



## COURTLEY CONSULTANTS LIMITED

PLANNING & DEVELOPMENT CONSULTANTS

Tan Oast, Dury Lane, Chatham, Tonbridge, Kent TN12 9SS

Tel: 01622 320561 Fax: 01622 320562

Email: courtley@tmcadme.co.uk

26<sup>th</sup> May 2010

The Planning Inspectorate  
c/o Lynn Freeland  
Programme Officer  
Ashford BC  
Civic Centre  
Tannery Lane  
Ashford  
Kent. TN23 1PL

Dear Lynn

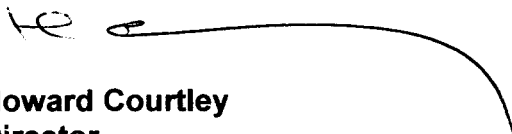
**Ref:TPV17- Tenterden Southern Extension TENT1, Tenterden & Rural Sites  
DPD on behalf of Mr & Mrs Orpin, Mr & Mrs Bates, Gillian Furmston, Shelia  
Thomas, Keith Beach and Thomas Beach.**

Please find attached 14 copies of our further submission on behalf of my clients  
on the above site.

I understand 10 people will be attending the hearing on the 23<sup>rd</sup> June. I also  
included a further 4 copies for yourself. One loose copy and one hole punched  
copy for the Inspector as requested.

Kind Regards

Yours Sincerely



**Howard Courtley**  
**Director**

Enc: 14 copy submissions



**COURTLEY CONSULTANTS LTD**

PLANNING AND DEVELOPMENT CONSULTANTS

The Oast, Dover, Kent, TN12 9SS  
Tel: 01323 821111 Fax: 01323 821112  
Email: [info@courtley.co.uk](mailto:info@courtley.co.uk)

**EXAMINATION OF ASHFORD BOROUGH COUNCIL  
TENTERDEN AND RUARL SITES DPD**

**Submission of further statements by Courtley Consultants Ltd on behalf of  
Mr and Mrs Orpin, Mr and Mrs Bates, Gillian Furnston, Sheila Thomas,  
Keith Beach and Thomas Beach (TPV17)**

**Policy reference TENT1 Tenterden Southern Extension**

**Submissions on matters and issues raised for the examination**

**Prepared by Courtley Consultants Ltd**

**May 2010**

## **1. Introduction/ Background**

1.1 I am Howard Courtley, a member of the Royal Town Planning Institute and Director of Courtley Consultants Ltd, a planning practice based in Kent. I have over 26 years experience in planning matters and I am familiar with the site and its surroundings.

1.2 Courtley Consultants Ltd have been appointed by the landowners identified on the attached plan outlined in red to make representations on their behalf on the Tenterden and Rural Sites DPD (See Plan 1)

1.3 I can confirm that the owners I represent have entered into a Collaborative Agreement so that TENT1 and in particular Phase A can be delivered in accordance with the Councils Tenterden and Rural DPD and policies set out on their Adopted Core Strategy.

1.4 BTF Ltd agent on behalf of the Morghew Park Estates (owners of Phase B) made representations in August 2009 confirming their view that the DPD was sound. As owners of Phase B the Estate supports the proposals set out in TENT1 subject to a flexible approach on the provision of car parking facilities on Phase B; the design of any development should reflect the character of higher density housing closer to town; views of the church should be maintained from Smallhythe Road and Phase B and finally any employment land should be directed to the south on Hopes Grove Nursery site away from Phase A and B.

1.5 I understand that Tenterden Town Council the owners of land off Recreation Ground Road have also expressed their support for the allocation of TENT1.

## **2. SITE SPECIFIC MATTERS – Tenterden**

### **2.1 Q. *“Is the degree of reliance of the DPD’s housing strategy on one principle site TENT1 sufficiently flexible?”***

2.1.1 The evidence submitted at this hearing will confirm that TENT1 is available, suitable and achievable. The site is in a sustainable location for housing development and deliverable within the timescale envisaged in the DPD.

2.1.2 TENT1 especially Phase A is available now, the site is in a suitable location for development and would contribute to the creation of sustainable and mixed community. The site is deliverable for reasons given above in paragraph 1.3, 1.4 and 1.5.

2.1.3 The Council has been proactive in its consideration of alternative housing sites in Tenterden and active in its approach towards community engagement in the preparation of this DPD.

2.1.4 The Council has published numerous consultative documents from Rural Capacity Studies and Explanation Notes in 2005, the Tenterden and Rural Sites Issues and Options consultations in 2008 together with “village workshops” where local communities could give their views on submitted sites and Tenterden housing strategy. Appropriate assessments of the Tenterden and Rural sites undertaken in June 2009 followed a statement of key issues raised from consultation. A sustainability approval of the Tenterden and Rural Sites was also published in June 2009.

2.1.5 The Council and public views following these extensive consultations was to resist major areas of growth away from the town centre which were likely to result in additional traffic movements through the town centre. It has been the Council’s and the public’s objective to encourage alternative modes of transport, focusing especially on development that will permit easy walking into the town centre. Associated with this objective has been the aim of preserving the integrity of the visual envelope of the town. The general consensus was that piecemeal peripheral developments would gradually erode the towns setting and character and reduce the overall sustainability of development in Tenterden.

2.1.6 It should be recognized that a substantial area of TENT1 was indeed identified as “Additional Sites Identified at Workshop”. (i.e. not promoted by landowners and developers) through the Tenterden and Rural Issues and Options process in June 2008.

2.1.7 Sufficient flexibility can be built into TENT1 that will ensure that development can be delivered across TENT1 allocation. The site already identifies three separate access points allowing any future Master Plan to cover various contingencies that offer sufficient flexibility to the Council's housing strategy for Tenterden

2.1.8 It is also possible that some flexibility could be provided to the boundaries of the Phase A and B in TENT1 to mitigate the need to consider any additional sites.

**2.2 Q. *“Have the key stakeholders such as landowners and infrastructure providers been sufficiently involved and engaged so that delivery in the timescale proposed is reasonably likely?”***

2.2.1 The Council has been active in its approach to community engagement in the preparation of this DPD.

2.2.2 Courtley Consultants Ltd, on behalf of the landowners within TENT1, have been in discussions with Ashford BC so that delivery of the site will meet the timescale proposed.

2.2.3 The infrastructure providers have raised no objection to TENT1. Once the DPD is adopted we will actively and positively engage with all the appropriate infrastructure providers to ensure the delivery of TENT1.

2.2.4 My clients, Mr and Mrs Orpin, Mr and Mrs Bates, Gillian Furmston, Sheila Thomas, Keith and Thomas Beach, have instructed my practice to promote TENT1 at this DPD Examination and have also asked me to convey their support for the delivery of the development in TENT1 over the plan period. This has been further secured with the parties entering into a Collaboration Agreement to facilitate the delivery of TENT1, in particular Phase A.

2.2.5 TENT1 site lies within 800m walking distance of high quality shopping area, two supermarkets, the sports centre and medical facilities. Courtley Consultants Ltd have appointed Peter Brett Assoc (PBA) to work with Kent Highway Authority to ensure suitable access provision is made for TENT1

2.2.6 Vehicle access to TENT1 would be provided through two points off Small hythe Road B2082 and off Recreation Ground Road. Highway investigations have been undertaken by Peter Brett Assoc (PBA) who have confirmed that the road junctions and access points offer sufficient capacity to cater for the level of traffic envisaged from this development and can meet the access requirements set out in Manual for Streets.

2.2.7 PBA Transport Assessment has modeled likely traffic generation movements in the town and the capacity of West Cross junction and the East

Cross/ Recreation Ground Road junction. Kent CC have confirmed that these junctions can accommodate the traffic movements generated from TENT1.

**2.3 Q “Is there a need for a contingency strategy should the delivery be delayed?”**

2.3.1 I have already commented earlier on a similar need for “sufficient flexibility” which in part is applicable to the question of the need for a contingency strategy.

2.3.2 The Council has evaluated reasonable alternatives promoted by themselves, through workshops and others to ensure that the sites proposed in this DPD are robust and sound. It is through the Council’s extensive DPD Consultative process that the Council have examined the claims of those who wish to oppose this DPD. This is entirely in accordance with the guidelines set out in PPS12 Local Spatial Planning paragraph 4.38.

2.3.3 I have already suggested that Policy TENT1 could be changed and flexibility delivered within any future Master Plan process which would show how any contingency measures could be incorporated within TENT1. The preparation and consultation process within a future Master Plan will deal with such matters without the need to consider and alternative contingency strategies.

2.3.4 The TENT1 site is split into two phases which would enable flexibility in the location and delivery of housing over the plan period. As policy TENT1 states access to Phase A can be achieved though Smallhythe Road to the west and Recreation Road to the east. This effectively offers two areas of the TENT1 site that could be developed offering significant flexibility on housing delivery on this site.

2.3.5 It is currently proposed that the southern part (Phase B) should not begin development until Phase 2 of the DPD period (post 2016). This policy could be altered so that Phase B could be delivered earlier, subject to approval of a comprehensive Master Plan for the whole of TENT1 within which a mechanism could be agreed to alter the phasing of TENT1. This would be subject to monitoring but would provide additional flexibility on housing delivery over the plan period. Phase B has its own access onto Smallhythe Road with sufficient highway capacity. TENT1 has 3 access points that would offer the opportunity for the TENT1 area to deliver effectively 3 sites within guidelines set out in a Master Plan and with additional flexibility built into Policy TENT1.

2.3.6 It is also possible that the boundaries between Phase A and B could be altered so that additional flexibility can be achieved to ensure TENT1 can ensure delivery of the housing in this site over the plan period.

2.3.7 Given the Council's objective to concentrate development in close proximity to the town centre, without damaging the urban form that defines the heart of Tenterden, would be lost by allocating additional site(s). As explained above sufficient flexibility can be built into TENT1 through amendments to this policy which would deliver sufficient flexibility whilst offering the most sustainable development.

**2.4 Q "Is the housing allocation balanced by the provision of jobs and community and social infrastructure?"**

2.4.1 The Council acknowledges the need to consider community and social infrastructure and suggest Master Plan should address requirements for on-site community infrastructure as set out in paragraph 6.42 of their Deposit DPD.

2.4.2 The Council appointed consultants to undertake an employment Local Review of the Borough in 2008. The key conclusion of the review was that there did not appear to be a need to allocate additional employment land in the rural areas for the plan period as demand is currently being met and continues to do so through appropriate criteria based policies. The Council's Annual Monitoring Report has also confirmed that since 2003 to 2008 over 20 000 nett sqm of B1 and B8 employment floor space has been completed in rural areas.

**2.5 Q "Does the strategy for Tenterden support and promote public transport and the limitation of reliance on the private car?"**

2.5.1 The Councils' primary objective in the consideration of TENT1 has been to encourage alternative modes of transport, focusing especially on developments that would permit walking into the town centre and to other community facilities i.e. two supermarkets , primary school and leisure centre (paragraph 6.4 DPD)

2.5.2 The Council considers TENT1 area provides the greatest scope for meeting Tenterden strategic development requirements in a sustainable manner whilst also avoiding the need to make a series of piecemeal, peripheral allocations that contribute little to the sustainability of the town. (paragraph 6.6 DPD)

2.5.3 Rummy Design identifies a number of paths and byways cutting across the site which are indicated on Figure 1/8 of their report. Pedestrian and cycle access to the High Street will be improved along Recreation Ground Lane, Bell Lane, Six Fields Lane, (see Figure 1.20 Rummy Report). Pedestrian links to the housing estate east of Tenterden will be maintained whilst potential pedestrian links to Tesco will be improved.

2.5.4. The Council's choice of TENT1 offers the greatest opportunity for sustainable development in Tenterden and due to its direct links to the town centre and community facilities provides the best choice to limit the reliance on the private car, thus meeting the Council's objectives set out in Policy CS15 in the adopted Core Strategy.

## **2.6 Q "What are the impacts of TENT1 on wildlife, the historic charter of the town and the AONB?"**

2.6.1 There are no SSI's, SPA's, SAC's or other statutory protected wildlife sites within 7km of the site. The site is bordered along its western and southern edges by the High Weald Area of Outstanding Natural Beauty (AONB).

2.6.2 No formal ecological survey has been undertaken at this point across the site. However, the design process carried out by Rummy Design has involved discussions with their in house ecologists. Areas of potential ecological importance have been identified and considered as part of the design process. These include ancient hedgerows, ponds and orchards. There are a number of woodland blocks associated with the site and its immediate environs, a number of which enclose streams and ponds.

2.6.3 The Council has considered the recommendations within the Rummy Design report to retain and enhance the ponds and woodlands to form part of a wider "green link" that will create a wildlife corridor which can retain and enhance biodiversity interest. This corridor would include the ponds that lie to the east of the Three Fields Path, existing hedges and watercourses and other natural water features that permeate through the site will be protected. Full ecological and archaeological surveys will be undertaken to inform the Master Plan process for the whole of TENT1.

2.6.4 Phase B will eventually form the southern edge of Tenterden. The AONB wraps around the site to the southeast and southwest. It is therefore important that a significant landscape woodland belt be required at this point to reinforce the connection between the two parts of the AONB as shown on the Rummy Figure 1.16. This is also set out in Policy TENT1

2.6.5 Tenterden Conservation area borders the site on its northern and western edges. The High Street gives the town its distinctive, unique character. The buildings in the High Street form a continuous frontage and provide enclosure to the street. Other key characteristics of the town are the small lanes running perpendicular to the High Street such as Bell Lane. These lanes are characterised by rows of small terraced dwellings. Generally buildings are two or three storeys. The church is the most prominent building within the town.

2.6.6 Rummy Design has incorporated the historical character of this area of the town within its Design Proposals. These in turn have been incorporated into the policy section for TENT1 Tenterden Southern Extension, including a specific policy TENT1 (d) for the layout that enables views of St Mildred's Church Tower to be achieved through the site from both within and beyond it. (Rummy Design Figure 1.7 and 1.16)

**2.7 Q “Is TENT1 the best strategy when considered against reasonable alternatives?”**

2.7.1 The Council has undertaken an extensive evidence collecting exercise including views of the local community and others who have a stake in the future of the town. The Council has undertaken numerous community workshops held between 2007 and 2008. The outcomes from these workshops were reported in the “Issues and Options Report” giving the community and key stakeholders the opportunity to comment on their outcomes.

2.7.2 The Council has carried out a sustainability appraisal and confirmed TENT1 as the most sustainable location. They have been able to demonstrate that the plan is the most appropriate when considered against reasonable alternatives (PPS12).

2.7.3 In general the number of dwellings allocated on TENT1 Phase A and B are realistic in terms of density and accord with Policy CS6: The Rural Settlement Hierarchy and Policy CS13: Range of Dwelling Types and Sizes set out in the Council's adopted Core Strategy.

2.7.4 The table below shows the calculation of land areas in TENT1 Phase A (exclusively the Kent CC school land). The total area of the site is 9.235 hectares (22.81 acres)

2.7.5 Table 1 – Calculation of land areas (See also Plan 1)

Freeholder	Area (sqm)	Acres
Beach and Thomas	34410.00	8.50
Bates	10823.00	2.67
Furmston	16539.00	4.04
Orpin	18690.00	4.61
Tenterden	12690.00	3.13
<b>TOTAL</b>	<b>93152.00</b>	<b>23.01</b>

NB Plan 1 attached to this submission shows the various landowners hatched in colours referred on that Plan.

2.7.6 Assuming a nett developable area of circa 7 hectares (i.e. around 75% of the total developable area) at a density of approximately 43 dwelling per hectare

would suggest a delivery of 301 dwelling. This is in accordance with the policy objective of TENT1 and assessments made by Rummy Design Draft Report in 2009.

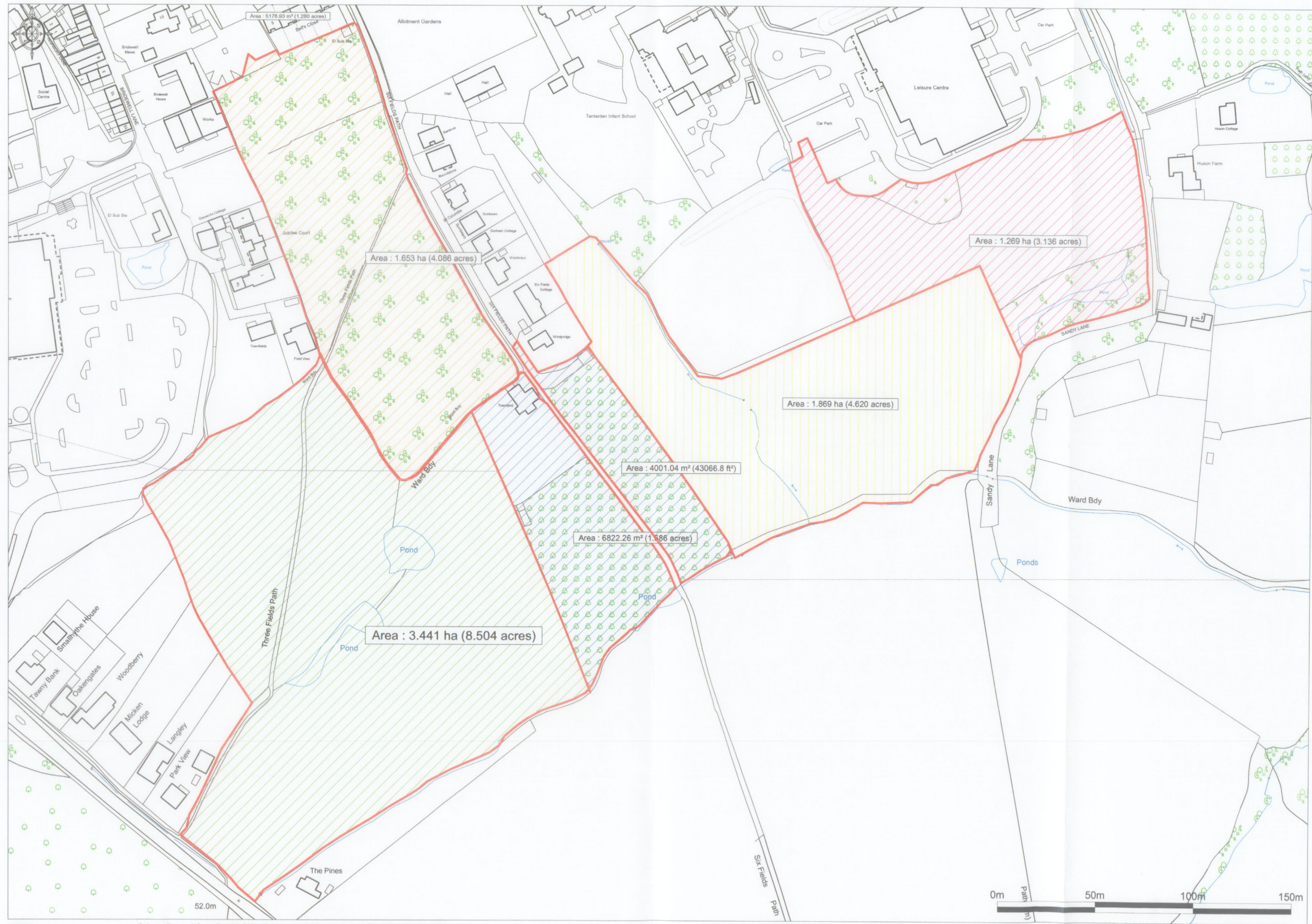
2.7.7 Rummy Design report acknowledges that the nature of this part of Tenterden is defined by “ the tight urban core of the High Street (which probably has a significantly higher density than 40 dph)”

2.7.8 Rummy’s Report suggests that the first phase would extend up to the west to east stream and be around 7ha in extent and comprise around 280 dwellings at an assumed average density of 40dph. The second larger phase would extend to the south and could comprise around 280 dwellings at a lower average of around 30dph (paragraph 3.1.5)

2.7.9 Given the observations made within the Rummy Report sufficient flexibility exists with TENT1 area to deliver the number, type and tenure required to meet the needs of the community of Tenterden over the plan period.

2.7.10 A Master Plan /Development brief for TENT1 will be submitted to and approved by the Council incorporating all elements raised in Policy TENT1 and Rummy Design Report. TENT1 is available, suitable and achievable. This site is the best sustainable location for housing development and deliverable within the timescale envisaged in the DPD.

# Tenterden Southern Expansion - TENT1



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GREEN - Thomas & Beach, BLUE - Bates, ORANGE - Furmston, YELLOW - Orpin, PINK - Tenterden Council