

Your ref:
Our ref: PMP/ Tenterden

Lynn Freeland
Programme Officer
C/o Ashford Borough Council
Civic Centre
Tannery Lane
Ashford
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N23 1PL

FAO The Inspector – Mrs Chivers

29th July 2010

Dear Inspector,

TENTERDEN AND RURAL SITES DEVELOPMENT PLAN DOCUMENT – POST HEARING CONSULTATION

Thank you for your letter of 12th July 2010, in respect of further consultation on the Tenterden and Rural Sites DPD post EiP regarding the revocation of Regional Spatial Strategies and recent revisions to PPS3. For avoidance of doubt this further submission (made on behalf of Countryside Properties plc) addresses solely the matters set out in your letter of 12th July 2010.

Abolition of the South East Plan (“RSS”)

The Council’s housing policy on housing allocations in the rural areas as set out in the Tenterden and Rural Areas DPD is derived from Policy CS6 of the adopted Core Strategy which aims to provide for the distribution of 1000 residential dwellings across the rural areas up to 2021. Policy AOSR6 of the South East Plan (RSS) sets out just 300 dwellings over the 20 year period. The Councils overall housing allocation of 1000 dwellings between 2006 and 2021 was derived from the 2006 Kent and Medway Structure Plan. Despite the RSS stipulating a lower figure, the Council has accepted that there is a need for 861 dwellings over this period (adjusted to take account of completions between 2006 and 2008).

Consequently the housing allocation in the rural areas has been set by Ashford Borough Council derived from detailed assessments of need rather than being based on Policy AOSR6 of the South East Plan and therefore we consider that the abolition of the RSS in this regard does not affect the soundness of the Tenterden and Rural Areas DPD.

Justified

The DPD in our opinion would not fail the test of soundness in the absence of the RSS particularly as the Core Strategy has successfully demonstrated that it is based on robust and credible

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evidence which sets out the housing distribution at Policy CS6. It follows that in the absence of RSS Policy ASO6, the Council would still have adopted the housing distribution as set out in the Tenterden and Rural Areas DPD given the identified need that exceeds the RSS Policy ASO6 level.

Effective

We do not consider the abolition of the RSS would prejudice the deliverability of the DPD. The DPD is not based purely on the guidance and requirements contained within the abolished RSS with regards to housing requirements. The level set out at DPD policy is derived from a local need to provide suitable opportunities for growth in the rural communities to ensure that they evolve and remain healthy and vibrant.

Overall we do not consider that the abolition of the RSS should or will have an effect in the soundness of the Tenterden and Rural Areas DPD.

Deletion of the national indicative minimum density of 30 dwellings per hectare

Revised PPS3 was issued on 9th June 2010 and included a revision to the definition of previously developed land in Annex B by removing garden land and the removal of the national minimum density for housing in Paragraph 47. The requirement for Local Planning Authorities to develop housing density policies and for development proposals to make efficient use of land is retained in the amended PPS3.

With regards to site TENT 1, Phase A has an indicative site capacity of 300 units at 40 dwelling per hectare and Phase B, 175 dwellings at 30 units per hectare. These estimates have had regard to the indicative minimum density requirement of 30 dph which was previously set out in PPS3. Following the amendment to PPS3, we consider that it is highly conceivable that given the character of the site and surroundings, a lower density is likely which could result in a reduction in the capacity of TENT1 and consequently reduce the supply of housing. It is highly likely that given the proximity of TENT 1 Phase A to the conservation area and potential impact on the AONB, that detailed assessments will result in a much lower site capacity than currently estimated.

It is our view that the density assumptions made in assessing the capacity of TENT 1 has been based on consideration of the minimum density requirement set out at PPS3 paragraph 47. The DPD in our view would fail to meet the 'Effective' test of soundness (deliverable and flexible) as we consider that the amendment to PPS3 could result in a reduction in the capacity of the potential housing identified at TENT 1. Consequently we consider that the dwelling requirements may not be delivered. To ensure that the Tenterden and Rural Areas DPD is 'Effective' we consider that TENT 18 should be allocated either as an alternative or as a reserve site to TENT 1 Phase B.

Yours sincerely

A black rectangular redaction box covering the signature of Pravin M Patel.

Pravin M Patel
Director