

## **Tenterden Town Council Planning Committee - Summary of Objections**

### **Planning Application 19/01788/AS**

#### **Land Between Woodchurch Road & Appledore Road**

Tenterden Town Council objections falls under two major headings. Ashford Local Plan 2030 (ALP) and HOU5.

#### **Not Compliant with Ashford Local Plan**

1. *Does not comply with the ALP Vision:*

Wates masterplan is overbearing in size and density, which conflicts with ALP's vision of Tenterden to conserve and enhance its historic centre and accommodate development of a suitable scale, design and character. The town cannot absorb or sustain this level of housing growth and would ruin Tenterden's landscape setting, its intrinsic historic character where the APL says future development should be "limited, phased and very carefully planned".

2. *Does not comply with SP1 Strategic Policy:*

This is an unjustifiable location with known inadequate utility infrastructure services, unsustainable transport, does not promote connected green infrastructure network with improved access to nature, encroaches into Tenterden's Weald landscape blessed with rich biodiversity, is peripheral to the town (as confirmed by the ALP SHELAA report), and does not grow or innovate the long term local economy. The outcome would transform a rural area into an urban sprawl.

3. *Does not comply with SP2 Strategic Approach to Housing Delivery for Tenterden:*

ALP paragraph 2.42 states "the countryside is not a sustainable location for large scale development". Paragraph 2.59 continues to say "development located outside an AONB but which would have a significant adverse effect on the setting of the AONB will also be resisted".

The APL Glossary defines "windfall" as: "Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available." This site was made available in the process and was documented as part of the SHELAA evidence, but was rejected as unsuitable.

Appendix 5 "housing trajectory" measures windfalls for unallocated sites under 10 dwellings for under 10, and major for over 10 dwellings. It can be inferred that Ashford were not contemplating windfalls size greater than 20 or 30 units. Certainly, there is zero indication of units in the hundreds. As 10 units and above are considered "major". There is no category for large windfalls that would cover 250 dwellings.

The ALP is quite specific that the combined master planned southern extension to the town and the permitted extension to housing at Tilden Gill Road on the Shrubcote estate can fulfil the town's development needs over the Plan period without adversely affecting the character of the town. The Wates proposal is not part of the planned approach.

The proposal ignores the strategy for rural areas will be of a scale that is consistent within the relevant settlement's accessibility, infrastructure provision, level of services available, suitability of sites and environment sensitivity.

*4. Does not comply with SP6 Promoting High Quality Design:*

Wates masterplan is over-bearing, out-of-scale, out of character in terms of its appearance compared with existing housing stock in Appledore Road and Woodchurch Road. The density is an over development of 46 dwellings per hectare (based on Wates planning statement of 5.41 hectare developable area).

The proposal is more akin with inner London, not for a rural setting with the feeling of space and tranquillity. It will have a serious impact on residential amenity value with loss of privacy where new residents would be able to look straight into Appledore Road properties due to its prominent elevated position.

5. *Does not comply with SP7 Separation of Settlements:*

This development is a non-allocated site and development would result in coalescence of the settlement between Woodchurch Road with Appledore Road. It is essential to maintain this gap between two settlements, its distinct characteristics and attractiveness. This non-allocated site would be a wanton erosion of the countryside, tranquillity and protected wildlife, by removing an important green gap and lung. The settlements identify would be lost with this urban expansion.

6. *Does not comply with ENV1 Biodiversity:*

The western part of the site, where the houses would be built, the habitat actually represents a rare historical survival of 'unimproved neutral grassland' – which would make it a 'Priority Habitat of Principal Importance', protected by the ALP and NPPF.

Failings in the automated static bat detectors as they were not recording data for May, June and July of 2018. Additional equipment is required for identifying myotis bat species, which was not deployed. The Invertebrate Scoping Study was conducted for a single day for a 50-acre site is totally unacceptable.

There are 400 species known on this site and have been largely ignored. There are 64 recorded bird species, double the number admitted by the EPR. Thirty Two (32) of them are on the British Trust for Ornithology's Red and Amber lists, as birds have the highest conservation priority. There is no mention of them in the EPR. This site is known to have a dozen mammal species, including hedgehogs and polecats, both 'BAP Priority Species' and yet EPR have not undertaken a mammals survey; this is unacceptable. The author has not mentioned the above species within the KMBRC documents. Any ecological report has to be fully inclusive and not for the author to pick and choose.

Tree Council recommend trees should be subject to an iTree assessment to establish the environmental, ecological and financial value of the tree. In

addition, trees should be subject to a full ground assessment and are subject to an independent Licensed Bat Ecologist, using climbing equipment, to fully assess and report on the bat roosts within the site.

It is believed that separate Planning permission will be required to remove the ancient hedgerows, some dating back to the 1400's. Some veteran and larger trees will have their root systems compromised by this development. All veteran trees should be fully protected, above and below ground, as outlined in the NPPF paragraph 175c.

The ecology impact assessment document admits that mitigation will not be possible or questionable for major aspects of the flora and fauna. No evidence to mitigate loss of rare and protected species (in the KRAG and KMBRC records) has been presented. A very serious omission. The author cannot claim biodiversity will be gained when there is minimal reference to mitigation for each protected and rare species. It is also not practical to expect 8.66ha country park with its own biodiversity to compensate a biodiversity 10.37ha wildlife loss due to various constructions. Kent Wildlife Trust have stated that biodiversity net loss will occur with this development.

*7. Does not comply with ENV3a Landscape Character and Design:*

The historic and ecological importance of Limes Land dates back over 1200 years. During this time, the land has been appreciated by generations of residents and wildlife alike. The majority of properties on both Woodchurch Road and Appledore Road enjoy uninterrupted views of Limes Land and would remove residential visual amenity. This development would have a detrimental and damaging impact on the countryside especially for the properties which border the site. The development would transform a rural and agricultural landscape with clearly defined boundaries, hedgerows and ponds into an urban settlement that would be out of character with the surrounding area.

Limes Land as a designated landscape area has been adopted as LCA 23 by the current ALP. The 2009 Assessment concluded that there is a coherent and strong pattern defined by trees and hedges. It is visually unified with good culture integrity and strong ecological integrity coherent pattern of elements

with few distracting features. The landscape is undulating with strong sense of enclosure provided by mixed woodlands and hedgerows. It is visually unified with good cultural integrity and strong ecological integrity. The overall guidelines for this area are to "conserve and reinforce" and warns against urbanisation.

It is impossible to "conserve and reinforce " with a major development. As it would adversely impact the character of the town with its adjoining countryside and destroy the unique landscape and views to and from the ridge.

*8. Does not comply with ENV5 Protecting Important Rural Features:*

See ENV3a above.

*9. Does not comply with ENV6 surface water:*

The geology of this site is well known for impermeability due to the clay substate. The surface water run off relies on the existing ditches and outflow via culverts into the surface water sewerage network in Appledore Road. From time to time this has led to localised flooding on Appledore Road.

*10. Does not comply with ENV8 Water Quality, Supply and Treatment:*

South East Water have not stated if there is sufficient capacity in the water supply. Southern Water Services have advised there is insufficient capacity in the existing network in Appledore Road to cater for the number of dwellings on this site.

*11. Does not comply with ENV9 Sustainable Drainage:*

Southern Water Services have raised issues on capacity.

*12. Does not comply with ENV12 Air Quality:*

All major development proposals should promote a shift to sustainable low emission transport to minimise the impact of vehicle emissions on air quality. Housing development should be located where it is accessible to support the use of sustainable public transport, walking and cycling. Without sustainable public transport, new residents will continue to rely on cars to commute to work and other daily activities. There is a likely build-up of congestion and

visual impact caused by the 'Choker' traffic calming solution and main access points proposed on Appledore Road. Air quality will suffer.

*13. Does not comply with ENV13 Conservation and Enhancement of Heritage Assets:*

This site is renowned for its Medieval Ridge and Furrow ploughed field and Gallows Green shown on the detailed original maps of 1769 and 1843. Limes Land is very attractive countryside, which is typical of the Wealden pastoral landscape separated by hedgerows and drainage ditches that survive today. Within the clearings are distinctive field boundaries, dating from 1731 and all of these are recorded on the Tithe schedule and Map of 1843. The historic landscape character of the site is acknowledged as one exhibiting considerable time depth and coherence with no historic boundary loss and the survival of medieval landscape features, including hedgerows; veteran trees; ponds and trackways. This ancient mosaic, in combination with unimproved or semi-improved neutral and acid grassland, renders the site historically important locally, regionally and nationally. Further studies are required.

The topography of the site is significant as in the middle is a ridge sloping North East and South West. It is one of the highest points in Tenterden with unimpeded views across the countryside to St Mildred's Church and to Kench Hill.

Appledore Road is a historically important tree lined avenue leading to the town. It is proposed to remove several established trees that form part of the distinctive landscape and historical feature along Appledore Road, and further visual harm would occur with the introduction of unsightly bollards and signage which would degrade the setting significantly.

*14. Policy TRA7 – Road Network and Development:*

Developments that would generate significant traffic movements must be well related to the primary and secondary road network and this should have adequate capacity to accommodate development. New accesses and intensified use of existing accesses onto the primary or secondary road network will not

be permitted if a material risk of road traffic accidents or significant traffic delays would be likely to result.

Signalisation for Recreation Ground Road with the High Street and Ashford Road will be over capacity in 12 months' time. No long-term solution is available, only tweaks.

With the extra traffic generated by this proposed site over and above the new traffic from the approved sites of Tilden Gill and Tent 1, an irresolvable issue of gridlock at Homewood School and St Michael's Church of England Primary School will occur during the Tenterden rush hour. In addition, congestion on existing roads with on street parking - Golden Square, Oaks Road and East Hill will become unbearable.

It is well known there are NO funds available now or in the immediate future to solve the critical traffic congestion of arterial roads into and out of town. Therefore, the roads within and around Tenterden will become more and more unsustainable. This policy must be adhered to as there will be insufficient capacity to contend with new traffic from commuters and daily errands.

### **Not Compliant with HOU5 (Windfall Outside the Settlement Area)**

There are six criteria in HOU5 - this application does not meet any of them.

Paragraph 6.35 of HOU3a states that residential development which comes forward on sites outside of those allocated in the local plan are known as 'housing windfalls'.

There is no definition for HOU5 and therefore other criteria has to apply and be governed within the context of by paragraphs 6.54 to 6.61, plus the ALP vision, strategic policies, plus environmental and transport policies as stated above.

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

- i. 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.
- ii. 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 is one of the reasons why Tenterden is a tourist town.
- iii. Paragraph 2.51 of the ALP says the high quality of Tenterden's landscape setting and its intrinsic historic character are factors that suggest that new development in the town should be limited, phased and very carefully planned. Therefore, no more major new development is planned in Tenterden itself.
- iv. Taking these statements into consideration this development is not required and would be overbearing. We support small scale and organic housing growth for the town.
- v. 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.
- vi. 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.
- vii. The density of the proposed development is around 46 dwellings per hectare. This is way out of proportion with the density of the surrounding settlements, which is in the low teens per hectare.



viii. The proposal of this scale together with other committed / allocated developments in Tenterden, would be disproportionate to the settlement's scale.

*b) 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. Wates application has provided walking distances which have been given as 'the crow flies'. To comply with the Department of Transport recommendations, services should be no more than 800 metres from the settlement. However actual walking distances from the Appledore Road site to the majority of the town's services are well above 800 metres and some up to 1,650 metres.

ii. For past planning applications for this site, previous Appeal Inspectors have stated there is no strategic transport infrastructure or strategic transport schemes for Tenterden to allow sustainable travel to employment centres. Private transport will continue grow as the main mode of travelling due to convenience, cost and speed.

*c) Criteria C: the development is able to be safely access form 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. KCC Highways have already stated that the signalling system at Recreation Ground Road will pass capacity by next year, 2021.

iii. 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.

- iv. 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.
- v. There are concerns about the proposal to place an uncontrolled crossing on the Woodchurch Road, as this is a known area for speeding and is close to a blind bend.
- 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.

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

- i. There are very limited public transport options in Tenterden so it is likely that people will use their own vehicles to access services within the borough. 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”
- ii. With a large number of destinations over the 800m mark, residents will use for the car for shopping.
- iii. Cycling routes are predominately for exercise and leisure. There will be minimal use of bicycles for travelling to employment centres.
- iv. NPPF Paragraph 103 says, significant development should be focused on 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.

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

- i. The Ashford Landscape Character Special Planning Document has identified this site as being within a designated Landscape Character Area. 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.
- ii. 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.
- iii. 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.
- iv. 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.
- v. 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.

*f) 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 land. The first was in 1960, and again in 1987 and 1997. Following a series of appeals 1988 and 1989 to the Secretary of State for the Environment, which have 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 on 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.

It appears that Wates has already put the site up for sale, so in fact we have no idea who will build the development, or what the masterplan will eventually look like.