

Town & Country Planning (EIA) Regulations 2017  
**Secretary of State Screening Direction – Written Statement**

Application name:	Land between Woodchurch Road & Appledore Road, Tenterden
SoS case reference:	PCU/EIASCRCR/E2205/3237640
Schedule and category of development:	10(b) Urban development projects

**Full statement of reasons as required by 5(5)(a) of the 2017 EIA Regulations including conclusions on likelihood of significant environmental effects.**

The Secretary of State has considered whether the above proposal is likely to have significant environmental effects. He has undertaken this screening taking into account the criteria set out in Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. He has also had regard to the matters raised by the third-party requestors. Planning practice guidance states that the key issues to consider in development of this type is physical scale of such developments, and the potential increase in traffic, emissions and noise. He therefore considers the main matters to be addressed are:

**Characteristics of development**

The proposed development will cover an area of 24.53ha in total on greenfield agricultural land. Some solid waste is likely during construction and there will be household waste once the dwellings are occupied but this is not likely to be significant. It is likely that during the construction phase there will be some noise and vibration but once the development is completed this would not be over and above what would be expected in a normal residential area or community space.

There are no reported incidences where existing legal environmental standards are being exceeded in terms of pollution and air quality. There is likely to be some dust during construction, however, the development proposal is unlikely to produce significant pollution during construction or occupation. Health risks are unlikely during construction, due to established industry standard health and safety measures and even if they do occur, they are not likely to be on such a scale to be significant.

One requestor has commented that there are documented problems with foul water sewage disposal for houses bordering the site resulting from an already overloaded local sewerage system, with foul waste flooding into properties and gardens. The Council states that the proposal is unlikely to result in significant effects on the environment in terms of contamination. They state that documents will be submitted with the planning application to demonstrate that the proposal will not lead to risks of contamination of land or water from pollutants into the ground or into surface waters or groundwater. The Secretary of state considers that the effects are not of sufficient magnitude to suggest that a significant environmental effect is likely, and that relevant information can be set out in suitable assessments submitted with any future planning application.

**Location of development**

The development site is located on land currently in agricultural use. The Defra Agricultural Classification confirms that the development site consists of grades 3a and 3b land with a small pocket of grade 4. The Secretary of State therefore considers that the use of lower grade agricultural land will not have a significant effect on land use.

The development site is located adjacent to the built-up area boundary of Tenterden which lies to the south west. The site is located north east of the town centre. Although redevelopment of the site will result in a change in the built form of the immediate area, the

Secretary of State considers that there are unlikely to be significant effects as the site will be viewed in the context of its location on the urban edge of Tenterden.

The Council reports that the site includes two relatively minor and separate pockets of land defined as being mineral safeguarding areas within the 2013 Kent Minerals and Waste Local Plan. The Council states that a minerals assessment will be submitted with the planning application which will consider the effect of the proposal upon the safeguarding areas. The Secretary of State does not consider that impacts on high quality or scarce resources will be significant and that relevant information can be set out in suitable assessments supporting the application.

The site is not subject to any ecological or landscape designation, however, the Ashford Local Plan 2030 identifies the site as being within Woodchurch Landscape Character Area (LCA23) which extends to the north and west of the site. The Knock Wood Local Wildlife Site is located to the north of the site on the opposite side of Woodchurch Road. The High Weald AONB is located on the boundary of the site to the east. The site is reported as falling within Flood Zone 1 – a low risk of flooding.

### **Characteristics of potential impact**

#### **Landscape**

One requestor has commented that the development site contains a large expanse of unimproved grassland, a priority habitat which has been overlooked and disregarded by the LPA, and that it contains numerous ancient trees, hedgerows and ponds. Damage will be caused to approximately 30 acres of unimproved neutral grassland and several acres of acid grassland. The requestor also comments that the hedgerows are subject to protection under the Hedgerows Regulations 1997 and provide a foraging habitat for 7 species of bat and for nesting birds and other wildlife. Many trees will be lost due to the development, large trees along the boundary of the site on Woodchurch Road would be particularly affected as well as the owls and bats that reside there being impacted.

The Council states that the site includes several mature trees, some of which are subject to TPOs. Most are located within the existing hedgerows along field boundaries. An Arboricultural Implications Report will be submitted with any future planning application. The Council notes that hedgerows are present which are defined as historic under the terms of the Hedgerow Regulations. They state that the intention is to retain most of the existing trees and hedgerows within the open space network and integrate into the new landscape with further tree and hedgerow planting. Positive management is proposed to promote their continued ecological function as part of a comprehensive landscape strategy for the site.

The Knock Wood Local Wildlife Site is located to the north of the site on the opposite side of Woodchurch Road, however, the Secretary of State considers that, given its location, it is unlikely that significant impacts will arise from the development.

The development site is located within the Woodchurch Landscape Character Area in the Local Plan which is described as a landscape in good condition with moderate sensitivity. The High Weald AONB is located on the boundary of the site to the east. Natural England have been consulted and have said that they 'cannot rule out significant effects upon designated sites' and have requested 'that a detailed assessment of the potential impacts of this proposal upon the designated site is submitted with any subsequent planning application'. They have not suggested that a full Environmental Impact Assessment is required.

The Secretary of State considers that the effects on sensitive sites designated for their ecological or landscape value are not of sufficient magnitude to suggest that a significant environmental effect is likely. He agrees with Natural England that relevant information can be set out in suitable assessments submitted with any future planning application.

## **Habitats**

One requestor has commented that the development land is a haven for wildlife with rich hedgerows and grassland, a habitat for a documented 15 red list birds plus numerous amber list species (RSPB categories of conservation importance).

The Council states that a number of ecological surveys have been conducted between 2016 and 2018 which suggest that the proposed development is unlikely to cause a significant negative effect of the conservation status of any European Protected Species through the implementation of appropriate avoidance, mitigation and compensation measures that can be incorporated as part of the proposals. The Council considers that habitat creation within the Country Park and other areas of open space and the subsequent management of existing and new habitats will have a positive effect on local wildlife including bats and birds. Kent County Council's Ecological Advice Service which provides independent professional advice, has confirmed that the proposal is unlikely to have a significant impact on biodiversity.

The Secretary of State considers that the potential effects on protected, important or sensitive species are not of sufficient magnitude to suggest that a significant environmental effect is likely. He considers that relevant information can be set out in suitable assessments submitted with any future planning application.

## **Heritage & Archaeology**

One requestor commented that the development site was the site of the historic gallows and medieval ridge and furrows and Drove Road, all non-designated heritage assets.

The Tenterden Conservation Area abuts the south west corner of the site and contains a number of listed buildings. The Council considers that there are unlikely to be negative impacts on the setting of the nearest buildings, Grade II listed Stace House and Craythorne on Woodchurch Road due to appropriate layout of that part of the site and boundary treatments. The Council also states that care will be taken to ensure that the boundaries of the application site to the south east are preserved to ensure there is no visual impact on the listed buildings located to the south east. One requestor has commented that there is an additional listed building, Dovenden, located on Woodchurch Road. I have confirmed with the aid of Historic England listings that Dovenden on Woodchurch Road is a grade II listed house. The Council has confirmed that a Heritage Assessment will be submitted with any future planning application.

The Council states that an initial Archaeological Desk Based Assessment confirms that the site has low potential for significant archaeological evidence for all periods but a high potential for evidence relating to Post Medieval agricultural activity in the north west corner of the study site. The Council considers that any features present would probably be of local importance and that archaeological investigation could be secured by conditions attached to any planning consent.

The Council notes that hedgerows are present within the study site which are defined as historic under the terms of the Hedgerow Regulations. The Council states that historic map evidence shows that most of the site has remained under pasture with field boundaries dating to the post-medieval period, and that these boundaries should be preserved where feasible and/or the legibility of the earlier land use divisions within the broader design and layout of the site. They go on to say that the preservation of a small area of cultivation ridges associated with lost post-medieval cottages in the western corner of the site, in combination with the need to preserve the settings of the conservation area and listed buildings, would suggest that a green space allocation in this area of the site may be appropriate and they note that this advice has been adopted in the masterplan.

The Secretary of State considers that the potential impacts on heritage or archaeological assets are not of sufficient magnitude to suggest that a significant environmental effect is likely. He considers that relevant information can be set out in suitable assessments submitted with any future planning application.

**Transport**

One requestor has commented that while the proposal provides for walking/cycling connectivity between the site and adjacent neighbourhoods, it includes a crossing near a blind bend on Woodchurch Road. A second requestor has also commented on the danger of the crossing as well as on the junction of the A28 and Beacon Oak Road being inadequate. Proposed improvements to the junction are yet to be finalised to accommodate the nearby Tilden Gill development of 100 dwellings and in the meantime, it is over capacity and dangerous. The additional traffic generated by 250 homes and football pitches will add to the problem leading to risk to pedestrians and school children attending the nearby academy school. The requestor goes on to comment that there will be greater reliance on car use due to the distances required to access services.

The Council states that the proposed development will not give rise to the potential for a higher than average number of accidents either during construction or when 'in operation'. The proposal is reported to include a reduction in the speed limit along a section of Appledore Road from 40mph to 30mph along with traffic calming measures to provide a safer environment for road users.

There are no reported incidences where existing legal environmental standards are being exceeded in terms of air quality and the Secretary of State does not consider that there will be a significant increase in traffic emissions arising from the proposal. Whilst the Secretary of State notes that there may be some impact on the local road network, he considers that the effects are not of sufficient magnitude to suggest that a significant environmental effect is likely. He considers that relevant information can be set out in suitable assessments submitted with any future planning application.

**Climate/Flooding**

One requestor has commented that historically, land slippage has been documented on the development site and that there are documented problems with foul water sewage disposal for houses bordering the site, resulting from an already overloaded sewerage system, and regular foul waste flooding to properties and gardens. A second requestor comments that there have been historic cases of flooding on Appledore Road

The Council states that a Flood Risk Assessment will be submitted with the planning application to demonstrate that not only will the proposed dwellings not be at risk but also that the proposed development will not increase the flood risk elsewhere. Surface water discharge from the site will be limited to that of the pre-development greenfield run off rate thus ensuring there is no increase in post development peak discharge flow rates. SUDs features such as ponds and swales (designed to accommodate all storms up to and including 1 in 100-year event plus 40% climate change) will be utilised. The proposed surface water drainage design will allow an opportunity to improve the downstream receiving watercourses and public sewers where historical flooding is known to have occurred. Works will be carried out to the existing ordinary water courses and Southern Water public surface water sewers to reinstate them back to an acceptable level of hydraulic function. These improvements will reduce the risk of flooding to the existing properties in 'Appledore Road. The FRA will also explain that foul water from the dwellings will be collected by private gravity drains and that before any connections are made to the sewerage network, an application will be submitted to Southern Water to ensure there is no increase in sewer flood risk. Overall the Council considers that there will be no significant environmental effect in terms of flooding/drainage issues arising from the proposal.

Taking into account the low flood risk and the intended works to address drainage and surface water discharge, the Secretary of State considers that the effects are not of sufficient magnitude to suggest that a significant environmental effect is likely. He considers that relevant information can be set out in suitable assessments submitted with any future planning application.

### **Cumulative Impact**

One requestor has commented that extensive growth is underway in Tenterden and that in addition to the planning consents mentioned by the Council there are additional developments which should be considered: TENT 1B (225 dwellings); Pope House Farm (30 dwellings) and Hales Place (4 large dwellings) which is also mentioned by a second requestor. Additional planning applications proposing at least 60 more dwellings is also mentioned. The requestors comment that these developments, together with the scheme at TENT 1A would be unsustainable and catastrophic for wildlife when taken together with the proposed scheme resulting in permanent loss of habitat across the southern aspect of Tenterden, potentially decimating whole species locally. The impact on infrastructure and amenities has not been thoroughly assessed to competently analyse the cumulative impacts.

The Council has considered development in the surrounding area: a reserved matters planning application for 100 dwellings on land south and east of Tilden Road was granted planning permission in July 2019; a planning application for 250 dwellings on land south west of Recreation Ground Road and north & east of Smallhythe Road (TENT 1) was granted planning permission in September 2015 and is currently under development; and planning permission for a sheltered housing scheme of 34 apartments and 4 bungalows at Danmore, Beachy Path was granted in September 2016. The Council does not consider that this proposal, together with the proposals already subject to planning consent, will give rise to cumulative impacts.

Tent 1 is the Tenterden Southern Extension and consists of phases A & B. The site adjoins the southern edge of the built-up area of Tenterden town centre. Tent 1B, and land at Pope House Farm, are allocated in the Local Plan (allocation S24 and S60 respectively), therefore the Secretary of State considers that the potential impacts will be known and well understood and will have been considered as part of the local plan process. The Secretary of State considers that other proposed and existing housing developments are sufficiently distanced from the development site to suggest that a cumulative impact is unlikely. He considers that relevant information can be set out in suitable assessments submitted with any future planning application.

### **Visual Amenity**

One requestor has commented that the proposal will be harmful to local amenity. Neighbouring residents who live adjacent to the open countryside will be overlooking the development site and their views of dark skies will also be damaged. The visual amenity of walkers on the public footpath would be harmed with views of the church blocked.

The Council states that views of the development site may be possible from the public footpath on the eastern part of the site and the limited public rights of way within the AONB. They note that the masterplan shows that the open spaces and sports pitches will be located closest to the adjoining AONB with the residential development located to the west, adjoining existing development. The Council also states that a Landscape and Visual Impact Assessment will be submitted with any future planning application.

The Secretary of State notes that the proposal is likely to be visible to properties along Woodchurch Road and Appledore Road and that views may be possible from public foot paths. He considers, however, that the effects are not of sufficient magnitude to suggest that a significant environmental effect is likely. He considers that relevant information can be set out in suitable assessments submitted with any future planning application.

### **Conclusion**

Overall, the Secretary of state is not persuaded that the potential cumulative impacts and potential effects on flood risk, contamination, sensitive and heritage sites and transport and emissions, are of sufficient magnitude to suggest that an environmental statement is required. He considers that relevant information can be set out in suitable assessments submitted with any future planning application.

Is an Environmental Statement required?	No
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Date	30 October 2019