

Examination of the Tunbridge Wells
Borough Local Plan

Tunbridge Wells Borough Council
Hearing Statement

**Matter 7: Residential Site
Allocations**
**Issue 9: Benenden (Policy
PSTR/BE1)**

Document Reference: TWLP/043



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Matter 7 – Residential Site Allocations

Issue 9 – Benenden (Policy PSTR/BE1)

Inspector’s Question 1: [re. latest position regarding the Benenden Neighbourhood Development Plan]

What is the latest position regarding the Benenden Neighbourhood Development Plan? Has it been formally ‘made’ and does it now form part of the development plan for the area?

TWBC response to Question 1

Introduction

1. The Benenden Neighbourhood Development Plan (BNDP) was ‘made’ by the Council at Full Council on 23 February 2022 following a positive referendum result.
2. Details of the preparation of the BNDP from Regulation 14 through to Examination, and then being ‘made’, can be found on the relevant TWBC Neighbourhood Planning webpages [TWBC webpage for BNDP](#).
3. The ‘made’ version of the BNDP can be accessed at [\[PS_014\]](#).

Consideration

4. Following consultation on a draft (pre-submission) Plan, the BNDP was submitted to the Borough Council in October 2020 under Regulation 15 of the relevant Regulations. The Borough Council then undertook formal consultation (Regulation 16) on the BNDP and its supporting documents, which were publicised and representations invited. The period of formal consultation ran from 30 October to 11 December 2020. Independent examination followed, which included a one-day hearing session, and the Examiner, Mr John Slater BA (Hons), DMS, MRTPI, published his final report in August 2021, concluding that the BNDP, subject to certain modifications proposed in his report, did meet the basic conditions as set out in legislation and is compatible with Schedule 4B of

the Town and Country Planning Act 1990 and could therefore proceed to local referendum.

5. On 2 December 2021, TWBC Cabinet resolved that the BNDP, that is the Submission version of the BNDP (as amended in line with the Examiner's proposed modifications), should proceed to local Referendum. This decision and a revised version of the BNDP, agreed by Benenden Parish Council (the Qualifying Body) was published on the TWBC website. The 'referendum area' was determined to be Benenden parish, plus seven addresses identified by the examiner located adjacent to the Benenden Hospital site falling within Biddenden parish (within Ashford Borough Council) to ensure the community had the final say on whether the neighbourhood plan came into force or not.
6. A Referendum was held on 3 February 2022. The referendum question was "Do you want Tunbridge Wells Borough Council to use the Neighbourhood Plan for Benenden to help it decide planning applications in the neighbourhood area?" The designated neighbourhood area followed that of the Benenden parish boundary.
7. The results of the referendum were:

Yes = 665 (80.41%)
No = 161 (19.46%)
Unmarked or Void = 1 (0.12%)
Number of Votes = 827
Turnout = 56.3%
8. It was therefore the case that the outcome of the referendum for the BNDP was a positive one, it being endorsed to use the BNDP to decide planning applications within the parish of Benenden.
9. [Planning Practice Guidance](#) (PPG) sets out that a neighbourhood plan comes into force as part of the statutory development plan once it has been approved at referendum (that is, more than 50% of the votes cast being in favour of the neighbourhood plan).
10. Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Council to 'make' a Neighbourhood Plan if more than half of those voting in a referendum have voted in favour of the Plan being used to help to decide planning

applications in the area. This needs to be achieved within eight weeks of the referendum result.

11. The Council has also assessed and concluded that the BNDP, including its preparation, does not breach, and would not otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). This includes compliance with the basic condition regarding compliance with the Habitat Regulations.
12. Therefore, it was proposed that the TWBC Full Council, in a meeting held on 23 February 2022, be recommended to formally 'make' the BNDP with immediate effect, and this proposal was passed by Full Council. Full details of the February Full Council meeting can be accessed at [TWBC Full Council February 2022](#) Item FC74/2; the minutes of the meeting can be accessed at [TWBC Full Council April 2022](#) Item 2.
13. The principal effect of this is that the BNDP has been formally 'made', and is now part of the statutory 'development plan' for the area (Benenden parish) after a positive referendum pursuant to s38 (3A) of the [Planning and Compulsory Purchase Act 2004](#),. This means the BNDP is now a material planning consideration in the determination of planning applications in Benenden parish.

Summary

14. The Benenden Neighbourhood Development Plan (BNDP) was 'made' by Tunbridge Wells Borough Council (TWBC) at Full Council on 23 February 2022 following a positive referendum result and is now part of the statutory 'development plan' for the area (Benenden parish).

Inspector’s Question 2: [re. Deletion of site allocation policies for Benenden in the Local Plan]

Paragraph 5.425-5.427 of the submission version Local Plan states that should the Neighbourhood Plan be adopted by the Council, then there would be no requirement for site allocations AL/BE1, AL/BE2, AL/BE3 or AL/BE4. Why is it necessary for soundness reasons to delete the allocations from the Plan?

TWBC response to Question 2

Introduction

15. As explained in the responses to Question one above, the BNDP has been formally ‘made’ and, after a positive referendum, is now part of the statutory development plan for the area covered by the BNDP (Benenden parish).

16. Paragraph 5.425 of the submission version of the Local Plan [[CD 3.128](#)] states that:

“Local policies are also being prepared through the Benenden Neighbourhood Plan (BNP), which will become an increasingly important consideration as it progresses. The BNP was submitted to Tunbridge Wells Borough Council in October 2020 and was consulted on between 30 October and 11 December 2020. The Neighbourhood Plan has been subject to an independent examination, and the examiner’s report was issued on 31 August 2021. The examination concluded that the BNP should proceed to referendum, subject to it being amended in line with the examiner’s recommended modifications, which are required to ensure the plan meets the basic conditions. The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan.”

17. Paragraph 5.426 of the submission version of the Local Plan states that:

“if the BNP progress through the relevant stages, including referendum, a decision will be made by the Full Council of Tunbridge Wells Borough Council whether to make the Benenden NDP part of the development plan for Tunbridge Wells borough. If this is agreed, all decisions on planning proposals within the parish of Benenden will be required have regard to its policies.”

18. Paragraph 5.427 of the submission version of the Local Plan states that *“if this occurs while this Plan is still under consideration, the allocation Policies AL/BE1, AL/BE2, AL/BE3, and AL/BE4 will be omitted. Rather, the settlement chapter in the Local Plan for Benenden will refer to the site allocations, and other relevant policies in the made BNP. This would be undertaken through modifications to the Local Plan, which would be consulted on.”*
19. In addition, paragraph 4.416 of the Local Plan confirms the approach of only including site allocation policies in the BNDP (and therefore not including them in the Local Plan except as a reference to the BNDP), confirming that *“It is the Council’s intention that Local Plan policies will not cover matters contained within a neighbourhood plan where the latter has progressed to having the benefit of an Examiner’s Report before the Local Plan is submitted, where those matters are specific to the area of the neighbourhood plan.”*
20. It is also necessary to have regard to paragraph 16 of the National Planning Policy Framework (NPPF), which states that:
- “Plans should.....*
- f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant)”*.

Consideration

21. It is the case that the preparation of the BNDP included close, proactive working between the Council, members of Benenden Parish Council and the BNDP steering committee. This has resulted in the approach taken to site allocation policies in the BNDP and Submission Local Plan being broadly similar; there are no proposed site allocation policies in the BNDP that are not also included in the Submission Local Plan, and vice-versa.
22. The BNDP was amended based on the Examiner’s recommendations from his final report [BNDP Examiner's Final Report](#) which did involve some amendments to the allocation policies contained within the Plan, amongst others. These changes were incorporated into the ‘referendum version’ of the BNDP and that is the version that was considered by those voting in the referendum. It is that version of the Plan which was subsequently ‘made’.

23. The Examiner made a number of recommendations in respect of the allocations policies contained within the BNDP. The differences between the policies as set out in the Submission Local Plan and that of the BNDP are set out in the Council's response to Question three (including Appendix 1) of this statement.
24. Whilst each allocation policy in the BNDP will deliver similar amounts and types of development as the equivalent policies in the Submission Local Plan, the response to Question 3 considers in more detail the relationship between the allocation policies in the BNDP and Submission Local Plan.
25. The Regulation 19 consultation on the Pre-Submission Local Plan took place between 26 March and 4 June 2021, that is before the Examination of the BNDP had taken place and before the Final Examiner's Report was issued in August 2021. The referendum for the BNDP was held in early February 2022, with the BNDP being formally made in late February, and therefore after the submission of the Local Plan to the Planning Inspectorate in October 2021. Given that timeline it was wholly appropriate to submit the Local Plan containing the site allocation policies for Benenden. .
26. In response to the Inspector's principal query relating to why is it necessary for soundness reasons to delete the allocations from the Plan it is clear that with the benefit of the Examiner's conclusions from the BNDP examination, a number of amendments were considered necessary to meet the basic conditions. These changes were accepted by the Council and therefore incorporated into the BNDP and it was that amended version of the BNDP that went to referendum and as the result of a positive result was 'made' by the Council. As a consequence, the Benenden site allocation policies contained within the Submission Local Plan are not wholly aligned with those now 'made' in the BNDP. In addition, given what the Council has previously indicated at paragraph 5.427 (as set out above) within the Submission Local Plan and at paragraph 16 of the NPPF, for completeness and the need to avoid duplication of policies within the development plan it is considered appropriate and necessary to remove these site allocation policies from the Local Plan. It is appreciated that it will be appropriate to make some modifications to the supporting text to the 'Development Strategy' chapter and, potentially, the Strategic Policy for Benenden of the Local plan, to reflect the reliance on the allocations contained within the BNDP to deliver the requisite

development numbers for Benenden Parish. This would be the Council's preferred approach.

27. However, should the Inspector be minded to keep the site allocations for Benenden within the Local Plan, the policies will need to be modified to reflect those which are contained within the 'made' BNDP.

Inspector’s Question 3: [re. Potential conflicts between allocation policies in the BNDP and Local Plan]

Are there any conflicts between the site allocation policies proposed in the Local Plan and the site allocation policies in the Neighbourhood Plan? If so, what are the reasons for any differences?

TWBC response to Question 3

Introduction

28. The Submission Local Plan includes four site allocation policies for Benenden parish:

- Policy AL/BE 1 Land adjacent to New Pond Road (known as Uphill), Benenden (ref BNDP Policy SSSP 2).

A residential allocation for approximately 18-20 dwellings, of which 40 percent shall be affordable housing.

- Policy AL/BE 2 Feoffee Cottages and land, Walkhurst Road, Benenden.

A residential allocation for approximately 25 dwellings, of which 48 percent shall be affordable housing (ref BNDP Policy SSSP 1).

- Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End (ref BNDP Policy SSSP 3).

A residential allocation for 22-25 residential units (in addition to the 23 new dwellings that have already received outline planning permission at this site), of which 30 percent shall be affordable housing.

- Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End (ref BNDP Policy SSSP 4).

A residential allocation for residential development providing 22-25 residential units, of which 30 percent shall be affordable housing.

29. The BNDP also includes four site allocation policies for Benenden parish:

- Site Specific Policy 1 (SSP1) Land adjacent to Feoffee Cottages, Walkhurst Road, Benenden (ref Local Plan Policy AL/BE 2).

Allocation for residential development of 23-25 C3 dwellings, with at least 12 units provided for affordable housing adhering to the almshouse principle.

- Site Specific Policy 2 (SSP2) Uphill, New Pond Road, Benenden (ref Local Plan Policy AL/BE 1).

Allocation for residential development of 18-20 C3 dwellings, with 40% affordable housing.

- Site Specific Policy 3 (SSP3) Land at Benenden Hospital, South of Goddards Green Road, East End - South East Quadrant (SEQ) (ref Local Plan Policy AL/BE 3).

Allocation for residential development for up to an additional 25 residential units. Planning permission has already been granted for 24 new dwellings at this site; this allocation would result in a total of up to 49 dwellings on this site.

- Site Specific Policy 4 (SSP4) Land at Benenden Hospital, North of Goddards Green Road, East End - North East Quadrant (NEQ) (ref Local Plan Policy AL/BE 4).

Allocation for residential development to provide 22-25 residential units, in addition to the 18 dwellings currently on the site.

Consideration

30. Each of the tables set out at Appendix 1 compares the site allocation policy in the BNDP with the equivalent site allocation policy in the Submission Local Plan.
31. Site Specific Policy 1 (SSP1) – Land adjacent to the Feoffee Cottages, Walkhurst Road is considered by paragraphs 120 -124 of the Independent Examiner’s Final Report for the BNDP August 2021 [BNDP Examiner's Final Report](#)
32. Para 122 of the Final Report sets out one area where the independent examiner considers there to be a different approach between the relevant allocation policy in the BNDP and Local Plan, stating that “*The neighbourhood plan takes a different approach to that set out in the Pre-Submission Local Plan by referring to a minimum 50-metre buffer to the woodland. That landscaped area is identified as an open space and landscape buffer in the Pre-Submission Local Plan. I propose to retain the wording as set out in the neighbourhood plan but will add to that the planting of the buffer area should seek to deliver ecologically enhancements, as that is not made clear in the policy as drafted. It may also be clearer if the map in Figure 25 should replicate that used in Map 52 of the Pre-Submission Local Plan which identifies the landscape buffer area in line with the approved scheme. I do not see that the enlargement of the site to the south is justified as under all scenarios it will be land which cannot be developed*”. (note, the

independent examiner has recognised in para 120 that *“Tunbridge Wells Borough Council has already resolved to grant permission for a hybrid application which would give outline planning permission for 13 market houses and full detailed planning permission for an additional 12 almshouses”*.)

33. To reflect these comments, the examiner made a recommendation to amend the policy wording “In 4, after *“details and planting of the buffer area”* insert *“, which will be expected to deliver biodiversity enhancements”*.”
34. As a comparison to the approach that is being taken by the TWBC Submission Local Plan to landscape buffers, paragraph 6.171 of the Submission Local Plan (within the pre-ambule to Policy EN 12 Trees, Woodland, Hedges, and Development) explains that *“The Council will seek to prevent loss of, and to enhance, woodland cover, working proactively with woodland owners and relevant organisations to bring woodland back into management where possible. In the absence of site surveys and detailed assessments, the Council will assume a buffer of 25m from the edge of the woodland (see CPRE rep below), which allows for the presence of veteran trees and the fall height of mature trees. The Council expects developers, through assessment, to confirm that this or any other distance is appropriate and that the priority for such buffers will be ecological mitigation and enhancement for the woodland rather than the amenity of the proposed development”*.
35. It is therefore the case that the approach being taken by Policy SSP1 in the BNDP, and the equivalent policy in the Submission Local Plan, Policy AL/BE2, are broadly similar.
36. Site Specific Policy 2 (SSP2) – Uphill, New Pond Road is considered by paragraphs 125 -128 of the Independent Examiner’s Final Report for the BNDP.
37. No comparison is made in the Final Report between the approaches being taken by the relevant BNDP and TWBC Local Plan allocation policies. It is the case that the approach being taken by Policy SSP2 in the BNDP, and the equivalent policy in the Submission Local Plan, Policy AL/BE1, are broadly similar. The proposed changes made in the Examiner’s Final Report were presentational ones rather than raising any specific policy approach issues.

38. Site-Specific Policy (SSP3): Land at Benenden Hospital, South East Quadrant is considered by paragraphs 129 - 145 of the Independent Examiner's Final Report for the BNDP August 2021 [BNDP Examiner's Final Report](#).
39. Paragraph 130 of the Report explains that in his deliberations the Independent Examiner has *"placed considerable importance on the fact that there is an extant planning permission granted, initially in 2013, for the construction of 24 dwellings on part of the South East Quadrant site, which was an element of the comprehensive package of development put forward when Benenden Hospital was consolidated and upgraded, concentrated in the south-west corner of the hospital complex. As a result of that development, the South East Quadrant is no longer required to be used for hospital uses and outline planning permission covering most of that site was granted, for residential purposes. That consent did not include the northern section of the site where the intention at that time was to retain buildings in hotel use for visitors"*.
40. Paragraph 135 explains that *"The Pre-Submission version of the Local Plan adopts a different approach to the neighbourhood plan, by excluding from the allocation, the open area to the south of the Garland Wing. The neighbourhood plan has chosen to include it as part of the residential allocation, but with the specific intention to impose a policy requirement so that the Local Wildlife Site part of the site can be protected from development by the policy. I do consider this to be a compelling argument, as the same situation relates to the more northerly elements of the local wildlife site, which are now included within both the neighbourhood plan allocation site and the Pre-Submission Local Plan's allocation, but incidentally are not subject to the previous planning consent. If the logic of omitting the southern land from the allocation is sound, the same argument would apply to other parts of the local wildlife site in the South East Quadrant. I am not recommending that the neighbourhood plan allocation boundary for this site needs to be altered to match the allocation in the Pre Submission version of the Local Plan"*.
41. Paragraph 137 considers the capacity of the site to deliver residential development (in addition to that already consented). The Independent Examiner considers *"that the policy's aspirations towards the local wildlife site are robust, as set out in requirement 9) and I accept that this is a matter that will be a significant issue that will have to be properly addressed at the masterplanning stage. However, I fear that if the importance*

of protecting the LWS gets the attention it deserves, then it could have an effect upon how many units can be achieved. The actual figures will of course depend on the split between larger and smaller units, which come forward at detailed planning stage. However, to leave the policy as providing a range of 22 to 25 units on top of the 24 already approved, could put undue pressure on the protection of the local wildlife site. I am therefore proposing that the policy should depart from the approach set out in the other allocations and instead of a range, the capacity should be quoted as “up to 25 units”.

42. Paragraph 138 considers the delivery of the supporting facilities for residential use. *“Whilst the neighbourhood plan policy promotes the provision of an independent retail building and community building, it quickly became evident that the Parish Council acknowledges that a more viable solution would be for residents to be allowed to use existing facilities, particularly bearing in mind the relatively limited scale of residential development, being proposed”, with confirmation at paragraph 139 that “The approach adopted by Borough Council, is to facilitate the use of hospital facilities, with the added expectation that the hospital café could be encouraged to offer a selection of day-to-day items which would be available to local residents, as well as staff and visitors. This had been accepted by the Benenden Healthcare Society.”*
43. Proposed changes made in the Final Report to policy wording within Policy SSP3 to reflect these issues have been included in the final (referendum) version of the BNDP. It is therefore the case that the approach being taken by Policy SS3 in the BNDP, and the equivalent policy in the Submission Local Plan, Policy AL/BE3, are broadly similar. Site-Specific Policy (SSP4): Land at Benenden Hospital, North East Quadrant is considered by paragraphs 146 - 151 of the Independent Examiner’s Final Report for the BNDP August 2021 [BNDP Examiner's Final Report](#).
44. Paragraph 148 explains that *“There is a mismatch between the extent of the allocation site as set out in the neighbourhood plan and the area allocated for residential use in the Pre-Submission Local Plan. I understand from the Parish Council that its intention is for the boundaries to be consistent with those being proposed in the emerging local plan and I will be recommending revision to the map set out in Figure 33 to replicate the map shown in the draft Local Plan”*. It is the case that the site area for Policy SSP4 now

included in the 'made' version of the BNDP is the same as the site area for TWBC Local Plan Policy AL/BE 4.

45. Paragraph 151 states that "*There are elements of the Pre-Submission Local Plan allocation policy which if included with in the neighbourhood plan, could improve the neighbourhood plan's allocation. This includes the requirement for the garage block to be demolished and the addition of the requirement that the sewage infrastructure be enhanced before the development is occupied and also the need for an archaeological assessment*". The recommended changes to the policy wording for Policy SSP4 have reflected these conclusions.
46. It is therefore the case that the approach being taken by Policy SS4 in the BNDP, and the equivalent policy in the Submission Local Plan, Policy AL/BE4, are broadly similar.
47. The policy wording for the site allocation policies in the 'made' BNDP have all included consideration of the differences in the approach between the 'made' BNDP and Submission Local Plan as set out in Appendix 1. Notwithstanding the Council's response to Question 2 of this hearing statement, it is the case that, generally, a similar approach to delivering development has been taken by each of the four site allocations in the 'made' BNDP and Submission Local Plan.

Inspector’s Question 4: [re. Are site allocations justified, effective and consistent with national planning policy]

Are site allocations AL/BE1, AL/BE2, AL/BE3 and AL/BE4 justified, effective and consistent with national planning policy?

TWBC response to Question 4

Introduction

48. The NPPF under the heading “Examining plans” at paragraph 35 states that:

“Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are:

b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant”.

49. In addition, having the benefit of the recent Independent Examiner’s Final Report for the BNDP August 2021 [BNDP Examiner's Final Report](#), paragraph 192 concludes that “*I can confirm that my overall conclusions are that the Plan, if amended in line with my recommendations, meets all the statutory requirements including the basic conditions test and that it is appropriate, if successful at referendum, that the Plan, as amended, be made.*”

Consideration

50. As set out above in response to the other questions of this hearing statement, it is the Council’s view that given that the BNDP has very recently been ‘made’ it is not appropriate to duplicate site allocations policies contained within that Plan within this Local Plan, given the clear focus in the NPPF not to duplicate policy. The BNDP constitutes part of the adopted Development Plan and the policies contained within that Plan have effect within the parish of Benenden. However, in the interest of completeness, the Council has responded to the question set by the Inspector below.

51. Policies BE1-BE4 provide for development in line with the provisions set out in Policy PSTR/BE1 in that they fulfil the quantum of housing indicated (87-95 new dwellings, including affordable housing). The development allocations provide for a mix of sites, with all except AL/BE2 utilising previously developed land. All of the sites will deliver affordable housing, to meet local housing needs; Policy AL/BE2 will deliver a higher proportion of affordable housing than would usually be the case, meeting a local need for additional almshouses to be managed by a local charitable almshouse trust. AL/BE3 and 4 are outside of the High Weald Area of Outstanding Natural Beauty. AL/BE1 and AL/BE2 comprise non-major development in the AONB. Policy BE4 seeks to retain existing community facilities in order to support community cohesion. The respective allocation policies seek to protect important wildlife features and provide on-site amenity/natural greenspace as relevant, as well as providing pedestrian links to local services. The Policies are considered to be justified.
52. Table 57 of the Sustainability Appraisal (PS_013) sets out the consideration of reasonable alternative sites in Benenden parish. The sites set out in the Submission Local Plan represent the most appropriate sites in terms of location and through maximising the use of previously developed land within the parish.
53. The sites contained through Policies BE1-BE4 are deliverable within the Plan period and are therefore considered effective. Each site has been actively promoted. Site AL/BE2 has planning approval: Planning application 19/00822/HYBRID was granted permission on 1 September 2020. The application seeks full planning approval for 12 new almshouses, associated access, parking, landscaping, and an attenuation basin. The rest is an outline approval application for 13 new market dwellings with all matters reserved except access. The intention is that the 13 market dwellings would act as a funding mechanism for the 12 new almshouses.
54. The site allocations at Benenden Hospital, Policies AL/BE 3 and AL/BE 4 were actively promoted through the examination process of the BNDP; the one day hearing included attendance from the Hospital Trust's planning consultants with support from a barrister.
55. Policy AL/BE 1 has been subject to a pre-application submission in March 2021, confirming that the site continues to be actively promoted (note, pre-applications are not in the public domain).

56. Policies BE1-BE4 are consistent with national policy, enabling sustainable development in line with the Framework. This is endorsed by the Examiner in his conclusion that the BNDP met the basic conditions: one of the five questions that are asked when considering whether the BNDP met the basics conditions test is whether it is appropriate to make the BNDP having regard to national policies. More specifically, in paragraph 70 on the Examiner's Report, it is acknowledged that there is some conflict with the outdated local plan policy framework, in terms of the plan supporting development on land which falls outside of current limits of development. *"However, that is counterbalanced by the desire to provide more housing in the parish and to do so predominantly on brownfield land, as encouraged by national policy"*.

Conclusion

57. In conclusion, the Council considers that the site allocations AL/BE1, AL/BE2, AL/BE3 and AL/BE4 are justified, effective and consistent with national planning policy. Except for Policy AL/BE 2, these sites include significant areas of previously developed land. Policy AL/BE 2 will provide a higher proportion of affordable housing than required by Policy H3 Affordable Housing, delivering affordable accommodation that will be managed by a local almshouse charity and will meet a locally specific housing need.
58. It is confirmed that these site allocations are broadly similar to the respective allocations in the made BNDP, and as such will not be included within the TWBC Local Plan. The settlement chapter in the Local Plan for Benenden will refer to these site allocations, and other relevant policies in the made BNDP. This will be undertaken through modifications to the Local Plan, which will be consulted on.

Appendices

Appendix 1: Tables to compare the site allocation policies in the BNDP with the equivalent site allocation in the TWBC Submission Local Plan.

Table to compare BNDP Policy SSP1 Land adjacent to Feoffee Cottages, Walkhurst Road with SLP Policy AL/BE 2 Feoffee Cottages and land, Walkhurst Road

Policy requirement	BNDP Policy SSP1 (policy criterion in brackets)	Submission Local Plan Policy AL/BE2 (policy criterion in brackets)	Comment
Red line boundary			Same area for built development; similar area extent of landscape buffer
Type of development	C3 dwellings (1)	C3 dwellings	Same
Quantity of development	23-25 (1)	Approx. 25	Similar
Affordable housing	at least 12 units provided for affordable housing adhering to the almshouse principle (1) this equates to a affordable housing requirement of approx. 48%	48% affordable housing	Same - each policy will deliver the same proportion of affordable housing.

Policy requirement	BNDP Policy SSP1 (policy criterion in brackets)	Submission Local Plan Policy AL/BE2 (policy criterion in brackets)	Comment
Design	Be designed to conserve and enhance the character and distinctiveness of the village. The density of housing should be sympathetic to local character including the surrounding built housing density in the adjacent areas, the AONB landscape, and the landscape and heritage setting of the Benenden Conservation Area and nearby Listed Buildings. Density must not exceed 25dph (2)	<p>The development shall be sensitive to the approach and setting of the Benenden Conservation Area and the setting of Grade II listed buildings, including through the layout and design of the development being informed by a landscape and visual impact assessment and heritage assessment and seeking to retain the existing buildings on the site (4)</p> <p>The layout and design of the scheme must reflect the location of the site on the edge of the settlement, and take account of the sensitive topography (5)</p>	Similar approach to design and consideration of impact upon sensitive surrounding areas
Landscape	Protect the Ancient Woodland (and pond) lining Workhouse Gill, which should include a buffer area adjacent to the designated area of a minimum of 50m free from any form of built development, track or private garden space; the details and planting of the buffer area, which will	No built form shall take place within the landscape buffer, as shown indicatively on the site layout plan. The landscape buffer shall include the delivery of ecological enhancements within the landscape buffer (and also for the adjoining woodland) that will	Similar approach for delivery of landscape buffer, including long-term maintenance

Policy requirement	BNDP Policy SSP1 (policy criterion in brackets)	Submission Local Plan Policy AL/BE2 (policy criterion in brackets)	Comment
	<p>be expected to deliver biodiversity enhancements, to be approved and thereafter maintained in accordance with Policies LE5, LE6, LE7 & LE8. The proposal must secure the management of the buffer in the long term (3)</p> <p>Provide all dwellings with a suitable standard of shared semi-private and/or private garden space. Landscaping of open areas and the means of enclosure of all the site boundaries should be appropriately planted and screened with native hedging species (see Policies LE5, LE8 and BD4); solid fencing and other hard borders should be strictly minimised (4)</p>	<p>provide for its long-term management (3)</p>	
Open space	Provide on-site amenity/natural green space (5)	Provide on-site amenity/natural green space and children's play space (6)	Similar approach for delivery of open space on-site, although SLP policy includes specific provision of a children's play space.
Vehicular and pedestrian access	Provide a vehicle access link with a footpath to Walkhurst Road and a direct footway connection within the site to Rothermere Close to provide	A single vehicular means of access from Walkhurst Road (1)	Similar approach for the delivery of both a vehicular and pedestrian access

Policy requirement	BNDP Policy SSP1 (policy criterion in brackets)	Submission Local Plan Policy AL/BE2 (policy criterion in brackets)	Comment
	safe pedestrian access, on one side of the road only, to the village centre (see Policy BD7). The footway shall be designed having regard to the sensitive 'edge of settlement' character in this part of Walkhurst Road (6)	The provision of a pedestrian footway from the site entrance, past Rothermere Close, to a position opposite the start of the existing footway on the opposite side of Walkhurst Road. This shall be designed having regard to the sensitive edge-of-settlement character in this part of Walkhurst Road (2)	
Location of site; AONB	Reflect the location of the site on the edge of the settlement in the layout and design of the scheme and take into account the sensitive topography (see TWBC Pre-SLP EN 1: Sustainable Design, EN18: Rural Landscape and EN 19: High Weald Area of Outstanding Natural Beauty (AONB)). Development to be informed by a Landscape and Visual Impact Assessment and heritage assessment. Design and materials should comply with the design requirements specified in the BNDP Design and the Built Environment	The development shall be sensitive to the approach and setting of the Benenden Conservation Area and the setting of Grade II listed buildings, including through the layout and design of the development being informed by a landscape and visual impact assessment and heritage assessment and seeking to retain the existing buildings on the site (4) The layout and design of the scheme must reflect the location of the site on the edge of the	Both policies require layout and design to be informed by an LVIA and heritage assessment, taking account of the location of the site and topography

Policy requirement	BNDP Policy SSP1 (policy criterion in brackets)	Submission Local Plan Policy AL/BE2 (policy criterion in brackets)	Comment
	chapter and the policies contained therein (7)	settlement, and take account of the sensitive topography (5)	
Construction; wildlife	Minimise the impact of construction work on existing flora (8) and fauna, in particular retaining the hedging/mature trees on the site boundaries (see Policies LE4 and LE5) and encourage wildlife by including features within the development which are sympathetic to local wildlife and plants (see Policy LE8) (8)	Policy EN 1 criterium 5 (2) requires that for Proposals that affect existing biodiversity, geodiversity, and blue/green infrastructure must be designed to avoid, mitigate, or compensate for any potential harm, resulting in a net gain; and 5 (3) Proposals should identify and not undermine the value of ecosystem services that the site provides	Similar approach taken
Contributions	Works to the junction of Walkhurst Road and the B2086 to include dropped kerbs with tactile paving.(i)	Contributions are to be provided to mitigate the impact of the development, in accordance with Policy PSTR/BE 1 (7): (a) medical facilities that cover Benenden parish; (b) primary education facilities, namely the expansion of the existing primary school at Hawkhurst to serve Hawkhurst and the surrounding villages; (c) library provision, adult learning, and social care, to include those services to be	Note: Policy PSTR/BE 1 in the TWBC Local Plan will remain. It is therefore the case that the contributions required by this policy (7a – e) will need to be considered when assessing all development proposals within the parish.

Policy requirement	BNDP Policy SSP1 (policy criterion in brackets)	Submission Local Plan Policy AL/BE2 (policy criterion in brackets)	Comment
		<p>provided at the new Cranbrook Community Hub (in neighbouring Cranbrook & Sissinghurst parish); (d) youth and children’s play space; (e) other necessary mitigation measures which are directly related to the development and fairly and reasonably related in scale and kind, including potentially those identified or referenced in the Benenden Neighbourhood Plan.</p>	

Table to compare BNDP Policy SSP 2 Uphill, New Pond Road with SLP Policy AL/BE 1 Uphill, New Pond Road

Policy requirement	BNDP Policy SSP2 (policy criterion in brackets)	Submission Local Plan Policy AL/BE1 (policy criterion in brackets)	Comments
Red Line boundary			Same
Type of development	C3 dwellings	C3 dwellings	Same
Quantity of development	18 - 20	18 - 20	Same
Affordable housing	40%	40%	Same
Design	<p>Be designed to conserve and enhance the character and distinctiveness of the village; the density of housing should be sympathetic to local character including surrounding built housing density in the adjacent areas, the AONB landscape, and the landscape and heritage setting of the Benenden Conservation Area. Density must not exceed 25dph (2)</p> <p>Provide all dwellings with a suitable standard of shared semi-private and/or private garden space. Landscaping of open areas and the means of enclosure of all the site boundaries should be appropriately</p>	<p>The setting of the settlement character shall be maintained, and the impact on the nearby Benenden Conservation Area and the setting of nearby listed buildings reduced, including through the layout and design of the development being informed by a landscape and visual impact assessment and heritage assessment (7)</p>	<p>Similar approach to design, layout and on-site open space although SLP policy includes specific provision of a children's play space.</p>

Policy requirement	BNDP Policy SSP2 (policy criterion in brackets)	Submission Local Plan Policy AL/BE1 (policy criterion in brackets)	Comments
	<p>planted and screened with native hedging species; solid fencing and other hard borders should be strictly minimised (8)</p> <p>Design and materials should comply with the design requirements specified in the Benenden Neighbourhood Development Plan under the Design and the Built Environment chapter and the policies contained therein (11)</p> <p>Provide on-site amenity/natural green space (12)</p>	<p>Provide on-site amenity/natural green space and children's play space; (9)</p>	
Landscape and environment, AONB	<p>Protect the natural environmental and landscape enclosure of the site. The trees at the rear of the site and trees and hedging at all the site boundaries should be assessed (See Policies LE4, LE5 & LE8) for the health of the trees, their contribution to the landscape character of the AONB and biodiversity; the most significant trees and hedges should be protected and incorporated into the design of the development in order</p>	<p>Regard to be given to existing hedgerows and mature trees on site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and landscape and visual impact assessment (4)</p> <p>In additional to specific site allocation criteria, it is stated below the policy box that in addition to the criteria in the</p>	<p>Similar approach to landscape and environment, the site being located on the edge of settlement within the AONB</p>

Policy requirement	BNDP Policy SSP2 (policy criterion in brackets)	Submission Local Plan Policy AL/BE1 (policy criterion in brackets)	Comments
	to maintain the rural nature of the development and surroundings. Existing hedges and trees at the New Pond Road frontage should be conserved and enhanced to screen the site and setting of the nearby historic parkland; Hemsted Park (Benenden School) (3)	above Policy, the relevant Policies that should be referred to in the Local Plan include: Policies EN 1: Sustainable Design; EN 5: Heritage Assets; EN 18: Rural Landscape; EN 19: The High Weald Area of Outstanding Natural Beauty; EN 24: Water Supply, Quality, and Conservation; and OSSR 2: The Provision of Publicly Accessible Open Space and Recreation.	
Protected/priority environment area	This site lies within, or very close to, the relevant impact risk zone for Parsonage Wood SSSI; hence an assessment of potential adverse effects on the SSSI as a result of the development will be required as part of any application, and if required the proposal shall include adequate mitigation measures, both during construction and on completion, to the satisfaction of Natural England to ensure no adverse effects on the SSSI as a result of the proposed development (see TWBC Pre-SLP Policies EN 9:	This site lies within, or very close to, the relevant impact risk zone for Parsonage Wood SSSI; hence an assessment of potential adverse effects on the SSSI as a result of the development will be required as part of any application, and if required the proposal shall include adequate mitigation measures, both during construction and on completion, to the satisfaction of Natural England to ensure no adverse	Similar approach to reflect the location of a SSSI, and BAP priority habitat

Policy requirement	BNDP Policy SSP2 (policy criterion in brackets)	Submission Local Plan Policy AL/BE1 (policy criterion in brackets)	Comments
	<p>Biodiversity Net Gain and EN 10: Protection of designated sites and habitats) (4)</p> <p>The land has been identified with the potential for Woodpasture or Parkland, a BAP priority habitat, to be within 25m of the site. This should be taken into consideration as part of any detailed site-specific studies to inform development and any required mitigation (see TWBC Pre-SLP Policy EN 10: Protection of designated sites and habitats (5)</p> <p>Protect important habitat; the site lies within the National Biodiversity Networks area for Turtle Doves — a Priority Species in the UK post 2010 Biodiversity Framework, listed on the Red list of Threatened Species. Mitigation is required to minimise the impact of both construction work and the new housing on existing flora and fauna (see Policies LE4 & LE5) and encourage wildlife by including features within the development which are sympathetic</p>	<p>effects on the SSSI as a result of the proposed development (5)</p> <p>There is the potential for wood pasture or parkland, a BAP priority habitat, to be within 25m of the site. This should be taken into consideration as part of any detailed site-specific studies to inform development and any required mitigation;(6)</p>	

Policy requirement	BNDP Policy SSP2 (policy criterion in brackets)	Submission Local Plan Policy AL/BE1 (policy criterion in brackets)	Comments
	to local wildlife and plants (see Policy LE8) (7)		
Heritage	The submission of relevant and proportionate archaeological investigations is required as part of the planning application process to demonstrate that the proposal will not have a materially harmful impact on the archaeological environment (see TWBC PreSLP Policy EN 5: Heritage Assets (6))	Demonstrate through the submission of relevant and proportionate archaeological investigations (as part of any planning application) that the proposal will not have a materially harmful impact on the archaeological environment (8)	Similar approach to potential archaeological issues
Access	<p>The provision of a pedestrian footway from the site entrance, past Hortons Close, to the junction of New Pond Road and the B2086 (on highways land). This shall be designed having regard to the designation of this part of New Pond Road as an Important Landscape Approach (see Policy BD7 (9))</p> <p>A single point of access for vehicles from New Pond Road should be designed to be compatible with and support the implementation of approved plans for the improved</p>	<p>Provision of a pedestrian footway from the site entrance, past Hortons Close, to the junction of New Pond Road and the B2086. This shall be designed having regard to the designation of this part of New Pond Road as an Important Landscape Approach (2)</p> <p>Provision of a single point of access onto New Pond Road; (1)</p>	Similar approach for both vehicular and pedestrian access, and provision of footway along New Pond Road

Policy requirement	BNDP Policy SSP2 (policy criterion in brackets)	Submission Local Plan Policy AL/BE1 (policy criterion in brackets)	Comments
	traffic calming and safety measures in New Pond Road.(10)	Relocate the 30mph speed limit along New Pond Road to the north of the site; (3)	
Contributions	<ul style="list-style-type: none"> i. Works to the junction between New Pond Road and the B2086. ii. The designation of a 30mph speed limit along New Pond Road to the north of the site. I ii. Contribution towards children’s play areas within the parish 	Contributions are to be provided to mitigate the impact of the development, in accordance with Policy PSTR/BE 1 (7): (a) medical facilities that cover Benenden parish; (b) primary education facilities, namely the expansion of the existing primary school at Hawkhurst to serve Hawkhurst and the surrounding villages; (c) library provision, adult learning, and social care, to include those services to be provided at the new Cranbrook Community Hub (in neighbouring Cranbrook & Sissinghurst parish); (d) youth and children’s play space; (e) other necessary mitigation measures which are directly related to the development and fairly and reasonably related in scale and kind, including potentially those	Note: Policy PSTR/BE 1 in the TWBC Local Plan will remain. It is therefore the case that the contributions required by this policy (7a – e) will need to be considered when assessing all development proposals within the parish.

Policy requirement	BNDP Policy SSP2 (policy criterion in brackets)	Submission Local Plan Policy AL/BE1 (policy criterion in brackets)	Comments
		identified or referenced in the Benenden Neighbourhood Plan.	

Table to compare BNDP Policy SSP3 Land at Benenden Hospital, South of Goddards Green Road, East End — South East Quadrant (SEQ) with SLP Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End

Policy requirement	BNDP Policy SSP3 (policy criterion in brackets)	Submission Local Plan Policy AL/BE3 (policy criterion in brackets)	Comments
Red Line boundary			<p>The redline area in the SLP does not include the area of open space within the southern part of the site that is included in the red line area for the BNDP policy. However, this area is not one that would be considered suitable for built development (ref para 138 of the BNDP</p> <p><i>“The southern third of the site, plus areas around Peek Lodge, are important Local Wildlife Sites (LWSs) and although the Hospital Trust is not planning to build on those parts of the site, a condition of planning permission must be adequate, robust protection in the form of a buffer/screening in order to preserve the integrity of the LWSs (see Policies LE4, LE6, LE7 & LE8) both during and after construction. This Plan supports development only on the footprint of the existing buildings”.</i></p>

Policy requirement	BNDP Policy SSP3 (policy criterion in brackets)	Submission Local Plan Policy AL/BE3 (policy criterion in brackets)	Comments
Type of development	C3 residential	C3 residential	Same
Quantity of development	Additional 25 dwellings in addition to the 24 already consented (extant consent)	22-25 residential units (in addition to the 23 new dwellings that have already been granted approval at this site)	Quantum generally in similar
Affordable housing	30% (1)	30%	Same
Masterplan	Comprehensive development proposals, in the form of a Masterplan, must be submitted in respect of the land currently held in Benenden Healthcare Society estate ownership at this location, to be delivered in accordance with a phased timetable, which indicates land to the south of Goddards Green Road (SEQ) to be developed prior to any other phases	Comprehensive proposals for this site, together with the site area included within Policy AL/BE 4 (land located to the north of Goddards Green Road), to be delivered in accordance with a phased timetable, which indicates land to the south of Goddards Green Road to be developed first prior to any other phases. If an application is submitted for only part of the area included within Policies AL/BE 3 and AL/BE 4, then this application must: a. show indicatively how the other areas included within Policies AL/BE 3 and AL/BE 4 can be developed to meet the overall	Similar approach

Policy requirement	BNDP Policy SSP3 (policy criterion in brackets)	Submission Local Plan Policy AL/BE3 (policy criterion in brackets)	Comments
		<p>policy requirements as set out within each of these policies, and how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses, and is previously developed land; b. include a mechanism to ensure that the minibus and retail store provision, active travel link, and public access to the café (as referred to below) can be provided through the development at part of the site alone; (1)</p>	
Design	<p>Ensure that design, scale, massing and overall density create a sense of place and focus to the residential communities and reflect the character and rural nature of the East End area adjacent to the AONB, whilst acknowledging the scale of adjacent hospital buildings. Density must not exceed 22dph (see Reasoned Justification para. 2.9.3.1). Building heights should</p>	<p>In additional to specific site allocation criteria, it is stated below the policy box that in addition to the criteria in the above Policy, the relevant Policies that should be referred to in the Local Plan include: Policies EN 1: Sustainable Design; EN 5: Heritage Assets; EN 18: Rural Landscape; EN 19: The High Weald Area of Outstanding</p>	<p>Similar approach to design and layout, taking account of location of development adjacent to the AONB, existing trees within site.</p>

Policy requirement	BNDP Policy SSP3 (policy criterion in brackets)	Submission Local Plan Policy AL/BE3 (policy criterion in brackets)	Comments
	<p>generally be restricted to two storeys (2)</p> <p>Have close regard to the design and materials requirements specified in the BNDP under the Design and the Built Environment chapter and the policies contained therein (3)</p> <p>Provide private garden space and/or shared semi-private spaces, all enclosure to be appropriately planted and screened with native hedging species to protect the occupiers' privacy (see Policy BD4) (4)</p> <p>Regard to be given to existing hedgerows and mature trees on site (see Policy LE4), with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and landscape and visual impact assessment (see TWBC Pre-SLP Policies EN 12: Trees, Woodlands, Hedges, and Development; and criterion 4 of</p>	<p>Natural Beauty; EN 24: Water Supply, Quality, and Conservation; and OSSR 2: The Provision of Publicly Accessible Open Space and Recreation.</p> <p>Provide on-site amenity/natural green space and children's play space (12)</p> <p>Regard to be given to existing hedgerows and mature trees on site, with the layout and design of the development protecting those</p>	

Policy requirement	BNDP Policy SSP3 (policy criterion in brackets)	Submission Local Plan Policy AL/BE3 (policy criterion in brackets)	Comments
	TWBC Pre-SLP Policy EN1: Sustainable Design) 5)	of most amenity value, as informed by an arboricultural survey and landscape and visual impact assessment (7)	
Existing trees and hedges	Reflect existing trees and hedges on the site, and the complex topography (particularly within the southern part of the site) (see criteria 1 and 4 of TWBC Pre-SLP Policy EN 1: Sustainable Design (6)	Regard to be given to existing hedgerows and mature trees on site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and landscape and visual impact assessment; (7)	Similar approach
Local Wildlife Site (LWS)	A management plan shall be submitted outlining proposals for the ongoing protection and enhancement of all the LWSs and once approved, the future management of the site shall be carried out in accordance with that plan, to protect the significance of the designated LWS in terms of its biodiversity (7)	Contributions to the provision of the long-term management of the Local Wildlife Site located to the south and west of the site (10)	Similar approach
Construction Management Plan	In order to reduce the amount of construction traffic using local roads where possible the disposal of earth	Covered by Policy EN1 (8) Design and construction guidance	Similar approach

Policy requirement	BNDP Policy SSP3 (policy criterion in brackets)	Submission Local Plan Policy AL/BE3 (policy criterion in brackets)	Comments
	<p>spoil generated by construction works should be redistributed on the wider site in landscape remodelling as set out in a Construction Management Plan. (8)</p> <p>The Construction Management Plan should address how to minimise the impact of construction work on existing flora and fauna, valuable micro- wildlife habitats in roadside verges, banks and ditches, in particular retaining the hedging which borders the site/mature trees on the site (see Policies LE4, LE5, LE6, LE7 & LE8) (9)</p>		
Garland Wing	Any proposals shall include an assessment of the feasibility of retaining the Garland Wing as part of the redevelopment of the site, which could include refurbishment and conversion of this building to provide separate residential units. (10)	Proposals to include an assessment of the feasibility for retaining the Garland Wing as part of the redevelopment of the site, which could include refurbishment and conversion of this building to provide separate residential units; (9)	Same approach to Garland Wing
Heritage	An archaeological assessment of the site to be carried out (11)	An archaeological assessment of the site to be carried out (8)	Same approach

Policy requirement	BNDP Policy SSP3 (policy criterion in brackets)	Submission Local Plan Policy AL/BE3 (policy criterion in brackets)	Comments
Sewerage infrastructure	The occupation of the development should be phased to align with the delivery of improved sewerage infrastructure, in liaison with the service provider (12)	The occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider (11)	Similar approach
Contributions	<p>It is expected that planning obligations will be required towards the following to mitigate the impact of development and enhance the sustainability of the location:</p> <ul style="list-style-type: none"> i. Provision of an active travel link between the site and Benenden village (see BNDP Supporting Document TA2 and Policies T1, T2 & T5). ii. Include an area for sport and recreational use by the local community and a children's play area, in part repurposing the existing tennis courts located in the North East Quadrant. 	<p>Contributions are to be provided to mitigate the impact of the development, in accordance with Policy PSTR/BE 1 (13)</p> <p>The provision of an active travel link between the site and Benenden village (2)</p> <p>The proposals for Policies AL/BE 3 and AL/BE 4 must incorporate tennis courts, a similar level of car parking for use by the hospital, and access to the sports pavilion as currently provided,</p>	Similar approach, except for the BNDP requirement for a community facility, that is not included within the TWBC Policy AL/BE 3

Policy requirement	BNDP Policy SSP3 (policy criterion in brackets)	Submission Local Plan Policy AL/BE3 (policy criterion in brackets)	Comments
	<p>iii. The means to secure the public use of the hospital cafe and the provision of a small publicly accessible retail outlet within the existing hospital building for a minimum of 10 years from the occupation of 50% of the residential units on the allocation site.</p> <p>iv. Provide a community space for events and to provide amenities such as a pre-school or play group. An appropriate building might be the existing old chapel building to the west of the site.</p>	<p>unless it can be satisfactorily demonstrated that these facilities are no longer required by the hospital in the short and long term;(3)</p> <p>Means to secure the public use of the café at the hospital (for a minimum of 10 years from occupation of 50 percent of the (gross) residential units) (4)</p> <p>The provision of a small, publicly accessible retail outlet within the existing hospital buildings (for a minimum of 10 years from occupation of 50 percent of the (gross) residential units); (5)</p>	

Policy requirement	BNDP Policy SSP3 (policy criterion in brackets)	Submission Local Plan Policy AL/BE3 (policy criterion in brackets)	Comments
	<p>v. Provide a financial contribution to fund the purchase and ongoing maintenance of a minibus for the use of Benenden Primary School to run the minibus service to/from Benenden village/Primary School, to serve school times, thus reducing traffic and improving sustainability. This service to be for 10 years from the occupation of 50% of the gross residential units on the allocation site.</p> <p>vi. Promote and support the Kent County Council Hopper Bus trial and other DRT initiatives.</p>	<p>The provision of a daily trip to/from the hospital site to Benenden and Tenterden by minibus to coincide with the primary school start and finish of the day from Monday to Friday, and an additional service in the morning and late afternoon on a Saturday (for a minimum of 10 years from occupation of 50 percent of the (gross) residential units (6)</p>	

Table to compare BNDP Policy SSP4 Land at Benenden Hospital, North of Goddards Green Road, East End — North East Quadrant (NEQ) with SLP Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End

Policy requirement	BNDP Policy SSP4 (policy criterion in brackets)	Submission Local Plan Policy AL/BE4 (policy criterion in brackets)	Comments
Red Line boundary			Same
Type of development	C3 dwellings	C3 dwellings	Same
Quantity of development	22-25 residential units, in addition to the 18 dwellings currently on the site	22 - 25	Same
Affordable housing	30% (1)	30%	Same
Masterplan	Comprehensive development proposals, in the form of a Masterplan, must be submitted in respect of the land currently held in Benenden Healthcare Society estate ownership at this location, to be delivered in accordance with a phased timetable, which indicates land to the north of Goddards Green Road (NEQ) will be developed as the second phase. No work to commence on phase two of the Masterplan until the south site (SEQ) is fully built-out	Comprehensive proposals for this site, together with the site area included within Policy AL/BE 3 (land located to the south of Goddards Green Road), to be delivered in accordance with a phased timetable, which indicates that this site (land to the south of Goddards Green Road) to be developed first prior to any other phases. If an application is submitted for only part of the area included within Policies AL/BE 3 and AL/BE 4, then this application must: a. show indicatively how the other areas included within	Similar approach

Policy requirement	BNDP Policy SSP4 (policy criterion in brackets)	Submission Local Plan Policy AL/BE4 (policy criterion in brackets)	Comments
		<p>Policies AL/BE 3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses, and is previously developed land;</p> <p>b. include a mechanism to ensure that the minibuss and retail store provision, active travel link, and public access to the café (as referred to below) can be provided through the development at part of the site alone (1)</p>	
Design	Ensure that design, scale, massing and overall density create a sense of place and focus to the residential communities and reflect the character and rural nature of the East End area adjacent to the AONB, whilst acknowledging the	The garage block within the north west corner of the site shall be demolished; (3)	Similar approach

Policy requirement	BNDP Policy SSP4 (policy criterion in brackets)	Submission Local Plan Policy AL/BE4 (policy criterion in brackets)	Comments
	<p>scale of adjacent hospital buildings. Density must not exceed 22dph (See Reasoned Justification para. 2.9.4.1). Building heights should generally be restricted to two storeys. (2)</p> <p>Have close regard to the design and materials requirements specified in the BNDP under the Design and the Built Environment chapter and the policies contained therein (3)</p> <p>Provide private garden space and/or shared semi-private spaces, all enclosure to be appropriately planted and screened with native hedging species to protect the occupiers' privacy (see Policy BD4) (4)</p> <p>Regard to be given to existing hedgerows and mature trees on site (see Policy LE4), with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and landscape and visual impact assessment (see</p>	<p>No built form shall take place within the open space and landscape buffer, as shown indicatively on the site layout plan (4)</p> <p>Regard to be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and landscape and visual impact assessment (8)</p> <p>Provide on-site amenity/natural green space and children's play space (9)</p> <p>In additional to specific site allocation criteria, it is stated below the policy box that in addition to the criteria in the above Policy, the relevant Policies that should be referred to in the Local Plan include:</p>	

Policy requirement	BNDP Policy SSP4 (policy criterion in brackets)	Submission Local Plan Policy AL/BE4 (policy criterion in brackets)	Comments
	TWBC Pre-SLP Policies EN 12: Trees, Woodlands, Hedges, and Development; EN 13: Ancient Woodland and Veteran Trees; and criterion 4 of TWBC Pre-SLP Policy EN 1: Sustainable Design) (5)	Policies EN 1: Sustainable Design; EN 5: Heritage Assets; EN 10: Protection of Designated Sites and Habitats; EN 12: Trees, Woodland, Hedges, and Development; EN 16: Landscape within the Built Environment; H 3: Affordable Housing; and OSSR 2: The Provision of Publicly Accessible Open Space and Recreation.	
Construction Management Plan	<p>In order to reduce the amount of construction traffic using local roads, where possible the disposal of earth spoil generated by construction works should be redistributed on the wider site in landscape remodelling as set out in a Construction Management Plan (6)</p> <p>The Construction Management Plan should address how to minimise the impact of construction work on existing flora and fauna, valuable micro-habitats in roadside verges, bands and ditches, in particular retaining the hedging which borders</p>	Covered by Policy EN1 (8) Design and construction guidance in the Submission Local Plan	Similar approach

Policy requirement	BNDP Policy SSP4 (policy criterion in brackets)	Submission Local Plan Policy AL/BE4 (policy criterion in brackets)	Comments
	the site/mature trees on the site (see Policies LE4, LE5, LE6, LE7 & LE8) (7)		
Phasing	Development on this site can only commence once construction is complete on the SEQ site (8)	<p>Comprehensive proposals for this site, together with the site area included within Policy AL/BE 3 (land located to the south of Goddards Green Road), to be delivered in accordance with a phased timetable, which indicates that this site (land to the south of Goddards Green Road) to be developed first prior to any other phases Policy AL/BE 3 (1) &</p> <p>Comprehensive proposals for this site, together with the site area included within Policy AL/BE 3 (land located to the south of Goddards Green Road), to be delivered in accordance with a phased timetable, which indicates that this site (land to the south should read NORTH of Goddards Green Road) to be developed first prior to any other phases Policy AL/BE 4 (1)</p>	Similar approach

Policy requirement	BNDP Policy SSP4 (policy criterion in brackets)	Submission Local Plan Policy AL/BE4 (policy criterion in brackets)	Comments
		* it is noted that there is an error in this text – it should read ‘land to the north of Goddards Green Road)	
Local Wildlife Site (LWS)	A Management Plan shall be submitted outlining proposals for the ongoing protection and enhancement of the LWS and once approved, the future management of the site shall be carried out in accordance with that plan, to protect the significance of the designated LWS in terms of its biodiversity (9)	Contributions to the provision of the long-term management of the Local Wildlife Site located to the north and west of the site; (11)	Similar approach to LWS
Heritage	An archaeological assessment of the site to be carried out (10)	An archaeological assessment of the site to be carried out; (9)	Same approach
Sewerage infrastructure	The occupation of the development should be phased to align with the delivery of improved sewerage infrastructure, in liaison with the service provider (11)	The occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider; (10)	Similar approach
Contributions	It is expected that planning obligations will be required towards the following to mitigate the impact	Contributions are to be provided to mitigate the impact of the development, in accordance with Policy PSTR/BE 1. (13)	Similar approach, except for the BNDP requirement for a community facility, that is not included within the TWBC Policy AL/BE 4

Policy requirement	BNDP Policy SSP4 (policy criterion in brackets)	Submission Local Plan Policy AL/BE4 (policy criterion in brackets)	Comments
	<p>of development and enhance the sustainability of the location:</p> <p>i. Provision of an active travel link between the site and Benenden village (see BNDP Supporting Document TA2 and Policies T1, T2 & T5).</p> <p>ii. Include an area for sport and recreational use by the local community and a children’s play area, in part repurposing the existing tennis courts on the site.</p>	<p>The provision of an active travel link between the site and Benenden village (2)</p> <p>Provide on-site amenity/natural green space and children’s play space (12)</p> <p>Criterion (3) of Policy AL/BE 3 requires that the proposals for Policies AL/BE 3 and AL/BE 4 must incorporate tennis courts, a similar level of car parking for use by the hospital, and access to the sports pavilion as currently provided, unless it can be satisfactorily demonstrated that these facilities are no longer required by the hospital in the short and long term;</p>	

Policy requirement	BNDP Policy SSP4 (policy criterion in brackets)	Submission Local Plan Policy AL/BE4 (policy criterion in brackets)	Comments
	<p>iii. The means to secure the public use of the hospital café and the provision of a small publicly accessible retail outlet within the existing hospital building for a minimum of 10 years from the occupation of 50 % of the gross residential units on the allocation site.</p> <p>iv. Provide a community space for events and to provide amenities such as a pre-school or play group. An appropriate building might be the existing old chapel building to the west of the site.</p> <p>v. Provide a financial contribution to fund the purchase and ongoing maintenance of a minibus for the use of Benenden Primary School to run the minibus service to/from</p>	<p>Means to secure the public use of the café at the hospital (for a minimum of 10 years from occupation of 50 percent of the (gross) residential units) (5)</p> <p>The provision of a small, publicly accessible retail outlet within the existing hospital buildings (for a minimum of 10 years from occupation of 50 percent of the (gross) residential units) (6)</p> <p>The provision of a daily trip to/from the hospital site to Benenden and Tenterden by minibus to coincide with the</p>	

Policy requirement	BNDP Policy SSP4 (policy criterion in brackets)	Submission Local Plan Policy AL/BE4 (policy criterion in brackets)	Comments
	<p>Benenden village/Primary School, to serve school times, thus reducing traffic and improving sustainability. This service to be continued for 10 years from the occupation of 50% of the gross residential units on the allocation site.</p> <p>vi. Promote and support the Kent County Council Hopper Bus trial and other DRT initiatives.</p>	<p>primary school start and finish of the day from Monday to Friday, and an additional service in the morning and late afternoon on a Saturday (for a minimum of 10 years from occupation of 50 percent of the (gross) residential units (7)</p>	