

Hillreed Homes Examination Statement

Issue 6.1.

Re Land at Burleigh Road, Charing

1 Introduction

- 1.1 Hillreed Homes contend that there are issues of “soundness” about the process which has led to the selection of the CHAR1 and CHAR2 in the DPD. It will be shown that the Hillreed site (CHAR 04) which is identified (outlined red) at Appendix 1 is better related to central village services than any other development site and is the closest of all the site options to the train station shown at Appendix 1. Ashford BC suggest that the Sustainability Appraisal (SA) of June 2009 has informed the selection of allocation sites. Hillreed believe that in fact the SA was used to “retrofit” preconceived ideas about site selection that derived from earlier workshops which Hillreed was excluded from. This appears the only explanation of the SA process which selected a site CHAR02 which was out performed by the Hillreed CHAR04 site when assessed using Ashford BC’s own SA sustainability criteria in two of the most crucial categories of 1) landscape impact and 2) wildlife/ecology impact.

APPENDIX 1 CHAR04 SITE IDENTIFICATION

2 Issue 1 Reliability of the Interpretation of the Evidence Base

Sustainability Assessment

- 2.1 Part of the justification for Charing scoring highly in the district’s Settlement Hierarchy and supporting Sustainability Assessment is that the village contains a railway station as well as a number of local services and facilities. In settlements containing rail stations in the borough it should logically follow that the sites that are most accessible to this form of transport warrant particular consideration. The CHAR04 Hillreed site has a direct pedestrian and cycleway access to the station via Burleigh Road and insufficient account has been taken of this point in the selection process.
- 2.2 The Sustainability Assessment (SA) was not published for consultation until June 2009, which was a late stage of the site selection process. The Sustainability Appraisal of the Tenterden and Rural Sites DPD states at para 1.12;

*“The Sustainability Appraisal has influenced the DPD in a variety of ways. By appraising the relative sustainability merits of potential development sites **the SA has***

helped inform the site allocation process for the DPD ensuring that those sites allocated within the Plan represent the most sustainable”.

- 2.3 Prior to this stage of the DPD, community workshops were held in October 2007 and March 2008 and an Issues and Options report was published in May 2008. Input from these stages formed the basis for actual site selection not the later SA which in Hillreed’s view was only used to justify the pre-determined choice of site selections. It is contended that the SA therefore simply “retrofitted” the process by justifying pre-conceived site selection choices. This can be asserted because Ashford BC’s own Sustainability Appraisal scores the Hillreed (CHAR 04) site more highly than the actual allocation choices themselves.
- 2.4 For instance, the selected CHAR 05 site (which later became the allocation CHAR1) scores 5 of the total 15 individual categories as positive, 5 neutral and 5 negative in the short term. The Hillreed CHAR04 site scores better with 6 individual positives, 5 neutral scores and only 4 negatives. The extracts from the Sustainability Assessment are shown at Appendix 2. The negative score of 4 for the Hillreed site is less than any other Charing site considered in the SA with the exception of the CHAR22 PDL depot site which is not deliverable for housing which scored 3 negatives. The DPD Policy CHAR 2 site scored 7 negatives (CHAR04 scored only 4 negatives) out of a possible 15 score yet the SA still concluded *“The site is suitable for development as it will create a natural extension to the existing housing estate using existing hedgerows and treelines as a natural boundary to development. It is also within walking distance of Charing Railway Station and some of the village services”.*

**APPENDIX 2 COMPARITIVE TABLES OF CHAR04 AND CHAR05
SITES FROM SUSTAINAIBLITY APPRAISAL**

- 2.5 In addition, the SA CHAR 05 site (CHAR 01 in the Tenterden and Rural Villages DPD) scored a double positive for being close to the village recreation ground and therefore “more likely to maintain the existing open space through increased patronage”. This is a highly spurious argument in Hillreed’s view for overriding more serious weaknesses in landscape and wildlife/biodiversity categories which are addressed below.
- 2.6 According to the comparative judgement of the SA for these sites, the CHAR 04 will have a lesser impact in terms of –

	Hillreed Site CHAR 04 (SA)	DPD Site CHAR01 CHAR 05(SA)
a. Landscape impact	+ve	-ve
b. Geology and biodiversity	0	-ve

- 2.7 A Landscape Character Assessment of the borough was also undertaken in 2009. This document identified the village within the Charing Farmlands Landscape Character Area and describes the village and its fringe areas as;

“The landscape is set within the foreground to the Kent Downs Area of Outstanding Natural Beauty (AONB) and Charing provides a distinct settlement of historic prominence located along the Pilgrims Way which runs along the North Downs from Winchester to Canterbury. Overall the landscape has a high sensitivity.”

- 2.8 The guideline conclusions of the Landscape Character Area report indicated that it was particularly important to conserve the rural setting of the Kent Downs AONB. As the CHAR05/DPD CHAR01 site adjoins the AONB it is self evident that sites to the north of the A20 and especially development which projects beyond the eastern built up boundary of the village will logically have a much greater influence on the AONB. By contrast, the CHAR04 which is south of the A20 and much better related to the village is visually well enclosed being contained by existing housing and a large depot site on its eastern side. A possible example of how the site might be developed and its containment is shown at Appendix 3.

APPENDIX 3 POSSIBLE CONCEPT PLAN FOR HILLREED SITE

- 2.9 Given this background evidence in the SA and the Landscape Character Assessment documents, it is surprising that the later Tenterden and Rural Site Submission DPD can justify the following statement at para 6.12 which states;

“Neither this area (west of Tatchell Drive) nor the other proposed allocation south of the Arthur Baker playing field (Char 05) would have a significant impact on the setting of the village or the AONB and with good design could provide an attractive residential environments within easy walking distance of the main village services.”

- 2.10 This statement conflicts with the findings of both the Sustainability Appraisal (shown at Appendix 2) and the Borough’s Landscape Character Area Assessment.

3 Issue 2 Process of Engagement

- 3.1 Hillreed contend that the mechanism of engagement involving two community workshops, which was the platform for later site selection was flawed because the development industry and landowners were specifically excluded from this process. PPS12 identifies deliverability as a key issue and it was unreasonable that Hillreed who control the CHAR 04 site were totally excluded from these stages. 17 participants attended the workshop, some of whom were statutory consultees or officers, and it is questionable how representative this feedback was of the whole community. The messages from these workshops were also confusing. For instance the CHAR 04

(Hillreed site) was identified as the best mixed use site but was not considered suitable for housing!

3.2 Following Hillreed's own initiatives to engage with members of the Parish Council, it has been apparent that –

1. The description used for the CHAR 04 was not familiar to some of the local people attending the workshops and this point can be confirmed by the Parish Council.
2. It was also apparent that the assumption made by most participants at the workshop was that access to the Hillreed site had to be achieved from Burleigh Road. This was perceived as undesirable in both highway terms and in terms of impact on the conservation area (Burleigh Road is an un-metalled surface). The conclusions of the workshops for CHAR04 are reported in the DPD at para 4.19 which states;

“The site was seen as having some potential for development although access was seen as a significant limitation to the site. It was also a concern that the site was within the conservation area.”

Kent Highway Services have subsequently confirmed that access on to the A20 from the CHAR04 would be acceptable in principle. Appendix 4 includes a technical highway note and includes a detailed site access to demonstrate how this could be achieved.

APPENDIX 4 – DETAILED ACCESS OPTION TO SERVE CHAR04 SITE FROM A20

3. It has also become apparent from Hillreed's own efforts to engage with the Parish Council that the local community does not appear to be “driving” the selection of the CHAR 05/DPD01 site and instead appear, from Hillreed's own discussions, to be fairly neutral to the potential for its substitution by CHAR 04 subject to detailed design and access issues.
- 3.3 For these reasons, the process of engagement and evidence gathering of the Site Allocations DPD was flawed in our view and the opportunities for Hillreed Homes to engage have been limited other than via public consultation responses to the Issues and Options and Submission Document.
- 3.4 The CHAR04 is dismissed by the SA because of its location within the Conservation Area. However, the site is enclosed by development and a strong conifer buffer to the road frontage. The concerns of the impact on the conservation area derive largely from the assumption that the development would need to again access from Burleigh Road, but as the attached plan shows at Appendix 3, this will not be necessary.

4 Conclusion

- 4.1 The Planning and Compulsory Purchase Act “requires local development documents to be prepared with a view of contributing to the achievements of sustainable development.” PPS12 states that spatial planning is a process of place shaping and delivery. Para 2.1 indicates that the plan should respond to local challenges and opportunities and is based on evidence a sense of local distinctiveness and community derived objectives within the overall framework of national policy and regional strategies and should contribute to the achievement of Sustainable Development and must ensure that the necessary land is available at the right time and in the right place to deliver the new housing required (para 2.4). It is contended that this approach has not occurred in the selection of the Charing allocation sites by the borough council.
- 4.2 Para 4.28 of PPS12 states “Local authorities are strongly encouraged to seek out major landowners and developers and engage them fully in the generation and consideration of options.” This process of engagement in fact deliberately excluded the housebuilding industry from early workshops which was not followed and resulted in some misinformation influencing these early findings.
- 4.3 Para 4.43 of PPS12 suggests that *“sustainability assessments should inform the evaluation of alternatives. Sustainability Assessment’s should provide a powerful means of proving to decision makers and the public that the plan is the most appropriate given reasonable alternatives.”* The Sustainability Assessment and the Landscape Character Assessment by its own matrix scores the Hillreed CHAR04 site better than the actual sites that are proposed to be allocated in the DPD. Hillreed conclude that the DPD is not sound because the selection of sites did not take proper account of the evidence base itself. Hillreed request that the CHAR 05/01 site is substituted by the CHAR 04 which is considered to be more sustainable and can also meet the policy requirement of CHAR01 such as contributions to sports facilities etc.