

**ASHFORD BOROUGH COUNCIL
TENTERDEN AND RURAL AREAS DPD
MATTERS AND ISSUES FOR THE EXAMINATION**

SUBMISSION ON BEHALF OF COUNTRYSIDE PROPERTIES

5.1 – is the degree of reliance of the DPD’s housing strategy on one principle site (TENT 1) sufficiently flexible?

We consider that the DPD is not sufficiently flexible because it relies on one site to deliver the housing requirement for Tenterden. We consider that Phase A is not deliverable within the period 2006-2016 as the site is under 6 different ownerships. There is no certainty that the relevant land owners will want to sell their land or enter into a collaboration agreement. The Council has not demonstrated with sufficient soundness that all the land under the various ownerships will come forward in a collaborative manner that would enable the site to be comprehensively planned as envisage under draft Policy TENT 1.

As there are various land owners, assembly of Phase A is seriously doubted. It is incumbent on the delivery of the site that the land can be assembled to deliver the housing requirements. There is no evidence by way of a binding document or agreement or entry in the land registry that would give any indication whatsoever that such the various multiple landowners have a binding position.

This major flaw in the delivery of the site undermines the DPD and demonstrates its inflexibility. We consider that without one single development partner in place, the deliverability of a comprehensive development which provides the quantum of housing and infrastructure sought may not be possible and is not certain.

Further demonstrating the inflexibility of TENT 1 is the Council’s policy position that Phase B should not be developed before Phase A. With such great uncertainty over the delivery of Phase A it begs the question as to why the Council has only chosen one site and one that has a real prospect of not being delivered in a comprehensive manner.

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5.3 Is there a need for a contingency strategy should delivery be delayed?

Yes – If TENT 1 is allocated in the DPD, even if deliverability is not certain, it would be appropriate to identify TENT 18 as an acceptable alternative or reserve site and safeguard the land for future development should it be evident that TENT 1 (or part of it) does not come forward in the appropriate timescales (ie Phase A by 2016).

5.7 What are the impacts of TENT 1 on wildlife, the historic character of the town and AONB?

As part of the local authority's review of the site, a masterplan was prepared by Rummey Design, which was supported by a report which considers topics such as conservation, views, landscape, access etc. However a full landscape character and visual assessment was not prepared.

The Local Authority recognised the complex nature of the site and its landscape features and proposed that the site be developed in two phases, with Phase A, adjacent to the town, and with a density of 40 dwellings per hectare, to be brought forward first. Phase B, south of a stream would be developed on completion of Phase A.

Part of Phase A lies in a Conservation Area – this would not preclude development but would impose constraints on design, scale, character etc; however development of the wider TENT1 site could result in a significant impact on the wider Conservation Area, particularly in terms of its current setting.

The site is partially covered by trees and is known to contain protected species (slow worms). The woodland and adjacent pasture is an ecological asset and would be affected by development. The loss of any woodland is likely to have a negative ecological impact and would significantly alter the visual appearance of the town (see below). A number of hedges and water courses exist on the site and development could have a potentially negative impact on these. Ecological and archaeological surveys should be undertaken and a full ecology survey would be required for the site and mitigation would need to be addressed prior to an application being made.

New development on the site would move the existing edge of the town, south. The town, as existing, has a relatively organic but defined edge and has developed to relate to the geology and landform of the landscape in this area. Part of the existing southern edge sits on a ridge and new development would need to overcome the natural constraints close to the town. The edge is generally well wooded and this provides a buffer between the built

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areas of the town and the more open rural landscape to the south and beyond. In visual terms a number of buildings are visible. The church provides an attractive landmark seen above the trees however there are less successful modern buildings including Tescos which are visually prominent and detract, albeit locally, from the views towards Tenterden.

Proximity to the AONB and High Weald Landscape Trail

The High Weald AONB wraps around the site to the south-east and south-west. Also of note is the High Weald Trail – a national trail which would be affected by development of TENT1.

As noted above and illustrated in the photograph below the existing southern boundary of Tenterden is very well contained by dense vegetation with only occasional views of some more prominent buildings in the town being visible. Proposed development in Phase A would infill 'gaps' in development, visible in the photograph as the fields on the slopes to the left of the picture in the middle ground, these would include denser development up to 3 storey. Phase B would involve the development of the large field in the foreground, behind the hedge. This photograph was taken from Small Hythe Road immediately adjacent to the AONB. It is understood that 'screen planting' would be required along this boundary, indicating that there would be a visual impact on the AONB.



Photo - View from Small Hythe Road immediately adjacent to the AONB looking towards the existing southern edge of Tenterden

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Extending development to the south, particularly in Phase B would result in a significant change to the edge of Tenterden. The existing fields and woodland currently act as a buffer between the town and the AONB and as such, bringing development further south would have a direct and potentially negative impact on the AONB. It is important to note that the impact on the AONB would be on its setting and character and not just from views out of it, towards the site.

Part of the AONB does abut and include some existing built development in Tenterden, to the north of Small Hythe Road, however the buildings within the AONB are mainly large properties set within parkland.

The High Weald Landscape Trail runs directly through the site and through Tenterden itself, allowing walkers to appreciate the distinct and attractive qualities of both the countryside and the town. Proposed development of TENT1 would have a negative impact in visual terms for walkers travelling in either direction. For those approaching the town, the walk would take them through a modern housing development and into the town and the development would result in a loss of the existing view of fields running up to a wooded ridge, with the hint of the town beyond. For those leaving the town, the impact, could be argued to be less, however the route would still take walkers from the attractive town centre, through a modern housing estate and only then into the landscape. A similar impact would exist for those using the public right of way which runs parallel to the east.

Landscape Character

Reference was made in The Rummey Design report to the National Character Areas produced by the Countryside Agency in 2002, these, whilst still applicable are very large scale and do not really give any detail relevant to sites of this size.

In respect of landscape character, a recent study published in June 2009 has been undertaken by Jacobs on behalf of Ashford Borough Council, and as such not available when the original Landscape Appraisal was carried out. However this new Landscape

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Character Assessment was undertaken to review the 'Landscape Assessment of Kent' published in 2004 (and referred to in the Landscape Appraisal), for the areas concerning Ashford Borough Council's LDF process. The Jacobs assessment excludes a number of areas, namely, Ashford and its urban fringe, subject to a different assessment carried out in 2008 and the High Weald AONB, subject to details study and guidance within its own Management Plan, 2004.

The Jacobs assessment has been carried out to inform the LDF process and the introduction states *"The objective is to ensure that the decision making process of the local authority is underpinned by a robust and widely accepted assessment of the landscape character"*.

It should be noted with some concern that the Landscape Character Assessment produced by Jacobs has excluded the land associated with the Local Authorities' proposed options site. Therefore it could be argued that the councils objective in preparing the assessment in relation to the decision making process, is flawed.

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5.8 Is TENT 1 the best strategy when considered against reasonable alternatives?

No – the most appropriate strategy was not chosen when considered against reasonable alternatives. Land at Appledore/Woodchurch Road (TENT 18 in the SA) can deliver 200 to 300 units within the DPD Phase 1 period of 2006-2016. This site is under one ownership, has one developer with an option on the land (Countryside Properties – title no. K565298) and has no constraints therefore in terms of land assembly and consequently delivery. There are no other constraints which would affect delivery of development on site TENT 18. The site obtained support at the community workshop and yet despite this there is no clear justification given by the Council in the DPD for its non selection. If the TENT 1 is considered to be the correct choice of allocation, even if deliverability is not certain, it would be appropriate to identify TENT 18 as an acceptable alternative or reserve site and safeguard the land for future development should it be evident that TENT 1 Phase A does not come forward. We have great concerns that Phase B of TENT 1 is entirely reliant on TENT 1 Phase A being delivered. This strategy is weak and poses great uncertainty over deliverability. We would suggest that TENT 18 is the best alternative to TENT 1 and is probably the only site that can deliver 200 to 300 units with certainty during the identified timescales, to a managed, acceptable programme.

We consider that TENT 18 presents a deliverable, achievable alternative to TENT 1. We enclose a Landscape and Visual Appraisal relating to TENT 18 (Annexe 1/5/5.8/Countryside Properties) which concludes that the site is well contained and surrounded by the existing urban edge on two of its three sides and is screened from the wider countryside (and AONB) to the east by a pronounced ridge line and that a housing scheme of two or two and a half storeys in height would have no landscape or visual effects on the wider area around the site and notably the AONB.

We also enclose an Access and Transport Sustainability Statement (Annexe 2/5/5.8/Countryside Properties) which demonstrates that the site is sustainable and that safe and efficient

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access can be provided for the site on land within the control of Countryside Properties and within highway land.

Overall TENT 18 represents a robust alternative housing site that should be allocated for 2006-2016. It can be delivered within the appropriate timescales and is not reliant upon the delivery of any other housing development or phase of development to come forward/be completed prior to its implementation.