

Examination of the Tunbridge Wells
Borough Local Plan

Tunbridge Wells Borough Council
Hearing Statement

**Matter 12: Transport
Infrastructure (Policies STR6,
TP1, TP2, TP3, TP4, TP5 and
TP6)**
**Issue 2: Transport and
Accessibility**

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Matter 12 – Transport Infrastructure (Policies STR6, TP1, TP2, TP3, TP4, TP5 and TP6)

Issue 2 – Transport and Accessibility

Inspector’s Question 1: [re. meaning of ‘reasonably close proximity’]

Is it clear to decision-makers, developers and local communities what is meant by ‘reasonably close proximity’ for the purposes of Policy TP2?

TWBC response to Question 1

1. Criterion 1 of Policy TP2 in the Submission Local Plan [[CD 3.128](#)] currently states that development proposals will only be permitted provided that *“there is safe pedestrian access to public transport services and infrastructure within reasonably close proximity”*.
2. Following the Regulation 18 Draft Local Plan consultation, the Council actually decided to remove the reference to *“reasonably close proximity”*. This is set out in the Consultation Statement for the Pre-Submission Local Plan [[CD 3.69](#)] at paragraph 9 of section 6.4.2 (on paginated page 209), which states:

“Furthermore, in response to KCC’s comments, criterion 2 has been replaced with more appropriate wording to require that “there is pedestrian access to public transport services and infrastructure” rather than requiring that “there is public transport service and infrastructure provision within reasonable close proximity” (which was also considered to lack clarity in a representation received from another respondent)”.
3. The Council therefore considered that the reference to *“reasonably close proximity”* lacked clarity and was therefore inappropriate. Consequently, it was considered that this should be removed. However, this was subsequently not removed in error, and *“safe”* had been inserted before *“pedestrian access”*. It is considered that requiring *“safe pedestrian access to public transport services and infrastructure”* is more appropriate

policy wording, rather than also requiring this within “*reasonably close proximity*”. For clarification, it is also noted that “*infrastructure*” refers to transport infrastructure (such as the pavement network).

4. Further, the supporting text of Policy TP2 in paragraph 6.552 states that the Council “*will apply the appropriate highway guidance, including reference to the [Manual for Streets](#) guidance and [Kent Design Guide](#) and later guidance as appropriate, on an individual scheme basis that takes into account local context*”. Within Kent County Council’s Kent Design Guide guidance for Public Transport (2007; see [here](#)), it is stated that “*it is essential that adequate and direct pedestrian links are provided from a development to potential public transport routes and in particular bus stop locations, including pedestrian crossings where appropriate. Generally, walking distances to bus stops in urban areas must not be greater than 400m and desirably no more than 250m. In rural areas the walking distance should not be more than 800m*” and that “*direct pedestrian routes to bus stops, that are convenient and as safe as possible, to encourage the use of public transport*” must be provided. As such, in assessing relevant development proposals, regard should be given to this KCC Kent Design Guidance when applying this criterion which provides general target distances. It is added that criterion 2 of Policy TP2 also requires that “*development is accessible by relevant modes of transport, with priority given to active forms of travel*” and that development “*will take account of public transport (buses)*”.
5. The Council therefore considers that, subject to the proposed minor modification below, the Policy and related guidance referred to in the supporting text accords with Paragraph 112a of the National Planning Policy Framework which states that applications for development should “*give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport*”.
6. The Council therefore proposes the proposed removal of “*reasonably close proximity*” from criterion 1 of Policy TP2 as an additional modification to those currently within the Plan.

Inspector's Question 2: [re. funding speed limit restriction changes]

What is the justification for requiring developers to fund any necessary changes to external speed limit restrictions under Policy TP2(7)?

TWBC response to Question 2

Introduction

7. Criterion 7 of Policy TP2 states that development proposals will only be permitted provided that *“the development incorporates self-enforcing measures into the design that encourage vehicle speed reduction (such as 20mph speed limits, road narrowings, speed tables, etc.), including Low Traffic Neighbourhoods, and if appropriate the developer will be required to investigate amending, and fund any necessary amendment to, external speed limits adjacent to, and in the vicinity of, the site's access”* (underlining reflects the proposed minor modification within the Submission Local Plan [[CD 3.128](#)], as per Mod_160 of the Schedule of Proposed Additional (Minor) Modifications [[CD 3.127](#)]). The reason given for this proposed minor modification was *“for clarification on responsibility, as part of a development”*.
8. The Council inserted the above minor modification into Policy TP2 (Criterion 7) following review of CPRE Kent's representation during the Regulation 19 consultation on the Pre-Submission Local Plan (PSLP_659), where it was considered that *“developers should not only be required to investigate amending external speed limits but also to fund such amendments, where amendment is necessary to enable the development to take place”*.
9. In practice, any funding for necessary amendments to external speed limits are usually agreed during the planning application process and secured through Section 106 agreements, the costs of which are paid for by the developer. This funding could include costs required for amending the Traffic Regulation Order, legal costs, as well as the appropriate speed limit signage. As such, this wording has been incorporated into the Policy wording to provide helpful clarification on what should be expected. It is added that the Policy wording states *“if appropriate”*, and as such each proposal will be assessed on its own merits as to whether any speed limit amendments are required.

Inspector's Question 3: [re. reasoning for suggested changes to Policy]

What are the reasons for the suggested changes to Policy TP2? Are they necessary for soundness?

TWBC response to Question 3

10. It is noted that there are three suggested changes to Policy TP2, one of which has been addressed in the response to Question 2 above (Mod_160 of the Schedule of Proposed Additional (Minor) Modifications [[CD 3.127](#)]), and a new minor modification proposed within Question 1. The other suggested change (Mod_158) relates to circumstances where shared space schemes would be considered suitable by the Local Highway Authority, Kent County Council.
11. The reasoning for amending the text on shared space schemes is highlighted within the Statement of Common Ground between Tunbridge Wells Borough Council and Kent County Council [[CD 3.168](#)] as per the second bullet point of paragraph 4.3:

“KCC has also suggested that an amendment should be made to the final paragraph of policy TP2, where it refers to ‘shared space schemes’ – KCC does not consider that this reference is necessary as any proposed shared space schemes should be assessed by the County Council as Highway Authority, as part of the Transport Assessment and so this reference should be removed. It has been agreed that this be addressed by a minor amendment to this final paragraph to clarify the approach, which is “Shared space schemes which are regarded as suitable by Kent County Council, as the Local Highway Authority, will be considered as part of new residential schemes or within existing residential streets with very low levels of traffic”.
12. As such, the amendment to the text on shared space schemes was considered suitable as a matter of clarification of the approach taken by KCC. In addition, it was also considered (as per the reasoning within the Schedule of Proposed Additional (Minor) Modifications [[CD 3.127](#)]) that the existing wording did not make sense, and therefore required clarification.

13. These three proposed changes to Policy TP2 are therefore proposed to provide further clarity and as such are considered to be additional minor modifications, rather than main modifications necessary for soundness.