW HI6, and Design Code 1 (bullet point 7) and design Code 11 (bullet point 1) as well as sections 1.2 and 2.3. That said we not that CPC have recently published a Design Guidelines and Codes document (see Capel Design Guidelines and Codes report), which has been produced by AECOM, the same authors who prepared the PW Design Code (see below), albeit we do not know what level of assimilation there is between the two, a point that PWTC may wish to advise on prior to examination.</p> <p>1.5 Given the above whilst supporting the longer-term spatial vision for the town as set out in the Reg 16 PWNP, including the concept of the green wedges/ corridors linking the existing town to the surrounding countryside (p19); the principle of a network of local or neighbourhood centres providing for day to day facilities supporting the town centre (p20); the rebalancing of sports and leisure provision in the town (p21); that growth is well connected to and integrated with the existing built-up area and supports movement by foot, bicycle and public transport, thus minimising the need for car journeys, particularly for shorter, every-day journeys (p22); and the town councils aspiration to improve the quality of life for all in the town (Subject to the comments below re consultation with the development industry, self-build homes, and zero carbon development), (p24); all of which we believe the development east of Paddock Wood could deliver, we nonetheless believe the Reg 16 PWNP is at present premature and should not progress to examination until such time as the Reg 22 TWSLP has been found sound and the Capel NP has been released for Reg 14 consultation, thus ensuring as far as is practically possible that all three plans dovetail and a holistic approach is taken to the future growth of the town.</p> <p>1.6 In the context of the above, we also believe, for the reasons set out below, that the Reg 16 PWNP is not aligned with the Reg 22 TWSLP. It is thus a somewhat confused document which does not reflect the adopted development plan/ comply with the Reg 22 TWSLP or seek to justify the requirements sought – which only goes to reinforce our position that it is at present premature to the adoption of the emerging TWLP to which it seeks to affiliate itself.</p> <p>1.7 Whilst we accept that if the Reg 16 PWNP were to look to comply with the aims and objectives of the adopted development plan it would in effect be predicated on an out of date Local Plan that does not comply with the plan making requirements of the NPPF (The housing strategy promoted in the adopted development plan predates the approach to plan making advocated in the NPPF 2021 i.e. it is not predicated on the standard methodology as required by paragraph 61 of the NPPF), and as such would itself fail to be in conformity with national government guidance and thus fail the tests set out within the act, its predisposition to an untested Reg 22 Local Plan also results in it failing to meet the basic tests set out in the act i.e. it does not meet the basic conditions identified in paragraph 8(2) (e) of Schedule 4B to the Town and Country Planning Act 1990 as it does not comply with the aims and objectives of the adopted development plan (NB Footnote 16 of the NPPF is explicit: 'Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.').</p> <p>1.8 The only way the PWNP can address this issue is by the Neighbourhood Plan Group undertaking their own local housing need assessment, conducted using the standard method in national planning guidance and have regard to any needs that cannot be met within neighbouring areas (Paragraph: 105 Reference ID: 41-105-20190509), or more realistically, being placed on hold whilst the Reg 22 TWSLP progresses towards adoption.</p> <p>1.9 In the context of the above Planning Practice Guidance is clear in that:</p>			

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			<p>'Where a Neighbourhood Plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:</p> <ul style="list-style-type: none"> • the emerging Neighbourhood Plan • the emerging Local Plan • the adopted development plan <p>with appropriate regard to national policy and guidance.' (Paragraph: 009 Reference ID: 41-009-20190509)</p> <p>1.10 Whilst, as the Reg 16 PWNP looks to the Reg 22 TWSLP in terms of its housing requirement and in so doing supports the proposed strategic allocations around Paddock Wood, one can assume the above has occurred, there is nothing in the evidence base to demonstrate this, bar the remark at para 1.12 of the Reg 16 PWNP that it is the strategic policies and objectives of the Reg 22 TWSLP that frame the PWNP, which we do not believe goes far enough. Failure to evidence compliance with paras 66/67 of the NPPF indicates a lack of consistency with national policy and a plan that is unsound/ does not comply with the basic conditions set out in the T&CP Act.</p> <p>2 Failure to comply with aims and objectives of the Reg 22 TWLP</p> <p>2.1 Policies PW HD3 (Low and Zero Carbon development), PW HI1 (Housing Type and Mix), PW HI3 (Self and Custom Build Housing), PW HI5 (Local centres within growth areas), PW HI6 (Social and Community Facilities), and PWTC4 (Pedestrian and Cycle Bridges) do not in our opinion comply with the policy approach promoted in the Reg 22 TWSLP. Taking each in turn we would highlight the following:</p> <p>PW HD3 – Low and Zero Carbon development</p> <p>2.2 This policy requires new homes within the growth areas around Paddock Wood to be designed as Low or Zero Carbon buildings, reflecting Passivhaus standards or similar. Policy EN1 of the Reg 22 TWSLP at criterion 8 refers to proposals being designed for significant carbon dioxide emissions reductions and more sustainable energy sources, through energy efficiency improvements and facilitating low and zero carbon technology to ensure development supports a path to net zero emissions by 2030. Policy EN3 of the Reg 22 TWSLP appears to suggest that major developments will be required to deliver 25% improvements in emissions using fabric first (10%) and then renewable energy (15%) which is higher than 20% improvement as part of the transitional arrangements in the written ministerial statement of March 2015 that is now reflected in PPG but below the 31% that will be required from the changes in Building Regs which are likely to be espoused by the time the Reg 22 TWSLP is adopted. As set out in our reps on the Reg 19 TWLP the requirements of policies EN1 and EN3 are likely to superseded by the Building Regs and as such given para 16 of the NPPF, there is no need for such prescription in the emerging local plan. We would reiterate this point in terms of Policy PW HD3, and highlight the fact that as the Reg 22 TWSLP has yet to be fully examined the policy approach promoted in it may well change, such that the requirements within policy PW HD3 need to be revised accordingly.</p> <p>2.3 The suggestion in Para 2.15 the Basic Conditions document that policy PW HD3 complies with paras 150 (b) and 152- 173 of the NPPF by 'reduce greenhouse gas emissions through design' and 'supporting the transition to a low carbon future' fails to acknowledge the fact that there is no need to duplicate government guidance and that if the matter is address through Building Regs it does not have to be reiterated in the PWNP. Likewise the suggestion in table 6 of the Basic Conditions document that policy PW HD3 complies with Core Policy 5: Sustainable Design and Construction of the adopted development plan and in table 8 of the basic Conditions Statement that policy PW HD3 complies with Policies STR 2: Place Shaping and Design, and STR 7: Climate Change of the TWSLP fails to take into account the representations that have been made to the TWLP examination and the extent to which said policies comply with national government guidance and may as a result be amended. Given the above the Basic Conditions document does not in our opinion demonstrate that as drafted this policy complies with either National Government Guidance or the Emerging Local Plan.</p> <p>PW HI1 – Housing Type and Mix</p> <p>2.4 Whilst noting the revised wording of policy PW HI1, the continued requirement that 'all qualifying developments in Paddock Wood are required to provide First Homes at a discount of 50%' is in our opinion totally unrealistic, is contrary to the aims and</p>			

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			<p>objectives of the NPPF (paras 63, 65 and 72), does not reflect the aims and objectives of the Reg 22 TWSLP, which has no such requirement, and has potential implications on the viability of projects which has not been tested by the PWNP.</p> <p>2.5 Para 65 of the NPPF is clear in that 'Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership (Footnote 31 explains that this would be as part of the overall affordable housing contribution from the site.), unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups'. Whilst annex 2 of the NPPF defines 'discounted market sales housing' and 'other affordable routes to home ownership' as being at least 20% below local market value.</p> <p>2.6 Para 2 of the planning practice guidance on First Homes (Reference ID: 70-002-20210524 see Government Guidance on First Homes) makes it clear that</p> <p>a) a First Home must be discounted by a minimum of 30% against the market value;</p> <p>b) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London)</p> <p>It goes on to explain that in Para 4 (ID: 70-004-20210524) that:</p> <p>'the First Homes Written Ministerial Statement does give local authorities and neighbourhood planning groups the discretion to require a higher minimum discount of either 40% or 50% if they can demonstrate a need for this.' My emphasis</p> <p>2.7 Having regard to the above, the 50% market value reduction for First Homes proposed in the Reg 16 PWNP is in our opinion excessive, and with no evidence supporting the viability or need behind that, said policy approach is totally unjustified.</p> <p>2.8 In the context of the above it is noteworthy that five of the eight scenarios tested in the Reg 22 TWSLP Viability Assessment Stage 2 return a viability deficit, and that none of the scenarios tested provided for 50% discount on First Homes. With no evidence to demonstrate that 50% discount is viable and complies with the aims and objectives of the Reg 22 TWSLP we would submit that this policy aspiration is unsound and does not meet the basic conditions identified in paragraph 8(2) (a and e) of Schedule 4B to the Town and Country Planning Act 1990.</p> <p>2.9 The suggestion in Para 2.6 of the Basic Conditions document that policy PW HI1 complies with paras 60-80 of the NPPF by supporting 'the principle of delivering a sufficient supply of homes through' and 'by stipulating that provision should be made for a mix of housing that meets the needs of the community, based on the most up-to-date evidence of housing need'; and at para 2.12 of the basic conditions statement that PW HI1 complies with paras 117-123 of the NPPF by supporting 'the provision of a mix of housing that meets the needs of the community based on the most-up-to-date evidence' as well as supporting 'strong, vibrant and healthy communities' fails to acknowledge the fact that providing First Homes at a discount of 50% is totally unrealistic, and contrary to the aims and objectives of paras 63, 65 and 72 of the NPPF.</p> <p>2.10 Likewise the suggestion in tables 5 and 6 of the Basic Conditions document that policy PW HD3 complies with Strategic Objective 3, and Core Policies 6 and 11 of the adopted Development Plan as it supports the provision of housing within Paddock Wood, and that provision should be made for a mix of housing that meets the needs of the community, based on the most-up-to-date evidence of housing need, ignores the fact that there is no policy position in the adopted Development Plan on First Homes. Similarly, the suggestion in table 8 of the Basic Conditions Statement that policy HI1 complies with Policies STR 1, STR 6 and STR /SS1 of the TWSLP as it stipulates how new residential development within growth areas should provide a mix of housing types and tenures in line with the Local Plan requirements, and looks to ensure development is located in sustainable locations which are connected to local services and facilities by the pedestrian, cycling and public transport network, fails to acknowledge that there is no policy position in the emerging local plan on First Homes, and that the viability testing of the TWSLP did not take into account the effects of First Homes when testing the proposed strategic allocation in and around Paddock Wood, such that the requirements of the Neighbourhood Plan could have significant unforeseen consequences that have not been tested through the Neighbourhood Plan.</p> <p>2.11 Given the above the Basic Conditions document does not in our opinion demonstrate that as drafted this policy complies with either National Government Guidance, the Adopted Development Plan or the Emerging Local Plan.</p> <p>PW HI3 – Self and Custom Build Housing</p>			

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			<p>2.12 The statement at para 10.17 of the Reg 16 PWNP that 'In Paddock Wood, encouragement is given for sites within the growth areas to provide plots for self and custom build. The exact location of provision should be determined through the detailed masterplan process for the growth areas. In each of the growth locations the masterplan and applications are encouraged to set aside 5% of the housing plots for self or custom build where viable' is incorrect. Neither policy STR/SS1 nor policy H8 of the TWSLP require self build provision on the Land East of Paddock Wood. Indeed policy H8 is clear that:</p> <p>‘...the Council will require approximately five percent (rounded up to the nearest whole number) of dwellings (as serviced plots) of the total net number of dwellings to be provided for self-build and custom housebuilding at the following site allocations:</p> <ol style="list-style-type: none"> 1. Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (Policy AL/RTW 5); 2. Land to the west of Eridge Road at Spratsbrook Farm (Policy AL/RTW 16); 3. The Strategy for Tudeley Village (STR/SS 3)...’ <p>2.13 Having regard to the above, the requirement within policy PW HI3 that where viable the strategic allocations should provide 5% self-build is contrary to the aims and objectives of the NPPF (para 62), does not reflect the aims and objectives of the Reg 22 TWSLP, which has no such requirement for the strategic sites around Paddock Wood, and has implications on the viability testing undertaken to date by TWBC on the Reg 22 TWSLP. Para 62 of the NPPF is clear in that 'the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to ... people wishing to commission or build their own homes'; whilst policy H8 of the Reg 22 TWSLP merely seeks to encourage self-build and custom housebuilding schemes on nonallocated windfall developments (subject to compliance with other Policies in the Local Plan), or 5% on specific site allocations – which do not include the land at Paddock Wood. As such with no evidence to demonstrate that 5% self build is viable and complies with the aims and objectives of the Reg 22 TWSLP we would submit that this policy aspiration is unsound and does not meet the basic conditions identified in paragraph 8(2) (a and e) of Schedule 4B to the Town and Country Planning Act 1990.</p> <p>2.14 The suggestion in Para 2.6 of the Basic Conditions document that policy PW HI3 complies with paras 60-80 of the NPPF by supporting 'the provision of flexible housing that is able to respond to changing lifestyles as well and self and custom build housing'; at para 2.11 that policy HI3 complies with paras 114-118 of the NPPF because 'new plots for self and custom build housing shall be provided with connections to utilities and communication infrastructure'; and at para 2.12 that policy HI3 complies with paras 117-123 because it 'sets out requirements for plot passports for self and custom building housing that establish appropriate parameters for development.' fails to acknowledge the fact that there is no policy requirement in the emerging local plan for self build homes on the land east of Paddock Wood; and that the viability testing of the TWSLP did not take into account the effects of including self build homes on the land east of Paddock Wood when testing the proposed strategic allocation in and around Paddock Wood; such that the requirements of the Neighbourhood Plan could have significant unforeseen consequences that have not been tested by either TWBC or PWTC.</p> <p>2.15 Likewise, the suggestion in tables 5 and 6 of the Basic Conditions document that policy PW HI3 complies with Strategic Objective 3, and Core Policies 6 and 11 of the adopted Development Plan as it supports the provision of 'flexible housing that is able to respond to changing lifestyles as well and self and custom build housing' ignores the fact that there is no policy position in the adopted Development Plan on self build homes. Whilst the fact policy HI3 is not referred to at all when assessing the PWNP against the emerging local plan speaks for itself.</p> <p>2.16 Given the above the Basic Conditions document does not in our opinion demonstrate that as drafted this policy complies with either National Government Guidance, the Adopted Development Plan or the Emerging Local Plan.</p> <p>PW HI5 – Local centres within growth areas</p> <p>2.17 The requirement in policy HI5(a) that the local centres within the growth areas should provide a mix of uses that serve the day-to-day needs of the local community, including retail (Use Class E(a)-E(c)), workspace (Use Class E(g)), community and leisure uses (Use Classes E(f) and F2), as well as healthcare (Use Class E(e)) is in our opinion unrealistic given the size of the facility being promoted and actively conflicts with the aims and objectives of the policy STR/SS 1 (2(b)) of the Reg 22 TWSLP which requires three neighbourhood centres providing around 2,000sqm commercial floorspace (Class E) in total. Flexibility is key to sustainability here and by being too prescriptive the Reg 16 PWNP could actively prejudice the viability of these facilities.</p>			

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			<p>2.18 Likewise the requirement in policy HI5(a) that the local centres within the growth areas need to integrate new primary schools and early years provision within them, where appropriate, with main entrances located within the centre, is contrary to the strategy agreed for the land east of Paddock Wood with TWBC and Design South East, which members of the PWTC have been party to, and given the neighbourhood plan's aspiration vis a vis the importance of design review panels (Project/Aspiration PW Hb) seems somewhat counter intuitive.</p> <p>2.19 The suggestion in table 8 of the Basic Conditions document that Policy PW HI5 complies with Policy STR/SS1 of the TWSLP as it 'supports the development of the three main areas of growth around Paddock Wood on condition that they will all include provision of a new local or neighbourhood centre to help create sustainable, cohesive and inclusive places, and establishes a set of principles that are expected to be followed through the masterplanning process' fails to acknowledge the fact that there is no policy requirement in the emerging local plan for the mix of uses suggested in policy HI5 of the Reg 16 PWNP or a need to integrate the primary provision in the way stipulated in the reg 16 PWNP</p> <p>Policy PW HI6 – Social and Community Facilities</p> <p>2.20 Our comments above re the integration of schools and local centres is equally pertinent here. In addition the requirement in HI6(1) that delivery of the school facilities occurs, where possible during the early phases is in our opinion contrary to the aims and objectives of the policy STR/SS 1 (2(c)) of the Reg 22 TWSLP which places no such restriction on the timing of delivery. Whilst the Strategic Sites Masterplanning and Infrastructure Study that is part of the evidence base to the Reg 22 TWLP suggests in table 9 that 'early delivery within neighbourhoods is preferred', it also acknowledges that 'Detailed negotiations with KCC at the outline application stage will help to identify triggers for school opening' such that it would in our opinion be unrealistic to prescribe delivery within policy HI6 during the early phases of the development. Indeed to do so would mean that the PWNP conflicts with the aims and objectives of the Reg 22 TWSLP, and as such would be unsound and contrary to the basic conditions identified in paragraph 8(2) (a and e) of Schedule 4B to the Town and Country Planning Act 1990.</p> <p>2.21 We also note that policy HI6, has in the Reg 16 version of the PWNP added a requirement that the health hub is provided for in 'either the eastern or the western growth area'. Again this conflicts with the aims and objectives of policy STR/SS1 which makes it clear at 2(d) that: 'new sports and leisure hub, which could incorporate an indoor 25m swimming pool and indoor and outdoor sports facilities. Around 10 hectares of land should be safeguarded within the western parcel (edged in blue on Map 27), to the south of the railway line and to the east of the A228 for this purpose'.</p> <p>2.22 Again seeking to add this requirement to the list of requirements sought from the development of the land east of Paddock Wood totally ignores the financial implications of such a request, and how it sits with the viability testing undertaken to date by TWBC to support the Reg 22 TWSLP. No evidence has been produced by the Neighbourhood Plan Group to demonstrate that this is viable. As s such, and as it does not comply with the aims and objectives of the Reg 22 TWSLP, we would submit that this policy aspiration is unsound and does not meet the basic conditions identified in paragraph 8(2) (a and e) of Schedule 4B to the Town and Country Planning Act 1990.</p> <p>2.23 The suggestion in the Consultation Statement that comments made in respect of the location of the outdoor sports hub are noted and, in agreement with TWBC, will be subject to the outcomes of the examination process (on the Local Plan and subsequently, the Neighbourhood Plan), is not in our opinion a fair and reasonable approach to addressing this matter. It should be clarified now to give everyone certainty – especially those promoting these sites. What is proposed is clearly in conflict with the aims and objectives of the Reg 22 TWSLP, and as such is in our opinion unsound and contrary to the basic conditions identified in paragraph 8(2) (a and e) of Schedule 4B to the Town and Country Planning Act 1990.</p> <p>2.24 In the context of the above the suggestion tables 5 and 6 of the Basic Conditions document that policy PW HI5 complies with Strategic Objective 3 of the TWLP 2006 and Core Policy 8 of the Core Strategy 201 as it supports the retention of existing and provision of new social community facilities; and the suggestion in table 8 that policy HI6 complies with Policies STR 5 and STR /SS1 as it seeks to ensure that new social and community facilities are provided in locations that capitalise on opportunities to promote walking, cycling and use of public transport, and incorporate safe and secure cycle parking provision/ provides new school and healthcare provision as established in the submission Local Plan, with primary schools within the north and eastern growth areas, and a health hub in the western growth area; totally ignores the fact the policy itself as worded suggests that the</p>			

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			<p>primary provision, where possible, takes place in the early phase of the development, and that the land to the east could itself provide for the health hub – neither of which are required by policy STR/SS1 of the TWSLP or factored into the associated viability assessment that underpins the TWSLP; such that the requirements of the Neighbourhood Plan could have significant unforeseen consequences that have not been tested by either TWBC or PWTC.</p> <p>2.25 Given the above the Basic Conditions document does not in our opinion demonstrate that as drafted this policy complies with either National Government Guidance, the Adopted Development Plan or the Emerging Local Plan.</p> <p>Policy PWTC4 - Pedestrian and Cycle Bridges</p> <p>2.26 Policy PWTC4 and para 5.44 suggests a new railway crossing at the eastern edge of the existing settlement boundary be provided through the proposed development to the east of the town. This does not reflect the aims and aspirations of the Reg 22 TWSLP and its associated structure plan, to which the Reg 16 NP refers. Policy STR/SS 1 of the Reg 22 TWSLP is clear in section 2(i) that the only crossing required by the strategic expansion of Paddock Wood is: ‘ a new north-south pedestrian and cycle link over the railway line (within the western parcel), linking neighbourhoods and public facilities;’</p> <p>2.27 If the PWNP is to be aligned with the Reg 22 TWSLP as it suggests then it cannot look to place additional burdens on the developments being promoted through that plan. Alternatively if it is to be its own plan, set against the adopted development plan it will need to produce clear evidence to justify the additional policy requirements being sought in the plan. At the moment it does not reflect the adopted development plan/ comply with the Reg 22 TWSLP or seek to justify the requirements sought and as a result does not comply with national government guidance.</p> <p>2.28 To this end we note that table 8 of the Basic Conditions Statement suggests that Policy PW TC4 reflects policy STR/SS2 of the TWSLP as it ‘stipulates that new pedestrian and cycle bridges must be provided across the railway line alongside growth, including one in the town centre and two within growth areas to the edge of Paddock Wood’. Policy STR/SS 2 (5) however only requires ‘Additional and improved linkages across the railway line for vehicles, pedestrians, and cyclists’ there is no mention in table 8 of compliance with STR/SS1 which as indicted above is clear in section 2(i) that the only crossing required by the strategic expansion of Paddock Wood is: ‘a new north-south pedestrian and cycle link over the railway line (within the western parcel), linking neighbourhoods and public facilities’</p> <p>2.29 Given the above the Basic Conditions document does not in our opinion demonstrate that as drafted this policy complies with the Emerging Local Plan.</p> <p>2.30 These matters aside I am pleased to be able to confirm that land east of Paddock Wood is being designed to reflect the aims and aspirations of policies PW GI1 (Access to countryside), PW GI2 (Green fingers), PW GI3 (Biodiversity), PW GI6 (New green spaces), PW GI7 (Allotments) PW HD1 (Design), noting our comments below re the Paddock Wood Design Guide, PW HD2 (Local Heritage Assets), PW AM1 (Active Travel), PW AM2 (Public Transport), PW AM2 (Street Hierarchy) PW AM4 (Parking in new residential development), PW AM5 (E-vehicles and new transport solutions) and PW HI4 (Housing density and heights), and PW TC3 (e)(Paddock Wood Railway Station) of the Reg 16 PWNP.</p> <p>3 Failure to comply with National Planning Policy as set out in the NPPF</p> <p>3.1 Para 13 of the NPPF (Feb 2019) is clear in that: ‘Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.’ My emphasis</p> <p>3.2 Para 29 of the NPPF continues: ‘Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.’ My emphasis. Footnote 16 is explicit: ‘Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.’ My emphasis</p> <p>3.3 Paragraph: 070 Reference ID: 41-070-20190509 of National Planning Practice Guidance refers the reader to paras 13 and 29 of the NPPF as quoted above.</p>			

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			<p>3.4 Paragraph 074 Reference ID: 41-074-20140306 of National Planning Practice Guidance indicates that: 'When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:</p> <ul style="list-style-type: none"> •whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with •the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy •whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy •the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach' My emphasis <p>3.5 For the reasons set out above we do not believe the Reg 16 PWNP has complied with the strategic policies or spatial development strategies contained in either the adopted development plan of the emerging development plan. As such it does not comply with National Planning Policy as set out in the NPPF. Furthermore, as set out above policies PW HD3 (Low and Zero Carbon development), PW HI1 (Housing Type and Mix), PW HI3 (Self and Custom Build Housing), do not in our opinion comply with the aims and objectives of paras 16, 62, 63, 65 and 72 of the NPPF such that the Reg 16 PWNP is unsound and does not meet the basic conditions identified in paragraph 8(2) (a) of Schedule 4B to the Town and Country Planning Act 1990.</p> <p>3.6 In the context of the above, whilst noting the commentary in the basic conditions statement, about compliance with the NPPF, for the reasons set out above we do not believe the Reg 16 PWNP does comply with the NPPF.</p> <p>3.7 PWTC will be aware that Paragraph: 048 Reference ID: 41-048-20140306 of National Planning Practice Guidance makes it clear that : 'A qualifying body must consult any of the consultation bodies whose interest it considers may be affected by the draft neighbourhood plan or Order proposal. The consultation bodies are set out in Schedule 1 to the Neighbourhood Planning (General) Regulations 2012 (as amended). Other public bodies, landowners and the development industry should, as necessary and appropriate be involved in preparing a draft neighbourhood plan or Order. By doing this qualifying bodies will be better placed to produce plans that provide for sustainable development which benefits the local community whilst avoiding placing unrealistic pressures on the cost and deliverability of that development.' My emphasis.</p> <p>3.8 To date no consultation has occurred with the landowners and those in the development industry promoting land in and around Paddock Wood other than via the initial information leaflet in 2020 and the reg 14 consultation in 2022. This is contrary to the aims and objectives of national policy and totally unnecessary given our offer, when the Town Council published it is information leaflet on the draft Neighbourhood Plan 'Vision and Areas of Focus' in November 2020, to work with the Town Council on the emerging plan and the associated development east of Paddock Wood.</p> <p>4 Failure to contribute towards the achievement of sustainable development</p> <p>4.2 Planning Practice Guidance is clear that 'In order to demonstrate that a draft neighbourhood plan or Order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or Order guides development to sustainable solutions' and that whilst there is no legal requirement for a neighbourhood plan to have a sustainability appraisal, the 'qualifying bodies may find this a useful approach for demonstrating how their draft plan or order meets the basic condition'. Planning Practice Guidance is clear that 'where a neighbourhood planning body intends to allocate sites for development, it will need to carry out an appraisal of options and an assessment of individual sites against clearly identified criteria.' Whist, unlike the Reg 14 plan, the Reg 16 PWNP is supported by a Basic Conditions Statement and a Sustainability Appraisal, we note that para 2.5 of the PWNP still looks to rely on the evidence base supporting the Reg 22 TWSLP to help demonstrate conformity. As set out above, certain policy aspirations go above and beyond those proposed in the Reg 22 TWSLP and are not supported by any commentary within the Basic Conditions Statement or Sustainability Appraisal to justify the PWNP's stance. This is a significant failing of the plan and needs to be rectified prior to examination.</p> <p>4.3 In addition, as also set out above, the Reg 16 PWNP is in our opinion internally conflicted and will not as a result contribute to the principles of sustainable development. We say this as, for example, the plans aspirations for Paddock Wood Railway Station do not in our opinion actively promote a proper bus interchange as envisaged in the Reg 22 TWLP or the proposed spatial aspirations for the area set out in section 4 of the Reg 16 PWNP, such that the plan as drafted does not actively contribute towards</p>			

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			<p>the achievement of sustainable development. Policy PWTC3 could we believe be improved by making specific reference to a proper bus interchange facility. Likewise, policy PW HI5 (Local Centres within Growth Areas), for the reasons expressed above could actively prejudice the sustainable development of the local centres proposed within the proposed growth areas and should be reviewed accordingly.</p> <p>5 Points of Clarity</p> <p>5.1 In addition to our points above about compliance with the basic conditions, we also have a query about the wording of policy PW GI4 (Flooding and drainage). Whilst acknowledging the aims and objectives of policy PW GI4 and being happy to work to it for the most part, we are concerned about the requirement for the use of permeable surfacing material for parking areas, hard-standing areas and paths. Trying to agree this with adopting bodies such as KCC can be exceedingly difficult, and we would suggest this requirement is placed in the supporting text as an aspiration rather than a policy requirement so as not to prejudice delivery. We note a similar requirement has been introduced into Policy PW AM4 (5) (Parking in new residential development) in the Reg 16 Plan and would reiterate the difficulties associated with such an approach when it comes to adoption, such that this would be better addressed as a project / aspiration rather than a formal policy requirement.</p> <p>5.2 We would also question whether there is in fact a conflict between policy PW HD1 – Design (g) and its aspiration that off-street parking is wherever possible, in combination with landscaping, positioned to minimise the visual impact of vehicles on the street scene; and policy PW AM4 (3) and its approach to parking provision within areas of growth around Paddock Wood.</p> <p>6 The Paddock Wood Design Guidelines and Code</p> <p>6.1 We are concerned that whilst many policies in the Reg 16 PWNP cross refer to the Paddock Wood Design Guidelines and Code (PWDGC), see for example policies PW GI6, PW HD1, PW AM2 and PW AM4, as well as paras 6.18, 7.6, 7.11, 9.25, and that the PWDGC is an appendix (G) to the Reg 16 PWNP, the PWDGC does not itself appear to be open to consultation, yet appears to be a supplementary planning document that PWTC would look to have developers refer to and demonstrate compliance with when submitting applications for development within the neighbourhood plan area. Whilst not looking to oppose this approach per se we note that para 129 of the NPPF is clear in that ‘Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents’ it continues on: ‘Landowners and developers may contribute to these exercises, but may also choose to prepare design codes in support of a planning application for sites they wish to develop. Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code’.</p> <p>6.2 The Reg 22 TWSLP at policy STR/SS 1 indicates that the development of the strategic sites around Paddock Wood will be delivered through the production of four Framework Masterplan Supplementary Planning Documents (SPD), and that these will relate to an overall Structure Plan for the planned growth, and three further SPDs; and that these Framework Masterplans will ‘guide developers and the Local Planning Authority in respect of the garden settlement principles to create a new community at Paddock Wood and east Capel. The SPDs will set out guidance to show how the above policy requirements, together with other policies within this Local Plan, should be delivered on the site. It will provide guidance on design, phasing, and site access to ensure comprehensive development and strong assimilation with the existing settlement at Paddock Wood.’ Given the requirements of policy STR/SS 1 we would question the need for any further supplementary planning guidance, especially one that has not, as is clear from section 1.3 of the PWDGC, been subject to any consultation with those promoting the development sites in and around Paddock Wood, despite PWTC knowing who was involved given their attendance at TWBC Strategic Sites Working Groups.</p> <p>6.3 Whilst the status of the PWDGC is somewhat unclear, and its compliance with the basic conditions also open to debate, we can confirm that for the most part, the proposals for the land east of Paddock Wood comply with it. There are, however, some design code requirements we would suggest need further clarity, such as: Code 1 – Set in local and wider context - bullet point 1. It is not realistic to expect new developments to retain all existing green assets, this design code should in reality look to ensure new developments retain as many of the existing green assets as is realistically possible and compensate for any loss through appropriate replacement planting.</p>			

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			<p>Code 1 – Set in local and wider context - bullet point 6. It is not clear how the authors expect new development to promote freedom of movement within adjoining arable fields. This is not a realistic aspiration and should be deleted or suitable caveated.</p> <p>Code 19 – Street Lighting – this needs to take into account the relationship between lighting and ecologically sensitive corridors – it does not at present.</p> <p>Code 30 – Cycle parking solutions – whilst Redrow and Persimmon have no problem in providing sheds to facilitate cycle storage for houses without garages, the requirement re: houses with garages, especially the size requirement, seem a bit onerous given the fact they cannot count the garages for parking, so essentially, they will just be for storage including bikes</p> <p>7 Conclusions</p> <p>7.1 Overall we believe the Reg 16 PWNP fails to meet three of the basic conditions identified in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to Neighbourhood Plans by section 38A of the Planning and Compulsory Purchase Act 2004</p> <p>a. it does not comply with National Planning Policy as set out in the NPPF;</p> <p>d. it will not contribute towards the achievement of sustainable development; and</p> <p>e. it does not comply with the aims and objectives of the either the adopted development plan or the Reg 22 TWSLP.</p> <p>7.2 The Reg 16 PWNP looks to rely on the Reg 22 TWSLP, which has yet to be fully examined and found sound. In addition, in many areas the PWNP conflicts with the aims and objectives of the Reg 22 TWSLP without any evidence to demonstrate why its policy approach is justified and viable. Furthermore it seems to ignore the fact much of the development proposed in and around Paddock Wood is in the neighbouring parish of Capel, whose Neighbourhood Plan is not due to be published for Reg 14 consultation until later this year, thus prejudicing a holistic approach to the future growth of the town.</p> <p>7.3 Some of the proposed policies also actively conflict with the aims and objectives of the NPPF and their implications have not been tested or discussed with those promoting development in and around the town; whilst other policies conflict with the desire within national policy to promote sustainable development.</p> <p>7.4 Overall the decision to proceed to examination seems rushed and unnecessary, with none of the points we raised on the Reg 14 plan addressed. We hope of the issues highlighted in this letter can however be resolved prior to examination, and if not would request that we are heard by the examiner given the implications this consultation has on the growth of the town and Tunbridge Wells wider housing land supply.</p> <p>Having regard to the above we would be happy to meet with the Neighbourhood Planning Committee / PWTC/ officers of TWBC to discuss our comments if this would be of assistance; and would ask that we are given the opportunity to address the Inspector at a public hearing to examine these matters in more detail should the PWNP proceed to examination as drafted.</p>			
23	Southern Water	This refers to a new policy request, and not an existing section of the NDP	<p>Southern Water may have to provide additional water or wastewater infrastructure to serve new and existing customers or meet stricter environmental standards. It is likely that there would be limited options with regard to location, as the infrastructure would need to connect into existing networks. Planning policies should therefore support proposals that come forward in order to deliver or maintain necessary infrastructure.</p> <p>As set out in our responses to the Pre-Submission stage in April 2022, we could find no policies to support the general provision of new or improved utilities infrastructure. The NPPF (2021) paragraph 28 establishes that communities should set out detailed policies for specific areas including 'the provision of infrastructure and community facilities at a local level'. Also the National Planning Practice Guidance states that 'Adequate water and wastewater infrastructure is needed to support sustainable development'.</p> <p>Although the Parish Council is not the planning authority in relation to water or wastewater development proposals, support for essential infrastructure is required at all levels of the planning system.</p> <p>Proposed amendments</p> <p>To ensure consistency with the NPPF and facilitate sustainable development, we therefore propose an additional policy as follows:</p>	No	Yes	

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			<u>New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community subject to other policies in the plan.</u>			
24	The Coal Authority	General	<p>Thank you for your notification below regarding the Paddock Wood Neighbourhood Development Plan Consultation.</p> <p>The Coal Authority is only a statutory consultee for coalfield Local Authorities. As you are aware, Tunbridge Wells Borough Council lies outside the coalfield, therefore there is no requirement for you to consult us and / or notify us of any emerging neighbourhood plans.</p> <p>This email can be used as evidence for the legal and procedural consultation requirements at examination, if necessary.</p>	No	No	
25	TWBC	Whole plan	<p>I am very keen that the detailed comments presented below are not read as criticisms: rather, they are suggestions as to how policies, which are (in the main) supported, could potentially be strengthened.</p> <p>It is also considered most appropriate that the wording and drafting most closely reflects that produced through the neighbourhood planning process, and therefore even if the TWBC approach may be to draft wording slightly differently, comment has only been made if it is felt it is of tangible benefit. For that reason, the absence of comment on particular pages or policies should not be interpreted as not being supportive (or as being critical).</p> <p>General comments: <u>Relationship between NDP and adopted/emerging Development Plan</u></p> <p>TWBC supports and takes an active role in advising and supporting the neighbourhood planning process by sharing evidence and information and ensuring that any emerging NDPs are both in general conformity with the strategic policies of the Development Plan and consistent with national policy.</p> <p>At this time, as you are aware, the Development Plan comprises the TWBC Local Plan (2006), Core Strategy (2010), the Site Allocations Local Plan (2016) and Kent Minerals and Waste Local Plan 2013-30 (2020). The new Local Plan 2020-2038 was subject to Regulation 19 consultation which ran from 26 March to 4 June and was submitted to the Planning Inspectorate 1 November 2021. An Examination in Public (EiP) took place between March and July 2022. TWBC is currently waiting for the Inspector's conclusions.</p> <p>For those NDPs that are already made at the time of adoption of the TWBC Local Plan, the NPPF is clear that, where policies in the NDP are in conflict with the policies in the Local Plan, these will be superseded by the Local Plan policies. An assessment will be made of all policies in made NDPs ahead of the adoption of the Local Plan as to whether the policies within these would be superseded by the policies in the Local Plan.</p> <p>The Paddock Wood NDP is considered to be a well-produced document, and it is obvious from a review of the evidence base that a huge amount of work has gone into the assessment of sites, views, character, environment etc. TWBC Officers have been particularly impressed with the work and drafting of the policies and supporting text around the policies.</p> <p><u>Detailed comments, broken down by section of the plan:</u> [See table below]</p> <p>Concluding comments</p> <p>I trust the above is of assistance. It may be pertinent to schedule a meeting in the new year to go through any queries raised by the above comments, including redrafting of any policy wording where appropriate, and to discuss the next steps for the NDP.</p> <p>Please do not hesitate to contact me in the meantime if you wish to discuss this in further detail.</p>	Yes	Yes	

PWNDP Reg 16 Sept- Oct 2022 Page no./Policy	Reference to TWBC Submission Local Plan	TWBC Officer Comments	Recommendations For changes etc.
Contents Page (page i)	N/A	It would be helpful to add hyperlinks to ease navigation through the document.	Add hyperlinks.
Photo (page between iii and 1)	N/A	Give the photo a label to improve accessibility.	Add label.
Section 2 (Tunbridge Wells Local Plan): Figure 2 (page 8)	[CD 3.129di] [CD 3.129dii] [CD 3.129diii]	It is noted that there are more up to date versions of the emerging Local Plan Inset Maps for Paddock Wood, including for the Town Centre and Gypsy and Traveller sites.	Use latest Inset Maps.
Section 2 (Tunbridge Wells Local Plan): Figure 3 (page 9)	[CD 3.129a]	Similarly, there is a more up to date version of the Inset Map Legend.	Use latest Inset Map Legend.
Section 2 (Tunbridge Wells Local Plan): Photo (Page 10)	N/A	Give the photo a label to improve accessibility.	Add label.
Section 4 (Future Growth Strategy): Figure 4 (Page 17)	N/A	Noted that Mascalls Farm has permission for 413 homes, not 415. In addition, Church Farm has permission for 300 units with a resolution to grant for an additional 60 units. A key would also provide clarification and improve accessibility.	Amend Figure 4 to include correct permission figures. Add a key.
Section 4 (Future Growth Strategy): Figure 5 (page 18)	N/A	A key would provide clarification and improve accessibility.	Add a key.
Section 4 (Future Growth Strategy): Figure 6 (page 19)	N/A	A key would provide clarification and improve accessibility.	Add a key.
Section 4 (Future Growth Strategy): Figure 7 (page 20)	N/A	A key would provide clarification and improve accessibility.	Add a key.
Section 4 (Future Growth Strategy): Paragraph 4.18 (page 20)	N/A	The value of locating schools and local centres together is recognised, although this is not always feasible and indeed is not feasible on Land East of Paddock Wood, and through the evidence presented by Redrow and Persimmon the Council has accepted this position. Accordingly, the Council suggests additions to clarify this and provide sufficient flexibility.	Change wording to “Where growth triggers the need for new schools and health centres, and other community facilities, these should be located, <i>if feasible or otherwise agreed with the Local Planning Authority,</i> within the new local centres, providing a hub of local activity ...” It is acknowledged that ‘should’ provides greater flexibility than ‘must’, however adding ‘if feasible’ is considered to provide further clarification on this, allowing for circumstances where evidence may clearly show where this is not feasible (to be agreed with the Local Planning Authority).
Section 4 (Future Growth Strategy): Figure 8 (page 21)	N/A	A key would provide clarification and improve accessibility.	Add a key.
Section 4 (Future Growth Strategy): Figure 8 and	STR/SS1	The proposed location of the new outdoor sports hub is contrary to Strategic Policy STR/SS1 (2.d) in the Submission Local Plan.	It is acknowledged that the proposed location of the proposed sports hub (as part of Submission Local Plan Policy STR/SS 1) is an uncommon ground between TWBC and PWTC. It is considered that the resolution to this uncommon ground will be

PWNDP Reg 16 Sept-Oct 2022 Page no./Policy	Reference to TWBC Submission Local Plan	TWBC Officer Comments	Recommendations For changes etc.
paragraph 4.19 (page 21)			outlined within the Inspector's letter, to be received in due course following the close of examination hearings for the SLP.
Section 4 (Future Growth Strategy): Figure 9 (page 22)	N/A	A key would provide clarification and improve accessibility.	Add a key.
Photo (page 29)	N/A	Give the photo a label to improve accessibility.	Add label.
Section 5 (Town Centre): Paragraph 5.2 (page 31)	[CD 3.86a]	It is noted that there is a 2021 updated to the Tunbridge Wells Retail and Leisure Study 2017.	Update reference.
Section 5 (Town Centre): Paragraph 5.3 (page 31)	N/A	"pre-submission Local Plan" should be "Submission Local Plan"; paragraph references also need to be updated accordingly.	Amend wording.
Section 5 (Town Centre): Paragraph 5.25 (Page 40)	N/A	The reference to independent shops being the preference to national chains is understood, although this is not something that can be controlled through the planning system which means this sentence will be very difficult to enforce.	It is suggested that this wording (last sentence of Paragraph 5.25) is removed.
Section 5 (Town Centre): Policy PW TC4 (Criterion 1, page 47)	N/A	"They must" is considered to be too prescriptive and does not provide any flexibility outside of the control of TWBC or PWTC. "They should, unless supported by clear evidence to be agreed with the Local Planning Authority" is considered more appropriate.	Amend wording.
Section 6 (Green Infrastructure): Figures 17 and 18 (page 60)	N/A	The Council considers that the mapping (Figures 17 and 18) should show the SFRA flood zones rather than the EA data. The EA adopted the updated flood zones from the Council's SFRA which has more detailed information at the local level. It is added that TWBC's consultants, JBA, have also carried out additional modelling work as part of the masterplanning work for the Strategic Sites.	The Council would encourage the Steering Group to liaise with the EA and LLFA with regards to this policy and its wording.
Section 6 (Green Infrastructure): Policy PW GI5 (page 65)	Policy EN 15 of the SLP	It is noted that the NDP proposes two additional sites to those proposed for designation in the Submission Local Plan. These are as follows: 1. Warrington Road, Woodland – It was decided not to designate as it was private land and the key interest was tree cover and that it would therefore be adequately protected by the TPO. It is also noted that the Council received objections to the proposed LGS site at Warrington Road as part of the emerging Local Plan process. 2. Green Lane, Woodland – this is ancient woodland and TPO – the Council methodology excluded these sites and so again it is adequately protected.	It is noted that the PW NDP does not currently seek to designate those sites proposed for LGS designation in the SLP (to prevent unnecessary duplication), although paragraph 6.44/criterion 5 of the Policy is noted with regard to an update to the PW NDP being needed if the SLP was delayed (that would seek to take these sites into account).
Section 6 (Green Infrastructure): Policy PW HI7 (page 69)	N/A	It is noted that additional allotments are permitted at Mascalls Court Farm.	Potentially add a reference.
Section 7 (Heritage & Design): Policy PW HD1 (criterion 2,e, page 76)	N/A	Views are mentioned in paragraph e of PWHD1 – it may be worth actually identifying some of the more important views that it is desired to retain.	Possibly provide a Views Map.

PWNDP Reg 16 Sept-Oct 2022 Page no./Policy	Reference to TWBC Submission Local Plan	TWBC Officer Comments	Recommendations For changes etc.
Section 7 (Heritage and Design): Policy PW HD3 (Criterion 1.a and 1.b, page 85)	N/A	Points a and b both relate to solar gain.	Consider combining points a and b and include an additional point relating for a consideration of U-values, thermal bridging, air permeability, and thermal mass. This is essentially the basis of Passivhaus.
Section 7 (Heritage and Design): Policy PW HD3 (page 85)	EN 3	<p>It is noted that the NDP specifically refers to Passivhaus Standards (or similar) being supported and expected to be met in all new homes in the growth area around Paddock Wood. However, this is different to the standards within the Submission Local Plan (see EN3). However, policy EN3 is currently under review given the changing national expectations.</p> <p>It is also questioned whether this has been viability tested to support the inclusion of this in Policy terms. No viability evidence is included within the papers supporting the NDP at this stage.</p>	Where the Policy requirements may not be achieved, the onus will be on the applicant to demonstrate robustly the reasons for this, and to provide a full viability assessment to support their proposals. As part of this, it will need to be shown that the appropriate land value was paid, as exceptional and abnormal costs should, in the first instance, be paid for through a reduced land value. The viability assessment must be provided as part of the application when originally submitted, will be made publicly available, and will be subject to review by independent viability consultants. The applicant is expected to meet the costs of this review. Where applications are made on this basis, any permission granted will be for a maximum of two years. Detailed advice on viability assessments is given in the National Planning Practice Guidance: Viability.
Section 8 (Sports & Recreation): Policy PW SR1 (page 90)	STR/SS1 (2.d.)	This policy (seeking to improve and expand sports facilities at Putlands, including an additional swimming pool) is contrary to Strategic Policy STR/SS1 (2.d) in the Submission Local Plan.	<p>It is acknowledged that the proposed location of the proposed sports hub and swimming pool (as part of Submission Local Plan Policy STR/SS 1) is an uncommon ground between TWBC and PWTC and is not in line with Strategic Policy STR/SS1 in the Submission Local Plan.</p> <p>The proposed location in the south-western parcel (south of the railway line) in the Submission Local Plan is considered to be the most appropriate location for a Sports Hub for the following reasons:</p> <ul style="list-style-type: none"> - The location would be located on a sustainable travel route. - In landscape and Green Belt terms, it can assist in creating a softer green edge adjacent to the new Green Belt boundary and retain the green separation between the Paddock Wood expansion and villages within Capel. - It would be located south of the railway line which would therefore better serve/be more accessible to the existing settlement and large proportion of the new growth planned (removing the need to navigate the railway line)
Section 8 (Sports and Recreation): Policy PW SR2 (page 92)	STR/SS1 (2.d.)	As above, the proposed location of the new outdoor sports hub is contrary to Strategic Policy STR/SS1 (2.d) in the Submission Local Plan.	As above, it is acknowledged that the proposed location of the proposed sports hub (as part of Submission Local Plan Policy STR/SS 1) is an uncommon ground between TWBC and PWTC. See comment above regarding why the Council considers the south-western parcel (south of the railway line) to be the most appropriate location for a Sports Hub.
Section 9 (Access and Movement): Policy PW AM4 (page 102)	TP 3	It is noted that the NDP states that all new development will have regard to the vehicle parking standards established by Kent County Council, which is contrary to the standards specifically identified for Paddock Wood within Policy TP 3 of the SLP.	It is suggested that this policy refers to the TWBC standards in emerging Policy TP 3 of the SLP.
Section 10 (Housing & Infrastructure): Policy PW HI1 (page 109)	H 3	It is acknowledged that the Planning Practice Guidance allows Neighbourhood Planning Groups the discretion to require a higher minimum discount for First Homes (than 30%) of either 40% or 50% if they can demonstrate a need for this (004 Reference ID: 70-004-20210524). It is acknowledged that evidence for this need is addressed in	Lower First Homes discount to 30% due to viability issues likely to be caused, leading to potential opportunity costs relating to key items of infrastructure associated with the proposed strategic growth at Paddock Wood.

PW NDP Reg 16 Sept-Oct 2022 Page no./Policy	Reference to TWBC Submission Local Plan	TWBC Officer Comments	Recommendations For changes etc.
		Appendix E of the NDP. However, given the significant infrastructure required as part of the growth at Paddock Wood, TWBC does not consider that a 50% discount is viable on these sites; such a discount could pose a significant opportunity cost which puts other key infrastructure items at risk. It is also questioned whether the NDP Group have undertaken any viability assessments on the proposed strategic growth sites within Paddock Wood in relation to the 50% proposed First Homes discount.	It is also noted that criterion 1.d. specifies that at least 25% of affordable homes shall be First Homes; however, it is also worth clarifying that the remaining 75% (in terms of the tenure/type of affordable housing) should accord with the %s within SLP Policy H 3 (i.e., 60% social rent / 40% intermediate tenures or other affordable routes to home ownership).
Section 10 (Housing & Infrastructure): Policy PW HI3 (page 111)	H 8	It is noted that this Policy requires 5% of the plots within the growth areas around Paddock Wood to be for self and custom building where viable. While 'where viable' provides flexibility, it is noted that the requirement within the NDP Policy is contrary to TWBC's Submission Local Plan Policy H8, where the Council's evidence base confirms that the majority of the self/custom build housing need is expected to be met through small windfall schemes, and a 5% requirement on three site allocations (AL/RTW 5, AL/RTW 16, and STR/SS 3; i.e., not at STR/SS 1). As such, there is concern that a 5% requirement on the strategic sites proposed at Paddock Wood could potentially lead to an excess of what is needed from the Council's Self-Build and Custom Housebuilding Register. Therefore, further justification on this requirement may be necessary.	It is recommended that evidence is provided on why the NDP approach should differ to the approach in the Submission Local Plan, as well as that the requirement will not affect the viability of the strategic growth proposed at Paddock Wood.
Section 10 (Housing and Infrastructure): Paragraph 10.25 (page 113)	STR/SS1	While it is acknowledged that the NDP refers to the 'north' as the northern part of the western parcel (north of the railway line), the Submission Local Plan refers to this particular area as the northern part of the western parcel.	To limit confusion, all references to the northern parcel in the NDP (which relate to the northern part of the western parcel) should be amended to refer to the western parcel, as per Map 27 (Masterplan Areas) of the Submission Local Plan. It is noted that footnote 49 of the PW NDP offers clarification on this different terminology, although consistency with the SLP is recommended for ease of understanding.
Section 10 (Housing and Infrastructure): Paragraph 10.29 and criterion 1.c. of Policy PW HI5, as well as HI6 (pages 113-119)	STR/SS 1	It is noted that Paragraph 10.29 and criterion 1.c. of NDP Policy PW HI5 conflict with Submission Local Plan Strategic Policy STR/SS 1 as the local centre in the east growth area of Paddock Wood will not include a new primary school. However, it is acknowledged that criterion 1.c. states 'where appropriate', however Paragraph 10.29 states that the local centres in the north and east growth areas 'will' include a new primary school. Paragraph 10.29 also states that the north centre may also be well related to provision of new outdoor sports facilities, which is also contrary to STR/SS 1 criterion d).	Paragraph 10.29 should be amended from 'will', and criterion 1.c. of the Policy should be amended from "where appropriate", to "[should] where possible, practical and feasible to do so" to ensure consistency, as well as the original Reg.14 wording of Paragraph 10.38 of the NDP which had stated that primary schools located in the north/east (as well as the health hub in the west) growth areas 'should' be integrated within new local centres where 'possible, practical and feasible to do so' (as well as the original wording of Policy PW HI6 which stated 'should' ... 'where feasible'). It is recommended that this original wording is retained, and paragraph 10.29 and criterion 1.c. of Policy PW HI5 amended accordingly. It is noted that previous TWBC Reg.14 comments regarding the location of the health hub have been taken into account within the Reg.16 wording of Policy PW HI6 (adding flexibility for its location within either the eastern or western growth areas) as the location of the health hub is not prescribed in Submission Local Plan Policy STR/SS 1. However, there remains an inconsistency with paragraph 10.29 which still states that "to the west, the centre should incorporate a new health centre". This needs to be amended accordingly.

PWNDP Reg 16 Sept-Oct 2022 Page no./Policy	Reference to TWBC Submission Local Plan	TWBC Officer Comments	Recommendations For changes etc.
			As above, it is acknowledged that the proposed location of the proposed sports hub (as part of Submission Local Plan Policy STR/SS 1) is an uncommon ground between TWBC and PWTC. See comment above regarding why the Council considers the south-western parcel (south of the railway line) to be the most appropriate location for a Sports Hub.
Photo (page 125)	N/A	Give the photo a label to improve accessibility.	Add label.
Appendix D (pages 130 – 132): Photos	N/A	Give the photos labels to improve accessibility.	Add labels.
Appendix F (pages 136 – 142): Photos	N/A	Give the photos labels to improve accessibility.	Add labels.
Other	STR/SS 1 and H 9	Gypsies and Travellers: While it is acknowledged that Gypsy and Traveller provision has not been raised as an area of concern during the NDP process and instead deferred to the Local Plan process, given the large number of Gypsy and Traveller sites in Paddock Wood parish (relative to other parishes in the borough) and the proposal for 3 pitches as part of Submission Local Plan Strategic Policy STR/SS 1, it is considered that the NDP should provide some commentary on this particular housing need.	Provide commentary of Gypsy and Traveller provision to align with Submission Local Plan Policy STR/SS 1.
Other	N/A	For any spatial policies (e.g., Local Green Spaces), it is requested that the NDP Group provide the GIS data/shapefiles for these policies to the Council at each stage of the NDP. This will ensure that, upon successful adoption of the NDP, the NDP spatial policy layers can be added to the Council's development plan and be automatically flagged as constraints on relevant planning applications.	NDP Group to provide GIS data to the Council.
Other	N/A	It is noted that the PW NDP will relate only to Paddock Wood parish, while the strategic sites proposed as part of the SLP includes land within Capel parish (to the west of Paddock Wood). As such, commentary within the Plan is recommended on the (spatial) implications of the policies which relate to the proposed growth areas outside the parish boundary.	Provide commentary on implications of policies relating to growth areas outside parish boundary.

Supporting Information

Response 7 – The British Horse Society – Cover Letter

11th November 2022

Dear Sir/Madam,

I am responding on behalf of the British Horse Society, the largest UK equestrian charity with over 117,000 members representing the 3 million horse riders in the UK.

Please could I start by saying that the BHS is very willing to work constructively with the Town Council to draw up plans to assist in meeting equestrian needs in the area.

It is also vital to consider our contributions in context of the national work the British Horse Society has been doing regarding road safety (lack of) for horse riders, who are recognised under the Highway Code as vulnerable road users. Many horse and pony riders using the roads are children, a fact that may not be immediately obvious to a car driver seeing a rider on a horse.

The most recent statistics tell us that between 29.02.20 and 28.02.21, there were 1,010 road incidents involving horses (reported to BHS). Of these, 46 horses died and 118 were injured. 130 people were injured.

As outlined on our questionnaire response there is scarcely any consideration for horse riders within the current plan, while the number of passported horses owned within the TN12 area *alone* is 1550 (source DEFRA FoI April 2021), contributing a sum in excess of £8.5 million per annum to the economy (source BETA 2019), much of it local.

Horse riders in the Paddock Wood area currently have nowhere to hack out except on the roads (there are just three very short bridleways in the parish, separated by roads), and that the roads they use are becoming increasingly dangerous for horse riders and carriage drivers because of the increasing volume of motor traffic.

Active Travel

Whilst the BHS supports the national initiative to encourage more cycling and walking as part of Active Travel Plans it is *imperative* that Active Travel plans ALSO includes equestrians.

The government's Cycling and Walking Investment Strategy Safety Review says:

"1.2 But safety has particular importance for vulnerable road users, such as walkers, cyclists and horse riders. All road users have an equal right to use the road, and safety and the perception of safety are key factors in determining how far people use these modes of transport. The safer they feel, the more they will use these active modes of travel. The more people who use Active Travel, the fitter and healthier they will be, and the more their communities will benefit from lower congestion and better air quality, among a host of other benefits"(Jesse Norman, Minister for Transport p 4)

Jesse Norman in House of Commons debate on Road Safety, 5 November 2018:

"We should be clear that the cycling and walking strategy may have that name but is absolutely targeted at vulnerable road users, including horse-riders"

And final point by Jesse Norman in debate:

"Horse riders are vulnerable road users—there is no doubt about that, and there never has been—and they have been included in the work we are doing."

Health & Wellbeing

THE HEALTH BENEFITS OF HORSE RIDING IN THE UK

(Data comes from research undertaken by the University of Brighton and Plumpton College on behalf of The British Horse Society)

- 68% of questionnaire respondents participate in horse riding and associated activities for 30 minutes or more at least three times a week. Sport England estimate that such a level of sporting activity will help an **individual achieve or exceed the government's recommended minimum level of physical activity**.
- Women have been identified in government studies as a social group with relatively low levels of participation in physical activity. Some 93% of questionnaire respondents were women and 49% percent of female respondents were aged 45 or above. These are comparable figures to a major Sport England survey which found that 90 percent of those participating in equestrianism are women and 37 percent of the female participants in equestrianism are aged 45 or above. **The gender and age profile of equestrianism is not matched by any other sport in the UK^[1]**.
- Amongst the horse riders who took part in the survey, 39% had taken no other form of physical activity in the last four weeks. **This highlights the importance of riding to these people, who might otherwise be sedentary.**
- Horse riders with a **long-standing illness or disability** who took part in the survey are able to undertake horse riding and associated activities at the same self-reported level of frequency and physical intensity as those without such an illness or disability

For further information, please see:

https://www.bhs.org.uk/~/_media/documents/marketing/health-benefits-of-riding-in-the-uk-full-report.ashx?la=en

https://www.bhs.org.uk/~/_media/documents/access/access-leaflets/statisticsarow-1119.ashx?la=en

It is our view that the plan continues to lack provision for the horse riders who currently live and ride in the Paddock Wood area. The bridleways are already limited and there is an opportunity here to improve access to create safe riding routes.

^[1] Sport England (2010) Active People Survey (2010/11)

Response 17 – Kent County Council – Appendix A

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

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

Part I: Strategy

4. Future Growth Strategy

Quality of Life

Public Rights of Way (PRoW): In regard to paragraph 4.23, the County Council welcomes the themes of Health (Recreation), Nature (Green Space and Interaction) and Movement (Walking and Cycling) within the Quality of Life Framework in the Neighbourhood Plan. These themes dovetail with the KCC Rights of Way Improvement Plan (ROWIP) and KCC would therefore encourage the Town Council to reference the ROWIP when considering countryside access projects surrounding Paddock Wood.

Part II: Policies

Minerals and Waste: The County Council, as Minerals and Waste Planning Authority, would recommend that reference is made to the necessity for any development which comes 2

forward to comply with the safeguarding policies of the Kent Minerals and Waste Local Plan 2013-30. This includes development which may have implications on sites allocated for mineral extraction within the Kent Mineral Sites Plan.

6. Green Infrastructure

Access to the Countryside

PRoW: In reference to paragraph 6.12, KCC is currently working with developers to ensure protection and enhancement of the PRoW within the Church Farm development footprint. Advice has also been provided to The Hop Pickers Line Heritage Group for themed furniture and waymarking.

The County Council is supportive of the Paddock Wood Neighbourhood Plan and welcomes future engagement with the Town Council.

Biodiversity

Biodiversity: The County Council welcomes the consideration of biodiversity as a key theme throughout the Neighbourhood Plan.

Policy PW GI3 – Biodiversity

Biodiversity: KCC supports the inclusion of habitat creation and enhancement within the policy. However, KCC would encourage an update to the policy to include a requirement for ecological enhancement features within new developments, specifically within buildings and the wider site. These features could include integrated bat, bird and insect bricks within the buildings, and features such as log piles, hedgehog highways and species boxes within the site. Whilst this is discussed in paragraph 6.27, the County Council would recommend that this is reflected within the policy.

Flooding and Drainage

Sustainable urban Drainage Systems (SuDS): The County Council, as Lead Local Flood Authority, notes the inclusion of the ‘Water People Places’ report in paragraph 6.35 of the Neighbourhood Plan. This report is relevant although KCC would emphasise that it can only be used as guidance. It would therefore be advisable to include a statement within the Neighbourhood Plan which refers to the requirement for any design associated with a major development to comply with the guidance and policies of KCC’s Drainage and Planning Policy Statement (Appendix A).

The Town Council may also wish to consider referencing paragraphs 159 through 169 of the National Planning and Policy Framework (NPPF), given that these are specific to planning and flood risk. For example, paragraph 161 states the need to “(use) opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding” and paragraph 167 states that “Major development should incorporate sustainable drainage systems...(and) should where possible, provide multifunctional benefits”. 3

KCC would draw attention to Neighbourhood Planning Support which includes specific advice on the inclusion of the environment and surface water within Neighbourhood Plans such as “Neighbourhood Planning for the Environment”.

Policy PW GI4 – Flooding and Drainage

SuDS: The County Council is supportive of this policy within the Neighbourhood Plan.

9. Access & Movement

Highways and Transportation: The County Council, as Local Highway Authority, is pleased to note that the Neighbourhood Plan reflects the NPPF requirements. KCC also welcomes the innovative examples of access and movement options within the Neighbourhood Plan.

10. Housing & Infrastructure

Social and Community Facilities

Waste Management: The County Council, as Waste Disposal Authority, recognises the need for additional waste infrastructure in the district to meet the demands of housing growth. In particular, the strategic allocations in the Paddock Wood area will place significant pressure on waste services as referenced in the Infrastructure Delivery Plan (IDP) and in this Neighbourhood Plan. KCC would therefore advise that this need is made clearer in the Neighbourhood Plan, by amending paragraph 10.43 to:

'The IDP (March 2021), published alongside the submission Local Plan, identifies the need for a range of infrastructure items to support new growth and expansion of the town. *This includes provision of new waste infrastructure within the district to ensure a sustainable waste management service is maintained.*'

11. Projects

County Council Community and Infrastructure Services: The County Council, as a key infrastructure and service provider, acknowledges that the Town Council is proposing to utilise Section 106 contributions for a number of projects and aspirations within the Neighbourhood Plan. KCC would welcome further consideration relating to the provision of other forms of infrastructure such as education, social care, waste, adult education, libraries and youth services which are also important to support a sustainable community.



Kent County Council

Drainage and Planning Policy

**- a Local Flood Risk Management
Strategy Document**

December 2019

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Date	Revisions details
October 2016	Clarification on technical matters; submission summary form.; pre-application advice; post-construction verification reports; standard advice.
June 2017	Further clarification of technical matters and amendments to general wording including revised M5-60, 50% reduction for brownfield sites, runoff control per soil type, discharge to highway systems, off-site drainage improvements and developer contributions.
November 2019	Clarification of drainage submission requirements and revised drainage policies to reflect latest changes in NPPF and include the requirements for a verification report and any changes as a result of consultation.

The overall policy will be assessed biennially and reviewed when National policy or other relevant policy changes occur.

1 Role of this Policy

This policy sets out how Kent County Council (KCC), as Lead Local Flood Authority (LLFA) and statutory consultee, will review drainage strategies and surface water management provisions associated with applications for major development. It is consistent with the Non-Statutory Technical Standards for Sustainable Drainage (as published by Defra in March 2015) and sets out the policy requirements KCC has for sustainable drainage. It should be read in conjunction with any other policies that promote sustainable drainage, specifically:

- the National Planning Policy Framework and,
- any specific policy set out by the relevant Local Planning Authority

This policy is also supported by KCC guidance and policy provided in:

- Kent Design Guide Technical appendices ('Making It Happen') 2019;
- Water. People. Places - a guide for Masterplanning sustainable drainage in developments;
- KCC Land Drainage Policy

The aim of this policy document is to clarify and reinforce these requirements. It also includes references to other design considerations which impact sustainable drainage design and delivery.

This policy should be used by:

- developers when considering their approach to the development of new sites or redevelopment of brownfield sites;
- developers or their consultants when preparing submissions to support a planning application for major development;
- professionals involved in developing drainage schemes including engineering and urban and landscape professionals;
- development management officers when considering development applications,
- Local Authorities when developing local planning and land-use policy.

With this current update, we seek to ensure that multifunctionality of open space is now emphasised within development master planning. This provides an opportunity for Kent to look to wider benefits of sustainable drainage and strengthen policies for the delivery of drainage systems which are fully sustainable, thus providing quantity control, quality improvement, biodiversity enhancement and amenity. Changes to the National Planning Policy Framework (NPPF) in 2019 and Defra's 25-Year Environmental Plan¹ promote a robust approach to sustainable development.

¹25-year Environment Plan, published January 2018 on www.gov.uk/government/publications/25-year-environment-plan

2 Introduction

2.1 Background

KCC was made a LLFA for Kent by the Flood and Water Management Act 2010 (the Act). As LLFA, KCC has a strategic overview of 'local flooding'. Local flooding is defined by the Act as flooding which is caused by:

- Surface water,
- Groundwater,
- Ordinary Watercourses

The management of surface water within new development is a key factor in managing local flooding.

Since commencement of the Act in 2010, the Government has assessed various means of promoting sustainable drainage systems. In April 2015, LLFAs were made statutory consultees in planning for surface water. Our understanding of local drainage and local flood risk presents a strong platform from which to provide advice and guidance to Local Planning Authorities on the management of surface water.

In undertaking this role KCC coordinates with the 12 local authorities as well as Kent's own planning department and the Ebbsfleet Development Corporation. Where appropriate we will also liaise with other relevant flood risk management authorities, such as the Environment Agency, sewerage undertakers and the county's Internal Drainage Boards (IDB).

2.2 Legislative Framework

As a LLFA within Kent, KCC is required under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 ('the Development Management Procedure Order') to provide consultation response on the surface water drainage provisions associated with major development.

Major development is defined within the Development Management Procedure Order as development that involves any one or more of the following:

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwelling houses where:
 - (i) the number of dwelling houses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more.

As a statutory consultee, KCC must provide a substantive response within 21 days of consultation (Article 22 of the Development Management Procedure Order). A substantive response is one which:

- (a) states that the consultee has no comment to make;
- (b) states that, on the basis of the information available, the consultee is content with the development proposed;
- (c) refers the consultor to current standing advice by the consultee on the subject of the consultation; or
- (d) provides advice to the consultor.

The Planning and Compulsory Purchase Act 2004 describes the duty to respond as a consultee, including the duty to report to the Secretary of State on compliance with the provision of substantive responses.

The Town and Country Planning (General Development Procedure Amendment No. 2, England) Order 2006 introduces the concept of Critical Drainage Areas as *"an area within Flood Zone 1 which has critical drainage problems and which has been notified [to] the local planning authority by the Environment Agency"*. However, no Critical Drainage Areas have yet been defined within Kent and will not require further consultation.

2.3 Sustainable Drainage in Planning

Sustainable drainage systems are designed to control surface water as close to its source as possible. Wherever possible they should also aim to closely mimic the natural, pre-development drainage across a site. A well-designed sustainable drainage approach also provides opportunities to:

- reduce the causes and impacts of flooding;
- remove pollutants from urban run-off at source;
- combine water management with green space with benefits for amenity, recreation and wildlife.

The purpose of the planning system is to contribute to the achievement of sustainable development and deliver the requirements of the National Planning Policy Framework (NPPF). The use of sustainable drainage systems helps to achieve the sustainability objectives of the NPPF.

2.4 Design Strategies

Development has the potential to change surface water and ground water flows, depending upon how the surface water is managed within the development proposed. Planning applications for major development should therefore be accompanied by a site-specific drainage strategy that demonstrates that the drainage scheme proposed is in compliance with KCC's sustainable drainage policies, as outlined within this document.

The drainage strategy must also demonstrate that the proposed surface water management proposal is consistent and integrated with any other appropriate planning policy and flood risk management measures that are required.

2.5 Strategic Consultation

As a LLFA, KCC has a consultation role in relation to the preparation of local plans, neighbourhood plans, strategic flood risk assessments and other planning instruments produced by Local Planning Authorities².

KCC will provide advice and guidance on local flood risks and appropriate policy for any area upon request.

KCC will also provide information to individuals and other organisations with respect to drainage and local flood risk for use in the preparation of other relevant planning documents upon request.

² National Planning Policy Guidance, Flood Risk and Coastal Change, paragraph 2.

3 Planning policy and guidance for drainage

This section sets out the sources of planning policy relevant to the management of surface water. These policies will form the basis of KCCs assessment of any submitted drainage strategy. The drainage strategy will need to demonstrate how the development meets these requirements.

3.1 NPPF

The National Planning Policy Framework (NPPF) was published on 27 March 2012 with further revisions in 2019; it sets out the Government's planning policies for England and outlines how these are expected to be applied. Planning law requires that applications for planning permission must be determined in accordance with the relevant Local Planning Authority's development plan, following public consultation and with due regard for other material considerations.

The NPPF is a material consideration in the determination of planning applications. At the heart of the NPPF is a presumption in favour of sustainable development, excepting where adverse impacts significantly outweigh the benefits (or where specific policies indicate that development should be restricted). Flooding and drainage may also be considered material considerations in the determination of planning applications as their management contributes to sustainable development.

Paragraphs 155, 157, 163, 165 and 170 of the NPPF (Appendix A) have particular relevance to flooding and drainage. These paragraphs include consideration for area of flood risk, incorporation of sustainable drainage systems, taking account of advice from LLFA, operational standards, maintenance requirements and multifunctionality.

The NPPF is supported by the **Planning Practice Guidance**³ which provides further advice on how planning can take account of the risks associated with flooding in plan-making and the application process.

3.2 Water Environment Regulations 2003

The Water Environment Regulations 2003 make provision for the purpose of implementing in river basin districts the Water Framework Directive (Directive 2000/60/EC of the European Parliament) which established a framework for Community action in the field of water policy. These regulations will remain in place until such time that UK law is revised to reflect changes in EU membership. These Regulations require a new strategic planning process to be established for the purposes of managing, protecting and improving the quality of water resources⁴.

Therefore, this provides an opportunity to plan and deliver a better water environment, focusing on ecology. The WFD aimed for the water environment to reach 'good' chemical and ecological status in inland and coastal waters by 2015. Planning and programmes are continuing in six year cycles until 2027.

The WFD drives water quality improvement planning along total river catchment areas, with the production of River Basin Management Plans. The directive puts a duty on public bodies to have regard to river basin management plans (and associated supplementary plans) when exercising their functions where it may affect a river basin district.

Controlling water is inherent in the WFD's objectives, as uncontrolled surface flow or flooding can cause unmanageable water quality problems. Sustainable drainage principles are key to meeting the objectives of the WFD in its continuing cycles.

3.3 Habitats Regulation 2017

The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive⁵), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales.

The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.

Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.

The sites where habitats and species are legally protected due to their exceptional importance are known as Natura 2000 sites; this network protects rare, endangered or vulnerable habitats and species. The Natura 2000 network includes Special Areas of Conservation (SACs, identified under the Habitats Directive), Special Protection Areas (SPAs, identified under the Birds Directive) and Ramsar sites (wetlands of international importance designated under the Ramsar Convention). All Natura 2000, or 'European', sites are also classified as Sites of Special Scientific Interest (SSSIs) but not all SSSIs are Natura 2000 sites.

³ The Planning Practice Guidance is a web-based resources which can be accessed from the Planning Portal at: http://planningguidance.planningportal.gov.uk/?s=Drainage&post_type=guidance

⁴ This framework became UK law in December 2003

⁵ More information on the Habitats Directive can be found at: http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm

3.4 Defra's 25-Year Environment Plan

The 25 Year Environment Plan was published in January 2018; it sets out government action to tackle the growing problems we face in the environment and aims to deliver cleaner air and water in our cities and rural landscapes, protect threatened species, reduce risk of environmental hazards and promote sustainable development.

The plan is supported by the concept of natural capital, meaning it places value on natural assets, which includes geology, soils, water and all living organisms. Specific components of the Environment Plan are introduced in current updates of the NPPF.

The Environment Plan will need to be underpinned by law and enforced by a new legal framework for the environment to replace the system the EU currently provides. It is beneficial to be aware of the changes in legislation and policy indicated in this plan as it provides government direction to sustainable development.

3.5 Non-statutory technical standards for sustainable drainage

To support the LLFAs statutory consultee role, Defra published the 'Non-Statutory Technical Standards for Sustainable Drainage Systems' on 23 March 2015. These standards provide advice and guidance for the design, maintenance and operation of sustainable drainage systems⁶.

Further guidance on the application of the Non-Statutory Technical Standards will be provided by Defra and associated stakeholders.

A summary of the requirements of these non-statutory standards is provided in Appendix B. The policies in this policy are consistent with the Non-Statutory Technical Standards.

3.6 Local Authority Guidance

Local Planning Authorities are ultimately responsible for determining planning applications and have numerous planning and policy documents to support the delivery of sustainable development within their districts.

3.6.1 Local Plans and Neighbourhood Plans

National planning policy places Local Plans at the heart of the planning system. Local Plans set out a vision and a framework for future development of the area. Local Plans should be based upon and reflect the presumption in favour of sustainable development. They should also address housing provision, the economy, community infrastructure and environmental issues such as adapting to climate change and ensuring high quality design.

The management of flood risk and surface water can be dealt with through policies for sustainable construction, flood risk, open space, landscape character and green infrastructure. These policies may be supported by further Supplementary Planning Documents or guidance notes.

Neighbourhood planning is a right for communities introduced through the Localism Act 2011. Parish Councils and Neighbourhood Forums (where there is no Parish Council) and their communities can shape development in their areas through the production of Neighbourhood Development Plans. These plans become part of the Local Plan and the policies contained within them are then used in the determination of planning applications.

Any drainage strategy should make reference to relevant Local Plan and Neighbourhood Plan policies. It may also have to provide evidence which supports delivery of biodiversity, amenity and other benefits.

3.6.2 Supplementary planning documents

Some local authorities in Kent have specific drainage guidance, policies and standards for development within their district areas, which may include specific surface water discharge rates. Other local authorities may introduce similar guidance. These documents provide substantive guidance on how drainage should be delivered.

3.6.3 Strategic Flood Risk Assessments (SFRA)

Strategic Flood Risk Assessments are required to inform the development of Local Plans, as stated within the NPPF. A SFRA assesses the risk to an area from flooding from all sources, taking into account the effects of predicted climate change. They should also assess the impact that land use changes and development will have on flood risk within the district in question. Each Local Planning Authority in Kent has prepared and referenced a SFRA within their planning documents. These documents provide key information on the potential sources and magnitude of flooding and may provide information for specific site allocations.

⁶ The Non-statutory Technical Standards are published at: <https://www.gov.uk/government/publications/sustainable-drainage-systems-non-statutory-technical-standards>

3.7 Kent County Council Guidance

The Local Flood Risk Management Strategy (the Local Strategy) for Kent sets out a countywide strategy for managing the risks from local flooding. One of the five objectives set out in the Local Strategy specifically states the importance of ‘ensuring that development in Kent takes account of flood risk issues and plans to effectively manage any impacts’.

To support delivery of this objective, KCC has developed guidance to define the approach to planning and design of drainage. When considering surface water drainage within new developments in Kent, it is therefore recommended that reference is made to specific guidance and wider information available:

3.7.1 Water. People. Places - a guide for masterplanning sustainable drainage into developments

This guidance outlines the process for integrating sustainable drainage systems into the masterplanning of large and small developments⁷. This guidance should be used as part of the initial planning and design process for all types of development, with specific reference made to the relevant development typologies.

3.7.2 Kent Design Guide Technical Appendices: Making It Happen

The Kent Design Guide was produced to ensure that all new development results in vibrant, safe, attractive, liveable places. ‘Making It Happen’ comprises technical appendices that provide advice and guidance on the design and construction of drainage systems which KCC may be adopting.

The sustainability chapter (drainage systems) has been revised in May 2019 and contains specific technical guidance for drainage design.

3.7.3 Land Drainage Policy

KCC has powers under Section 23 of the Land Drainage Act 1991 to consent works in an ordinary watercourse and to enforce the removal of unconsented works.

Land Drainage regulations are generally concerned with the physical condition of watercourses, including whether they are blocked or how they are modified, including the introduction of new structures to them. This policy sets out how Kent County Council exercises these land drainage functions.

3.7.4 Surface Water Management Plans

Surface Water Management Plans (SWMPs) have been prepared by KCC (in partnership with other relevant stakeholders) to identify specific local actions to manage local flood risk. They have been undertaken in areas which were identified as a potential risk from local flooding in the Preliminary Flood Risk Assessment. These studies may provide a greater understanding of the current flood risk. Any proposed development should include consideration of any findings and recommendations of the relevant SWMP for the area. The areas covered by SWMPs are regularly being updated and can be found on the KCC website⁸.

3.7.5 Kent Environment Strategy

As part of a county wide partnership, KCC has produced a Kent Environment Strategy– A strategy for environment, health and economy (KES) setting out how Kent and their partners propose to address significant opportunities and challenges from environmental change and development pressures (such as a need for improved air and water quality, decline in biodiversity and the impacts of climate change)⁹. It is accompanied by an implementation plan and includes partnership actions that will deliver against the priorities set out in the strategy. KCC adopted the strategy in January 2016 and has invited the District Councils to also adopt it to provide a basis for co-ordinated action.

The KES recognises that the environment is a key part of the infrastructure supporting the Kent economy. The strategy aims to make the most of environmental opportunities whilst addressing challenges arising from development pressures, need for improved air and water quality, decline in biodiversity and the effects of climate change.

3.8 Other Guidance & Tools

In approaching or reviewing design, technical aspects may need clarification and specification in order to satisfy KCC that it meets the required standard. KCC will make reference to good practice presented within the following documents, and would recommend that any designer also refers to:

3.8.1 CIRIA SuDS Manual (C753), 2015

This guidance document provides comprehensive information on the all aspects of the life cycle of sustainable drainage from initial planning, design through to construction and management including landscaping, waste management and costs.

3.8.2 Building Regulations

Building Regulations exist to ensure the health, safety, welfare and convenience of people in and around buildings. Part H of the Building Regulations specifically covers drainage. The consultation with the LLFA addresses flood risk to and from developments and does not replace any requirement for Building Regulation approval.

3.8.3 BS 8582:2013 Code of practice for surface water management for development sites

The British Standard gives recommendation on the planning, design, construction and maintenance of surface water management systems for new development and redevelopment sites in minimizing and/or mitigating flooding and maximizing the social and environmental benefits.

⁷ The document can be found at: www.kent.gov.uk/waste-planning-and-land/flooding-and-drainage/sustainable-drainage-systems

⁸ SWMPs can be found at: www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/flooding-and-drainage-policies/surface-water-management-plans

⁹ The Strategy can be found at: <http://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/environmental-policies/kent-environment-strategy>

3.8.4 UK Sustainable Drainage Guidance

The UK SuDS Tools website which provides estimation tools for the design and evaluation of surface water management systems. The website has been developed and is supported by HR Wallingford. The web site can be accessed at: <https://www.uksuds.com/>. The website provides estimations for greenfield runoff, storage analysis and other tools.

3.8.5 Long Term Flood Risk Information

In 2013 the Environment Agency, working with LLFAs, produced the Long Term Flood Risk map, which depicts the risk associated with surface water flooding. The Risk of Flooding from Surface Water maps show flooding scenarios as a result of rainfall with the following chance of occurring in any given year (annual probability of flooding is shown in brackets): 1 in 30 (3.3%), 1 in 100 (1%), and 1 in 1000 (0.1%).

The Risk of Flooding from Surface Water map is published on the Gov.UK website on the "Long Term Flood Risk Information". This mapping is key to assessing overland flow routes and to identifying any locations at high risk of surface water flooding.

4 Drainage Consultation

4.1 Introduction

A drainage strategy should be submitted to the relevant Local Planning Authority along with any planning application for major development. It may either form part of a wider Flood Risk Assessment, or it can be submitted as a separate and dedicated standalone document.

Whilst consultation is not undertaken with KCC for minor development, applicants should be aware that the NPPF priorities for sustainable drainage do apply to all development, irrespective of scale (NPPF, Paragraph 163). Developers of sites for minor development are encouraged to consider the policies outlined in this document, as well as any local specific policy with respect to site drainage design. Applicants for these smaller developments are directed to guidance and standing advice on best practice to help minimise flood risk.

It is important that any consultation request we receive reflects the level of risk to a site (or the risk that may result from its development). Consequently, consultation may also occur for development, other than major development in areas of higher local flood risk, as described in Section 4.3.

Consultation on flood risk will also occur with other risk management authorities. For example, the management of tidal and fluvial flood risk and the prevention of inappropriate development in the associated flood-plain remains the responsibility of the Environment Agency. The Environment Agency is also responsible for the management of permitting regulations which may affect discharge to water bodies or the ground. Similarly, if any drainage scheme requires connection to a public sewer, additional approval will be required from the appropriate sewerage undertaker.

Within Flood Zones 2 or 3 (areas of medium/high tidal or fluvial flood risk), a Drainage Strategy should be a component of a wider Flood Risk Assessment and should outline how the management of runoff will not exacerbate the existing flood risk to/from the development proposed.

A Flood Risk Assessment should also be submitted with any application for planning permission on sites in excess of 1 ha in Flood Zone 1 (low flood risk); in these instances the Flood Risk Assessment/Drainage Strategy should be primarily concerned with the management of surface water within the proposed development site.

Other third parties, including but not limited to the Environment Agency, IDB, The Highways Authority, the Sewerage Undertaker and adjacent landowners, could have an effect on the design of a drainage system. Consultation with relevant third parties is essential early in the design process. This information should be provided as part of the consultation process.

4.2 Consultation Process

4.2.1 Overview

Consultation with KCC will occur through the planning process. KCC will be notified of the submission of a major planning application by the Local Planning Authorities within Kent (as defined in Section 2.5).

A substantive response to the LPA is legally required from KCC within 21 days of consultation.

4.2.2 Pre-application Advice

Incorporating appropriate drainage is easier and more sustainable if it is planned and designed in from the start of a development. KCC encourages pre-planning consultation to ensure that the issues are appropriately addressed at an early stage.

Pre-planning advice from KCC can provide the following benefits:

- background information to identify constraints and matters in relation to flood risk and drainage pertinent to the application;
- an indication of whether a proposal would be acceptable in principle, saving time and cost within the planning process;
- reduced time to prepare the proposal;
- provides clarification of the guidance and policies that will be applied to the development proposal;
- identifies whether specialist input is required; and,
- identification and engagement of other key stakeholders.

KCC's pre-application planning advice in relation to new development is discretionary and is provided as a chargeable service. Details and forms for pre-application advice is found on kent.gov.uk. Standing advice for specific development scenarios and types is also available on Kent's website¹⁰.

We provide free advice to:

- individual homeowners who have specific drainage or flood related issues which may impact their own house for development; and,
- Parish councils, Local community groups, or Flood Forums on works proposed to improve local communities.

4.2.3 Planning application submission

The Local Planning Authority will confirm that a Drainage Strategy has been submitted with the planning application and pass it to KCC for consultation. KCC will review the submitted material for adequacy and, depending upon the submission, may request further information. This will be communicated to the applicant via the Local Planning Authority.

The drainage strategy submitted to support a planning application must reflect the development proposal (including site area, type of development, general arrangement and layout).

All elements of the proposed drainage strategy should be within the defined planning and development application boundary as defined by the development's "red-line" boundary. This ensures that planning approval and any subsequent conditions will apply to the entirety of the drainage measures. It would not be acceptable to have any drainage measures, most notably attenuation basins or soakaways outside of the planning application site boundary unless secured by other planning conditions, approvals or agreements.

In reviewing a drainage application, KCC will, in the first instance, confirm compliance with this policy, national planning policy (as defined in the NPPF), and compliance with the Non-Statutory Technical Standards. Local planning requirements (as set out in Local Plans or other local planning documents) and other site-specific land-use factors that affect surface water management will also be referenced, where appropriate. Additionally, KCC will consider adherence to wider environmental principles of the NPPF that may have a bearing on drainage design (for example, water quality, biodiversity and amenity).

A consultation response will be prepared and returned to the Local Planning Authority within the required 21 days following receipt of a suitably detailed submission. The consultation response may result in a request for further information or for planning conditions for subsequent determination.

¹⁰ www.kent.gov.uk/waste-planning-and-land/flooding-and-drainage/sustainable-drainage-systems#tab-3

4.3 Consultation Submission Requirements

4.3.1 Introduction

Detailed information will be required to demonstrate that a drainage design is appropriate and will operate effectively. This information may be required for all drainage measures, including (but not limited to) pipe networks, attenuation features, ponds, soakaways and control structures.

Key design information must be evidenced and assessed. Key information which may be needed to demonstrate the feasibility or applicability of a design philosophy includes:

- existing discharge rates and post development discharge rates;
- ground investigation information, groundwater levels and infiltration rates;
- condition and connectivity surveys of receiving watercourses and sewers;
- ground level and topographical survey;
- deliverability of discharge destination and right to connect.

Detail of this technical information is provided in Chapter 6 of Making it Happen C2: Sustainable Drainage Systems. The lack of detailed technical information may increase the level of uncertainty we may have about the effectiveness of a drainage strategy. If the degree of uncertainty is great, this is that the proposal cannot clearly demonstrate a functioning system in line with requirements, then KCC will have grounds to object to the drainage proposal or may delay return of a substantive comment to the planning authority.

We therefore encourage pre-application discussion to identify any areas which may need further investigation or clarification to reduce any uncertainty with respect to the functioning of the system.

The detail provided in the submission will reflect the type of planning application submitted, whether 'outline' (Surface Water Management Strategy) or 'full' (Detailed Drainage Strategy) or discharge of condition (detailed design). The submission requirements are provided in Table 1 and are read as minimum requirements. It is expected that later stages of planning submissions will provide greater detail (such as estimates of storage vs modelled network calculations).

KCC recommends the inclusion of a summary sheet which contains pertinent information to assist in ensuring sufficient detail is submitted and to simplify the review process. A Drainage Strategy Summary Form is included in Appendix C.

We recommend that applicants confirm the submission requirements through pre-application discussion with KCC, particularly to identify any needs for ground investigation.

Table 1- Submission Requirements for stages of planning

Information required	Outline	Full	Reserved Matters	Discharge of Condition	Verification condition ¹¹
Identification of discharge destination					
Development information including location plan, site layout, and drainage schematic					
Surface water drainage strategy report or statement					
Calculation assumptions and results including impermeable areas, infiltration rates, network calculations and models					
Existing and proposed drainage arrangements			12		
Existing and proposed discharge rates					
Ground investigation reports/survey and soakage testing results					
Maintenance programs and access arrangements					13
As built drawings or tender construction drawings				14	
Exceedance plan ¹⁵					
Catchment plans					
Water quality index					
Watercourse condition and connectivity					
Proposed detailed drainage network plans and cross-sections including cover and invert levels, locations of flow controls (Critical Drainage Assets)					
Attenuation device details including cross-sections					
Landscape Plan					
Discharge agreements, consents and/or evidence of third-party agreement for discharge to their system					
Phasing plan					
Identification or designation of maintaining authority/ organisation					

¹¹ specific requirement for confirmation of drainage. Please see section 4.3.5

¹² as required, where not already demonstrated in the original application

■ require greater design detail than previous planning stage ■ Greatest amount of detail required

¹³ Specific for each critical drainage asset

¹⁴ Drawings of proposed construction

¹⁵ includes conveyance, volume and depths

4.3.2 Large scale development

Surface water management strategies for large developments (with multiple phases) will require the submission of an overall drainage strategy at outline planning stage that provides the overall site drainage strategy and a framework for the delivery of the drainage in each phase of the site.

The Surface Water Management Strategy should set out the following for the whole site, and each phase:

- discharge destination(s);
- discharge rate and volume;
- catchment areas;
- estimated impermeable areas per phase and per catchment; and,
- phasing plan with timing of construction.

This Surface Water Management Strategy should act as an overall **drainage masterplan** for all phases of the development.

A Surface Water Management Strategy will be tied to a planning condition at the outline stage. Pre-application discussions are encouraged in the case of phased development to agree the level and detail of any strategic Surface Water Management Strategy and subsequent Detailed Drainage Strategies that will be required for each phase.

Depending upon the level of detail submitted at outline planning, it may be necessary to submit additional drainage information to accompany reserve matters associated with the layout to demonstrate that the Surface Water Management Strategy can be accommodated within the proposed layout.

Further details regarding the surface water management proposals for each phase of development should then be provided within a Detailed Drainage Strategy. Each phase must remain consistent with the overall site strategy and drainage masterplan.

Supporting information must be submitted to demonstrate that any variations can be accommodated within the site without exacerbating flood risk. The overall site Surface Water Management Strategy may be reviewed as different phases are delivered.

Large sites in close proximity or in one catchment are encouraged to cooperate or consult concurrently as there may be opportunities for combined solutions with mutual and greater benefit.

Any strategic drainage features that are required for the wider site's drainage strategy to function properly must be identified and delivered prior to the connection of the drainage from any phase or sub-phase. If a single site within a wider development (e.g. school or commercial site) is reliant upon the strategic drainage system, this must be clearly indicated within the phasing plan.

4.3.3 Consultation for minor and low risk development

Minor development will not normally be reviewed by KCC, unless specifically requested by the LPA due to local drainage concerns, existing or mapped surface water flood risk, or other matters identified by the LPA in relation to delivery of sustainable drainage.

In some instances, due to the size of the development or proposal, construction for drainage provision is not needed or substantial and therefore considered low risk. Low risk development for the purposes of consultation may be regarded, but not limited to:

- change of use¹⁶;
- limited external building envelope alterations;
- or which results in less than 100 m² of additional impermeable area and which is not located in an area of existing flood risk or drainage problems.

4.3.4 Easements and way leaves

If any surface water flows off site and is required to cross third party land, then information must be submitted which demonstrates that the applicant has the ability to deliver the outfall from the site. This may require confirmation of agreement from a third-party landowner or confirmation of an agreed easement way leave.

4.3.5 Maintenance and verification

The design of any drainage system must take into consideration the construction, operation and maintenance requirements of both surface and subsurface components, allowing for any personnel, vehicle or machinery access required to undertake this work.

The continued operation of any drainage system is dependent upon ongoing maintenance, which may be undertaken by an adopting authority or management agent. Any drainage strategy must include details of the intended adopting authority or agent and specific details of appropriate and sufficient maintenance, and then be confirmed in the verification report.

Developers will be required to demonstrate that the drainage was constructed according to the approved plans through post-construction verification reports. These reports will also include maintenance and requirements specific to the drainage system constructed. Detailed drainage layouts will be required which also identify “critical drainage assets”¹⁷.

¹⁶ change of use where vulnerability is not increased

¹⁷ KCC’s definition of critical drainage assets would be those items of interest in relation to Section 21 (1A) of the Flood and Water Management Act (2010), namely any assets that are “likely to have a significant effect on a flood risk in its area” and could include items such as inlets, outlets, controls, attenuation structures etc... Further clarification can be provided by contacting KCC’s Flood and Water Management team.

4.4 Adoptable highways and drainage

Most major development would normally include some aspect of highway construction or improvement, which may be adopted or require approval by KCC as the Highway Authority. The provision of drainage to adopted highways is normally subject to Section 38 or 278 Agreement, with approval and inspection by KCC as the Highway Authority.

Highway matters may be reviewed within the consultation by KCC as LLFA. KCC will endeavour to seek internal consultation on such matters; however, the detail provided within a planning submission may not be sufficient. The response from KCC as LLFA does not commit KCC as Highways Authority to any particular highways arrangement. The nature and extent of adoption should be confirmed with the Highways team at an appropriate time within the planning and design process.

Any review provided by KCC as LLFA within the planning process does not constitute a technical approval; however the LLFA's approval may be required prior to any further adoption by KCC as the Highways Authority.

5 Policies for Sustainable Drainage

5.1 Introduction

A range of sustainable drainage techniques may be utilised across a site to manage the surface water runoff from the planned development; the use of more than one technique will often be appropriate to achieve the objectives of sustainable development on any given site (notwithstanding situations which may still arise where a conventional solution may be the most appropriate).

Given the range of design options to provide a drainage solution, KCC has defined:

- Drainage Policies (SuDS Policy 1 through 6) that set out the requirements for a drainage strategy to be compliant with the NPPF and guidance within the Non-Statutory Technical Standards for Sustainable Drainage.
- Environment Policies (SuDS Policy 7 through 9) that set out expectations to be considered within a drainage strategy in response to environmental legislation and guidance that KCC and the Local Planning Authorities have a duty to comply with.

These policies, summarised in Table 2, reflect the requirements of the Local Flood Risk Management Strategy, Surface Water Management Plans and Local Planning Authority Local Plans. Sufficient information must be submitted to demonstrate that the drainage proposals comply with these policies.

Table 2: Kent County Council SuDS Policies

Policy	Summary
SuDS Policy 1	Follow the drainage hierarchy
SuDS Policy 2	Deliver effective drainage design
SuDS Policy 3	Maintain Existing Drainage Flow Paths & Watercourses
SuDS Policy 4	Seek to Reduce and Avoid Existing Flood Risk
SuDS Policy 5	Drainage sustainability and resilience
SuDS Policy 6	Sustainable Maintenance
SuDS Policy 7	Safeguard Water Quality
SuDS Policy 8	Design for Amenity and Multi-Functionality
SuDS Policy 9	Enhance Biodiversity

5.2 Drainage policies

These policies are specified from the NPPF and the guidance within the Non-Statutory Technical Standards for Sustainable Drainage, as published by Defra.

5.2.1 SuDS Policy 1: Follow the drainage hierarchy

Surface runoff not collected for use must be discharged according to the following discharge hierarchy:

- to ground,
- to a surface water body,
- a surface water sewer, highway drain, or another drainage system, or
- to a combined sewer where there are absolutely no other options, and only where agreed in advance with the relevant sewage undertaker.

The selection of a discharge point should be clearly demonstrated and evidenced.

When development occurs, the urbanisation process within a catchment affects the natural hydrology; if the destination of the water is altered this may result in:

- a reduced supply of rainfall to groundwater;
- an accelerated passage of flow to the receiving watercourses; and
- water directed away from existing receiving catchments.

In order to maintain the natural balance of the water cycle, the above discharge hierarchy must be adhered to. Where development results in changes in runoff destinations, the design must account for how the surface flows are managed and demonstrate it does not exacerbate off-site flood risk.

Any development application must follow the hierarchy and be accompanied by evidence as to why infiltration is not utilised. Technical information on the uses of infiltration is provided in Kent Design Making It Happen, including testing methodology and design criteria. Infiltration testing must assess infiltration rates appropriate to underlying ground conditions and may require consideration of both shallow and deep infiltration.

If infiltration is not feasible further information is required from appropriate authorities indicating the acceptability of a discharge location, discharge rate and consent to connect. This agreement may be with the relevant owner or responsible body including IDBs, highway authorities, sewerage undertakers, riparian owners, port authority, Environment Agency, Canals and River Trust and others.

Any connection or discharge must be compliant with regulations or guidance governing the operation of the existing drainage system (e.g. IDB by-laws or standard specifications for public sewers). Correspondence with the relevant owner or responsible body should be submitted to demonstrate agreement in principle to the discharge and connection point as early in the development planning process as possible.

If we are aware of a capacity issue or a sewer flooding issue that a sewer connection is likely to exacerbate, we will inform the Local Planning Authority and the sewerage undertaker. We may oppose any such proposal until it can be adequately demonstrated that the receiving authority has confirmed the acceptability of the intended rate of discharge.

Discharge to Ground

The drainage strategy may be constrained if the drainage discharges to the ground via infiltration in a source protection zone (specifically SPZ 1), area of low permeability or area with high groundwater. Consultation with the Environment Agency early in the planning process is recommended to identify any constraints or specific requirements in these areas, specifically in relation to groundwater contamination. We recommend reference to the EA's latest policy guidance on groundwater protection¹⁸.

Discharge to Sewer

An existing connection to a sewer does not automatically set a precedent and it must be demonstrated why infiltration and/or a connection to a watercourse cannot be utilised. There is a presumption against any discharge of surface water to a foul sewer.

Combined sewer systems, which carry both foul and surface water, have limited capacity and are more likely to lead to foul flooding. In our commitment to ensuring development is sustainable, we will therefore seek to reduce surface water discharges to combined sewer systems.

We will encourage developers to look for available surface water systems within a radius of the proposed development before discharges to a combined sewer is agreed acceptable. For small developments surface water sewer connections should be assessed within 90m of the development site boundary. For larger development (over 100 units), a suitable distance for connection to a surface water sewer will be assessed at the time of planning, dependent upon the size and location of the development.

Where a surface water connection to an existing combined sewer is unavoidable, it must be undertaken in such a manner and at such a location to facilitate future separation of the surface water from that combined system.

¹⁸ The Environment Agency's approach to groundwater protection, February 2018 or latest version as published. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/692989/Environment-Agency-approach-to-groundwater-protection.pdf

Discharge to Highway Drains

KCC may consider surface water discharges into highway drainage sewers in the following circumstances:

- a) the developer/property owner is prepared to upgrade the system where required to accommodate any increased flows; and,
- b) there is a proven existing connection to the highway drainage systems.

Highway drainage connections should be raised in pre-application discussion with KCC to ensure there will be appropriate arrangements in place for highways and drainage adoption, where appropriate. Highways advice for planning applications is provided on the County's website. Please refer to Kent Design Guide - *'Making it Happen'*.

Other Consents

Other consents by regulation may be required in relation to the discharge location (e.g. Flood Risk Activity Permit and Ordinary Watercourse consent). KCC may recommend consultation with other authorities in these instances.

5.2.2 SuDS 2: Deliver effective drainage design

Any proposed new drainage scheme must manage all sources of surface water and should be designed to match greenfield discharge rates, and volumes as far as possible.

Development in previously developed land should also seek to reduce discharge rates and volumes off-site and utilise existing connections where feasible.

Drainage schemes should provide for exceedance flows and surface flows from offsite, ensure emergency ingress and egress and protect any existing drainage connectivity, so that flood risk is not increased on-site or off site.

Design Criteria

The drainage system must be designed to be consistent with pre-development flow rates and designed to operate without any flooding occurring during any rainfall event up to (and including) the critical 1 in 30 year storm (3.33% AEP). The system must also be able to accommodate the rainfall generated by events of varying durations and intensities up to (and including) the critical, climate change adjusted 1 in 100 year storm (1% AEP) without any on-site property flooding and without exacerbating the off-site flood-risk. The choice of where these volumes are accommodated may be within the drainage system itself or within other areas designated within the site for conveyance and storage.

Flooding of the highway **may** be permitted in exceptional circumstances for rainfall events between 1 in 30 year and 1 in 100 year events provided that:

- depths do not exceed the kerb height;
- no excessive or prolonged ponding (beyond 10 minutes) so that the highway primarily operates as a conveyance route to another attenuation feature;
- flood extents are within the site boundary.

Rainfall Simulation

KCC will generally require the use of the more detailed and up-to date FEH13 dataset within detailed drainage design submissions. Where FSR data is used to determine the extreme rainfall intensity values for a site, we would expect the FSR/FEH ratios depicted in Appendix 1 of the 'Rainfall runoff management for developments' report¹⁹ (Environment Agency, 2013) to be used to adjust the calculated attenuation requirements.

If FEH13 is unavailable (and unless otherwise calculated), we will accept a rainfall depth M5-60 of 26.25 mm to be utilised in appropriate modelling software to account for this variation.

¹⁹ http://evidence.environmentagency.gov.uk/FCERM/Libraries/FCERM_Project_Documents/Rainfall_Runoff_Management_for_Developments_-_Revision_E.sflb.ashx

Runoff Rates

Greenfield runoff rates must be supplied. Preferred methods are loH124, FEH, ReFH2 or others as agreed with KCC. The rates must reflect soil conditions specific to the site and applied to an appropriate drainage area consistently through the drainage strategy.

- **Local District or Parish Greenfield Runoff Rates**

Local planning policy may identify preferred discharge rates to be utilised in place of greenfield rates based upon a strategic flood risk assessment. In these areas, the preferred discharge rates should be utilised in the design.

KCC may also set strategic discharge rates to contribute to flood risk management within a district or parish council area; or to provide a more efficient approach to surface water management within a local area. If a strategic assessment of greenfield runoff rates has been undertaken by KCC, these rates must be utilised in design.

- **Minimum discharge rates**

Small sites are associated with low greenfield runoff rates. Given advances in technology and design of flow controls, it is now possible to achieve controlled flow rates of 2 l/s. This should be considered the minimum rate to be set for small sites, unless agreed with KCC.

- **Capacity constraints**

If the proposed development contributes to an area or network with known local flood risk issues or capacity constraints, then discharge rates and volume control specific to the local conditions will be specified. Developers may be required to provide flood risk modelling/assessment to identify potential constraints.

- **Previously developed land**

Redevelopment on previously developed land or “brownfield land” has the potential to rectify or reduce flood risk. For developments which were previously developed, the peak runoff rate from the development must be as close to the greenfield runoff rate from the development as reasonably practicable for the same rainfall event, but must not exceed the rate of discharge from the development prior to redevelopment for that event. As a minimum we would expect to see evidence that a 50% reduction in the peak runoff rate from the existing site has been sought.

An assessment of the peak flow rate of an existing drainage system must consider: (a) the connectivity and condition of the drainage system; (b) the existing total impermeable area contributing to the drainage system; and (c) the pipe full capacity of the final 5m of the outfall pipe. Within all accompanying calculations, the post-redevelopment discharge rate must take account of the predicted effects of climate change.

Runoff characteristics for a previously developed site can be estimated by other methods as described within the CIRIA SuDS Manual (Chapter 24.5). It should be noted that if a simulation model for any existing network is utilised, the operation of the network must be confirmed by a network survey to establish the network arrangements, contributing areas and network condition.

Runoff Volumes

Runoff volumes from the developed site will usually increase in comparison to the site in its natural condition; this may increase flood risk in natural receiving systems. Controlling the volume of runoff from the site is therefore vital to prevent flood risk in natural systems. Within Kent, the need and type of volume control will vary according to the soil type present, which can be broadly broken down into the following categories:

- Highly permeable soils – in areas underlain by chalk, we will expect that use of infiltration will be maximised. With no off-site discharge, additional volume control will not be required
- Intermediate permeability soils - in these areas infiltration should still be maximised; offsite discharge should be limited to QBAR, (the mean annual flood flow rate, equivalent to an approximate return interval of 2.3 years). Where sites are small and flows are calculated to be less than 2 l/s, the minimum flow rate will apply of 2 l/s.
- Low permeability soils - areas underlain by largely impermeable soils (e.g. Weald clay and London clay) will require “staged” discharge.

This requires that rates mimic existing greenfield runoff rates of the 1:1 year, 1:30 year and 1:100 year storm events as long as long term storage is utilised for flow volumes in excess of the greenfield volume for the 1:100 year 6 hour event.

The long term storage volume must discharge at a rate no greater than 2 l/s/ha and the total flow rate must not exceed the 1:100 year greenfield flow rate.

If long term storage is not designed for, QBAR should be applied to all events from the 1:30 year rainfall event.

Exceedance

Exceedance flows that cannot be contained within the drainage system shall be managed in flood conveyance routes. The primary consideration shall be risks to people and property on and off site.

Exceedance should be considered in two parts; very high intensity storms to ensure bypass flows from overloaded pipework (including potentially blocked gullies due to debris), and overfilling of storage systems. Consideration of exceedance routes will ensure that any residual risk arising from either of these are safely managed.

Emergency access arrangements

Access should be maintained into and through the site for emergency vehicles during all storms up to (and including) the critical, climate-change adjusted 1 in 100 year event. The drainage application must give consideration to flood risk vulnerability classifications (as defined through Planning Practice Guidance to the National Planning Policy Framework), as specific measures or protections may be assessed and need to be agreed with the appropriate authority.

Unrestricted discharge rates

If the proposed system discharges to a watercourse or main river, consideration must also be given to any requirements due to high water levels in the receiving watercourse due either to tide (i.e. tide-locking) or flood flows. Attenuation volumes required onsite to manage flows must take into account the effects of high receiving water levels. This also applies to connection made to sewers.

If the proposed site is immediately adjacent to a watercourse or main river, there may be instances where direct discharge to the waterway is promoted without attenuation. This is only likely to be a recommendation on or immediately upstream from tidal areas. Direct discharge without attenuation or limited attenuation based on high (non-standard) discharge rates to a main river must be agreed in consultation with KCC and the Environment Agency.

Phased Delivery

If a proposed development is to be delivered in phases, a commitment should be made for a surface water management strategy to be delivered with the first phase of development, designed to be capable of accommodating the runoff from each of the subsequent phases. If this is not possible, the runoff from each separate phase must be controlled independently.

Whichever approach is taken, the control of surface water runoff during construction should be considered. Temporary works may be required to accommodate phased construction. Any temporary drainage measure must be identified and clearly shown on a drainage layout drawing.

5.2.3 SuDS Policy 3: Maintain Existing Drainage Flow Paths & Watercourses

Drainage schemes should be designed to follow existing drainage flow paths and catchments and retain where possible existing watercourses and features.

By mimicking the natural drainage flow paths and working within the landscape, more effective and cost-efficient design can be developed. Working with existing natural gradients also avoids any reliance on pumped drainage, with its associated energy use and failure risk. The natural environment including woods, trees and hedgerows can play a part in water management.

KCC encourages maintenance of the existing flow paths and drainage connectivity. Where this is the case the following conditions apply:

- a) If the proposed development is reliant on an existing discharge point, then it is recommended that the condition and conveyance capacity is confirmed through CCTV or other survey with the discharge capacity confirmed.
- b) Outfalls to ordinary watercourses should not occur to “blind-ended” ditches and should be part of a wider and contiguous drainage network.

Some sites may lie in or near more than one hydrological catchment. Surface water flows should be continued through the pre-development catchments and not diverted to adjacent catchments, in order to preserve the hydrology of catchments and prevent an increase in flood risk.

Ordinary Watercourses

An ‘ordinary watercourse’ is defined as any channel capable of conveying water that is not part of a ‘main river’; Small rivers, streams, ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) can all be classified as ‘ordinary watercourses’.

When considering the development/redevelopment of any site, existing ordinary watercourses should be identified and accommodated within any drainage strategy and site masterplan. They should be preferably retained as an open feature within a designated corridor, and ideally retained within public open space. Any outfall to an ordinary watercourse should be designed to ensure there is adequate erosion protection for the receiving channel and its banks.

It is not sufficient to undertake earthworks to the top of the bank of a boundary ditch. Any site improvements should include the channel itself. The landowner has riparian responsibilities for these ditches and new development provides an opportunity to address any existing ditch issues such as excessive vegetation, channel clogging, culvert improvements or bank stability.

It is recommended that any discharge to an ordinary watercourse or any modification to an ordinary watercourse be identified and agreed in principle with KCC (or other consenting

authority if required) prior to the submission of any planning application. The ability of a watercourse to convey water (and to function as an effective exceedance flow route, where appropriate) will always need to be maintained.

Flood risk

For ordinary watercourses, developers may need to consider the potential flood risk arising from them, particularly where there are structures which might influence water levels. Where a risk from flooding has been identified, appropriate flood risk mitigation should be identified and agreed with the Local Planning Authority/ KCC; development should be avoided in any area likely to be affected by exceedance of the channel's capacity, reflecting requirements of SuDS Policy 4.

Culverts

Culverting of open watercourses will not normally be permitted (except where demonstrably essential to allow highways and/or other infrastructure to cross). In such cases culverts should be designed in accordance with CIRIA C689: Culvert Design and Operation Guide, (2010) and KCC's Land Drainage Policy. Culverts will not be approved below/ beneath any proposed structure.

If a culverted watercourse crosses a previously developed site, it should be reverted back to open channel, wherever practicable. In any such case, the natural conditions deemed to have existed prior to the culverting taking place should be re-instated.

Measures should be in place to ensure that any future owner of a property through which a watercourse passes is aware of their maintenance responsibilities as a riparian owner.

Under the terms of the Land Drainage Act 1991, any works within an ordinary watercourse will require consent under Section 23 of the Act. This will be either from KCC or from an IDB (in the areas where they operate). Consents are unable to be amended once granted so any changes to design will need to apply for Land Drainage consenting again. Consents cannot be granted retrospectively if works are undertaken prior to approval.

If land drainage consent is required in relation to the proposed development, we recommend that the submission of any application for consent is delayed until planning permission is granted, (excepting instances when consents are required to construct or upgrade site access) as the proposed site layout may be subject to further change. Please refer to KCC web pages for guidance on ordinary watercourse consents²⁰.

Overland flow paths

Account should be taken for any overland flow routes which cross the site from adjacent areas. Flow routes may be indicated by reference to the EA's surface water flow mapping however the magnitude of the contribution from upstream catchments should be assessed to determine flows and the extents of flooding. It is usually preferred that these flow routes would be accommodated within the development layout; however, flood assessment or more detailed modelling may be undertaken if these routes are to be modified or channelised. It is not acceptable to culvert overland flow routes.

5.2.4 SuDS Policy 4: Seek to Reduce and Avoid Existing Flood Risk

New development should be designed to take full account of any existing flood risk, irrespective of the source of flooding.

Where a site or its immediate surroundings have been identified to be at flood risk, all opportunities to reduce the identified risk should be investigated at the masterplanning stage of design and subsequently incorporated at the detailed design stage.

Remedial works and surface water infrastructure improvements may be identified in the immediate vicinity of the development to facilitate surface water discharge from the proposed development site.

Paragraph 165 of the National Planning Policy Framework outlines how flood risk management bodies should seek to manage flood risk through using opportunities offered by new development to reduce the causes and impacts of flooding, taking the predicted effects of climate change into account.

As LLFA, KCC will endeavour to ensure that this principle is applied across the County. Where a developer's Drainage Strategy has identified that there are existing flood risks affecting a site or its surroundings, there would be an expectation that the developer manages the identified risk appropriately to ensure that there are no on or off site impacts as a result of any development. Similarly, where there are opportunities to reduce the off-site flood risk through carefully considered on-site surface water management, we will encourage developers to explore these fully.

Avoiding areas of flood risk

All development should be preferentially located in the areas of lowest flood risk, irrespective of the source of flooding. At the earliest stages of masterplanning, an appropriate flood risk or drainage impact assessment should be undertaken to ensure that any vulnerable forms of development are located outside Flood Zones 2 or 3 and/or those areas identified as being at medium to high risk of surface water flooding. The Environment Agency's Flood Map for Planning and Long-Term Flood Risk pages should be referred to for this information.

Residential buildings should in the first instance not be located within any area indicated to be at high risk²¹ from surface water flooding, according to the Long Term Flood Risk²² maps or any local flood maps.

If development is unavoidable within a surface water flood risk or flow route, then the land use should be water compatible; designed and constructed to be flood resilient; having consideration of the estimated flow depths and be designed accordingly.

²⁰ www.kent.gov.uk/waste-planning-and-land/flooding-and-drainage/owning-and-maintaining-a-watercourse

²¹ High risk means that each year an area has a chance of flooding of greater than 3.3% (i.e equates to 1 in 30-year risk of flooding), with flood depths over 900mm and velocities over 0.25 m/s.

²² <https://flood-warning-information.service.gov.uk/long-term-flood-risk>

Remedial works and infrastructure improvements

Local flood risk “hot spots” may be known to KCC or the local council in the vicinity of the proposed development. If the receiving system is in a poor condition and unable to convey flow effectively, remedial works may be required prior to connection or discharge to the system.

A condition survey of the outfall location and of the receiving system may be required to confirm connectivity and capacity along with any potential works required to ensure discharge can occur without impedance.

Dependent upon ownership and responsibilities, these works may be recognised as part of the development description for the proposed development as would occur for any infrastructure improvement to accommodate strategic growth, new connections and new local development.

5.2.5 SuDS Policy 5: Drainage Sustainability and Resilience

The design of the drainage system must account for the likely impacts of climate change and changes in impermeable area over the design life of the development. Appropriate allowances should be applied in each case.

A sustainable drainage approach which considers control of surface runoff at the surface and at source is preferred and should be considered prior to other design solutions.

Drainage infrastructure normally has a defined design life. This varies depending upon the nature of the system's components. The drainage must be designed to function properly to protect the development and downstream from flooding over this timeframe. This includes accommodating predictable changes, including climate change and urbanisation.

Climate Change

In 2016, the Environment Agency published new guidance on how to use climate change allowances in flood risk assessments. The guidance can be found at: www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances

KCC require that the drainage design accommodates the 1 in 100 year storm with a 20% allowance for climate change, with an additional analysis undertaken to understand the flooding implication for a greater climate change allowance of 40%.

This analysis must determine if the impacts of the 40% allowance are significant and lead to any unacceptable flood risks (it is not normally expected that the site would not flood in this scenario, only that if this storm were to occur the impacts would be minimal i.e no flooding of property or sensitive infrastructure and no flooding leaves the site). The design may need to be modified to avoid any unacceptable risks, but may also need additional mitigation allowances, for example a higher freeboard on attenuation features or provision of exceedance routes. This will tie into designing for exceedance principles.

Sustainability

Design of drainage systems utilising a sustainable drainage design approach and reducing reliance on below ground systems in pipes and tanks, provides greater visibility for maintenance as well as many other benefits. Sustainable measures which control flow rates near to the source and which maximise natural losses through infiltration and evaporation are preferred. Operation of surface systems is also more easily observed.

Urban Creep

To take account of possible future conversion of permeable surfaces to impermeable over time (e.g. surfacing of front gardens to provide additional parking spaces, extensions to existing buildings, creation of large patio areas). Consideration of urban creep should be assessed for residential developments.

An allowance for the increase of impermeable area from urban creep must be included in the design of the drainage system. The allowances set out in Table 3 must be applied to the impermeable area within the property curtilage according to the proposed dwelling density.

Table 3: impermeable area allowances for urban creep

Residential development density(Dwellings per hectare) (% of impermeable area)	Change allowance
≤ 25	10
30	8
35	6
45	4
≥ 50	2
Flats & Apartments	0

5.2.6 SuDS Policy 6: Sustainable Maintenance

Any proposed drainage schemes must be designed to be maintainable to ensure that the drainage system continues to operate as designed and must be accompanied with a defined maintenance plan.

The drainage system must be designed to take account of the construction, operation and maintenance requirements of both surface and subsurface components, allowing for any personnel, vehicle or machinery access required to undertake this work. Without maintenance, the function of drainage systems may alter. Increased leaf litter, sediments and colonisation of vegetation may clog drainage measures or impact the characteristics of operational controls.

Design to be maintainable

The drainage strategy must demonstrate that adequate access is available and practicable for personnel and equipment either through an appropriate layout or legal agreement to provide agreed access arrangements in perpetuity. Consideration should also be given to the Construction Design and Management regulations for health and safety purposes.

Wherever possible, it is preferable that drainage schemes should be designed at the surface to allow easy inspection and maintenance. Drainage maintenance can usually be incorporated as part of a typical landscape maintenance specification.

KCC recommends that shared drainage measures or drainage measures serving the wider development are located within common land or public open space to facilitate easy access and maintenance. Drainage measures which serve more than one property should not be located within back gardens or other private areas.

If the proposed development incorporates existing field ditches or ordinary watercourses, we would normally require a minimum setback of 5 m to 8 m (depending upon the location, and whether the ditch/watercourse falls within an IDB regulated area). This will allow the safe access and operation of any tracked machinery that may be required to undertake any maintenance works to the banks or channels, and provides a reasonable buffer for any flora and fauna within the watercourse.

We would generally recommend that new development is designed to facilitate the maintenance of existing watercourses, with roads or walkways being provided alongside at least one bank for access. Closed fence-lines to the rear of properties bordering a watercourse should be avoided owing to the maintenance difficulties and the potential for the inappropriate depositing of material beyond property boundaries.

With surface water drainage systems, a careful balance must be struck over the creation of habitats. The encouragement of certain protected species or creation of protected habitats may conflict with the regular maintenance works essential to ensuring long term functionality of the drainage measures. An awareness of any biodiversity objectives or site wide strategic ecological management plan should be considered as part of a maintenance plan for the drainage measures, specifically timing of vegetation cuts and silt removal to ensure no conflict with nesting birds or specific life stages of biota.

Where, in particular circumstances, underground techniques are used, more extensive inspection processes will be necessary, for example where longer pipe runs are used, CCTV surveys may be required. All inlet, outlet and control structures must be indicated and known to the appropriate adopting authority to be protected from blockage and located near the surface, to allow for easy management during routine maintenance visits.

Maintenance Plan

An operation and/or maintenance plan should be provided which indicates a schedule and time of activities, as well as critical controls or components of the drainage scheme. This plan should include an indication of the roles and responsibilities for each authority or organisation which may have a responsibility for maintenance activities. Any inter-connectivity with or reliance upon other drainage systems should be indicated.

KCC may work with LPAs to ensure that the drainage schemes associated with large, strategic, potentially problematic or sensitive sites have been established and are able to function in accordance with the approved plans and specifications.

Information on maintenance requirements will be required in early stages of planning submissions to demonstrate that adequate access is provided.

Verification report

KCC may also require the submission of a Verification Report after development completion (Appendix D). This report will demonstrate that the constructed drainage system operates as approved; will include the identification of "critical drainage assets"; and, will outline specific maintenance requirements and obligations for each drainage measure.

As LLFA, KCC has a duty to maintain a register of structures or features which are likely to have a significant effect on flood risk. Drainage schemes within new developments may include structures or features that will be required to be included within the register. Critical drainage assets which are not adopted by others will be recorded.

5.2.7 SuDS Policy 7: Safeguard Water Quality

When designing a surface water management scheme, full consideration must be given to the system's capacity to remove pollutants and to the cleanliness of the water being discharged from the site, irrespective of the receiving system.

Interception of small rainfall events should be incorporated into the design of the drainage system.

Paragraph 170 (e) of the National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to (or being put at unacceptable risk from) unacceptable levels of water pollution or land instability. Development should whenever possible help improve local environmental conditions.

Additionally, the Water Framework Directive has been established to improve and integrate the way water bodies are managed throughout Europe. It provides a legal framework to protect and restore clean water throughout Europe to ensure its long-term sustainable use. In particular it will help deal with diffuse pollution which remains a big issue following improvements to most point source discharges.

The design of any drainage proposal should therefore ensure that surface water discharges do not adversely impact the water quality of receiving water bodies, both during construction and when operational. Sustainable drainage design principles have the potential to reduce the risk of pollution, particularly through managing the surface water runoff close to the source and on the surface. Below grade pipes and tanks which are efficient for drainage purposes may not provide appropriate water quality treatment.

The CIRIA SuDS Manual describes a methodology for determining the hazard posed by land use activities (refer to Chapter 26 of the CIRIA SuDs Manual). A simple index approach enables an assessment of the pollution hazard and value of mitigation provided by the sustainable drainage measure. This assessment will be required for all applications.

Runoff from small rainfall events can pose a particular problem for water quality. The 'first flush' of runoff contains the initial high concentration load of pollutants that has built-up on surfaces during the preceding dry period. It is possible to get a high initial pollution concentration for relatively small rainfall events.

Rainfall events that are less than or equal to 5mm in depth also comprise more than half of the rainfall events that took place. The volume of runoff from these small events therefore can cumulatively contribute significantly to total pollutant loadings from the site over a specified period of time. Interception of an initial rainfall depth of 5mm for all rainfall events would mimic greenfield response characteristics in that runoff from small rainfall events do not generally produce any run-off.

KCC would expect that developers demonstrate that the first 5mm of any rainfall event can be accommodated and disposed of on-site, rather than being discharged to any receiving watercourse or surface water sewer. This can easily be achieved through the inclusion of sustainable drainage measures such as infiltration systems, rain gardens, bioretention systems, swales, and permeable pavement.

Where it proves exceptionally difficult to achieve this principle, it must be demonstrated that any water leaving the site has been appropriately treated to remove any potential pollutants.

When discharging to the ground, ground conditions and protection of any source protection zones should be confirmed.

Discharge to ground shall only occur within clean, competent, natural and uncontaminated ground and information should be provided to demonstrate that a sufficient unsaturated zone has been provided above the highest occurring groundwater level. Advice may need to be sought from the EA Groundwater team in relation to these matters, particularly in SPZ 1 and may require specific mitigation. Infiltration into Made Ground will not be accepted.

Construction Management Plan

The management and control of erosion and sediment should be considered throughout design and construction, operation and maintenance to ensure that no impact to offsite watercourses occurs.

Sedimentation can cause the loss of aquatic habitat, decreased fishery resources and can lead to increased flooding due to reduction in hydraulic capacity of the watercourse.

A Construction Management Plan will be required to demonstrate that erosion and sediment controls are adequately planned to protect water quality in receiving water environments. Any sites within a sensitive receiving catchment may require additional information. Situations in which this is a consideration will be confirmed through coordination with KCC's Biodiversity team and the Environment Agency.

5.2.8 SuDS Policy 8: Design for Amenity and Multi-Functionality

Drainage design must consider opportunities for inclusion of amenity and multi-functionality objectives and thus provide multi-functional use of open space with appropriate design for drainage measures within the public realm.

Local environmental objectives may identify other benefits which can be agreed to be delivered through appropriate design of the drainage system.

Amenity and Open Space

Where land performs a range of functions it affords a far greater range of social, environmental and economic benefits than might otherwise be delivered (Landscape Institute Position Statement, Green Infrastructure). Open spaces are often multifunctional, fulfilling several different valuable roles; for example, in the main they may be for recreational use, but they may also provide valuable wildlife habitat, an attractive landscape, paths for walking and cycling and space for community events.

Well-designed, open, sustainable drainage measures may also provide this degree of opportunity, optimising all of these functions in a way which fits with the surrounding landscape. For example, park areas which can be used as temporary flood storage during heavy rainfall events, and wetlands being used to deliver amenity value and habitat as well as water treatment. The aim should be to create networks of high quality open space which adapt for attenuation of surface water, sports and play and enhancement of biodiversity.

The integration of sustainable drainage measures into open spaces can introduce open water and variable ground surfaces into the public realm with associated risks of: drowning; slips, trips and falls; waterborne disease; and bird strike if near airports. The majority of potential risks can be assessed and removed through good site design. Reference should be made to best practice for appropriate design is provided in CIRIA's 'SuDS Manual'.

Multi-functional Design Benefits

Multi-functional design may also deliver other benefits as summarised in Table 4 (BS 8582 Code of Practice for Surface Water Management for Development Sites). New evaluation tools (B&EST Benefits Estimation Tool, CIRIA) may enable a full accounting of benefits to demonstrate economies and efficiencies to including specific design elements within the drainage provision. Simple elements such as inclusion of trees, or rain gardens within kerb build-outs may deliver other priorities being sought by the local authority.

Table 4: Multi functional surface water management design (Source: BS 8582:2013)

Infrastructure objective	Multi-functional surface water management system design and associated environmental value
1. Recreational opportunities	<ul style="list-style-type: none"> • Subsurface attenuation storage systems can be sited below permeable surfaces used for recreation • Infrequently flooded detention zones can also serve as recreational/amenity areas • Vegetated conveyance and/or storage systems can be designed to promote education, play and amenity value • Intensive green roofs can provide amenity landscape in dense urban settings • Surface water management components can be integrated with sustainable transport corridors (e.g. cycle routes) to maximize benefits
2. Water resources conservation	<ul style="list-style-type: none"> • Surface water run-off from roofs and uncontaminated paved surfaces, can be captured and stored for use • Rainwater harvesting systems can be designed to deliver surface water management benefits in addition to water supply (see BS 8515)
3. Habitats/ biodiversity enhancement	<ul style="list-style-type: none"> • Vegetated surface water management components, which store or convey water either temporarily or permanently, can often deliver locally important habitat • Such areas can contribute to urban “corridors” and “networks” of green (vegetated) and blue (water) spaces that support the movement of species
4. Traffic management	<ul style="list-style-type: none"> • Appropriately designed roads can provide, during times of extreme rainfall, short-term effective management of flood waters, either for conveyance or storage • Local road surfaces and pavements can often be designed to be pervious and allow run-off to infiltrate into the sub-base • Bioretention/biofilter zones can be integrated within pavement design to provide both traffic calming and stormwater management units • Vegetated swales running alongside roads can be designed to treat and control road run-off • Tree pits can be included to intercept run-off (with additional subsurface storage included within or adjacent to the pit)

5. Car parking	<ul style="list-style-type: none"> • Where the car parking surface is designed to be pervious, surface water can be stored and treated within the sub-base, prior to either controlled discharge, infiltration to the ground, or use. • Car parks can store additional volumes of floodwater above the surface during extreme events. • Vegetated strips, swales, bioretention systems and basins can be designed adjacent to the car park to treat and control run-off
6. Public education/ awareness	<ul style="list-style-type: none"> • Local community engagement strategies can deliver: • an understanding of the functionality and environmental importance of the surface water management system in mitigating human impacts • a commitment towards contributing to the management of the drainage components • an understanding of the health and safety risk management strategy for the site in relation to surface water • ideas as to how the system could be used to promote children's education strategies and increased local amenity benefits
7. Air temperature / urban heat island mitigation	<ul style="list-style-type: none"> • Urban cooling can be promoted via the return of moisture to the air through evaporation and evapotranspiration from vegetated surface water management features • Direct cooling can be provided by trees integrated within the surface water management system providing shade • Green roofs and vegetative surfaces reflect more sunlight and absorb less heat
8. Reduced energy use	<ul style="list-style-type: none"> • Green roofs provide good building insulation
9. Air quality improvement	<ul style="list-style-type: none"> • Trees, larger shrubs and vegetated surfaces used as part of the surface water management strategy can filter out airborne pollutants
10. Landscape character	<ul style="list-style-type: none"> • Well designed and integrated SuDS features can enhance aesthetic appeal and local landscape and townscape character and distinctiveness
11. Health benefits	<ul style="list-style-type: none"> • Green and blue space within developments promotes health benefits linked to increased outdoor recreation and a feeling of well being

5.2.9 SuDS Policy 9: Enhance Biodiversity

Drainage design must consider opportunities for biodiversity enhancement, through provision of appropriately designed surface systems, consideration of connectivity to adjacent water bodies or natural habitats, and appropriate planting specification.

Biodiversity is defined as the variety of life on Earth; designing to protect and enhance biodiversity is therefore essential. As a direct result of human activity, the rate of species extinction over the last 200 years is far higher than in any period of the preceding 65 million years²³. In the UK, freshwater ecosystems are at the most risk and populations of key species have declined significantly.

The NPPF requires that Local Planning Authorities set out a strategic approach to plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure (NPPF para 171). Maximising the ecological value of drainage systems is consistent with national and local policies which aim to conserve and enhance biodiversity. This is underpinned by a variety of legislation including the biodiversity 'duty' for public bodies which is enshrined in the Natural Environment and Rural Communities (NERC) Act 2006.

Working with the landscape to provide drainage may promote other opportunities with greater benefits for biodiversity but also provide greater attractiveness. The linear nature of many SuDS features can help create green corridors through developments; these are important for wildlife and ensure that the associated development is connected with its surrounding environment.

KCCs 'SuDS and Biodiversity' project (2014) has demonstrated that drainage schemes within residential areas contribute to the biodiversity of the local area and provide important habitats for animals and plants that would otherwise be absent. In some cases invertebrate species of significant nature conservation value have been found.

A number of key factors were identified to strongly influence the biodiversity value of the sustainable drainage features. These included:

- connectivity with other waterbodies and habitats,
- planting assemblage and cover,
- waterbody design,
- retained water,
- fish/wild fowl presence, and
- water quality.

When assessing drainage design, particularly surface systems, it is important to consider the drainage scheme in the context of the surrounding landscape character area. Effective integration will also require carefully researched and selected plants, which work to improve the local green infrastructure.

The design of any drainage scheme can provide an opportunity for increasing biodiversity value by including surface vegetated systems with some retained water and through ensuring appropriate edge treatments and gradients. Review of engineering design by an ecologist may identify simple improvements in pond design and planting specification that would maximise the biodiversity potential.

Glossary

Aquifer	A source of groundwater comprising water-bearing rock, sand or gravel capable of yielding significant quantities of water.
Adopting authority	General term utilized in this guidance and relates to the authority that will ultimately manage the proposed drainage system
Attenuation	Attenuation is the process of water retention on site and slowly releasing it in a controlled discharge to a surface water or combined drain or watercourse. The amount of discharge will vary depending whether it is a brown or greenfield site. For brownfield sites the developer must determine the likely run off and agree an acceptable discharge with the LLFA, environment agency or water authority.
Brownfield site	Any land or site that has been previously developed.
Catchment	The area contributing surface water flow to a point on a drainage or river system.
CIRIA	Construction Industry Research and Information Association. www.ciria.org
Climate change	Long-term variations in global temperature and weather patterns both natural and as a result of human activity (anthropogenic) such as greenhouse gas emissions
Culvert	A structure which fully contains a watercourse as it passes through an embankment or below ground.
Development	The undertaking of building, engineering, mining or other operations in, on, over or under land or the making of any material change in the use of any buildings or other land.
EA	Environment Agency. Government Agency responsible for flooding issues from main river, and strategic overview of flooding.
Flood event	A flooding incident usually in response to severe weather or a combination of flood generating characteristics.
Flood risk	The combination of the flood probability and the magnitude of the potential consequences of the flood event.
Flood Risk Assessment	An appraisal of the flood risks that may affect development or increase flood risk elsewhere
Flood Zones	Flood Zones provide a general indication of flood risk, mainly used for spatial planning.

²³ www.un.org/sustainabledevelopment/blog/2019/05/nature-decline-unprecedented-report/

Floodplain	An area of land that would naturally flood from a watercourse, an estuary or the sea.
Freeboard	A vertical distance that allows for a margin of safety to account for uncertainties.
Flood and Water Management Act	The Flood and Water Management Act clarifies the legislative framework for managing surface water flood risk in England.
Flow control device	A device used to manage the movement of surface water into and out of an attenuation facility.
Geocellular storage systems	Modular plastic systems with a high void ratio, typically placed below ground which allow for storage of storm water to infiltrate or discharge to another system.
Gravity drainage	Drainage which runs through pipework installed to a fall, and not therefore under pressure.
Greenfield	Undeveloped land.
Greenfield runoff rate	The rate of runoff which would occur from a site that was undeveloped and undisturbed.
Groundwater	Water that exists beneath the ground in underground aquifers and streams.
Groundwater flooding	Flooding caused by groundwater rising and escaping due to sustained periods of higher than average rainfall (years) or a reduction in abstraction for water supply.
Highway Authority	Body responsible for the management and maintenance of public roads
Impermeable	Will not allow water to pass through it.
Impermeable surface	An artificial non-porous surface that generates a surface water runoff after rainfall.
Infiltration	Infiltration or soakaway is the temporary storage of water to allow it to naturally soak away into the ground. Because water soaks into the ground gradually, reduces the risk of flooding downstream. Infiltration may be used where there is no surface water sewer or where existing systems are at full capacity. Infiltration helps to recharge natural ground water levels.

Internal Drainage Board (IDB)	<p>An internal drainage board (IDB) is a public body that manages water levels in an area, known as an internal drainage district, where there is a special need for drainage. IDBs undertake works to reduce flood risk to people and property, and manage water levels for agricultural and environmental needs within their district. There are six IDBs in Kent:</p> <p>The River Stour Upper Medway Lower Medway Romney Marshes Area North Kent Marshes</p>
Lead Local Flood Authority	<p>Under the terms of the Flood and Water Management Act 2010, LLFAs are responsible for developing, maintaining and applying a strategy for local flood risk management in their areas and for maintaining a register of flood risk assets. They also have lead responsibility for managing the risk of flooding from surface water, groundwater and ordinary watercourses. Kent County Council are the LLFA within Kent.</p>
Local Flood Risk Management Strategy	<p>Strategy outlining the Lead Local Flood Authority's approach to local flood risk management as well as recording how this approach has been developed and agreed.</p>
Main River	<p>A watercourse designated on a statutory map of Main rivers, maintained by Department for Environment, Food and Rural Affairs (Defra).</p>
Mitigation measure	<p>A generic term used in this guide to refer to an element of development design which may be used to manage flood risk to the development, or to avoid an increase in flood risk elsewhere.</p>
National Planning Policy Framework	<p>Framework setting out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.</p>
Overland Flow	<p>Flooding caused by surface water runoff when rainfall intensity exceeds the infiltration capacity of the ground, or when the soil is so saturated that it cannot accept any more water.</p>
Permeability	<p>A measure of the ease with which a fluid can flow through a porous medium. It depends on the physical properties of the medium.</p>

Pitt Review	An independent review of the 2007 summer floods by Sir Michael Pitt, which provided recommendations to improve flood risk management in England.
Rainwater harvesting	Collection and Re-use or recycling of rainwater for the purpose of garden irrigation, car washing, toilet flushing etc.
Runoff	Water flow over the ground surface to the drainage system. This occurs if the ground is impermeable, is saturated or if rainfall is particularly intense.
Source Protection Zone	Defined areas showing the risk of contamination to selected groundwater sources used for public drinking water supply.
Strategic Flood Risk Assessment	A study to examine flood risk issues on a sub-regional scale, typically for a river catchment or local authority area during the preparation of a development plan.
Surface water flooding	Flooding caused by the combination of pluvial flooding, sewer flooding, flooding from open channels and culverted urban watercourses and overland flows from groundwater springs
Surface Water Management Plan	A study undertaken in consultation with key local partners to understand the causes and effects of surface water flooding and agree the most cost effective way of managing surface water flood risk for the long term.
SUDS	Sustainable (urban) drainage systems. A sequence of management practices and control structures that are designed to drain surface water in a more sustainable manner.
Watercourse	A term including all rivers, streams, ditches, drains, cuts, culverts, dykes, sluices and passages through which water flows.

Appendix A. National Planning Policy Framework (Extract)

155	Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
157	<p>All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:</p> <ul style="list-style-type: none"> a) applying the sequential test and then, if necessary, the exception test as set out below; b) safeguarding land from development that is required, or likely to be required, for current or future flood management; c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.
163	<p>When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment⁵⁰. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:</p> <ul style="list-style-type: none"> a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b) the development is appropriately flood resistant and resilient; c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
165	<p>Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:</p> <ul style="list-style-type: none"> a) take account of advice from the lead local flood authority; b) have appropriate proposed minimum operational standards; c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and d) where possible, provide multifunctional benefits.

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Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Appendix B. Non-Statutory Technical Standards for Sustainable Drainage

Flood risk outside the development

S1 Where the drainage system discharges to a surface water body that can accommodate uncontrolled surface water discharges without any impact on flood risk from that surface water body (e.g. the sea or a large estuary) the peak flow control standards (S2 and S3 below) and volume control technical standards (S4 and S6 below) need not apply.

Peak flow control

S2 For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.

S3 For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event.

Volume control

S4 Where reasonably practicable, for greenfield development, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event should never exceed the greenfield runoff volume for the same event.

S5 Where reasonably practicable, for developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but should never exceed the runoff volume from the development site prior to redevelopment for that event.

S6 Where it is not reasonably practicable to constrain the volume of runoff to any drain, sewer or surface water body in accordance with S4 or S5 above, the runoff volume must be discharged at a rate that does not adversely affect flood risk.

Flood risk within the development

S7 The drainage system must be designed so that, unless an area is designated to hold and/or convey water as part of the design, flooding does not occur on any part of the site for a 1 in 30 year rainfall event.

S8 The drainage system must be designed so that, unless an area is designated to hold and/or convey water as part of the design, flooding does not occur during a 1 in 100 year rainfall event in any part of: a building (including a basement); or in any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.

S9 The design of the site must ensure that, so far as is reasonably practicable, flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that minimise the risks to people and property.

Structural Integrity

S10 Components must be designed to ensure structural integrity of the drainage system and any adjacent structures or infrastructure under anticipated loading conditions over the design life of the development taking into account the requirement for reasonable levels of maintenance.

S11 The materials, including products, components, fittings or naturally occurring materials, which are specified by the designer must be of a suitable nature and quality for their intended use.

Designing for maintenance considerations

S12 Pumping should only be used to facilitate drainage for those parts of the site where it is not reasonably practicable to drain water by gravity.

Construction

S13 The mode of construction of any communication with an existing sewer or drainage system just be such that the making of the communication would not be prejudicial to the structural integrity and functionality of the sewerage or drainage system.

S14 Damage to the drainage system resulting from associated construction activities must be minimised and must be rectified before the drainage system is considered to be completed.

Appendix C. Drainage Strategy Summary



1. Site details	
Site/development name	
Address including post code	
Grid reference	E N
LPA reference	
Type of application	Outline <input type="checkbox"/> Full <input type="checkbox"/> Discharge of Conditions <input type="checkbox"/> Other <input type="checkbox"/>
Site condition	Greenfield <input type="checkbox"/> Brownfield <input type="checkbox"/>

2. Existing drainage		Document/Plan where information is stated:	
Total site area (ha)			
Impermeable area (ha)			
Final discharge location	Infiltration <input type="checkbox"/> Watercourse <input type="checkbox"/> Sewer <input type="checkbox"/> Tidal reach/sea <input type="checkbox"/>		
Greenfield discharge rate (l/s) for existing site area	QBAR (l/s) <input type="text"/> 1 in 1 year (l/s) <input type="text"/> 1 in 30 year (l/s) <input type="text"/> 1 in 100 year (l/s) <input type="text"/>		
3. Proposed drainage areas		Document/Plan where information is stated:	
Impermeable area (ha)	Roof		
	Highway/road		
	Other paved areas		
	Total		
Permeable area (ha)	Open space		
	Other permeable areas		
	Total		
Final discharge location	Infiltration <input type="checkbox"/> Infiltration rate _____ m/s Watercourse <input type="checkbox"/> Sewer <input type="checkbox"/> Tidal reach/sea <input type="checkbox"/>		
Climate change allowance included in design	20% <input type="checkbox"/> 30% <input type="checkbox"/> 40% <input type="checkbox"/>		

4. Post-Development Discharge rates, without mitigation			Document/Plan where information is stated:
Developed discharge rates (l/s)	1 in 1 year		
	1 in 30 year		
	1 in 100 year		
	1 in 100 year + CC		
5. Post-Development Discharge rates, with mitigation			Document/Plan where information is stated:
Describe development drainage strategy in general terms:			
(a) No control required, all flows infiltrating <input type="checkbox"/>			
(b) Controlled developed discharge rates (l/s)	1 in 1 year		
	1 in 30 year		
	1 in 100 year		
	1 in 100 year + CC		
6. Discharge Volumes			Document/Plan where information is stated:
	Existing volume (m ³)	Proposed volume (m ³)	
1 in 1 year			
1 in 30 year			
1 in 100 year			
1 in 100 year + CC			

All information presented above should be contained within the attached Flood Risk Assessment, Drainage Strategy or Statement and be substantiated through plans and appropriate calculations.

Form completed by	
Qualifications	
Company	
Telephone	
Email	
On behalf of (client's details)	
Date	

Appendix D. Drainage Asset Record Sheet for Verification Report

IDENTIFICATION	Type of Structure or Feature	
	Location Name	
	Drawing Identifier	
MANAGEMENT/ OWNERSHIP	Owners Name / Company	
	Address of owner	
	Owners Contact Number	
	Maintained By	
	Adoption proposed	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Name of Adopting Authority	
	Estimated Date of Adoption	
ASSET DETAILS	National Grid Reference (NGR)	
	Cover Level	
	Invert Level	
	Max volume	
	Height	
	Diameter/Width	
	Length	
	Depth	
	Designed Flow Rate	
	Any Additional Uses	

