

Your ref:

Our ref: 23622/TAA

27 July 2010



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**Attn: Lynn Freeland**

Dear Madam

**RE: Tenterden & Rural Sites DPD – Post Hearing Consultation - Abolition of RSS**

Further to our representations already submitted on behalf of the Belgar Residents Group, we wish to respond to the Inspector's Post hearing Consultation regarding the recent abolition of the RSS for the South-east of England.

This is of particular interest to the group, since one of the primary concerns that we raised was in relation to the weakness of the DPD in respect of the protection it afforded to the setting and heritage of Tenterden. (Ref. para 1.2.1 and 3.3.7 of the Groups representations document). Indeed, we were clear that we believed the DPD to be unsound in this regard, without additional supporting policies to protect the town. You will recall that we wrote to you to disagree with your view that the Group was essentially supporting the DPD, and we must reiterate at this point that we consider it very unfortunate that the Group was not able to explore this issue, and the additional policies that it proposed at the EiP.

The RSS contained a series of very important policies that established a context of protection for towns such as Tenterden, which has now been removed. These policies relate to both general protection for smaller market towns, but also specific policies that relate directly to locations such as Belgar.

RSS policy CC6 required planning authorities to respect and enhance the character and distinctiveness of settlements, whilst policy BE4 related directly to small rural towns and required planning authorities to protect and enhance the character and appearance of individual small rural towns. These more general policies were further enhanced by specific policies for the East Kent area. Policy EKA1 stated that the "unique heritage and environment [of East Kent] will be protected and promoted for its own sake...".

The explanatory notes supporting policy EKA1 made clear that the intention of the RSS was to focus the provision of new housing at the main urban areas throughout East Kent, rather than the smaller market towns. It went on to reiterate that the environment, heritage and quality of life in East Kent and Ashford would be protected and enhanced. The RSS was not specific about how this would have been achieved – but it did provide a basis for planning authorities to consider the setting of historic small towns in making planning decisions.

With regard to the Belgar settlement itself, the RSS provided more specific and particular policy guidance. At policy BE6 it stated that "The region's internationally and nationally designated historic assets should receive the highest level of protection". The explanatory notes to this policy clearly stated that listed buildings were included in the designation of historic assets. Therefore, this policy related directly to the protection of locations such as Belgar, and it has now been removed.



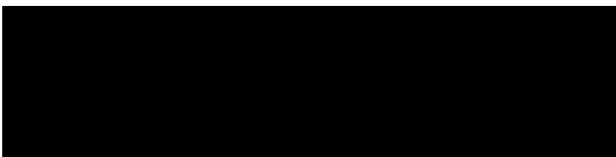
The Belgar Residents Group therefore continues to be of the view that the DPD in its submitted form is unsound, and that the removal of the RSS protection increases the risks of detrimental development being promoted. The DPD should be amended to afford the town sufficient protection, and ensure that development proposals must meet appropriate tests of sustainability and sensitivity to the historic context of Tenterden.

The Group would therefore respectfully ask that the Inspector gives increased weight to the Groups representations – and, in particular, that the two additional policies contained in the representations should be included in the DPD with appropriate references to safeguard the policies now removed from the RSS. Therefore, the Group would suggest that the DPD could be considered sound with the addition of two new policies as follows (revisions to those originally contained in the Group's representations are shown in red):

- ***"The current setting and character of the town are significant factors in maintaining its attractiveness to visitors, and hence have a direct effect on the viability of the High Street and other facilities. Housing development of a scale beyond the level envisaged in the DPD would not respect, protect or enhance the character or appearance of the town and should not be permitted"***;
- ***"Any development permitted in the town must demonstrate that it does not affect the setting of the town, must follow the principle that growth should occur in a planned and managed way emanating from the centre and only then considering sites that are closely associated with the town centre. Development which would increase encroachment into undeveloped land and which is adjacent to or encroaches on the AONB or which affects the setting, character or views around nationally designated historic assets will not be acceptable even in the context of a shortfall in rural housing numbers"***

We trust that these further comments are clear, but would, of course be happy to clarify any point if this would be helpful.

Yours sincerely



**Tim Allen**  
For and on behalf of  
**PETER BRETT ASSOCIATES LLP**