

Statement to Tenterden Town Council regarding the proposal to fund legal opinion on Ashford Borough Council Screening Opinion on an Environmental Impact Assessment for Limes Land.

Albert Poole, Appledore Road, Tenterden

With regard to the EIA Screening Opinion of Ashford Borough Council there were a number of comments registered on ABC website from consultative bodies such as Neighbourhood Plan Steering Committee via the Town Council, TDRA, WKPS and CPRE.

Also a number of local residents including myself submitted detailed responses which challenged the assertions of Judith Ashton.

In the event the decision notice clearly favoured the developers view.

If we analyse the decision, one of the key factors was the contribution of the Kent County Council Ecology Advice Service

This states:-

“After assessing the selection criteria outlined in Schedule 3 (EIA Regulations 2017) we are satisfied that the development is unlikely to have a significant impact on biodiversity. The submitted information has confirmed that the applicants have a good understanding of the ecological interest of the site and the proposed masterplan demonstrates that connectivity can be retained throughout the site and it is likely that there is sufficient habitat within the wider site to mitigate for the impact on protected/notable species.”

However the final statement in the letter states:-

“This response was submitted following consideration of the following documents: A Letter from Judith Ashton Associates.”

There was no request to see actual reports, no reference to other agencies such as KRAG (Kent Reptile and Amphibian Group), KMBRC (Kent & Medway Biological Record Centre) or KWT(Kent Wildlife Trust)

In contrast the statement from KCC Heritage Conservation is fully supportive of a Specialist Historic Landscape Assessment.

However, the decision notice quotes from the Senior Archaeological Officer letter:-

“There are no designated heritage assets within the site and as such I would not recommend an EIA just for heritage reasons.”

What the decision fails to quote is:-

“However, if it is considered appropriate to undertake an EIA for other reasons, I recommend that heritage is scoped in. Heritage assessment should include historic landscape assessment.”

It further states:-

“Extensive groundworks are proposed including 5 football pitches and play areas, as well as up to 250 houses and associated works. These works would include extensive groundworks and ground disturbance and there is likely to be a **major** impact on the historic landscape. As such there is a need to ensure this proposed greenfield development is guided by a Specialist Historic Landscape Assessment as well as an **approved** Archaeological Desk Based Assessment (DBA).

I would suggest that a historic landscape assessment or the Archaeological DBA should be assessing settings of designated heritage assets, not the Landscape and Visual Assessment.

In conclusion, this site has potential to contain as yet unknown archaeological remains and important archaeological landscape features. In view of the extensive groundworks proposed as part of the scheme, a historic landscape assessment would be appropriate.”

These statements have been airbrushed from the decision document.

The lack of a proper study of the ecological status of this site has clearly impacted the overall decision.

What should also be noted is the lack of any mention of the other Historic Environment Records for Gallows Green or the Drove Road which were recorded in my email response.

The officers report whilst paraphrasing the contributions of usual consultative bodies has condensed the residents detailed responses into 3 lines.

It is my view that these detailed responses have not been given due consideration and therefore calls into question the decision making process. In particular the detailed ecological assessment by Samantha Reed and the EIA decision matrix of Nick Overton were of significance.

Conclusion

In my view this decision is a rewrite of the Judith Ashton’s letter with a subjective view against each of the listed criteria which indicates that it is not likely to have significant effects on the environment to require an EIA. This is not an objective report based on facts. It demonstrates a lack of understanding of what is proposed which is the very reason why a full Environmental Impact Assessment should be carried out.

An appeal of this decision would be appropriate or if the legal advice is against it, we should ensure that the flawed approach here is not repeated at the Planning Application stage.

There are so many omissions to address, so I only have time to list some.

Landscape and Visual Impact

Views from the PRow towards both St Mildred's Church to the West and AONB to the East will be completely lost forever by rooftops to the West and Football Pitches to the East. This will require the PRow to be rerouted which should be resisted.

Cumulative Impact

Failure to mention Tent 1B and Hales Place

Listed Buildings

Dovenden on Woodchurch Road which overlooks the site is not mentioned

Risk of Major Accidents

This proposal provides for a walking/ cycling connectivity between the site and adjacent neighbourhoods. This includes a crossing near a blind bend on Woodchurch Road for pupils attending Homewood School and visitors to the proposed country park. No traffic survey has been carried on Woodchurch Road to inform such a crossing. This is ill thought out and has not been considered by ABC.

Characteristics and Location of Development

The decision document states the development will cover part of the site. This fails to mention that the development is spread across half of the site. Approximately 30 acres. The accessible green space on this part of the site is a constraint due to the existence of Ancient Hedgerows, Ponds and ditches, Protected trees and Medieval features.

The decision document states “There are existing dwellings to the West and South of the site.” What about the dwellings to the North on Woodchurch Road.

Flooding

There has been historic flooding along Appledore Road. If it has been identified that there needs to be work on the existing ordinary watercourses and Southern Water surface water sewers, why has this not been put in hand now. This should not have to wait for a potential development.