

## Examiner Initial Comments 26 March 2021 – Benenden Parish Council NDP Feedback Response

Point	Examiner Comment	Benenden PC Response	Reference/Link
4	Can the Borough Council confirm which Local Plan policies are, for the purpose of the basic condition, the strategic policies that the neighbourhood plan has to be in general conformity with? Please note that draft local plan policies in the Pre-Submission version of the Local Plan cannot be treated as strategic policies for the purpose of meeting the basic conditions test, as these are still subject to consultation and examination.	<p>Benenden NDP have worked hard to ensure policies align both with the existing and the pre-submission Local Plan. Analysis of the alignment is set out in our Basic Conditions Statement.</p> <p>The pre-submission Local Plan continues to evolve and as a result some of the policies in BNDP will require amendment. This will be achieved by continued close working with TWBC.</p>	<a href="#">Basic Conditions Statement</a>
5	I note that the plan period for the neighbourhood plan is 2020 to 2036, whilst the emerging Local Plan runs until 2038. Does the Parish Council wish me to consider extending the plan period to coincide with the local plan and can the Borough Council and the Parish Council offer a view as to whether, by extending the plan period by 2 years, this will change the housing requirement the neighbourhood plan needs to be making provision for.	Extending the plan period to 2038 would not change the housing requirement the neighbourhood plan needs to be making provision for.	

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6	Can the Parish Council expand on how it has arrived at the number of new homes to be built within the plan period? Is it based on the sum of the site capacities, on the sites it is seeking to allocate for residential development or is there some other basis, perhaps related to housing need or where has then been a proportional distribution by relating the population of the parish to the amount of housing that Tunbridge Wells needs to be delivering? To what extent has the Borough Council identified the amount of housing the parish needs to be making provision for and to what extent is it driven by the Parish's own aspirations? I note the reference to the Benenden Parish Plan 2015, which refers to housing growth equating to 1% per year but I do not know why that figure was arrived at or what status that plan had– is there some assessment of local housing need that is driving that figure? I am aware that the Parish has been very alert to the affordable housing need through the setting up of a Community Land Trust?	<p>TWBC originally proposed targeting over 230 additional dwellings within the Parish (2011 census - parish had 839 households). This was based on landowner response to their Call for Sites.</p> <p>Benenden PC suggested a smaller level of development because:</p> <ul style="list-style-type: none"> <li>• The parish is relatively remote from employment centres of Tunbridge Wells, Maidstone, Hastings and Ashford. The only direct public transport link to TW takes 1 hour 40 minutes each way.</li> <li>• Benenden has the second lowest housing need in the Borough (TWBC HNS 2018).</li> <li>• The Parish Council proposal of 'around 100' dwellings plus existing permissions represent the highest allocation, relative to existing housing numbers, in a TWBC parish within the AONB. Only parishes outside the AONB are being asked to do more.</li> </ul> <p>On this basis the Parish Council believe the allocated numbers meet requirements and are agreed with TWBC.</p> <p>The parish is not considering a CLT, required affordable housing will be provided by allocated sites including the Almshouse site.</p>	<a href="#">See table 6.2 on page 72 of the TWBC HNS</a>
8	Can I be provided with a copy of the 2015 Parish Plan.	Copy of the 2015 Parish Plan was sent by email on 5 April 2021	
9	There appears to be a minor disparity between the boundary where it crosses the land adjacent to the Feoffee Cottages allocation site, which is shown as a straight line in the neighbourhood plan whilst the draft local plan has a slight angled boundary. Should the two plans be identical or is there a reason for the slightly larger site in the neighbourhood plan?	The site maps will be aligned – we obtain our maps from TWBC	Deborah Dixon from TWBC has confirmed they will supply identical site map

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10	Policy LE1 refers to the Limits to Built development “as defined in the Local Plan” – the version of the new local plan needs to be inserted into the policy – Could TWBC advise how that could be dealt with?	Deborah Dixon of TWBC has confirmed the latest version of the pre submission Local Plan has included some small changes. The final version of the Benenden LBD map will be provided to BNDP to ensure alignment.	
12	Does the reference to distinctive views in c) not duplicate Policy LE2?	Policy LE2 contents can be deleted, added to Policy LE1 and other adjustments made to text as appropriate.	
13	Can I request that the Figures 10 and 11 be shown at full A4 size to aim their legibility?	We can send A4 sized format to Examiner for his information. Changes to the format will be problematic, but we will provide full sized A4 as part of supporting documents if the Examiner recommends the change.	
14	The second paragraph of the policy appears to be duplicating Policy LE1 a).Is that necessary?	Policy LE2 can be deleted and incorporated into LE1. Not considered to be a duplication but separate policy not needed.	

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15	<p>I note that there is a degree of duplication with the designation of local green spaces between the draft Local Plan and this neighbourhood plan policy. If the neighbourhood plan is made before the draft local plan is adopted, will the local plan designations still be pursued by the Borough Council as this appears to be not a strategic policy and Secretary of State advice is not to duplicate policy unnecessarily?</p>	<p>TWBC Pre Submission Local Plan (PSLP) states:</p> <p><i>“5.421 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.</i></p> <p><i>5.422 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.</i></p> <p><i>5.423 The draft BNP’s Vision, Goals, and Objectives provide a framework within which the policies in the BNP were developed. The BNP includes a number of specific goals and reference to a list of projects set out in a Parish Action Plan that indicates how developer contributions could potentially be used.”</i></p> <p>The PC will be suggesting that the same approach applies to Green spaces and other appropriate sections of the PSLP – to avoid unnecessary duplication.</p> <p>There is one difference in listing between BNDP and the PSLP. That is an area known as ‘Hilly Fields’. At both our Rough Draft &amp; Reg 14 Consultation the owner of Hilly Fields made no objection to its inclusion as a Local Green Space. In fact, feedback simply asked that we specify all dog owners should keep animals on a lead to avoid sheep worrying. However, the owner has objected to inclusion of Hilly Fields in the TWBC PSLP. To ensure alignment BNDP will remove Hilly Fields from our final plan.</p>	

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16	I will be proposing to list the local green spaces designated in the policy.	Can be renumbered to LE2. List of LGS can be included within the policy.	
17	Can the Parish Council clarify whether the memorial bench on the slope of Hilly Fields site was placed there by the owners of the land for their own use or is it a public amenity?	The bench has been in place for many years. It is not a public amenity, it is privately owned and maintained.	
19	Can the Parish Council clarify whether the figures in the policy are net or gross figures? For example, the redevelopment of Site Reference LS41 will demolish 18 units to be replaced by 22- 25 units, thereby delivering a net increase in 4- 7 dwellings or is the plan proposing that 40 – 43 dwellings are to be built on the site?	<p>Two sites (Site 424/LS40b and Site 277) currently have no housing and so all numbers on these sites are describing the total new builds.</p> <p>Site 424/LS40b has an existing permission for 24 units. The NDP adds a further 25 additional units to total 49 units on a brownfield site of 4.2 hectares, outside the AONB. Note some 2 hectares of the site are wildlife sites/parkland and must be preserved.</p> <p>Site LS41 has 18 existing dwellings to which up to a further 25 will be added totalling 43 units on a brownfield site of 1.9 hectares outside the AONB.</p> <p>Site 277 is a greenfield site inside the AONB owned by the Benenden Almshouse Charities. The site has been allocated for 13 market units which will fund building of 12 almshouses (and refurbishment of the existing stock of almshouses within the Parish). Total allocation 25 dwellings.</p> <p>Site LS16 has one dwelling and this will be increased by 19 to a total of 20 units on a brownfield site of 0.8 hectares inside the AONB.</p>	

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20	Does the Parish Council have a view as to whether the housing numbers should be described as minimum figures?	The plan offers a range from a minimum to maximum number. The maximum should not be exceeded.	
22	Is the intention that HS2 b) refers to the property being suitable for older residents and can the Parish Council confirm that it is not expecting to see local connection restrictions imposed to meet the requirements of c). How is the requirements in a) consistent with the requirement 1 of Site Specific Policy (SSP1) which refers to affordable housing adhering to the almshouse principle?	<p>Policy HS2b – the wording of this policy can be adjusted to read “property suitable for older residents....”,</p> <p>The Parish Council is not expecting to see local connections to meet requirements of c)</p> <p>SSP1 relates only to the specific Almshouse site. This land is already owned by the Benenden Almshouse Charities.</p>	
23	Can the Borough Council confirm whether the planning consent, which is proposed to granted on the Feoffee site is limited to “almshouses” or does it allow other forms of affordable housing. Planning permission run with the land rather than being personal to a particular landowner and is the Parish Council promoting this type of tenure in other affordable housing schemes throughout the parish?	<p>Permission has now been granted for 13 market houses to fund the development of 12 almshouses.</p> <p>A copy of the application link is provided for:  19/00822/HYBRID   Hybrid Application - Outline (Access not reserved) - (Development comprising of the erection of 13 dwellings); Full - (Erection of 12 almshouses together with accesses, parking, landscaping and drainage)   Land Adjacent Rothermere Close Walkhurst Road Benenden</p> <p>Parish Council is not supporting this type of tenure elsewhere in the Parish. Site 277 is owned by the Benenden Almshouse Charities and in this case only runs with the land.</p>	<a href="#">Link to TWBC Planning for 19/00822/Hybrid</a>

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24	HS4. Can the Parish Council explain why, if a residential use is acceptable in a location e.g. with the LBD, why would there be a need to prevent the building subsequently only being used for purely residential purposes?	<p>After careful consideration and following representations we have decided to withdraw this policy.</p> <p>HS4 can be deleted.            Para. 2.4.1 can be deleted            Policy HS5 Windfall Sites – will then become Policy HS4, and the following policies can be renumbered to suit.</p>	
25	Would the Parish Council accept the need for some flexibility on the matter of density, if the plan's aspirations for more flats, maisonettes and properties for people to down-size to, are to be delivered?	<p>The Parish Council believe the setting of the AONB is an important consideration and good landscaping and green space is an essential part of our plan. Benenden has the second lowest housing need in the borough and has the highest allocation of any rural parish, relative to existing housing, within the borough's AONB catchment.</p> <p>As the housing allocation for Benenden has already been proposed and accepted by TWBC, the Parish Council does not consider an increase in density to be acceptable.</p>	

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26	<p>I note that the Pre-Submission Version of the Local Plan also allocates the same four sites for development, but the contents of the respective policies differ. Is there merit in the policies, at least having the same policy expectations within them? For example, if the neighbourhood plan is made first, then I understand that the intention of the Borough Council is to withdraw these allocations from the Local Plan and in which case, the requirements which are only found in the local plan, and are not within the neighbourhood plan, will be lost. Is there scope for at least a consistent approach to the policy requirements and would further discussions between the two parties be helpful? I would then be able to consider whether to accept any possible modification in my recommendations.</p>	<p>BNDP/Benenden PC have consulted regularly with TWBC on policy aspirations and detail. The Reg 16 plan represents an agreed position of Site Specific Policies that apply to different sites, each with its own challenges and opportunities.</p> <p>As the TWBC PSLP has evolved some of their specific policies have changed and although the intent remains aligned some small changes have emerged. TWBC Planning Officers have confirmed their support for the additional detail incorporated into the Reg 16 BNDP and have reaffirmed their intention to adopt the Neighbourhood Plan into the Local Plan in the event that Benenden NDP is 'made.'</p> <p>BNDP have set out detailed Site Specific Policies to ensure prospective developers have a clear understanding of the requirements they will need to satisfy when bringing forward a planning application. (See also Addendum 2 - Benenden PC Project list and answer to your points 45 &amp; 46).</p> <p>See Addendum 1 – Comparison of Site Specific Policies which has been completed to assist examination.</p>	
28	<p>Can the Parish Council elaborate on what it considers are the “almshouse principle” and how does that differ from other forms of affordable housing?</p>	<p><b>The recognised definition of an almshouse is:</b></p> <p>An almshouse is a unit of residential accommodation (usually a house or flat) which belongs to a charity, is provided exclusively to meet the charity’s purposes (for example, the relief of financial need or infirmity) and is occupied or is available for occupation under a licence by a qualified beneficiary.</p> <p>An almshouse charity is typically a charity which is established for purposes which are to be furthered by the provision of one or more almshouses.</p>	<p><a href="#">Almshouse definition</a></p>



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		<p>In addition, an almshouse charity is likely to have one or more of the following features:</p> <ol style="list-style-type: none"> <li>1. The origin of the charity is a private gift for the relief of poverty;</li> <li>2. The beneficiaries are required to pay a weekly maintenance contribution that must not be set at a level that would cause hardship;</li> <li>3. The nature of the accommodation is such that the licence requires that beneficiaries must show particular consideration for the needs of other residents;</li> <li>4. A significant proportion of the accommodation is permanent endowment;</li> <li>5. The beneficial class or the geographical area from which it can be drawn is restricted.</li> </ol> <p><b>Further explanation received from Benenden Almshouse Charities:</b></p> <p>Almshouses are run by trustees and are for people of little means that have lived in the village for at least three years. Almshouses have been in existence for over 1000 years and are a form of charitable housing. They are also accepted as being affordable and social housing.</p> <p>In fact, Benenden Almshouse Charities are a registered social housing provider. The difference between almshouses and other forms of rented accommodation is that the tenants occupy as licensees. They do not pay a rent but a licence fee to cover the cost of the upkeep and maintenance of the property together with the running of the charity. This is typically less than the average social housing rent. Another difference between</p>	

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		<p>almshouses and other forms of social housing is that they are the only form of housing exempt from the Government’s right to buy legislation. Consequently, they can be held in perpetuity. The running of the almshouses is governed by their Charity Scheme. This usually emanated from a trust document. This will determine the criteria by which tenants are selected. In the case of Benenden this is need and local residency. For other almshouses it may be age. Selection is at the discretion of the trustees and the Section 106 agreement attached to planning permission 19/00422/HYBRID provides that Tunbridge Wells BC can only nominate tenants to the Trustees.</p>	
29	<p>Can I be provided with a copy of the planning permission granted in 2012 which included consent for 24 houses. Can I be provided with a copy of the layout that was approved. I am assuming that is still an extant consent. Would that allow for the demolition of the Garland Wing without any further consents?</p>	<p>Approved layout is included in attached planning application.</p> <p>Decision Notice:  TWBC planning application : 12/03130/EIAMJ   Hybrid Planning Application: Part Detailed - Extension and redevelopment of existing hospital complex including infill extensions and extensions to east and west sides of main building, re-organisation of hospital car parking, associated highway works and associated development including demolition of minor extensions, a sub-station and redundant buildings including 2 residential units, new lighting scheme, landscape works and works to buildings to north of site. Part Outline - Demolition and redevelopment of part of south east section of the site to provide 24 dwellings with associated car parking and landscaping and future phase extension to the western side of the main hospital building   Benenden Hospital Goddards Green Road Benenden Cranbrook Kent TN17 4AX</p> <p>The application is an extant consent. The Garland Wing can be demolished without further consents</p>	<p><a href="#">TWBC Planning Application 12/03130/EIAMJ</a></p>

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31	<p>Site 424/LS40b - I note that the site area in the neighbourhood plan is significantly larger than the allocation proposed in the local plan, which limits the allocation essentially to the extent what can be classed as previously developed land. Would the Parish Council be concerned if the development area was reduced in to line of the buildings consistent with what the draft local plan is proposing?</p>	<p>Site 424/LS40b has the same developable area in both the NDP and the PSLP. The difference in the two maps being the southern portion of the site is included in the NDP specifically so we can ensure this area is left undeveloped. It forms a transition to the AONB and improves the setting of the site. This southern area has a local wildlife site and number of mature trees and has a look of parkland. BNDP believe it should be protected. Therefore a site map showing the protected area with SSP stating it should not be developed is an important protection.</p>	<p>Discussed with TWBC who will provide a map showing the site as set out in PSLP but with the LWS/AONB buffer added for the NDP.</p>

34	<p>I would like who is best placed, whether it is the Parish Council, the Borough Council or Savills on behalf of the Benenden Healthcare Society, to elaborate on the discussions that have led to the inclusion, within the Local Plan draft allocation, which has resulted in a commitment which will allow the use, by residents of the hospital shop and café, and the provision of a minibus. Is the reference to provision of 50% of the residential uses, related to the 50% occupation on the south west quadrant only or the combined site? Why could these facilities not be provided to assist the early residents of the development on their land?</p>	<p>BPC would welcome a suggestion for any amenities required to improve the sustainability of East End Benenden through the NDP SSPs to be advanced. The plan can be amended to require provision of shop/café/meeting space/children’s playground at the start of development should the examiner so recommend.</p> <p>The Friends of East End describe East End Benenden as a scattered settlement of approximately 76 dwellings. Benenden Hospital has a total of 32 (not 18) properties which it rents out and an extant permission to develop a further 24 dwellings on the Hospital campus.</p> <p>At present there are no publicly available amenities in East End Benenden to serve the circa 100 existing, or already approved dwellings.</p> <p>The BNDP recognises sustainability should be improved and has set out a plan that will make excellent use of redundant PDL outside the AONB while requiring improved amenities for residents old and new.</p> <p>BNDP allocates a further 50 dwellings at East End Benenden. As part of that plan the following amenities are required by site specific policies:</p> <ul style="list-style-type: none"> <li>• Community meeting place/hall (existing former chapel owned by Benenden Hospital has been proposed).</li> <li>• A small café/shop premises within one of the planned developments</li> <li>• Children’s Playground</li> <li>• Funding for a primary school minibus for 10 years (paid via contributions thereafter)</li> <li>• An active travel link between East End Benenden and Benenden Village</li> </ul>	
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35	I would also be pleased if further elaboration can be provided as to what the “active travel link” between the site and Benenden is referring to? What type of route is envisaged, where will it run, who will provide it and by when and is the land to provide the route secured? Could an indicative route be shown?	<p>Supporting document TA2 was sent via email on 5 April 2021.</p> <p>See below copy of email from KCC PRoW Officer to Councillor Stephen Cochrane received on 21/01/2021:</p> <p><b>Subject: RE: Benenden Cycle Path</b></p> <p><i>Hi Stephen</i></p> <p><i>I can on only really provide a guesstimate for the works to the PROW section, i.e. Restricted Byway WC361 and public footpath WC349.</i></p> <p><i>Total length for this section looks to be approx. 1.5km and I would guess that to provide a 3m wide shared use all weather surface (eg tarmac) would be in the region of £180 -220K. For an unbound surface (rolled stone) the costs would be lower, possibly around £125-150K.</i></p> <p><i>These are very approximate figures to give an idea, but I have not visited the site and am assuming straightforward access and no complications based on previous work we have undertaken. I have not accounted for any drainage work that may be required.</i></p> <p><i>In addition, the public footpath would need to be upgraded to bridleway or converted to cycletrack. The costs for upgrading to bridleway are approximately £3K and we would only proceed with this with landowner agreement. If landowner agreement cannot be secured, then it is possible to create the bridleway by order, but we would not generally proceed down this avenue as this would also add significant compensation costs and potentially legal costs to the overall cost.</i></p> <p><i>I can't really comment on costs for highways work on the existing road network as this is not something I deal with. I have copied Katie in, who may be able to help with this.</i></p> <p><i>I hope this helps, if you have any questions or need any more information, please let me know</i></p> <p><i>Regards</i></p> <p><i>Jonathan</i></p> <p><b>Jonathan Bibby</b>   PROW Officer (Tunbridge Wells)   PROW &amp; Access   Countryside &amp; Community Development   Growth, Environment &amp; Transport   Kent County Council   8, Abbey Wood Rd, Kings Hill West Malling ME19 4YT   Tel: 03000 414088   <a href="http://www.kent.gov.uk">www.kent.gov.uk</a></p>	<p><a href="#">TA2 link to TWBC website</a></p>

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39	LS 41 - I note that the Neighbourhood Plan is allocating an area of open space to the rear of the houses adjacent to the garage block, whilst the draft Local Plan restricts the allocation to the previously developed land. Is that a deliberate decision or should it be restricted to the currently developed area?	All published site maps will be aligned with those in the local plan. TWBC will provide all site maps.	Discuss and confirm with Deborah Dixon
40	BD8 - Is there a word missing in a) and what does the Parish Council consider constitutes "sustainable construction"?	Yes, sentence can be altered. BPC considers sustainable construction to include measures to help conserve water and uses low-energy solutions, as this policy indicates.	
41	In BE4 Does the Parish Council have a view as to how long properties need to be marketed for, before alternative uses can be considered?	In line with TWBC DLP Policy ED2 – 18 months	
42	In BE6 Should the title of the policy be "reuse" rather than "Redevelopment of Redundant Buildings"	BE6 Agreed and can change title from 'Redevelopment' to 'Reuse'.	

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43	Does the Parish Council have a view on the conversion of rural buildings to residential, as supported by the Secretary of State's policy, in paragraph 79 of the NPPF?	<p>HS5 Windfall Sites – see above - now <b>HS4</b> with the deletion of HS4 Live/Work policy.</p> <p>Policy HS4 the word 'reuse' can be inserted before 'redevelopment' in the first line of policy.</p> <p>Policy HS5 (now HS4) includes the following provision... <i>“Outside the LBD, as defined in the Local Plan, on previously developed land (PDL), or the conversion of appropriate rural buildings, which are not currently in business use;”</i></p> <p>Benenden PC believe this takes sufficient account of Para 79 of NPPF enabling development in isolated areas for re-use of former agricultural buildings.</p>	
44	Regards BE7 Can the Parish Council direct me to which are the “designated commercial areas” where infrastructure links are more sustainable?	<p>Page 86 of shows a map of commercial sites.</p> <p>Benenden PC have checked and are satisfied that wording is appropriate. No change necessary.</p>	<a href="#">Go to Page 86</a>
45 & 46	<p>I will need to be satisfied that if Policy T1 is looking for financial contributions via Section 106 agreements, these contributions will meet the 3 tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 or is the policy referring to CIL payments, when and if they are introduced and is it envisaging that the Parish Council's 25% CIL receipts will be used for that purpose?</p> <p>This consideration equally applies to Policy T3 contribution to play facilities and T4 contributions to reducing the impact of pollution by cars.</p>	<p>The Parish Council would welcome further guidance on these policies. As TWBC have not decided whether they will be adopting CIL, remaining with S106 agreements or have a mixture of both, it leaves no clarity for the PC as to how community and infrastructure projects can be funded.</p> <p>The approach has been taken by the PC to set out the requirements for developer contributions for each allocated site in the SSPs, as clearly as possible. There is a certain amount of overlap of developer contribution requirements between our SSPs and our Projects list, which will be attached to the Plan as a Supporting Document, and whether or not these contributions arise from S106 Agreements or CIL receipts is dependent on TWBC's decision. In addition, we are not necessarily expecting</p>	

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		<p>developers of these sites to contribute to our list of 'Projects' unless contributions to additional projects are agreed through the pre-app and application stage.</p> <p>The PC were "caught out" by the S106 Agreement reached for the recent development in the village for 12 houses under TWBC application ref. 16/504891. Contributions to any village projects or infrastructure were non-existent, and this was partly due to the PC having no clear policy or project list for requesting contributions.</p> <p>The PC seeks to avoid this through the NDP. The 'Projects' list can be cross-referenced with our 'Projects' listed at the end of each chapter of the plan, as well as in the Transport and Infrastructure policies.</p> <p>Ideally the Parish Council would prefer TWBC to adopt a CIL policy, then the Parish Council would be able to allocate the 25% CIL receipts to relevant projects. But in the meantime we are unclear of how we can set out clearly our requests for contributions within the NDP, while still complying with Regulation 122 as you have set out in your comments.</p> <p><b>Addendum 2 – Benenden Parish Project List is attached.</b></p>	
47	<p>If, at the end of the examination, I recommend that the neighbourhood plan does proceed to referendum, one of the matters, I need to consider is the area to which referendum will be held. It will, of course, cover all of Benenden Parish as the neighbourhood area, but there are other properties directly affected by the proposed allocations at East End. As I have received representations from Biddenden Parish Council, I would like to extend an invitation to them to identify which properties in their parish that they believe should be allowed to vote in any referendum on the</p>	<p>The BNDP group consulted with Biddenden Parish Council from an early stage in the preparation of the NDP. A copy of the first "rough draft" was forwarded to them in March 2019, and this draft set out the site allocations of up to 50 new homes at East End. Biddenden PC responded in April 2019 expressing concerns on the effect of potential increase to traffic numbers at Castleton Oak crossroads, as well as Woolpack Corner – the junction beyond Castleton Oak at the A262. The Castleton Oak crossroads has always been included in the 'Constraints' for the East End sites in the NDP. However, we would dispute Biddenden PC's</p>	



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	<p>Benenden Neighbourhood Plan and I will consider that request. I would be pleased if Tunbridge Wells Borough Council would forward this note to them. I similarly offer Benenden Parish Council this opportunity to identify any properties beyond the parish boundary, which it feels should be able to take part in a referendum.</p>	<p>opinion that traffic would travel from this junction onwards to Woolpack Corner. At the crossroads traffic will diverge:</p> <ul style="list-style-type: none"> <li>• Turning left towards Cranbrook, a small town with shops, cafes, and a supermarket. Also routes to Staplehurst railway station;</li> <li>• Turning right towards Tenterden; a market town with shops and two supermarkets, the main local shopping destination.</li> <li>• Straight ahead towards the A262/A274 which run towards Headcorn and through to Maidstone.</li> </ul> <p>Under the formal Regulation 14 consultation, Kent County Council Highways did not highlight or comment on any potential traffic issues arising from the site allocations. Nevertheless, Benenden PC has offered support to Biddenden PC in its campaign for further safety improvements to be implemented at Castleton Oak junction.</p> <p>Benenden Parish Council are fully aware that wherever there is an increase in housing numbers in the parish, there will be an increase in traffic movements. This becomes more significant due to the rural nature of the parish. However, the area at East End is already dominated by Benenden Hospital, which employs around 500 staff, 300 of whom work on site on an average day. They treat around 300-350 out-patients per day, of whom 90% travel to the hospital by car. This cannot be ignored when considering existing traffic movements at East End.</p> <p>Traffic movements in Biddenden are already dominated by two trunk roads, the A262 (main road between Ashford and</p>	

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		<p>Tunbridge Wells) and the A274 (Maidstone to Tunbridge Wells) which run through the centre of the parish.</p> <p>Benenden Parish Council would also dispute Biddenden PC’s opinion that new residents would predominantly travel to Headcorn Station, 6.5 miles from East End:</p> <ul style="list-style-type: none"> <li>• New residents are just as likely to travel to Staplehurst station (9 miles), which is nearer London, has a larger car park, and also benefits from a large, new Sainsbury’s supermarket.</li> <li>• Pre-Covid Benenden already had a higher than average working from home contingent which, due to the rural nature of the parish, will only increase post-Covid and this will inevitably lessen the requirement to commute.</li> <li>• With regard to school runs - Benenden has a new state-of-the-art primary school and three popular independent prep schools nearby, as well as being in the Cranbrook School catchment area – all of which are situated in the opposite direction to Biddenden Parish.</li> </ul> <p>On the concerns regarding the sewerage system - Biddenden PC only raised these concerns in their response to the Regulation 16 Consultation stage. Following further consultation with Southern Water, TWBC has since added an additional site specific policy to the East End sites in their PSLP being:</p> <p>“11. The occupation of the development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.”</p> <p>BNDP have agreed that this policy will also be added to the site specific policies for the East End sites.</p>	

Point	Examiner Comment	Benenden PC Response	Reference/Link
		<p>Notwithstanding the above, the concerns raised in Biddenden PC's letter to the examiner dated 19 April 2021, appear to have escalated way beyond their initial feedback, even though there has been no fundamental change in the BNDP site allocations at East End since the first rough draft published in February 2019. However, the majority of the new concerns raised are already addressed by the SSPs in the NDP, and the Benenden Parish Chair has offered to attend a meeting with Biddenden PC to discuss their concerns. To date an invitation from Biddenden PC has not been forthcoming.</p> <p>It would, therefore, be wholly undemocratic for the entire Biddenden Parish to have a vote at the referendum, when it appears their concerns relate solely to the proposed housing at East End. The Benenden NDP is not only about housing and site allocations, it is about protecting distinctive views, landscape character, green spaces, promoting a balanced community and so much more – see our vision as set out on page 8 of the plan.</p> <p>Nevertheless, Benenden Parish Council does recognise that a number of properties outside the Parish boundary would have their views directly affected and may experience an impact from additional development of East End sites 424/LS40b and LS41. To this end the properties lying within Biddenden Parish to the north of Mockbeggar Lane, from 'Corydon' running north to 'Tree Tops' could be included in the referendum, as well as properties lying between East End Benenden and Castleton Oak crossroads. These two areas would total 12 properties lying within Biddenden Parish which could be included in the referendum area.</p>	

## Addendum 1 – Comparison of TWBC Strategic Policies and BNDP Policies

TWBC say that they are content for us to include as many SSPs as we like, even if they don't have them in because they're included in their Strategic Policies elsewhere. It is considered that the SSPs listed in the BNDP provides for greater clarity for developers.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b>SSP1 Feoffee</b>	<b>AL/BE 2 Feoffee Cottages and land, Walkhurst Road</b>	
1. Provide a mixed residential development of 23-25 C3 dwellings, with at least 12 units provided for affordable housing adhering to the almshouse principle, and with an element of market housing necessary to provide the financial basis for the almshouse development. To include a mix of housing types including affordable family housing as well as smaller units.	1 <sup>st</sup> para. of policy: The site, as defined on the Benenden Policies Map, is allocated for residential development providing approximately 25 dwellings, of which, given the planning history of the site, 48 per cent shall be affordable housing.	No.
2. 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 (see Reasoned Justification para. 2.9.1.1) after discounting the buffer zone of 0.46ha.	4. 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;	No.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b><i>SSP1 Feoffee / AL/BE 2 Feoffee Cottages and land, Walkhurst Road cont.</i></b>		
<p>3.Include the provision of adequate parking facilities to avoid on-street parking both within and beyond the development site. Reference should be made to the BNDP Design and the Built Environment chapter para. 3.6 and Policy BD6 for determining the quantity of vehicle parking spaces, in the context of a generally high reliance on private cars in this area of poor public transport provision. If provided, garages will not count towards the required quantity of parking spaces. Areas should be set aside for amenity vehicles turning and for the parking of mobility scooters, ideally under cover. Dwellings to be provided with electric car-charging facilities.</p>	<p>Not mentioned</p>	<p>No.</p>
<p>4.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 to be approved and thereafter maintained in accordance with Policies LE7 and LE8. The proposal must secure the management of the buffer in the long term.</p>	<p>3.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 provide for its long-term management.</p>	<p>No.</p>

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b><i>SSP1 Feoffee / AL/BE 2 Feoffee Cottages and land, Walkhurst Road cont.</i></b>		
5. 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 LE9 and BD4); solid fencing and other hard borders should be strictly minimised.	Not mentioned.	No.
6. Provide a vehicle access link with a footpath to Walkhurst Road and a direct footway connection within the site to Rothermere Close to provide 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.	1. A single vehicular means of access from Walkhurst Road. 2. 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.	No.
7. 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 DLP EN1: Design and other development management criteria, EN20: Rural Landscape and EN21: 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 chapter and the policies contained therein.	5. 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.	No.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b>SSP1 Feoffee / AL/BE 2 Feoffee Cottages and land, Walkhurst Road cont.</b>		
8.Be sensitive to the approach and setting of the Benenden Conservation Area (see TWBC DLP Policy EN7: Heritage Assets).	Relates to BNDP 2 and TWBC 4 above and is a duplicate. No.8 could be deleted.	Delete no.8 of BNDP as duplicate of BNDP 2.
9.Minimise the impact of construction work on existing flora and fauna, in particular retaining the hedging/mature trees on the site boundaries (see Policies LE5 and LE6) and encourage wildlife by including features within the development which are sympathetic to local wildlife and plants (see Policy LE9).	Not mentioned	No.
10.The parish is a dark skies area and any proposals for the outdoor lighting of new developments must comply with BNDP Policy BD5.	Not mentioned in either the policy box or in the list of policies below the box.	EN 8 Outdoor Lighting and Dark Skies. BPC will highlight this omission in its feedback on the consultation of the Reg 19 Pre-submission Local Plan.
Not included in SSP as contributions are required to improve community facilities in the parish to benefit existing and new residents.	6.Provide on-site amenity/natural green space and children's play space;	No.
<b>It is expected that contributions will be required towards the following to mitigate the impact of the development:</b>		
i.Works to the junction of Walkhurst Road and the B2086 to include dropped kerbs with tactile paving.	7.Contributions are to be provided to mitigate the impact of the development, in accordance with Policy PSTR/BE 1.	No.
ii.Any further contributions identified through the pre-application and planning application process.		No.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b>SSP2 Uphill, New Pond Road</b>	<b>AL/BE 1 Land adjacent to New Pond Road (known as Uphill)</b>	
1. Provide a residential development of 18-20 C3 dwellings, with affordable housing in accordance with TWBC policy and a mix of type and size integrated throughout the development to help meet locally identified needs (see Policy HS2).	1 <sup>st</sup> para. of policy: The site, as defined on the Benenden Policies Map, is allocated for residential development providing approximately 18-20 dwellings, of which 40 per cent shall be affordable housing.	No.
2. 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 (see Reasoned Justification para 2.9.2.1).	7. 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;	No.
3. Include the provision of adequate parking facilities to avoid on-street parking both within and beyond the development site. Reference should be made to the BNDP chapter Design & the Built Environment chapter para 3.6 and Policy BD6 for determining the quantity of vehicle parking spaces, in the context of the generally high reliance on private cars in this area of relatively poor public transport provision. If provided, garages will not count towards the required quantity of parking spaces. Dwellings to be provided with electric car-charging facilities.	Not mentioned	No.



BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b><i>SSP2 Uphill, New Pond Road / AL/BE 1 Land adjacent to New Pond Road (known as Uphill) cont.</i></b>		
<p>4. 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 at pre-application stage ecological and arboricultural site survey (Policies LE5 &amp; LE6) 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 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).</p>	<p>4. 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;</p>	<p>No.</p>
<p>5. 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 DLP Policies EN11: Net Gains for Nature: biodiversity and EN12: Protection of designated sites and habitats).</p>	<p>5. exactly the same para.</p>	<p>No.</p>

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b><i>SSP2 Uphill, New Pond Road / AL/BE 1 Land adjacent to New Pond Road (known as Uphill) cont.</i></b>		
6.The MAGIC website identifies 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 DLP Policy EN12: Protection of designated sites and habitats).	6. 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;	No.
7.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 DLP Policy EN7: Heritage Assets).	8. 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;	No.
8.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 LE5 and LE7) and encourage wildlife by including features within the development which are sympathetic to local wildlife and plants (see Policy LE9).	Not mentioned	No.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b><i>SSP2 Uphill, New Pond Road / AL/BE 1 Land adjacent to New Pond Road (known as Uphill) cont.</i></b>		
9. 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; solid fencing and other hard borders should be strictly minimised (see Policy BD4).	Not mentioned	No.
10. 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).	2. 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.	No.
11. 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 traffic calming and safety measures in New Pond Road.	1. Provision of a single point of access onto New Pond Road;	No.
12. 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.	Not mentioned.	No.
13. The parish is a dark skies area and any proposals for the outdoor lighting of new developments must comply with Policy BD5.	Not mentioned in either the policy box or in the list of policies below the box.	EN 8 Outdoor Lighting and Dark Skies. BPC will highlight this omission in its feedback on the consultation of the Reg 19 Pre-submission Local Plan.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b>SSP2 Uphill, New Pond Road / AL/BE 1 Land adjacent to New Pond Road (known as Uphill) cont.</b>		
Not included in SSP as contributions are required to improve community facilities in the parish to benefit existing and new residents.	9. Provide on-site amenity/natural green space and children's play space.	No.
<b>It is expected that contributions will be required towards the following to mitigate the impact of the development:</b>		
i. Works to the junction between New Pond Road and the B2086.	1 & 2 relate to the works required and 10 relates to contributions.	No.
ii. The designation of a 30mph speed limit along New Pond Road to the north of the site.	3. Relocate the 30mph speed limit along New Pond Road to the north of the site;	No.
iii. Contribution towards children's play areas within the parish.	Not mentioned on a parish basis, only as a site policy at no.9.	No.
iv. Any further contributions identified through the pre-application and planning application process.	10. Contributions are to be provided to mitigate the impact of the development, in accordance with Policy PSTR/BE 1.	No.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b>SSP3 Land at Benenden Hospital (SEQ)</b>	<b>AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road) East End</b>	
1. Provide a residential development of an additional 22-25 C3 dwellings, with affordable housing in accordance with TWBC policy and a mix of type and size integrated throughout the development to help meet locally identified needs (see Policy HS2).	1 <sup>st</sup> para. of policy: The site, as defined on the Benenden Policies Map, is allocated for residential development providing 22-25 residential units (in addition to the 23 new dwellings that have already been granted approval at this site), of which 30 per cent shall be affordable housing.	No.
2. 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 generally be restricted to two storeys.	Not mentioned	No.
3. Include the provision of adequate parking facilities to avoid on-street parking both within and beyond the development. Reference should be made to the Design and the Built Environment chapter para. 3.6 and Policy BD6 for determining the quantity of vehicle parking spaces in the context of a generally high reliance on private cars in this area. If provided, garages will not count towards the required quantity of parking spaces. Dwellings to be provided with electric car-charging facilities.	Not mentioned	No.
4. 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.	Not mentioned	No.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b><i>SSP3 Land at Benenden Hospital (SEQ) / AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road) East End cont.</i></b>		
5. 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).	Not mentioned	No.
6. Regard to be given to existing hedgerows and mature trees on site (see Policy LE5), 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 DLP Policy EN14: Trees, Woodlands, Hedges, and Development and criterion 3 of TWBC DLP Policy EN1: Design and other development management criteria).	7. Is exactly the same as this, except reference to the BNDP and DLP Policies.	No.
7. Reflect existing trees and hedges on the site, and the complex topography (particularly within the southern part of the site) (see criteria 1 and 3 of TWBC DLP Policy EN1: Design and other development management criteria).	Not mentioned specifically but see 7 of DLP above (and BNDP 6) for protection of trees. BNDP to retain para. 7 as a design requirement.	No.
8. Ensure the Local Wildlife Sites (LWS) be conserved and protected in accordance with national and local planning policy and in line with the guidelines laid out in Policy LE7.	Not specifically mentioned but see 10. below.	No.
9. Ensure the LWSs be conserved and enhanced as wildlife sites with a management plan (Policy LE8) adopted to achieve this, and the sites are not to be used for recreational purposes.	10. Contributions to the provision of the long-term management of the Local Wildlife Site located to the south and west of the site;	No.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b><i>SSP3 Land at Benenden Hospital (SEQ) / AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road) East End cont.</i></b>		
10. 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. Provision of a Construction Management Plan must accompany any planning application.	Not mentioned	No.
11. 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 LE5 & LE6).	Not mentioned	No.
12. Any planning application shall include a Traffic Impact Study detailing expected growth in traffic volumes and the mitigations required for road and pedestrian safety.	Not mentioned	No.
13. The parish is a dark skies area and any proposals for the outdoor lighting of new developments must comply with policy BD5.	Not mentioned in either the policy box or in the list of policies below the box.	EN 8 Outdoor Lighting and Dark Skies. BPC will highlight this omission in its feedback on the consultation of the Reg 19 Pre-submission Local Plan.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b><i>SSP3 Land at Benenden Hospital (SEQ) / AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road) East End cont.</i></b>		
<p>14. Development on this site is to be built-out before construction work can commence on the North East Quadrant (Site LS41). The use of Castleton Oak Crossroads or Golford Crossroads by construction traffic is problematic as demonstrated by the number of accidents that occur at these locations. Phasing of the development will ease this problem.</p>	<p>(1) 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:</p> <p>a. show indicatively how the other areas included within 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 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 [sic] part of the site alone;</p>	<p>No.</p>
<p>No corresponding SSP.</p>	<p>11. The occupation of the development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.</p>	<p>Add to BNDP SSP (omitted in error).</p>



BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b>SSP3 Land at Benenden Hospital (SEQ) / AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road) East End cont.</b>		
Included in SSP at iii. Under contributions – see below.	12. Provide on-site amenity/natural green space and children’s play space;	No.
Add to BNDP SSP	9. Proposals to include an assessment of 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;	Add to BNDP SSP (recent change to draft local plan).
Add to BNDP SSP	8. An archaeological assessment of the site is to be carried out.	Add to BNDP SSP.
<b>It is expected that contributions will be required towards the following to mitigate the impact of the development:</b>		
i. Provision of an active travel link between the site and Benenden village (see BNDP Supporting Document TA2 and Policies T1, T2 & T5).	2. The provision of an active travel link between the site and Benenden village;	No.
ii. The reduction of the existing 30mph speed limit through East End to 20mph	Not mentioned	No.
iii. 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.	3. 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;	No.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b>SSP3 Land at Benenden Hospital (SEQ) / AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road) East End cont.</b>		
iv.The means to secure the public use of the cafe at the hospital from occupation of 50% of the residential units until premises are provided through development of LS41 (NEQ).	4.Means to secure the public use of the café at the hospital (for a minimum of 10 years from occupation of 50% of the (gross) residential units);	See our response to Point 34 of Examiner Initial Comments.
v.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.	Not mentioned	No.
vi.Provide a minibus for the use of Benenden Primary School and provide funding to maintain and run the minibus service to/from Benenden village/Primary School to serve school times thus reducing traffic and improving sustainability. From occupation of 50% of the residential units for 10 years from commencement.	6.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% of the (gross) residential units);	No.
vii.Promote and support the Kent County Council Hopper Bus trial and other DRT initiatives. It is intended to serve the growing community in proximity to the Hospital in order to aid connectivity with larger conurbations, such as Tenterden, for the purposes of work, leisure and health.	Not mentioned	No.
viii.Any further contributions identified through the pre-application and planning application process.	10.Contributions are to be provided to mitigate the impact of the development, in accordance with Policy PSTR/BE1.	No.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b>SSP3 Land at Benenden Hospital (SEQ) / AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road) East End cont.</b>		
No corresponding SSP but see iv above amendment.	5.The provision of a small, publicly accessible retail outlet within the existing hospital buildings (for a minimum of 10 years from occupation of 50% of the (gross) residential units);	No, the provision of a retail outlet within the existing hospital buildings is not suitable, either for the hospital or for local residents, but we have amended item iv above to clarify the requirement for a retail outlet. See further explanation within Point 34 of Examiner Initial Comments.
<b>SSP4 Land at Benenden Hospital (NEQ)</b>		
1.Provide a residential development of 22-25 C3 dwellings, with affordable housing in accordance with TWBC policy and a mix of type and size integrated throughout the development to help meet locally identified needs (see Policy HS2).	1 <sup>st</sup> para. of policies: The site, as defined on the Benenden Policies Map, is allocated for residential development providing an additional 22-25 residential units, of which 30 per cent shall be affordable housing.	No.
2.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. 2.9.4.1). Building heights should generally be restricted to two storeys.	Not mentioned.	No.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b><i>SSP4 Land at Benenden Hospital (NEQ) / AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road) East End cont.</i></b>		
3.Include the provision of adequate parking facilities to avoid on-street parking both within and beyond the development. Reference should be made to the Design and the Built Environment chapter para. 3.6 and Policy BD6 for determining the quantity of vehicle parking spaces in the context of a generally high reliance on private cars in this area. If provided, garages will not count towards the required quantity of parking spaces. Dwellings to be provided with electric car-charging facilities.	Not mentioned.	No.
4.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.	Not mentioned	No.
5.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).	Not mentioned	No.
6.Regard to be given to existing hedgerows and mature trees on site (see Policy LE5), 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 DLP Policy EN14: Trees, Woodlands, Hedges, and Development and criterion 3 of TWBC DLP Policy EN1: Design and other development management criteria).	8.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;	No.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b><i>SSP4 Land at Benenden Hospital (NEQ) / AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road) East End cont.</i></b>		
7.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. Provision of a Construction Management Plan must accompany any planning application.	Not mentioned	No.
8.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 the site/mature trees on the site (see Policies LE5 & LE6).	Not mentioned	No.
9.Any planning application shall include a Traffic Impact Study detailing expected growth in traffic volumes and the mitigations required for road and pedestrian safety.	Not mentioned	No.
10.The parish is a dark skies area and any proposals for the outdoor lighting of new developments must comply with policy BD5.	Not mentioned in either the policy box or in the list of policies below the box.	EN 8 Outdoor Lighting and Dark Skies. BPC will highlight this omission in its feedback on the consultation of the Reg 19 Pre-submission Local Plan.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b><i>SSP4 Land at Benenden Hospital (NEQ) / AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road) East End cont.</i></b>		
<p>11. Development on this site can only commence once construction is complete on the SEQ site.</p>	<p>(1) 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:</p> <p>a. show indicatively how the other areas included within 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 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 [sic] part of the site alone;</p> <p>[Note: the wording of this policy has been copied and pasted from the AL/BE 3 South site policies and is somewhat confusing in the reference to ‘this site’.]</p>	<p>No.</p>

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b>SSP4 Land at Benenden Hospital (NEQ) / AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road) East End cont.</b>		
12.Ensure the Local Wildlife Sites (LWS) be conserved and protected in accordance with national and local planning policy and in line with the guidelines laid out in Policy LE7.	See BNDP para. 13 and corresponding DLP para.11 below but retain this para in BNDP.	No.
13.Ensure the LWSs be conserved and enhanced as wildlife sites with a management plan (Policy LE8) adopted to achieve this, and the sites are not to be used for recreational purposes.	11.Contributions to the provision of the long-term management of the Local Wildlife Site located to the south and west of the site;	No.
No corresponding SSP – add.	3.The garage block within the north west corner of the site shall be demolished;	Yes, add to BNDP SSP.
No corresponding SSP – add.	4.No built form shall take place within the open space and landscape buffer, as shown indicatively on the site layout plan;	Yes, add to BNDP SSP
No corresponding SSP.	10.The occupation of the development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.	Add to BNDP SSP (omitted in error).
Included in SSP at iii. Under contributions – see below.	12.Provide on-site amenity/natural green space and children’s play space;	No.
No corresponding SSP.	9.An archaeological assessment of the site is to be carried out.	Add to BNDP SSP.
<b>It is expected that contributions will be required towards the following to mitigate the impact of the development:</b>		
i.Provision of an active travel link between the site and Benenden village (see BNDP Supporting Document TA2 and Policies T1, T2 & T5).	2.The provision of an active travel link between the site and Benenden village;	No.

BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b><i>SSP4 Land at Benenden Hospital (NEQ) / AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road) East End cont.</i></b>		
ii.The reduction of the existing 30mph speed limit through East End to 20mph.	Not mentioned	No.
iii.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.	12.Provide on-site amenity/natural green space and children’s play space;	No.
iv.Provision of premises that would be available as a publicly accessible café and small retail outlet.	5.Means to secure the public use of the café at the hospital (for a minimum of 10 years) from occupation of 50% of the (gross) residential units); 6. The provision of a small, publicly accessible retail outlet within the existing hospital buildings (for a minimum of 10 years from occupation of 50% of the (gross) residential units);	See our response to Point 34 of Examiner Initial Comments.
v.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.	Not mentioned	No.
vi.Provide a minibus for the use of Benenden Primary School and provide funding to maintain and run the minibus service to/from Benenden village/Primary School to serve school times thus reducing traffic and improving sustainability. From occupation of 50% of the residential units for 10 years from commencement.	7.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% of the (gross) residential units);	No.



BNDP Site Specific Policies	Corresponding TWBC Site Specific Policies	Additional BNDP SSP Policy Required/ Notes
<b><i>SSP4 Land at Benenden Hospital (NEQ) / AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road) East End cont.</i></b>		
vii.Promote and support the Kent County Council Hopper Bus trial and other DRT initiatives. It is intended to serve the growing community in proximity to the Hospital in order to aid connectivity with larger conurbations, such as Tenterden, for the purposes of work, leisure and health.	Not mentioned, unless covered by vi/7 above.	No.
viii.Any further contributions identified through the pre-application and planning application process.	13.Contributions are to be provided to mitigate the impact of the development, in accordance with Policy PSTR/BE1.	No.

## **Addendum 2**

### **BENENDEN PARISH COUNCIL - PROJECT LIST**

Item numbers refer to Priorities Requiring Capital Investment list – see below

#### **HIGH VALUE OR EASY TO IMPLEMENT across the Community:**

- Allotments (Item 2.)
- Improvements to Public Rights of Way (Item 4.)
- Improvements to broadband and mobile communications, to include Feasibility Study (Item 8)
- New play area at Iden Green recreation ground (Item 17) - **£45,000**
- New play area at East End (Item 17) - **£25,000**
- New pre-school - location to be confirmed (Item 21)
- Traffic calming scheme for Benenden village, Benenden crossroads and Iden Green crossroads; reduction of speed limits throughout the parish (Item 14)

#### **MEDIUM VALUE OR COMPLEX TO IMPLEMENT across the Community:**

- Develop and maintain an online village directory (Item 11)
- Provision of additional car parking area at Benenden Village Hall (Item 15b)
- Public electric vehicle charging points at Benenden Village Hall, Iden Green Pavilion and Benenden Hospital @ **£5,000** for each point required (Item 18)
- Combined cycle lane and footpath linking Green Lane (East End) with Walkhurst Road (Benenden) (Item 13b)
- Facilitation of “Quiet Lane” status for Walkhurst Road; Green Lane; Stepneyford Lane; Mockbeggar Lane (Item 13a)
- Designated space for medical use, such as roving GP/nurse/physio/podiatrist/dentist (Item 16)

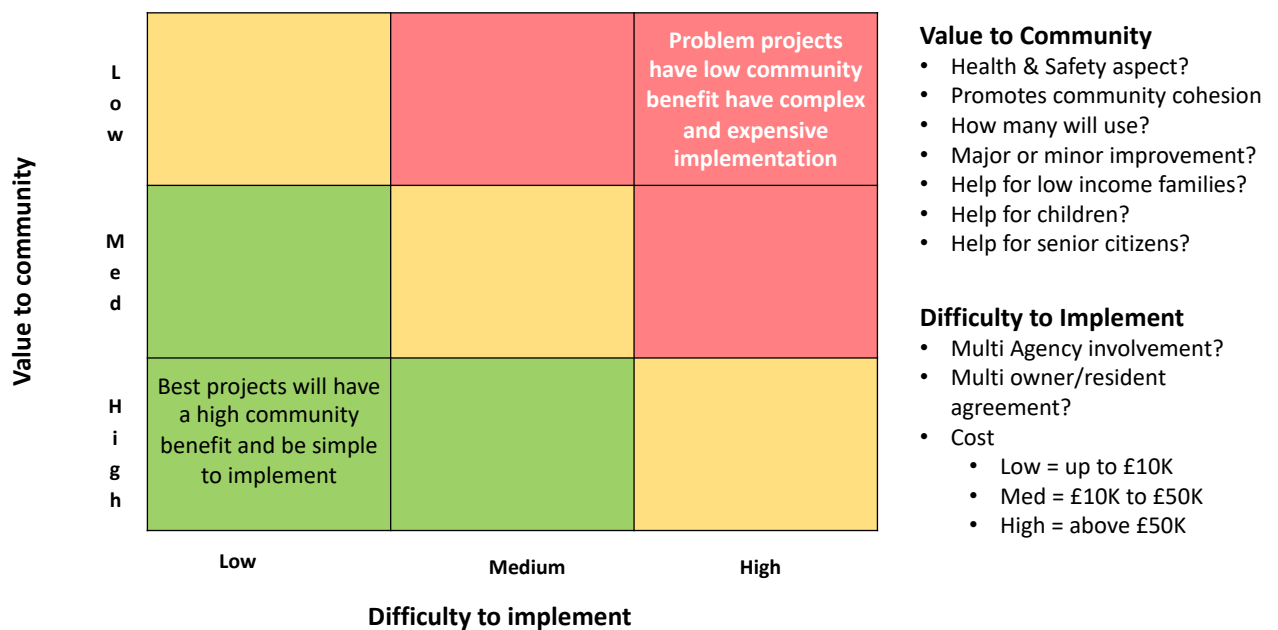
#### **LOW VALUE OR DIFFICULT TO IMPLEMENT across the Community:**

- Superfast broadband for all dwellings within 1000m of Benenden Hospital (Item 19)
- Conversion of existing public toilets at Benenden Village Hall to Community Office and re-provision of public toilets with disability access in the Village Hall (Item 20)
- Provision of additional car parking spaces at Rothermere Close (Item 15a)

# Benenden Parish Council Project List

The following list of projects has been created using the Benenden Neighbourhood Plan (BNDP) as a start point. The BNDP has been presented to residents of Benenden and to appropriate agencies and utilities as part of the Regulation 14 Consultation process. None of the consultees asked for amendment to the projects, therefore the Parish Council believes they enjoy support.

Projects have been prioritised by assessing both the scale of impact they will have on the Parish – (numbers of people positively affected and whether those are disadvantaged or vulnerable) and ease of implementation – (cost and complexity). So some projects may have only a minor positive impact but as a ‘quick win’ will have a greater priority than a very positive impact project that is expensive, complex and has high dependency on external organisations.



A definition from the BNDP:

*Projects are specific proposals that fall outside the direct competence of a Neighbourhood Plan but which may be delivered in partnership with other competent authorities such as Kent County Council, or Tunbridge Wells Borough Council.*

## Priorities Requiring Capital Investment:

### 2. Allotments

Promote the creation of shared amenities such as allotments and a community compost area.

#### **4. Public Rights of Way**

Public Rights of Way provide a valuable amenity both for the existing local community and new residents as well as for tourists or visitors. In order to encourage greater use of this amenity there should be improved signage and access to the extensive Public Right of Way network.

#### **8. Technical Feasibility Study to Improve Broadband and Mobile Signal**

In conjunction with operating companies, consultants and the community (asset owners) conduct a technical and commercial feasibility study to improve broadband and mobile communications in the parish.

#### **17. Enhancing Play and Recreation Facilities**

Existing playgrounds and recreational fields in Benenden village and Iden Green are owned and maintained by the Benenden Village Trust (BVT). They are available for use by the community. The Benenden playground underwent extensive renovation in 2019. The BVT is currently fund raising for refurbishment of the Iden Green playground. In addition, land at East End will be made available for recreational and playground facilities arising from site specific policies within the NDP. The Parish Council will work with developers, BVT and other community groups to enhance recreational and play facilities.

#### **11. Meetings/Online Directory**

Over a third of the businesses responding to the business survey are interested in regularly meeting with others in the village and over 75% would like to be listed in an online village directory. Develop, maintain and host the online village directory with a view to using this as the connecting hub for local businesses and residents.

#### **15 (b). Additional Car Parking**

- The Parish Council will arrange and manage meetings between landowners with a view to improving both public and residential car parking provision; specifically looking at: Providing additional car parking spaces at Benenden Village Hall. Working with the Benenden Village Trust to extend existing car parking, reducing the adverse impact on village streets when large events are held at the hall

#### **19. Superfast Broadband in East End, Benenden**

The Parish Council will work with Benenden Hospital Society, developers and BT Openreach to ensure the existing Broadband infrastructure which serves the Hospital complex is enhanced. The scope of any service extension to local dwellings will be determined via a feasibility study, but it is expected that dwellings within 1000m of the hospital site should have access to superfast broadband.

#### **20. Re-provision of Public Toilets at Benenden Village Hall**

Existing toilets require refurbishment. Project envisages conversion of the external toilet block into office space and reprovision of (fewer) public toilets in the Village Hall with wheelchair friendly external access.

### **18. Public Electric Charging Points**

As part of our commitment to embracing green technology the BNDP recommends that pay to charge facilities are introduced in car parks at Benenden Village Hall, Iden Green Pavilion and Benenden Hospital. The Parish Council will work with developers, the Benenden Village Trust (BVT) and utility providers on projects to provide recharging points in each location.

### **21. Pre-school Provision in Benenden**

A suitable building with external play facilities will be required to replace the St Georges Pre-school. Space exists within the new Primary School campus but significant capital will be required to develop the site.

### **14. Traffic Mitigation**

The Parish Council will lobby and work with KCC Highways on the specific proposals resulting from the development of this Plan listed below:

- Reduction of maximum speed limit to 20mph on B2086 from Benenden Crossroads to Pullington Farm
- Reduction of maximum speed limit to 20mph on Goddards Green Road from East End Chapel to Mockbeggar Lane
- Reduction of maximum speed limit to 20mph on Mill Lane from Little Weavers to Cotton Cottage on Iden Green Road
- Extension of 30mph zones on the approach to the three main settlements of Benenden village, East End and Iden Green to encourage drivers to slow before reaching residential areas and rural crossroads
- Traffic calming scheme for Benenden Crossroads and Iden Green Crossroads and further measures at Castleton Oak Crossroads
- Introduction of 'Access Only' restrictions on designated quiet lanes

### **13(a). Support Car-free Connectivity**

To facilitate the foot/cycle lane and in recognition of the existing national cycle route 18, introduction of 'quiet lane' status is required on:

- Walkhurst Road
- Green Lane
- Stepneyford Lane
- Mockbeggar Lane

Each quiet lane would have speed limits of 20mph and appropriate signage.

### **13(b). Support Car-free Connectivity**

The Parish Council to identify an active route (see Fig. 50) and work with Sustrans/KCC to create a combined Cycle Lane and Footpath linking Green Lane (East End) with Walkhurst Road (Benenden).

### **16. Support Health & Community Cohesion**

The Parish Council will identify means of providing a designated space for 'medical use', such as roving GP/nurse/physio/podiatrist/dentist, which will be funded by developer contributions.

### **15(a). Additional Car Parking**

The Parish Council will arrange and manage meetings between landowners with a view to improving both public and residential car parking provision; specifically looking at:

- Providing additional car parking spaces in Rothermere Close. Working with the housing association and Benenden Almshouse Charities to see if additional car parking can be designed to reduce congestion for residents

## Priorities NOT Requiring Capital Investment:

### **1. Creation of New Habitat**

Development should include provision for creating new wildlife habitat and joining up of existing wildlife-rich areas.

This could involve planting and other measures on an undeveloped part of the site, or funding to achieve the policy elsewhere within the parish. Measures should be meaningful and long-lasting. The NPPF refers to the establishment of coherent ecological networks<sup>18</sup> as part of the provision for net gains for biodiversity.

### **3. Education**

Support on-going education of children and adults about the countryside and the environment. Primary school children are expected to spend a certain amount of time in the open air looking at nature and the intention is to extend this to older children and adults with organised nature trails, walks and encouragement to volunteer in the upkeep of Public Rights of Way and habitats. Contact with nature contributes to health and wellbeing.

### **5. Locally led housing initiatives**

The parish council will encourage partnership-based, locally led housing scheme initiatives by:

- encouraging developers to partner with local housing associations who understand the needs of rural residents
- supporting the marketing of help-to-buy schemes to existing residents and their families
- working alongside the Benenden Almshouse Charities

### **6. Community Land Trust Feasibility Study**

Establish a group of interested volunteers to explore further the idea of setting up a Community Land Trust (CLT) — see para. 2.3.4. The purpose of this group would be to establish if there are assets or land holdings in the parish which might be acquired and run by a CLT to the benefit of the community. The group would also undertake to find out about government funding for such a scheme and how it would be administered.

### **7. Reduce existing light pollution**

The current excessive car park illumination at Benenden Hospital, lighting at Benenden School and outside Benenden Village Hall until late into the night is contrary to the express wish of the parish for 'dark skies', and is the cause of local grievance. Negotiations should be undertaken by the Parish Council to see if the lighting could be timed or set to switch off earlier in the evening.

### **9. Renewable Energy and Local Recycling**

Engage with businesses to assess the potential for renewable energy and local recycling.

## **10. Increased Connectivity**

Opportunities will continue to be sought to foster closer working relationships with and between all the village businesses and enterprises where it is beneficial to the community and the environment. An existing example of sympathetic and synergistic development is the community shop that has been developed and maintained as a joint project between the Parish Council and Benenden School

## **12. Utilise Data Gathered in Researching the BNDP**

Ensure that data gathered as a part of the plan process, for example, sources of financing and creative development schemes are rolled out to interested parties in site specific meetings