

# INDEPENDENT EXAMINATION OF THE TENTERDEN NEIGHBOURHOOD DEVELOPMENT PLAN 2013-2030

## Tenterden Town Council Responses to Examiner's Questions

### Question 1 Re: Policy TEN NP1 (Protection of Landscape Character) (Page 31)

As drafted, I consider that this Policy requires some further explanation on how proposed developments outside of the built-up confines of Tenterden will be assessed in relation to the seven specific criteria listed within the Policy, which cover a wide range of designated landscapes, landscape features and other features such as dark skies and tranquillity. At present, the Policy seeks to 'retain', 'maintain', 'protect' etc. such features, but does not contain any further guidance for those users of the Plan who might be considering development proposals, on how proposals should be planned and designed. I note, by way of an example, that the text on page 38 states that "*New development must be well integrated into the existing heritage and landscape through designs sensitive to their context*".

I invite the **Qualifying Body** to consider this matter and to provide me with a Note on possible additional text for this Policy, that I may consider as a proposed modification.

### Town Council's Response

#### Note on additional text for this Policy

Policy TEN NP1 covers a hierarchy of landscape designations with a slightly different landscape value, sensitivity and designated status. The policy is organised to apply different guidelines to different parts of the landscape.

The Town Council's potential modifications are shown as bold text with *italics* indicating proposed additional text and ~~deletions~~ as proposed deleted text.

### High Weald Area of Outstanding Natural Beauty - Criterion a)

As a result of the Examiner's question, the Town Council has sought further advice from the High Weald AONB Unit. They have advised that they are aiming to publish a new High Weald AONB Management Plan in early April which will contain additional character components and revised and additional objectives. The Management Plan Assessment Template will effectively become out of date and will not be immediately updated. The High Weald AONB Unit suggests the following amendment to criterion a): **...including following the guidance of the High Weald Housing Design Guide**. The Town Council supports this approach. A copy of the High Weald Housing Design Guide

may be found: <https://highweald.org/document-library/legislation-and-planning/high-weald-design-guide/high-weald-housing-design-guidance/?layout=default>.

The reasoned justification should be amended to reflect this updated information.

### Potential Modification to reasoned justification

The High Weald AONB Management Plan ~~2019-2024~~ sets out the ~~five~~ defining components of character that have made the High Weald a recognisably distinct and homogeneous area for at least the last 700 years - all of which are present in the Plan area:

~~1. Geology, landform and water systems – a deeply incised, ridged and faulted landform of clays and sandstone with numerous gill streams.~~

~~2. Settlement – dispersed historic settlement including high densities of isolated farmsteads and late Medieval villages founded on trade and nonagricultural rural industries.~~

~~3. Routeways – a dense network of historic routeways (now roads, tracks and paths).~~

~~4. Woodland – abundance of ancient woodland, highly interconnected and in smallholdings. 5. Field and Heath – small, irregular and productive fields, bounded by hedgerows and woods, and typically used for livestock grazing; with distinctive zones of lowland heaths, and inland river valleys.~~

~~Although the Management Plan does not form part of the statutory development plan, it is a material consideration that should be taken into account when preparing Neighbourhood Plans as well as determining planning applications. The Management Plan sets a number of objectives in relation to each of the five defining components of character. As recommended by the High Weald AONB Unit, development proposals should be appraised to understand whether they meet these objectives (Appendix 1: High Weald AONB Management Plan 2019-2024 Assessment Template) and this practice is supported by the Neighbourhood Plan.~~

*The High Weald Housing Design Guide seeks to deliver appropriate new housing development within the AONB and its setting. The Guide contains checklists against which new designs should be assessed. In order to ensure well designed new housing within the High Weald AONB and its setting, such checklists should be followed.*

### Potential Modification to criterion a)

In order to clarify how proposals should be planned and designed in the light of the emerging High Weald AONB Management Plan, Criterion a) could be amended to include reference to following the guidance of the High Weald Housing Design Guide.

a) conserve and enhance the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty and its setting **and. in the case of new housing development. follow the guidance of the High Weald Housing Design Guide demonstrate a positive contribution to the objectives of the High Weald AONB Management Plan;**

## **Clapper Hill Wooded Farmlands - Criterion b)**

The published Landscape evidence supporting the Neighbourhood Plan sets out the justification for identifying the Clapper Hill Wooded Farmlands as a valued landscape, the character of which it is important to conserve.

Ashford Local Plan Policy ENV3a - Landscape Character and Design states that all proposals for development in the borough shall demonstrate particular regard to any relevant guidance given in the Borough Council's Landscape Character SPD. Such guidance is included within the published Landscape evidence supporting the Neighbourhood Plan but not in the Neighbourhood Plan itself. For clarity, it is suggested that these guidelines be brought into the Neighbourhood Plan.

### **Potential Modification to reasoned justification**

Ashford Local Plan Policy ENV3a - Landscape Character and Design states that all proposals for development in the borough shall demonstrate particular regard to any relevant guidance given in the Borough Council's Landscape Character SPD and any non-designated, locally-identified, significant landscape features justified in a Parish Plan or equivalent document.

***In order to conserve the valued landscape of the Clapper Hill Wooded Farmlands proposals should demonstrate that they meet the following guidelines.***

- Conserve the rural and enclosed landscape which provides the immediate setting to the High Weald AONB***
- Conserve and appropriately manage the strong ancient woodland blocks, hazel and chestnut coppice***
- Conserve and appropriately manage the strong matrix of tall hedgerows***
- Conserve vernacular style buildings including oasts and Wealden timber framed houses***
- Conserve the strong sense of enclosure***
- Conserve the intimate small-scale field pattern***
- Conserve the concentration of field ponds***

~~For these reasons, it is appropriate that, in accordance with the NPPF, Policy TEN-NP1 seeks only to permit development which would retain the landscape character of, and not have a detrimental impact on, the area of the Clapper Hill Wooded Farmlands valued landscape defined on Map 4~~

### **Potential Modification to criterion b)**

In order to clarify how proposals should be planned and designed, Criterion b) could be amended to include reference to demonstrating that proposals meet the guidelines contained within the Borough Council's Landscape Character SPD for this area.

b) retain the landscape character of, and not have a detrimental impact on, the area of Clapper Hill Wooded Farmlands valued landscape defined on Map 4, **and demonstrate that it meets the landscape guidelines for the area as set out in the Borough Council's Landscape Character SPD;**

**Woodchurch Undulating Farmlands and Biddenden and High Halden Farmlands Landscape Character Areas - Criterion c)**

The Borough Council's Landscape Character SPD identifies Woodchurch Undulating Farmlands and Biddenden and High Halden Farmlands Landscape Character Areas within the Low Weald Landscape Character Type with a different landscape character to the High Weald. Both character areas have a coherent pattern of similar landscape elements together with some visual detractors. Within these areas it is these similar landscape elements which positively contribute to the landscape character which are important.

The SPD sets out very similar Guidelines for both Landscape Character Areas but they are not amalgamated or included in the Neighbourhood Plan.

In order to clarify how proposals should be planned and designed in the Woodchurch Undulating Farmlands and Biddenden and High Halden Farmlands Landscape Character Areas, the reasoned justification and criterion c) could be amended to demonstrate that proposals should meet the guidelines contained within the Landscape Character SPD.

**Potential Modification to reasoned justification**

After the reasoned justification for the Woodchurch Undulating Farmlands and Biddenden and High Halden Farmlands Landscape Character Areas add:

***The SPD sets out very similar Guidelines for both Landscape Character Areas:***

- Conserve intimate small-scale field pattern and strong sense of enclosure***
- Conserve and appropriately manage woodland***
- Conserve and appropriately manage strong matrix of hedgerows and hedgerow trees***
- Conserve field ponds and slow flowing streams***
- Encourage sympathetic conversions of traditional buildings which do not urbanise the character of the building***

***Proposals should retain the distinctive landscape features of Biddenden and High Halden Farmlands and, Woodchurch Undulating Farmlands and demonstrate that they meet the landscape guidelines for the area set out in the Borough Council's Landscape Character SPD.***

**Potential Modification to criterion c)**

In order to clarify how proposals should be planned and designed, Criterion c) could be amended as follows.

'c) retain the distinctive landscape features of Biddenden and High Halden Farmlands and, Woodchurch Undulating Farmlands, as defined on Map 4, **and demonstrate that it meets the landscape guidelines for the area set out in the Borough Council's Landscape Character SPD**

#### **Dark Skies - Criterion d)**

The Borough Council's adopted Dark Skies SPD contains Design Guidance for proposals which include external artificial lighting. Reference could be made in the text supporting Policy TEN NP1 to this SPD and the policy modified accordingly.

#### **Potential Modification to reasoned justification**

**After the reasoned justification for Dark Skies add:**

***The Borough Council has adopted a Dark Skies SPD. Proposals which include external artificial lighting should demonstrate that they meet the Design Guidance set out in the SPD.***

#### **Potential Modification to criterion d)**

'd) maintain the areas of dark skies and low level of light pollution outside the built confines of Tenterden, **and demonstrate that it meets the design guidelines of with** the Ashford Borough Council Dark Skies SPD

#### **Ancient woodland Criterion e)**

This criterion is considered self-explanatory.

#### **Tranquillity - Criterion f)**

The Landscape evidence supporting the Neighbourhood Plan already refers to the CPRE tranquillity map for England which is based on objective noise measurements and for clarity this could be referenced in the Neighbourhood Plan itself.

#### **Potential Modification to reasoned justification**

**After the reasoned justification for Dark Skies add:**

***The CPRE tranquillity map for England is not as detailed as for the Dark Skies project but illustrates how tranquil the Parish is and that levels of tranquillity are not uniform across the Parish. For this reason, this criterion will only apply to areas which are currently tranquil and remain relatively***

***undisturbed by noise. Proposals will be judged on the impact on such tranquillity and will require interpretation on each site outside the built confines. Where necessary, a noise assessment should be conducted measuring existing background sound levels and the noise impacts predicted from the proposed development.***

***Views - Criterion g)***

This criterion is considered self-explanatory.

## **Question 2: Re. Policy TEN NP2 (Protection of Local Green Spaces) and Map 7 (Location of Local Green Spaces) (Pages 32 and 33)**

At the scale that is presented on Map 7, it is not possible to define with clarity the precise boundaries of the ten proposed Local Green Spaces (Sites A-J) listed on page 32.

I consider that Map 7 should be accompanied in the draft Plan by Inset Maps on an Ordnance Survey base, at an appropriate scale, which is likely to be at 1:1250 or 1:2500 (depending upon the varying sizes of the sites) clearly defining the boundaries of each of the ten sites. This should be suitable for potential inclusion in the draft Plan to enable users of the Plan to clearly identify the land so designated by the Policy.

I therefore request that the **Qualifying Body** provide a set of plans that meet this requirement, which I can consider for inclusion in the Plan as a proposed modification. (I have noted that the Evidence document on 'Local Green Spaces' contains Inset Maps for each of the sites, and these may well be suitable, subject to confirmation that the boundaries are correct and accurately drawn).

## **Town Council's Response**

A map has been produced for each Local Green Space at a scale of either 1:1250 or 1:2500, sheeted on A4 paper, and accompany this response. Maps are included at Appendix 1 of this response.

### **Question 3: Re: Policy TEN NP7 (Non-designated Heritage Assets) (Page 46) and Appendix 2 (Local Rural Heritage Statement) and Local Heritage List (Pages 82-87)**

I note that this Policy, together with the listing at Appendix 2, proposes the designation of 47 buildings, structures and other features as Non-designated Heritage Assets (NDHAs). I have also seen and studied the accompanying Evidence document on 'Heritage'.

However, both the draft Plan and the Evidence document lack a map showing the location within the Plan area of the 47 proposed NDHAs. I consider that it is necessary to include a suitable map within the draft Plan (probably at Appendix 2), for the benefit of future users of the Plan. Whilst I appreciate that it is not possible to show with complete accuracy the location of the smaller structures etc. on a smaller-scale map, a map that shows the general location of Nos. 1-47 will be sufficient, to serve as a guide.

I therefore request that the **Qualifying Body** provide a map that meets this requirement, which I can consider for inclusion in the Plan as a proposed modification.

I have also noted the representations by Kent County Council which indicate that a potentially much larger number of heritage assets in the Plan area, as identified in the Kent Historic Environment Record, could have been considered for possible designation as NDHAs. Examples are set out in the representations. I therefore also request that the **Qualifying Body** provide me with a Note that describes how the 47 proposed NDHAs were identified, whether other proposed NDHAs were considered and not taken forward and the extent to which the Kent Historic Environment Record was used as a basis for identifying the proposed NDHAs.

### **Town Council's Response**

The Town Council have produced a map which shows the general location of the 47 proposed NDHAs. The Map is included as Appendix 2 to this response.

The HER was an important source of assets for consideration as NDHAs, but additional advice and ideas were sought from local heritage enthusiasts and the Tenterden Museum. A number of them were kind enough to provide access to publications and documents that were not otherwise readily available. Thematic issues relating to the heritage categories were also researched in order to identify assets that would tell the social history of Tenterden. Many of the 47 proposed assets are not, therefore, on the HER.

A number of other potential assets were considered, and identified categories that were considered to have real interest. One of the challenges is the lack of archaeological assessment in the Parish and relatively little research on things like worked woodland, local field patterns, pits, iron ponds etc. This meant that a number of potential assets were excluded because of a lack of evidence. For example, potential WW2 bomb craters were identified but without evidence linking to known bombings a decision was taken not to include them. In the end only one was proposed as a NDHA. The subsequent publication of Tenterden at War allows a positive identification of at least two more surviving craters so far. As the text supporting Policy TEN NP7 makes clear, assets other than those identified in Appendix 2 may be identified during the planning process or subsequent to the completion of the Neighbourhood Plan and this has indeed proven to be the case.



A number of categories of NDHAs are identified in the Local Rural Heritage Statement included within the Heritage evidence supporting the Neighbourhood Plan, recognising the need for more research and assessment. One significant category from the HER is historic farms and out farms. These are listed in full in Appendix 3 of the evidence base. This list comprises most and possibly all of the HER assets that are not proposed as NDHAs at this stage. The view was taken that these already had some degree of protection in the planning process and there was no further information about them beyond that provided in the HER listing and their association with routeways which we added. A map showing the location of these farmsteads is included at Appendix 3 of these responses. The Town Council would be content to add the individual historic farmsteads to the NDHA list rather than listing them as a collective significant non-designated local heritage asset in the Neighbourhood Plan should the Examiner recommend such an approach.

## Question 4: Re. Policy Drafting

A number of Policies (for example Policies TEN NP4, NP6 and NP9) include draft text which states that development proposals will be “permitted” or “not permitted”. Some Policies contain multiple statements of this nature. The Town Council, and therefore the Neighbourhood Plan, does not possess the statutory function of being able to grant or refuse planning permission for any categories of development within the Plan area, this being the responsibility of the Borough Council. However, Policies can state that proposals will be ‘supported’ or ‘not supported’ by the Town Council.

I therefore request that the **Qualifying Body** review the text of all draft Policies and provide me with a Note setting out the necessary revisions to Policy text across the Plan, that I may consider as a proposed consolidated modification addressing this matter.

## Town Council’s Response

The Town Council’s potential modifications are shown as bold text with *italics* indicating proposed additional text and ~~deletions~~ as proposed deleted text.

### Potential Modifications to meet Examiner’s request:

#### Policy TEN NP4 - Design of New Development and Conservation

New development in accordance with the Neighbourhood Plan will be ***supported permitted*** where it:...

#### Policy TEN NP5 – Tenterden, St Michaels, Smallhythe and Reading Street Conservation Areas and their setting

Development within the Tenterden, St Michaels, Smallhythe and Reading Street Conservation Areas, as defined on Maps 10 - 13, and their setting will be ***supported permitted*** where it:...

#### Policy TEN NP6 - Shop Fronts and Advertisements within Tenterden Conservation Area and its setting

Proposals for new shop fronts, or alterations to existing shop fronts, will be ***supported permitted*** where the following criteria are satisfied...

An advertisement will be ***supported permitted*** where it would be designed, constructed and sited so as to preserve and enhance the character or appearance of the Conservation Area and would not cause visual clutter in the street scene, or cause significant harm to the appearance of any building on which it would be displayed because of its size, design, construction or materials.

#### Policy TEN NP9 – Tenterden Town Centre

1 Within Tenterden Town Centre, as defined on Map 16:

(a) Extensions to existing shops, cafes and restaurants, public houses, financial and professional services, offices and the leisure centre will be supported provided they have no significant adverse effect on residential amenity and they comply with Policies TEN NP4, TEN NP5 and TEN NP6 and have access to sustainable methods of transport and convenient cycle parking

(b) Change of use to residential on the ground floor of any unit within the Primary Shopping Frontage or the loss of tourist accommodation within the town centre will not be **supported permitted**,

(c) Change of use to residential on the ground floor of any unit outside the Primary Shopping Frontage will only be **supported permitted** where sufficient evidence is provided to the Council to demonstrate that the operation of the shop is no longer financially viable despite a genuine and sustained attempt to market it on reasonable terms and where there are no other realistic proposals for such use on the site,...

#### **Policy TEN NP10 - St Michaels Local Centre**

Within St Michaels Local Centre, as defined on Map 17,

Development to provide shopping and service provision will be **supported permitted**, subject to the scale being suited to the Local Centre and provided they have no significant adverse effect on residential amenity, they comply with Policies TEN NP4 and TEN NP5 and have access to sustainable methods of transport and convenient cycle parking.

Proposals that result in the loss of shops and services will only be **supported permitted** where it can be demonstrated that:...

#### **Policy TEN NP11 – Intensification, regeneration and expansion of existing business sites**

1 Regeneration and intensification for business uses will be **supported permitted** at the following sites, as defined on Map 18...

#### **Policy TEN NP12 – New business premises outside the built up confines**

Outside the built up confines, as defined in Map 2, new business premises will be **supported permitted** through the conversion of a suitable rural building or in new premises where it is essential for the business to be located in the countryside or represents the sustainable development of an established rural business where no existing building suitable or potentially suitable for the purpose, or suitable building that could be converted, would be available within the curtilage...

#### **Policy TEN NP13 – Tourist Accommodation and Attractions**

1 Within the built confines, as defined in Map 2, proposals for new tourist accommodation and attractions will be **supported permitted**.

2 Outside the built confines, as defined in Map 2

(i) Proposals to convert suitable rural buildings to tourist accommodation or attractions will be **supported permitted**.

(ii) New premises will only be **supported permitted** for a tourist attraction where it is essential for the sustainable development of an established tourist attraction where no existing building suitable or potentially suitable for the purpose, or suitable building that could be converted, would be available within the curtilage...

#### **Policy TEN NP17 - Securing Infrastructure**

Any qualifying development **permitted** will be expected to ensure provision of the necessary social, physical and green infrastructure needed to support the proposed development, and where relevant the infrastructure identified in the Neighbourhood Plan below through developer contributions, in a timely manner subject to an appropriate assessment of viability...

#### **Additional Note**

There are a limited number of instances where the supporting text would require consequential modification.

## Question 5: Re. Land between Woodchurch Road and Appledore Road, Tenterden

I am in receipt of the Regulation 16 representations submitted on behalf of Wates Developments Ltd. and by other parties concerning the above site. I have reviewed these representations, together with the accompanying Planning Appeal decision letter (Appeal Ref: APP/E2205/W/21/3284479), dated 30 March 2022, which in summary granted Outline Planning Permission for up to 141 new dwellings on 12.35 hectares of land west of Public Right of Way AB12. Full Planning Permission was further granted for the change of use of 8.66 hectares of agricultural land to be used as a country park and 3.33 hectares of agricultural land to be used as formal sports pitches (including a pavilion).

I invite the **Qualifying Body** to review the representations that have been submitted in respect of the site and, if it wishes, to prepare a Note that provides any additional information that may assist me in my own assessment of the various matters concerning parts of the draft Plan that are raised in those representations.

Specifically, I wish to understand in more detail:

- The justification for proposed Local Green Space B (Land between Appledore Road and Woodchurch Road, east of footpath AB12) to cover the full extent of the land granted Full Planning Permission for a country park and formal sports pitches, although that permission has not yet been implemented and the land presently remains in agricultural use.
- The planning status of the Historic Routeways identified by Policy TEN NP15, and particularly those that are identified as being beyond the High Weald Natural Landscape.<sup>1</sup> I have considered the Evidence document on 'Routeways', and I wish to understand the justification for the designation of the drove way across the southern part of the Limes Land landscape as a Non-designated Heritage Asset in more detail, and the evidence that supports that proposal.

## Town Council's Response

### Justification for proposed Local Green Space B (Land between Appledore Road and Woodchurch Road, east of footpath AB12)

#### (i) Having regard to national policies and advice

The NPPF sets a number of requirements for Local Green Space designation. The Local Green Spaces Evidence document which supports the Neighbourhood Plan demonstrates how this site meets the tests.

In response to objections received during consultation on the submission Neighbourhood Plan (Regulation 16), further explanation of how Land between Appledore Road and Woodchurch Road, east of footpath AB12 meets the NPPF criteria is set out below. The Field Numbers referred to in

<sup>1</sup> [News: Introducing the High Weald National Landscape](#)

some of the responses can be found within the Historic Landscape Assessment accompanying Planning Application 19/01788/AS (which is available on Ashford Borough Council's website but accompanies this submission for ease of reference) at 'Plate 1 - Aerial view of study site, numbered field parcels and surrounding landscape context'.

Whilst the Town Council consider the Local Green Space currently meets these tests, it is also relevant to take into account the enhanced local value of the site expected during the Plan period following the implementation of the planning consent for the Country Park and sports pitches proposed as an integral part of the consideration of the planning application for the adjoining housing site.

***NPPF criterion a) in reasonably close proximity to the community it serves***

The Local Green Space abuts the Built Up boundary of Tenterden and there is no doubt that the proposed Local Green Space is reasonably close to the community it serves.

***NPPF criterion b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and***

The NPPF gives a number of examples of why a Local Green Space might be demonstrably special to a local community and hold particular local significance. It does not specify that all the illustrative reasons for designation need to be fulfilled. Equally, it is important to note that a Local Green Space should be demonstrably special to **local** people and hold a particular **local** significance. This confirms that a Local Green Space does not have to be a designated asset. Neighbourhood planning is an extremely appropriate process for identifying the spaces which are demonstrably special to local people and hold particular local significance.

The Local Green Spaces Evidence document which supports the Neighbourhood Plan demonstrates how Local Green Space B (Land between Appledore Road and Woodchurch Road, east of footpath AB12) is demonstrably special to local people and holds a particular local significance for a wide range of reasons which, cumulatively, add weight to this justification. The additional justification which responds to various matters raised in representations is set out below.

***Beauty***

The sloping landscape of smaller fields enclosed by hedgerows, prominent veteran and ancient trees with field ponds contributes to the sense of place at this edge of Tenterden. In relation to Planning Application 19/01788/AS, the applicant's Landscape and Visual Impact Assessment (LVIA) accepts that, in particular, the central eastern fields (F10 & F12) visible from footpath AB12 have a strong sense of place and are less influenced by the adjacent urban areas.

The Local Green Space is within the setting of the High Weald AONB, as confirmed by the Appeal Decision APP/E2205/W/21/3284479, and provides attractive unspoiled local views from within the site towards the designated landscape.

In addition, the applicant's LVIA states that landscape enhancement strategies aimed at conserving and enhancing landscape character are integral to the development proposal for the country park and include, for example, restoring lost field boundaries through new native tree planting. Future development of the country park will increase the opportunities to appreciate this locally special area. The Appeal Decision states that the proposal would improve much of the landscape to the east of footpath AB12, where there are more extensive views, by the provision of a country park, orchard and other landscape enhancements.

The landscape of this Local Green Space creates a strong sense of place, provides an attractive setting for the town the AONB and is demonstrably special, and holds a particular local significance for local people. This will be further enhanced following the creation of the country park.

### ***Historical significance***

In association with Planning Application 19/01788/AS, the applicant's Historic Landscape Assessment (which is available on the Ashford Borough Council's website but accompanies this submission for ease of reference) states that the historic landscape character of the application site is one exhibiting considerable time depth and coherence, with no historic boundary loss and the survival on site of various historic landscape features pre-dating 1845, including hedgerows, mature trees and ponds (most likely resulting from former marl pits). The evidence states that all the surviving boundary features within the study site are considered 'Important' under the Hedgerow Regulations. Figure 15 of this evidence confirms the network of historic hedgerows.

In addition, Figure 20 of the Assessment identifies further features not recorded on historic mapping but visible on the Lidar data, some of which were ground-truthed and found to be extant during the site walkover survey. These include possible lynchets and depressions, the latter possibly the remnants of early marl pits used to fertilise the land as it gave way to pasture for sheep, supporting the burgeoning cloth industry in Tenterden during the 12th to the 15th centuries. The majority of these features lie within field parcels F8, F9, F10, F11 and F12.

The Historic Landscape Assessment states that the features identified through analysis of the Lidar data and historic mapping suggest that the site comprises a multi-layered historic landscape of some considerable time depth and coherence, which may extend back to the prehistoric period. As a whole, it is likely to be of medium (regional) historic significance. The medieval and post-medieval historic boundaries are evaluated by the applicant as having high historic significance (Important under Hedgerow Regs) and the medieval and post-medieval Marl-pits/ponds as having medium (Regional) historic significance.

Demonstrably, the Local Green Space represents a landscape of particular local and regional historic significance.

### ***Recreational value***

The land has particular local significance for walkers (including dog-walkers), runners/ joggers with many residents making daily use of PRoW AB12 which runs along the edge of the Local Green Space. The Local Green Space significantly enhances the setting of the public footpath and the enjoyment derived from its use. The special value of the Local Green Space to users of PRoW AB12 will increase as built development encroaches from the west.

The significance of the recreational value of the Local Green Space will be substantially increased for people of the town as the area is adapted to a country park with public access available to all parts of the site (subject to managing any impact on important habitats). Similarly, the recreational value will be significantly enhanced by the presence of 3.33 hectares of formal sports pitches which are to be provided in association with residential development to the west.

### ***Tranquillity***

There is a contrast between the permitted housing site which is already edged by linear development and land to the east of PRoW AB12 which slopes away from the built up area into open countryside and provides a tranquil environment, particularly towards the east.

The detailed planning application for the housing development to the west of footpath AB12 will give ample opportunity to avoid significant noise intrusion into the Local Green Space. Development proposals should comply with Policy TEN NP16 and protect and enhance the character of PRoW AB12. In addition, the topography and existing and proposed landscape features mean that the new built up edge of the town will not have a significant impact on the tranquillity of most of the Local Green Space.

The use of the area as a country park is likely to increase the usage of the Local Green Space and may have some impact on tranquillity at certain times and within certain areas. However, the use of the site will not be uniform throughout the year, or within each week, and parts of the site will be less used than others (particularly to protect important habitats) - ensuring that a perception of tranquillity can be retained.

### ***Richness of its wildlife***

The site promoter accepts the presence of the considerable wildlife habitats and species on this site described in the Local Green Space Evidence supporting the Neighbourhood Plan. This evidence confirms how rare, important and protected these habitats and species are.

In addition, the Environment Act and conditions attached to the Planning Application 19//01788/AS require further enhancement of this area and a biodiversity net gain of at least 10%. The LVIA states that biodiversity enhancements will include restoration of lost field boundaries, enhancements to existing ponds and improved habitat connectivity throughout Country Park including extensive lowland meadows managed for biodiversity.



## **Conclusion**

Evidence clearly demonstrates that this Local Green Space is special to the local community and holds a particular local significance for multiple, often overlapping, reasons. These special assets will be further enhanced as a result of proposed development during the Plan period. The site has been particularly strongly supported through public engagement.

### ***NPPF criterion c) local in character and is not an extensive tract of land***

Reference should be made to associated Planning Policy Guidance in order to assist interpretation of this guidance in the context of the Tenterden Neighbourhood Plan.

Planning Practice Guidance (Paragraph: 015 ID: 37-015-20140306) states:

*'There are no hard and fast rules about how big a Local Green Space can be because places are different and a degree of judgment will inevitably be needed. However, paragraph 100 of the National Planning Policy Framework is clear that Local Green Space designation should only be used where the green area concerned is not an extensive tract of land. Consequently blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name.'*

Paragraph: 007 ID: 37-007-20140306 states:

*'Designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making.'*

On this basis it is inappropriate to take examiners' judgements on proposed local green spaces elsewhere as a guide on the extent to which this Local Green Space is an extensive tract of land. Each Local Green Space is unique in its character, function and local value - and its relationship with the scale and setting of a settlement. Recent national research conducted by CPRE (Local Green Space: a tool for people and nature's wellbeing, February 2022) states: 'Sizes vary greatly across this selection, ranging from as much as 46.5ha to as little as 0.001ha (or 10 m<sup>2</sup>). This indicates that what constitutes an area of green space that is 'not an extensive tract of land' (see paragraph 102 of the NPPF) has remained relatively open to local interpretation.'

The site is local in character having strong representation of landscape characteristics of the area. It is well defined by Knock Wood to the north, Appledore Road and associated development to the south, an historic hedgerow to the east and a site with planning permission for up to 141 dwellings to the west.

A principal reason for Planning Practice Guidance seeking to exclude 'extensive tracts of land' appears to be based on the need to retain the opportunities for sustainable development of settlements. To this extent, the judgement on whether a Local Green Space occupies an extensive

tract of land must be related to the scale of the settlement and the Plan area, and the broad coverage of Local Green Spaces in relation to this. This site does not represent an extensive tract of land relative to the size of Tenterden town or the Plan area.

The site, in combination with other Local Green Spaces, does not represent a blanket designation of open countryside adjacent to Tenterden to be used as a 'back door' way to prevent development.

The designation of this site, along with others proposed in the Neighbourhood Plan, is consistent with local planning for sustainable development in the area.

The Plan enables the development of the strategic Local Plan housing allocation Policy S24. In total the Neighbourhood Plan calculates that a further 563 dwellings will be completed during the Plan period (page 47) - a 14% increase since 2021.

The Neighbourhood Plan identifies sufficient land in suitable locations to meet identified development needs and the Local Green Space designation is not being used in a way that undermines this aim of plan making. Indeed, the site has planning permission for a country park, considered a necessary mitigation for adjoining housing development, and this will not be frustrated by a Local Green Space designation. Since the granting of detailed planning permission, the country park and playing pitches represent a functional unit in relation to recreation provision and there is no part of the proposed LGS site which will not form part of this provision.

Ashford Borough Council considered the Limes Land Local Green Space proposed within the Regulation 14 Neighbourhood Plan to represent an extensive tract of land. Conversely, the Borough Council have not made the same objection to the inclusion of the reduced area now proposed in the Regulation 15 Neighbourhood Plan.

Both the neighbourhood and local plan making bodies therefore consider this to be an appropriately sized Local Green Space relative to the strategic role for Tenterden and the local planning context.

## **(ii) The purpose of Local Green Space designation**

The Regulation 14 Neighbourhood Plan designated Local Green Space D as part of a larger site on its merits prior to planning permission being granted for a Country Park. The Town Council strongly supports the continued designation of the smaller site on its merits.

In accordance with Planning Practice Guidance (Paragraph: 008 Reference ID: 37-008-20140306) the full planning permission granted for a country park and formal sports pitches is compatible with the reasons for designation of the Local Green Space. In terms of managing development within a Local Green Space, Policy TEN NP2 ensures consistency with national planning policy for Green Belts. This states, for example, that material changes in the use of land (such as changes of use for outdoor sport or recreation) and the provision of appropriate facilities for outdoor sport and recreation are not inappropriate development. For this reason, this designation will not frustrate the implementation of the country park or sports pitch and facilities.

Planning Application 19/01788/AS is granted for a period of 3 years. The Neighbourhood Plan period is to 2030. Whilst there is reasonable confidence that the planning permission and associated Section 106 Agreement will be implemented, the Town Council consider it important to designate the site as a Local Green Space for the longer term.

One objector states that the country park and sports facilities will be transferred to a management company and made subject to a restrictive covenant which should prohibit the use of the relevant land for any other purpose than public recreation and amenity for the non-exclusive use of the development. However, as restrictive covenants may be modified or discharged, the Town Council prefer to rely on the status of a Local Green Space designation within a Development Plan than a restrictive covenant.

Whilst Policy TEN NP14 seeks to retain existing sports and recreation grounds, this cannot be applied to a site which is currently in agricultural use and therefore is not an effective mechanism for protecting part of the Local Green Space.

### **Historic Routeways and the justification for the designation of the drove way across the southern part of the Limes Land landscape as a Non-designated Heritage Asset**

The intention behind the Historic Routeways is to identify 14th century or earlier routeways that remain as highways. The Historic Routeways included within Policy TEN NP15 are identified on the High Weald AONB Landscape Character map of Historic Routeways (which accompanies this response for convenience). Many are also referenced in the KCC Kent Historic Towns Survey archaeological assessment of Tenterden medieval plan:

<https://www.mytenterden.co.uk/pdf/tenterden-archaeological-assessment-2004.pdf>.

Two remnant routes (drove way at Limes Land and the Kings Highway at Coever's Wood) are no longer extant highways and are therefore separately named as NDHAs.

The identification of the drove way derived initially from the archaeological assessment of Tenterden rather than through the routeway research. The KCC Kent Historic Towns Survey shows the medieval plan components of the town with the drove way sited at the meeting point of two ancient tracks. These are now the roads from Woodchurch to Rolvenden and from Biddenden to Tenterden. The report notes the need for further investigation of the origins, development, and influence of these early trackways.

More detailed evidence which justifies the inclusion of the drove way running east-west across the southern part of the Limes Land may be found as part of the Historic Landscape Assessment evidence submitted in support of Planning Application 19/01788/AS.

For ease of reference, relevant extracts are included below:

1.1.5 ... The trackway as shown on the 1843 Tithe map (see Figures 6 and 19, and Plate 2) crossed the southern portion of the site and ran from Gallows Green/Appledore Road in the west to the east-northeast, separating the pasture land to the north (belonging to Eastgate) from the two arable fields to the south (belonging to Place Farm).

1.1.6 It is possible that this route once linked with Woodchurch Road adjacent to Two Acre Wood via a continuation of the trackway, which is visible on the Lidar data (see Figures 16 and 17) but not recorded on historic maps...

4.4.4 The trackway crossing the southern part of the study site ... survives in the site as a clear hollow depression, with the ground level in the fields to the north visibly higher.

For reference, Plate 9 of the Historic Landscape Assessment shows historic routeways as recorded on the 1822 Adams and 1843 Tithe map.

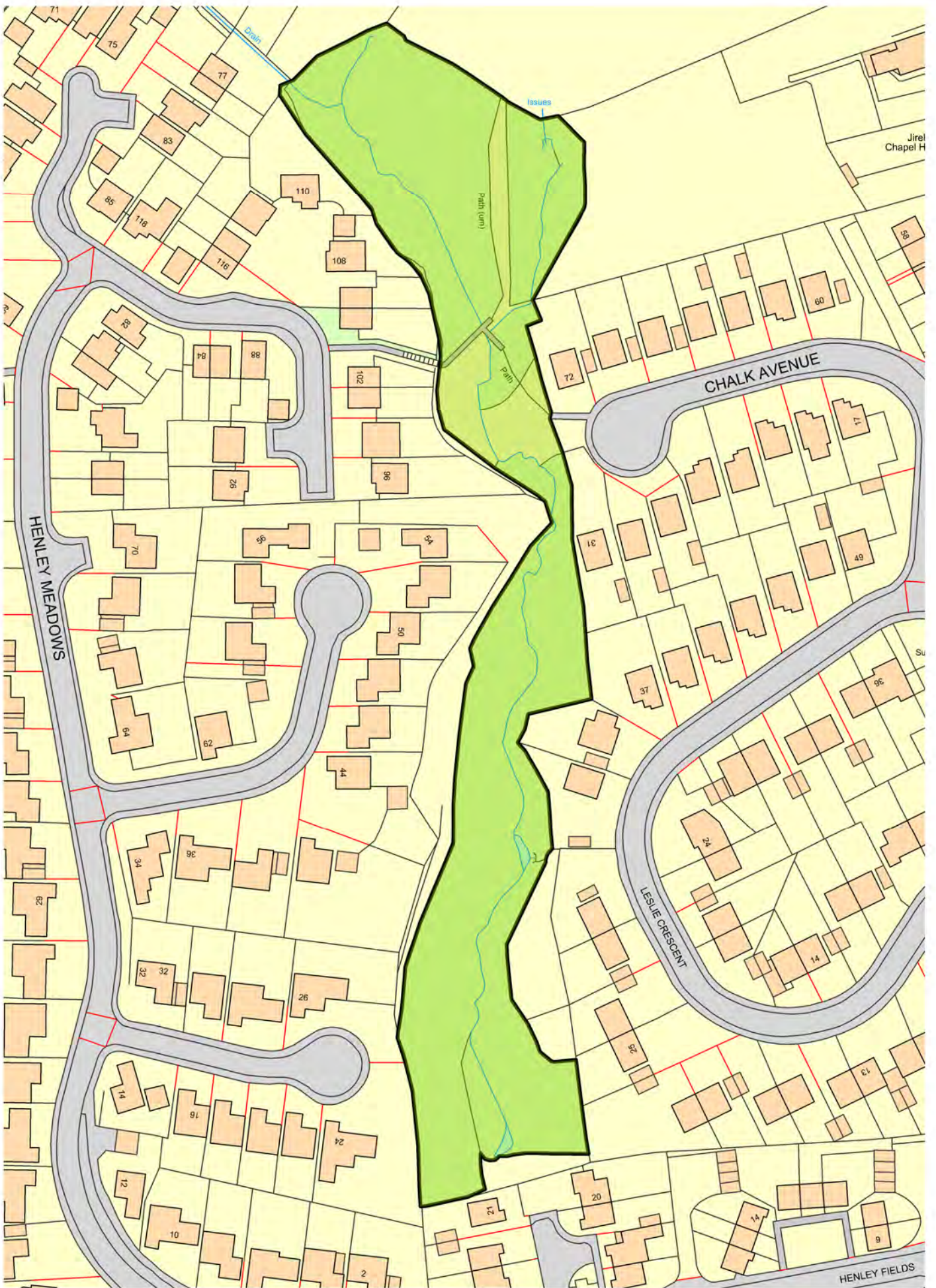
Planning Application 19/01788/AS acknowledged the presence of this historic routeway and the Illustrative masterplan excludes the area from built development.

**Question 6: Re. Review of the adopted Ashford Local Plan 2030**

The Borough Council is to respond to this Question.

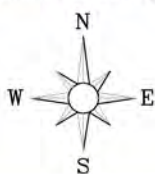
# **Appendix 1**

## **Local Green Space Maps**

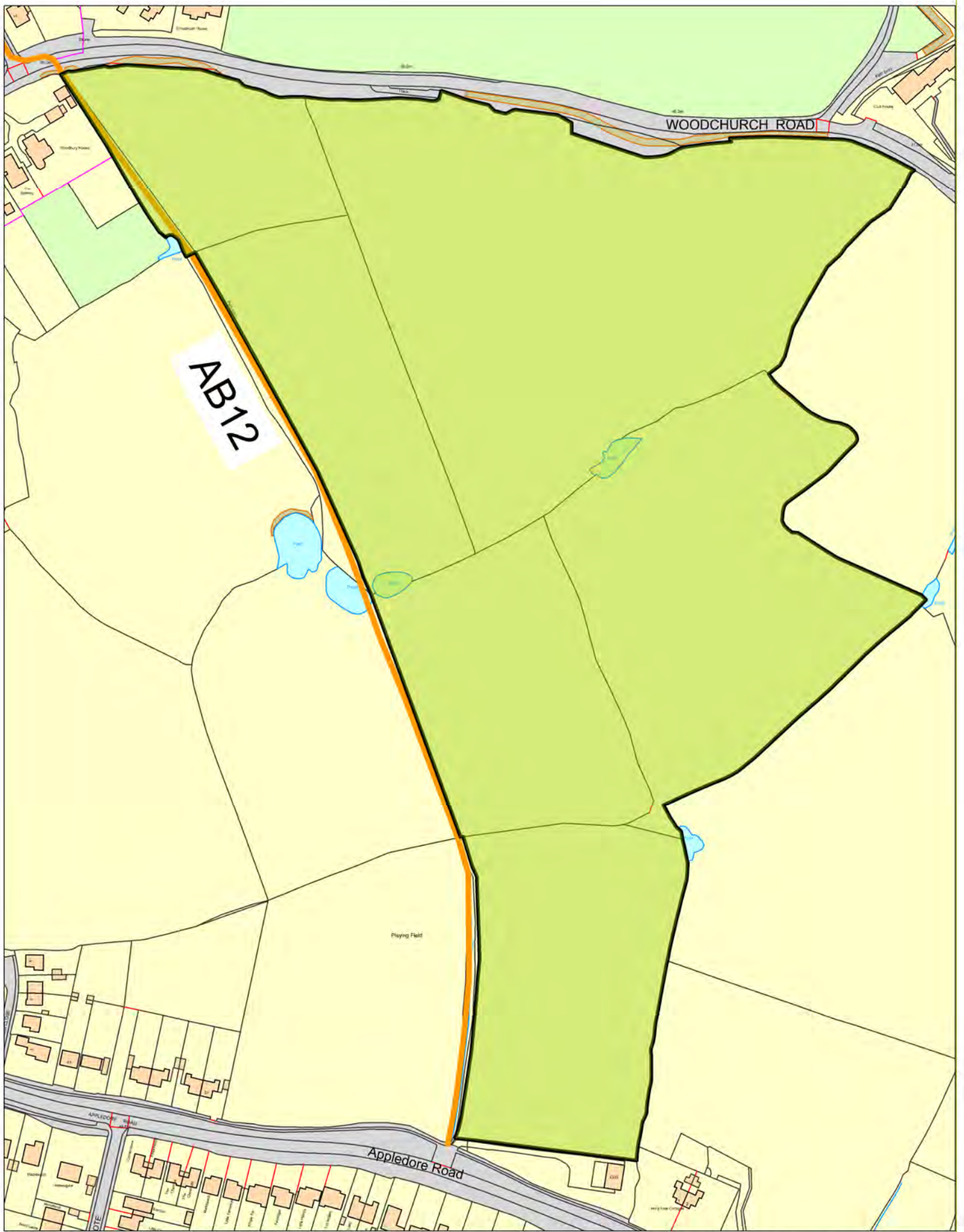


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# THE DENE

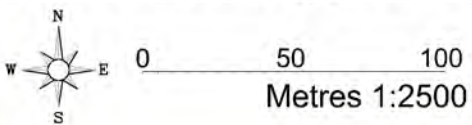


0 10 20 30 40 50  
Metres 1:1250



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## Land between Appledore Road and Woodchurch Road, east of Footpath AB12

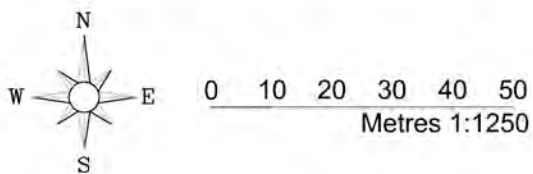


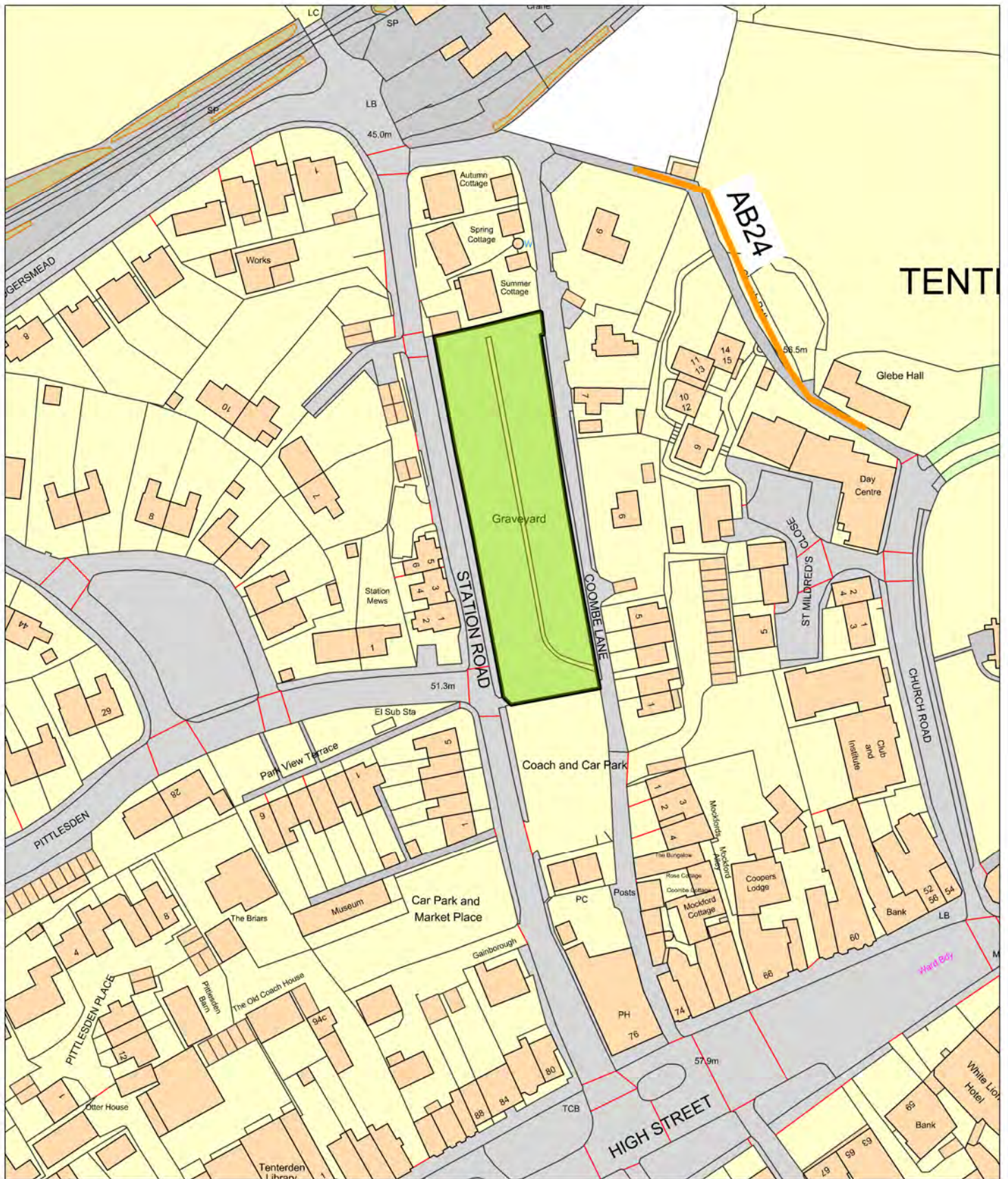




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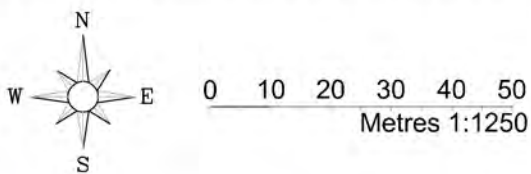
## East Cross Gardens





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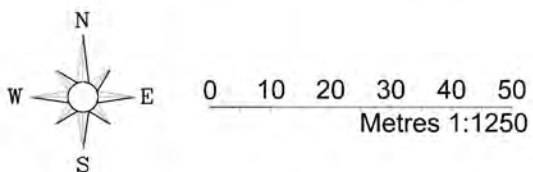
## Coombe Lane Cemetery

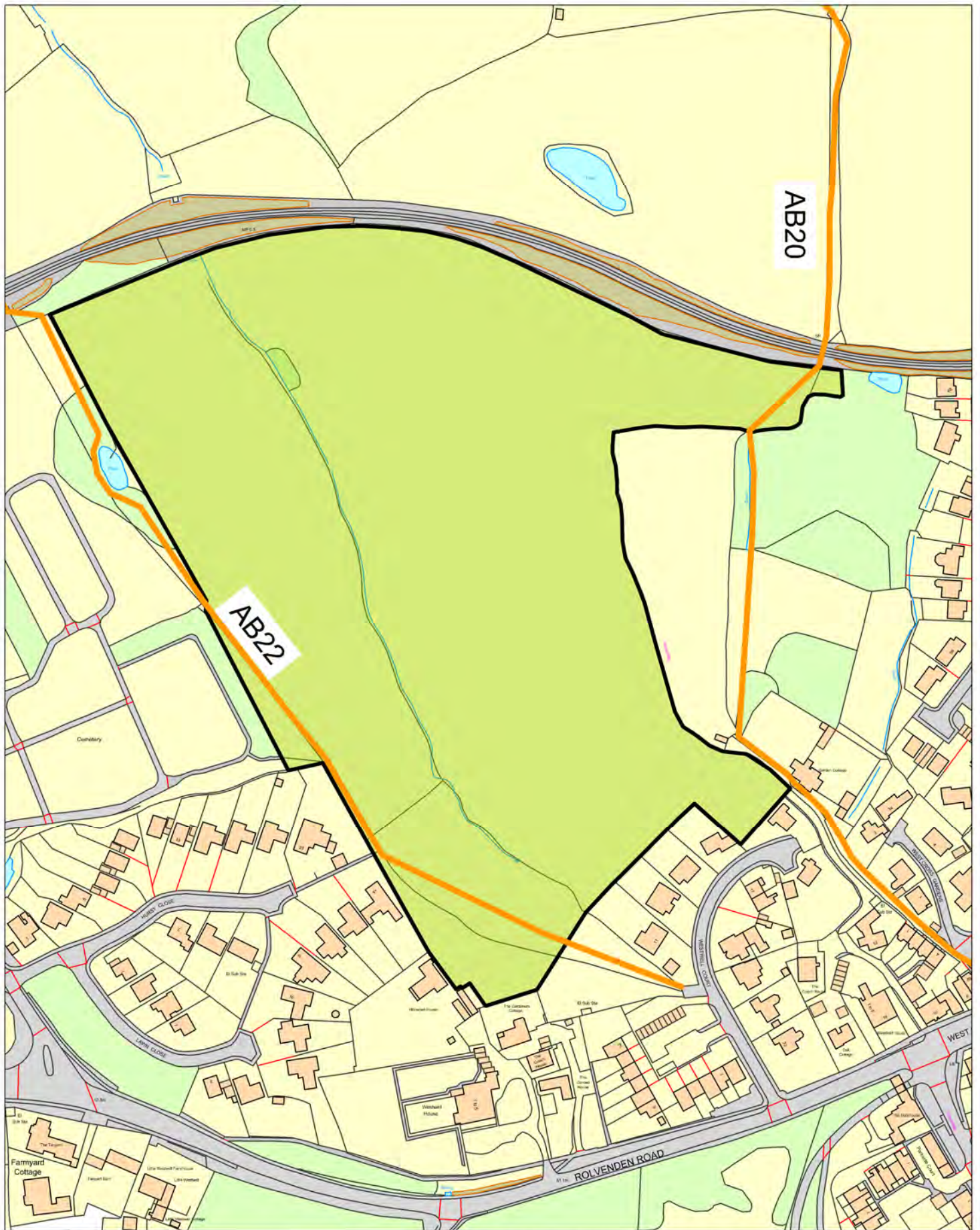




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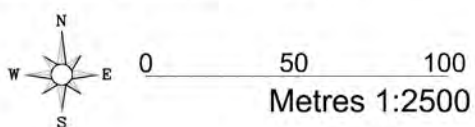
## West Cross Lane Field

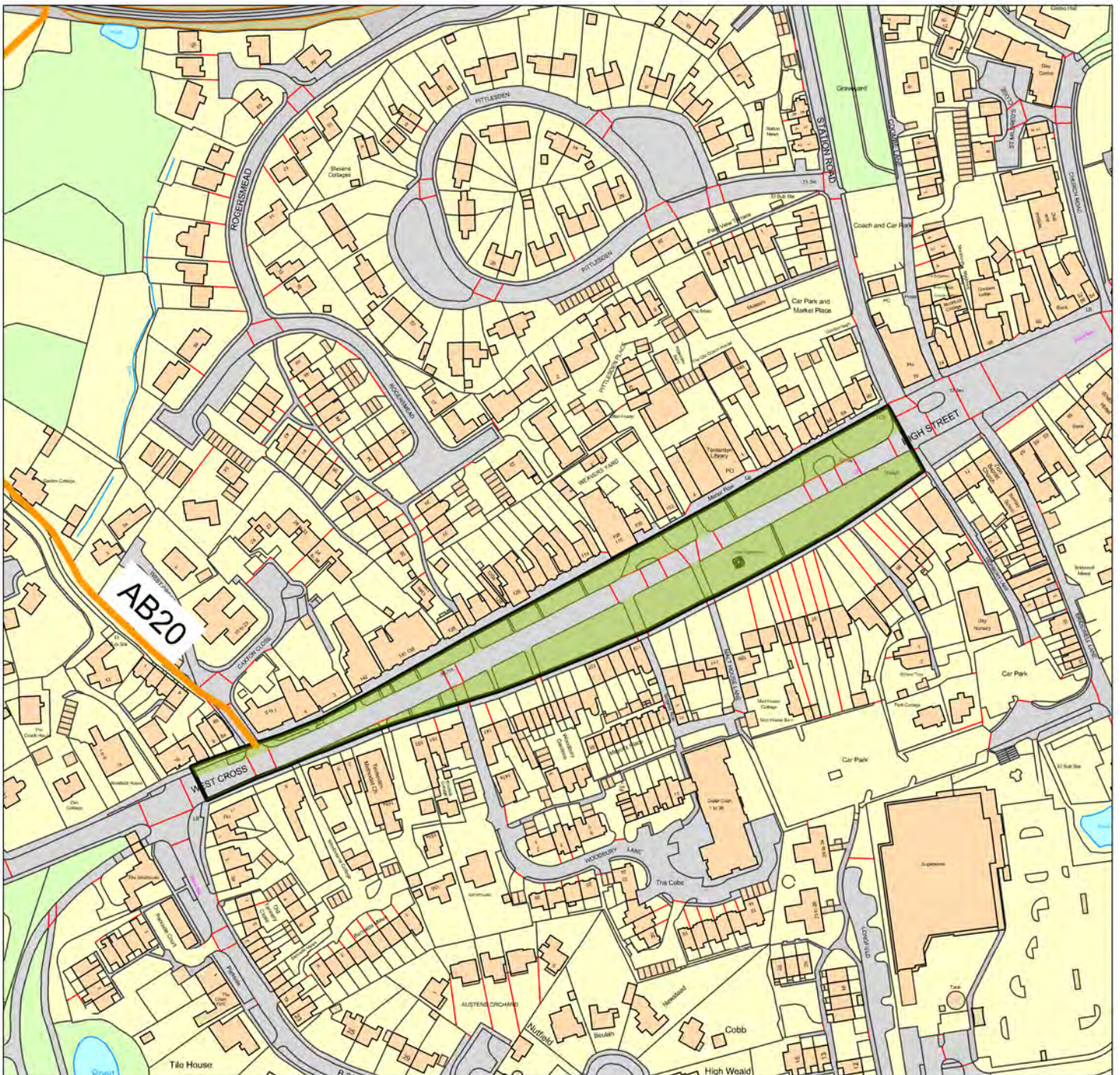




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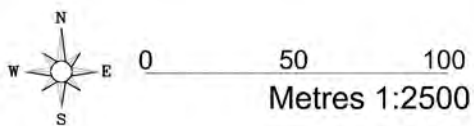
# Westwell Park

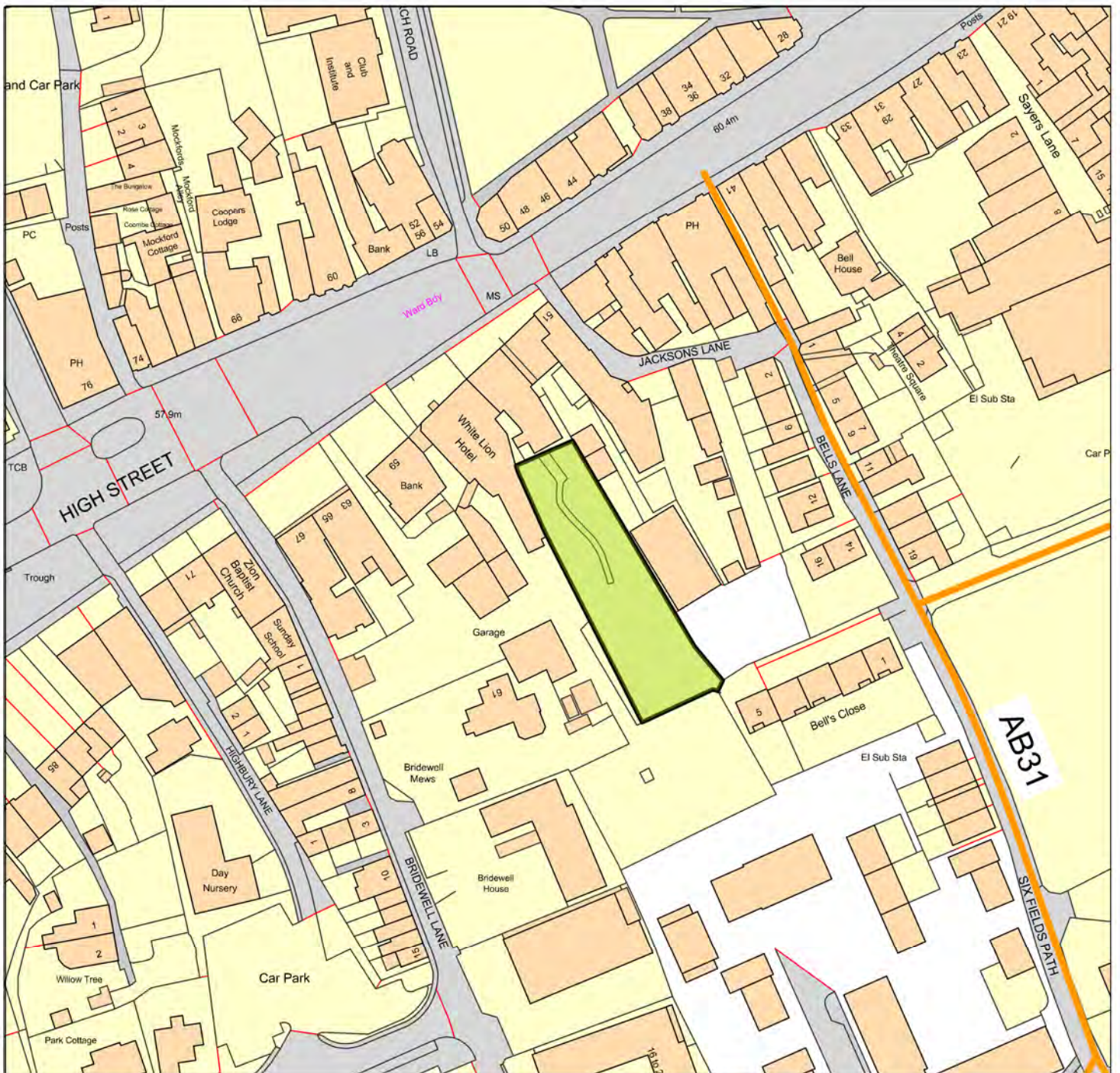




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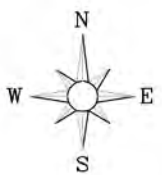
## High Street Lawns



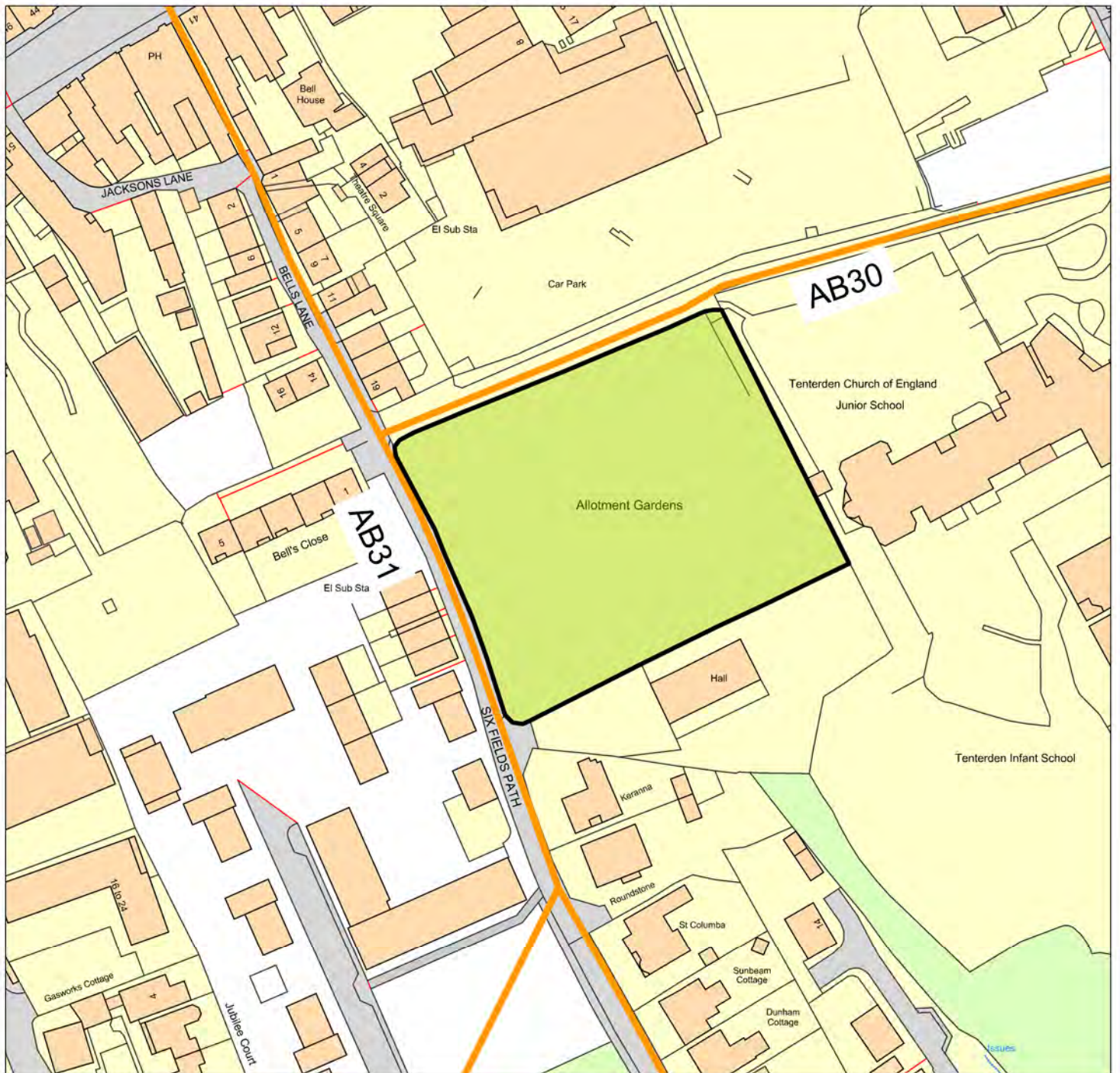


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## Millenium Gardens

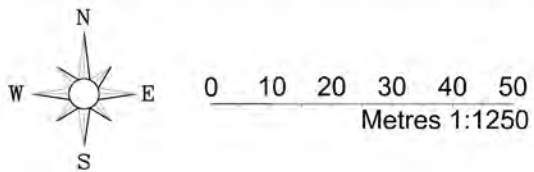


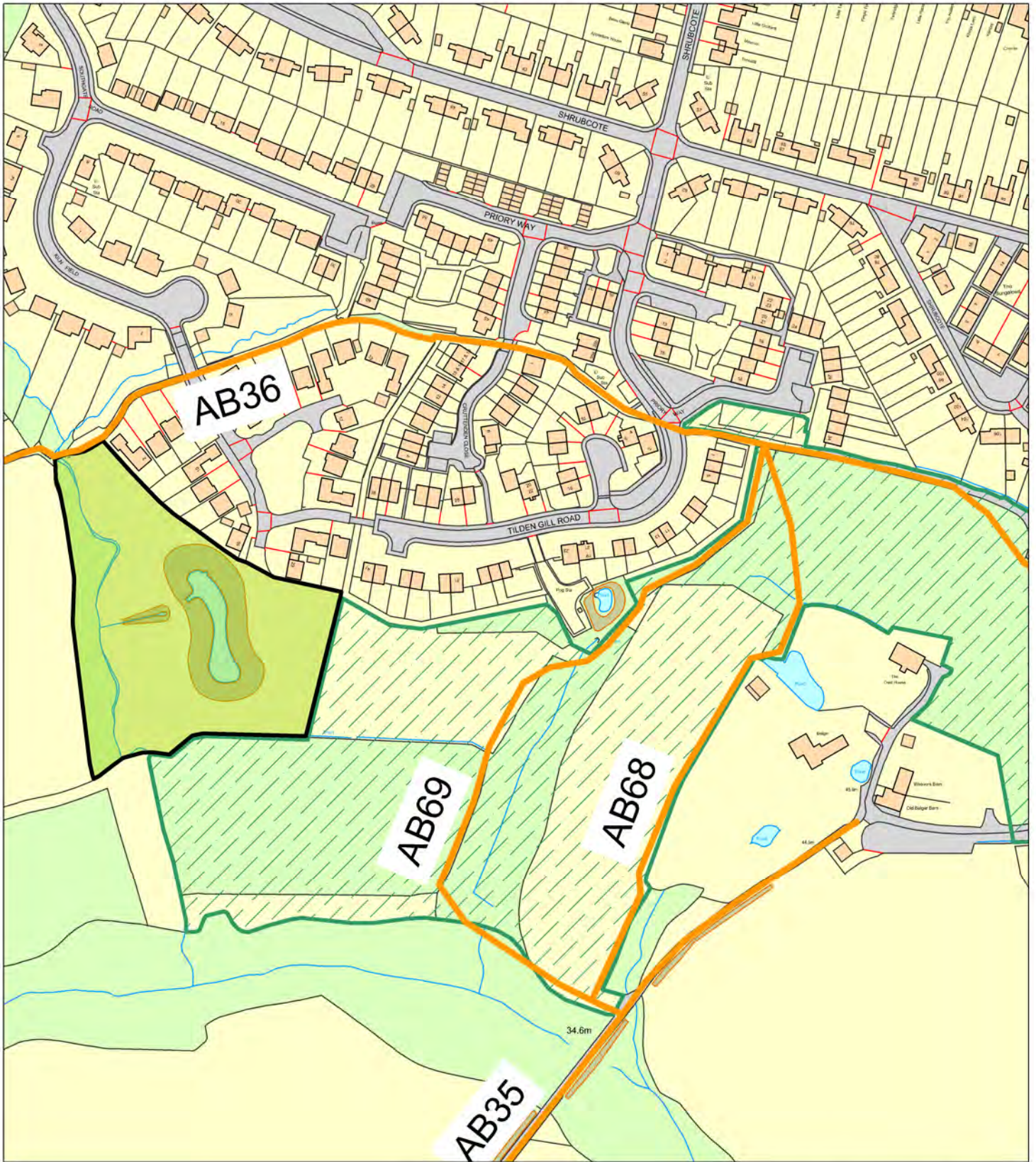
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Metres 1:1250



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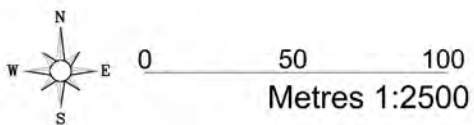
## Bells Lane Allotments





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## Kiln Field

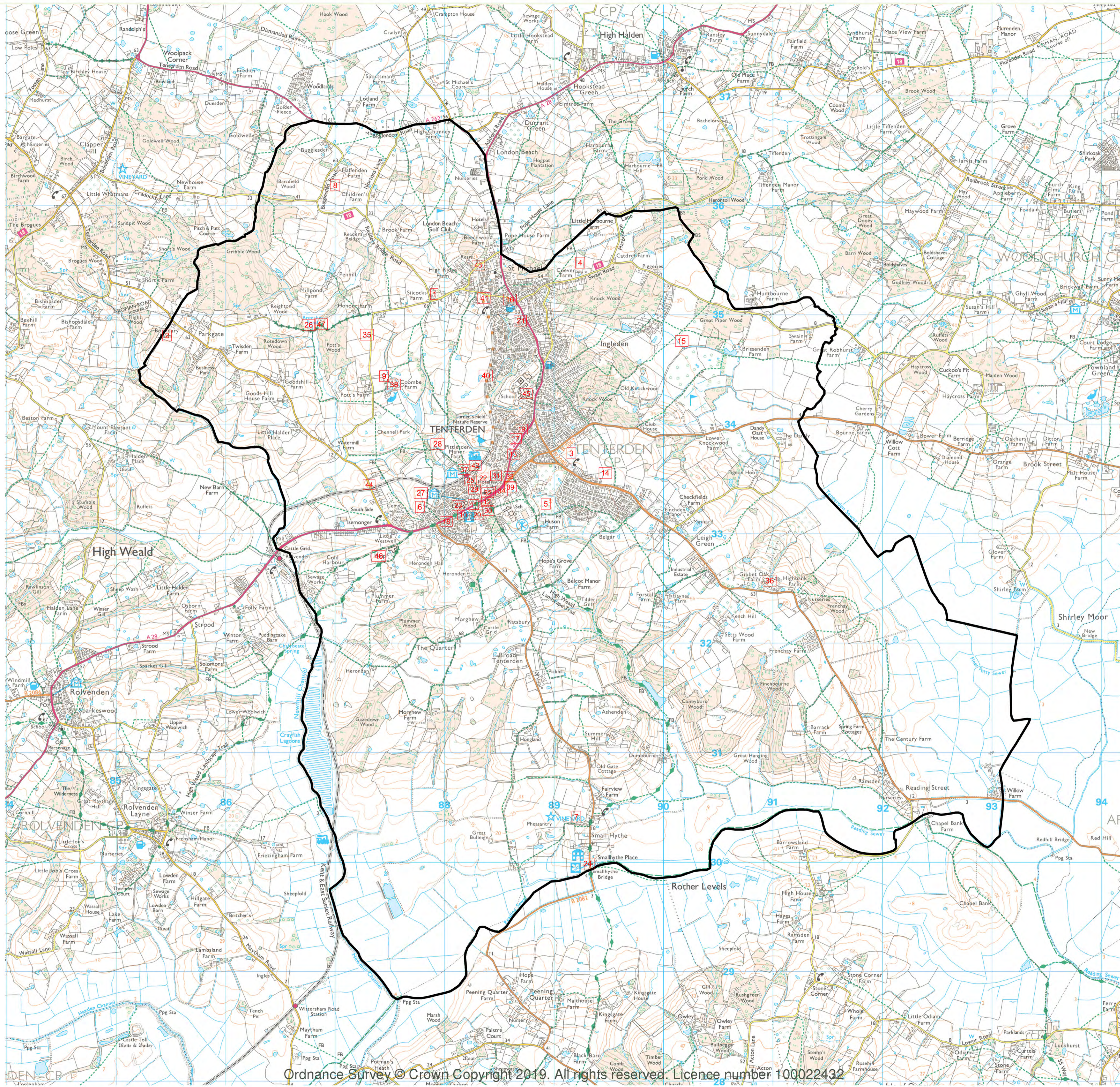
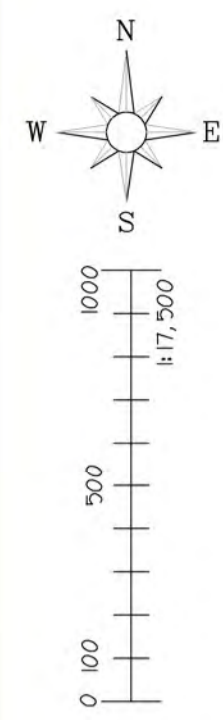


Area indicating proposed  
new housing development



## **Appendix 2**

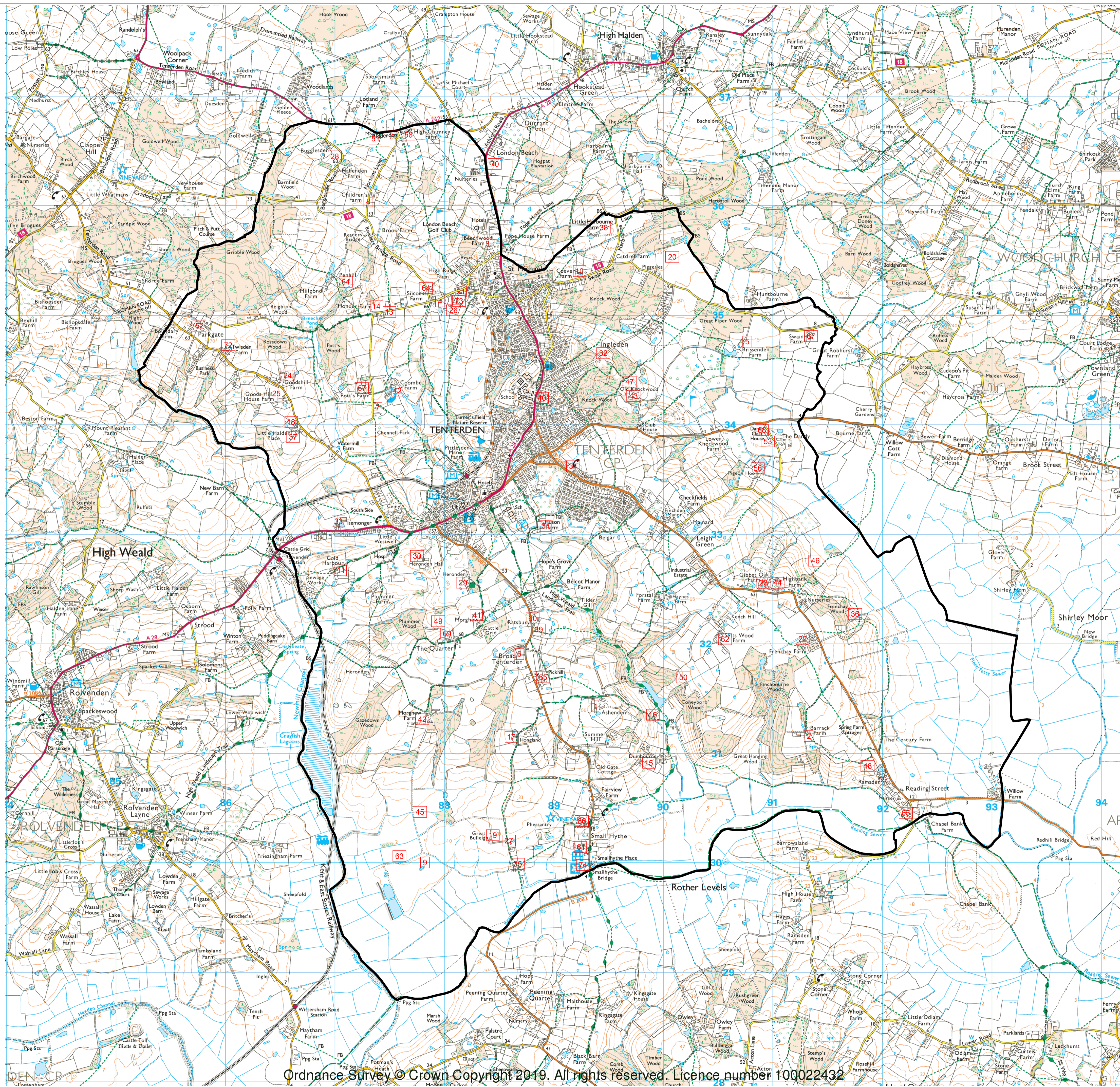
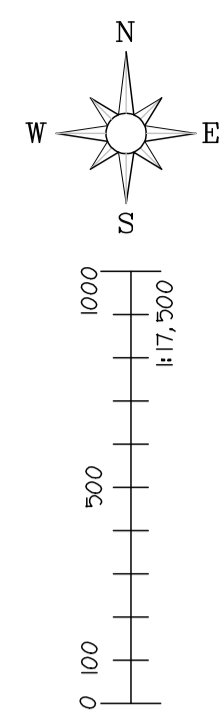
### **Non-designated Heritage Assets Map**



1. St Michaels Roman Road
2. Medieval field system at Boundary Farm
3. Ridge & furrow cultivation plot at Limes Land
4. Coever Orchard
5. Hales Place Orchard
6. Veteran fruit trees, Westwell Park
7. Chapel Down Vineyard
8. Hop Gardens, Reader's Bridge Road (Hukins Hops)
9. Chicken sheds, Coombe Farm
10. Burgage Strips associated with the Lawns
11. Water Trough, High Street
12. The Soup Kitchen, Jacksons Lane
13. Horse Pond (Meeting House Pond), Ashford Rd
14. Drove way on Limes Land
15. The King's Highway
16. St Michaels village sign
17. St Andrew's Catholic Church, Ashford Rd
18. Tenterden Methodist (Wesleyan) Church and Memorial Organ, West Cross
19. Trinity Baptist Church, Ashford Rd
20. Zion Baptist Church, High St
21. Jirah Baptist Chapel, St Michaels
22. Glebe Field
23. Ship's Anchor outside Quill House
24. Smallhythe Port and Shipyard
25. Brewery Well
26. Millponds
27. Remnants of the town's medieval and later broadcloth industry in the landscape over Westwell Park, Lane Fields, Pittlesden, and the Coombes
28. Great Walk
29. Rope Walks at Coombe Lane and Elmstone House
30. Millenium Garden
31. Site of Town Mill/ Elmstone House
32. The Narrows, Shambles and the Churchyard Highway
33. The Fairings
34. Embassy cinema and name sign
35. Royal Observer Corp Underground Monitoring Post, Chennel Park Rd
36. Auxiliary Unit Operational Base, Gibbet Oak Farm
37. Romney Huts (large Nissen huts) at Tenterden Town Station now housing the museum and the Old Dairy
38. Nissen hut at Coombe Farm, Chennel Park Rd
39. The Beacon, Recreation Ground
40. Colonel Stephen's Greenway
41. Site of St Michaels Hall
42. Tenterden Town Station and associated buildings (K&ESR)
43. Shoreham Railway Tunnel
44. Cranbrook Road Level Crossing and Signal Box
45. Icehouse, Tenterden Homewood School
46. Post medieval workhouse, (West of) Westwell
47. Frog's Hole Watermill

## **Appendix 3**

# **Farmsteads Non-designated Heritage Assets Map**



1. Ashenden
2. Barrack Farm
3. Beechwood Farm (Woodside Farm)
4. Birds Isle
5. Brissenden Farm
6. Broad Tenterden
7. Chennell Park (Claverley)
8. Children's Farm
9. Coal Farm
10. Coever Farm
11. Coldharbour
12. Coombe Farm
13. Corner Farm
14. Corner Farmhouse
15. Dumbourne Farm
16. Farmstead East of Ashenden
17. Farmstead West of Hongland
18. Farmstead West of Weavers Cottage
19. Field Barn West of Great Bullen
20. Former Brickworks / Out-Farm Three Wents Wood
21. Former Oast (The Roundels)
22. Frenchay Farm
23. Gibbet Oak Farm
24. Goodshill Farm
25. Goodshill House
26. Grange Manor
27. Great Bullen Farm
28. Haffenden Farm (Old House)
29. Heronden
30. Heronden (Old House)
31. Huson Farm
32. Ingleden
33. Isemonger
34. Limes Land Farmhouse (Formerly Gallows Green)
35. Little Bulleign Farm
36. Little Frenchay Farm
37. Little Halden Place
38. Little Harbourne Farm
39. Little Paddock
40. Mill Farm
41. Morghew
42. Morghew Farm
43. Old Knockwood (Knock Farm)
44. Out-Farm East of Gibbet Oak Farm
45. Out-Farm North of Coal Farm
46. Out-Farm Northeast of Gibbet Oak Farm
47. Out-Farm Northwest of Old Knockwood
48. Out-Farm Northwest of Ramsden Farm
49. Out-Farm Southwest of Plummer Farm
50. Out-Farm Southwest of Setts Wood Farm
51. Out-Farm West of Brickhouse Farm
52. Parkgate Farm
53. Pearce Barn
54. Penhill
55. Pickhill Farm
56. Pigeon Hoo
57. Potts Farm
58. Questover Farm
59. Ramsden Farm
60. Ratsbury
61. Salter's Farm
62. Setts Wood Farm
63. Sheepfold Northwest of Coal Farm
64. Silcocks
65. Skears House
66. Spots Farm
67. Swain Farm
68. The Dandy Oasthouse
69. The Quarter
70. The White House
71. Tilden Farm
72. Twisden
73. Waters Farm
74. Yew Tree Cottage