

Policy / Paragraph	Commentary
<b>1. INTRODUCTION</b>	
General commentary	<p>The County Council recognises that the Local Plan Review seeks to deliver a sustainable future for Swale by looking to deliver growth predominantly within centrally located areas that have existing infrastructure, or the capability to deliver new infrastructure, to support the growth. Within this response, the County Council provides detailed commentary on the proposed policies and supporting paragraphs. The County Council, as a key infrastructure provider, welcomes the incorporation of strategic policies to set out the role of infrastructure in the delivery of sustainable new communities. This will help ensure that planned residential and commercial growth will be of high quality and delivered in a way that will help to create the places people want to live now and in the future. Taking an “Infrastructure First” approach is advocated by the County Council and is also embedded in the Kent and Medway Infrastructure Proposition, a proposed deal with Government for new infrastructure investment that will enable accelerated housing delivery, which is focussed on building the right homes in the right places and providing the public services, transport infrastructure, jobs and homes that residents will need, now and in the future.</p> <p>The County Council's comments within this response consider whether the document is positively prepared, justified, effective and consistent with national policy (the tests of soundness), in line with National Planning Policy Framework (NPPF) guidance for the Regulation 19 stage of a Local Plan (which, amongst other considerations, is to address whether a Local Plan meets the prescribed tests of soundness). The County Council notes that for the Local Plan Review period (2022-2038), there is a need to deliver 16,608 new homes, and that, taking into account the existing supply of sites for this period and the windfall delivery rates, the Local Plan Review needs to allocate enough land to accommodate 6,290 additional dwellings. It is crucial that the infrastructure first policy is applied to planned growth in the Borough and commitment to close collaboration between key partners will be essential to ensure that good growth is planned, funded and delivered in a timely manner. The County Council highlights in this response that the Local Plan Review does not yet satisfactorily address key infrastructure issues, particularly in respect of highways, education and waste infrastructure at a level that will guarantee that new viable, sustainable communities will be delivered.</p> <p>The County Council, as Local Highway Authority, notes that a level of advice has been provided to the Borough Council in respect of preparations for transport modelling and strategy. Initially, the County Council assisted with the preparation of a base highways model for the year 2017. A Base Model Local Model Validation Report was prepared by transportation consultants SWECO and, following a review by KCC, it was agreed that it provides an acceptable reflection of journey times and flows for the base year.</p> <p>The County Council notes that whilst there are a number of welcomed positive policy inclusions with regards to reducing congestion, safety incidents, air quality and promoting sustainable access and development, KCC is concerned that the consultation is missing critical highway evidence to justify the Local Plan strategy and as a consequence the Local Plan is currently supported by an inaccurate evidence base. There are fundamental changes from the modelling used as evidence for the Local Plan and the housing proposals within this regulation 19 consultation. Specifically, the housing numbers are higher in the Teynham area, greater levels of employment land and a reliance on a design solution for Brenley Corner that cannot at this stage be relied upon. The County Council, as Local Highway Authority, requires further supporting transport modelling that accurately reflects the proposed housing and employment strategy as presented before it can make a fully informed comment on the proposals. KCC is seeking to continue working with the Borough Council over the coming months on the provision of accurate modelling and commensurate and viable mitigation such that would move the proposed plan from its currently unjustifiable position.</p>
<b>3. LOCAL PLAN STRATEGY FOR SWALE</b>	
General commentary	<p>KCC notes that the previous ‘Looking Ahead’ Regulation 18 consultation, carried out in 2018, examined possible alternatives for future growth, including settlement strategy options and the potential for including new settlements as part of a growth strategy. In its response to that consultation, KCC supported an approach that explored new or alternative ways of delivering growth, recognising that the current Local Plan strategy would be unlikely to accommodate the growth levels forecast. The County Council’s response supported an approach that considers new settlements, and which offers opportunities for infrastructure solutions to be delivered in a way that might not otherwise be achievable.</p> <p>KCC notes that in 2018, a ‘New Garden Communities’ Prospectus consultation for new standalone settlements was also published and as a result, four proposals were submitted, relating to sites in South East Sittingbourne, Land at Bobbing, South East Faversham and South of Faversham. A second Regulation 18 consultation was expected to be published, which would have offered local residents and the key stakeholders an opportunity to further shape the Local Plan Review as the growth strategy developed– but was regrettably not undertaken. The Borough Council has moved directly to Regulation 19 consultation, which includes a new proposed strategic allocation at Teynham. This has led to an element of lack of continuity between Regulation 18 and 19 consultations, and given the stage of the Local Plan progress, there is now limited opportunity for residents to influence the type and scale of growth at that location.</p> <p><b>Highways and Transportation</b></p> <p><i>Paragraph 3.1.7</i></p> <p>This paragraph refers to a link road to the South of Teynham for through traffic, although no details have been provided within the consultation as to its location. The Local Plan Review consultation is also not presenting any evidence as to how this would affect the traffic along the A2. The existing Air Quality Management Area (AQMA) in the centre of</p>

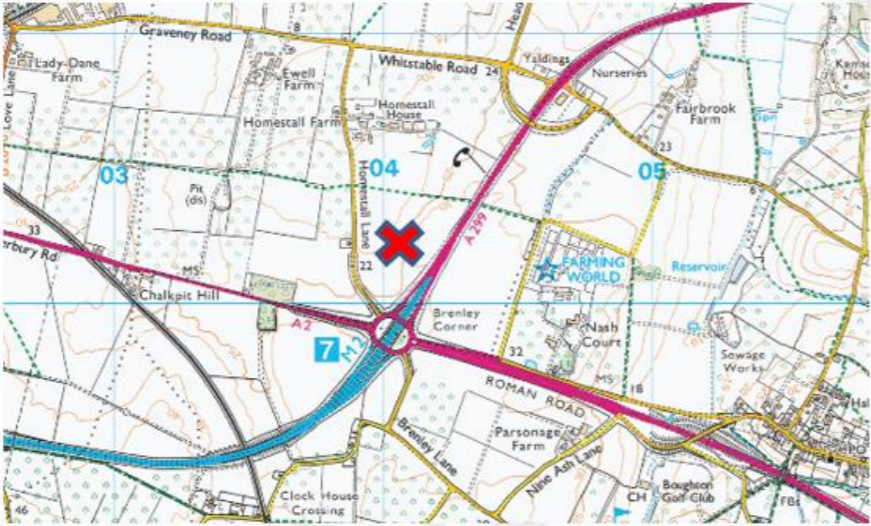
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	<p>the village, and past modelling evidence presented to the Local Plan Panel and within planning applications, clearly demonstrate substantial traffic related concerns regarding air quality, safety and congestion both on the A2 and for the Station Road and Lynsted Lane junctions.</p> <p>Whilst there is no evidence presented to support the proposal, it can reasonably be assumed that a link road for through traffic would facilitate increased flows of vehicular traffic along the A2 corridor. In turn, this would be expected to have considerable detrimental impacts of congestion and poor air quality particularly for the communities of Bapchild and Ospringe, two of the A2's other AQMAs. The evidence presented in the submitted Air Quality document demonstrates that the AQMAs with the most detrimental impact for both NO2 and PM10 are at Ospringe, Teynham and East Street. The air quality modelling report uses the 1054 transport model that would appear to have considerably less housing allocated in the village of Teynham than is proposed within this Regulation 19 consultation. As such, it can only be assumed that the air quality data is not providing a true reflection of the traffic related air quality levels for the strategic housing strategy proposed.</p> <p>The proposals in this chapter appear to promote private vehicular use and overall, are in contrast to policies ST 7, 4 and 9 in respect of promoting active travel, public transport and addressing air quality concerns.</p> <p><b>Education</b></p> <p>The County Council is the strategic commissioner of education provision in Kent and sets out its future needs through the Commissioning Plan for Education in Kent - <a href="https://www.kent.gov.uk/education-and-children/schools/education-provision/education-provision-plan">https://www.kent.gov.uk/education-and-children/schools/education-provision/education-provision-plan</a>. The Commissioning Plan is a dynamic document and is regularly reviewed and provides the background to the responses made here.</p> <p>Sittingbourne Primary Planning Groups are showing place pressures from 2023 onwards, with any plans for expansion designed to meet the needs arising from developments agreed through the current Local Plan. The current capacity and planned expansions for Faversham and Teynham primary schools is also sufficient to meet current Local Plan demands. Additional housing development will have to provide both sites and contributions towards new primary schools. This is of particular concern for the additional development proposed for Teynham and for all the proposed developments for Faversham.</p> <p>Secondary school provision is a serious concern. The planned expansion of Abbey School and potential expansion of Queen Elizabeth's Grammar School in Faversham is to meet the demands arising from current Local Plan developments. A site for a new secondary school to serve Faversham is required, alongside contributions towards site and build costs. Without a suitable site for a new secondary school, and contributions to support the building of the new school, all proposed developments for Faversham would be considered unsustainable due to lack of education infrastructure.</p> <p>The position in Sittingbourne from a secondary provision perspective is a serious one. The site for the all-through school to the north of the A249 is still not due to transfer until 2023. Original plans to meet current demand were through the transfer of this site by 2019 allowing the opening of a new school for 2021 or 2022. It is likely that 2025 will be the earliest that this new school will be able to open. By 2023 there will be more students requiring secondary school places than places available in Sittingbourne and Sheppey schools. Temporary measures will have to be put into place until the new school can be brought forward but these put additional pressure on the schools and on the road network around the schools. Current proposals do not enable a re-balance between secondary education provision in Sittingbourne and on the Isle of Sheppey.</p> <p>There are more secondary age pupils on the Isle than there are secondary school places, and KCC has more secondary school places in Sittingbourne than resident children. The result of this is that children travel off the Isle and into Sittingbourne in large numbers. A site for a secondary school on the Isle of Sheppey would provide the opportunity to re-balance the school travel flows and provide more sustainable future secondary provision for Swale.</p> <p>In addition, there is no current available capacity for special education requirements for any of the proposed new housing developments. Financial contributions and a new site of two hectares are required to accommodate the additional special education need pupils arising from these proposals.</p> <p><b>Waste Management</b></p> <p>KCC as the Waste Disposal Authority notes that additional capacity at both its Sittingbourne Waste Transfer Station (WTS) and three Household Waste Recycling Centre (HWRC) facilities across the Borough is urgently needed. Without expansion of these facilities the growth proposed by the Local Plan is not sustainable. Current pressures are such that operational delays are the norm and these will significantly deteriorate over the duration of the Local Plan. Further consideration of how this essential infrastructure can be provided to ensure a sustainable service in the future needs to be made a high priority.</p>
<b>4. STRATEGIC POLICIES</b>	
Policy ST 1 Development needs for the Borough	<p><b>Highways and Transportation</b></p> <p>Paragraph 4.2.18</p>

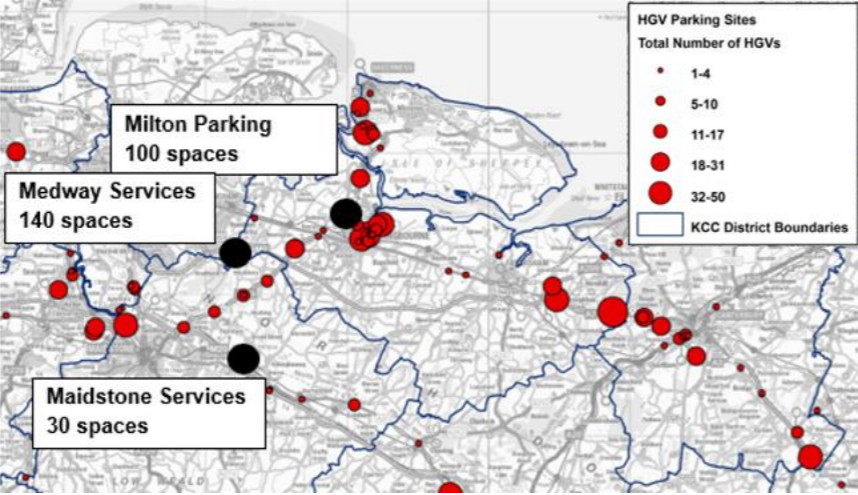
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4.1 Quantum of new housing land / 4.2 New employment land	<p>The employment sites listed have considerable differences when compared with those included in the Air Quality and 1054 transport modelling. There appears to be in excess of 300,000sqm of employment proposed in this consultation, which is double that of the 138,800sqm included in the 1054 transport modelling reported to the Swale Local Plan Panel of 11<sup>th</sup> June 2020. This will undoubtedly have significant traffic impacts. It should however be noted that the proposals that make up the overall proposed strategy maybe more sustainably located and as such, KCC reserves judgement on the impacts of the change until the evidence is presented.</p>
Policy ST 3 Delivering sustainable development in Swale	<p><b>Sustainable Business and Communities</b></p> <p>The County Council supports the embedding of climate change, the natural environment and Net Zero throughout the Local Plan, and the ambitious sustainability policies that have been included. Whilst KCC recognises that the Borough Council has set a 2030 Net Zero target, which is an earlier date than the target put forward in the Kent and Medway Energy and Local Emissions Strategy, KCC still encourages the Local Plan to reference the Kent and Medway Energy and Low Emissions Strategy, which supports the adoption of low carbon and climate resilient developments and associated infrastructure.</p> <p><b>Minerals and Waste</b></p> <p>The County Council recommends that the Local Plan makes reference to the presence of important economic minerals and safeguarded waste management and mineral handling, processing, and transportation facilities - the safeguarding of which must be included in the policy.</p> <p><b>Public Rights of Way</b></p> <p>The County Council supports the inclusion of Active Travel aims.</p>
Policy ST 4 Building a strong, competitive economy	<p><b>Public Rights of Way</b></p> <p>The County Council recommends that reference is made to the Public Rights of Way (PRoW) network including Footpaths, Bridleways and Byways, the promoted routes of the England Coast Path (National Trail) and the Saxon Shore Way. Tourism is an important industry for Kent and the landscape is a key attractor. Sustainable tourism is a way of supporting rural areas, providing jobs and supporting community services. The PRoW network has a critical role in this, and as such there should be specific mention of KCC supporting improvements to walking and cycling routes where they can assist the Borough Council's tourism objective.</p> <p><i>Policy ST 4 Building a strong, competitive economy</i></p> <p>The County Council recommends that employment sites should offer opportunity for Active Travel connectivity to local facilities and transport hubs where possible.</p>
Policy ST 5 Delivering a wide choice of high-quality homes	<p><b>Provision and Delivery of County Council Community Services and Facilities</b></p> <p>The County Council welcomes reference to meeting minimum space standards M4(2) on 75% of all dwellings and the accessible standards M4(3) on the remaining 25% of dwellings.</p> <p><b>Public Rights of Way</b></p> <p>The County Council highlights the need for developments to encourage a modal shift towards active travel.</p>
Policy ST 6 Good Design	<p>The County Council welcomes the inclusion of the Kent Design Guide within this policy.</p> <p>Given the anticipated impact from COVID-19 of increased home working as a permanent adjustment to people's working lives, the County Council recommends consideration of how to ensure safe and reasonable home working areas. Ensuring that suitable spaces for home working are designed into new development will have positive benefits by boosting the resilience of this area of the local workforce and their ability to continue working and to learn.</p> <p>High quality design should also be accessible, taking into account the varying needs of the evolving community – providing diverse housing types, such as extra care housing, that is flexible and responsive to changing needs. The County Council recommends that this should include consideration of dementia friendly design within the Local Plan. Small design changes to housing and infrastructure can help someone living with dementia to be more independent by providing a home and environment that is clearly defined, easy to navigate, and feels safe.</p>

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	<p><b>Public Rights of Way</b></p> <p><i>Paragraph 4.2.73</i></p> <p>It is recommended that the Kent Rights of Way Improvement Plan (ROWIP) should be included here and its inclusion would complement the reference made to the AONB.</p>
<p>Policy ST 7 Health and Wellbeing</p>	<p><b>Public Health</b></p> <p>The County Council is generally supportive of the inclusion of this policy. The County Council has public health responsibilities across Kent and is aware that how places are designed and built is crucial to creating a healthier, inclusive and more sustainable society. Growth across the County offers a unique opportunity to build communities that actively enable positive health and wellbeing choices, thereby easing future pressures on health and other public services. Wherever possible, new development (or funding generated through Section 106 or CIL) should be designed to support the health of the population with the poorest health outcomes in order to support Borough and County Council objectives around reducing health inequalities.</p> <p>The County Council recommends consideration of additional detail including local level (i.e. MSOA and Ward) data<sup>1</sup> on health inequalities so priority geographies for investment and intervention are clear. This could be in the form of a background paper such as a 'Health and Wellbeing' Topic Paper which provides a useful policy and a strong evidence base to implement decisions in the interests of public health.</p> <p><i>Paragraph 4.2.74</i></p> <p>Reference to Health Impact Assessments (HIA) is welcomed, however further detail should be provided regarding their content and implementation.</p> <p>The County Council recommends reference is made to the Kent <u>Joint Strategic Needs Assessment</u> (associated with the Kent Health and Wellbeing Strategy).</p> <p>Consideration should also be had for the development of a Local Cycling and Walking Infrastructure Plan.</p> <p><i>Policy ST 7 Section 6 'Requiring good design'</i></p> <p>The County Council recommends that this should be expanded to clarify what is meant by good design and any design standards which relate.</p>
<p>Policy ST 8 Planning for Infrastructure</p>	<p>Growth should be planned with timely infrastructure that is adequately funded and delivered to a high standard to ensure that highways, education, health and communities, cultural, digital and waste facilities are delivered in accessible locations, supporting both existing and new communities. An infrastructure first approach to development is key to ensuring that communities are sustainable, with all the necessary facilities delivered for the residents.</p> <p><b>Provision and Delivery of County Council Community Services and Facilities</b></p> <p>The County Council is supportive of the continued use of development contributions for on-site infrastructure based on the needs of each proposal and delivered directly by the developer or through financial contributions and/or the provision of land. The County Council, as a key infrastructure provider, would welcome a continued role in working with the Borough Council to secure the delivery of necessary infrastructure onsite, in a timely manner, ahead of residential growth where appropriate.</p> <p><b>Waste Management</b></p> <p>The County Council has been engaging with the Borough Council over the need for expansion of KCC waste facilities within Swale Borough, to meet the rising demand for services due to housing growth, and therefore welcomes the inclusion of waste within this Local Plan.</p> <p>The County Council recommends the inclusion of waste within paragraph 4.2.88 as an essential service required to support housing growth.</p> <p>The County Council requests that waste management facilities are included in the priority list detailed in paragraph 4.2.96 - either listed within point 1 (those required to unlock growth) or point 2 – (Local infrastructure delivery to mitigate impact). Capacity at the Sittingbourne Waste Transfer Station (where all of Swale's kerbside collected waste is taken) is already limited and over the life span of the Local Plan expansion to create additional capacity will be required to allow growth to be delivered sustainably. This strategic piece of infrastructure will not be able to cope with the planned growth without expansion and KCC seeks support through the Local Plan for this. The Household</p>

<sup>1</sup> More detailed data can be found at the [Kent Public Health Observatory](#) or via [PHE Fingertips](#)



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	<p>Waste Recycling Centres (HWRCs) in Swale are also reaching capacity and require expansion to meet the demand from housing growth. These are considered to be local infrastructure, supporting the Faversham, Sittingbourne and Isle of Sheppey areas.</p> <p>KCC have highlighted projects required to meet the infrastructure demands from housing growth and welcome inclusion of these in Swale's IDP. However, developer contributions alone will not be sufficient to ensure a sustainable service is achieved. Provision of land suitable for waste facilities must also be made in both the Local Plan and followed up by commitments from developers. Without this 'Infrastructure First' principle being applied to Waste facilities, demand will not be able to be met.</p>
<p>Policy ST 9 Promoting Sustainable Transport and Active Travel</p>	<p><b>Transport Strategy</b></p> <p>KCC is working with Highways England to develop the business case for the M2 Junction 7 Brenley Corner scheme, which is a Road Investment Strategy (RIS) 3 (the 2025-30 five-year funding period) 'pipeline' scheme; however, a decision on whether the scheme will be funded for delivery in RIS 3 will not be made until towards the end of the current RIS 2 period in 2024/25 by the Secretary of State for Transport. KCC will work with Highways England to ensure that the strongest possible business case is developed for submission to the Department for Transport.</p> <p>Improvements at Brenley Corner are a priority in KCC's Local Transport Plan (LTP4 – Delivering Growth without Gridlock 2016-31); and it is essential that any allocated development around the existing junction does not prejudice any future improvement scheme.</p> <p>During the Regulation 18 consultation, KCC noted that Site 226, London Road, Faversham borders the Brenley Corner junction and was scheduled for B1/B2 commercial development. This site is now indicated on the key diagram (page 13 of the Regulation 19 Consultation Document), where it is marked as a "key strategic employment site" and in the figure titled "Faversham built-up area boundary proposed amendments" on page 261 of the Appendices.</p> <p>With reference to Picture 5.5.2, East of Faversham Expansion, a wide boundary of "structural screen planting" adjacent to the existing Brenley Corner roundabout is demonstrated. The County Council supports this feature, as it should allow plenty of space for any modifications that may need to be proposed to accommodate the planned development.</p> <p>During the Regulation 18 consultation, KCC noted the potential to develop an overnight lorry parking facility near this location, in the land parcel east of Homestall Lane (adjacent to the A299 Thanet Way). The location is shown in Figure 1 below. The increased provision of overnight lorry parking facilities is a strategic priority in LTP4. This site has received interest from private sector lorry park operators, however, KCC does not believe that there have been any successful communication attempts with the current landowner.</p> <p><i>Figure 1: Potential overnight lorry parking site at M2 J7 Brenley Corner</i></p>  <p>The Ministry of Housing, Communities and Local Government (MHCLG) made the following amendment to Paragraph 107 of the National Planning Policy Framework (NPPF) 2019: "Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance." KCC surveys of overnight lorry parking have determined that the A2/M2, A2 and A249 corridors in Swale have significant numbers of HGVs parked inappropriately overnight, as indicated in Figure 2 below (further data can be provided on request), and that there are indeed "local shortages" in parking provision, which the Local Plan should recognise in order to follow the guidance in Paragraph 107 of the NPPF.</p>

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	<p data-bbox="617 222 1288 254"><i>Figure 2: KCC overnight lorry parking surveys in Swale</i></p>  <p data-bbox="617 806 1003 837"><b>Highways and Transportation</b></p> <p data-bbox="617 869 834 900"><i>Paragraph 4.2.99</i></p> <p data-bbox="617 932 2733 995">The County Council supports the promotion of sustainable transport and active travel as promoted by its own Active Travel Strategy. The County Council considers that modal shift objectives are very optimistic and require justification and likely further accompanying mitigation.</p> <p data-bbox="617 1026 2131 1058">The proposed Policy ST9 promoting sustainable transport and Active Travel aligns well with both County and National policy.</p> <p data-bbox="617 1089 2190 1121">This consultation includes many sustainably located developments at Faversham, Queenborough and Sittingbourne Town centre.</p> <p data-bbox="617 1152 848 1184"><i>Paragraph 4.2.111</i></p> <p data-bbox="617 1215 2733 1310">This paragraph best summarises the difficulty that KCC as the Local Highway Authority has in assessing the Regulation 19 consultation. The statement, along with detail within the Draft Transport Strategy, states that final transportation modelling will be completed in Spring 2021. Without the completion of highways modelling for the proposed housing strategy included in this consultation, it is impossible for KCC as the Local Highway Authority to properly assess it.</p> <p data-bbox="617 1341 848 1373"><i>Paragraph 4.2.113</i></p> <p data-bbox="617 1404 2733 1467">The proposed partnership work on an A2 mitigation strategy is welcomed, however, in recognising that there is mitigation required, it is difficult to understand why development is proposed along its corridor, particularly at Teynham, with little indication as to what mitigation is being proposed.</p> <p data-bbox="617 1499 848 1530"><i>Paragraph 4.2.114</i></p> <p data-bbox="617 1562 2733 1688">KCC as the Local Highway Authority acknowledges that there are positive inclusions within the draft Swale Transport Strategy, however, would re-iterate the point that this can only be considered as a template at this stage, due to the lack of modelling evidence to justify and support it. Whilst there is much that could be retained within the document, it will require a full review and amendments made to respond to the highways modelling evidence when it is available. The proposed Transport Strategy cannot be supported by KCC as the Local Highway Authority until such a time as it has been properly informed by modelling evidence and amended accordingly.</p> <p data-bbox="617 1719 848 1751"><i>Paragraph 4.2.121</i></p> <p data-bbox="617 1782 1495 1814">Policy ST9 Promote Sustainable Transport &amp; Active Travel is supported.</p>

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	<p><b>Public Rights of Way</b></p> <p><i>Paragraph 4.2.99</i></p> <p>The County Council welcomes the support for enhanced connectivity for walking, cycling and equestrian activities across the Borough, which provides a range of sustainable transport options available for the public and opportunities to access high quality open space. While the existing PRow resource provides extensive opportunities for active travel and outdoor recreation, there are gaps in the network and accessibility issues that need to be addressed. Future growth and development should help to address these issues and enhance the PRow network, so that the benefits of this access resource can be maximised by residents and visitors.</p> <p><i>Paragraph 4.2.100</i></p> <p>The County Council is supportive of the review of the existing travel patterns in order to identify new walking and cycling routes that provide realistic alternatives to short distance car journeys – and it will be important to secure the necessary funding for the delivery of these network improvements. The Local Plan must therefore ensure there are clear and specific policies in place to facilitate the development of the PRow network.</p> <p><i>Paragraph 4.2.106</i></p> <p>The County Council notes and welcomes the consideration of the impact of COVID-19 on working and travel patterns within the Borough.</p> <p><i>Paragraph 4.2.108</i></p> <p>The County Council recommends that the role of the PRow network should be included as part of the aim to protect the landscape. The network provides substantial opportunities for active travel and outdoor recreation, which can help to address issues associated with health, wellbeing and air quality.</p> <p><i>Paragraph 4.2.111</i></p> <p>The County Council supports the intention to provide a Sittingbourne to Faversham cycling route. There is an increasing body of research and evidence to suggest that off-road routes encourage cycling participation levels, especially amongst families with young children. Development of high quality ‘traffic free’ cycle routes should therefore be a priority, to encourage active travel among younger generations and change long term travel patterns. These ambitious proposals could be achieved by upgrading the status of existing PRow or creating new routes, but Local Plan support will be required to deliver these improvements.</p> <p><i>Policy ST9 Promote Sustainable Transport &amp; Active Travel</i></p> <p>The County Council supports this policy but requests that specific reference is made to the PRow network. For example - “<i>the existing network...</i>” is recommended to be amend to “<i>Public Rights of Way network, National Trails, National Cycling Routes</i>”. “The future network” will be a result of investment and partnership working to upgrade and improve to higher rights and quality to meet the increased demand from all users of all mobilities.</p>
<p>Policy ST 10 Conserving and enhancing the natural environment</p>	<p><b>Public Rights of Way</b></p> <p>The County Council recommends reference is made to the England Coast Path, the newly created long distance walking route with National Trail status, developed in partnership with KCC and Natural England.</p> <p>The County Council recommends that reference is also made to the County Council Right of Way Improvement Plan (ROWIP) within this policy.</p> <p><i>Paragraph 4.2.149</i></p> <p>Landscape - the landscape is a key attractor; sustainable tourism is a way of supporting rural areas, and historical routes. It is imperative that the character and value of rural views in the wider environment of development sites should not be changed to a state that they become unattractive or out of context for users. Swale has historical, attractive and well used routes which draw visitors to the area and as such should be maintained and enhanced to a high-quality standard.</p>



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ST 11 Conserving and enhancing the historic environment	<p><b>Heritage Conservation</b></p> <p>The County Council is supportive of this policy. However, it would be helpful if clause 4 could be modified to remind the reader that many Listed Buildings contain archaeological remains within their structures or beneath or around them and that works to Listed Buildings may have archaeological requirements, in line with policy DM 43 on Archaeology.</p>
<b>5. LAND ALLOCATIONS FOR NEW DEVELOPMENT</b>	
<p>Chapter 5</p> <p>General commentary</p>	<p><b>Public Rights of Way</b></p> <p>The County Council welcomes enhanced connectivity for walking, cycling and equestrian activity across the Borough, with a range of sustainable transport options available for the public and opportunities to access high quality open space. While the existing PRoW resource provides extensive opportunities for active travel and outdoor recreation, there are gaps in the network and accessibility issues that need to be addressed. Future growth and development should help to address these issues and enhance the PRoW network, so that the benefits of this resource can be maximised by residents and visitors.</p> <p>The County Council requests that all proposed development sites mitigate the impact on the Public Right of Way (PRoW) network and the wider area – with enhancements to, and the positive incorporation of, the existing PRoW network considered for each site. This will help accommodate the expected increase in use of the existing paths as a result of the proposed developments.</p> <p>Local Plan policy should aim to protect and enhance the quality of PRoW contained within (or linking to) development sites. The inclusion of a PRoW reference will help support other policies within this document and send a clear message to applicants that PRoW are a material consideration at the start of the planning process.</p> <p>The County Council requests that the PRoW network is considered at an early stage of the design process and successfully incorporated into future developments.</p> <p>New development should provide opportunities to secure investment in the PRoW network, which could enhance opportunities for active travel and outdoor recreation across the borough.</p> <p>The County Council welcomes further engagement regarding the PRoW network as the proposed development allocations are progressed through the planning system.</p>
<p>Policy MU 1 East of Faversham Expansion</p> <p>5.5 Proposed strategic, mixed use allocations and areas of opportunity</p>	<p><b>Highways and Transportation</b></p> <p><i>Paragraph 5.5.11</i></p> <p>Point 5 highlights the dependency of the East of Faversham site on improvements to junction 6 and junction 7 of the M2. The previously run modelling evidence included an indicative scheme for the M2 J7 which is as yet to be designed or approved by Highways England. As such, KCC will need further clarification from Highways England as to what should be included for the modelling at this junction and how the highway network as a whole would operate following that guidance. It is imperative to understand the implications on the wider highway network and the ability to bring this proposed site forward without firm assurances of mitigating improvements to Brenley Corner.</p> <p><i>Paragraph 5.5.29</i></p> <p>Subject to highways modelling evidence, policy MU1 provides well considered instruction in respect of the promotion of sustainable transport, requiring the need for full and appropriate transport assessments to be accompanied by a fully costed and timetabled coordinated package of measures to address capacity issues at M2 J5, J7 and the A2/A251.</p> <p><b>Education</b></p> <p>All existing secondary school places and local secondary school expansion places are taken up by existing Local Plan commitments. Before any further development is allowed, provision for and delivery of a new secondary school in Faversham is required to make further development sustainable. Although discussions have commenced and a suitable site identified, this is now subject to agreement and delivery between the various site owners. It is necessary and directly related to these proposed developments and will be a requirement for these sites coming forward.</p> <p>Similarly, for primary, all available and proposed primary expansion capacity is taken by existing Local Plan commitments, with no capacity available at existing primary school sites for further expansion. New onsite primary provision, to include nursery provision, is required to mitigate the impacts of the proposed developments to ensure the proposals are sustainable.</p>



Policy / Paragraph	Commentary
	<p>In addition, there is no available capacity for special education requirements, and contributions are required to accommodate the additional needs arising from these proposals.</p> <p><b>Minerals and Waste</b></p> <p>Both the supporting text and the relevant policy (Policy MU1) refer to the presence of the safeguarded mineral Brickearth.</p> <p>This part of the Local Plan is supported by the County Council, as Minerals and Waste Planning Authority, as it refers to the adopted Kent Minerals and Waste Local Plan 2013-30 safeguarding process that is applicable to the development proposed. However, the Local Plan does not demonstrate that Mineral Assessment (MA) has been undertaken. This should be carried out to ensure the safeguarding of the mineral and the delivery of the development.</p> <p><b>Waste Management</b></p> <p>The East Faversham Expansion will potentially take development right up to the boundary of the Faversham Household Waste and Recycling Centre (HWRC) and will place significant pressure on the site in terms of capacity. Therefore, demand on the HWRC should be included as a key strategic issue that needs addressing. This will provide background to, and support of, the inclusion of waste within Section 5.5.21, for which KCC is supportive.</p> <p><b>Provision and Delivery of County Council Community Services and Facilities</b></p> <p>The County Council recommends reference is made to the required financial contributions towards primary school provision.</p>
<p>Policy AO 1 Teynham Area of Opportunity</p> <p>5.5 Proposed strategic, mixed use allocations and areas of opportunity</p>	<p>The Local Plan consultation indicates that there are a number of issues that will need to be addressed and close working with KCC and other partners will be vital to ensure that all the necessary infrastructure, service and mitigation requirements are satisfactorily addressed and to ensure that an infrastructure first approach is taken to secure the delivery of a sustainable and viable community.</p> <p><b>Education</b></p> <p>Teynham Primary School is proposed to be rebuilt as a 2FE primary school to meet current Local Plan demands. Further development in or in the vicinity of Teynham will require a site for an additional 2 Form Entry Primary school and site of 2.05ha.</p> <p>Secondary provision for children would have to be in Faversham or Sittingbourne through new secondary schools. The pressures in each of these areas has been set out in section 3. None of the current schools can expand any further and an additional secondary site (on the Isle of Sheppey) could release capacity in Sittingbourne to meet the needs of local children, along with the new secondary school in Faversham East.</p> <p><b>Provision and Delivery of County Council Community Services and Facilities</b></p> <p>The County Council recommends reference is made to the required financial contributions towards primary school provision.</p> <p><b>Minerals and Waste</b></p> <p>Both the supporting text and the relevant policy (Policy AO1) refer to the presence of the safeguarded mineral Brickearth.</p> <p>This part of the Local Plan is supported by the County Council, as Minerals and Waste Planning Authority, as it refers to the adopted Kent Minerals and Waste Local Plan 2013-30 safeguarding process that is applicable to the development proposed. However, the Local Plan does not demonstrate that a Mineral Assessment (MA) has been undertaken. This should be carried out to ensure the safeguarding of the mineral and the delivery of the development.</p>
<p>Policy A 4 Land at Neames Forstal, Selling</p> <p>5.6 Proposed housing allocations</p>	<p><b>Highways and Transportation</b></p> <p><i>Paragraph 5.6.11</i></p> <p>Subject to highways modelling evidence, this policy is supported.</p>

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Policy / Paragraph	Commentary
	<p><b>Minerals and Waste</b></p> <p>Paragraph 5.6.9 refers to the presence of the safeguarded mineral Brickearth and to the adopted Kent Minerals and Waste Local Plan 2013-30 safeguarding process that is applicable to the development proposed. At present, the Local Plan does not demonstrate that a Mineral Assessment (MA) has been undertaken. The County Council recommends that the policy should make reference to minerals safeguarding to ensure the safeguarding of the mineral.</p>
<p>Policy A 5 Lamberhurst Farm, Yorkletts</p>	<p><b>Minerals and Waste</b></p> <p>The County Council, as Minerals and Waste Planning Authority, notes that this area has no minerals or waste safeguarding issues</p>
<p>Policy Regen 1 The Port of Sheerness Regeneration Area</p> <p>5.8 Proposed regeneration areas</p>	<p><b>Minerals and Waste</b></p> <p>The County Council is generally supportive of this policy in its safeguarding objective of the port. However, there is no mention of the safeguarded mineral wharf, Site O: Sheerness. This is within the port regeneration area and is specifically safeguarded as a mineral importation wharf by Policy CSM 6: Safeguarded Wharves and Rail Depots in the adopted Kent Minerals and Waste Local Plan (as reviewed in 2021) 2013-30. The Local Plan's policy and its supporting text should acknowledge this point. The fact that the site is currently not operating as a mineral wharf does not remove or relax its mineral handling and transportation status in the adopted Development Plan of the area. The NPPF requires plans to have planning policies safeguarding 'existing, planned and potential sites for: bulk transport, handling and processing of minerals' Section 204 e). Therefore, it is considered that the Local Plan may require amendment to ensure that local and national planning policy requirements to safeguard such mineral importation and handing facilities are satisfied. The County Council welcomes engagement on this matter.</p>
<p>Policy Regen 2 Sittingbourne Town Centre</p>	<p><b>Education</b></p> <p>New primary and secondary provision is required through the delivery of new primary and secondary schools and sites, along with special education contributions, as set out in sections 3 &amp; 5.5 above.</p> <p><b>Minerals and Waste</b></p> <p>The County Council, as Minerals and Waste Planning Authority, notes that this area has no minerals or waste safeguarding issues.</p>
<p>Policy Regen 3A Queenborough and Rushenden Regeneration Area</p> <p>5.8 Proposed regeneration areas</p>	<p><b>Minerals and Waste</b></p> <p>Policy Regen 3A Queenborough and Rushenden Regeneration Area and Policy Regen 3B Rushenden South Area and their policy supporting text do not address land-won mineral safeguarding. The area is almost entirely coincident with safeguarded Sub-Alluvial Terrace Deposits (sand and gravel). Therefore, mineral safeguarding should be recognised for this significant allocation. It may be possible that Mineral Assessments (MA) at the planning application stage may demonstrate that the mineral is uneconomic or other grounds for exemption from the presumption to safeguard the mineral are justified (against the tests of Policy DM 7 of the Kent Minerals and Waste Local Plan (as reviewed in 2021) 2013-30), this is not a certainty. The Local Plan should recognise the effect of Policies CSM 5: Land-won Mineral Safeguarding and Policy DM 7: Safeguarding Mineral Resources and should demonstrate that the allocation is not in conflict with these policy provisions of the area's Development Plan.</p> <p><b>Waste Management</b></p> <p>The County Council recommends reference to the identified need for the expansion of Waste Transfer Stations and Household Waste and Recycling Centre services to serve local demand.</p> <p><b>Sustainable Urban Drainage Systems</b></p> <p>The County Council, as Lead Local Flood Authority, emphasises the need for any development to take account of constraints imposed by extents of flood risk and areas should be allocated for the management of surface water generated from development within the remaining developable areas. It is appreciated that the policies for this development recognise the importance of inclusion of sustainable drainage, but the concern is ensuring that any housing allocation provides sufficient space for the management of surface water.</p>
<p>Policy Regen 3B Rushenden South Area</p>	<p><b>Education / Provision and Delivery of County Council Community Services and Facilities</b></p> <p>The County Council recommends that this policy includes specific mention of the provision of new 2FE primary school site and financial contributions.</p>

Policy / Paragraph	Commentary
5.8 Proposed regeneration areas	<p>Secondary education capacity on the Isle will be at capacity by 2023, with the requirement to provide a site for a new 6 FE secondary school. Without provision of a secondary school site, additional proposed development will be unsustainable.</p> <p>In addition, there is no available capacity for special education requirements, and contributions are required to accommodate the additional pupils arising from this proposal.</p> <p><b>Sustainable Urban Drainage Systems</b></p> <p>The County Council, as Lead Local Flood Authority, emphasises the need for any development to take account of constraints imposed by extents of flood risk and areas should be allocated for the management of surface water generated from development within the remaining developable areas. It is appreciated that the policies for this development recognise the importance of inclusion of sustainable drainage, but the concern is ensuring that any housing allocation provides sufficient space for the management of surface water.</p> <p><b>Biodiversity</b></p> <p>The County Council highlights that it is highly likely that this area will be functionally linked to the SPA/Ramsar site, which is partially designated for its international importance to wintering bird populations. Therefore, the assessment of 'biodiversity interest' must include surveys relating to the reasons for designation, e.g. wintering bird surveys.</p> <p>This policy only refers to recreational pressure, but this is just one of a number of adverse impacts which could affect the designated site – such as habitat loss, light pollution, cat predation and invasive species. KCC recommends that substantial mitigation/compensation (including off-site) will likely be needed (depending on the results of the assessment).</p> <p>KCC recommends that policy is strengthened to acknowledge the potentially significant and wide-ranging ecological impacts associated with development at this site.</p>
<b>6. NEIGHBOURHOOD PLANS</b>	
Policy NP 1 Faversham Creek Neighbourhood Plan	<p><b>Minerals and Waste</b></p> <p>The County Council, as Minerals and Waste Planning Authority, notes that this area has no minerals or waste safeguarding issues</p>
<b>7. DEVELOPMENT MANAGEMENT POLICIES</b>	
Chapter 7 General commentary	<p><b>Sustainable Urban Drainage Systems</b></p> <p>The County Council notes the holistic approach in the Local Plan to the inclusion of sustainable drainage in the development proposals with inclusions in multiple policy statements, including design policies such as DM2 and DM3. This is beneficial for the promotion and inclusion of sustainable drainage systems within major development.</p> <p>The Local Plan Review proposes the inclusion of Flood Risk Policy DM 36 and Sustainable Drainage Policy DM 37. KCC, as Lead Local Flood Authority, was consulted in the development of these policies and supports them as currently presented.</p>
Policy DM 2 Good Design	<p>The County Council recommends reference to the Kent Design Guide, which is currently undergoing a refresh, within this policy.</p>
Policy DM 3 Mitigating and adapting to climate change through sustainable design and construction	<p><b>Sustainable Business and Communities</b></p> <p>The County Council recommends that this policy specifically references the <a href="#">Kent Climate Change Risk and Impact Assessment</a>, which will help ensure developments take account of future risks from climate change. The County Council's <a href="#">adaptation catalyst tool</a> is also available and can help identify actions that will improve resilience of larger developments and plans.</p> <p>The County Council supports the proposed use of high sustainability standards, including the consideration of embodied carbon, and the phased implementation which will help developers and the supply chain embed these changes into working practices over time.</p> <p>The County Council encourages the use of a "fabric-first" approach to reduce operational energy demand and then deployment of solar PV, solar thermal, heat recovery technology and heat pumps for the remaining energy needs. The availability of the Borough Council's offset fund must not provide a loop-hole for new development to avoid the sustainability standards proposed in the Local Plan.</p>

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Policy DM 5 Proposals for Main Town Centre Uses	<p>The County Council supports the approach proposed to ensure there is flexibility in the range of uses that are provided in shopping areas, especially to encourage the unexpected opportunities that may occur - ensuring town centres have the adaptability embedded to meet changing demands and shopping patterns will boost the resilience of these centres in the long-term. The Local Plan must also recognise the need for town centres to evolve to meet the changing needs of the community and this may include long term changes resulting from a movement towards online retail and short-term shopping and behavioural changes resulting from the COVID-19 pandemic.</p> <p>Cultural infrastructure is also an essential feature in the creation of sustainable places and should feature within a town centre to create a vibrant mix of uses. It can be delivered as multifunctional spaces that offer opportunities for community services and affordable creative workspaces to support small businesses and freelancers, alongside cultural offerings. The cultural sector also provides local employment opportunities, with the role of higher and further education facilities developing skills in the cultural and creative industries. The Local Plan should therefore consider the delivery of necessary cultural infrastructure to support sustainable development in the district. The County Council encourages the use of art in design to create a sense of place and identity in both new and existing communities.</p>
Policy DM 7 Loss of employment floorspace and land	<p>The County Council supports the overarching principle of this policy to ensure that suitable employment spaces are retained and developed in the Borough to ensure there remains adequate employment opportunities available to support growth. The County Council notes that robust evidence is sought through this policy to ensure that justification is required for the redevelopment of employment uses to ensure that valuable employment space is not lost.</p>
Policy DM 8 The rural economy	<p><b>Rural Economy</b></p> <p>The County Council considers that the Local Plan fully acknowledges the importance of the rural economy with specific mention and policies around agriculture and horticulture. The Local Plan also recognises the integration of the visitor economy with the land-based sector – which is supported by the County Council.</p> <p>The County Council welcomes recognition within the Local Plan for opportunities for diversification and local food and drink production, which is an important, growing sector. The County Council also welcomes the flexible planning policies to support the expansion of rural businesses, ensuring an effective approach to rural economic development.</p> <p>Recognition of agriculture and forestry as a future potential growth sector is welcomed.</p> <p>The County Council is supportive of this policy, but recommends consideration of the Agriculture Bill, considering the impact this may have on the landscape and Local Plan policies.</p> <p><b>Biodiversity</b></p> <p>The County Council recommends that attention is drawn to the importance of biodiversity in agricultural practices. Wildflower areas, scrub and woodland can increase pollination and may result in less pesticide or herbicide application need (as more predatory/parasitic fauna to control the pest species) and potentially a higher agricultural output. The County Council therefore recommends that further detail could be added within this policy on maintaining and enhancing biodiversity for the benefit of the rural economy.</p>
Policy DM 10 Managing transport demand and impact	<p><b>Highways and Transportation</b></p> <p><i>Paragraph 7.0.174</i></p> <p>Policy DM10 is supported, other than the inclusion 4.d. Where connections to the strategic or primary network can demonstrate improvement to the highway network then these should not be constrained by inclusion within the Local Plan. They should however be subject to the required full public consultation.</p>
Policy DM 12 Rural Lanes	<p><b>Rural Economy</b></p> <p>The County Council notes that the Local Plan Review aims to enhance, promote and protect the rural economy – but will need to be balanced against the need to not inhibit sustainable development that supports the rural economy.</p>
Policy DM 13 Broadband Infrastructure Provision	<p><b>Digital Connectivity</b></p> <p>Through the County Council's broadband programme, KCC is working with the Government's Building Digital UK (BDUK) team to improve access to faster broadband services. This includes the Kent Rural Fibre Broadband project, which seeks to connect homes and businesses with no or slow broadband with gigabit capable, fibre to the premises broadband. The County Council welcomes the inclusion of a dedicated policy for broadband infrastructure provision, as digital connectivity is essential. The County Council</p>



Policy / Paragraph	Commentary
	<p>recommends that for units under the threshold, where Fibre to the Premises (FTTP) cannot be delivered, the developer should provide gigabit-capable connectivity via another technology (e.g. fixed wireless). Only where this cannot be provided and with robust justification, should superfast broadband service be delivered (of at least 30mbps). These changes will make the policy consistent with current Government policy.</p>
<p>Policy DM 14 Small and Medium sites for housing development</p>	<p><b>Provision and Delivery of County Council Community Services and Facilities</b></p> <p>Consideration should be given to the cumulative impact of smaller developments upon infrastructure services and provision and the collection of developer contributions.</p>
<p>Policy DM 17 Open space, sport and recreation provision</p>	<p><b>Sports and Recreation</b></p> <p>The County Council notes the inclusion of the “<i>distance from new development</i>” within the requirements for space and would further recommend consideration of how these spaces are accessed and the provision of opportunities for Active Travel.</p> <p><i>Participation Statistics</i> Sport England currently runs two surveys: Active Lives Adult (which is published twice a year and replaced Active People Survey), and the world-leading Active Lives Children and Young People (published annually). Both surveys provide a unique and comprehensive view of how people are getting active and can be focused down to local authority level. The latest Adult report can be read <a href="#">here</a>. It is also possible to explore and filter the data using the <a href="#">Active Lives Online tool</a>. A summary of Children and Young People report can be found <a href="#">here</a>.</p> <p>The latest figures support the notion that inactivity significantly impacts on an individual’s physical and mental health, as well as social/community development. Development should take this into account and seek to provide a mix of formal and informal areas/spaces (indoor and out) where people can be physically active.</p> <p><i>Sport England Strategy – Uniting the Movement</i></p> <p>The County Council recommends consideration of Sport England’s new 10 year strategy - Uniting the Movement <a href="https://www.sportengland.org/why-were-here/uniting-the-movement">https://www.sportengland.org/why-were-here/uniting-the-movement</a></p> <p>The County Council welcomes further engagement as new developments come forward regarding the provision of new open spaces, sport and recreation facilities.</p>
<p>Policy DM 18 Park homes</p>	<p><b>Provision and Delivery of County Council Community Services and Facilities</b></p> <p>As this policy will be providing permanent accommodation, the County Council considers it should be subject to infrastructure contributions to ensure that suitable facilities and infrastructure are in place to support residents.</p>
<p>Policy DM 19 Gypsy, Traveller and Travelling Showpeople accommodation</p>	<p><b>Gypsy and Traveller Unit</b></p> <p>The County Council notes the following reference from the commissioned Gypsy and Traveller Accommodation Assessment (GTAA) ‘<i>There is a cultural need for 76 pitches over the plan period to 2037/38 and of this number a need for 59 pitches under the PPTS definition</i>’. However, little detail is provided within the consultation document as to how this will be accommodated over the Local Plan period. The Local Plan indicates that existing sites can be intensified, and although this might be feasible, equally this may not be achievable for all sites - especially as many are already constrained. In the case of KCC’s Three Lakes site, further expansion is not possible. The County Council recommends that the policy requires all new site applications/expansions to have due regard to access to amenities, goods and services.</p> <p>Policy DM 19 Part B: Section 4 - The County Council raises caution in respect of the provision of mixed-use sites (which accommodate living and working in the same location) and whether these can be provided and still be in accordance with the other requirements within this policy which seek to ensure there is no significant harm to “<i>the health and wellbeing of occupants and neighbouring residents</i>” or “<i>Outstanding Natural Beauty, national/local landscape or biodiversity designations</i>” .</p>
<p>Policy DM 23 Extending the garden of a dwelling in the countryside</p>	<p><b>Biodiversity</b></p> <p>The County Council is supportive of the creation and enhancement of biodiversity but draws attention to the need to ensure biodiversity will be retained in the long term.</p>
<p>Policy DM 24 Biodiversity and geodiversity conservation and biodiversity net gain</p>	<p><b>Biodiversity</b></p> <p>The County Council recommends that “<i>candidate site</i>” is included within the glossary for clarification.</p>

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	<p>It is supportive of the consideration of ‘<i>continuous landscape features</i>’ as this will help enhance ecological connectivity.</p> <p>The County Council supports the inclusion of a minimum 20% biodiversity net gain and recommends that the DEFRA metric could be referred to within this policy.</p> <p>Reference should be made to the need to secure ongoing/future management of biodiversity (where appropriate) to ensure that created/retained habitats are managed appropriately in the future.</p> <p>The County Council notes the reference to “<i>all sites</i>” and requests that clarity is offered as to if this includes roadside nature reserves and Local Wildlife Sites.</p> <p>The County Council encourages that the Borough Council gives full consideration to the benefits that local residents and the general public can obtain from Ecosystem services and natural capital, particularly in relation to blue/green infrastructure, and how this can enhance growth in the borough.</p>
<p>Policy DM 29 Woodland, orchards, trees and hedgerows</p>	<p><b>Biodiversity</b></p> <p>The County Council notes the wording: “...<i>using native and native bee friendly species</i>...”. All native species (except for a few) flower and provide opportunities for UK bees with non-native species providing considerably lower biodiversity value and, sometimes, flowering out of sync with normal seasonal patterns which can be damaging to pollinators. The County Council therefore recommends that reference should simply be made to <i>native</i> only as this is sufficient.</p> <p>The County Council supports reference to old orchards as these are ‘priority habitats’ under the Natural Environment and Rural Communities Act (2006) and should be afforded a high degree of protection.</p> <p>The County Council recommends that Kent’s Plan Bee, a pollinator action plan developed by the County Council, which seeks to improve the food sources and general habitat for pollinators, is taken account of in the Local Plan Review.</p>
<p>Policy DM 35 Water Quality and Water Resources</p>	<p><b>Rural Economy</b></p> <p>The County Council supports the inclusion of this policy but recommends consideration of the need for some farmers to develop reservoirs and bore-holes as may be necessary.</p>
<p>Policy DM 36 Flood Risk</p>	<p><b>Sustainable Urban Drainage Systems</b></p> <p>The County Council, as Lead Local Flood Authority, agrees with this policy as outlined.</p>
<p>Policy DM 37 Sustainable Drainage</p>	<p><b>Sustainable Urban Drainage Systems</b></p> <p>The County Council, as Lead Local Flood Authority, agrees with this policy as outlined.</p>
<p>Policy DM 38 Development Involving Listed Buildings</p>	<p><b>Heritage Conservation</b></p> <p>The County Council regards this policy as sound.</p>
<p>Policy DM 39 Development affecting a conservation area</p>	<p><b>Heritage Conservation</b></p> <p>The County Council regards this policy as sound, however, it should be considered that many structures in a Conservation Area will have significant archaeological remains beneath and around them and may be historic structures in their own right. The archaeology must be treated appropriately during the planning process in accordance with policy DM 43 on Archaeology. It would be helpful if the text of DM39 or its preamble could include a cross reference.</p>
<p>Policy DM 40 Historic landscapes including parks and gardens</p>	<p><b>Heritage Conservation</b></p> <p>The County Council regards this policy as sound, however, it could be enhanced, as in places it lacks clarity e.g. “<i>Parks and Gardens of Special Historic Interest Proposals for development within, affecting the setting of, or conspicuous from a registered park or garden will be required to:</i>” There is a risk that the categorical statement in the first clause contradicts aspects of later text in the policy that explains what must happen if significance is affected by a development proposal.</p>

Policy / Paragraph	Commentary
Policy DM 42 Development affecting a locally listed heritage asset	<p><b>Heritage Conservation</b></p> <p>The County Council regards this policy as sound.</p>
Policy DM 43 Archaeological Heritage	<p><b>Heritage Conservation</b></p> <p>The County Council regards this policy as sound.</p>
<b>8. IMPLEMENTATION AND MONITORING ARRANGEMENTS</b>	
<b>9. GLOSSARY OF TERMS</b>	
General commentary	<p><b>Public Rights of Way</b></p> <p>The County Council requests the inclusion of a Public Right of Way definition:</p> <p><u>“Public Right of Way (PROW) – A way over which the public have a right to pass and repass, including Public Footpaths, Public Bridleways, Restricted Byways and Byways Open to All Traffic.”</u></p> <p><i>Active Travel</i></p> <p>The County Council recommends that this definition includes reference to the PROW network.</p> <p><i>Green Infrastructure</i></p> <p>The County Council recommends that this definition includes refers to <u>Public Rights of Way Network</u>, as opposed to “rights of way”.</p> <p>The County Council also recommend inclusion of the Rights of Way Improvement Plan as County Council statutory policy.</p> <p><i>Acronyms</i></p> <p>The County Council recommends the inclusion of the following acronyms:</p> <p>PROW – Public Right of Way</p> <p>ROWIP – Rights of Way Improvement Plan</p>
<b>10. APPENDICES</b>	
<b>INFRASTRUCTURE DELIVERY PLAN</b>	
	<p><b>Public Rights of Way</b></p> <p><i>Paragraph 2.0.2</i></p> <p>With regard to the “different types of infrastructure” KCC requests specific reference to the PROW network to ensure Active Travel is considered at the earliest stages</p> <p><i>Paragraph 2.0.5</i></p> <p>The County Council recommends that sustainable transport should include reference to the PROW network.</p> <p><i>Paragraph 7.1 - Infrastructure and Service Providers</i></p> <p>In respect of PROW, the County Council welcomes engagement with the Borough Council regarding the opportunities to create Active Travel connectivity between sites and the wider area amenities/facilities.</p> <p><i>Paragraph 11.2.2 – Walking and Cycling</i></p>

Policy / Paragraph	Commentary
	<p>The County Council recommends specific mention of the PRow network and the opportunities and benefits improvements can bring to the Borough. The PRow network provides valuable opportunities for active travel and outdoor recreation. Consideration should be had where there is scope for upgrading the status and condition of existing PRow to improve access opportunities e.g. converting Public Footpaths into cycle tracks, upgrading footpaths to bridleways. Further, there may be potential to create new PRow, which can address existing network fragmentation and improve connectivity across the Borough. The successful delivery of these PRow schemes will require the co-operation of landowners and stakeholders. The Rights of Way Improvement Plan is the KCC policy document which should be referenced regarding all sustainable travel.</p> <p><i>Delivery Schedule – Cycling and Walking</i></p> <p>P1/24-P1/33 – This should include reference to working with the County Council in the delivery of PRow improvements.</p>