

TENTERDEN TOWN COUNCIL

The Town and Hundred of



A Corporate Member of the Cinque Ports

Ms. L. Palmer
Case Officer
The Planning Inspectorate
Room 3/J, Temple Quay House
2 The Square
Bristol
BS1 6PN

30th November 2021

Dear Ms. Palmer,

**Re: PINS Ref: APP/E2205/W/21/3284479
Ashford Ref: 21/00790/AS
Package of Objection Letters**

Tenterden Town Council have submitted a number of Objection Letters over the last few weeks.

This letter pulls them all together for ease of reference during the appeal. They have been tabulated and paginated into a single document.

The order of the objection letters are as follows:

1. TTC - Objection Speech to ABC Planning Committee (page 3)

Contains the speech in full at the Ashford Planning Committee dated 15th September 2021.

2. TTC - Wates Appeal Statement of Case (page 5)

Addresses the major arguments put forward by the appellant.

3. TTC - Residential Windfall Development in the Countryside (page 20)

Refers to placemaking hierarchy and ALP Policy HOU5.

4. TTC - Pitches, Pavilion, Open Spaces and Car Park (page 30)

Focuses on the full planning permission as part of a hybrid application for formal sports pitches, together with pavilion including accesses, ancillary parking, pathways, sustainable drainage systems and associated landscaping.

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5. TTC – Climate Change (37)

Focuses on the appellants placemaking aspiration and goals and its conflict with climate change and degradation of biodiversity.

6. TTC - Government Direction for House Placemaking (page 45)

Central Government direction for placemaking.

7. TTC - Tenterden Neighbourhood Plan (page 52)

Counter the appellant objection to Limes Land being designated as a Local Green Space.

8. TTC – Summary (Precis) Of Previous Objections (page 57)

Précis of our objection letters.

Yours sincerely,

A handwritten signature in black ink that reads "C. Gilbert". The signature is written in a cursive, slightly slanted style.

Claire Gilbert
Deputy Town Clerk

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A Corporate Member of the Cinque Ports

Ms. L. Palmer
Case Officer
The Planning Inspectorate
Room 3/J, Temple Quay House
2 The Square
Bristol
BS1 6PN

15th November 2021

Dear Ms. Palmer,

**Re: PINS Ref: APP/E2205/W/21/3284479
Ashford Ref: 21/00790/AS
Ashford Borough Council's Planning Committee dated 15th
September 2021**

The statement below was read at Ashford Borough Council's Planning Committee meeting dated 15th September 2021 outlining Tenterden Town Council's objection to the above application.

"The applicant's speculative proposal has galvanised the community to strongly oppose this development. Over 270 residents have submitted over 500 articulate and relevant objections, plus a petition of 260 names.

Limes Land has been recorded as a "park like pasture" since 1887 and is designated by Ashford as landscape character area to "conserve and enhance". It is considered to be one of the most treasured open spaces in the parish renowned for its beauty, tranquillity, wild countryside and is loved by the community. Especially true during the Covid epidemic crises.

As a parish, we are punching well above our weight in providing windfall sites that are small in scale, but can be sustainably integrated into our community. This unabsorbable application would seriously harm our treasured "jewel of the weald".

Aspects of the application presents an illusion of sustainability, but when digging down, some baselines are flawed with inconsistencies, inaccuracies, misleading statements and missing vital information.

The recent "House of Commons" report highlighted the UK is one of the most nature-depleted countries in the world. Since 1970: UK species have declined by 41%; priority species declined by 60%; and 15% of species said to be threatened with extinction.

This proposal would add to the negative figures and would be an environmental travesty.

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The site's existing rich biodiversity has many priority habitats, plus rare and protected species, which would be critically harmed and result in biodiversity loss. This view is supported by statutory consultees.

It is felt the surface water baseline is incomplete and therefore the conclusions are flawed, particularly cumulative flooding impact on other areas, as per NPPF Para 160.

Previous appeal and local planning inspectors have rejected this site as an intrusion into the countryside with material harm to its landscape character and detracts from the rural setting of the town.

The NPPF and the ALP emphasises the need for correct "place making" with the need to link with the infrastructure delivery plan, environmental protection, quality transport and location of employment. This application would lock residents into car dependent commuting, degrades our natural environment and strains essential community services.

Finally, the masterplan design is overbearing, unsympathetic, and not commensurate with the local vernacular with Appledore Road and Woodchurch Road settlements, nor the historic picturesque arterial Wealden entrance into Tenterden. It would materially harm the historic town's character.

In conclusion, we support the planning report to reject this application."

After a considered debate, Ashford Planning Committee unanimously rejected this application on the 15th September 2021.

It is rather bizarre that Wates submitted a "pre notification of appeal" document on the 17th September 2021, two days after the Ashford determination, claiming "failure to decide".

As Wates were still submitting material supporting documentation, including a revised ecology survey report during August to resolve outstanding issues, it is difficult to have any sympathy with Wates appeal arguments. It is normal practice for applicants to first engage with the local planning authority to establish when an application might be decided, before deciding whether to appeal against non-determination.

Yours sincerely,



Claire Gilbert
Deputy Town Clerk

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Ms. L. Palmer
Case Officer
The Planning Inspectorate
Room 3/J, Temple Quay House
2 The Square
Bristol
BS1 6PN

25th November 2021

Dear Ms. Palmer,

**Re: PINS Ref: APP/E2205/W/21/3284479
Ashford Ref: 21/00790/AS
Wates Appeal Statement of Case**

We wish to lodge our objection to the Wates proposal to build 145 dwellings.

In summary the document is deficient, facts are missing and information is misleading. It is not our intention to respond point by point, as we have already submitted a detailed objection letter on the 28th June 2021.

This letter will focus purely on Wates Appeal Statement of Case and will reference Wates document paragraphs.

Para 2.3 - Number of Units

Though the number of proposed units has been reduced to 145. Para 1.2 of the Appellant's Planning Statement, dated April 2021, states the developable area is 5.25 ha (original application was 5.4 ha). Roughly the same size as per the previous application.

This works out at circa 27 dwellings per ha.

Para 2.4 - Statutory Consultee Response Table

This table has been reviewed against the actual responses held on ABC's Planning Portal.

The table appears to have inaccuracies. Our Appendix 1 at the of end this letter shows what we believe to be the correct responses which differ from Wates. In addition, we have added statutory consultees with their summary of responses that are missing from Wates table.

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Para 2.5 – Tenterden Town Council Issues

The appellant has highlighted that some of Tenterden Town Council issues which were not raised by ABC.

Our understanding, it is common practice for LPAs to focus on the dominate issues of the proposal, which we believe Ashford has done in this case. It cannot be inferred Ashford did not agree with our issues.

The objection arguments presented by the town council are based on evidence, plus local knowledge of the site and the town.

Para 2.8 to 2.11 – Environmental Impact Assessment

At the time of writing requesting an EIA, we were unable to present a comprehensive set of facts within the very short period of time available. Since then, we have a holistic set of facts presented as part of our objections to both applications. In addition, evidence collected by our Neighbourhood Plan Group, was also submitted. We recommend that both should be read, so the harm of this proposed development is understood.

Para 3.0 – History of the Appeal Site

Appellant's section 3 in their Statement of Case is misleading, as it implies there has only been one rejection for this site.

In fact, proposed developments on Limes Land have been rejected over the decades. Each application has been rejected as inspectors have stated this site is of valuable benefit to the community and the environment.

Nothing has changed to alter their conclusions. If anything, this site is more critical than ever to preserve the integrity of the countryside and landscape, maintain the environmental benefits and to counterbalance the other developments in the town.

There have been a number of applications for this site over the last 50 years.

Those that have gone to appeal have all failed due to a number of material reasons:

1. Significant harmful intrusion into the countryside
2. Detract from the character and rural setting of a very attractive small town.
3. The proposal would cause material harm to the setting of the Conservation Area and the town in the wider landscape

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We believe the first major application was in 1955 for land adjoining Woodchurch Road to the east of the PRow. This was refused as it was outside the development area and would lead to a sporadic and undesirable extension of Tenterden.

Then in 1960, an application was submitted to build across part of Limes Land to the west of the PRow at a density of 8 units per acre. This was refused by the Tenterden Borough Council for two main reasons: it was premature to include the site into the town map of Tenterden; and there were agricultural objections to surrendering the site prematurely to development. The decision was appealed and dismissed by the inspector.

This site was again refused for development in 1987. The Inspector concluded that "the development would result in a significant intrusion into the countryside in conflict with structure and local plan policies and it would detract from the character and rural setting of a very attractive small town. It cannot therefore be permitted."

In September 1996 Hillreed Homes made a submission for 30 houses with structural planting and landscaping in a small wedge to the North and West of Rose Cottage between Appledore Road and Woodchurch Road. The Inspector commented "in my opinion, the proposal would cause material harm to the setting of the Conservation Area and that of the town in the wider landscape".

In 2006, Countryside Properties submitted a proposal Tent 18 (Limes Land) to provide 200 - 300 houses as part of ABC Tenterden and Rural sites Development Plan Document. 2006 - 2016. Tent 1 was the chosen option and Tent 18 was an omission site. Countryside Properties made submissions to the Secretary of State for Communities and Local Government. An inspector produced a report on the Tenterden and Rural Sites DPD. The commentary on Tent 18 is as follows "Tent18, land north of Appledore Road, is located behind frontage development on Woodchurch Road and Appledore Road. "The landform would preclude wider views of the site from the east. It forms a wedge of countryside characteristic of the urban form of Tenterden as a small market town in a strongly rural setting, which would be eroded on development."

This view was endorsed by Ashford's Sustainability Appraisal carried out the same year stating: "Development here would have a significant impact on the existing rural character of this part of Tenterden. Its 'backland' nature... would result in a style of development unsuited and out of keeping with the prevailing character of the area... unsuitable for allocation."

A further Sustainability Appraisal carried out in 2014 concluded that "the site would be on the outer periphery of the town beyond the existing settlement and would be a vitally important intrusion into open countryside. The site is not considered suitable for development".

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Ashford conducted site assessments for its 2030 Local Plan and this site known as TS3 was again considered and then rejected.

In 2019, the Appellant's application 19/01788/AS was rejected for numerous material reasons.

The site has not altered since 1955, therefore, any new appraisal should lead to the same conclusion on the grounds of its unsustainable location, its profile, importance to the environment and is treasured by the community. In fact, it has become more significant to preserve as one of our few remaining green lungs of wild natural countryside.

In conclusion, as per previous assessments, this site is an unacceptable location on the edge of an existing settlement and would be materially harmed by any future development. It would have an adverse effect on the rural setting, a detrimental visual impact on its character surrounding landscape and biodiversity.

It would be fair to say, with the number of rejections there is a common theme of why delivering housing on this site should not be permitted. It is unsustainable and would severely harm the locality.

The significant harm caused would outweigh any benefits, when assessed against the ALP policies, NPPF policies, written ministerial statement by SoS for MHCLG (now DLUHC) on the 16th December 2020 and direction of travel by central government where housing should be developed.

We are aware there have been recent rejected appeals with similar characteristics to Limes Land. These are:

1. A site proposal for outline permission for 168 dwellings public open space including local equipped area for play, sustainable drainage systems, landscaping was rejected by the appeal inspector due to landscape harm. The Appeal Reference is: APP/C1570/W/21/3271310 for Land West of Pennington Lane, Stansted Mountfitchet, Essex.
2. Outline application for the erection of up to 90 no. dwellings, public open space, landscaping. The Appeal Reference is: Appeal Ref: APP/E0915/W/21/3269898 Land at Rookery Park, Scotby, Carlisle

No doubt there are plenty more.

Para 3.5 (viii) – PROW AB70

Kent County Council issued a Definitive Map Modification Order 2020 for footpath AB70 on 4 December 2020 under section 53 of the Wildlife and Countryside Act 1981. We supported this historic footpath adoption as AB70.

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DAC Beachcroft lodged a single objection letter on behalf of Wates Development and the Landowners resulting in an automatic referral to PINS for an Appeal.

On the 28th September 2021, Tenterden Town Council were notified the PINS Appeal ROW/3273792 will be held on the 6th April 2022. Unfortunately, after this Development Application Appeal.

Para 4.6 – Site Boundaries

We agree the site is clearly defined and well contained. That is one of the reasons for selecting this site as a local green space in the Neighbourhood Plan.

Para 4.9 – Access to Facilities

It is important to highlight the figures provided are to the emergency access point on Appledore Road. It is the actual distance for residents that is important. If the distances were measured from the first dwelling, or main access, or the midpoint within the development, they would fall way outside the Manual for Street guidelines.

With regard to walking, cycling and car use, please read our objection on the ABC Planning Portal.

Para 5.7 – Horse Chestnut Tree (T43)

We object to this veteran tree being removed.

First, it is part of the historic tree lined avenue into town. NPPF Para 131 says: "Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change"

Second, it is protected by NPPF Para 180C, which says: "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons". There are no exceptional reasons.

Para 5.20 – Play Areas

We do not understand how passive surveillance of the play areas will be introduced and be effective. The appellant should have consulted the police on designing out crime, so they could made some suggestions.

Para 5.22 - Masterplan

The proposal would be on greenfield land outside the settlement of Tenterden and in this regard, it would not accord with the spatial strategy in the development plan.

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The proposed density of circa 27 dwellings per ha, is not similar to those found on the east side of Woodchurch Road with dwelling density of approximately 10 dph and the north side of Appledore Road with a dwelling density of approximately 14 dph. It is very apparent when examining the Appellant's masterplan with the existing ribbon dwellings on Woodchurch Road and Appledore Road.

The number and spacing of the proposed dwellings would not be compatible with the density and character for this side of Tenterden.

The development would be an urbanising feature, which would appreciably erode the visual qualities of the site as an open and positive rural landscape feature in this part of Tenterden.

Development of the size proposed would be obvious in the landscape, significantly intrude into this open area and would compromise the unspoilt rural charm of the site. It would unacceptably urbanise the site appearing as an incongruous addition, intruding into the countryside and harming the rural setting. A further concern is the eroding and significant harmful change to the rural landscape character of the locality.

The new housing would occupy the site from the high ridge down to the same elevation of Appledore Road housing. It would be highly visible from the existing housing, and from established and well used footpaths.

Consequently, development on the site would be conspicuous in the landscape across a wide area and would not integrate well, thereby compromising the scenic and visual quality of the site and surroundings.

The appellant argues that considerable provision of green infrastructure is being provided compared to the built development. This may be the case, however the new position of the town edge would, be highly conspicuous. It would not be sufficient to mitigate the harm to the landscape which would result from the development.

The only acceptable course of action is to leave this site as unspoilt, wild, green and magnificent Wealden countryside.

Para 5.27 – Housing Types

The characteristics of the surrounding area adjoining the site are not apartments, therefore the block of flats proposal is not in keeping.

Para 7.1.6 – Policy SP2

The seven strategic policies, including SP2 must be read in conjunction of the ALP vision. The vision is the driver, and the strategic policies are the implementors.

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The vision is extremely clear about Tenterden. It says:

- a) To conserve and enhance its historic centre and accommodate development of a suitable scale, design and character.
- b) The identity and attractive character of the Borough's rural area, with its range of attractive settlements, wealth of heritage assets and its expansive countryside, including the Kent Downs AONB to the north and the High Weald AONB to the south, will be conserved and enhanced. This includes Tenterden.
- c) Development within all the rural settlements must conserve and enhance the historic centres and heritage and natural assets. This includes Tenterden.
- d) Para 2.38 provides guidance that growth should be focused towards Ashford and its immediate surroundings whilst applying a policy of limited growth to Tenterden.
- e) Para 2.43 states "As the Borough's principal settlement, Ashford represents the most sustainable location within the borough and therefore where most development should be located."
- f) Para 2.51 says the high quality of Tenterden's landscape setting and its intrinsic historic character are factors that suggest new development in the town should be limited, phased and very carefully planned
- g) Para 2.64 - the Borough's rural area is much more sensitive, too much housing growth would quickly lead to an unsustainable model of housing development overall
- h) Para 2.80 states "The SHELAA shows that there is very little scope to deliver new housing growth within the confines of rural settlements.
- i) Para 2.85 states "These respective priorities should be used as a guide by the developer and decision maker as to the way in which the Local Plan approach should be applied; namely there should not be significant substitutions of housing numbers away from Ashford and its periphery to the rural parts of the Borough.

With this in mind, the arguments submitted by the appellant is unsound. Spatial strategy, means to build houses in the right place. This site location is not the right place.

Para 7.1.9 – Substantial Growth

The ALP and the local plan inspectors both say that Tenterden cannot and should not have substantial growth. Taking relative population size between Tenterden and Ashford would mean 6 windfall dwellings per year for Tenterden would need to be built. Considerably smaller in numbers than the Appellant's' proposal.

Since February 2019 when the Ashford Local Plan was adopted, this council has carefully reviewed each planning application to ensure it: meets the needs of the town; are in the right place; are sustainable and comply with the policies of the NPPF and ALP. Over this period, we have supported 100 plus windfall dwelling

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applications. These have been permitted by Ashford and have either been built or are in the pipeline.

These windfalls are considered to be in the right place and should be absorbable. We expect a steady flow of small-scale applications until 2030 in line with Ashford's vision, which we will assess to ensure their sustainability.

Ashford and the Local Plan inspector recognise this is the correct approach for Tenterden. Significant windfall housing applications are not the correct approach for this beautiful historic market town.

Para 7.1.6 – Policy HOU5

The appellants arguments are flawed.

ALP 6.57 says: "In assessing proposals, the scale of a development will be a major factor to bring into this equation. For larger schemes, the importance of good accessibility to local services and facilities will be of particular importance taking account of the quality and number of such services and the ability to either benefit or be accommodated by such services. The cumulative effects of windfall schemes on local services and facilities, having taken account of the impacts from any allocated sites in the area and any other developments with extant planning permission, will need to be considered, including whether existing services may readily absorb (or benefit from) the additional demand placed on them as a consequence."

Taking into account extant planning permission, allocated sites and the permitted 100 plus windfall dwellings, this proposal is "off the scale" for additional development in Tenterden.

It would infringe ALP para 6.61 as it is not well designed, does not take into account climate change mitigation, the density is too large, is not consistent with the prevailing character and existing build form, does not sit sympathetically with the historic and community valued site.

Para 7.3.2 – Affordability Housing

Lichfields assessment is based on numerous unsubstantiated assumptions. The only reliable conclusion of affordability needs should be based on Tenterden's Community Land Trust professionally undertaken needs survey.

It should be highlighted that Tent 1A is currently providing 87 affordable houses and Tilden Gill will provide 40 affordable houses. The last phase will release the final 14 affordable homes in the next 10 months. Once Tent 1B is rolled out, another 90 affordable houses will be delivered. All those are significant for the size of Tenterden's population.

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Para 7.5.6 - Landscape Harm

We cannot agree with the misrepresentation of Landscape and Visual Appraisal.

To say on one hand a number of trees and hedges have to be removed, and then say development proposals would result in moderate and positive effects on the hedgerow network and mature trees and ponds is disingenuous.

How the development of 145 dwellings would improve the landscape visually is difficult to comprehend. Compared to today's amazing landscape, it has to be recognised the landscape will be severely harmed with all the development and roads.

Para 7.5.20 - Tree 43 Mature Horse Chestnut Tree Appledore Road

We cannot agree with the assertion that removal of a tree does not form a component part of the visual character of Appledore Road.

This avenue of trees is part of the historic character of the town. Any intentional removing of a mature veteran tree on this road would have a negative impact and be unacceptable.

Para 7.5.23 - Removal of 46 Trees

The wanton removal of trees and ancient hedges to accommodate the developer's masterplan is a totally unacceptable approach in this day and age of major climate change issues.

Some of these trees are estimated to be over 400 years old. There has been no calculation of the loss of carbon storage with the removal all the flora nor the loss of carbon storage through disturbing and removing tons of top soil and subsoil.

The narrative used within the appellants' report is very one sided and does not give an even perspective of facts. It misleads by leaving out salient negative evidence.

Para 7.5.46 - Biodiversity Harm

Our detailed objection in June 2021 explains the evidence of biodiversity of the site. We cannot agree with the statement development is being mostly contained to areas of lesser quality grassland located within the west of the site. The exact opposite is true. The western side is the most biodiversity rich, whereas the eastern side is less so.

Para 7.5.49 - Appellant's List of Protected Species

Only a small sub-section of species has been mentioned.

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There are a considerable number of species recorded on the KMBRC, some of which are protected and missing from the Appellant's list.

Para 7.5.23 – Removal of Trees and Hedges

Masterplans should be devised to accommodate existing trees and hedgerows. They are essential for: carbon storage; foraging and nesting by wildlife; and contribution to flood management. Positively contributing to UK target for carbon neutrality and preserving rich biodiversity, is more important than building a few more houses.

Tree clearing is actually one of the biggest sources of carbon dioxide, because when trees are cut down much of the carbon stored within them escapes into the air – especially if the wood is burned.

It is recognised any new tree planting takes up to 30 years to effectively mitigate damage.

Causes of climate change and biodiversity damage are in the public's consciousness and any industry not mitigating their actions, but compounding the problem will not be forgiven.

Para 7.6.18 – Efficient Use of Land

We would disagree with this assertion. In our opinion, the exact opposite would occur.

Para 7.8.6 – Density

As mentioned, Para 1.2 of the Appellant's Planning Statement states the developable area is 5.25 ha. Therefore, the calculable density is circa 27 dwellings per ha.

Para 7.8.65 – Planning Balance Table

We have reviewed each category and feel the Appellant has considerably overstated the benefits for their chosen categories, when a number should be shown as harm or neutral.

Our Appendix 2 – Balance of Harm and Benefits Table shows a truer representation of the facts which can be found at the end of this letter. In addition, we feel there are a number of important categories missing and have been added to the bottom of the table.

We have found the appellant's benefits are significantly outweighed by the permanent and irreversible harm caused to topics such as:

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- Biodiversity,
- localised landscape adjacent to the settlement edge,
- character and appearance of the area,
- scenic character and visual quality of this part of Tenterden,
- lip service to mitigation actions for climate change.

Taking all these matters together the adverse impacts, demonstrably outweigh the benefits of the development when assessed against the policies in the Framework taken as a whole.

In summary, Appendix 2 table now correctly shows that harm would significantly outweigh the public benefits of the scheme.

Conclusion

We find the appeal scheme would undermine the Ashford Council's plan-led approach to the delivery of housing, which identifies sufficient allocations to accommodate the necessary growth in line with local aspirations and needs for Tenterden within the plan period.

In addition, this scheme does not comply with our Reg 14 Neighbourhood Plan policies, which was prepared positively to deliver the requirements of the Local Plan.

Yours sincerely,

A handwritten signature in black ink that reads "C. Gilbert".

Claire Gilbert
Deputy Town Clerk

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Appendix 1 - Consultee Objections

Wates Statement		Actual Consultee Statement
Consultee	Wates View of Response	TTC View of Response
ABC refuse officer	No Objection	No letter found lodged on planning portal
KCC footpaths officer	No Objection subject to conditions	Major impact of PROW AB70 on development with an Appeal to be heard by PINS
KCC Ecology	Objection – materially different from previous scheme	Objection. Biodiversity Loss
Southern Water	No Objection subject to conditions	Study indicates that these additional flows may lead to an increased risk of foul flooding. Further investigation work required
High Weald Joint Advisory Committee	No objection	No objection, but with conditions
Kent Police	No objection	No objection, but with conditions
Ramblers' Association	Missing from Wates Document	Objection
Weald of Kent Protection Society	Missing from Wates Document	Objection
Kent Wildlife Trust	Missing from Wates Document	Objection. Loss of biodiversity
CPRE	Missing from Wates Document	Objection
TDRA	Missing from Wates Document	Objection
Limes Land Protect Group	Missing from Wates Document	Objection

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Appendix 2 - Balance of Benefit and Harm

Wates Perception		Reality	
Issue	Benefit / Harm	Benefit / Harm	Explanation
Market Housing	Benefit	Harm	Unrelated to the needs of the town. Creates car dependent development. Unabsorbable oversupply. Small windfalls and allocated sites are sufficient.
Affordable Housing	Benefit	Neutral	Affordable housing from allocated sites is still be released and will do so well into the future.
Country Park / Countryside Open Space	Benefit	Harm	Manicured plot can never replace natural wild environment
Sports pitches	Benefit	Harm	Over supply, would remove existing ecosystem
Further publicly accessible incidental open space	Benefit	Neutral	The space already exists
Avoiding designated landscapes such as the High Weald AONB and creating a large open landscape buffer to the AONB	Benefit	Neutral	There is already a buffer, so no additional benefit would be created
Avoiding impacts on protected areas such as the Stodmarsh SPA	Benefit	Neutral	Irrelevant
Landscape enhancement and tree and shrub planting	Benefit	Harm	Removal of existing trees would remove the existing ecosystems that have evolved over centuries. Removal of hedges damages foraging of bats and is against the 1997 Hedge Act.
Ecological enhancements,	Benefit	Harm	Kent Wildlife Trust and other consultees have explained

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resulting in a BNG Benefit			why biodiversity loss would occur.
Improved links between the site and the wider area	Benefit	Neutral	Irrelevant. The links already exist
Managed positive surface water drainage strategy	Benefit	Harm	No comprehensive baseline has been created, therefore Wates do not understand the hydrology dynamics. Ground is impermeable.
Traffic calming introduced along Appledore Road	Benefit	Harm	Would damage the historic entrance into town, be unsightly and cause congestion
New bus stops on Woodchurch Road	Benefit	Neutral	Irrelevant as only 2.2% of residents travel by bus.
Provision of energy efficient homes exceeding policy requirements	Benefit	Harm	Does not future proof the dwellings with lack of government promoted energy efficient systems, nor adoption of new principles such as Passivhaus. We are in a climate emergency. Where are the sustainability qualities these buildings should directly address climate change concerns?
Short-term economic benefits from construction and employment spending	Benefit	Neutral	Trades people will come from all over Kent during the construction phase. They are not going to travel into town to buy a Costa coffee.
Long-term economic benefits from new residents spending in the local area	Benefit	Harm	There are very few job vacancies except for some hospitality. New employers do not gravitate to Tenterden. It would be safe to assume economically active adults will be car dependent and travel to employment centres such as Ashford.
Localised Impact on landscape character of area	Harm	Harm	Agreed. This is a significant designated local character area (LCA 23).

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Localised impact on views from footpath AB12 and private residences	Harm	Harm	Agreed
Mitigation actions for climate change	Missing Assessment	Harm	Serious omission by Wates not tackling the climate change emergency. Where it is possible to retro fit homes, the embedded cost is with the residents.
Sustainable transport	Missing Assessment	Harm	There is very little sustainable transport, just unsubstantiated claims of using bus and walking, when in reality this does not happen. A significant majority travel by car including to work in town, which will cause further congestion and gridlock.
ALP Vision and Strategic Policies	Missing Assessment	Harm	The proposal does not conform with the vision for Tenterden. Only small scale and absorbable windfalls should be considered.
Placemaking	Missing Assessment	Harm	Placemaking should be on brownfield sites, ideally in urban areas with access to sustainable transport hubs. Greenfields sites should be avoided
Residential amenity value and privacy	Missing Assessment	Harm	Serious impact on residential amenity value with loss of privacy. New residents able to look straight into Appledore Road properties due to the site's prominent elevated position

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Ms. L. Palmer
Case Officer
The Planning Inspectorate
Room 3/J, Temple Quay House
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BS1 6PN

25th November 2021

Dear Ms. Palmer,

**Re: PINS Ref: APP/E2205/W/21/3284479
Ashford Ref: 21/00790/AS
Residential Windfall Development in the Countryside**

Ashford Local Plan

The 2030 Ashford Local Plan (ALP) paragraph 6.35 says: "Residential development which comes forward on sites outside of those allocated in the Local Plan are known as housing 'windfalls'. Historically, the Borough has a strong tradition of delivering housing windfalls and they will contribute towards meeting our objectively assessed housing needs

Hierarchy of Placemaking

The Local Planning Authorities (LPA) will meet its housing and employment needs, through the provision of new high-quality development forming attractive places, with the necessary supporting infrastructure and services (infrastructure development plan), and in sustainable and accessible locations that take account of the Borough's environmental constraints.

It is our understanding that the hierarchy for placemaking is in the order of:

- The vision;
- Ashford Site Polices (allocated sites);
- SP1;
- SP2;
- HOU polices with HOU5 being the relevant one for this site.

The vision provides the spatial strategy and overarching strategic placemaking, taking into account implications of economic, social and environmental change and identifies opportunities for development.

It has specific statements for the development in the rural town of Tenterden which has to be taken into account.

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It is very clear on its aim and the relevance of development across the borough taking a holistic view of factors that would, and would not, make a location sustainable and meet the needs of the Local Planning Authority.

The Ashford site polices for Tenterden include Tent 1A, Tent 1B and Tilden Gill.

SP1 objective is to deliver the 'Vision', a number of strategic objectives have been identified. They form the basis of this Local Plan's policy framework, as well as providing the core principles that planning applications are expected to adhere to.

SP2 states, "Windfall housing development will be permitted where it is consistent with the spatial strategy outlined above and is consistent with other policies of this Local Plan, in order to ensure that sustainable development is delivered." The phrase "spatial strategy" is to build houses in the right place. For significant size windfalls this does not apply for Tenterden. Not complying would cause serious sustainability and absorbability issues.

The SP2 policy puts this in context by saying, "The high quality of Tenterden's landscape setting and its intrinsic historic character are factors that suggest new development in the town should be limited, phased and very carefully planned". Therefore, no more major new development is planned in Tenterden itself, apart from the completion of the master planned southern extension to the town and the permitted extension to housing at Tilden Gill Road on the Shrubcote estate. Combined, these can fulfil the town's development needs over the Plan period without adversely affecting the character of the town.

There is no identified need for additional housing over and above those in the local plan and the approved windfalls sites.

The strategic direction is very clear and unambiguous for placemaking in Tenterden. The Vision and supporting strategic policies shows this application should be refused.

Housing Polices

Tenterden has an agricultural, tourist and hospitality economy with very little growth for employment. KCC growth and infrastructure framework shows that Tenterden has minimal employment opportunities. All the borough employment clusters are around the Ashford town centre.

ALP Paragraph 6.35 states that residential development which comes forward on sites outside of those allocated in the local plan are known as 'housing windfalls'.

Since the adoption of the local plan, over 100 small scale windfall dwellings have been permitted in Tenterden.

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Tenterden's contribution to windfall is more than proportionate and fair to the needs of Ashford's ALP windfall needs. With Tilden Gill development of 100 dwellings, the completion of Tent 1A next year, followed by further major allocated housing developments in the planned period. Tenterden's contribution to land supply is more than proportionate.

HOU5 Non-Adherence

Policy HOU5 focuses on residential windfalls development in the countryside. There are six criteria that have to be met. This application does not meet any and they will be covered in turn.

Criteria A: a development should be proportionate to the size of the settlement regarding services and infrastructure.

- i. We do not believe this criterion has been given enough air time by the parties to consider the true impact.
- ii. In assessing a windfall proposal, the scale of a development will be a major factor. Paragraph 190 of the ALP inspectors report states that Policy HOU5 would also apply to Ashford which might imply that quite large-scale developments will be accepted. It does not say large scale development would apply to rural towns.
- iii. In addition, the ALP inspectors report says that taking existing commitments and proposed allocations into account some 625 dwellings would be provided in Tenterden over the plan period. This equates to some 5% of the Borough's residual housing requirement in Table 1. This is not a precise 'fit' with the size of the town compared to the Borough as a whole, but consideration has to be given to constraints such as the Area of Outstanding Natural Beauty (AONB) that surrounds much of Tenterden. The countryside and AONB are reasons why Tenterden is a tourist town.
- iv. Paragraph 2.51 of the ALP says the high quality of Tenterden's landscape setting and its intrinsic historic character are factors that suggest new development in the town should be limited, phased and very carefully planned. Therefore, no more major new development is planned in Tenterden itself.
- v. Taking these statements into consideration this development is not required and would be overbearing.
- vi. History has shown that organic evolution and not revolution has been sustainable and absorbable for the community.
- vii. We support small scale, organic and sustainable housing growth for the town. This has been proven by supporting 100 plus windfalls since 2019.
- viii. Tenterden has yet to absorb the additional pressure placed on services and infrastructure by planned large developments within the town by Tent 1A and Tilden Gill, without considering any other unplanned developments such as Wates.

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- ix. There is particular concern about the impact on Ivy Court Surgery. The expansion of the surgery has been designed in line with the Local Plan, but does not take into account large windfall developments. Warehorne, Appledore and Orlestone councils have all voiced concerns about the additional pressure on the local health services, particularly with regard to emergency weekend cover.
- x. The density of the proposed development is around 27 dwellings per ha on a plot of 5.4 ha. This is way out of proportion with the density of the surrounding settlements, which is in the low teens per hectare.
- xi. The proposal of this scale together with other committed / allocated developments in Tenterden, would be disproportionate to the settlement's scale.

This windfall development is disproportionate to the size of Tenterden and would cause significant harm to the social, environmental and economic sustainability balance.

Criteria B: a development should be within easy walking distance of basic day to day services in the nearest settlement, and/or has access to sustainable methods of transport to access a range of services.

- i. The question is the criteria of distance from the edge of the development site or from the actual homes, where the residents actually have to walk from?
- ii. The appellant has provided walking distances to the emergency access entrance on Appledore Road. In our opinion, the appellant should have provided distances from the first house accessed via the emergency entrance, the first house accessed via main entrance and ideally the midpoint of the housing estate. This would then give a true and meaningful distances. These would show to exceed the Manual of Streets guidelines, with the majority of the town's services well above 800 metres and some up to 1,650 metres.
- iii. 2011 Census shows that:
 - 20% of the residents work locally and of those 48.7% travel by car with only 1.7% by bicycle.
 - 2.2% travel by bus
- iv. That illustrates very strongly that claims made for sustainable travel are flawed. It must be remembered, that 80% of the residents travel further afield mainly to Ashford and London.
- v. For past planning applications on this site, previous Appeal Inspectors have stated there are no strategic transport infrastructure or strategic transport schemes for Tenterden to allow sustainable travel to employment centres.
- vi. Private transport is and will continue to be the main mode of travelling due to convenience, cost, and speed.

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This windfall development would not encourage sustainable transport as the only practical mode of transport is the car.

Criteria C: the development is able to be safely accessed from the local road network and the traffic generated can be accommodated on the local and wider road network without adversely affecting the character of the surrounding area.

- i. Residents will be nearly 100% reliant on the car. Today there are numerous traffic congestion pinch points from the proposed site towards Tenterden and Ashford, resulting in gridlock during school runs and rush hour.
- ii. The character of the area would be affected by the unsightly manmade calming measures on Appledore Road.
- iii. KCC Highways have already stated that the signalling system at Recreation Ground Road will pass capacity by next year, 2022.
- iv. A development of this scale will generate a significant increase in traffic which will significantly add to congestion as well as an increase in pollution levels.
- v. The Kent Growth and Infrastructure Framework shows that there are no plans to improve the road network to or from Tenterden for the foreseeable future. As the road network is already under pressure it will not be able to accommodate any large unplanned housing growth.
- vi. Warehorne and Orlestone Parish Councils have stated that traffic using the A28 to access Hamstreet, Ashford and motorway connection is becoming a 'rat run'. This is causing problems with the number of both minor and major accidents increasing.

This windfall development would not improve safety and would harm the existing poor traffic flow further.

Criteria D: the development is located where it is possible to maximise the use of local transport, cycling and walking to access services.

- i. It is important to stick to the actual reality of transport use and not the theory of accessible bus stops.
- ii. There are very limited quality public transport options in Tenterden, so it is likely that people will use their own vehicles to access services within the borough.
- iii. It is actual location of services and jobs that will drive how transport is used, not whether there is a bus stop nearby.
- iv. 2011 Census shows that:
 - 20% of the residents work locally and of those 48.7% travel by car with only 1.7% by bicycle.
 - only 2.2% of the residents' travel by bus.

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- v. That illustrates very strongly that claims made for sustainable travel are flawed. It must be remembered, that 80% of the residents travel further afield mainly to Ashford and London.
- vi. Paragraph 2.66 of the Local Plan says that “transferring major housing growth from Ashford to the rural parts of the borough should be avoided as it would result in an unsustainable model of development by being poorly served by sustainable modes of transport, leading to significantly more trips being made by private car”
- vii. With a large number of destinations over the 800m mark, residents will use the car for shopping.
- viii. Cycling routes are predominately for exercise and leisure. There will be minimal use of bicycles for travelling to employment centres.
- ix. NPPF Paragraph 105 says, significant development should be focused in locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Wates proposal is significant; does not provide a genuine choice of transport; and places the car as the main form of transport.

Tenterden has no rail station, very poor rural bus services and no bicycle lanes. The NPPF and Robert Jenrick (then SoS for MHCLG) are clear that development should occur where there is sustainable transport.

Criteria E: the development must conserve and enhance the natural environment and preserve or enhance any heritage assets in the locality.

- i. This site is considered by the local community as a heritage asset as it has been used, loved and valued for generations.
- ii. The ALP Landscape Character Special Planning Document has identified this site as being within a designated Landscape Character Area.
- iii. The recommendations for this LCA are to protect and enhance - not build on. As this SPD has been adopted by the ALP, Ashford has a duty to enforce its own policies.
- iv. There are major concerns about the damage this development will cause to the natural environment and the surrounding landscape. These have been echoed by Kent Wildlife Trust in their own objection to this application.
- v. This housing development at a stroke would destroy the precious environment in disregard of ENV1 Biodiversity. ENV1 policy specifically says: Development should avoid significant harm to locally identified biodiversity assets, including Local Wildlife Sites, Local Nature Reserves as well as priority and locally important habitats and protected species.
- vi. This site has many priority habitats and protected species. There are 17 red listed birds, 15 on the amber list, 6 protected amphibian species and 3 protected reptiles. Despite the well-known protected mammals on the site such as hazel dormice, polecat and other protected species, Wates have not conducted a Mammal Survey.

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- vii. The current setting is of an indispensable and continuous green lung and wildlife corridor that supports a rich habitat, high landscape value, typical Weald fields, hedge boundaries in the setting of the High Weald AONB; all that gives the site its unique characteristic.

This windfall development would extensively harm to the existing precious habitats and protected species on the site, with no practical method of recovery.

Criteria F: the development is of a high-quality design which takes into account setting, scale, local character and residential amenity.

- i. There have been many attempts to develop this site. The first was in 1960, and again in 1987 and 1997. Followed by a series of appeals 1988 and 1989 to the Secretary of State for the Environment, all failed as they would be intrusive into the countryside.
- ii. The development will impact on views into and out of the site, including towards St Mildred's Church and the Woodchurch Dark Skies area.
- iii. It will severely impact the visual amenity of the residents in the surrounding housing.
- iv. The design for the housing is based on the style and density of housing of inner London, which is totally out of keeping with the semi-rural nature of the site.
- v. Minimal consideration has been given to mitigate climate change to reach the target of net zero. The designs would build in inefficiencies which are totally unacceptable and would cause the new residents to pay for retro fitting costs were it was possible.

This windfall development would exorbitantly harm local character area LCA 23 beyond recognition.

Urbanisation

Limes Land with 145 dwellings of families, children and pets, not forgetting car noise and pollution, will immediately urbanise this part of the town with adverse consequences and significant harm to the environment.

The location will further be urbanised with an unsightly pavilion, large car park with the associated noise and pollution, plus the noise and disturbance of football players and spectators on the pitches next to residential settlement.

With the construction of 145 houses, roads, permeable pavements [on non-permeable ground], car parks, pavilion and football pitches will create untold havoc with the already existing surface water issues. This massive urban footprint will cause more harm to the environment and evict existing wildlife and biodiversity, with a dramatic negative effect on the biophysical environment.

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In urbanised areas, do we ever see rare and protected birds, mammals and other wildlife? Maybe foxes or starlings, but not a lot more. Certainly not the shy and rare species that keep away from humans. One reason wildlife do not live-in urban areas, is that they do not cohabit well with humans, in particular children, dogs, cats, noise and car fumes.

The development of 145 houses on the west side of Limes Land is where most of the wildlife and protected species are to be found. Therefore, this application will create the most harm to the environment. It will destroy the natural continuity of the green lung from the west side that adjoins the conservation area to the biodiverse opportunities and wildlife on the north. The houses will harm and obliterate the distinctive and unparalleled line of sight from the ridge to St Mildred's Church, Woodchurch Road to Kerch Hill and Appledore Road to the ridge.

Robert Jenrick Secretary of State for MHCLG - Ministration Statement

On 16th December 2020, Robert Jenrick MP issued a written ministerial statement, which is material consideration and sits alongside the National Planning Policy Framework and Planning Practice Guidance.

In essence it says:

- i. Green spaces should be avoided;
- ii. Urban centres are best-served by existing infrastructure - with schools, shops and medical facilities;
- iii. Sites with quality transport systems within urban centres are best placed for sustainable housing development;
- iv. Building homes around our transport hubs will help deliver the government's ambition to tackle climate change by offering greater access to more sustainable forms of transport and reducing unnecessary journeys;
- v. Building more homes in cities and urban centres will mean making the best use of brownfield land, of which many cities and urban centres continue to have large quantities, and protecting our countryside as much as possible.

This proposal does not comply with the minister's statement and would harm the town's economic and environmental sustainability. Non-adherence to Robert Jenrick Ministerial Statement will create harm to economic and environmental sustainability.

Conclusion

This site is a greenfield site renowned for its beauty, tranquillity and peacefulness, which will be removed by this application. With Tilden Gill to come "on stream" located off the Appledore Road, this additional development would materially harm and put intolerable strain on the community services and infrastructure. The

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scheme is unabsorbable and Tent 1B has yet to start during the 2019 – 2030 planned period.

History has shown that organic evolution and not speculative revolution has been sustainable and absorbable for the community. That is why the ALP and the inspector came to the conclusion that small scale and organic housing growth for the town was the sustainable way forward.

The proposed speculative windfall application of 145 dwellings is disproportionate for the size of Tenterden and could not be absorbed. If this development were to occur in Ashford based on population size, this would be the equivalent of over 2,000 housing development.

This illustrates the scale and impact it would have in addition to the approved and allocated sites in the ALP. Not an insignificant windfall size for any location in England.

Manageable small windfall organic growth is the only approach for Tenterden from a sustainability point of view.

Policy HOU5 says that each of the criterion must be met. In reality, the proposal does not meet any of the criterion.

This car dependent housing proposal on the edge of an existing settlement, which would cause significant harm to the landscape and environment and demonstrably outweigh the benefits, when assessed against the ALP policies in the NPPF taken as a whole. Previous applications have been rejected by inspectors for similar conclusions.

In summary, the development is:

- A. In the pipeline is the completion of Tent 1A and Tilden Gill, plus the commencement of Tent 1B and the care home on Smallhythe Road. The No further unplanned developments such as Wates should be considered. Infrastructure is limited such as the existing Ivy Court Surgery capacity. NHS Kent and Medway Group have made similar comments. Neighbouring parish have voiced concerns about the additional pressure on the local health service and emergency weekend cover. Only small scale and organic housing growth for the town is acceptable.
- B. The walk distances are an illusion compared to the reality of the actual walking distances. Will proposal will make the residents car dependent and will put the existing infrastructure under strain.
- C. With this car dependent site, there will be significantly increase traffic and congestion. There is no quality transport to Ashford for commuters.
- D. Will cause significant harm to the local heritage treasured by the local community. Will brutally harm the natural environment due to its footprint. ALP vision says the high-quality landscape setting and its

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historic character directs that any new development in the town should be limited, phased and very carefully planned. It is recognised that the high quality of Tenterden's landscape setting and its intrinsic historic character are factors that suggest new development in the town should be limited, phased and very carefully planned

- E. The design is of poor quality and ignores climate change mitigation and the overall density of the proposed development is out of proportion with the immediate neighbours.

The tilted balance "scales" definitely point towards significant harm to this location of Tenterden and Tenterden as a whole. With this in mind, the application should not be granted planning permission.

Yours sincerely,

C. Gilbert

Claire Gilbert
Deputy Town Clerk

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Ms. L. Palmer
Case Officer
The Planning Inspectorate
Room 3/J, Temple Quay House
2 The Square
Bristol
BS1 6PN

24th November 2021

Dear Ms. Palmer,

**Re: PINS Ref: APP/E2205/W/21/3284479
Ashford Ref: 21/00790/AS
Full Planning for Pitches, Pavilion, Open Spaces and Infrastructure**

We object to this appeal requesting full planning permission as part of a hybrid application for formal sports pitches, together with pavilion including accesses, ancillary parking, pathways, sustainable drainage systems and associated landscaping.

Our understanding is that for a full application to be granted, it must provide all the necessary detail to understand its impact on the site, its community, be sustainable and comply with Section 62 of the Town and Country Planning Act 1990 (as amended), the NPPF and Ashford's Local Plan (ALP).

With this in mind and in our considered opinion, it does not comply with COM2 Recreation, Sport, Play and Open Spaces; ENV1 Biodiversity; ENV3a Landscape Character and Design; ENV6 Surface Water; and ENV9 Sustainable Drainage; ENV13 Conservation and Enhancement of Heritage Assets; TRA8 Travel Plans and achieving climate change net zero as per the NPPF and Climate Change Act 2008.

Please refer to our objection climate change objection which has a direct bearing on this application.

This letter will primarily focus on with Ashford Local Plan Policy COM2, as we do wish to duplicate other objectors quality comments lodged with Ashford under ref: 21/00790/AS.

COM2 policy highlights that Section 106 Agreements to deliver via a combination of on-site measures.

In the rural area, provision should normally be delivered in a way that helps maintain, enhance and potentially expand existing facilities at the settlement where the development is proposed.

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On-site provision shall normally be limited to informal / natural green space, and space or facilities which have been identified to meet a local need generated by the development itself.

Existing open space, sports and recreational buildings and land should not be redeveloped or used for other purposes

1. Provision Country Park

- a) The developer has misused the term country park as it has precise meaning, is strategic and has to meet specific criteria for accreditation.
- b) Country Parks are accredited by Natural England under the 1968 Countryside Act.
- c) Country Parks are large-scale destination spaces, which typically provide a wide range of recreation opportunities, with a destination play space, toilets, refreshment facilities and dedicated parking.
- d) The Country Park as named by the developer is in reality a local piece of open space, and lacks the required infrastructure to be considered strategic.
- e) Ashford Borough Council have made clear they will not be adopting any of the on-site public open space for this site.
- f) It originally appeared at the community consultation event, the developer was offering to provide the proposed planting for the Country Park and public open space. After significant investigating, this now appears not to be the case.
- g) The developer would be looking at Ashford or some other body to take the responsibility to fund and construct. How will the management be funded for perpetuity?
- h) This application is for full planning permission where all the necessary detail information must be disclosed for a successful approval. For the open space provisions the detail and the Masterplan is too vague and would allow "coach and horses" to be driven through any agreement. There are too many unknowns that cannot be lawfully decided after any permission and therefore must be refused.
- i) The proposal is very light touch, with a minimal number of paths, planting and site infrastructure. The Park is immediately adjacent to the High Weald AONB, and therefore the landscape of the park, and the built development must integrate with the AONB character. The Culture Tourism and Leisure statutory consultee has made similar comments.

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j) Given the impact on the local landscape and adjacent AONB, the quality of the landscape proposed here will need to be very high. The 'detailed area' drawings provide limited details, and do not cover the whole area for the full planning permission element of the submission. The drawings typically do not detail levels, materials, etc. Again, the Culture Tourism and Leisure statutory consultee has made similar comments.

k) With the above in mind, this application should not be approved.

2. Development of Pavilion, Car Park and Football Pitches

There is considerable lack of detail for full planning permission to be granted.

- a) This a very substantial development footprint, where we feel insufficient information has been provided.
- b) How will the sustainable drainage system work for the pavilion, car park, football pitches and footpaths?
- c) We have concerns with surface water flooding due the heavy rains in the winter. We are not convinced sufficient calculations and flows have been produced to mitigate flooding elsewhere.
- d) We are concerned that there is insufficient detail to demonstrate that the football pitches will not become waterlogged and therefore unusable.

3. Section 106 Agreement

Their offer could be classified as an illusion as explained below. These are the obvious observations and highlight why this full application should be rejected.

- a) It appears the developer is not offering to landscape the country park, but is only providing the land. Who is going to fund? Has it been secured?
- b) There are no obvious perpetuity contributions towards maintenance of the Country Park. Application documents refer to resident's management company without providing any range of cost to be picked up by the new residents. This is unacceptable.
 - i. Assurance is needed from a management body regarding the long-term management of open space, particularly the 'Country Park' element of the scheme, and the financial mechanism for this.
 - ii. There needs to be clarity on who will be the owner of the site; currently there is no detail on which organisation will have ultimate responsibility for the public open space and sport provision.
 - iii. There is no detail on how the local community will benefit from the facilities, beyond any identified club as prime user.

As this part of the proposal is for full planning permission, the application should be refused.

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- c) Provision of land to provide for football pitches
 - i. It appears that the developer is not offering to build the football pitches, only provide the land encompassing this proposal. It will be the responsibility of Ashford or some other body to fund and construct.
 - ii. No funding has been identified or secured.

- d) Provision of land for a Pavilion Building designed to Football Association standards
 - i. It appears the developer is not offering to build the pavilion, only providing the land encompassing this proposal. It will be the responsibility of Ashford or some other body to fund, design to football association standards and construct.
 - ii. The building may comply with football association standards, but not we could not find where the materials proposed will be suitable for contributing towards climate change net zero without any future retro fitting.
 - iii. There is no mention of energy efficient heat pumps or EV panels.
 - iv. Red brick and red roof are not considered suitable for a country area. It will be a blot on the landscape. There are better aesthetic colours.
 - v. No funding has been identified or secured.

- e) No actual club or organisation identified to take on the role of managing the sport provision
 - i. Assurance is needed from an actual club or organisation who will be committed to take on the role of managing the sport provision, and what the delivery model will be.
 - ii. Regarding the management of the sport provision, we would be looking for a club that is registered with the Football Association (Kent FA) and has the required FA Charter Standard status to be able to offer youth provision and integrates disability team or teams within the club.
 - iii. No funding has been identified or secured.

- f) The Provision of Land to Provide Car Parking Spaces to serve Proposed Pavilion Building
 - i. It appears the developer is not offering to build the car park, only providing the land encompassing this proposal. It will be the responsibility of Ashford or some other body to fund and construct.
 - ii. No funding has been identified or secured.

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- g) Statement on contributions towards long-term maintenance of the sports pitches and pavilion building is meaningless.
- h) Statement on contributions Towards the Maintenance of the Pubic Open Space is meaningless.

Assuming the above is correct, the whole PR exercise by the developer to the community has been misleading.

4. Provision in the Rural Area

- a) It is stated that the Homewood School football pitch was underutilised. The reason being that Homewood withdrew from the 25-year lease negotiations with Tenterden Town Council, when Wates entered the arena.
- b) As per Culture Tourism and Leisure statutory consultee comments:
 - i. Play space must be a minimum of 0.17 ha and must include a 30m buffer, as detailed in the PGS&WE SPD. The current design for play is very standard and demonstrates limited play value and requires further detail to ensure high quality is achieved.
 - ii. Play space must be formal and 'equipped play'; natural features will not contribute towards play space provision. The LAPS detailed in the application will not count towards required play provision – I do not believe this is a designation the council uses or recognises.
 - iii. No specific evidence has been provided for need of additional sport facilities on Limes Land over and above already provided by the unused Homewood School football pitch.
 - iv. There is no detail on how the local community will benefit from the facilities, beyond any identified club as prime user.

With the above in mind, this full application should not be approved.

5. On-Site Provision

- a) The developer's application is offering developer provisions of: a country park; pavilion with car park; formal sports pitches; children's play areas. These are in addition to the standard contributions expected for: libraries; social care; primary care trust; etc.
- b) There is no evidence the facilities are required. To expect someone else to pay for those provisions is beyond belief.
- c) The developer will be aware that planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting

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planning permission if they meet the tests that are necessary to make the development acceptable in planning terms. They must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

d) Since the original application 19/01788/AS lodged on the 20th December 2019, to our knowledge, Homewood School has not notified the Education Funding Agency; therefore, no approval has been given to sell the football pitch on Appledore Road.

6. Existing Open Space

- a. To the South East adjoining Appledore Road are two plots belonging to Homewood School. First, is a very recently disused football pitch which Tenterden Town Council (TTC) was negotiating to obtain the lease, but Homewood School then withdrew from negotiations. This area is designated as "open space".
- b. To our understanding, policies guidelines for existing open space, sports and recreational buildings and land, state they should not redeveloped (such as the Homewood School football pitch) for uses such as significant housing development.

7. Conclusion

This full application for sports and open spaces provision is of such poor quality with scant relevant information, despite a large quantity of documents published.

The request for full planning permission conflicts with the principles of COM2 ALP Policy, as well as many other ALP and NPPF policies.

This application should be refused with so many unknowns, uncertainties and conflicts that cannot be resolved through conditions.

In our view, the proposal fails for these material reasons:

1. It is deemed unnecessary with lack of evidence to show need
2. Poorly located position within the borough
3. Lack of contributions
4. Over development of site
5. Detrimental Impact on Neighbouring Amenity
6. Negative effect on landscape character and appearance
7. Harm to the environment, nature and biodiversity
8. Development of existing open space (Homewood School football pitch)
9. No apparent consultation with Education SoS (Homewood School football pitch)

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10. Lighting and dark skies policy
11. Increased traffic pressures on Appledore Road
12. Poor to non-existent climate change net zero mitigation design
13. Pavilion out of character appearance on the landscape
14. Noise and disturbance resulting from use
15. Previous planning rejection 19/01788/AS

Yours sincerely,

C. Gilbert

Claire Gilbert
Deputy Town Clerk

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A Corporate Member of the Cinque Ports

Ms. L. Palmer
Case Officer
The Planning Inspectorate
Room 3/J, Temple Quay House
2 The Square
Bristol
BS1 6PN

17th November 2021

Dear Ms. Palmer,

**Re: PINS Ref: APP/E2205/W/21/3284479
Ashford Ref: 21/00790/AS
Climate Change**

We wish to lodge our objection to the Wates proposal to build 145 dwellings as we believe that Wates Placemaking conflicts with the aspiration and goals for mitigating climate change and the recognition that biodiversity has a major part to play.

Wates Proposal with over 100 documents says very little concerning climate change sustainability. It does not recognise the crucial part housing development has to play in mitigating climate change. This objection explains why the application would be dire for climate change and biodiversity.

Wates should be applying building design strategies and energy efficiency measures to reduce consumption and thereby minimise harmful CO2 emissions. For Wates to avoid building resilience against the environmental consequences of climate change is unacceptable.

Developers such as Wates will be fully aware of the December 2015, Paris Climate Accord, negotiated under the aegis of the UN. These goals apply to Wates as much as it does to other industries and communities.

NPPF Direction to Mitigate Climate Change

1. NPPF Para 7 links the purpose of the planning system to the United Nations 17 Global Goals for Sustainable Development in the period to 2030, which include 'climate action'.
2. Para 11 then places climate mitigation and adaptation at the heart of plan-making: 'plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects.'

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3. The NPPF Section 14 “Meeting the Challenge of Climate Change” sets out the expectation that the planning system should deliver development that mitigates climate change, adapts to its impacts and improves biodiversity.
4. Para 153 says to: “take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperature”. Footnote 53 says: “In line with the objectives and provisions of the Climate Change Act 2008. Therefore, this cannot be ignored by Wates.
5. The Climate Change Act 2008, which is statute is much more powerful in decision-making than the status of the National Planning Policy Framework, which is guidance.
6. NPPF Para 154 says “New development should be planned for in ways that:
 - (a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and
 - (b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards.
7. Wates should realise that addressing climate change is a central blank of the planning system, if we are to ensure our sustainable future. The threat of climate change is real, and time is running dangerously short. Therefore, Wates cannot hid behind the coat tails of existing regulations that are not keeping up with government aspirations and pledges made to the UN. All UK Building publications are saying that developers must importance greater emphasis on design and location.

Construction Use of Energy

8. According to the UN Environment Agency, buildings and their construction together account for 36 percent of global energy use and 39 percent of energy-related carbon dioxide emissions annually.
9. Construction contributes to carbon emissions on multiple levels:
 - (a) how we construct buildings,
 - (b) how we use them, and
 - (c) where they are located.
10. Building emissions, as typically measured, are a combination of three things.
 - (a) First, is the amount of carbon generated through manufacturing building materials, transporting materials to construction sites, and the actual construction process—what is known as the “embodied carbon of a building”. Globally, the embodied carbon of a buildings account for about 11 percent of emissions.
 - (b) Second, is day-to-day energy use—known as the “operational carbon emissions” that comes from powering lighting, heating, and cooling.

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Globally, building operations account for about 28 percent of emissions annually.

(c) Third, where the site is located to avoid car dependence such as commuting to employment centres.

11. Wates can improve on point one, by improving design to avoid energy consuming material.
12. Wates has direct control over points two and three by adopting existing technologies and locating sites where they are co-located with jobs or next to quality transport hubs.

Climate Change Goals

13. The single most important issue to the survival of this planet is to mitigate climate change for our future generations of offspring.
14. Housing design and masterplan when used properly can minimise the impact of house building on climate change.
15. Decisions from now on will have an immediate impact on whether they assist with mitigating climate change and by what degree, or will make it worse
16. The correct decision is vital to our collective sustainable future.
17. Secure global net-zero by mid-century and no more than 1.5 degrees are two key government goals to assist in mitigating climate change:
18. The net zero goal requires urgent action across the built environment specifically reducing emissions from energy and transport, whilst minimising disturbance to locked in carbon in nature.
19. Developers in the UK have responsibility to contribute to these goals.
20. That means we have to enforce the protection and restoration of valuable ecosystems.
21. Resilient infrastructure is essential to improve health and wellbeing, plus avoiding loss of biodiversity.

New homes must be climate resilient through its design through meaningful and thoughtful masterplans.

Design to Securing UK Net-Zero

22. The UK Climate Change Programme recognises that planning has a crucial role to play in improving the adaptive capacity of development.
23. Climate Change modelling by British scientist shows that Southern England will experience hotter and longer heatwaves, with the 40°C Day temperatures expected within 10 years. As the UK is not equipped to cater for such temperatures, tragically thousands of people will die.
24. Existing British homes are ill-equipped to cope with overheating even in current temperatures
25. Since 2016, research shows more than 570,000 homes have been built that will not withstand rising temperatures. Lack of enforcement of planning polices has created unnecessary retrofit costs and may even leave some new homes uninhabitable as temperatures rise.

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26. Circa 300,000 homes are due to be built each year across the UK and there is a major risk of retrofit "lock-in" if homes are not built to address overheating alongside energy efficiency and low-carbon heating.
27. Heating and cooling of our homes in the UK accounts for half of energy consumption and circa 40% of energy related carbon dioxide.
28. New homes should deliver ultra-high levels of energy efficiency. Designing in these features from the start is around one-fifth of the cost of retrofitting to the same quality and standard.
29. It is promoted new homes should be heated through low carbon sources, have high levels of energy efficiency alongside appropriate ventilation
30. Using alternative sustainable climate change materials such as timber-frames is essential. Using wood in construction to displace high-carbon materials such as cement and steel is one of the most effective ways to use limited biomass resources to mitigate climate change. No thought has been given by Wates in using low carbon construction methods.
31. When installed heat pumps and high levels of material efficiency will reduce annual and peak electricity demand and contribute to the net zero target. Will also provide comfort and health benefits for occupants.

Developers Approach to Energy Efficiency

32. The proposed development has not adopted or made any commitment to renewable and proven energy saving technologies such as:
 - (a) Renewable materials
 - (b) Combined heat and power technology
 - (c) Source heat pumps
 - (d) Air heat pumps
 - (e) Solar hot water panels
 - (f) Roof EV panels
 - (g) EV charging points
33. The developer provides the bare minimum to comply with standard building requirements and leave it to the new residents to retrofit, despite knowing new homes should not be connected to the gas grid from 2025.
34. Wates have shown a lack of design consideration to the orientation of dwellings, internal layout and overhangs to keep dwellings cool. It is hard to see how a massively expensive retrofitting for these dwellings will be avoided by the new residents.
35. Yet, Wates are proposing gas boilers, which should be rejected without debate. Other renewable energy technology has to be standard to provide heating, cooling and cooking. Wates should be made to installed for each dwelling heat pumps, EV and car charging points.
36. Current government planning policy in England advises that, used positively, design and masterplans have a pivotal role to:
 - Secure enduring progress against the UK's emissions targets.
 - Deliver zero carbon development.
 - Shape sustainable communities that are resilient to climate change.

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- Increase the environmental performance of homes, above building regulations by adherence to the Government's Code for Sustainable Homes aims. Compliance will improve water efficiency and management of surface water run-off.
 - Give local communities opportunities to influence, and take action on climate change.
37. It is important to support the reuse first principle – whereby previously used land, buildings, places, materials and infrastructure are given preference to new. This not only makes economic sense, but causes the least impact on climate change. This site is not a brown field site but a virgin historic green field site, away from employment and quality transport hub.

The proposal is not mature and future proofing development, but an abdication of responsibility by Wates. This does not meet the environmental pillar of sustainable development. It is critical developers adopt energy efficiency standards that will avoid expensive future retrofitting.

House design will either lead to good climate change mitigation or add to the problem. Today, Wates are adding to the problem.

Masterplan and Carbon Sequestration

38. Research reveals the fundamental importance of conserving and enhancing our natural environment in meeting the climate change challenge. Taking carbon out of the atmosphere to be stored in ecosystems, is a vital part of our journey to net zero.
39. It is an undisputable fact that vegetation and soil are the most productive method of storing past carbon dioxide and other polluting gases that have to be preserved.
40. Nature's way to capture carbon is via trees, hedgerows and grasslands. Grasses just like trees are chlorophyll-based plants, absorbing carbon dioxide (CO₂) from the atmosphere for use in photosynthesis. A proportion of the absorbed carbon is transferred from the dense canopy and fibrous root system into the soil. All have a high rates of carbon sequestration.
41. It is an undisputable fact that the largest carbon sequestration rates are found in trees, especially those which are well-established. Mature trees with large timber volume act even in open settings as significant carbon stores. New plantings taking up to 30 years to make significant contributions.
42. It has been a travesty that the post-war removal of so many hedgerows has significantly increased carbon emissions. This practice should not continue in modern life where we are attempting to protect the planet. As Limes Lands hedges are over 30 years old, they are protected by the Hedgerow Act 1997.
43. Open habitats including semi-natural grassland store far more carbon in their soil than arable landscapes.
44. Undisturbed soils offer the greatest opportunity for carbon storage within grassland habitats. Pastoral grassland occupies around 40% of the UK, with

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semi-natural grassland resulting from low-intensity land management, such as Limes Land. They have an important role to play in combating climate change.

45. Yet Wates propose to rip up trees, hedgerows, grassland (plus in the process ruin the existing rich biodiversity) that will stop carbon sequestration and release significant carbon into the atmosphere.
46. Wates masterplan has placed minimal value to the protection of carbon storage.

Limes Land has rich a vital contribution to make for the sequestration of carbon. Not only do our habitats capture carbon, but they provide many other benefits for biodiversity, the wellbeing of society, nature recovery, with the added benefits of reducing the risk of flooding.

Biodiversity Contribution to Climate Change Mitigation

47. Climate change and biodiversity loss are closely linked problems and need to be addressed in an integrated way.
48. The destruction and degradation of natural habitats will result in a direct loss of carbon stored within them.
49. Established broadleaved woodland and mature trees in all locations need to be retained, whilst for the long-term a commitment to planting more trees is essential.
50. Hedgerows hold a significant proportion of their biomass carbon below ground. They influence the storage of Soil Organic Carbon through the dominance of deeper rooting woody species lack of ground disturbance from tillage and other field operations directly below hedgerows can also increase the residence time of carbon in the soil. Existing hedgerows should be protected.
51. In open habitats retain pasture, especially heathland/semi-natural grassland. In particular, unimproved grassland should be conserved. Undisturbed soils offer the greatest opportunity for carbon storage within grassland habitats.
52. Maintain ponds and watercourses as they are also a source of carbon storage.

To preserve Limes Land from development, will not only stop major biodiversity loss, but it also protects carbon storage loss and the release of climate change gases into the atmosphere.

Developers Approach to Masterplan Design

53. Masterplans have a critical role to play in the actual site layout of dwellings with the landscape, existing vegetation plus the actual structural design, building morphology and orientation of each dwelling.
54. It is more important than ever to preserve locked in carbon in vegetation and soil. Developers should no longer be allowed to maximise the number of dwellings within each hectare with disregard to the damage to carbon storage.
55. For this site, the developer has taken the same old approach to site layout with no imagination how to preserve trees, hedges and avoid disruption to soil

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rich carbon. They should not be allowed to cut down large quantities of mature trees and remove large lengths of ancient hedgerows to satisfy their commercial interest. Climate change relevance is of far greater importance than profit.

56. New homes must be fit for purpose, integrating the highest possible levels of emissions reduction with a package of design improvements to adapt to the changing climate.
57. Wates masterplan design pays lip service to the mitigation of climate change. The masterplan design suggests that all the new builds are at risk of overheating. Passive cooling measures should be adopted to reduce overheating risks before considering active measures such as air conditioning. The proposals have not been designed for reducing overheating risks in the new builds.
58. There should be high levels of airtightness, double or triple glazing with shading, more fresh air with mechanical ventilation and heat recovery, and passive cooling measures such as external shading especially on south and west faces. Cool or reflective building materials on roofs or façades and important. Roof cat slides and trees are excellent for creating shade.

In conclusion, the developer is building identikit homes that have been used for years with no respect for climate change. The time is now for improved focus on reducing the whole-life carbon impact of new homes, conserving energy and preserving existing storage carbon on the site.

Local Authority Statutory Duties and Powers

59. Local authority planners have a range of statutory duties and powers to shape their local area and mitigate climate change through existing laws and policies. They should be allowed to exercise those powers to the benefit of us all.
60. The revised National Planning Policy Framework sets a requirement for planning to deliver sustainable development with a key objective being to protect and enhance the natural environment and move towards a low-carbon economy through mitigation.
61. Wates should be adopting climate friendly design of new builds to mitigate the current negative impact on climate change and prevent retro fitting with associated expensive cost.

Without the collaboration and response to climate change by the construction sector the level of climate mitigation cannot be achieved.

Conclusion

62. The proposed site for development is a carbon sink time capsule created over centuries. Destroying this site and increasing carbon emissions is in the opposite direction of travel to protect our planet and will contribute to climate change.

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63. There is no overarching need for this large development proposal in Tenterden. The upcoming housing stock via the allocated sites and small windfall sites will satisfy housing needs well into the future.
64. This proposal is not sustainable now, nor into the future and will adversely contribute to climate change gases.

UK Commitments, Legislation, Ministerial Statement, Local Plan and the NPPF directs this application should be refused for climate change reasons.

Yours sincerely,

C. Gilbert

**Claire Gilbert
Deputy Town Clerk**

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Ms. L. Palmer
Case Officer
The Planning Inspectorate
Room 3/J, Temple Quay House
2 The Square
Bristol
BS1 6PN

25th November 2021

Dear Ms. Palmer,

**Re: PINS Ref: APP/E2205/W/21/3284479
Ashford Ref: 21/00790/AS
Government Direction for Housing Placemaking**

Over the last six years, there has been a consistent direction from Central Government for Placemaking. Below is the key guidance.

A. July 2015 - HM Treasury Paper "Fixing the Foundations"

1. In July 2015, HM Treasury published a critically important document "Fixing the foundations: Creating a More Prosperous Nation" which outlines the approach to improving the country's productivity. It states, in order to promote productivity growth, housing should be provided where it will "enable people to live and own homes close to where they work." The recent "Productivity in the UK" briefing paper dated 20th September 2017 confirms this is still central government policy.
2. An effective land and housing market promotes productivity by enabling the economy to adapt to change, helping firms to locate where they can be most efficient and create jobs, and enable people to live and own homes close to where they work.
3. The Government highlighted the importance of providing housing close to where the jobs are to improve productivity. Therefore, this site is in conflict with this directive.
4. The government's productivity policy for rural areas is "to ensure that any village in England has the freedom to expand housing in an incremental way, subject to local approval".
5. This is supported by Ashford's Local Plan and equates "rural town" with "rural village".
6. With the big Ashford eight projects and the major potential for job growth with the infrastructure links, there will be high level of employment growth in Ashford.
7. Therefore, this is where new houses need to be allocated to improve productivity.
8. Tenterden does not have a transport hub. Ashford is the only commuter hub. There is no acceptable transport service in Tenterden to employment

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centres such as Ashford, Maidstone and Tunbridge Wells. Therefore, the only option is the increase of car usage, which is already at an unacceptable level.

9. Appeal inspectors have stated where there is no strategic approach to transport infrastructure, it is not acceptable to just make a financial contribution to an undefined scheme, as this could lead to a severe impact.
10. A productive economy must make the most of its labour force and effectively mobilise people into jobs. A central part of this is to ensure that work always pays, and that people are incentivised and helped to find employment.
11. Ashford Council should be aware there are very few job opportunities in Tenterden, so the economically active population will increase with new housing developments and they will have to travel far and wide. This goes against environmental sustainability.
12. It is important to ensure that parents are able to better combine work and caring responsibilities, so they are able to work in jobs that match their skills and those who want to work more can.
13. Employees having to travel any distance to their place of work such as Ashford, Maidstone, Tunbridge Wells and London, would not be able to juggle work and caring responsibilities. This is socially unsustainable. Therefore, it makes no sense to increase the supply of housing in Tenterden.
14. Tenterden is not an employment hub and is unsuitable for significant windfall sites and economically active adults will have to commute predominately by car.

B. February 2017 - Fixing Our Broken Housing Market Whitepaper

15. The Secretary of State for Communities and Local Government published a Whitepaper on the 7 February 2017 "Fixing Our Broken Housing Market".
16. This reinforces the early HM Treasury Document directive of July 2015.
17. The main message is on page 14: we need to plan for the right homes in the right places. This is critical to the success of our modern industrial strategy. Growing businesses need a skilled workforce living nearby, and employees should be able to move easily to where jobs are without being forced into long commutes.
18. Based on this whitepaper, Tenterden is not the right place to build homes.

C. August 2020 – Planning for the Future Whitepaper

19. Government published this planning White Paper to revolutionise the English planning system went out to general consultation. Over 44,000 responses were submitted including a response from Tenterden Town Council with its wide-ranging knowledge of planning.
20. With a doubt it proved to be controversial document, but two topic that most planning disciplines could mostly agree on, was:

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- a. The need for local design codes to ensure new development provided the needs of modern day living and blended in with and protected the local vernacular.
 - b. Digital platform to improve transparency and completeness for planning applications. This should be a force for good, to ensure that developers become more transparent and inclusive of relevant assessment information.
21. House of Commons "Housing, Communities and Local Government (HCLG)" Select Committee launched an inquiry on 8 October 2020 to take evidence and views across the planning paternity. Its report was issued on 27th May 2021.
 22. Tenterden Town Council issued a detailed response to HCLG's set of questions. The council received 23 citations in their report.
 23. The findings showed that the planning system could be unfair. Participants raised certain inherent sources of unfairness, with most agreeing that the system was weighted in favour of the large developers—those with "the deepest pockets"—who could "afford to wait and navigate the system"; and against local communities.
 24. With so many issues raised, the new SoS Michael Gove has paused the process to reflect on the consultation findings.
 25. With the government rethinking the white paper aim, there is nothing that can be considered to support Wates proposal.

D. December 2020 - Ministerial Speeches and Statements

26. Government speeches and Ministerial Statements should be taken into account when determining development applications.
27. The statements below show there is no justification to build on Limes Land.
28. It has to be remembered that Tenterden has very limited employment opportunities. 80% of the population commute to Ashford and other employment centres.
29. Limes Land is an ideal site for rewilding.
30. Outside the allocated sites, Tenterden consists mainly of greenfield sites that are outstanding in beauty.

Robert Jenrick MP

31. Robert Jenrick MP (then SoS MHCLG) issued a written statement (below) on the 16th December 2020 that sites within urban centres with quality transport system are best placed for sustainable housing development.
32. In summary the ministerial statement says:
 - a. Abandon a revised formula that was supposed to calculate the starting point for how many houses each local authority in England might have to build
 - b. Urban centres are the best-served for house building utilising existing infrastructure

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- c. Building more homes in cities and urban centres will mean making the best use of brownfield land, of which many cities and urban centres continue to have large quantities.
- d. Green spaces should be avoided.
- e. Building homes around our transport hubs will help to tackle climate change by offering greater access to more sustainable forms of transport and reducing unnecessary journeys.
- f. With the profound impact of COVID-19 on our towns and cities, it is very likely to present a generational challenge and opportunity to repurpose more commercial centres, offices and retail spaces into housing and mixed uses.

33. It is recognised that Written Ministerial Statements sit alongside the National Planning Policy Framework and Planning Practice Guidance as material consideration.

E. October 2021 - Conservative Conference

34. Though speeches at a political conference are not classified as being material like the NPPF, it nevertheless sets the tone and direction of travel regarding future government policies.

Boris Johnson MP

35. The Prime Minister Boris Johnson signalled a commitment to protect green spaces from unscrupulous development.

36. He says there is no reason that the countryside should be lost to new unaffordable homes, saying "you can... see how much room there is to build the homes that young families need... beautiful homes, on brownfield sites in places where homes make sense." The announcement is a brownfield-first approach in all but name. It should ensure levelling up means building more affordable homes for young people on brownfield land across the country, but particularly in the midlands and north. That is why levelling up works for the whole country and is the right and responsible policy, because it helps to take the pressure off parts of the overheating South East

37. Finally, he reaffirmed the government's commitment to rewilding parts of the country and to "consecrate a total of 30 per cent to nature", as well as plant "tens of millions of trees".

Michael Gove MP

38. Michael Gove, the new Housing and Communities Secretary has said that "urban regeneration" and building homes on "neglected brownfield sites" will be a priority for the government's levelling up agenda in his first major speech at the 2021 Conservative Conference.

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39. He continued to say that he intended to invest in "urban regeneration" by building homes on "neglected brownfield sites", while "allowing communities to take back control of their futures".
40. In regard to levelling up, the programme to rebalance the economy away from London and the wider south east and improve outcomes in other parts of the country - he said: "In my department, that will mean investing in urban regeneration, with new homes on neglected brownfield sites [and] a better deal for those in social housing."
41. He added: "It will mean empowering local government to make a bigger difference for good, allowing communities to take back control of their futures and creating greener and more beautiful places to live."
42. Michael Gove also suggested "that the focus on building homes in the south east was misplaced and that people in 'generation rent' were suffering more in the north and northeast".
43. His statement can be interpreted that the new housing secretary's commitment to building more homes on brownfield further signals the mood music on the government's planning proposals has changed genre - and that our countryside and green spaces are now in safer hands.
44. In summary, Michael Gove is reported to have ordered a rethink of the planning reforms contained in last year's planning white paper, which have been criticised for being overtly centralising, demonising local democracy and out of touch with practicalities.

George Eustice MP

45. It was noted earlier in the conference event, councillors voiced concerns about being railroaded into accepting developers' claims that their projects will deliver at least ten per cent net gain in biodiversity as mandated in the Environment Bill, because most councils lack the capacity or expertise to validate the claims.
46. George Eustice, environment secretary said Defra was looking in detail at how best to strengthen Natural England's role to help councils deliver net gain, as well as considering "building the ecological capacity of councils". In addition, increasing Natural England's involvement as a statutory consultee on net gain.
47. Fortunately, Kent Wildlife Trust, our dedicated Tenterden Neighbourhood Planning team and other consultees presented evidence to show the developers biodiversity net gain claims were inaccurate.

Oliver Dowden MP

48. Oliver Dowden said the government had "the wisdom to listen to people and the humility to learn how we can do better", adding that this was "why we are looking again at our planning reforms".
49. He continued to say: "We need to set out in law measures to protect our towns, villages and precious countryside from being despoiled by ugly development. Watch this space".

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F. 18th November Event – CPRE Report on Recycling our Land

50. CPRE showed evidence that there is a glut of available disused and derelict land.

51. A number of renowned speakers gave their views on the priority use of brownfield sites.

Christopher Pincher MP, Housing Minister

52. Christopher Pincher maintained that making the best use of brownfield is at the heart of what the government is trying to achieve in delivering new homes.

53. The new secretary of state has met with a number of key stakeholders to express the point that we need to make full use of brownfield sites because often they are in the most sustainable locations – they are near to infrastructure, transport hubs to the places where people need to be.

54. He also emphasised design standards. “I think that’s very important because experience tells us good design – beautiful design if you will, is one which is very sensitive to local concerns.”

55. On the benefits of neighbourhood plans, of which he is “very much in favour”, the housing minister said: “One is that they are particularly engaging. We all know that there are challenges with community engagement in local plan-making but when it comes to neighbourhood plans more people tend to become involved and that is a very good thing and I think we need to harness that.

Tenterden agrees with this statement. At one event we had 600 residents attending our Neighbourhood Plan engagement event.

Paul Miner, Head of Land Use and Planning, CPRE

56. Brownfield sites are particularly valuable in terms of tackling the climate emergency because they are in areas where people have got more choices of how they get around; they can walk and cycle to the shops and other facilities, whereas a lot of greenfield developments we have seen in recent years have often been very car-dependent. And as a result of that trigger increasing levels of pollution in the surrounding area. So, a brownfield-first policy has a number of benefits.

This appeal is for a greenfield site that will create car dependency.

Emma Bridgewater, President of CPRE

57. Developing brownfield is a win-win solution that holds back the tide of new buildings on pristine countryside and aids urban regeneration at a stroke.”

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Conclusion

Robert Jenrick MP Written Ministerial Statements sits alongside the National Planning Policy Framework and Planning Practice Guidance as of material consideration.

The direction of travel by government ministers is to:

- a. Build on brownfield sites,
- b. Build by urban towns
- c. Build by transport hubs.
- d. Avoid building on greenfield sites
- e. Introduce rewilding
- f. Deliverable true biodiversity net gain as default

This application will not satisfy any of these criteria.

Let us build the right homes in the right places and reject this appeal.

Yours sincerely,

C. Gilbert

Claire Gilbert
Deputy Town Clerk

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Ms. L. Palmer
Case Officer
The Planning Inspectorate
Room 3/J, Temple Quay House
2 The Square
Bristol
BS1 6PN

26th November 2021

Dear Ms. Palmer,

**Re: PINS Ref: APP/E2205/W/21/3284479
Ashford Ref: 21/00790/AS
Tenterden Neighbourhood Plan**

We have noted that the appellant objects to Limes Land being designated as a Local Green Space.

We wish to lodge our objection to the appellant proposal to build 145 dwellings as it conflicts with our Reg 14 Tenterden Neighbourhood Plan (TNP).

We recognise Reg 14 policies carries only limited weight. However, the evidence collected is factual correct, therefore should be attributed full weight.

Tenterden Town Council is the qualifying body for our community's TNP. It is currently in Reg 14. Throughout the process we have employed professional planners to ensure we have complete rigour and to formulate policies where the evidence has taken us.

In June 2021, Tenterden Town Council requested a report from the TNP Group for an impact assessment of 21/00790/AS, on the site known as Limes Land. A copy of the report was issued to Ashford as part of Tenterden Town Council's objection to the application and should be read in full.

Below is a summary of the assessment highlighting the relevant TNP policies this development proposal infringes, together with detailed evidence relating to the site being "local in character" to qualify as a local green space.

Tenterden's Neighbourhood Plan

There are 6 clear TNP polices that have a direct bearing on this proposal and explicitly on Limes Land. These are:

Policy TEN NP1 - Protection of Landscape Character - (Woodchurch Undulating Farmland). Its aim to ensure: "No loss of distinctive landscape features of Biddenden and High Halden Farmlands and Woodchurch Undulating Farmlands as

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a result of development." The development proposed is not considered to comply with:

- a) Conserve and enhance the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty and its setting and demonstrate a positive contribution to the objectives of the High Weald AONB Management Plan;
- b) Retain the distinctive landscape features of Biddenden and High Halden Farmlands and, Woodchurch Undulating Farmlands defined on Map 4;
- c) Maintain the dark skies and low level of light pollution around Tenterden;
- d) Protect and, where possible, enhance ancient woodland or veteran trees;
- e) Maintain the tranquillity of the area;

Policy TEN NP2 - Protection of Local Green Spaces. Its aim to: "Protect green areas of particular importance to the community." The development proposed is not considered to comply with:

- a) Limes Land (excluding Homewood School fields) meet all the criterion for designation.

Policy TEN NP3 - Conserve and Enhance Biodiversity. Its aim to: "Protect and enhance valued landscapes and sites of biodiversity of value". The development proposed is not considered to comply with:

1. Promote the conservation, restoration and enhancement of, local wildlife-rich habitats including Local Wildlife Sites, Ancient Woodland, Nature Reserves and sites identified within the Priority Habitats Inventory and wider ecological networks which act as corridors and stepping stones for wildlife including water features, ditches, ponds and hedgerows;
- b) Avoid an adverse impact on protected species;
- c) Enhance habitats for wildlife on site, with a minimum 10% increase in habitat value for wildlife compared with the pre-development baseline;
- d) Retain veteran and ancient trees, groups of trees, hedgerows to secure their long-term retention and allow for their growth and development;

Policy TEN NP4 - Design of New Development and Conservation. Its aim is to: "To adopt good quality design principles and should reflect the local vernacular". New development in accordance with the Neighbourhood Plan will be permitted where it:

- a) At edge of town locations, follows the Tenterden Design Code Design Principles
- b) Protects and enhances designated heritage assets and their setting; and
- c) Protects and sensitively incorporates natural features such as trees, hedges, watercourses and ponds within the site;

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Policy TEN NP7 - Non-designated Heritage Assets. Its aim is to: "Consider the significance of the asset and the level of protection".

- a) Gallows Green
- b) The Drove
- c) Ridge and Farrow

Policy TEN NP16 - Historic Routeways. Its aim is to: "Protect unsympathetic change to the character of a historic routeway."

- a) PROW runs through the site and a large portion of its nature countryside views will be seriously obscured by the pavilion. It will unsympathetically alter the character for this portion of the site.

Policy TEN NP17 - Public Rights of Way. Its aim is to: "Protect the character and biodiversity of existing public rights of way." The provision, character and biodiversity of existing public rights of way, will be protected and enhanced, including within new development in accordance with Policy TEN NP4.

- a) PROW runs through the site and a large portion of its nature countryside views will be seriously obscured by the pavilion. It will detrimentally alter the character for this portion of the site.

Limes Land Designation as Local Green Space

We have adhered to the NPPF and PPG guidance on which sites would meet a local green space designation. This we have undertaken to the letter.

For clarity, the criteria is: a) in reasonably close proximity to the community it serves; 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 c) local in character and is not an extensive tract of land.

One of the identified spaces that fulfils the criteria is Limes Land, a medieval site where extensive evidence has shown it meets all the criterion for designation.

Since 1887, it has been considered a "pasture like park" due to its beauty and landscape. The green space holds particular local significance because of its defining history, its beauty, its recreational value and its richness of wildlife.

It also provides the community with opportunities for leisure activity within a tranquil setting close to the town. It has been used for recreational purposes for many decades, if not centuries and continues to be used extensively today.

The designation of this site would not preclude Ashford Borough Council in the future developing other sites as there is still a considerable amount of land within

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the borough that is undeveloped. Since the adoption of the Local Plan in 2019, over 100 dwellings for development within Tenterden have been supported by Tenterden Town Council. That is 10% of the total windfall that Ashford require by 2030.

As a Local Green Space, Limes Land would be well-placed to help future town sustainability by mitigating the impact of climate change, protection of the environment and provision of social facilities. It already provides the town with an important green lung and wildlife corridor that helps to off-set the impact of the nearby built environment and road network.

This green space is integral to the community as an amenity site and not a piece of countryside next to a settlement. It is not isolated, but within short walking distance to Tenterden North and South Wards with a combined population of circa 4,000. This green space is part of the public realm, where informal social interaction takes place and has been recognised, valued and used by residents for generations. It serves the community on a day-to-day basis.

The social, community, and environmental benefits of this site help to make local settlements socially and environmentally sustainable. It is visited by a large number of residents and visitors for walking, jogging and just seeking tranquillity.

Evidence shows this site is demonstrably special within the context of NPPF requirements. Though this site is approx. 20 hectares, it is a coherent green area in its own right. It is local in scale within the wider context of the neighbourhood area. It is not an extensive tract of land; it has clearly defined boundaries with numerous varying distinguishable features of flora, geology, watercourses, ponds and topography together with iconic views, making it a beautiful montage landscape.

The appellants "statement of case" paragraph 4.6 agrees with the TNP view of clearly defined boundaries, as it says: "The appeal site boundaries are all clearly defined and defensible, and the site itself is remarkably well contained."

It has distinct physical characteristics and features, with many ancient hedgerows and mature trees that complement the ponds and slow flowing streams that meander through the site. The intimate small scale field pattern provides a sense of enclosure which has remained unchanged for centuries.

It blends seamlessly with the AONB and makes an important contribution to the physical form and layout of the neighbourhood.

Natural England's Accessible Natural Green Space Standards (ANGSt) recommends that all sites should be judged on their merits with the aim that everyone, wherever they live, should have an accessible natural green space:

- a) at least 2 hectares in size;

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- b) no more than 300 metres (5 minutes' walk) from home;
- c) with at least one accessible 20-hectare site within two kilometres of home.

Limes Land is compatible with all those criteria.

The Ashford Borough Council Open Space Strategy 2017 is one of the evidence documents for the ALP 2030. Its vision is to "protect, enhance and provide an open space network across the borough to create a thriving landscape of well-located and well-connected open spaces, which supports our existing and future community." This site aligns with this objective in that it will provide a vital local green space for the existing and future population of Tenterden.

It must not be forgotten, the ALP Landscape Assessment SPD (Woodchurch Undulating Farmlands Character Area - LCA 23) has identified this site as an area of significant value, recommending the landscape should be "conserved and reinforced". A local green space designation would guarantee this.

In summary, we believe this site is truly worthy of a Local Green Space protection and has all the evidence to demonstrate this. This site is now more important than ever to preserve.

With the government pledges made to rewilding, COP26 and the new Environmental Bill, this local green space provides an opportunity for Tenterden to have a balance between housing developments to meet the needs of the town, whilst protecting valued and valuable site as part of mitigating climate change and protecting the local priceless environment.

The evidence for this site collected during the Neighbourhood Plan process shows that Limes Land should be a local green space and also shows the environmental damage the development would cause.

This application should be refused.

Yours sincerely,

A handwritten signature in black ink that reads "C. Gilbert".

Claire Gilbert
Deputy Town Clerk

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Ms. L. Palmer
Case Officer
The Planning Inspectorate
Room 3/J, Temple Quay House
2 The Square
Bristol
BS1 6PN

29th November 2021

Dear Ms. Palmer,

**Re: PINS Ref: APP/E2205/W/21/3284479
Ashford Ref: 21/00790/AS
Summary of Previous Objections**

We wish to lodge our objection to the Wates proposal to build 145 dwellings.

Please refer to our detailed June 2021 objections for the application 21/00790/AS on the ABC Portal, as we do not intent to duplicate in this letter.

It is very difficult to précised our objection letters sent to the Appeal inspector, but we have tried to highlight a number of the salient points:

Precis

There is no identified housing short fall within Tenterden as the future needs will be met by the local plan allocated sites and the continuous stream of small-scale windfalls.

The proposal is for an edge of town development in the countryside, outside the build confines adjoining established low density housing ribbon.

The masterplan shows 145 dwellings including affordable homes which equates to 27 dwellings per ha. This is double the density of the adjoining ribbon housing, would undermine the locality of this rural area.

The key criterion is not what high densities that can be found elsewhere in the town, but how the proposal relates to the local vernacular. The proposed density should be similar to the local vernacular or less, not exponentially higher in full view due to its elevated position. This would radically harm the visual amenity.

To allow a high-density scheme at the town's edge would be at odds with the current smooth transition from housing to countryside. The elevated housing and the 2½ story block of flats would dominate the views and invade privacy of nearby existing houses. The development of this site would increase the extent of urban

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development and encroach into the countryside, permanently changing the rural features and attributes of the location.

To create new access for development at a sensitive location of ribbon housing would open up views to the new proposed housing and cause irreparable harm to the linear nature and landscape pattern of the character's area and appearance. The adverse effect on the site's charm, integrity, quality and beauty would be significant.

It would also have a detrimental effect on the historic and ancient setting of tree lined Appledore Road into town.

The site is a strategic green gap creating the sense of openness and separation, (which we believe) is protected by policies, with a valuable wildlife corridor and gap between Appledore Road and Woodchurch Road. Its loss with the coalescence of new development would be deplorable.

It would detract from the area's spatial character resulting in loss of typical Wealden pastoral open countryside. This proposal would diffuse an existing clear and crisp transition between town and countryside, which is unacceptable.

The site is valued by the local community as an open space and has been used over generations for leisure and exercise activities. The natural wildness and treasured open space with stunning views and visual amenity would be corrupted, due to the new elevated housing.

Part of the site known as Limes Land has an Ashford Landscape Character Assessment designation of LCA 23. The development would undermine the character, appearance and beauty of the area renowned for its feeling of space and tranquillity. The intrinsic beauty, the allure of the countryside and the long panoramic views across the site would be significantly harmed and contravene local plan and national policies.

The proposal refers to creating open space and a misnamed country park. In fact, the whole site today is open space and natural wild park. After the development, the site will be left with pockets of remaining fragments which the developers are calling the creation of open space. This proposal is an illusion and disingenuous.

The official records held on Kent Reptile and Amphibian Group and Kent & Medway Biological Records Centre, together with the evidence provided by Tenterden Neighbourhood Plan shows that Limes Land has very rich and biodiverse flora and fauna.

Many of the species are protected or registered as rare and therefore should be properly safeguarded by the Wildlife & Countryside Act 1981; the Conservation of Habitats and Species Regulations 2010; and the Hedgerow Act of 1997. Kent

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Wildlife Trust and other consultees have put on record that the environment would suffer a biodiversity loss that could not be mitigated.

A large number of trees and ancient hedgerows would be lost due to the poor design of the masterplan, resulting in loss of habitats together with their symbiotic relationship with wildlife for nesting, foraging and navigation. This is totally unacceptable.

It cannot be over emphasised we need to ensure the biodiversity of the site is maintained and maximised. Possibly with some areas to be placed in the hands of a wildlife trust.

With the known annual flooding issues on the site and the impact on adjoining roads and further afield, we are very concerned the SuDs proposal will not prevent future flooding with the impermeable ground. It is highly probably that with the new hard surfacing and faster water flows, flooding will be intensified.

The vast majority, if not all of the dwellings as shown in the masterplan would be greater than the 800m walking distance to key town anchor points, as guided by the Manual of Street.

With the exception of exercise, it would create a car dependent estate where the new residents would have to travel by car for shopping. With very few local employment opportunities, economically active residents would travel to work by car, due to the lack of quality and affordable transport. This naturally would have an adverse impact on rush hour congestion of queuing cars and create gridlock, as well as additional CO2 emissions.

Conclusions

Tenterden continues to grow organically and has approved during the last three years over 100 dwelling windfalls towards Ashford's required 1,000 windfalls by 2030.

The site has a rich array of protected and rare species, with high landscape and visual sensitivity. We conclude there is no scope for development. This is reinforced by previous history of application rejections and appeal inspections.

It must be stressed the spatial strategy in the Local Plan is sound. Therefore, in our opinion, this proposal should be rejected, as it is contrary to development plan vision, its policies and does not comply with Reg 14 Neighbourhood Plan.

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We conclude adverse harm caused by this proposal would significantly outweigh any benefits.

Yours sincerely,

C. Gilbert

Claire Gilbert
Deputy Town Clerk