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**Growth, Environment  
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**BY EMAIL ONLY**

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27 November 2020

Dear Anna

**Re: Otham Parish Neighbourhood Plan 2020-2035 - Regulation 16 Consultation**

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

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

**5. Enhancing green space and biodiversity value**

**Policy GS4/GS5**

The County Council is supportive of the policies that seek to safeguard informal meadows/natural corridors, ancient woodland and hedgerows.

**7. Promoting active and sustainable travel**

**7.3 Aims**

The County Council, as Local Highway Authority, is supportive of the aims set out within the Neighbourhood Plan, which are largely focused on ensuring that new developments are afforded good accessibility by sustainable transport modes.

## 7.4 Policies

**Policy ST3** - The County Council recommends that reference is made to public transport within this policy.

**Policy ST4** - The County Council welcomes the reference to the Rights of Way Improvement Plan (ROWIP). The County Council is supportive of the development and protection of PRow, which in turn, support the rural economy and provision of access to green space. The references to walking and cycling throughout the document are generally supported.

The County Council has adopted a policy of ensuring accessible access across the PRow network and would support measures to replace stiles with more accessible structures, although it is acknowledged that authorised stiles cannot be removed without the agreement of the landowner/occupier. If a structure is not needed to prevent the ingress/egress of livestock, KCC would recommend replacing the stile with a structure gap instead of a stile, as this would improve accessibility and require less future maintenance. Taking these points into account, the wording of policy ST4, which considers KM94, should be revised to:

*Efforts should be made to improve the accessibility of Public Footpath KM94, so that it is suitable for wheelchair and pushchair users, by replacing the existing stile with a structured gap or gate and enhancing the path surface where possible.*

### **Policy ST5**

Public Right of Way (PRow): Given that there are Public Bridleways and a Restricted Byway passing through the Parish, the wording of this policy should be revised to reflect the different types of PRow classification:

*Subject to other considerations within the plan, development adjacent to public rights of way should not adversely affect their amenity as a leisure facility, cause undue harm to the views of the North Downs or have an adverse impact on the Heritage Walks identified on map GS2 and in Appendix 3.*

## **8. Managing the built environment**

### **Policy BE1**

Highways and Transportation: This policy should also refer to the role of cycling and public transport within larger development sites.

Sustainable Urban Drainage Systems: The County Council notes that the Neighbourhood Plan recognises the importance of enhancing green space and biodiversity value, but there is currently no reference in the document to the water environment. It should be highlighted that Maidstone's Green and Blue Infrastructure Strategy addresses green and blue corridors, as well as blue infrastructure.

A tributary of the River Len traverses Otham and is an important corridor. The land within the Parish is permeable, being underlain by the Hythe Formation, however, the management

of surface water for any new development is very important to manage local flood risk and to ensure that appropriate approaches to the surface water drainage are implemented.

The County Council, as Lead Local Flood Authority, recommends that the Neighbourhood Plan should consider the water environment within the Parish. This should include the consideration of the types of surface water management which the Parish would like to see implemented. The NPPF Paragraph 165 specifically requires major developments to incorporate sustainable drainage systems which, where possible, should provide multifunctional benefits. The Parish should require that all development drainage systems are at surface and provide water quality benefits, promote amenity and increase biodiversity.

The County Council recommends that KCC's Drainage and Planning Policy<sup>1</sup> is considered within the Neighbourhood Plan.

***Biodiversity:*** The County Council welcomes the policies which safeguard informal meadows/natural corridors, ancient woodland and hedgerows. KCC is also supportive of the policies which cover ecosystem services (BE3) and limiting light pollution (BE4). The policies should be expanded further to ensure that biodiversity concerns are fully addressed. The County Council would like to raise the following points:

- Fragmentation of habitats is a major threat to biodiversity in the south-east. As ecological surveys of the Otham area have not been undertaken, it is difficult to see how Otham's habitat connectivity can be maintained and, therefore, biodiversity adequately protected.
- There is no mention of protected species and how site-specific ecological surveys should inform development projects.
- Otham's agriculture is referenced as an important feature but for optimal crop production, pollinators and their (wildflower) habitats need to be given more emphasis and protection. More meadow grassland (with appropriate management) and native planting are key measures to achieve this.
- Bicknor Wood (ancient woodland, which is afforded a high level of protection) may not be sufficiently protected from development, even with a minimum of a 15m buffer zone. It is recommended that development around Bicknor Wood should include a buffer much wider than 15m where possible.

Ultimately, strengthening policies to benefit biodiversity will result in a higher agricultural output and less severe flood and drought events. A comprehensive ecological survey would allow a much clearer idea of where the most biodiversity value is and how it can be maintained going forward.

## **Policy BE2**

***Waste Management:*** waste collection is the responsibility of the Waste Collection Authority (in this case Maidstone Borough Council), however, KCC as Waste Management Authority,

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<sup>1</sup> <https://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/flooding-and-drainage-policies/drainage-and-planning-policy-statement>

welcomes the promotion of sustainable development in terms of waste management and ensuring adequate recycling provision is made.

### **Policy BE3**

*Biodiversity:* 'Green planting' within Policy BE3 should be replaced with 'native species planting' because native vegetation supports the faunal basis for ecosystems (invertebrates) whereas many non-native common garden plants do not.

*Sustainable Business and Communities:* The County Council welcomes the Neighbourhood Plan's intention to encourage sustainable development and supports its inclusion of policies that require high standards of energy and water efficiency in building design, promote active travel and enhance ecosystem services. This could be further enhanced by the inclusion of Net Zero targets to support delivery of the Kent and Medway Energy and Low Emissions Strategy<sup>2</sup>.

The Neighbourhood Plan does not currently consider the impact of future climate change risks (such as hotter, drier summers and warmer, wetter winters) which are outlined in the Kent Climate Change Risk and Impact Assessment<sup>3</sup>. The County Council would encourage the inclusion of policies that increase the Parish's resilience to these climate change risks.

## **9. Community and Leisure**

### **Policy CL1**

*Highways and Transportation:* Criteria 1 of Policy CL1 should include reference to the County Council. This would ensure that the access arrangements are supported by the Local Highway Authority, as well as the residents.

*Kent Sport:* As part of the Kent Design Guide, the County Council is currently compiling local examples to sit alongside the ten Sport England Active Design principles<sup>4</sup>. It is clear that consideration has been given to community and leisure, with the potential for a new village hall and the heritage walks around the community captured in the Neighbourhood Plan.

The Neighbourhood Plan should consider how the community facilities are linked, to limit car usage where possible. This should include active travel links such as walking and/or cycling routes between key points in the area. This could potentially include schools, parks, green space, local shops and the new village hall.

Both Government and Sport England strategies for sport focus on tackling inactivity and supporting under-represented groups to be active and this would need to be considered as part of any funding bid for the new village hall development. The County Council would draw attention to the Sport England Planning Guidance<sup>5</sup>. Sport England also runs two surveys

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<sup>2</sup> [Kent and Medway Energy and Low Emissions Strategy](#)

<sup>3</sup> [Kent Climate Change Risk and Impact Assessment](#)

<sup>4</sup> <https://www.sportengland.org/facilities-planning/active-design/>

<sup>5</sup> <https://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/>

<https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/playing-pitch-strategy-guidance/>  
<https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/facilities-planning-model/>

that would be useful to take account of; “Active Lives Adult”, published twice a year and “Active Lives Children and Young People”, published annually. Both survey publications provide a unique and comprehensive view of how people are getting active and the results can be analysed at a local authority level. The latest adult report is available for review<sup>6</sup>. It is possible to explore and filter the data using the online tool<sup>7</sup>. A summary of the Children and Young People report is also available for review<sup>8</sup>.

The latest figures indicate that inactivity significantly impacts an individual’s physical and mental health, as well as social and community cohesion. Any development should seek to provide a mix of formal and informal areas/spaces (indoor and outside) where people can be active, including walking and cycling routes, open spaces and, where appropriate, water based activity.

### **Planning Obligations**

There is no reference to the Community Infrastructure Levy (CIL) contributions within the Neighbourhood Plan. Whilst it is acknowledged that the Government is considering substantial reforms to the planning system, Parish Councils are currently eligible for significant CIL funding opportunities from development. The County Council would welcome further engagement with the Parish Council to discuss potential spending priorities.

### **Minerals and Waste**

The Neighbourhood Plan should include reference to the adopted (and recently partially reviewed) Kent Minerals and Waste Local Plan 2013-30.

The area contains the safeguarded land-won mineral - Crustal deposits - Hythe Formation (Limestone-Ragstone). It is noted that the Plan does not propose any additional allocations for development beyond those already identified in the adopted Maidstone Local Plan. The allocations in the Maidstone Local Plan were considered against the need to safeguard minerals of known economic importance which are coincident with development allocations. At the examination of the Local Plan, the Inspector considered the need to consider the safeguarded Hythe Formation (Limestone-Ragstone) and the coincident allocations proposed. The Inspector concluded that there was evidence available to demonstrate that the land-bank (in excess of thirty years) for this mineral greatly exceeded the NPPF maintained land-bank requirements. It also concluded that the extensive occurrence of the mineral across the Maidstone Borough meant that the development allocations within the Local Plan coincident with this mineral were exempt from further safeguarding considerations. Therefore, it is not necessary to consider the need for mineral safeguarding in the Otham Neighbourhood Plan.

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<https://www.sportengland.org/facilities-planning/active-design/>

<https://www.sportengland.org/facilities-planning/planning-for-sport/playing-fields-policy/>

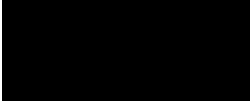
<sup>6</sup> <https://www.sportengland.org/activelivesapr20>

<sup>7</sup> [Active Lives Online tool](#)

<sup>8</sup> <https://www.sportengland.org/news/active-lives-children-and-young-people-survey-academic-year-201819-report-published>

KCC would welcome continued engagement as the Neighbourhood Plan progresses. If you require any further information or clarification on any matters raised above, please do not hesitate to contact me.

Yours sincerely



**Barbara Cooper**  
Corporate Director – Growth, Environment and Transport