



**Response to Ashford Borough Council's Culture, Tourism and Leisure Services
comments of 19th July 2021
on
Wates Developments Limited application (ref 21/00790/AS)
for
Land between Appledore Road and Woodchurch Road Tenterden, Kent**

Ashford Borough Council's Cultural, Tourism and Leisure Services officer made a number of detailed comments on planning application 21/00790/AS in a memo of the 19th July 2021. These centre around:

1 The proposed sports facility, and in particular:

The evidence of the need for the proposed sports facility

The intended end user of the proposed sports facility

The management of the proposed sports facility and associated pavilion, open space, and related infrastructure; and

The timing of the provision of the proposed sports facility

2 The informal/ natural play provision, and in particular:

The level of provision

The design of the country park

Links between the country park and the residential development

The level of natural surveillance afforded the open space areas within the residential part of the site

The management of the proposed open spaces and related infrastructure

The scale and location of the play space.

The following seeks to respond to the comments received. It encompasses input from the project architect, landscape consultant, sports consultant, and solicitor.

Taking each of the points above in turn, we would like to highlight the following:

1 The proposed sports facility

a) Overview

1.1. On-site sports pitch provision will comprise:

- 1 x 11v11 Adult Football Pitch (100m x 64m playing area) – 6,400m²
- 1 x 9v9 Junior Football Pitch (75m x 45m playing area) – 3,375m²
- 1 x 7v7 Mini Soccer Pitch (55m x 37m playing area) – 2,035m²
- 2 x 5v5 Mini Soccer Pitch (each 37m x 28m playing area per pitch) – 2,072m².

1.2. All pitches have been designed in accordance with FA standards. The remainder of the sports hub area comprises areas surrounding the pitches (safety run-offs etc.) car parking and the pavilion building.

1.3. The pitch provision should be considered under three broad categories:

- Replacement provision related to construction on the site of the existing pitches, as required by local plan policy COM2 (Recreation Sport, Play and Open Spaces) the NPPF (para 97) and the Sport England Playing Fields Policy and Guidance (2018). This is the 6,400m² adult pitch.

- Provision to meet demand generated by the development – encompassing an area of 5,600m² calculated using the guidance contained in the Public Green Spaces and Water Environment SPD¹.
This is roughly equivalent to the combined areas of the proposed 9v9 and 7v7 pitches.
- Additional provision – comprising the two mini-soccer pitches, an area of just over 2,000m².

b) Evidence of Need

1.4. We note that para 1.17 of ABC's Cultural, Tourism and Leisure Services officer's comments indicate that *'Although the Playing Pitch Strategy 2017-30 demonstrates need, this requires testing before any significant investment, to allow for changes in sport requirements and for the possibility of fluctuating club membership.'*

1.5. Having regard to the above and cognisant of the findings of the Playing Pitch Strategy 2017-30, we believe the need is demonstrated through a combination of policy compliance, meeting the needs generated by the development and the ongoing efforts of Tenterden's football clubs to provide a suitable home for their teams. Whilst our consultation with local clubs is ongoing, our assessment of the requirement for this additional need has been based on a range of sources, as set out below.

i) Sports Facility Databases

1.6 Our review of the Sport England Active Places Power database and the Football Foundation Pitchfinder database indicates that there are no dedicated 9v9 or mini soccer grass pitches (either 5v5 or 7v7) available for community use in the Tenterden area.

1.7 It is perhaps for this reason that Tenterden Tigers FC play in Rolvenden, rather than in the town in which the Club is based.

ii) Local Football Facility Plan

1.8 Published in November 2019, the Ashford LFFP *"identifies opportunities to accurately target investment in football facilities across the local area"*. The document was completed by consultants KKP with support from a range of stakeholders including Ashford Borough Council, Kent FA, the Football Foundation, and Sport England. Tenterden Town Council and Tenterden Tigers FC were consultees, informing the preparation of the document.

1.9 The LFFP identifies development of a new football facility at Smallhythe Road as an investment priority, to be used by Tenterden Tigers and Tenterden Town football clubs (a total of 8 teams). The document states:
*"Tenterden Town Council have aspirations to re-order Tenterden Recreation Ground which would result in the removal of the senior football pitch on site and re-locate Tenterden Town who use it to a new site on Smallhythe Road which will also serve Tenterden Tigers JFC. The new site is currently owned by a private landowner.
Potential provision of a new senior pitch, 9v9 and two mini soccer pitches. New ancillary facilities may also be required (subject to a feasibility study), which has the potential to be shared with the cricket club. The Football Foundation will not fund projects as part of any mitigation proposals."*

¹ We note that Policy COM2 asks developers to use the "Sports England Calculator" (sic) to calculate the level of demand generated for indoor sports facilities and outdoor playing pitches. However, Sport England's Sports Facility Calculator is designed for swimming pools, sports halls and Artificial Grass Pitches, not natural turf pitches.

- 1.10 We understand that this project cannot now be brought forward due to the landowner withdrawing the offer (please see Sports Review section below).
- 1.11 It is also our understanding that the Town Council and clubs have not been able to identify an alternative site, meaning that there is no identified means of delivering the facilities identified in the LFFP. Furthermore, the Town Council has not, to date, been able to satisfy Sport England's concerns about loss of provision at the Recreation Ground. Whilst the proposals for Appledore Road would not directly address this issue, they would at least provide a home for the adult football teams as well as the juniors.
- iii) The Draft Tenterden Neighbourhood Plan
- 1.12 Policy TEN NP15 (Site for Recreation Open Space) of the draft TNP identifies "Land at Appledore Road" as being allocated for "*additional sports pitches to serve the needs of the town*", with reference to the pitches being served by a clubhouse and parking. The policy was developed in consultation with local sports teams.
- 1.13 Appendix 3 of the "Tenterden Neighbourhood Plan Evidence: Sport and Recreation Open Spaces" illustrates a potential layout of facilities at Appledore Road (included as Appendix 1 of this document), broadly in line with plans presented to the Tenterden Sports Review in 2015.
- 1.14 It is our view that this should be taken as a clear indication of the local demand and need for sports facilities on the scale proposed by Wates Developments.
- iv) Tenterden Sports Review
- 1.15 The Tenterden Sports Review is a forum for local sports organisations and representatives from the Town, Borough and County Councils to explore opportunities to develop sports facilities to serve the Town.
- 1.16 The development and delivery of a new home for football in Tenterden has been a long-term aspiration, with high level plans for a development at Appledore Road included in the Tenterden Town Council Sports Facilities Strategy (2014). These were subsequently further developed and presented to the Sports Review in June 2015, September 2015, July 2017, and October 2017. As mentioned above, these plans appear to form the basis of proposals included in the Draft Neighbourhood Plan and were in fact used as the basis of the Wates Developments proposals for Appledore Road.
- 1.17 In the intervening period, the Town Council and local clubs have continued to explore options to deliver increased pitch capacity to serve football teams across all ages in Tenterden.
- 1.18. Based on our understanding of the Sports Review minutes (May 2018 and January 2019), the other option that received the most detailed consideration was at Smallhythe Road, on land adjacent to the cricket club. The minutes indicate a preference for a facility comprising an 11v11 adult pitch, 9v9 pitch and 2 mini-soccer pitches.
- 1.19. The January 2019 minutes clearly indicate that representatives of ABC were fully aware of the proposals for Smallhythe Road, having met the landowner, with a site visit undertaken by Cllr Paul Clokie, Ben Moyle (Facility Development Manager) and Simon Cole (Planning Officer), along with Graham Smith representing the clubs.

- 1.20. Subsequently, the February 2021 minutes (Item 6d) indicate that the Smallhythe Road project is no longer an option following withdrawal of the offer by the landowner. The minutes also indicate that the proposals had been scaled back since the January 2019 meeting, with little prospect of funding being available from the Football Foundation. The minutes are appended to this document (Appendix 2). It should be noted that the Wates proposals are fully-funded and would be delivered in the first phase of development without recourse to any funding from the Football Foundation. Furthermore, without security of tenure on a site the Town Council would be unable to access any Foundation funding. Perhaps of equal significance, is the time-consuming nature of any funding application preparation, submission and consideration. In the experience of our sports consultant, a former Football Foundation employee and current funding consultant, this can take upwards of 18 months.
- 1.21 In addition, an option for pitches within the TENT1B development has been withdrawn, with a somewhat speculative suggestion that a development at Hopes Grove nursery may be an option.
- 1.22. Item 6g describes the prospect of pitches at Appledore Road as “ideal”, with one of the Recommendations being that representatives of the Sports Review should talk to Wates “*with the blessing and participation of ABC*”. Sadly, this blessing appears not to have been given as our attempts to undertake meaningful consultation with the local clubs have been met with some reticence.
- 1.23. Despite this, it is our view that the continued and ongoing attempts (after a period of at least 7 years) by local clubs, the Town Council, and the Sports Review to identify additional pitch capacity to serve the needs of Tenterden should be taken as the clearest possible indication that there is demand for the type and scale of provision proposed by Wates Developments at Appledore Road.

c) The intended end user

- 1.24 As set out above, our consultation with local clubs is ongoing, and it is not uncommon for organisations to come forward post planning given the sensitivities of new build development.. This is not to say they will not engage longer term. Indeed, many have suggested that if permission were granted they would be happy to do so, but that at present they are unwilling to proactively engage with Wates and our consultants. . As such, and given the local need as commented upon above, we do not believe there to be an issue longer term with finding an end user.

d) The management of the proposed sports facility and associated pavilion, open space, and related infrastructure

- 1.25 We note the councils request at para 1.40 of their memo of the 19th July that:
‘We require a S106 trigger whereby the governance, management, and maintenance of the open space and sports provision, has been contractually agreed in writing with a suitable organisation and any sub-operator(s), prior to first occupation.’
- 1.26 We believe that the most appropriate way to address this requirement is to share our model Section 106 obligation (attached at Appendix 3) in order to demonstrate how each of the following components of the development will be delivered in accordance with the criteria of Policy IMP4, under the umbrella of what has been termed the ‘*Community Facility Management Scheme*’:
- Sports Facilities (incl. pitches, pavilion, and car park)
 - Nature Park

- Managed Estate Areas (all open space ancillary to the residential scheme)

1.27 Without summarising what more it secures, the draft Section 106 obligation specifically meets ABC's requirement because:

- the 'Community Facility Management Scheme' must be approved by ABC prior to Commencement of Development (see paragraph 1.1 of the draft Section 106 obligation) – which scheme would include the identity of the Estate Management Body charged with the management and maintenance of the Managed Estate Areas and there would be no 'contract' with the Estate Management Body in this context as its *raison d'être* is to implement the approved scheme.
- the suitable organisation/operator(s) for (respectively) the Sports Facilities and the Nature Park must have been formally appointed prior to first Occupation of a dwelling (see paragraphs 2.3 and 3.3 of the draft Section 106 obligation). The term 'appointment' has been used to clearly convey the formality of the arrangement, but mindful that the notion of a 'contract' may be too rigid or premature a term having regard to the number of ways in which the operation and amenity of the relevant facility may be achieved and to make that assumption could well limit opportunities with prospective operators.

1.28 We would be happy to liaise further with officers of ABC once they have had an opportunity to review the enclosed if that would assist.

1.29 In addition to the above, we note that para 1.9, in acknowledging that the pavilion building has been designed to FA standards, also indicates that 'It *must also be compliant in terms of changing facilities for all and fully accessible.*' We also note that in their consultation response Sport England (SE) advise² that "The pavilion building proposed meets relevant Sport England and FA guidance." Given the above we would appreciate the council to clarify what other requirements need to be met.

- e) The timing of the provision of the proposed sports facility

1.30 We have had detailed discussions with SE about the timing of the provision of the proposed sports facility, in particular the replacement facility. SE have confirmed in their consultation response that the replacement pitch needs to be constructed, (not in use), before residential development commences. To this end SE in their consultation response acknowledge that: *"the amended proposal now under consideration allocates the existing football pitch field as the only vehicular access into the development site, and that that has implications for the timing of the replacement and new pitches being constructed and thereafter, being available for use. However, it is recognised that the existing pitch has fallen into poor condition and disuse and that the replacement pitch would offer significant benefits to local senior football particularly when considered with the new ancillary facilities proposed. Therefore, subject to a firm timetable for the provision and availability of the replacement pitch being established within any planning permission granted, Sport England has no objection to this aspect of the proposal."*

1.31 In the context of the above it should be noted that we have been in detailed discussions with SE about the issue of the timing of the coming into use of the new pitches, and it has been agreed with them that on the assumption that planning permission is granted in 2021, and construction of the site access commences in August 2022, construction of the new pitches would not commence until Spring of 2023, in line with guidance from specialist sports pitch agronomists and our understanding of the optimum construction period. Construction of the

² Para 1 p3

pitches would be completed in August 2023. The pitches would not however be available for use until September 2024 given the need to allow for a 12-month post-construction maintenance period. SE confirmed that they had no objection to this as they accepted that no construction of any dwelling would commence until after the pitches had been constructed, albeit that they would not be available for play until September 2024.

- 1.32 On the basis of the above we do not believe the suggestion in para 1.11 (that a planning condition must allow the compensatory provision to be available for use, with suitable vehicle access, before the loss of existing provision, to avoid the loss of sports provision at any time) to reflect SE position, or to be practical given the proposed practicalities of the build program and the associated access strategy.

2 The informal/ natural play provision

a) The level of provision

- 2.1 At paragraph 1.1 (page 4) of the ABC response it is noted that the development “triggers a requirement of 0.70 ha” of open space. At paragraph 1.4 it is noted that the proposed development would provide a country park 8.66ha in extent, in addition to 0.17ha of equipped play space and 6.93ha of amenity green space, i.e. a total provision of 15.76ha, or 22.5 times the required quantum of POS.
- 2.2 Paragraph 1.5 states that “the country park element would appear to provide the necessary quantum of informal/natural public open space”. We welcome this acknowledgement, although it is clear that the proposals do far more than provide the necessary quantum – they provide a substantial amount of open space within an area that currently has no formal access, other than along footpath AB12. This would provide a significant amount of additional recreational opportunities which do not appear to be acknowledged in the ABC response.
- 2.3 Paragraph 1.22 of the ABC response notes that at least one play space must be a minimum of 0.17ha and include a 30m buffer. The proposed LEAP and outdoor gym, with 30m buffers, covers an area of 0.4526ha, of which 0.3304ha is entirely within green, open spaces. Even excluding the LAPs the LEAP and gym on its own therefore exceed the play space requirements for the site.

b) The design of the country park and its strategic value

- 2.4 Paragraph 1.6 (p4) states that “*it is difficult to comment on the design for the country park as the country park masterplan is not clear enough on what is existing and proposed provision*”. It is also stated that the proposed design is “*very light touch, with a minimal amount of paths, planting and site infrastructure*”.
- 2.5 The design of the landscape masterplan for both the country park element of the application, and the amenity green spaces around the proposed new homes, is focused on reinforcing the existing landscape structure and character and enhancing the ecological value of the site. It is for this reason that the country park includes replanting within existing hedgerows and several proposed new habitats – including new species-rich grasslands, scrub/grassland mosaic, new wetlands, orchards, and new hedgerows, all of which are clearly labelled in the keys (403.06269.00058.landscape1 and landscape2). It is also for this reason that the main formal play area, which had been included within the country park in the previous application, was relocated to the west of the site, close to the new homes and away from the natural habitats and wildlife within the country park area. The number of surfaced paths has been minimised, with informal, mown grass paths being used instead. The country park would thus

be an informal area where people can make their own paths and picnic areas, rather than a formal, more suburban park: this approach would not only provide significant ecological benefits but would also be wholly appropriate to the landscape character of the site and its context, including the nearby High Weald AONB.

- 2.6 Paragraph 1.15 states that the country park is not considered to be of strategic value since it does not have the required facilities. It is recognised that the open space depicted on the Landscape Masterplan is a more informal, ecologically led area, rather than a country park with formal facilities. In order to provide clarity on this issue it is suggested that this open space be renamed a *Countryside Open Space*, rather than a country park, and that the description of the development is amended accordingly.

c) Links between the country park and the residential development

- 2.7 At para 1.9 (p5) a comment is made regarding the “poor” connections between the residential development and the countryside open space. Firstly it is important to note that the development is overwhelmingly pedestrian focused, creating a considerable network of large greenways which connect the development to the countryside open space and town centre largely away from typical streets. To this end, and in acknowledgment of the need for pedestrian movement between the two parts of the site the landscape masterplan illustrates three new footpath connections between the proposed new homes and the countryside open space. Secondly, and as has been noted above, the masterplan is ecologically led, and thus one of the main objectives has been to gap-up many of the existing breaches within hedgerows, such as most of those which are referenced at paragraph 1.9. Thirdly, in keeping with the informal nature of the countryside open space the number of formal, surfaced paths have been kept to a minimum, with mown grass paths and the freedom for walkers to make their own routes being preferred.

- 2.10 As noted in paragraph 1.10 the details of hard and soft landscaping of the informal open spaces within the residential (outline) part of the site will be subject to detailed design at the reserved matters stage/ have to be addressed through pre commencement conditions, such that it is the principle and not the minutiae of the detail that is relevant at present.

d) The level of natural surveillance afforded the open space areas within the residential part of the site

- 2.11 We would refute the comments at para 1.8 (p5) that there are examples of areas where there are ‘rear/side property boundaries adjacent to open space, which represents poor design.’ The illustrative masterplan encompasses typical back-to-back loose perimeter housing parcels, which create dwelling frontages which address access roads, lanes and greenways. Within the central part of the site, however, a particular typology has been introduced for this landmark parcel, creating a double fronted collection of lower scale bungalows and 1½ storey homes, which have been designed to face both the access lane which serves them, and to create an open fronted garden aspect, thus providing a positive relationship with the greenway. Highly controlled boundary features such as the ragstone walling, constrained to a lower height to allow views over, together with gate access points onto the public footpath which feeds through this greenway create genuine pedestrian friendly dual frontages, which remove the usual road infrastructure and allow more natural and softer relationship into the greenway. The visualizations included with the DAS illustrate how these would provide attractive frontages overlooking the proposed spaces. These are reproduced below for ease.



View of landmark parcel with feature ragstone walling and gates to the dual fronted dwellings.

d) The management of the proposed opens spaces and related infrastructure

2.12 Please refer to paras 1.25 – 1.28 above and the attached model Section 106 obligation.

e) The scale and location of the play space

2.13 Paragraph 1.22 (p7) notes that at least one play space must be a minimum of 0.17ha and include a 30m buffer. The proposed LEAP and outdoor gym, with 30m buffers, covers an area of 0.4526ha, of which 0.3304ha is entirely within green, open spaces. Even excluding the LAPs the LEAP and gym on its own therefore exceeds the play space requirements for the site.

2.14 Paragraph 1.24 (p7) states that “*the current location for play is not ideal*”, since it should be at “*the centre of the development and not pushed to the edge*”. In responding to the above it is important to note that the proposed LEAP and outdoor gym would have natural surveillance from four properties to the west, as shown on the Landscape Masterplan. The proposed LEAP, and associated seating areas, is also at a raised point on the site, with the potential for long views along a greenway towards the tower of St Mildred’s. This is therefore an attractive and appropriate location for the main play facilities.

2.15 If the LEAP had been placed in the central greenway, at the centre of the proposed development area, it would have significantly narrowed this important ecological corridor, which would have partly undermined the potential to significantly enhance the biodiversity value of the site. As has been stressed, this is an ecologically led landscape masterplan and the need to maintain broad greenways through and around the new homes was therefore a fundamental consideration.

3 **Conclusion**

3.1 We would ask that the Councils Cultural, Tourism and Leisure Services officer reviews the application in the light of the above and attached and that if the Councils Cultural, Tourism and Leisure Services officer remains concerned about what the developer is providing a conference call is arranged to discuss this matter further.

Appendices

- 1 Extract from appendix 3 of Tenterden Neighbourhood Plan evidence: Sport and Recreational Open Spaces.
- 2 Minutes of the Tenterden sports review bodies meeting of Feb 2021
- 3 Model S106 obligations concerning sport and open space provision at Appledore Road.