



Friday 28<sup>th</sup> June 2019  
543/A3/JJA

Alex Stafford  
Ashford Borough Council  
Planning Department  
Civic Centre  
Tannery Lane  
Ashford  
Kent  
TN23 1PL

**By Email Only**

Dear Sirs

**Re Proposed Development of Land at Appledore Road/ Woodchurch Road Tenterden, so as to accommodate up to 250 houses with associated car parking, landscaping & community facilities to include play space & community orchard; together with a 8.57ha country park encompassing natural play areas and outdoor 'classroom'; and land for five football pitches, changing rooms, pavilion and parking**

**Issues for consideration when undertaking a Screening Opinion.**

**Town & Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 ('the EIA Regulations').**

I am writing on behalf of my client, Wates Developments Limited, in respect of their proposal to submit a Hybrid Planning Application for:

- a) Outline permission for the development of up to 250 residential dwellings (40% affordable) on 12.63 ha (31 acres) including the creation of access points from Appledore Road and creation of a network of roads, footways, and cycleways through the site. Provision of open space including children's play areas, community orchards, sustainable urban drainage systems, landscape buffers and green links on the site. (Matters for approval: Access)
- b) Full planning permission for the change of land use from agricultural land to land to be used as a country park (8.57 ha) (21 acres), and land to be used as formal sports pitches (3.33 ha) (8.2 acres), together with pavilion to serve the proposal and the surrounding area. Including accesses, ancillary parking, pathways, sustainable urban drainage systems and associated landscaping

In accordance with regulation 6 of the EIA Regs I am writing to request the Council's formal opinion as to whether an Environmental Impact Assessment (EIA) will be required.

## **1 Requirement for EIA**

- 1.1 This statement considers whether or not the proposed development of the above site so as to accommodate up to 250 houses with associated car parking, landscaping & community facilities to include play space & community orchard; together with a 8.57ha country park encompassing natural play areas and outdoor 'classroom'; and land for five football pitches, changing rooms, pavilion and parking would be likely to have a significant effect upon the environment, by reason of matters such as its nature, size or location, so as to require an EIA.
- 1.2 EIA development is defined by the EIA Regulations as:  
*"schedule 1 development; or Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location"*.

- 1.3 EIA development falls into two Schedules of the EIA Regulations. EIA is mandatory for developments listed within Schedule 1. The proposed development is not of a type listed in Schedule 1.
- 1.4 Schedule 2 developments require EIA if they would lead to likely significant effects on the environment. In deciding whether a Schedule 2 development is EIA development, Regulation 5(4) states:  
*“Where a relevant planning authority ... has to decide under these Regulations whether Schedule 2 development is EIA development, the relevant planning authority ... must take into account in making that decision -*  
*(a) Any information provided by the applicant;*  
*(b) The results of any relevant EU environmental assessment which are reasonably available to relevant planning authority...; and*  
*(c) such of the selection criteria set out in Schedule 3 as are relevant to the development.”*
- 1.5 If the development proposed is of a type listed in Schedule 2 then it may be classified as EIA development if it is within a sensitive area or it meets any of the relevant thresholds or criteria in Column 2 in Schedule 2.
- 1.6 Sensitive Areas are defined in the EIA Regulations as:  
 *Sites of Special Scientific Interest and European Sites;*  
 *National Parks, the Broads, and Areas of Outstanding Natural Beauty; and*  
 *World Heritage Sites and Scheduled Monuments.*
- 1.7 In certain cases, local designations which are not included in the definition of sensitive areas, but which are nonetheless environmentally sensitive, may also be relevant in determining whether an assessment is required.
- 1.8 The proposed development falls within category 10 of Schedule 2, ‘Infrastructure Projects’, sub-section (b) ‘Urban Development Projects’. The site is not located in a sensitive area and therefore the thresholds below should be applied:  
i) The development includes more than 1 hectare of urban development which is not dwelling house development; or  
(ii) the development includes more than 150 dwellings; or  
(iii) the overall area of the development exceeds 5 hectares.
- 1.9 With a site area of 24.53 ha and the number of dwellings proposed at up to 250, the thresholds set out in the EIA Regulations are exceeded. Accordingly, this screening assessment has been prepared to assist in the determination of whether the proposed development would be likely to result in significant environmental effects. In order to achieve this, Schedule 3 of the EIA Regulations and the NPPG need to be taken into account and are considered below.
- 1.10 Schedule 3 of the EIA Regulations sets out selection criteria which relate to specific matters including: the characteristics of the development; the location of the development; and the characteristics of the potential impact. These factors should be taken into account as part of the screening process and are set out below.
- 1.11 Paragraph 057 the NPPG provides guidance to help determine whether significant effects are likely. In general, the more environmentally sensitive the location, the lower the threshold will be at which significant effects are likely. Table 1 in the Indicative screening thresholds

Annex gives indicative criteria and thresholds for assessing whether urban development projects are EIA development projects. The indicative criteria and threshold guidance for urban development projects on sites that have not previously been intensively developed are:

- (i) *area of the scheme is more than 5 hectares; or*
- (ii) *it would provide a total of more than 10,000 m<sup>2</sup> of new commercial floorspace; or*
- (iii) *the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings).*

- 1.12 Key issues to consider are according to the Annex:  
*'Physical scale of such developments, potential increase in traffic, emissions and noise'*
- 1.13 It should be noted that the proposed development does not, at up to 250 dwellings, exceed the threshold for development in the NPPG in terms of the number of proposed dwellings, however, at a gross area of 24.53 ha, and a residential development area of circa 8.3ha, the site does exceed the area threshold in both the EIA Regulations and the NPPG. In determining whether the proposed development is 'EIA development', regard should be had to both the EIA Regulations and the NPPG.
- 1.14 In order to assist the council's consideration as to whether this development would require an EIA, we have adopted the approach to screening set out in Regulation 6 of the EIA Regulations, namely to provide:
- (a) A plan sufficient to identify the land - drawings RD1686\_F3\_Location Plan rev A and RD1686\_F3\_masterplanD2 rev C;
  - (b) A description of the development, including in particular:
    - (i) A description of the physical characteristics of the development;
    - (ii) A description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;
  - (c) A description of the aspects of the environment likely to be significantly affected by the development;
  - (d) A description of any likely significant effects of the proposed development on the environment resulting from:
    - (i) The expected residues and emissions and the production of waste, where relevant; and
    - (ii) The use of natural resources, in particular soil, land, water and biodiversity; and
  - (e) Such other information or representations we believe may assist.
- 1.15 Schedule 4 of the EIA Regulations requires an Environmental Statement of a proposed development to consider that development cumulatively with other existing and/or approved development. Guidance on the consideration of cumulative effects in the EIA screening process is set out in the PPG, which echoes the requirements of the EIA Regulations:  
*"Each application (or request for a screening opinion) should be considered on its own merits. There are occasions where other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development. The local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development."*
- 1.6 Nearby committed developments with the potential to result in cumulative effects with the proposed development are considered below. It is expected that ABC will consider the potential cumulative effects of the proposed development alongside any other relevant committed developments when forming its Screening Opinion.

## **2 The Proposed Development**

### **2.1 Site Description**

- 2.1.1 The site consists of 12 low grade agricultural fields (Fields F1a/b, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12) which are set aside as pasture and separated by trees/ hedgerows with access achieved from Appledore Road via a five bar gate; and 2 fields (fields F13 and 14), currently used by Homewood School as playing pitches (F13)/ for grazing (F14), which are also accessed from Appledore Road.
- 2.1.2 A public footpath (PRoW no. AB12) crosses the site and connects Woodchurch Road to Appledore Road.
- 2.1.3 The site includes a number of trees subject to a Tree Preservation Order (TPO) – TPO 5/1998. There also a number of trees abutting the site that are also subject to TPO's): 4/1964, 20/1995, 2/1999, 1/2002, 2/2007 and 4/2008. As set out in section 3.4 below, the intention is that the proposed development retains the majority of the existing trees, provides adequate space between them and the proposed built form and provides for their protection and integration into the new landscape.
- 2.1.4 The overall site area is 24.53 ha.

Please refer to the Site Location Plan (drawing RD1686\_F3\_Location Plan rev A).

### **2.2 Characteristics of Development**

- 2.2.1 The proposed development looks to develop the site so as to accommodate up to 250 houses with associated car parking, landscaping & community facilities to include play space & community orchard; together with a 8.57 ha country park encompassing natural play areas and outdoor 'classroom'; and land for five football pitches, changing rooms, pavilion and parking.
- 2.2.2 Vehicular access will be provided from two points along Appledore Road and new pedestrian links will be provided to both Appledore Road and Woodchurch Road.
- 2.2.3 The proposed development will for the most part not exceed 2 storeys in height. Some 2½ and/or 3 storey buildings will be placed at focal points to act as way finders. 40% of the proposed dwellings will be affordable. To this end it should be noted that the proposed development will be designed to reflect the aims and objectives of policies SP1, 2 and 6; HOU1, 2, 5, 6, 12, 14, 15 and 18; TRA3a, 5, 6, 7, and 8; ENV1, 3a, 3b, 4, 5, 6, 7,8, 9, 13, 14 and 15; COM1 and 2; and IMP1 of the Ashford Local Plan 2030 as adopted in February 2019
- 2.2.4 Over 17 hectares is to be set aside as publicly accessible open space, which will encompass the county park (8.57ha), sports pitches (3.33ha), equipped children's play areas, community orchard, semi-natural amenity space, and extensive landscape buffers (5.77ha), all of which will reflect and respect the semi-rural character of the area.
- 2.2.5 An illustrative Masterplan (drawing RD1686\_F3\_masterplanD2 rev C) is attached – this looks to demonstrate the potential layout of the development, and associated accessing arrangements.

## 2.3 Site Location

- 2.3.1 The site is located adjacent to the built up area boundary of Tenterden, to the north east of the town.
- 2.3.2 It is bounded by the Appledore Road and a series of cul de sacs that run off Appledore Road to the south and west, by Woodchurch Road to the north and west, and by open fields to the east.
- 2.3.3 The land to the west encompasses Tenterden Conservation area, within which are a number of listed buildings. As set out below the site abuts the conservation area.

## 2.4 Environmental Sensitivity

- 2.4.1 The site is not located in a sensitive area (it is not located within a SSSI, National Park, European Site, or AONB). It is acknowledged that the site abuts the High Weald AONB (to the east).
- 2.4.2 There are no statutory designated sites within 5km, however there are non-statutory designated sites within 2km including Knock Wood LWS/Ancient Woodland adjacent to the north (as mentioned below).
- 2.4.3 The site is not situated in a location susceptible to earthquakes, subsidence, landslides, erosion, or extreme /adverse climatic conditions, which could cause the proposed development to present an environmental problem.
- 2.4.4 The site itself is not the subject of any planning policy designations or heritage designation. It lies to the north of the built up area boundary of Tenterden, abuts the Tenterden conservation area (to the west) and High Weald AONB to the east. Tenterden conservation area also includes listed buildings (these are separately designated and are additional constraints in addition to the conservation area constraint). Listed Buildings also abut the site to the south west/ west.
- 2.4.5 To the north, on the opposite side of Woodchurch Road lies Knock Wood, an area of Ancient and Semi Natural Woodland, designated as a Local Wildlife Site.

## **3 Those aspects of the environment likely to be affected by the development**

### 3.1 Pollution and Nuisances

- 3.1.1 The proposed development would cause short term nuisance (during the build programme) - this will be kept to a minimum through good environmental management. In this context it should be noted that Wates are members of the Considerate Contractors Group and will submit a Code of Construction Practice prior to any development commencing. This and other planning conditions will ensure that appropriate measures are in place to keep any potential nuisance to a minimum and to prevent any pollution.
- 3.1.2 Documents will be submitted with the planning application to demonstrate that the proposed development will not lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater etc.

### 3.2 Production of Waste

3.2.1 Whilst the proposed development will result in the generation of household waste, once occupied, the level of waste will be minimal and the proposed development will include measures to try and encourage recycling - details of these measures will be set out in the Design and Access Statement to be submitted as part of any future planning application.

### 3.3 Sustainability – the efficient use of natural resources

3.3.1 As is the case with the vast majority the locality in and around Tenterden, the site includes two relatively minor and separate pockets of land defined as being mineral safeguarding areas within the 2013 Kent Minerals and Waste Local Plan. The planning application which will be prepared following this screening process will include a minerals assessment that will consider the effect of the proposals upon these mineral safeguarding areas.

3.3.2 It is envisaged that a Sustainability Report will accompany any future reserved matters application. This will demonstrate how the proposed development will ensure the efficient use of natural resources, such as water, and make use of renewable energy sources to enhance the proposed development's energy efficiency, thus according with policies S6, ENV7 and ENV10 of the Ashford Local Plan 2030 as Adopted in February 2019.

### 3.4 Use of Natural Resources:-

#### i) Loss of Agricultural Land

3.4.1 The site comprises 14 fields, 12 are low grade agricultural fields which are set aside as pasture under license, whilst the remaining 2 are currently used by Homewood School as playing pitches/ for grazing. The majority of the site comprises grade 3b agricultural land, with pockets of grade 3a and grade 4 land. The majority of that identified as grade 3a is to be set aside at Country Park/ public open space/ amenity space i.e. not built upon.

3.4.2 As land to the east is grade 2 and much of the land around Tenterden is Grades 2/ 3a (best and most versatile agricultural land), any greenfield site on the edge of Tenterden is likely to encompass some best and most versatile agricultural land. In this instance, despite its classification, the use of the land that falls within this site for its full grade 3a capabilities is currently constrained by the size and configuration of the field parcels, the site's topography, and its proximity to existing houses and a public right of way.

3.4.3 Given the above, and as no commercial farm relies on the site for its viability, the loss of the site to an alternative use would have no significant impact on an existing farm holding. That said a detailed Agricultural Land Assessment will be submitted with any future application.

#### Loss of existing sports pitches

3.4.4 The proposed development will result in the loss of the existing playing pitches on field F13. This loss will be compensated for by the introduction of five junior sports pitches (9v9, 7v7, 5v5 x2), and one adult pitch (11x11) on fields F14 and F10 and has been the subject of detailed discussions with Sport England who have raised no objection to the scheme given the fact the proposed development provides for higher quality replacement provision.

ii) Landscape and Visual Impact

- 3.4.5 The site abuts the built-up area boundary of Tenterden on 3 sides and countryside (AONB) to the east.
- 3.4.6 The site is relatively well contained and enclosed with very few views into it from the surrounding area, including the AONB to the east, due to the topography of the area, existing vegetation along the site boundaries and existing built form. There is only one public right of way crossing the eastern part of the site and very limited public rights of way within the AONB to the east from where views might be possible.
- 3.4.7 A full and detailed Landscape and Visual Impact Assessment (LVIA) will be carried out in accordance with best practice guidelines (Guidelines for Landscape and Visual Impact Assessment (GLVIA, 3rd edition, 2013). This will identify/quantify the impacts of the proposed development on the landscape and visual resource including impacts on landscape character and views towards the site from a range of receptors, according to their sensitivity, including residents and recreational users of public footpaths. The representative viewpoints have been agreed with Ashford Borough Council.
- 3.4.8 The LVIA will, together with the Design and Access Statement, demonstrate how the proposed development is compatible with the surrounding land uses and how the new residential areas can be assimilated onto the site. The proposed development will not detract from the landscape setting of this part of the settlement, the High Weald AONB, or the topography of the area; with the landscaping providing an appropriate transition between the development and the countryside areas to the east of Tenterden. It is likely that the setting of and views from the AONB will be enhanced through the proposed landscape strategy.

iii) Impact on Trees

- 3.4.9 The site encompasses a number of mature trees (some of which are subject to a TPO (5/1998)). Most are located within the existing hedgerows/ along field boundaries. A full arboricultural survey and inspection of the site has been completed.
- 3.4.10 An Arboricultural Implications Report (AIR), based on the survey data and an impacts assessment of the relevant parameters, highway and masterplans will be submitted with the future application. The intention is that the proposed development retains the majority of the existing trees, and hedgerows within the open space network, provides adequate space between them and proposed built forms and provides for their protection and integration into the new landscape. In addition, further tree and hedgerow planting, and positive management is proposed to promote their continued ecological function, as part of a comprehensive landscape strategy for the site. The LVIA will assess the impact of the proposals on landscape features which is likely to be beneficial both through the proposed additional planting of trees, orchards, woodland and hedgerows but also through the management of these and other features such as meadows, water courses and ponds, resulting in long term benefits to the landscape and biodiversity.
- 3.4.11 Given the above we consider that this site could be developed in a way that is sympathetic to the existing tree stock and enhances the existing tree population on the site.

iv) Ecology

3.4.12 A number of ecology surveys of the site have been undertaken between 2016 and 2018. These are set out in the table below:

Survey Date	Survey Date
Ecological Appraisal (including Phase 1 Survey)	26 April 2016
Botanical Survey	4 July 2016
Bats – Bat Building and Ground Level Tree Inspection Survey	3 May 2016
Bats – Activity Survey	23/24 August, 21 September and 12 October 2017; 25 April and 22 May, 19 June and 4 July 2008
Bats – Automated Static Detector Survey	9 to 12 June 2016; 17 to 21 August, 15 to 19 September and 13 to 17 October 2017; 25 to 29 April, 17 to 22 May, 14 to 18 June and 4 to 9 July 2018
Bats – Dusk Emergence and Dawn Re-entry Survey (Cadet Building)	30 July 2018 and 17 August 2018
Bats – Dusk Emergence and Dawn Re-entry Survey (Trees)	23 April 2018 (T254), 15 August 2018 (T254), 23 August 2018 (G40), 24 August 2018 (T69), 30 August 2018 (G40) and 4 September 2018 (T69)
Hazel Dormouse – Nest Tube and Box Survey	21 September, 19 October and 17 November 2017; 9 May and 10 July 2018
Breeding Bird Survey	1 June, 9 June and 20 June 2016
Great Crested Newt Habitat Suitability Index	26 April 2016; 12 March 2018
Great Crested Newt Pond Presence/Likely Absence Survey	5 May, 12 May, 18 May, 8 June, 16 June and 25 June 2016
Reptile Survey	25 April, 1 May, 9 May, 17 May, 29 May, 5 June and 29 June 2018

3.4.13 As a result of these surveys it is noted that:

Designated Nature Conservation Sites

3.4.14 There are no statutory designated sites within 5km of the site. Knock Wood Local Wildlife Site (LWS) is located immediately to the north of the site, on the opposite side of Woodchurch Road. This is an area of Ancient and Semi Natural Woodland, which appears to be comprised of a variety of woodland types, including large areas of abandoned and overstood Sweet Chestnut coppice. Whilst publically accessible, it is not considered that Knock Wood LWS is likely to be particularly sensitive to recreational pressure from the proposed development as the LWS is demarcated with well-defined paths that are difficult to stray too far from due to dense woodland/undergrowth, streams/brooks and wet/boggy areas.

Habitats

3.4.15 With reference to the British Geological Survey website ([www.bgs.ac.uk](http://www.bgs.ac.uk)), the bedrock underlying the site is mudstone/sandstone (Wadhurst Clay Formation) in the south (and covering most of the site), and Tunbridge Wells Sand Formation in a small corner in the north-eastern end of the site. With reference to [www.landis.org.uk/soilscapes/](http://www.landis.org.uk/soilscapes/), the soils are

described as slightly acid loamy and clayey soils with impeded drainage, and moderate to high fertility.

- 3.4.16 The grasslands on site are semi-improved and neutral to weakly acid in character. As can be expected from the soilscape profile, there are frequent areas in which drainage is impeded, and grassland as a result has either become marshy or developed into rush pasture habitats. Most of the site is grazed by livestock with one field being closely mown and used as sports pitches. These management practices have likely diminished and degraded the ecological importance of the grassland in these fields.
- 3.4.17 Some of the hedgerows bisecting fields and at the boundary of the site support ditches and bank structures, and species-rich hedgerows. Nearly all the hedgerows are unmanaged and have become over-mature.
- 3.4.18 There are five ponds within the site. There are a further two areas of seasonally wet vegetation/ponds (which were found to be largely dry during Great Crested Newt presence/likely absence surveys).
- 3.4.19 Generally, the ponds on site are in poor condition, being heavily overshadowed by surrounding Willow and other tree species, and deficient in floating and marginal vegetation as a result. Three of the ponds are becoming choked by the non-native invasive species Floating Pennywort. Floating Pennywort is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) as a non-native invasive species, which makes it illegal to grow or to cause to spread in the wild. The development proposals will provide for enhancement to the ponds, to include Floating Pennywort management and selective clearance and native planting, which will be managed as part of a long-term site management plan (this plan will also include prescriptions for general habitat creation, enhancement and management together with specifications for reviews of the plan and monitoring).
- 3.4.20 Given the above the important ecological features that exist on site are:
- The existing hedgerows, ditches and bank structures;
  - A number of individual trees; and
  - The ponds
- 3.4.21 Apart from some areas of semi-improved grassland, most of the other habitats will be largely retained, with very small losses to the hedgerows and trees to provide for the access road and associated footpaths. The proposed development includes extensive green infrastructure which will improve the retained features, it also provides for a Country Park and effective management of the green infrastructure. The proposed development will therefore enable the green infrastructure and Country Park areas to become more biodiverse, part of a more connected ecological network and better managed. The scheme therefore has the potential to deliver biodiversity gains.
- 3.4.22 Turning to protected species it is noted that:
- Great Crested Newt
- 3.4.23 There is a 'medium' population of Great Crested Newt within the site, with breeding confirmed within one of the on-site ponds. Aside from one seasonally wet area of vegetation/pond (which was found to be largely dry during Great Crested Newt presence/likely absence surveys) all the other ponds within the site are to be retained together with the connecting

ditch network. Heras type fencing will be used to prevent any construction machinery entering these areas during the construction phase.

- 3.4.24 As the current proposals will involve the loss of suitable Great Crested Newt habitat, a European Protected Species Licence (EPSL) will be obtained from Natural England prior to any clearance works to allow them to proceed lawfully. This will likely involve translocation and exclusion of this species from the construction footprint and any isolated ponds with the aid of exclusion fencing. Mitigation will be required to compensate for the loss of suitable habitat, although as mentioned above, most ponds and ditches together with the existing higher quality terrestrial habitat around these features will be retained, and new ponds are being introduced. The proposed Country Park will be used to provide the required compensation in the form of an enhanced existing pond, creation of at least two new ponds, woodland planting and grassland diversification to provide suitable foraging and shelter. Individuals will be translocated from the construction footprint to the Country Park with access to the breeding pond being maintained for Great Crested Newt during the construction phase. The existing ponds within the developed area will be enhanced through invasive species control, vegetation clearance and planting using native species. Where roads pass over a ditch, connective links will be maintained through provision of wildlife tunnels. Post EPSL implementation monitoring maybe required as part of the licence to ensure the favourable conservation status of the Great Crested Newt population is maintained.

#### Bats

- 3.4.25 The activity surveys, including transects and static monitoring surveys, have shown that bat activity across the site was generally low, with low numbers of bats recorded. Bat activity was lower on the eastern side of the site compared to the western side during the activity surveys. However, the static detector along hedgerow H10/13 (see masterplan) recorded moderate levels of activity by Common Pipistrelle with higher levels of activity in June. No other significant bat foraging or commuting was recorded. Due to the early recording times of bats during the surveys, including Common Pipistrelle and Serotine, it is likely that bat roosts are present in the locality.
- 3.4.26 A small number of trees considered to have low and medium suitability for roosting bats will potentially be lost to facilitate the proposed development and for health and safety reasons, but trees identified with suitability for bats, including those with medium and high suitability, have been retained where possible. Most hedgerows and tree lines are to be retained, however some will be breached for access purposes.
- 3.4.27 A small number of unidentified Myotis passes were recorded across the site. The distribution and status of Myotis bats depends on the species and can range from widespread to restricted and from common to rare. The Kent and Medway Biological Record Centre (KMBRC) did not return records of rare Myotis bat species (Bechstein's) from within 5km of the site. The only species of Myotis returned within 5km of the site were that of Daubenton's and Natterer's, so those recorded during the activity surveys are likely to belong to either of these species.
- 3.4.28 As no confirmed records of Grey Long-eared bat were returned by KMBRC within 5km of the site, the Longeared bats occasionally recorded during surveys are highly likely to be Brown Long-eared bats rather than the rarer Grey Long-eared. The site is also outside the known distribution of Grey Long-eared bats. The survey of the Cadet building recorded no bat

emergence or re-entry and the bat survey of trees T69, T254 and G40 recorded no roosting bats (or evidence of).

- 3.4.29 The activity surveys indicate that the site is mostly being used by low numbers of the more common species of bat including Common Pipistrelle, Soprano Pipistrelle, Brown Long-eared, Serotine and Noctule.
- 3.4.30 Most of the hedgerow and tree line either side of the proposed access points will be retained where possible or replaced so that there is a connective tree canopy cover for bats to use. A lighting strategy will also be designed to reduce light disturbance to commuting and foraging bats across the whole site. Grassland diversification, pond creation and enhancement, and woodland planting will provide improved foraging resources. Bat boxes will be installed on mature trees within the proposed Country Park to provide additional roosting opportunities.
- 3.4.31 The proposed green infrastructure provides an opportunity to deliver biodiversity gains for bats by increasing the extent, diversity and connectivity of their habitats.

#### Reptiles

- 3.4.32 Three species of reptile have been recorded during surveys: Slow Worm, Common Lizard and Grass Snake. The peak count of adult (maximum count of male + female) Slow Worms was 13, Common Lizard 6 and Grass Snake 1. Most reptiles were recorded within the western and southern sections of the site with low numbers recorded in the eastern section where there is less suitable habitat present. Juveniles were recorded, indicating a breeding population of each species on the site.
- 3.4.33 The results equate to a 'Good' population of Slow Worm, a 'Good' population of Common Lizard, and a 'Low' population of Grass Snake.
- 3.4.34 The reptile population within the developed sections of the site will be translocated using standard methodology, i.e. exclusion fencing and trapping, into the eastern side of the site, which will be enhanced to improve the carrying capacity of this area. Enhancements will take the form of grassland diversification, and pond and hibernacula creation to provide foraging and sheltering resources.

#### Birds

- 3.4.35 Most of the birds observed during survey work were within the hedgerow and tree line habitat along the boundaries of the site. There was limited use of the grassland fields by birds during the breeding bird surveys although corvids, especially Jackdaw, and Starling were occasionally observed feeding in small groups.
- 3.4.36 Seven Birds of Conservation Concern (BoCC) were recorded within the site that are considered to have the potential to be breeding. Three are Amber-listed BoCC Mallard (although listed due to winter population declines), Dunnock and Bullfinch. Four are Red-listed BoCC Starling, Song Thrush, Mistle Thrush and House Sparrow (although this species is more likely to be nesting within the adjacent properties). Starling, Song Thrush, Dunnock, House Sparrow and Bullfinch are also Section 41 species.

3.4.37 Overall, the breeding bird assemblage using the site is made up of largely common and widespread species, with species of heightened conservation importance present in low numbers.

3.4.38 Most breeding bird habitat will be retained with a small loss in terms of grassland foraging habitat. Woodland, orchard and hedgerow planting (including enhancing existing hedgerows) together with residential garden creation will provide foraging and nesting resources for birds. Bird boxes will also be installed to provide additional nesting opportunities.

3.4.39 Thus the proposed development has the potential to provide additional foraging and nesting resources that will enhance the Site for the local bird assemblage and it can compensate for the loss of suitable habitat.

#### Hazel Dormouse

3.4.40 Hazel Dormouse nest tube/box surveys have not recorded any evidence of this species within the site.

3.4.41 Having regard to the above the most important species present on site are:

- Great Crested Newt
- Bats; and
- Reptiles

3.4.42 The surveys undertaken to date suggest that the proposed development is unlikely to cause a significant negative effect on the conservation status of any European Protected Species through the implementation of appropriate avoidance, mitigation and compensation measures that can be incorporated as part of proposals. Habitat creation within the proposed Country Park and other areas of open space, and subsequent management of existing and new habitats will have a positive effect on local wildlife, including bats and birds.

#### Conclusion on ecological impacts

3.4.43 Having regard to the above, whilst the Ecological Appraisal and associated surveys will form part of a future application, it would appear that it should be possible for the proposed development of the site to take place in accordance with the nature conservation related legislation and planning policy. There are also opportunities to deliver biodiversity enhancements on site which would support local and national biodiversity policy.

#### v) Flood Risk

3.4.44 Whilst the site falls within Flood Zone 1 i.e. an area where all land uses are acceptable in principle, the scale of the proposed development site, which exceeds 1ha, requires that a Flood Risk Assessment (FRA) be submitted as part of the planning application to detail the flood risk and to demonstrate that not only will the proposed dwellings not be at risk, but that the proposed development will not increase the risk of flooding elsewhere.

3.4.45 Surface water discharge from the site will be limited to that of the pre- development greenfield run off rate, thus ensuring there is no increase in post development peak discharge flow rates. In order to manage the flow, SuDS features such as ponds and swales (designed to accommodate all storms up to and including the 1 in 100 year event + 40% climate change) will be utilised.

3.4.46 The proposed surface water drainage design will allow an opportunity to improve the downstream receiving watercourses and public sewers where historical flooding is known to have occurred. Works will be carried out to the existing ordinary watercourses and Southern Water public surface water sewers to reinstate them back to an acceptable level of hydraulic function. These improvements will reduce the risk of flooding to the existing properties in Appledore Road.

3.4.47 The FRA will also explain that foul water from the dwellings will be collected by private gravity drains; and that before any connections are made to the foul sewerage network an application will be submitted to Southern Water to ensure that there is no increase in sewer flood risk.

vi) Archaeology and Cultural Heritage

3.4.48 An initial Archaeological Desk Based Assessment has confirmed that:

- The study site has low archaeological potential for significant archaeological evidence for all periods. A high potential for archaeological evidence relating to Post Medieval agricultural activity has been identified in the north-western corner of the study site.
- Any archaeological features that may be present on the study site would probably be of local importance.
- It is suggested that any archaeological investigation, if required by the Local Planning Authority, could, follow planning consent, be secured by an appropriately worded archaeological planning condition.
- Hedgerows are present within the study site which would be defined as historic under the terms of the Hedgerow Regulations.

3.4.49 In terms of the areas cultural heritage, we note that no listed buildings or other nationally or locally designated heritage assets lie within the application site.

3.4.50 The south western boundary of the site abuts Tenterden Conservation Area, which contains a number of listed buildings, including Stace House (Grade II), which abuts the south western corner of the site.

3.4.51 Whilst a Heritage Assessment will be submitted with any future application it is acknowledged that there is a need to protect the eastern boundary of the conservation area and the settings of the adjacent listed Stace House and Craythorne through careful boundary treatment and the adoption of an appropriate layout and form of development on the western side of the application site. Likewise care will need to be taken to ensure that the boundaries of the application site to the south-east are preserved to ensure no indivisibility with the group of listed buildings to the southeast.

3.4.52 Initial heritage advice has also highlighted the fact that historic map evidence suggests that the majority of the site has remained under pasture with field boundaries dating to the post-medieval period, with the remains of clay/marl pits scattered across the site. Whilst the field boundaries are not identified as of particular significance, it is acknowledged that the opportunity should be taken to preserve these field boundaries where feasible and/ or to preserve the legibility of the earlier land use divisions within the broader design and layout of the site.

3.4.53 The Initial heritage advice also suggests that the preservation of a small area of cultivation ridges associated with lost post-medieval cottages in the western corner of the application site, in combination with the need to preserve the settings of the conservation area and

associated listed buildings suggests that the use of a green space allocation in this area of the application site may be appropriate.

3.4.54 This advice has been adopted by the design team – as set out on the illustrative masterplan; the intention being that the proposed development has a minor/negligible impact on Tenterden conservation area and on views from adjacent listed buildings, especially Stace House and Craythorne, and no discernible impact on the setting of other national and locally designated built heritage assets. The LVIA will in addition demonstrate no adverse impact on long distance views of St Mildred’s Church Tower an important local landmark, and listed building which is situated in the heart of Tenterden Town Centre/ the town centre conservation area.

vii) Accessibility

3.4.55 Access to the site will be via two priority junctions onto Appledore Road. One within the demise of field F2, the other within the demise of field F13. Associated with these junctions will be highway works to Appledore Road that will look to reduce vehicle speeds from 40 to 30mph.

3.4.56 In addition new/ enhanced pedestrian and cycle links are to be provided to the west via Woodchurch Road.

3.4.57 An assessment of the facilities that can be found within a reasonable distance of the site will be included within the Transport Assessment that will be submitted with any future application. As Tenterden is the second largest settlement in the borough, and a principal rural service centre it provides access to a wide range of everyday facilities, a number of which are within a comfortable and attractive walking distance of the site, including primary education, convenience retail, personal business services, a range of leisure facilities and employment opportunities.

Purpose	Destination	Distance	Walking	Cycling
Community and Leisure	Tenterden Recreation Ground	500 m	✓✓✓	✓✓✓
	Trinity Baptist Church	550 m	✓✓✓	✓✓✓
	St Andrew’s Catholic Church	550 m	✓✓✓	✓✓✓
	Tenterden Leisure Centre	550 m	✓✓✓	✓✓✓
	The Sinden Theatre	800 m	✓✓✓	✓✓✓
	Saint Mildred’s Church	800 m	✓✓✓	✓✓✓
	The White Lion Pub and Hotel	900 m	✓✓	✓✓
	Tenterden Town Station	900 m	✓✓	✓✓
	Tenterden Museum	1000 m	✓✓	✓✓
	Tenterden Library	1000 m	✓✓	✓✓
Retail	Tenterden Town Retail Area	600 m	✓✓✓	✓✓✓
	Waitrose Supermarket	700 m	✓✓✓	✓✓✓
	Tenterden Post Office	1000 m	✓✓	✓✓

Purpose	Destination	Distance	Walking	Cycling
	Tesco Supermarket	1000 m	✓✓	✓✓
Education	Tenterden C of E Junior School	650 m	✓✓✓	✓✓✓
	Tenterden Infant School	650 m	✓✓✓	✓✓✓
	Homewood School and Sixth Form Centre	750 m	✓✓✓	✓✓✓
Health	Ivy Court Surgery	600 m	✓✓✓	✓✓✓
	Boots Pharmacy	650 m	✓✓✓	✓✓✓
	Easysmile Dental Care	600 m	✓✓✓	✓✓✓
	Paydens Pharmacy	850 m	✓✓	✓✓
Employment	Tenterden Town Centre	800 m	✓✓✓	✓✓✓
Transport	Woodchurch Road bus stop	250 m	✓✓✓	
	Ashford Road bus stop	800 m	✓✓✓	
	Tenterden High Street bus stop	1,000 m	✓✓	

**Key:**

✓✓✓
✓✓

Within Manual for Streets 'walkable neighbourhood' 800m distance

Within 1600m (1 mile), i.e. within a distance where 80% of journeys are on foot)

**Notes:**

Walking time based on 1.4m/s; Cycling time based on 4.1m/s and 'Crow fly' distances.

3.4.58 The TA will demonstrate good connectivity between the site and local services/ facilities and that the site is a sustainable site for development. The LVIA will demonstrate no adverse impact on the setting of footpath AB12 which runs through the site.

viii) Cumulative Impacts

3.4.59 The Tenterden and Rural Sites Development Plan Document 2010, and the Ashford Local Plan 2030 – Submission Version (Dec 2017) both look to allocate land for development in and around Tenterden.

3.4.60 The Tenterden and Rural Sites DPD proposes 475 dwellings on land at Smallhythe Road. This site comprises two parts, known as Tent 1A and Tent 1B. Tent 1A is identified for 300 dwellings, and Tent 1B for 175.

3.4.61 Tent 1A now has consent for 250 dwellings (ref 14/00757/AS) and is under construction. The allocation of the land at Tent 1B has been carried forward into the Ashford Local Plan 2030 – Adopted February 2019 as Policy S24 – albeit the allocation is now for 225 dwellings. In addition to the above outline consent was granted on appeal for 100 dwellings on land at Tilden Gill, and a reserved matters application (ref 19/00340/AS) is currently with the borough council for determination, a former reserved matters application (18/00448/AS) now being the subject of an appeal against non-determination.

3.4.62 In addition to the above policies HOU3 and HOU5 of the Ashford Local Plan 2030 (Adopted Feb 2019) provide for residential windfall development within settlements/ residential windfall

development in the countryside. Thus further development – albeit of an unknown quantity and location is likely in Tenterden over the plan period.

3.4.63 Whilst we note and acknowledge that these developments, together with the proposed development of the subject site could cumulatively impact on the local highway network/local infrastructure, a Transport Assessment and Infrastructure Statement will be submitted with any future application to address these points i.e. demonstrate that the existing highway network has sufficient capacity to accommodate the traffic likely to be generated by the proposed development, without any significant adverse effects; and that the impact of the proposed development on local infrastructure can be accommodated through improvements to existing facilities, via S106 contributions or direct works.

3.4.64 These points aside, the development of the land at Appledore Road/ Woodchurch Road Tenterden, can be undertaken independently of the other sites currently being promoted in terms of land ownership and infrastructure, with no significant cumulative environmental impacts.

#### **4 Characteristics of Potential Impacts:-**

##### 4.1 Extent of the impacts

4.1.1 The principal impact of the proposed development beyond the site is that of increased traffic on the local highway network. Given the scale of development however, the effect of the proposed development on the local highway network will, whilst permanent, not be significant, even when taking on board the cumulative impact with other recent and planned developments, and will be addressed in the TA. The same is true of the proposed developments impact upon local infrastructure and service, which will be addressed through the S106 agreement.

##### 4.2 Transfrontier Impacts

4.2.1 There are no transfrontier impacts

##### 4.3 Magnitude and complexity of impacts

4.3.1 The proposed development is for up to 250 dwellings, the majority of which will be 2 storey dwellings with occasional elements of 2½ and 3 storey development. It also provides land for new sports facilities and a country park. The proposed dwellings will be seen in the context of their surroundings, which also encompasses 2 and 2½ storey properties. The visual impacts of the proposed development, whilst permanent, will not be significant and will be ameliorated/reduced over time as a result of the landscape measures proposed. As such, as with the other impacts referred to above, the visual impact of the proposed development, whilst permanent, will not be significant.

##### 4.4 Risk of Accidents

4.4.1 The proposed development will not give rise to the potential for a higher than average number of accidents either during construction or when in operation. The proposal includes a reduction in speed limit along a section of Appledore Road from 40 to 30mph along with a suite of traffic calming measures, with the aim to reduce vehicle speeds and provide a safer environment for all users.

## 5 Conclusions

- 5.1 We are of the opinion that the impact of the scale of development proposed will be restricted to matters of local interest and will not result in any significant effects upon the environment. Consequently, the proposed development does not amount to EIA development and an EIA is not justified in this instance. We acknowledge that certain assessments will need to accompany the planning submission to assist the ABC in their determination of the planning application.
- 5.2 To this end we can confirm that in addition to the planning application drawings and Design and Access Statement, any future application will be accompanied by a Planning Statement, Transport Assessment, Stage 1 Safety Audit, Travel Plan Statement, Flood Risk Assessment and Associated Drainage Strategy, Infrastructure Statement, Minerals Assessment Ecological Impact Assessment (which will include details of the associated Botanical, Hazel Dormice, Breeding Bird, Great Crested Newt, Reptile and Bat surveys), Arboricultural Impact Report, Landscape and Visual Impact Assessment, Indicative Landscape Strategy, Outline Landscape Management Plan, Desk Top Archaeological Appraisal; Heritage Statement, Agricultural Land Impact Assessment, Statement of Community Involvement, Sustainability Statement, Affordable Housing Statement, and draft Heads of Terms of a S106 Agreement.

Could you please formally acknowledge receipt of this submission and provide me with notification of the expiry date of the statutory period. Please also confirm that the decision maker has authority to provide the screening opinion, or alternatively whether the opinion is to be made by committee. Also, please confirm that the screening opinion will be placed on the Planning Register in accordance with the EIA Regulations.

In order to assist you in your considerations, enclosed at Appendix 1 is a plan identifying the site, and at Appendix 2 is an Illustrative masterplan that demonstrates the potential building blocks of the development, and the proposed associated accessing arrangements for providing access to the site/the proposed development.

Please advise if you require any further information to inform your decision.

Yours sincerely



**JUDITH ASHTON**  
**Judith Ashton Associates**

Enclosures:

- (i) Site Location Plan – drawing RD1686\_F3\_Location Plan rev A
- (ii) Illustrative masterplan – drawing RD1686\_F3\_masterplanD2 rev C;

C.c. Rio Daniel – Wates Developments Limited