

Tunbridge Wells Local Plan
Examination
Response to Matter 7 Issue 7:
Cranbrook and Sissinghurst

Berkeley Homes (Eastern Counties) Ltd

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LICHTFIELDS

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2.0 Introduction

- 2.1 This statement to Matter 7 (Residential Site Allocations) of the examination of the **Tunbridge Wells Local Plan ('the Plan')** is submitted by Lichfields on behalf of Berkeley Homes (Eastern Counties) Ltd. It follows the submission of representations to the Regulation 19 Draft Local Plan (March to June 2021) in respect of land at Turnden, Land adjacent to Hartley Road, Cranbrook (allocation AL/CRS 3), in which Berkeley Homes has land interests.
- 2.2 To the east of the site lies Brick Kiln Farm (BKF), for which outline planning permission for up to 180 dwellings was granted on 17 February 2020 (16/502860/OUT) and on which TWBC Members have resolved to grant reserved matters approval (21/03299/REM).
- 2.3 Incorporated within draft allocation AL/CRS 3 is Turnden Farmstead, for which planning permission has been granted for 39 dwellings and the reconstruction of a formerly listed farmhouse (Refs 18/02571/FULL and 21/01379/FULL).
- 2.4 The remaining land at Turnden has recently been subject to a Call-in Inquiry (ref. 20/00815/FULL, APP/M2270/V/21/3273015) seeking permission for the construction of 165 new dwellings and associated landscape management works, with the remaining 14.5 ha given over to landscaping, enhanced green and blue infrastructure and ecological works.
- 2.5 A number of relevant documents are appended to this statement, including;
- Statements of Common Ground agreed during the course of the Call-in Inquiry;
 - Extracts of relevant Proofs of Evidence;
 - Table of all Regulation 19 representations made in relation to this site, alongside responses to each comment; and
 - Closing Statement of the Applicant.

3.0 **Residential Site Allocations – Issue 7: Cranbrook and Sissinghurst**

Question 7: What is the current position regarding planning application Ref 20/00815/FULL?

- 3.1 Following a positive recommendation by Officers and resolution of the Planning Committee members to grant permission subject to conditions and completion of a s. 106 agreement (which was completed on 30 March 2021), the application was called in on 12 April 2021 by the Secretary of State. A 16 day public inquiry was held between September and November 2021 attended by, among others, TWBC, Natural England, and the High Weald AONB Unit.
- 3.2 The main issues considered at that inquiry included the extent to which the proposed development was consistent with Government policies in the NPPF for: (i) conserving and enhancing the natural environment, including its effect on the High Weald Area of Outstanding Natural Beauty, (ii) biodiversity and on air quality, (iii) delivering a sufficient supply of homes (iv) conserving and enhancing the historic environment, including its effect on heritage assets; and (v) sustainable transport promotion. **The Inspector’s report** was issued to the Secretary of State for consideration on 4th April 2022. A decision is expected in the next few months.

Question 8: How has the proposed area of residential development been established? What is it based on and is it justified?

- 3.3 As set out in the SHELAA¹, TWBC have undertaken two stages of detailed assessment for each proposed allocation, to determine appropriate site areas. For each allocation including Turnden, TWBC has considered matters such as location and accessibility, amenity space, access and parking, neighbouring amenity, trees, ecology, heritage, air quality, necessary infrastructure contributions and flooding. (The acceptability of the site in relation to these matters is summarised in the Statement of Common Ground agreed by Berkeley Homes and TWBC during the course of the application Call-in Inquiry²). Predominantly, however, a landscape-led approach has been taken in establishing the proposed area of residential development.
- 3.4 As part of the evidence base for the Reg. 18 Local Plan, LUC was commissioned to undertake a Landscape Sensitivity Study³, which concluded sub area CR2 (which is wider than but included this site) had a high to medium-high sensitivity to small scale development, with the area around Turnden having lower sensitivity.
- 3.5 The site was allocated in the Reg. 18 draft Local Plan⁴ with a large number of mitigation measures including the requirement for extensive areas of green infrastructure and the requirements for open space and a landscape buffer⁵.
- 3.6 During consultation, consultees asked whether great weight had been given to conserving **and enhancing the AONB and ‘exceptional circumstances’** demonstrated for major development⁶. TWBC commissioned an independent Landscape and Visual Impact

¹ EIP ref. 3.77a, paras 3.23-3.41

² Appendix 2

³ EIP ref. 3.102c, p. 124-125

⁴ EIP ref. 3.9

⁵ See policy AL/CRS4

⁶ EIP Ref. 3.126, para 6.1(e)

Assessment (LVIA) carried out by Hankinson Duckett Associates⁷. This reviewed the settlement context, settlement evolution historic landscape character, current landscape character, and landscape sensitivity, and suggested further mitigation measures over and above those already suggested in the Reg. 18 Draft Local Plan⁸ alongside strategic green infrastructure. The HDA LVIA concluded that in seeking to develop approx. 1/3 of the site (located between Turnden Farmstead and BKF), with the remainder allocated as open space, the allocation would protect the separate settlement identities of Cranbrook and Hartley and respond positively to valued features and qualities set out in the Tunbridge Wells Character Assessment. Sensitive development could be assimilated into the landscape and protect the key components of character outlined for the High Weald and could be achieved without residual significant landscape and visual effects, even enhancing the landscape of the AONB. On that basis, it was included in the submission version of the Draft Local Plan.

- 3.7 The area of residential development in planning application (ref. 20/00815/FULL) was informed by the allocation in the emerging Local Plan. It was assessed in the LVIA submitted with the application. Mr Duckett of HDA Associates gave evidence on behalf of the Council during the call-in inquiry and was subject to cross examination both on his revised assessment and the LVIA⁹. Mr Cook (on behalf of the Appellant) reviewed the approach taken. These later assessments confirmed that the approach taken by TWBC, and the conclusions reached in the HDA LVIA, are robust, that the area of residential development will have acceptable impacts in the AONB, and that the wider land holding (which covers the majority of the site) offers opportunities for large scale publicly accessible open space, the restoration of much of the space to wildflower meadows, agricultural fields and woodland, a permanent buffer between Cranbrook and Hartley, and will conserve and enhance the AONB. Relevant **extracts from Mr Duckett and Mr Cook's proofs of evidence** are at Appendices 1 and 4 respectively.

Question 9: How has the scale of proposed development been determined and is it appropriate and justified in this location, having particular regard to the scale of development proposed for Cranbrook in the existing Site Allocations Development Plan Document?

- 3.8 The existing Site Allocations DPD (2016)¹⁰ allocates the wider AL/CR4 site for 200-250 dwellings, to accommodate a required growth in 2010 of 4,500 homes in the borough, 300 of which would be in Cranbrook¹¹.
- 3.9 There is a level of agreement that that need has increased. The borough needs to provide 12,200 dwellings over the plan period ¹², of which Cranbrook needs to accommodate some 415-429¹³. A recent appeal decision¹⁴ granted permission for 71 dwellings in the AONB in Tunbridge Wells at Hawkhurst. Paragraph 111 of the decision confirms that the Borough is constrained and that there is a clear need for market housing to address the current shortfall (the Inspector concluded that the Council had a housing land supply of 4.61 years)

⁷ EiP ref. 3.96

⁸ EiP ref. 3.96(e)

⁹ EiP ref. 3.126

¹⁰ EiP ref. 3.119, p.83

¹¹ EiP ref. 3.119, p.14

¹² EiP ref. 3.128, para 4.10

¹³ EiP ref. 3.128, Policy STR/CRS1

¹⁴ Ref. APP/M2270/W/21/3282908

and meet longer term needs. The Inspector noted that the draft Local Plan allocates that appeal site and others in the AONB, and recognises this as an indication of the likely **approach needed for TWBC to meet the Borough's identified needs.**

- 3.10 The draft Cranbrook and Sissinghurst Neighbourhood Plan includes evidence from AECOM¹⁵ suggesting at least 610 net dwellings are needed in the parish between 2017-2033, including 300 affordable homes, which, as set out in the draft Neighbourhood Plan¹⁶, are also required to accommodate staff working in local businesses. The local need, both generally and for affordable housing, cannot be met by current permitted schemes such as the adjacent Brick Kiln Farm and Turnden Farmstead. The Housing Needs Assessment Topic Paper August 2019¹⁷ records 925 households on the Housing Register as of January 2021. Of these, data from TWBC Housing¹⁸ is that 157 applicants have specified they want to live in Cranbrook whilst 51 households have a local connection to Cranbrook.
- 3.11 The supply to meet these needs is constrained. Analysis of alternative options and sites for meeting the housing need in and around Cranbrook was undertaken comprehensively and robustly through the local plan process. The SHELAA¹⁹ assessed 518 sites. A consideration of alternatives also took place in the Neighbourhood Plan process²⁰. This was further reviewed at the recent planning application Call-in Inquiry.²¹
- 3.12 Through this process, development at the allocation site has been demonstrated to be necessary, appropriate and justified, having regard to constraints. There are no suitable sites for developing sustainably located housing for Cranbrook outside the AONB.
- 3.13 The NPPF²² sets out that all plans should promote a sustainable pattern of development which meet the development needs of their area and align growth and infrastructure.
- 3.14 In light of this, as set out in the SHELAA²³, the scale of the proposed development has been determined with regard to the key factors including the defining characteristics of and assessing the impact on the High Weald AONB, connectivity, the historic environment and the capacity of infrastructure including the local and strategic road network.
- 3.15 The impact of development at the allocation site on the landscape, including the characteristics of the High Weald AONB, and the historic environment, was the subject of expert evidence at the recent planning application Call-in Inquiry. The scale of the current proposed development at 165 dwellings, which is consistent with that proposed in the site allocation (164-168 additional dwellings), was found by Mr Cook and Mr Duckett, and Mr Miele who gave evidence in relation to the Historic Environment, to be acceptable in all respects. Mr Cook²⁴ considered:

¹⁵ Extract at Appendix 8, para 7.4

¹⁶ Refer to extract at Appendix 8, para 7.8

¹⁷ EiP ref. 3.73, para 3.12

¹⁸ Data provided 6th August 2021, as agreed in the SoCG with TWBC at Appendix 2

¹⁹ EiP ref. 3.77a, para 11

²⁰ See Aecom Report at Appendix 9

²¹ See extract of Mr Slatford's proof at Appendix 3 (paras 6.32-6.41), and Mr Cook's proof at Appendix 4 (p.76-79).

²² EiP ref. 1.4, para 11a

²³ EiP ref. 3.77a, paras 3.23-3.41

²⁴ Para 2.13ff

- 1 The development area, being occupied by housing that is in keeping with the general vernacular one sees in Cranbrook, and being fully in accordance with the AONB design guide, would have a neutral rather than adverse effect;
- 2 The majority of the Site, including the wider land holding, landscape restoration, and additional green infrastructure would have a clearly beneficial landscape and visual effect; and
- 3 **Overall, the Development's effects are neutral to beneficial with regard to both** landscape character and visual amenity.

3.16 The impact of development at the allocation site on the local and strategic road network has also been tested in detail through the planning application and subsequent Inquiry. A statement of common ground was signed between the Highways Authority, Kent County Council, and Vectos, on behalf of Berkeley Homes (Eastern Counties). This document is appended at Appendix 5 and concludes that:

- 1 The site is in an accessible location;
- 2 The traffic impact on all assessed junctions is acceptable without any mitigation with the exception of the Hawkhurst signalised crossroads. At Hawkhurst, Vectos have developed a scheme to improve operation of the traffic signals. It is agreed that the introduction of the scheme would mitigate the impact of the development proposals; and
- 3 Subject to this scheme (which is secured in a S106 agreement), KCC had no objection to the development proposals.

3.17 To conclude, the scale of the proposed development has been determined by TWBC with regard to key factors including housing need, availability of alternative sites, impact on the High Weald AONB and the capacity of infrastructure. This has been tested through the recent planning Inquiry concerning an application for proposed development consistent in scale with the site allocation. **Mr Slatford's** proof for the called-in inquiry gave extensive consideration to the test for major development. The assessments have been found to be robust and the proposed scale of development at this location is therefore considered to be appropriate and justified.

Question 10: Does site allocation AL/CRS3 represent major development in the AONB, and if so, is it justified? How have the potential impacts of development on the character and appearance of the area, including the AONB, been considered as part of the plan-making process?

3.18 The site allocation AL/CRS3 does represent major development in the AONB and this was agreed between TWBC and Berkeley Homes during the course of the recent planning Inquiry for the site²⁵.

3.19 Paragraph 176 of the NPPF sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs, and the scale and extent of development within these areas should be limited, sensitively located and designed to avoid or minimise adverse impacts.

²⁵ See SoCG at Appendix 2

- 3.20 The potential impact of development on the character and appearance of the area including the AONB have been considered in detail as part of the plan-making process. **TWBC's** approach is set out in the Development Strategy Topic Paper²⁶. It **ascertained the AONB's** defining characteristics, obtained a series of GIS layers from the High Weald AONB Unit, and supplemented these understanding with site visits by officers and various documentation including the borough landscape character assessment and sensitivity studies²⁷. Following Reg. 18 consultation, TWBC also commissioned HDA to undertake a **LVIA for all 17 draft site allocations considered to be 'major' in AONB terms**²⁸, alongside other studies such as Grassland Surveys²⁹. Natural England and the AONB Unit were consulted on the LVIA methodology. The LVIA considered, among other things, that the **"existing containment of the site would restrict the visibility of the proposed development"**, that **"the retention of approximately 2/3 of the site as open space allows for some substantial enhancements"** and that not only could the development of the site be achieved **without residual significant landscape and visual effects, but that "There is also the potential for the proposals within the allocated site to enhance the landscape of the AONB"** (emphasis added).
- 3.21 The results of the above works informed the assessment of sites in the SHELAA³⁰, which in total assessed 518 sites within the borough. During this process, every effort was made by TWBC to limit the extant and impacts of development on the AONB, such that an **assessment has been made on all sites having proper regard to the 'great weight' given to the AONB's conservation and enhancement. During this process**, the number of allocations within the AONB was reduced from 49 at Reg 18 stage to 32, the number of dwellings from 2,588 to 1,370, and the number of major developments from 19 to 11³¹.
- 3.22 As set out above, the conclusions reached in this process have been rigorously tested during the recent Call-in Inquiry into the planning application on site, with further expert evidence produced by both Mr Duckett and Mr Cook. This supports the conclusions reached in the HDA LVIA. Mr Cook concluded in summary³²:
- 1 Although the proposed development would result in a change to the character of the site, this was an inevitable consequence of accommodating housing on a greenfield site and thus resulting in a significant magnitude of change, but in terms of its nature of effect this would be neutral rather than adverse.
 - 2 With regard to effects on visual amenity, given the high-quality of the proposal reflecting the vernacular architecture and in accord with the AONB Housing Design Guide, the proposed housing would be in keeping in terms of its appearance and therefore, the scheme would be neutral rather than adverse in terms of nature of effect. And
 - 3 Sight of the proposed scheme would not cause material harm to the visual amenity of the area in terms of the AONB.
- 3.23 Overall, the proposed development would conserve the general character of this particular **part of the AONB, which has a strong settled character and with it 'sense of place'**. Further, with regard to the balance of the site, the scheme would facilitate new substantial green

²⁶ EiP ref. 3.126, p. 40ff

²⁷ EiP ref 3.102

²⁸ EiP ref 3.96

²⁹ EiP 3.97

³⁰ EiP ref. 3.77

³¹ EiP ref. 3.126, para 6.159

³² See extract at Appendix 4

infrastructure and that this would bring about improvement in both landscape character and visual amenity terms. The sheer volume of new planting and landscape enhancement proposed is quite exceptional, given the limited scale of proposed housing. Therefore, the scheme would conserve and enhance the AONB at the local level. Indeed, in the overall assessment of harm, both Mr Duckett and Mr Cook³³ considered that a well-designed scheme on the allocated site could ensure that the local AONB environment would be conserved and enhanced from a landscape and visual perspective.

3.24 Para 177 of the NPPF sets out the development control (rather than plan-making) test for major development in the AONB. TWBC has also set out how it has considered the “**Exceptional Circumstances**” test³⁴.

3.25 With regard to allocation AL/CRS 3 specifically, the extent to which exceptional circumstances would exist have already been tested at inquiry, in an application which is largely based on meeting the criteria in this draft allocation. **The Officer’s Report to Planning Committee**³⁵ confirms that development at the allocation can meet the exceptional circumstances test, including because of the possibility of substantial biodiversity net gains, the minimisation of landscape harm, creation of new recreational opportunities and green links, and reinstatement of historical field boundaries providing new and enhanced wildlife corridors. Following testing during the inquiry process, Berkeley Homes still considers the allocation would meet this test, for the reasons set out in paras. 106-144 of the Closing Arguments in the Call-in inquiry, attached at Appendix 7.

3.26 Overall, major development in the AONB at the allocation site has been found to be justified by TWBC through the extensive landscape assessment undertaken in the plan-making process and tested through their consideration of the recent planning application and expert witnesses called at the recent planning Inquiry. The potential impacts of the development on the character and appearance of the area have been considered at length. The allocation is compliant with NPPF paragraph 176, and carries the potential to comply with NPPF para 177.

³³ See Appendix 1 and 4 respectively

³⁴ EiP 3.126 at para 6.150ff.

³⁵ See extracts at Appendix 10

Appendix 1 **Extracts of Mr Duckett's Proof of Evidence**

Section 8 (Landscape and Visual Appraisal of the Proposed Development) and Section 12 (Conclusions)

THE CONSTRUCTION OF 165 NEW DWELLINGS WITH ASSOCIATED ACCESS, CAR PARKING, REFUSE/RECYCLING STORAGE, LANDSCAPEING, EARTHWORKS AND OTHER ASSOCIATED WORKS AT LAND ADJACENT TO TURNDEN, HARTLEY ROAD, CRANBROOK, KENT.

PROOF OF EVIDENCE OF

**Brian Duckett BSc (Hons) BPhil CMLI
Landscape Architect**

on behalf of

Tunbridge Wells Borough Council

For Exchange

Planning Inspectorate ref: APP/M2270/V/21/3273015

Local Planning Authority: TW/20/00815/FULL

HDA ref: 964.2

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- Landscape works associated with this area would include land raising by an average of 460mm.
- Reinstatement of woodland shaws and the water course through the central area of the site, reconnecting Hennicker Wood and Turnden Wood to the ancient woodland alongside the Crane Brook.
- Reinstatement of hedgerows and hedgerow trees to fields east of Hennicker Wood and the reintroduction of livestock grazing to the reinstated meadows.
- Scrub planting along existing hedgerow and woodland boundaries to provide an ecotone between woodland and grassland habitats.
- Provision of permissive walking routes from the public footpath network alongside the Crane Brook, linking with the development area and Brick Kiln Farm.
- Implementation of a Landscape and Ecological Management Plan for the development area, wider land holding and the adjacent Ancient Woodland on the Crane Brook.

7.2.6 I note from the Case Officer's report to committee that the proposals have undergone substantial reworking and improvement during the course of the determination of the application and that the applicant has responded positively to the HDA assessment of site CRS4 and the council's Landscape and Biodiversity Officer (LBO) responses to the original application and following iterations.

8 LANDSCAPE AND VISUAL APPRAISAL OF THE PROPOSED DEVELOPMENT

8.1 Introduction

8.1.1 The methodology for assessing landscape and visual impacts is set out in my Appendix 1. The assessment of effects is based on the application plans, landscape proposals drawings and the Design and Access Statement, as amended, and with reference to the Applicant's Landscape and Visual Impact Assessment, wireframes or photomontages that accompanied the application.

8.2 Landscape Features/Resources

Trees and Hedgerows

8.2.1 The scheme, as illustrated on the masterplan would retain the majority of the native trees and hedgerows within the site. In order to develop the site some trees and tree groups, would be removed. As identified in the applicants Arboricultural Impact Assessment (AIA) (CD 4.5) two small groups of C category trees would be lost to accommodate the spine road (G5) and to create the sight lines and main access to the site (G7). A further 90m of hedgerow identified as G18 would be removed to facilitate access to the Brick Kiln Farm site to the north. One U category ash tree would also be removed for safety and

arboricultural reasons. The proposals would result in a minor loss to the tree resource across the site.

- 8.2.2 The Applicants AIA also identifies the necessary protection for the retained trees within the development area and in particular the retention of existing wet features and ground levels associated with the mature trees within the site. The scheme also incorporates the minimum buffer zone to the Ancient Woodland (15m) on the eastern edge of the development area, which extends to 50m to the north of the site. The landscape proposals for the buffer zone to the Ancient Woodland would include a 5m scrub buffer and ecotone to the woodland edge and reseeded with an appropriate grass mix to the remaining areas of the buffer zone. Additional tree and scrub planting is also proposed within woodland in the wider land holding. The proposals ensure no loss or adverse effects on the Ancient Woodland or woodland resource across or adjacent to the site.
- 8.2.3 The main access into the site would necessitate the removal of 90m of the hedgerow along the site frontage to Hartley Road (H1, as identified on the applicants Phase1 Habitat plan CD5.6.1). In addition, there would be some hedgerow loss in the northern fields, H3 (70m) and H6 (60m) and with the partial loss of hedgerows H4 (10m) and H5 (50m). A total loss of 290m of hedgerow.
- 8.2.4 The majority of the site boundary hedgerows are retained (approximately 1300m) with 2/3rds of the Hartley Road frontage unaffected by the proposals. The boundary hedgerow to the southern boundary (H13) would be retained and enhanced with interplanting of hedgerow trees and shrub species. Similarly, the central hedgerows H4, H5 and H10 would be retained and enhanced. Hedgerow H2 to the northern boundary would largely remain unaffected by the proposals, with the exception of narrow openings for footpaths and cycleways. The proposals would therefore result in a moderate/minor loss to the hedgerow resource across the site
- 8.2.5 The landscape strategy for the development as set out on the landscape masterplan (CD 0.1.17) and the betterment plan (CD 0.1.18) indicate the reinstatement of the roadside hedgerow to Hartley Road (90m), along with hedgerow planting to the northern frontage of the development and hedgerow planting with trees across the wider land holding. The proposed hedgerow structure would follow the historic field boundaries identified in the map regression included in the applicants DAS and my baseline assessment. In total 939m of new native species rich hedgerows are proposed across the site. My assessment of new native hedgerows includes the hedgerows with trees and the rural edge hedgerows. Hedges within the development area have not been included although some hedges may

be native in composition. Overall, there would be a substantial beneficial effect on the hedgerow structure and resource across the site.

- 8.2.6 In addition to tree planting within the hedgerows approximately 123 no. individual trees are proposed within the development area and a further 38 field trees in the wider land holding. New woodland is proposed within the wider land holding which will include enhancements to the linear woodland belt connecting Hennicker Wood and Turnden Wood, and the reinstatement of the woodland shaw linking Turnden Wood to the Ancient Woodland along the Crane Brook. A new woodland copse is also proposed between the Turnden Farmstead site and the ribbon development on Hartley Road. In total 1.14ha of new native broadleaf woodland is proposed within the wider land holding. Overall, there would be a substantial beneficial effect on the tree and woodland resource within the site.

Water and Wetland Features

- 8.2.7 The site includes a number of ponds or pits within Hennicker and Turnden Woods along with wet woodland and ditches feeding towards the northern boundary of the site. There are also a series of seasonal wet features and a vestigial ditch in the northern fields in the north-western corner of the site, associated with a small group of mature trees. The masterplan incorporated these features into the landscape strategy such that the features are retained and the landscape and ecological potential enhanced through positive management. I note that the proposal for a woodland shaw would include the reinstatement of an open water course (135lin.m) connecting Turnden Wood with the Crane Brook, a moderate beneficial effect,
- 8.2.8 New wetland features are also proposed as part of the sustainable drainage strategy which would complement the existing features. and that more general improvements to the public access through Hennicker Wood, for example timber boardwalks and steps would reduce bank erosion and damage to sensitive marginal and wetland habitats within the wood. The proposals would therefore ensure no loss or adverse effects on the wetland and water features within the site and enhancements and new features would result in a moderate/minor beneficial effect.

Grassland

- 8.2.9 The site includes approximately 21ha of semi-improved grassland laid out as horse paddocks and grazing land. The scheme would require the loss of 12.34ha of semi-improved grassland to accommodate the built development, roads, and regrading of peripheral areas, which would accommodate the soils generated during the construction process. Retained grassland would include fields to the south of Henniker Wood and the margins to the central woodland and hedgerow corridor. Proposed grassland would include

reprofiled fields and woodland glades. Areas of grassland adjacent to Ancient Woodland would be enhanced. Given the improvements to the composition and long-term management of the remaining grassland (12.39ha), as set out in the Landscape and Ecological Management Plan (LEMP CD 3.4) the loss of grassland resource is a minor adverse effect.

Landform

- 8.2.10 The site sits within the upper reaches of the Crane Brook a shallow valley on falling ground to the south-east of the spur running from Harley (135m AOD) to Goddards Green (106m AOD). The site slopes from the Hartley Road (110-115m AOD) to the Crane Brook (85-95m AOD) with the contours running broadly south-west to north-east and parallel to Hartley Road. The land falls gently across the site with a slightly steeper section running through the middle slopes.
- 8.2.11 In order to accommodate development platforms the site levels would require some regrading with levels being raised by up to 300-400mm. The material generated would be redistributed within the site avoiding the need for off-site disposal. Open space adjacent to the Hartley Road would be raised by approximately 450mm with the margins feathered into the existing levels on shallow slopes. Levels in the two fields to the west of Hennicker Wood and Turnden Farmstead would also be raised by approximately 450mm. In all cases the new ground levels are proposed to consistently follow the underlying landform to replicate any subtle variations in topography and maintain the physical character of the field (proposed site levels dwgs. CD 0.2.88-99). Existing trees and their RPA's along with ponds would be excluded from raised areas and are generally confined to the field margins.
- 8.2.12 A public footpath runs across the field west of Henniker Wood (WC115). Its horizontal alignment would be unaffected by the proposed land raising but for the majority of the route through the field the vertical alignment would be raised by 450mm. The gradient of the path would remain at 1:30, although the northern end of the path, adjacent to the rear gardens of properties on Hartley Lane, would plateau slightly and run at 1:100 before joining the original ground levels at the field margin. To the south, the footpath would be slightly steeper running at 1:20 before entering Hennicker Wood. I note that the Kent County Council Public Rights of Way and Access Services team did not object to the footpath proposals with the caveat that gradients should not exceed 1:20 and that the footpath should be 'stoned' to maintain access throughout the year.
- 8.2.13 The changes in level across the development area are, in general, gradual and stepped in concert with the general landform. Detailed levels tie in with the adjacent development at Turnden Farmstead and more noticeable changes in level are accommodated in the

sections of linking estate road. The level changes proposed for the surrounding fields in the development area and wider land holding are not excessive and could be accommodated within the wider landform without a noticeable effect on landform or landscape character. Overall, the layout of the site and the proposed associated levels would have a minor adverse effect on the landform of the site.

Recreational resource

- 8.2.14 There is no public access to the development area, public access is restricted to a single public footpath crossing the wider land holding. The masterplan identifies a number of new permissive routes linking the PROW WC115 to new areas of open space and accessible land, pasture and grassland meadow. The new permissive paths would provide access for residents of the new development to the AONB and potentially residents of Cranbrook via the Brick Kiln Farm site. The establishment of new, species rich, grassland meadows and the more intimate and hedged landscape of pastoral fields to the east of Hennicker Wood would improve the recreation experience of walkers in the area. Overall, the improvements to access and the recreational experience associated with the proposals would result in a substantial beneficial effect.

8.3 Visual Appraisal of the Proposals

Introduction

- 8.3.1 My baseline visual assessment is set out at section 5 of my proof. In summary, the site has a limited and local visual envelope. The majority of the site is contained by mature woodland, tree belts and boundary hedgerows. Where the topography of the site allows, largely in the north-west corner of the site, there are a limited number of views out across the Crane Brook valley. The remaining slopes are inward facing, with occasional open and partial views of residential property on the Hartley Road to the south of the site and partial views of housing on Green Way and Goddards Close to the north.
- 8.3.2 Views of the site, from the wider AONB, are contained by the high ground to the site's east, south and west. This containment is reinforced by the existing woodland and intervening hedgerows to the west of the site, namely Angley Wood, and pockets of woodland to the south and east, Robin's Wood and Comfort's Wood. Woodland on low-lying ground principally along the Crane Brook also contains the site to the north and east
- 8.3.3 Locally, the site is contained by boundary trees and hedgerows. There are glimpsed views into the site from adjacent properties and open views of the southern fields from public right of way WC115. Views from the eastern slopes of the Crane Brook are largely contained by the mature woodland associated with the Crane Brook and by intervening commercial orchards. There is a short section of footpath WC116 that has glimpses of the

site, seen in the context of existing housing at Green Way and the roofscape of housing on Orchard Way. In winter months there may be glimpses of the western fields from Harley Road. Views from within Cranbrook are substantially screened by the local landform, woodland and intervening properties.

Visibility during Construction and Completion (year 1)

Public Views

Rights of Way

- 8.3.4 PROW WC115 runs through the site between Hartley Road and the Crane Brook across the south-western and south-eastern fields. The initial stretch between Hartley Road and the northern corner of the field west of Hennicker Pit would include glimpses of ground works to the woodland area between the Turnden Farmstead development and properties on Hartley Road. At completion that section of footpath would have glimpses of the adjacent grass ride, with new scrub and tree planting beyond and the existing boundary vegetation to Turnden Farmstead.
- 8.3.5 Viewed from agreed viewpoint 3 the ground works and land raising to the south-west would be open to view. During the course of the construction period the footpath would need to be diverted to establish the new levels through the field. Assuming prior construction of the Turnden Farmstead site views north would include glimpses of the house construction in the development area approximately 200m from the footpath. At completion there would be glimpses of the new development beyond the Turnden Farmstead housing and through the newly planted woodland. To the south-west the field would have been sown as species rich grassland, with field trees, scrub margins and a mown grass path running around the meadow. The identified effects would be a Substantial adverse effect during the ground works in the south-western field reducing to Minor adverse at completion.
- 8.3.6 To the south of Hennicker Pit and the surrounding woodland the footpath runs through the south-eastern field to Crane Brook. The central woodland belt and woodland along the Crane Brook converge to offer limited middle-distance views of the construction of the eastern edge of the development area. Housing on Brick Kiln Farm is likely to form part of the horizon. Viewed from viewpoint 4, during construction there would be partial views of the site across the 100m gap, between the two woodland blocks. Existing woodland would screen much of the development such that only the eastern edge of development would be in view. As a result, the visual effects would be Negligible/Moderate adverse, dependant on the timing of the development on the eastern side of the site.
- 8.3.7 At completion the housing frontage would extend approximately 80m across the view some 280m from the footpath alignment. The new shaw woodland planting and the restored

hedgerow network would have been planted between the housing and footpath alignment, the visual effects at completion would be Moderate adverse.

- 8.3.8 Crossing the Crane Brook the footpath runs through woodland before rising up the eastern valley slope. Mature woodland along the brook, together with the commercial orchards would screen the site from view. Given the depth of woodland and the intervening orchards winter views are likely to be similar. There is no effect on views from the eastern section of footpath.
- 8.3.9 PROW WC116 runs along the mid-slopes of the Crane Brook valley east of the watercourse following Brook Lane. The mature brook-side woodland and understorey together with the intervening commercial orchards effectively screen the construction works and completed scheme from view. The visual effects from Viewpoint 5 are Neutral. There are no views of the site between viewpoints 5 and 6 due to adjacent hedgerow and conifer shelter belts.
- 8.3.10 At viewpoint 6, south-west of Oast Barn, the footpath turns west to face the site (200m east of the site boundary). The footpath affords limited, partial views of the elevated fields in the north-west corner of the site and glimpses of the Turnden Farmhouse in winter. Views reduce to glimpses of the site in summer months. There would be glimpses and partial views of the construction work and the completed housing seen in the context of existing housing on Green Way and Turnden Farmstead. Brick Kiln Farm development would also be open to view in the winter months the north of the site. Partial views of the existing and proposed development would be seen in the wider context of substantial areas of woodland and a treed backdrop. Views of the new development, from the footpath, would be seen over a length of approximately 126m before hedgerow vegetation again screens views west towards the site, a small proportion of the footpath east of the Crane Brook.
- 8.3.11 The effects of the development, at construction and at completion, are reflective of seasonal variation. Summer views are very limited and would result in a Minor adverse effect; winter views would be more extensive and of Moderate adverse effect.
- 8.3.12 PROW WC95 runs down the eastern side of the Crane valley between Oast Barn and the brook. Facing west the footpath would afford clear views across the valley to the Brick Kiln Farm site and housing on Green Way and Goddards Lane. From viewpoint 7 the brook-side woodland would largely screen the construction works and completed development from view the site from view, although there will be heavily filtered views of the eastern

edge of the development in winter. The effect on views would be Negligible in summer and Minor adverse in winter.

8.3.13 To the west of the Crane Brook there are glimpses from footpath WC95, across the Brick Kiln Farm site towards the northern end of the development area. However, given the distribution of proposed residential development identified on the approved Parameter Plan 7115-L-02 Rev M (CD18.7) for Brick Kiln Farm views of constructions work or the completed scheme are unlikely.

8.3.14 PROW WC118 and viewpoint 8 lies 850m south-east of the development area at the edge of the zone of theoretical visibility. The wooded nature of the intervening land screens the site from view such that the construction works and completed scheme would not have an effect on the wider high ground within the AONB to the south-east.

Roads

8.3.15 Views of the construction works, and the completed scheme would be limited to the site entrance and the immediate approaches to the entrance. 90m of hedgerow would be removed to allow for forward visibility splays and the associated road works. Views adjacent to the entrance would be transient and over a short length of road. The new development would be set back from the road by a minimum of 50m, with open space and new hedgerow planting to the roadside and development. The housing would be set 2-2.5m below the road levels. Reducing the apparent height of the new housing. The effects would be Moderate adverse during construction and at completion.

8.3.16 Viewed from further south, from agreed viewpoint 2, the new entrance would be less noticeable, and housing would be screened from view by the retained roadside hedgerow. There would be glimpses of the frontage open space and approach to the site access. There would be a Negligible effect on the appearance of the A229 from this viewpoint.

8.3.17 Further north, at Viewpoint 1, there would be views when leaving Cranbrook. 90m of the frontage hedgerow to the site would have been removed and assuming the Brick Kiln Farm development had been constructed the Brick Kiln roadside hedgerow would have been replaced with a Green and new hedgerow to the east. The northern boundary hedgerow to the development area would be retained in both schemes. During construction and at completion there would be partial views of the road access works and the first floor of new houses on the western frontage to the development area. The northern boundary hedge would screen most groundwork and the ground floors of completed frontage development within the site. Housing on Orchard Way would remain prominent in the view. The identified

effects would be a Moderate adverse during construction reducing to Minor adverse at completion.

Private views

Properties

- 8.3.18 There are no properties with views of the entire site due to the intervening and containing hedgerow and woodland areas. Properties with open views of the frontage development include a number of houses on Orchard Way, opposite the site entrance, and new housing permitted on Turnden Farmstead and the parcels of development on the Brick Kiln Farm site, although the layout of these parcels has yet to be determined. Given the size and location of the proposed properties, the nature of the views and the distances between the existing properties and new development the effects on outlook would not be visually overbearing, overwhelming or oppressive and the effects would not be so great that the development is not in the public interest. The visual amenity of existing and prospective dwellings close to the site would not be significantly affected by the scheme.

Visibility of the Proposals: After 15 years

- 8.3.19 Following a 15 year establishment period views of the development would be significantly reduced, and any remaining views would be in character with either the existing settlement edge of Cranbrook or the wider AONB landscapes.

Rights of Way

- 8.3.20 PROW WC115 would pass through an established species rich grassland meadow and small-scale fields in pasture; woodland and hedgerows to the north would further enhance the rural character of footpath. There would be occasional glimpses of Turnden Farmstead (viewpoint 3) and the site development (viewpoint 4) which would not detract from the overall view. The long-term visual effects on the visual amenity of the public footpath, are assessed as Moderate beneficial effects.
- 8.3.21 Views from PROW WC116 are very limited and restricted to a short section of path (viewpoint 6). New scrub and tree planting adjacent to the ancient woodland and within the central green corridor in the development area would reduce the views of the new housing. Street tree and garden planting within the development would also soften the roofscape. The residual views of the scheme would not be extensive and would be consistent with the glimpses of the Turnden Farmstead and Brick Kiln Farm developments as seen from this section of footpath. The effects of the development, on the visual amenity and outlook of the path would be very limited and restricted to viewpoint 6. I have assessed these as a Minor adverse effect in winter views and negligible in summer. The residual effects on visual amenity and the appreciation of the AONB, on the footpath in general, are Negligible.

8.3.22 Views from PROW WC95 (Viewpoint 7) would be heavily filtered by the intervening woodland, the proposed tree and scrub planting within the development area would further reduce the visibility of the development. To the west of the Crane Brook, the permitted housing at Brick Kiln Farm, as set out on the approved Parameter Plan, would screen the development from view from the footpath. The residual visual effects of the scheme, on the footpath in general, would be Negligible.

8.3.23 The established scheme would not be visible from PROW WC118 and viewpoint 8, the wooded nature of the intervening land screens the site from view such that the scheme would not have an effect on the visual amenity of the high ground within the AONB to the south-east.

Roads

8.3.24 Views of the established scheme would be limited to the site entrance and the immediate approaches to the entrance. The new development would be set back behind a well-established roadside hedgerow, a minimum of 50m from the roadside. Other than in views from the site access road views of the development, which is set down the slope would be limited to glimpses of the roofscape of the frontage development, a Negligible effect on the visual amenity of road users.

8.3.25 Viewed from further north and south along the Hartley Road (viewpoints 1 and 2), the new entrance would be less noticeable, and housing would be screened from view by the retained and newly established roadside hedgerow and the proposals for the Brick Kiln Farm site. There would be glimpses of the frontage open space and approach to the site access. There would be a Negligible effect on the appearance of the A229 from these viewpoints.

Private views

Properties

8.3.26 Views from properties on Orchard Way, opposite the site entrance, would reduce with the establishment of the new roadside hedgerows and hedgerows and tree planting within the adjacent open spaces. The visual amenity of existing and prospective dwellings close to the site would be enhanced by the establishment of the landscape proposals such that there would not be significant residual adverse effects on the visual residential amenity of residents.

Summary Table of Visual Effects

Viewpoint Location	Sensitivity	Completion		15 Years Post Completion	
		Magnitude of Change	Effects	Magnitude of Change	Effects
Public viewpoints					
1. Hartley Road north of development area	Medium	Low	Minor Adverse	Very Low	Negligible
2. Hartley Road south of development area	Medium	Very Low	Negligible	Very Low	Negligible
3. PROW 115 south-west of Turnden Farmstead	High	Low	Minor Adverse	Medium	Moderate beneficial
4. PROW 115 south-east of Turnden Farmstead	High	Medium	Moderate adverse	Medium	Moderate beneficial
5. PROW 116 east of Crane Brook	High	No View	None	No View	None
6. PROW 116 east of Crane Brook near Oast Barn	High	Medium/Low	Moderate/Minor	Low/Very Low	Minor/Negligible adverse
7. PROW 95 north-west of Oast Barn	High	Low/Very Low	Minor/Negligible adverse	Very Low	Negligible
8. PROW 95 north of Brick Kiln Farm	High	Very Low	Negligible	Very Low	Negligible
9. PROW 95	High	Very Low	Negligible	Very Low	Negligible
10. War Memorial Cranbrook	Medium	Low	Minor adverse	Very Low	Negligible

8.4 Effect on Landscape Character

8.4.1 The assessment of impact on local landscape character is made with reference to the two land parcels identified namely the Development Area and the Wider Land Holding.

The Development Area

8.4.2 The character of the development area would change substantially with the loss of horse paddocks and the addition of housing and new open space. The internal landscape character of grazing paddocks would be lost. The horse paddocks would take on the characteristics of residential and recreational land on the town edge integrated with the permitted development of Brick Kiln Farm, the current settlement boundary, and the permitted development at Turnden Farmstead to the south. The scheme has been laid out, and materials selected, to reflect key characteristics of the town and villages in the local area its local vernacular and sense of place. The completed scheme would reflect the proposals for the permitted Brick Kiln Farm development in so far as there would be open space facing the Hartley Road with hedgerows and tree planting softening the building frontage. As part of the scheme the roadside hedgerows would be reinstated such that when established the leafy character of the road would be reinstated on the approach to Cranbrook.

8.4.3 Much of the development would be screened by the boundary vegetation and not visible from the town or the surrounding AONB. However, the development area would fall naturally into a number of parcels, compartmentalised by the existing mature trees around the Green and along the central green corridor running through the site. With less than 50% of the development area laid out as housing and roads there would be more than adequate space for new tree and shrub planting to mature and further assimilate the housing into the surrounding landscape.

8.4.4 The open spaces, proposed trees and hedgerow planting to the western frontage development together with the retained roadside hedgerows and trees to the south of the site entrance would maintain the clear separation between Cranbrook and the ribbon development north of the hamlet of Hartley. The new housing would be no nearer Hartley than the existing permitted development at Turnden Farmstead. The new frontage development would also sit inboard of the replacement building for the Turnden Farmhouse such that the dispersed character of the Turnden Farmstead development could still be appreciated from the road entrance on Hartley Road.

8.4.5 The eastern boundary of the development is bordered by Ancient Woodland, which would be unaffected by the scheme. The woodland would be protected by a grassland and scrub buffer zone and both the buffer, and the Ancient Woodland would be subject to active

management under the LEMP. This would be beneficial for the condition and long-term sustainability of the woodland and increase the screening potential of the woodland in relation to the limited views of the housing from the AONB. The adjacent woodland shaw would, once established, screen the development from the south on footpath WC115. I note that the shaw is of the order of 20m wide where for screening purposes a planting belt of 5-10m would be more than sufficient to screen the development.

- 8.4.6 At completion the magnitude of effect on the character of the development area, as a result of housing development, open space and green infrastructure proposed, I have assessed as High/Medium and the significance of the effects as Substantial/Moderate adverse. With the establishment of the hedgerows, species rich meadows, central and peripheral planting, after 15 years, a new edge to Cranbrook would be established and the magnitude of change would be less apparent from the surrounding landscape; the housing would be more integrated with the existing settlement and the character and appearance of the area more established and reflective of the local area. The long-term residual impact of the development on the AONB within the development area would be no greater than Moderate adverse.

The Wider Land Holding

- 8.4.7 The wider land holding includes three fields and woodland and represents 60% of the overall site area. The fields are laid out as horse paddocks and open grazing to the north and south of Hennicker Wood. The fields are partly fenced with timber rail fencing, largely in a poor state of repair. There are no internal hedgerows with the exception of a short length linking the southern boundary of the Turnden Farmstead site with a site boundary fence adjacent to the rear gardens of property on Hartley Road. Hennicker Wood lies centrally to the land holding includes pits and ponds associated with the original Hennicker farmstead, wet woodland and areas of scrub.
- 8.4.8 Initially, during the construction period, there would be a temporary Substantial adverse effect on the western and south-western fields as topsoil and subsoils from the development area is spread over the land and profiled. However, following the regrading of the land the western field would be planted as woodland and the south-western field set to a species rich meadow. Perimeter planting of scrub to both the new areas of woodland, along grassed woodland glades, and the field boundaries of the meadow would provide an ecotone from the woodland and hedgerow edge down to the grassland. New field trees, located on old tithe alignments or following the historic location of field trees in the site, would be planted in the south-western field. A series of permissive footpaths would be laid out through the meadow linking with the public footpath WC115, the Hartley Road and through the new woodland to the Turnden Farmstead development.

8.4.9 The public footpath through Hennicker Wood which encounters saturated ground and steep slopes which are subject to erosion and trampling would be improved with timber steps and boardwalks. There would be improved access and protection for the wet woodland environment. To the south of the Hennicker Wood new tree planting would extend the woodland habitat north to Turnden Wood and further scrub planting would enhance the link between Turnden Wood and the Crane Brook via the new woodland shaw. A culverted ditch between Turnden Wood and the Crane Brook would be opened up as a new water course within the woodland shaw.

8.4.10 The field south of Hennicker Wood would be cleared of paddock fencing and new hedgerows planted to reinstate the historic hedgerow pattern evident on the map regression and aerial photographs. Field boundaries would also have stock proof fencing to enable the fields to be grazed by livestock. A new permissive footpath would follow the course of the Crane Brook linking footpath WC115 with the development and Brick Kiln Farm and potentially through to Cranbrook town centre.

8.4.11 The net effect of these enhancements on the character and appearance of the wider land holding would be as follows:

Pastoral Fields

8.4.12 There would be a substantial change to the character and appearance of the area with small scale hedged fields with livestock grazing replacing the paddocks and open grazing areas. The historical context of the fieldscape would be re-established. The reinforcement of the woodland boundaries to Hennicker Wood together with the new hedgerow structure would increase the sense of enclosure and intimacy of the local landscape. The new footpath network would provide access to the AONB from the new development and allow an appreciation of the restored small scale field pattern and the re-established agricultural landscape, key characteristics of the AONB landscape.

Woodland

8.4.13 There would be a substantial increase in woodland cover within the wider land holding. The reinstatement of the woodland shaw linking Turnden Wood with the Ancient Woodland along the Crane Brook would restore part of the historical fabric of the site landscape and would add to the containment and intimacy of the south-eastern fields. New woodland proposed between the Turnden Farmstead and the ribbon development north of the hamlet of Hartley would reinforce the sense of separation between Cranbrook and surrounding settlement and the wider countryside. Grassed rides through the woodland would provide alternative access to the Hartley Road and a link to the wider AONB from the permitted

development at Turnden Farmstead. Improvements to access through Henniker Wood and new tree and scrub planting would allow wet woodland and water features to recover and enhance the character of the woodland

Grassland Meadow

8.4.14 The replacement of horse paddocks with species rich meadow grassland would lead to a noticeable change in the character and appearance of the south-western field. The management of the grassland with low intensity sheep grazing would return the land to a working agricultural landscape. Scrub planting to the field boundaries would reinforce garden boundary vegetation to the housing on Hartley Road and reduce the associated urban influence. The additional permissive circular walk would add to the recreational experience of walkers through the AONB.

8.4.15 In combination the landscape proposals represent a significant enhancement to a number of the key landscape characteristics of the AONB. In addition, the removal of the paddocks, timber rail fencing and equestrian paraphernalia across the wider land holding would also have a beneficial effect on the character and appearance of the site. The restoration of much of the landscape fabric evidenced in the historic record would add to the intimacy and character of the landscape.

8.4.16 I would note that these benefits would be long-term and sustained by active management, with low intensity livestock grazing regimes for the pastoral fields and meadow grassland and woodland management for woodland within the wider land holding and the Ancient Woodland on the eastern boundary. The Landscape and Ecological Management Plan (LEMP) included with the application sets out a comprehensive set of prescriptions that would be used to maintain the wider land holding and the development area in perpetuity.

8.4.17 The magnitude of effects on the wider land holding, at completion, as a result of the landscape strategy proposed, I have assessed initially as Moderate/Minor beneficial, there would be a noticeable change to the character and appearance of land parcel. When established, after 15 years, when new hedgerow and woodland were well-established, I would assess the effects on the parcel to be significant, adding depth to the character and appearance of the landscape, enhancing the key characteristics of the AONB and restoring the historic fieldscape to the southern part of the site. I have assessed the residual effects as Moderate beneficial.

Adjacent Areas of the AONB

8.4.18 Land to the south of the application area, including Hartley, Hartley Lands Farm, the wider high ground and Robin's Wood would be unaffected by the development, the development

proposals neither directly affect its landscape character or its setting. Similarly, there would be no direct impact on the character or setting of the AONB to the west of the application area, specifically, within Angley Wood and the High Weald Landscape Trail or from the fields south of Goddard's Green. To the north of the application area the site is located next to the permitted development on Brick Kiln Farm. Assuming development based on the approved Parameter Plan there would be no direct effects on remaining open land to the north, around Cranbrook and no effect on its setting.

8.4.19 Land to the east of the application area, including high ground north of Swattenden Lane, would not be directly affected by the development. There would be glimpses of the development area from a short section of footpath on the west facing slopes of Crane valley. Development would be seen in the context of a heavy wooded valley bottom and a wooded horizon where there would be glimpses of existing and permitted settlement through the trees. The additional housing proposed would add marginally to sense of settlement in the view but would not unduly urbanise the character and appearance of the adjoining AONB landscape. Given the very limited intervisibility between the application area and land to the east I consider that there would be a negligible effect on this part of the AONB.

Landscape Receptors	Sensitivity	Construction / Completion		15 Years Post Completion	
		Magnitude of Change	Effects	Magnitude of Change	Effects
Development area	Medium/High	High/Medium	Substantial/Moderate adverse	Medium	Moderate adverse
Wider land holding	High	Medium/Low	Moderate/Minor beneficial	Medium	Moderate beneficial
Southern AONB	High	No change	none	No change	none
Northern AONB	High	No change	none	No change	None
Western AONB	Very High	No Change	none	No change	none

Landscape Receptors	Sensitivity	Construction / Completion		15 Years Post Completion	
		Magnitude of Change	Effects	Magnitude of Change	Effects
Eastern AONB	High	Very Low	Negligible	Very Low	Negligible

9 HIGH WEALD AONB MANAGEMENT PLAN 2019 -2024 (CD)

9.1 Introduction

9.1.1 The site and its immediate surroundings, including the settlement of Cranbrook, lie within the High Weald AONB designation. I now consider how the proposed development would have a bearing upon this designated landscape having regard to the key characteristics, issues and objectives set out in the Plan.

9.1.2 The Statement of Significance defines the High Weald AONB as being characterised by dispersed historic settlement, ancient routeways, an abundance of ancient woodland, wooded heaths and shaws and small irregularly shaped fields. These are all draped over a deeply incised and ridged landform of clays and sandstones with numerous Ghyll streams.

9.1.3 The essential character was established in the 14th century and has survived major historic events. It is considered one of the best surviving coherent medieval landscapes in Northern Europe. This character is the essence of the natural beauty of the AONB. The AONB management plan is structured around the five key components of the landscape character, namely:

- Geology, landform, water systems and climate.
- Settlement
- Routeways
- Woodland
- Field and Heath

These components of character are enriched by locally distinctive features such as castles, historic parks and gardens, hop gardens and orchards, oast houses and churches and a rich and varied biodiversity.

9.1.4 For each key component the management plan sets out its vision and objectives which constitute the conservation objectives for the period 2019-2024. In so far as the proposals have a material effect on the character of the AONB I will address the potential impacts with reference to the key characteristics and conservation objectives of the plan.

would connect settlements and countryside. The existing footpaths and Hartley Road are maintained in their current settings. The distinctiveness of individual settlements and their key characteristics are maintained.

11.2.25 Through the landscape proposals for the wider land holding the natural functioning of watercourses has been restored and enhanced and the LEMP would facilitate the improved management of associated agricultural land, woodland, and pasture.

11.2.26 Public access to the countryside would be improved and way marking and interpretation material to assist in the public enjoyment, appreciation, and understanding of the AONB would be provided by way of the LEMP.

11.2. 27 I consider that the application proposals meet policy EN19.

12 CONCLUSIONS

12.1 My assessment of the landscape character of the site is that key characteristic features are largely confined to site boundary or the central green corridor. The internal definition of the fieldscape has been substantially reduced with the loss of hedgerows and imposition of paddock fencing and horse keeping paraphernalia. The site is well-related to Cranbrook and lies at the settlement boundary, between two permitted development areas which will have an urban edge influence on the site.

12.2 I have considered the landscape and visual effects associated with the proposed development. My visual assessment has identified a well contained site with little intervisibility with the wider AONB. The proposed development would have a negligible impact on the visual amenity of the wider AONB and would have a very limited visual effect on local views from public rights of way.

12.3 The proposals provide housing which would be in keeping with the local settlement pattern and reflect the local vernacular design and materials. The wider land holding would provide the opportunity to improve the landscape structure of the remaining site area and conserve and enhance the AONB landscape. The mitigation proposed as part of the scheme is extensive and would assist in the restoration of the historic field pattern, woodland shaws and water courses. Together with the creation of species rich meadow grasslands the reinstated small-scale landscape in the wider land holding would enhance the AONB.

12.4 The landscape proposals would adequately mitigate the potential impacts of the proposed housing scheme and would enhance a number of the key characteristics of the AONB.

The Landscape and Ecological Management Plan would provide for the long term security of the enhancements and provide Cranbrook with a robust and permanent rural setting in keeping with the High Weald AONB. My assessment of the long term environmental harm associated with the scheme is that it would not be significant, and I therefore respectfully request the Secretary of State to allow this application.

Appendix 2 **Statement of Common Ground between Berkeley Homes and TWBC**

**Planning Call-in Inquiry:
Turnden, Land Adjacent to
Hartley Road, Cranbrook,
Kent**

**Statement of Common Ground
between the Applicant and
TWBC**

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THIS STATEMENT OF COMMON GROUND HAS BEEN AGREED BY:

Tunbridge Wells Borough Council



Signed.....

Name...Richard Hazelgrove.....

Dated..... 18 June 2021.....

Ashurst LLP on behalf of Berkeley Homes (Eastern Counties) Ltd

Signed..... *Ashurst LLP*

Dated..... 18 June 2021.....

1.0 Executive Summary

- 1.1 On 12 April, MHCLG issued a letter advising that the Secretary of State had decided to call-in the application for the proposed residential development at land adjacent to Turnden, Hartley Road, Cranbrook (ref: 20/00815/FULL) and that the application shall be referred to him instead of being dealt with by the Local Planning Authority.
- 1.2 Officers made a positive recommendation on the application to the Planning Committee on 27th January 2021 and the Planning Committee resolved to grant planning permission subject to conditions and the completion of S106 Agreement. As a consequence, the Council and Applicant consider that there are a number of matters agreed in relation to the application. This includes matters relating to the land use, access, highways safety and sustainability, as it is agreed that the site is accessible to a range of different transport modes and in close proximity to local services and facilities. A full list of these matters is included in Section 7.0.
- 1.3 In addition, the Council and Applicant are in agreement that the test in para 172 of the NPPF is met in that there are exceptional circumstances and matters of public interest that exist to justify major development in this AONB in this location.

2.0 Introduction

2.1 This Statement of Common Ground ('SoCG') has been prepared between Berkeley Homes (Eastern Counties) Ltd ('Applicant'), and Tunbridge Wells Borough Council ('Council'), in relation to a site known as land adjacent to Turnden, Hartley Road, Cranbrook ('Site').

2.2 This SoCG relates to the planning application (ref: 20/00815/FULL) submitted by the Applicant on 12 March 2020, and which as amended, is for

"The construction of 165 new dwellings with associated access, car parking, refuse/recycling storage, landscaping, earthworks and other associated works."

2.3 The application was reported to the Council's Planning Committee on 27th January 2021 with an officers' recommendation to support the proposals. At that meeting, the Planning Committee resolved to grant planning permission subject to conditions and a S106 Agreement. As a consequence there are only matters that are agreed between the parties and not matters in dispute.

2.4 A list of the plans to be approved is set out in section 10 in the agreed conditions.

2.5 In this SoCG the proposed development which is the subject of the Inquiry is referred to as the 'Development'.

3.0 Site and Surroundings

- 3.1 The application site is located on the southern side of the A229 Hartley Road. It measures approximately 23.94 hectares (59.12 acres) and formed the grazing areas of an equestrian facility that has ceased operation. The site lies to the south west of Cranbrook, approximately 1km walking distance from the centre of the town.
- 3.2 Beyond the site to the east, between Turnden and Cranbrook town centre lies Brick Kiln Farm. This site has the benefit of outline planning permission for 180 homes and will form the new settlement edge of Cranbrook (being allocated for development within the Site Allocations Local Plan 2016 for between 200 – 250 dwellings - Ref. AL/CR4). Once constructed, this development will effectively extend the settlement boundary of Cranbrook to the south, to directly abut the Turnden application site.
- 3.3 The application site wraps around (but excludes) a secondary area which benefits from planning permission for 36 dwellings (18/02571/FULL). This development has been implemented following discharge of pre-commencement conditions and demolition of the commercial storage and equestrian livery buildings that formerly stood on the site. This stands outside the application site for the current proposal and is known as Turnden Farmstead and referred to as 'Phase 1' for the purposes of this Statement. The Phase 1 scheme also included the restoration of Turnden Farmhouse, a former Grade II listed medieval building within the application site. This would have involved removing unsympathetic 1970s additions and preserving the historic features of the building with sympathetic repairs and the replacement of unsuitable materials. However, the building (along with the applicant's construction vehicles and stores) was subject to an arson attack and destroyed by fire in September 2019. All that remains are the external ground floor structural walls and ground level central chimney breast; these remains have subsequently been de-listed by Historic England.
- 3.4 Bordering the south western end of the site is residential (largely inter or post war) ribbon development that fronts Hartley Road. There is similar development opposite the northern end on Orchard Way.
- 3.5 The site is largely laid to pasture with an equestrian use associated with the former equestrian riding school that was located in the Phase 1 site. The site is characterised by a ridge, broadly along Hartley Road, dropping to the Crane Brook valley floor. A series of small irregular fields are enclosed more widely with trees and scrub. The site slopes from a high point at the Turnden Farmhouse entrance from Hartley Road and contours run broadly south west to north east in parallel with Hartley Road. The gently falling site has a steeper section of slope running through the middle, which along with existing vegetation provides fairly distinctive upper and lower areas to the site. The topography of the site gently slopes away from the A229 in the north/north west at approximately 110-115m Above Ordnance Datum (AOD) to Crane Brook in south/south east of the site which is approximately 85-95m AOD.
- 3.6 The site is generally enclosed with both traditional agricultural boundary treatments and screening of trees and scrub. A number of mature freestanding trees sit on the current field boundaries. Ancient Woodland, along with the Crane Brook itself, forms the southeastern boundary to the site. As is characteristic of the wider context, the site is dotted with a series of ponds and drainage channels that gather surface water locally. A public right of way (WC115) runs through the south western end of the site, known as the Wider Land Holding.
- 3.7 There are currently no existing buildings on the site (aside from a few derelict field shelters) and no formal vehicular access. The site is accessed from Hartley Road by the existing access point leading into the Phase 1 part of the site.

Designations and Site Allocation

- 3.8 The site is adjacent to the Limits to Built Development (as defined by the Site Allocations Local Plan 2016). The application site, along with the whole of Cranbrook town and adjoining areas is within the High Weald Area of Outstanding Natural Beauty.
- 3.9 The application site is within Agricultural Land Classification (ALC) Grade 3.
- 3.10 The site is not within a Conservation Area. The site access point is approximately 0.4km from the entry to the Cranbrook Conservation Area. The Crane Valley to the south east is an area of Ancient Woodland. Robins Wood Site of Special Scientific Interest is approximately 500m south of the application site at its nearest point. Angley Wood and Bedgebury Forest Local Wildlife Sites are approximately 250m and 600m away from the site to the NW respectively. Turnden Lane opposite is a designated Rural Lane. Three trees along the Hartley Road frontage and four along the access drive are protected by Tree Preservation Order 041/2003. A Southern Water sewer runs beneath the top corner of the site (adjacent to The Nest)
- 3.11 Between 140m and 210m north east of the Site is a cluster of four listed buildings comprising: The Cottage (or Crane Cottage), a small 18th-century roadside cottage (Grade II); Cranbrook War Memorial (1920) at the junction of Hartley Road /Angley Road and High Street (Grade II); Goddards Green Farmhouse (formerly 'Wardes', a 15th /16th-century cloth hall) (Grade II*) and; A 17th-century Barn at Goddard's Green Farm listed for group value (Grade II).

4.0 **Planning History**

4.1 There is an extensive planning history for the site and land adjacent to the site, that is summarised below.

History for site of main house and two attached flats

18/02564/LBC Listed Building Consent: Demolition of eastern range (including 2 No. independent apartments); erection of a single storey rear extension; internal and external alterations; hard and soft landscaping works. **Granted 21/12/18**

09/00645/CEU Certificate of Lawful Development (Existing): Use of annexe as two separate dwelling houses **Granted 24/04/09**

08/02792/TPO TREES: T3 - SYCAMORE, T5 - OAK, T7 -SYCAMORE, T8 - OAK: lift crowns to 6-7m, remove deadwood; T4 - SYCAMORE: lift crown to 6-7m, remove extended limb growing over road. **Granted 26/09/08**

96/00545/FUL Vary Condition 2 of TW/85/0484 to allow holiday let accommodation. **Granted 03/06/96**

96/00543/FUL and **96/00544/LBC** Conversion of part of existing loftspace to holiday let accommodation. **Granted 30/05/96**

85/00484/FUL Conversion of existing swimming pool into a dwelling/annexe. **Granted 12/06/85**

WE/5/72/322 Cover for swimming pool. **Granted 23/10/72**

History for commercial / former agricultural part of site

19/02620/EIASCO EIA Scoping Opinion - Proposed development of up to 134 dwellings **Comments provided 31/10/19**

19/01863/NMAMD Non-Material Amendment in Relation to 18/02571/FULL - Amendments to dwelling types including small changes to window positions, minor internal alterations, slight adjustments to the front porch designs and removal of the split level ground floor internal layout to Plots 17 and 18; Relocation of visitor parking bays from outside plots 12-13. Extension of footpath to access plots 21-36; Removal of existing invasive rhododendron to the side of the access road and replacement with native hedge planting; re-positioning of new tree planting to avoid conflict with the foundation of buildings and walls; amended specification of the hedgerows to allow a more traditional 'A' frame hedgerow to be achieved at the entrance of the site. **Granted 23/07/19**

18/02571/FULL Erection of 36 residential dwellings and associated infrastructure, access road improvements, hard and soft landscaping, open space, drainage, and ecology works, following the demolition of the existing commercial and equestrian buildings; restoration of Turnden farmhouse including the erection of a single storey rear extension, internal and external alterations with hard and soft landscape works, following the demolition of 2 independent apartments. **Granted 26/02/19**

17/02485/FULL Variation of Condition 10 (Named occupiers) of planning permission 11/02794/FUL (*Demolition of existing former chicken building and construction of an additional warehouse for wine storage*) - Removal of restriction of use to named occupiers only. **Granted 12/09/17**

17/02484/FULL Variation/Removal of Condition 9 (Named occupiers) of 08/02616/FUL (*Part Retrospective - Change of use, conversion and redevelopment of farm buildings for use as a depository for wine for exhibition/tasting purposes with ancillary offices and glass washing facility, and access improvements*) - Removal of restriction of use to named occupiers only.

Granted 12/09/17

11/02794/FUL Demolition of existing former chicken building and construction of an additional warehouse for wine storage *This permitted an additional wine warehouse to the SW of the other buildings which is controlled in a similar way to the conversions authorised in 2008.*

Granted 24/05/12

11/01944/NMAMD Non material amendment to 09/03645 - Repositioning of American barn

Granted 29/07/11

09/03645/FULMJ Change of use from agriculture to use for equestrian activities and the provision of a staff office, toilet and kitchen block, quadrangle stable block, American barn, hay barn, sand school, associated parking and landscaping.

The equestrian use established by this permission was centred on the buildings on the 'Phase 1' application site and was also operated by the owners of Turnden. This proposal was also made personal to residents of Turnden and the commercial use of the stables restricted to no more than 20 without prior approval of the LPA **Granted 29/06/10**

08/02616/FUL Part retrospective - Change of use, conversion and redevelopment of farm buildings for use as a depository for wine for exhibition/tasting purposes with ancillary offices and glass washing facility, and access improvements

This permission established a B8 use on the 'Phase 1' site, with ancillary activities falling within use class B1 and was allowed as an alternative to TW/04/01982/FULMJ. The permission was made personal to the named persons operating as Sensible Wine Services Ltd because of the potential negative impact on future residents of Turnden, should alternative uses within B8/B1 take place. The owners of Sensible Wine Services Ltd reside at Turnden. Limitations on the hours of use were also imposed. **Granted 03/12/08**

04/01982/FULMJ Demolition of one shed and change of use of redundant chicken rearing sheds to: 1. Oak suppliers store/workshop/ office/domestic storage (Part Retrospective); 2. Commercial storage; 3. Drama meeting and rehearsal space and store; 4. New sewage treatment. *This application was approved with conditions restricting the uses to those approved to protect the character and amenities of the local area which may arise through an increase in traffic movements.* **Granted 07/12/04**

04/00466/FULMJ Change of use from agriculture to B1 Class (excluding (a) offices) including refurbishment; demolition of one building; new drive and access improvements.

Refused 13/05/04

02/00924/FUL Change of use from agricultural to B1(excluding (a)) involving refurbishment; demolition of one building; new drive and access improvements. **Refused 13/06/02**

Appeal dismissed against decision 26/03/03. The Inspector dismissed the appeal largely on the basis of the impact of the new drive on the rural characteristics of the area and the listed farmhouse. They also found harm to TPO trees and the High Weald AONB from the access widening works. The introduction of the B1 use and conversion of the buildings on site was considered acceptable.

00/01391/FUL Change of use from agricultural to business (B1) involving refurbishment, minor new building works and new drive. **Refused 30/11/00**

89/01553/FUL Change of use of agricultural buildings to light industrial units with new access. **Refused 24/09/90**

WE/5/72/454 Vehicular access for farm vehicles and lorries **Refused 25/06/73**

WE/5/69/186 Air strip and fuel store **Withdrawn 1969**

WE/5/69/148 Deep Litter Poultry House **Granted 07/11/68**

WE/5/68/108 Agricultural Dwelling **Refused 06/08/68**

WE/5/68/107 Dutch Barn **Granted 26/07/68**

WE/5/67/173 Outline – Use of existing Dutch Barn for light industrial purposes. **Refused 03/11/67**

WE/5/67/35 Dutch Barn **Granted 23/03/67**

WE/5/66/147 Poultry House **Granted 28/07/66**

WE/5/65/196 Poultry Rearing House and Grain Store **Granted 28/10/65**

WE/5/62/240 Outline – Residential Development **Refused 01/03/63**

WE/5/60/89 Outline – 8 dwellings **Refused 15/06/60**

Recent relevant Planning decisions and appeals in the locality

Brick Kiln Farm High Street Cranbrook Kent (adjacent to the site)

16/502860/OUT Outline planning permission for the erection of up to 180 dwellings (including up to 35% affordable housing) with means of access to be determined at this stage together with structural woodland planting and landscaping, informal public open space, community orchard, children's play area, attenuation basin, vehicular access point from Hartley Road and associated ancillary development. **Granted 17/02/20**

20/00814/REM Approval of Reserved Matters (Layout, Appearance, Scale and Landscape) following Outline Permission 16/502860/OUT (Erection of up to 180 dwellings (including up to 35% affordable housing) with means of access to be determined at this stage together with structural woodland planting and landscaping, informal public open space, community orchard, children's play area, attenuation basin, vehicular access point from Hartley Road and associated ancillary development) and seeking consent for matters referred to in conditions 1, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 17, 19, 22, 26, 27, 28, 29, 30, 31 & 32 of outline permission (amended description). **Committee Resolved to Grant Permission on 27th January 2021 but application then withdrawn by the applicant**

Land West Of Common Road Sissinghurst Cranbrook Kent (adjacent settlement in the same parish)

14/502645/OUT Outline Planning Permission - (Access not reserved) development of up to 65 new homes (including 35% affordable housing) **Refused. Appeal allowed 21/03/16.**

The White House, Highgate Hill Hawkhurst (adjacent parish in the High Weald AONB)

19/01271/FULL Demolition of existing dwelling and erection of 43 retirement living apartments with associated communal facilities, access, parking and landscaping (resubmission of application 18/02767/FULL). **Granted 23/12/19. Judicial Review claim dismissed by the High Court November 2020.**

Land At Ockley Road And Heartenoak Road, Hawkhurst (adjacent parish in the High Weald AONB)

18/03976/OUT Outline (Access Not Reserved) – Erection of 62 dwellings **Appeal against non-determination dismissed November 2020 (APP/M2270/W/20/3247397).**

Hawkhurst Golf Club High Street Hawkhurst(adjacent parish in the High Weald AONB)

19/02025/HYBRID Hybrid Application: Demolition of existing clubhouse, squash courts and ancillary structures, and redevelopment of existing golf course. Full planning permission sought for new relief road and associated earthworks and junctions with A268 and A229. Outline planning permission (all matters reserved for future determination) sought for residential development, a C2/C3 care home, class D1 facilities such as a doctors' surgery and/or community hall, public car park, public park and associated parking, servicing, utilities, footpath and cycle links, formal and informal open space including woodland planting and recreation facilities, ground and infrastructure works. Appealed for Non-Determination. TWBC determined to refuse the application had they had the opportunity to do so.

Land Adjacent To Hartley Gate Farmhouse Hartley Road Cranbrook Kent (Close to the site)

19/02170/OUT Outline (Appearance, Landscaping, Layout and Scale Reserved) - Erection of up to 27 dwellings, with associated access, parking and landscaping **Refused 18/12/19, appeal dismissed February 2021**

5.0 **Proposed Development**

- 5.1 A description of the proposed development is set out in full in the Design and Access Statement and Planning Statement submitted with the application and in the Officer's report to the Planning Committee for 27th January 2021. Further, the application is accompanied by an Environmental Statement that describes the scheme and the proposed environmental mitigation. Only a broad summary of the development proposals is therefore set out below.
- 5.2 The application proposal (as amended) seeks full planning permission for the construction of 165 new dwellings with associated access, car parking, refuse/recycling storage, landscaping, earthworks and other associated works. These are a mix of 1 and 2-bedroom apartments and 2, 3, 4 and 5 bedroom houses, including affordable homes (40%) which exceeds the adopted 35% affordable housing policy requirement. The affordable homes are provided as 50% rented and 50% shared ownership. A 10% provision of the rented homes is committed to be provided to M4(3) Building Regulations standards, as fully wheelchair accessible. These homes are in the form of 1 x 2 bedroom apartments and 3 x 1 bedroom apartments.
- 5.3 It is proposed that vehicular access to the site is taken from a new dedicated priority junction access from the A229 Hartley Road with a right-turn lane facility. Further off-site highway works are proposed in the form of carriageway widening, bollarded traffic islands, a right hand turn ghost lane into the application site, plus an additional right hand turn lane to serve Turnden Lane. The internal road and pedestrian networks will be developed from this point, providing access to the proposed residential units.
- 5.4 The site can be distinguished into two, a 'Development Area' and a 'Wider Land Holding' The Development Area is approximately 39.43% and Wider Land Holding approximately 60.57% of the site area. The Wider Land Holding and Development Area are S106 terms – relating to LEMP controlled land within drawing 19183 / SK107C ('Proposed Site Layout showing LEMP and Wider Land Holding Area') but the term has been used more broadly by both TWBC and BHEC in respect of the whole of the right side of the development site, with that to the left being the Wider Land Holding. The Development Area in total equates to 9.44h.
- 5.5 Within the Development Area, the area occupied by houses and roads (and not open space) amounts to 4.7ha, giving a density of 35.1 dwellings per hectare.
- 5.6 Within the Development Area, the majority of the proposed built form will be two storeys with single storey garages and ancillary buildings. These will be arranged in a combination of terraced, semi-detached and detached forms. Three of the apartment buildings have some 2.5 storey elements but this is confined to the core of each building. Apartment Block A (two storeys) acts as a gateway into the site. The scheme has been designed to create different 'grains' of development through the site.
- 5.7 A landscape buffer will be provided to Hartley Road which seeks to mitigate views in and out of the site and retain the rural appearance of Hartley Road and the approach into Cranbrook. The landscape buffer along Hartley Road leads to a central village green to be used for recreational purposes and exploratory play whilst also providing a setting and safeguarded buffer for existing mature and veteran trees. A multi-functional east to west green corridor with retained trees and hedgerows will connect the open spaces within the Phase 1 (Turnden Farmstead) Scheme, accommodating natural exploratory play, drainage features, existing and proposed vegetation.
- 5.8 It is proposed that lower density housing will be provided towards the southern boundary of the site overlooking the Ancient Woodland. A graduated landscaping buffer in excess of 15 metres from the ancient woodland is proposed along the southern boundary at the foot of the site which

includes drainage features and additional and enhanced woodland edge scrub for habitat creation and ancient woodland protection.

- 5.9 The proposed scheme largely retains the historic field pattern, existing trees and hedges, to form part of the primary route into the development and set within open space to allow them to be key features of the development. The scheme also reinstates an historic woodland shaw and watercourse along the development area's south-western edges, creating part of an ecological link to adjacent sites and the wooded areas of Hennicker Pit. New planting on the Wider Land Holding will create new woodlands, woodland buffers, flower rich meadows and restore historical hedge lines. Green infrastructure would therefore provide links on a north/south and east/west basis to protect and enhance landscape and ecological features and improve ecological connectivity.
- 5.10 Several drainage features and ponds are to be created within the central green, the green corridor and the edge of the ancient woodland buffer, serving to capture surface water run-off and with areas of standing water and native planting to maximise ecological benefits.
- 5.11 New tree planting and hedgerows are proposed within and to the edges of the housing areas, serving to break up and soften views to the built form. Some minor tree loss outside the ancient woodland/TPO areas is proposed.
- 5.12 A footpath is intended to re-establish the historical Tanners Lane linking across the top corner of the site, into the Brick Kiln Farm site and would provide a key part of the pedestrian and cycle routes that link into Cranbrook. Further Links into and across the adjacent Brick Kiln Farm development will help enhance pedestrian permeability into the wider area.
- 5.13 The Wider Land Holding comprises three parcels of land, recently used as horse paddocks and two main parcels of woodland.
- 5.14 A cut and fill land regrading exercise is proposed for the Development Area to achieve suitable development platforms to facilitate the proposed development. This exercise would produce an excess of cut material (top and sub-soil) that is proposed to be spread in the area of agricultural/equestrian land within the site to the south west of the development area. The material amounts to circa 24,403m³ (including that to be retained from the approved Turnden Phase 1 site).
- 5.15 The soil generated from the cutting would be spread over an area of approximately 5.6ha of the Wider Land Holding and would increase land levels by approximately 45cm over this area. The soil would be graded to follow the existing land contours and exclude ponds, existing trees and hedgerows.
- 5.16 The field immediately to the west of Turnden Farmhouse will comprise of a newly planted woodland complex, including scalloped edges and open glades, crossed by permissive paths connecting with the Public Right of Way (WC115). This will also act to screen the development and is in general accordance with TWBC's Draft Local Plan and evidence base (particularly the proposed mitigation measures as relating to this site within the 'Tunbridge Wells - Landscape and Visual Impact Assessment of Proposed Allocation Sites within the High Weald AONB (November 2020 – Issue 3)'. The land will be planted following the movement and retention of excess soil on to this part of the site.
- 5.17 The field immediately to the south of the ribbon development off Hartley Road is proposed to comprise publicly accessible land, with permissive paths set within species rich grassland, scrub to the field margins, and field trees located along alignments of historic field boundaries. The land will also be planted following the movement and retention of excess soil on to this part of the site.

- 5.18 The larger southernmost field located between Hennicker Pit and the Crane tributary valley will be subdivided by new hedgerows with hedgerow trees aligning to historic field boundaries. Stockproof fencing and gates would be installed to provide access for grazing livestock. A permissive path would provide access through the fields, connecting the Development Area and Brick Kiln Farm with Public Right of Way (WC115). Access will be restricted to the permissive path and the field surrounding the existing PROW to enable the remaining fields to be managed as pasture grazing land for conservation benefit. Along the northern edge of the field new areas of woodland will connect Hennicker Pit to woodland south of the Turnden Farmstead development.
- 5.19 The permissible paths, open space and accessible land is secured within the S106. The application is accompanied by a Landscape & Ecological Management Plan (LEMP) which contains actions for management of the land. The S106 also obligates the management of the land in accordance with the LEMP.

6.0 **Planning Policy**

Statutory Development Plan

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that determination of a planning application must be made in accordance with the development plan, “unless material considerations indicate otherwise”.

6.2 The statutory Development Plan relevant to the site comprises:

- Tunbridge Wells Borough Local Plan 2006
- Tunbridge Wells Borough Core Strategy 2010
- Site Allocations Local Plan Adopted 2016

Tunbridge Wells Adopted Policies

6.3 The relevant policies from the adopted Local Plan documents are:

Tunbridge Wells Borough Local Plan 2006

- Policy LBD1: Development outside the Limits to Built Development
- Policy EN1: Development Control Criteria
- Policy EN5: Conservation Areas
- Policy EN10: Archaeological sites
- Policy EN13: Tree and Woodland Protection
- Policy EN16: Protection of Groundwater and other watercourses
- Policy EN18: Flood Risk
- Policy EN25: Development affecting the rural landscape
- Policy H2: Dwelling mix
- Policy TP1: Major development requiring Transport Assessment and Travel Plan.
- Policy TP3: Larger scale residential development
- Policy TP4: Access to Road Network
- Policy TP5: Vehicle Parking Standards
- Policy TP9: Cycle Parking
- Policy R2: Recreation and Open Space over 10 bedspaces
- Policy CS4: Development contributions to school provision for developments over 10 bedspaces

Tunbridge Wells Borough Core Strategy 2010

- Core Policy 1: Delivery of Development
- Core Policy 3: Transport
- Core Policy 4: Environment
- Core Policy 5: Sustainable Design and Construction
- Core Policy 6: Housing Provision

- Core Policy 8: Retail, Leisure and Community provision
- Core Policy 12: Cranbrook
- Core Policy 13: Hawkhurst
- Core Policy 14: Development in Villages and Rural Areas

Site Allocations Local Plan Adopted 2016

- Policy AL/STR 1: Limits to Built Development
- Policy AL/CR 4: Land adjacent to the Crane Valley
- Policy AL/CR 6: Wilkes Field

6.4 Due weight should be given to the policies of the adopted Plan, according to their degree of consistency with the NPPF – the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given.

Supplementary Planning Documents

- Cranbrook Conservation Area Appraisal June 2010
- Rural Lanes SPD January 1998
- Recreation and Open Space SPD July 2006
- Affordable Housing SPD October 2007
- Renewable Energy SPD (2007 and update January 2014) and 2019 Energy Policy Position Statement
- Farmsteads Assessment Guidance for Tunbridge Wells Borough February 2016
- Kent Design Guide Review: Interim Guidance Note 3 (Residential parking);
- Landscape Character Area Assessment 2017: Area 4 Cranbrook Fruit Belt plus map showing area LCA4

Emerging Policy

6.5 The emerging Local Development Plan is the Pre-Submission version of the Local Plan (Regulation 19 version). The consultation period started on Friday 26 March 2021 and was completed on Friday 4 June 2021.

6.6 Policy STR/CRS 1 identifies that the development strategy for Cranbrook and Sissinghurst parish is, inter alia, to:

- 1 Set Limits to Built Development for Cranbrook and Sissinghurst, as defined on the Policies Map (Inset Maps 10 and 12) as a framework for new development over the plan period;
- 2 Build approximately 415-429 new dwellings at Cranbrook (this includes 216 new dwellings that have outline planning approval at: Policy AL/CRS 1 (180 dwellings) and Policy AL/CRS 3 (36 dwellings); and 38 at Sissinghurst, including affordable housing, as allocated under the subsequent site allocation policies;
- 3 Ensure that all development proposals establish an acceptable impact upon the Hawkhurst crossroads junction (the A229/A268) and, if relevant, the Flimwell crossroads (the junction of the A21 and A268).
- 4 In relation to all development proposals for major development which would generate more than 100 light delivery vehicles (cars and vans of less than 3.5 tonnes gross weight) or 25 heavy duty vehicles (lorries, buses, etc over 3.5 tonnes gross weight) annual average daily

traffic (AADT) movements through the northern arm of the crossroads in Hawkhurst (i.e. approximately 250m to the north of the crossroads along the Cranbrook Road)) per day, be accompanied by an air quality assessment, with the development providing appropriate mitigation measures;

- 5 Maintain and enhance linkages to Public Rights of Way or the local strategic cycle network, to include contributions towards the Bedgebury to Sissinghurst cycle path route;
- 6 Seek developer contributions, either in kind (normally land) and/or financial, from residential schemes to be used towards the provision of:
 - a medical facilities that cover Cranbrook and Sissinghurst parish (to be used towards improvements/reconfiguration of existing medical facilities or towards new premises providing medical facilities);
 - b primary education facilities, namely the expansion of the existing primary schools that serve Cranbrook and Sissinghurst parish;
 - c secondary education provision;
 - d provision of additional amenity/natural green space, allotments, and improvements to children's and youth play space; improvements to the changing rooms and new pavilion at Cranbrook Rugby Club at Cranbrook;
 - e library provision, adult learning, and social care, to include those services to be provided at the new Cranbrook Community Hub;
 - f other necessary mitigation measures which are directly related to the development and fairly and reasonably related in scale and kind, including potentially those identified in the Cranbrook & Sissinghurst Neighbourhood Plan.

6.7 The application site is proposed to be allocated, under Policy AL/CRS 3, residential development providing approximately 200-204 (164-168 new additional) dwellings, of which 40 percent shall be affordable housing, and significant green infrastructure. The adjacent Brick Kiln Farm site is proposed to be allocated under Policy AL/CRS 1 for approximately 180 dwellings.

6.8 Other relevant policies are:

STR1 – Development Strategy

STR2 – Place Shaping and Design

STR5 - Infrastructure and Connectivity

STR6 – Transport and Parking

STR7 – Climate Change

STR8 – Conserving and Enhancing the Natural, Built and Historic Environment

STR 10 - Neighbourhood Plans

EN1 – Sustainable Design

EN2 – Sustainable Design Standards

EN3 – Climate Change Mitigation

EN4 - Historic Environment

EN5 – Heritage Assets

EN8 - Outdoor Lighting and Dark Skies

EN9 – Biodiversity Net Gain

EN10 - Protection of designated sites and Habitats

EN12 – Tress, Woodland, Hedges and Development

EN13 – Ancient Woodland

EN14 – Green, Grey and Blue Infrastructure

EN18 - Rural Landscape

EN19 – The High Weald AONB

EN 20 Agricultural Land

EN21 – Air Quality

EN22 - Air Quality Management Areas

EN24 - Water Supply, Quality, and Conservation;

EN25 - Flood RiskEN26 – Sustainable Drainage

H1 – Housing Mix

H2 – Housing Density

H3 – Affordable Housing

TP1 – Transport Assessments

TP2 - Transport Design and Accessibility

TP3 – Parking Standards

OSSR2 - The Provision of Publicly Accessible Open Space and Recreation

6.9 There are a number of documents submitted in support of the Local Plan that are considered to be relevant to this case which include:

- Historic Landscape Characterisation: Parishes of Hawkhurst, Cranbrook, Goudhurst, and Benenden 2015
- Landscape Sensitivity Assessment of additional settlements in Tunbridge Wells Paddock Wood, Horsmonden, Hawkhurst, Cranbrook (July 2018)
- Development Strategy Topic Paper February 2021
- Housing Needs Assessment Topic Paper February 2021
- Review of Local Housing Needs December 2020Strategic Housing and Economic Land Availability Assessment for the Pre-Submission Local Plan January 2021Tunbridge Wells - Landscape and Visual Impact Assessment of Proposed Allocation Sites within the High Weald AONB (November 2020 – Issue 3)
- Grassland Assessment Survey of Selected Sites within the High Weald AONB (September 2020)

Cranbrook Neighbourhood Plan (NP)

- 6.10 Cranbrook & Sissinghurst Parish Council applied to Tunbridge Wells Borough Council for the designation of a neighbourhood area under The Neighbourhood Planning (General) Regulations 2012 (as amended). Local consultation on the Plan concluded in December 2020.
- 6.11 The steering group of the Parish Council are now reviewing all the comments received in detail. The responses will be used to inform a set of revisions to the Neighbourhood Plan before the Parish Council submit the revised plan to TWBC, together with the necessary supporting reports and documents. Once received by TWBC, the revised Neighbourhood Plan will be subject to a further public consultation, lasting a minimum of 6 weeks, before the Plan is considered at an independent examination. Subject to the examiners recommendations, the Plan will then proceed to referendum.
- 6.12 Specifically with regards to Turnden this site is not proposed for allocation in the emerging Neighbourhood Plan. Draft Policy LN7.10 (Green Gaps & Preventing Settlement Coalescence) seeks to maintain green gaps and prevent settlement coalescence. The maps provided show the entire site pursuant to draft allocation AL/CRS3 (Turnden) as open space and green gap. Neighbourhood Plan Draft Policy LN7.7 seeks to protect and enhance the Crane Valley and relies on a plan titled "Crane Valley and Its Setting." It proposes 25m, 100m, and 500m buffer zones. Both would conflict with TWBC Draft Local Plan policy AL/CRS3 that allocates the north eastern part of the site for residential development. Both TWBC's Planning Policy team and the Applicant have raised concerns/objections based around these issues.

Other Material Considerations

National Policy and Guidance

- 6.13 In addition to the above the following are material considerations in the determination of this appeal:
- National Planning Policy Framework
 - National Planning Practice Guidance: Design
 - National Planning Practice Guidance: Determining planning applications
 - National Planning Practice Guidance: Use of Planning Conditions
 - National Planning Practice Guidance: Use of planning obligations
 - National Planning Practice Guidance: Climate change
 - National Planning Practice Guidance: Historic environment
 - National Planning Practice Guidance: Natural environment
 - National Planning Practice Guidance: Environmental Impact Assessment

Other Guidance

- Historic England guidance note, GPA3 'Settings and Views'
- High Weald AONB Management Plan 2019-24
- High Weald Housing Design Guide November 2019
- Legislation and Planning Policy in the High Weald AONB February 2019
- TWBC Planning Position Statement for proposed developments which may impact on air quality in Hawkhurst (June 2020)

7.0 **Other matters agreed between the Parties**

Housing Need and Supply

- 7.1 The local housing need for the borough over the emerging local plan period, 2020 – 2038, is 12,204 dwellings (678 per year), identified by the Standard Method (based on 2014 projections as required by the NPPF). This figure does not include any unmet need from other areas. As at the base date of the Local Plan (1 April 2020), this gives a total of 6,945 additional dwellings needing to be allocated if the local need is to be met exactly by the end of the plan period.
- 7.2 The Housing Needs Assessment Topic Paper August 2019 – (para 1.49) states there are 870 households on the housing need register as of June 2019. This figure as of December 2020 is 917. Of these, data from TWBC Housing is that 157 applicants have specified they want to live in Cranbrook whilst 51 households have a local connection to Cranbrook.
- 7.3 The Council's most recent position on housing supply was published in September 2020 and outlines the position as of April 2020. This calculates the Council's 5YHLS based on the Standard Method with a 5% buffer.
- 7.4 The five-year period is 1st April 2020 to 31st March 2025. The **requirement** is based on the Standard Method Requirement of 678 dpa (3,390) + a 5% buffer of 170 = **3,560** total (712 annualised). The total identified supply is **3,440** (688 annualised) and comprises:
- Non-consented identified sites as allocated in the Site Allocations Local Plan (2016) of 73
 - Extant planning permissions of 3,123
 - Windfall allowance in years 4 and 5 of 244 (122 dpa).
- 7.5 The TWBC stated position is therefore 4.83 years based on a supply of 3,440 dwellings and a requirement of 3,560 dwellings ($3440/3560 \times 5 = 4.83$ years).
- 7.6 TWBC scored 85% in the Government's February 2020 Housing Delivery Test, the consequence being an action plan, but no 20% buffer.
- 7.7 Analysis of alternative options and sites for meeting the housing need was undertaken comprehensively and robustly through the local plan process and development at the application site has been determined to be sustainable, acceptable and necessary, having regard to constraints (including AONB and Green Belt).
- 7.8 There is no scope for developing sustainably located housing for Cranbrook outside the AONB.

Location and Accessibility

- 7.9 The site is subject to an allocation for housing in the emerging local plan for new homes. The principle of residential use and publicly accessible open space of the Site is therefore acceptable.
- 7.10 The site is adjacent to the LBD, based on an existing allocation within the Site Allocations Local Plan 2016 for development on adjacent land at Brick Kiln Farm, and is not an 'isolated' rural location;
- 7.11 The site is in an accessible location, having regard to local bus routes, schools, shops and services.
- 7.12 The widening of the existing footway within the frontage of the site, and the provision of newly created dedicated pedestrian and cycle routes, and permissible paths, along with the financial planning obligation in relation to off-site improvements to public footpath WC115 will improve

accessibility into the countryside, Cranbrook town centre and the ribbon development of Hartley.

Heights and appearance

- 7.13 The heights and appearance of the proposed buildings are acceptable, appropriate for the area and agreed. The appearance of the buildings is overall agreed to be acceptable and the general approach to materials is agreed subject to final details to be agreed by condition.

Dwelling Mix

- 7.14 The proposed private and affordable dwelling mix and tenure for this site is appropriate.

Amenity Space

- 7.15 The amount of amenity space (in this context, the private garden spaces, public open space and two play areas) provided within the Site is acceptable and the open space is significantly in excess of adopted and emerging policy requirements.

Access and Parking

- 7.16 It is agreed that the proposed access arrangements off-site and within the site are acceptable (subject to details to be agreed by condition). The provision of a righthand turn ghost lane into Turnden Lane is an improvement to the existing road layout and a material benefit.
- 7.17 The highways impact of the development is acceptable. Whilst some limited disruption to the flow of traffic would be caused by slightly longer queueing times and additional vehicle movements through the respective junctions at Wilsley Pound and Hawkhurst Crossroads, the consequential impact would not cause 'severe' cumulative residual impacts (in the context of paragraph 109 of the NPPF).
- 7.18 The proposed level of parking is agreed.

Neighbouring Amenity

- 7.19 The development would not be materially harmful to the residential amenities of nearby dwellings.

Landscape

Landscape Related Guidance

- 7.20 It is agreed that advice set out in the following documents forms the relevant guidance and evidence base for the landscape and visual context and assessment of the appeal site:
- National Design Guide (January 2021)
 - Guidelines for Landscape and Visual Impact Assessment (GLVIA) third edition (April 2013)
 - Natural England: National Character Areas (September 2014)
 - Tunbridge Wells Borough: Landscape Character Assessment Supplementary Planning Document (December 2017)
 - Tunbridge Wells Borough Council: Historic Landscape Characterisation (2017)
 - Land Use Consultants: Landscape Sensitivity Assessment of additional settlements in Tunbridge Wells (July 2018)

- HWAONB: The High Weald Area of Outstanding Natural Beauty Management Plan 4th Edition, 2019-2024 (2019)
- HWAONB: High Weald Housing Design Guide (November 2019)
- HWAONB: High Weald Parish Landscape Character Maps (August 2018)
- HWAONB: Legislation and Planning Policy in the High Weald AONB (February 2019)
- R Harris: The making of the High Weald (November 2003)
- Hankinson Duckett Associates: Tunbridge Wells - Landscape and Visual Impact Assessment of Proposed Allocation Sites within the High Weald AONB (November 2020)

Assessment Terminology and Judgements

- 7.21 It is agreed that the key terms and judgements used to assess the landscape and visual effects of development will be in conformity with the glossary of terms and general advice as set out in GLVIA 3 (2013). Final judgements as to the effects of development are subject to professional judgement.

Baseline

- 7.22 An agreed description of the site and its immediate local landscape context is set out at section 3 of this Statement of Common Ground. It is agreed that the extant permissions on land at Brick Kiln Farm and Turnden Farmstead (Phase 1) should form part of the baseline for the purposes of the assessment of landscape and visual effects. A wider study area, which extends to the Zone of Theoretical Visibility identified in the LVIA accompanying the application (see Figure 10.4 of the LVIA), has been agreed as the area over which there should be an assessment of the potential landscape and visual effects of the development. Separate landscape and visual assessments of those effects will be presented by the appellant's and the Council's landscape witnesses.

Landscape character

- 7.23 It is agreed that the site falls within, and should be considered in the context of, the following landscape character areas:
- National Landscape Character Areas: NCA 122 High Weald (NE 508)
 - Local Landscape Character Area (TWLCA): Local landscape character areas within 1km of the site are:
 - LCA 4: Cranbrook Fruit Belt
 - LCA 6: Benenden Wooded Farmland
 - LCA 10: Kilndown Wooded Farmland
- 7.24 The Benenden and Kilndown Wooded Farmland character areas provide a wider context to the site but will not be taken forward in more detailed assessment on the basis that there is negligible intervisibility between these character areas and the site and the effects are likely to be minimal. Effects on LCA 4: Cranbrook Fruit Belt will be assessed in detail.
- 7.25 In addition to the national and local landscape character area assessments it is agreed that the HWAONB Cranbrook Landscape Character Maps (August 2018) form part of the baseline assessment of the landscape character of the site and its landscape and visual context.

Visual Receptors

- 7.26 It is agreed that the visual baseline serves to “*identify the people within an area who will be affected by changes in views and visual amenity – usually referred to as ‘Visual Receptors’*” (VR) (GLVIA, page 106, para 6.13). The baseline will combine information on “*the nature, composition and characteristics of existing views*” (GLVIA, page 111, para 6.24), “*the potential extent to which the site of the proposed development is visible from surrounding areas, the chosen viewpoints, the types of visual receptor affected*” (GLVIA, page 112, para 6.25), and “*their susceptibility to change in views and the value attached to particular views*” (GLVIA, page 113, para 6.31).
- 7.27 Public viewpoints for the assessment of the application proposals were agreed between the appellant and the Council officers prior to submission of the application. Agreed viewpoints are set out in the application LVIA at Figures 10.4 and 10.5.
- 7.28 The third edition of the Guidelines for Landscape and Visual Impact Assessment, GLVIA3, published in 2013, is well established as providing ‘best practice guidance’ with respect to visual impact on public views and public visual amenity.
- 7.29 Residential Visual Amenity Assessment (RVAA) is a stage beyond LVIA and focusses exclusively on private views and private visual amenity. It is agreed that a RVAA will be used where appropriate for private views when assessing potential effects on Residential Amenity.

Designated Landscape

AONB Management Plan 2019-2024

- 7.30 The statutory plan setting out local authority policies for the management of the High Weald Area of Outstanding Natural Beauty (AONB)

Statement of Significance

- 7.31 The High Weald is one of the best preserved Medieval landscapes in North West Europe.
- 7.32 Despite its large size (1,500km sq.) and proximity to London, its landscape has remained relatively unchanged since the 14th century, surviving major historical events and social and technological changes. Its outstanding beauty stems from its the essentially rural and human scale character, with a high proportion of natural surfaces and the story of its past visible throughout.
- 7.33 The extensive survival of woodland and traditional mixed farming supports an exceptionally well-connected green and blue infrastructure with a high proportion of semi-natural habitat in a structurally diverse, permeable and complex mosaic supporting a rich diversity of wildlife.

The Natural Beauty of the High Weald comprises:

- 7.34 **Five defining components of character** that have made the High Weald a recognisably distinct and homogenous area for at least the last 700 years.

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

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

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

4. Woodland – abundance of ancient woodland, highly interconnected and in smallholdings.

5. Field and Heath – small, irregular and productive fields, bounded by hedgerows and woods, and typically used for livestock grazing; with distinctive zones of lowland heaths, and inned river valleys.

7.35 **Land-based economy and related rural life** bound up with, and underpinning, the observable character of the landscape with roots extending deep into history. An increasingly broad-based economy but with a significant land-based sector and related community life focused on mixed farming (particularly family farms and smallholdings), woodland management and rural crafts.

7.36 **Other qualities** and features that are connected to the interaction between the landscape and people and which enrich character components. Such qualities and features enhance health and wellbeing, and foster enjoyment and appreciation of the beauty of nature. These include locally distinctive features which enrich the character components such as historic parks and gardens, orchards, hop gardens, veteran trees, along with their rich and varied biodiversity, and a wide range of appealing and locally distinctive historic buildings including oast houses, farm buildings, Wealden Hall houses and their associated features such as clay-tile catslide roofs.

7.37 People value the wonderful views and scenic beauty of the High Weald with its relative tranquillity. They appreciate the area's ancientness and sense of history, its intrinsically dark landscape with the opportunity to see our own galaxy – the Milky Way – and the ability to get close to nature through the myriad public rights of way.

Description of the Landscape Proposals

7.38 It is agreed the overall design philosophy for the landscape and green infrastructure is to create a series of species rich meadows, pasture and woodland which will form a naturalistic landscape with a strong rural character underpinned by native tree and shrub planting which reflects the local indigenous plant communities.

7.39 It is agreed that the landscape design of the proposals would be appropriate for the locality and in keeping with the character of the rural area.

General Description

7.40 It is agreed the site is in private ownership and there is currently no public access within the development area of the site. A detailed description of the landscape proposals is set out in the landscape statement dated December 2020. The application site lies contiguous with the south-west boundary of Cranbrook and the Brick Kiln Farm allocation site and outline extant permission. The proposed scheme delivers housing along with substantial designed green infrastructure. The landscape proposals are in accord with the High Weald AONB Management Plan and Housing Design Guide.

Development Area

7.41 It is agreed that the development area is located in the northern part of the site and would occupy land between the extant Brick Kiln Farm scheme to the north and the extant Turnden farmstead scheme to the south. The development area would reflect four landscape typologies which would be namely: rural village edge; yard; rural village edge buffer and village green.

Wider Green Infrastructure

- 7.42 The majority of the site would form green infrastructure, the design of which would improve the character and appearance of the existing redundant and derelict horse paddocks. The wider land holding would be subdivided into a series of new fields, reflecting the historic field pattern, with the reinstatement of historic hedgerows, and set to pasture for grazing. New woodlands would be created to strengthen the ecological connectivity across the site. The woodlands together with species rich meadows, complimented with standard trees, would result in an attractive landscape enhancing both the biodiversity and visual amenity of the area. It is agreed that there is a public right of way extending across the southern part of the site.

Conformity with Policy and Evidence Base

- 7.43 It is agreed that the proposal will comply with the requirements of Policy AL/CRS3.

Effects on Landscape Elements

Tree cover

- 7.44 It is agreed that there is a significant amount of tree cover associated with the site. All mature tree cover would be retained as part of the proposals with only limited loss of some young trees to accommodate the scheme such as the removal of the roadside vegetation to form the vehicular access point. All the mature trees within the site would be retained and integrated into the landscape design. It is proposed that several significant areas of new woodland block planting are proposed. There would be an overall net gain and substantial beneficial effect with regard to the tree resource on site.

Shrubbery

- 7.45 It is agreed that there is limited shrubbery across the site, primarily associated with the margins of the wooded areas, the majority of which would be retained as part of the green infrastructure and enhanced with additional shrub planting around the perimeter of some of the fields. In overall terms, there would be a net beneficial increase in scrub planting across the site.

Grassland

- 7.46 It is agreed that the majority of the development and wider GI areas were previously managed as a series of paddocks for horse grazing with subdivision of the large fields by post and rail timber fencing. There would be some physical loss to accommodate the development area. There would also be some loss of existing grassland to accommodate the proposed new woodland areas. In overall terms there would be a physical reduction of grassland, but the reduced area would be of better quality, in terms of species diversity, than that which currently exists. The majority of the wider green infrastructure would be managed as grassland to improve its ecological qualities.

Topography

- 7.47 It is agreed that the site is located on the west side of a shallow valley and exhibits a general south-east facing slope aspect which extends from approximately 110m AOD to the south-east low point of 87m AOD and has an average gradient across the site of approximately 1:20. The scheme has been designed to respond to this topographic profile to minimise the degree of cut and fill earthworks. The overburden (spoil) would be redistributed within part of the wider green infrastructure area to retain material on site for sustainability.

Public Rights of Way

- 7.48 It is agreed that whilst there is one public right of way extending across the site, the remaining land remains private and is inaccessible to members of the public. A network of footpaths is proposed throughout the landscape and green infrastructure providing new access and informal recreational opportunities. There would be a substantial net gain in terms of public access to the land within the site.

Water Features

- 7.49 It is agreed that Crane Brook runs along the length of the site's southern boundary. A further watercourse defines the site's south-eastern boundary which lies within an ancient woodland tree belt. There are currently nine ponds on site, together with a number of existing field ditches, together with some shallow wet depressions underneath two mature trees. All water features on site would be retained and integrated into the landscape. Additional new ponds and swales would be introduced and a culverted water course reinstated, a number of ponds would form part of the sustainable urban drainage network. There would be a net beneficial increase with regard to water features on site.

Betterment Plan

- 7.50 It is agreed that the landscape statement dated December 2020 sets out on page 19, the illustrated landscape masterplan for the wider land holding and identifies the structural landscape betterment scheme principles. These are referenced 1 – 21 as follows:

- 1 Reinstated route of ditch and hedgerow
- 2 Hedgerows to enclose northern field and native hedge planting along the frontage of the new development
- 3 Woodland block planting
- 4 Naturalised attenuation ponds
- 5 Footpaths across scheme
- 6 Surfaced permissive path
- 7 Pastureland
- 8 Crossing to the woodland shaw
- 9 Thicken woodland shaw
- 10 Standard large trees within wider landscape
- 11 Reinstated hedgerows and trees based on historic mapping
- 12 Woodland buffers and scrub planting
- 13 Additional landscape and existing hedgerows reinforced
- 14 Shrub planting
- 15 Species rich grassland
- 16 Pedestrian access
- 17 Permissive path
- 18 Public benches
- 19 Footpath signage
- 20 Stockproof fencing

21 Education interpretation boards

Designated AONB Landscape

- 7.51 It is acknowledged that the HWAONB is a statutory protected landscape and as such, is regarded as a 'valued landscape' as per paragraph 170a of the NPPF. The HWAONB is extensive in area and washes over the whole of Cranbrook settlement and its neighbouring settlements including Hartley. The settlement of Cranbrook in particular contributes to defining both the local landscape character and general visual amenity of the AONB environment.

Major Development

- 7.52 It is agreed, and it is acknowledged that the proposal is deemed major development in terms of the NPPF taking into account its nature, scale and setting.

Great Weight to Conserve and Enhance Landscape and Scenic Beauty

- 7.53 It is agreed, and it is acknowledged that under paragraph 172 of the NPPF, great weight should be given to conserving and enhancing both the landscape and scenic beauty of the HWAONB.

Avoidance Measures

- 7.54 It is agreed that a range of avoidance measures form an integral part of the green infrastructure design of the scheme. The proposed development area has been carefully sited to avoid all significant landscape features.

Reduction Measures

- 7.55 It is agreed that a range of reduction measures form an integral part of the green infrastructure design of the scheme. The scheme has been subject to a number of iterations and revisions to reduce the visual effects of the built form.

Mitigation Measures

- 7.56 It is agreed that a range of mitigation measures form an integral part of the green infrastructure design of the scheme. The scheme has been carefully designed to avoid and reduce potentially adverse landscape and visual effects.

Compensation Measures

- 7.57 It is agreed that a range of compensation measures form an integral part of the green infrastructure design of the scheme. Whilst the development area itself would involve the loss of some grassland associated with the former horse paddocks, the remaining areas of grassland which would be integrated into the proposals, would be subject to management and maintenance to enhance its biodiversity and in turn visual amenity value.

Enhancement Measures

- 7.58 It is agreed that a range of enhancement measures form an integral part of the green infrastructure design of the scheme. A range of new landscape elements would be introduced as an integral part of the green infrastructure and proposals which would bring about net benefit and enhancement as a result. This strategy would apply to the creation of new ponds as water features, new additional footpaths for increased public access to land previously inaccessible, new woodlands, new species rich grasslands. The reinstatement of lost historic hedgerows with standard trees. New educational interpretation boards and wildlife habitats as well as new

signage for public access. Naturalistic and rural in character, the new landscape would be an improvement upon the existing derelict paddock enclosures.

Effects on Character and Components of HWAONB

7.59 The HWAONB is subject to a Management Plan 2019 – 2024 and forms the statutory plan setting out Local Planning Authority policies for the management of the designated landscape.

7.60 It is agreed that five defining components of character have made the High Weald a recognisably distinct area. These are:

- 1 Geology landform and water systems
- 2 Settlement
- 3 Route ways
- 4 Woodland
- 5 Field and heath (small irregular and productive fields typically used for livestock grazing)

Effect on Objectives of HWAONB

7.61 It is agreed that the objectives to meet the vision of the HWAONB include the following:

- 1 To retain historic landscape character
- 2 To maintain sustainable land management
- 3 Improve ecological quality
- 4 Embrace a low carbon future
- 5 Engage people with nature
- 6 Allow appropriate housing and economic needs of thriving communities without compromising characteristic historic settlement pattern
- 7 Clean air and water
- 8 Nurture a woodland economy
- 9 Conserving the area and managing change
- 10 High quality experience for residents and visitors
- 11 AONB valued and understood

7.62 The joint advisory committee seek to use the Management Plan to ensure development is 'landscape-led' and contributes to conserving and enhancing natural beauty.

Trees

7.63 The proposal can be satisfactorily accommodated around the trees on and off site, some of which are protected by a Tree Preservation Order (subject to final details to be agreed by condition).

7.64 There is no overall adverse impact on the Ancient Woodland, as no actual loss of ancient woodland is proposed, nor would any physical damage arise to it; there is no built development within the 15m buffer; the parts of the attenuation pond within the 15m buffer are not considered harmful ; the development would not result in the breaking up or destruction of connections between woodlands and ancient or veteran trees; nor is there evidence the development would pollute or otherwise affect the hydrology of the ancient woodlands; nor would it result in unacceptable additional pressure on them. The ancient woodland areas will be

actively managed in a more sustainable way in the long term in a manner that contributes towards an overall net ecological gain from the development.

Ecology

7.65 The development will improve green infrastructure connections. A Biodiversity Net Gain assessment has been undertaken using Natural England's Metric 2.0 which confirms that significant net gains are achieved through a scheme of mitigation and enhancement and the landscape is to be managed for ecological and biodiversity benefit through a Landscape and Ecological Management Plan (secured by planning obligation).

Heritage

7.66 The Applicant consider that there is no harm to heritage assets but it is agreed that even if there is, there is less than substantial harm', the public benefits of the proposal would outweigh the significance of designated heritage assets (the previously identified listed buildings and the Cranbrook Conservation Area);

7.67 The Applicant consider that there is no harm to non-designated heritage assets, but it is agreed that the effect on the significance of the previously identified non designated heritage assets is considered to be outweighed by the benefits of the proposal.

The assets to be considered in evidence and material relating to them

7.68 The designated heritage assets which will be subject to consideration in evidence are:

- The Cranbrook Conservation Area
- Goddards Green Farmhouse (Grade II*) and Barn at Goddards Green (Grade II)
- The Cottage (Grade II)
- Cranbrook War Memorial (Grade II)

7.69 The parties agree that the application information comprising Chapter 11 of the EIA, the Heritage Statement (ES Appendices 11.1-4) and addendum provides the requisite information to enable an understanding of what is special about the historic environment.

7.70 The factual accuracy of the map regression contained in those documents, demonstrating the evolution of the site, is agreed.

7.71 The Cranbrook Conservation Area Appraisal (June 2010) is a material consideration of weight and is of assistance in providing the rationale for the conservation area designation.

7.72 In respect of setting, the Conservation Area Appraisal states at 3.1:

"The distinctive features of the Cranbrook Conservation Area include the following:

Its rural setting, retaining many views of the countryside, large gardens and other important green spaces within, and contiguous to, the conservation area"

7.73 In respect of the character and form of the Conservation Area, the Appraisal states at paragraph 4.2:

"Although its rural setting forms so important an element of its character, the Conservation Area's heart is essentially a very compact urban development, huddled along what was formerly the single King's High Road..."

7.74 In respect of the settlement pattern, the Conservation Area Appraisal at paragraph 1.3 states:

“the approximate doubling of Cranbrook’s population since the second world war has impinged remarkably little upon the Conservation Area itself, as most of the modern housing growth has taken place on what was formerly agricultural land around the town centre”

- 7.75 In respect of the listed buildings, the parties agree that the assessments of significance contained in the Heritage Statement and ES Chapter 11 are proportionate and sufficient to enable an understanding of special interest.

The Site as it relates to the surrounding context

- 7.76 In respect of the historic landscape context, given the de-listing of the former Turnden Farmhouse, the parties agree that it no longer comprises an historic farmstead as the last remaining building was burnt to the ground and further demolished recently. It is agreed that the former farmstead is recorded on the Kent Historic Environment Record as a loose courtyard farmstead, from information provided by a 2012 Kent Farmsteads and Landscapes Survey (compiled prior to the loss of the farmstead through fire).
- 7.77 The parties agree that the historic settlement pattern in this area has been altered. Furthermore, the parties agree that the historic settlement pattern is not a designated heritage asset.
- 7.78 It is agreed that the outline consent (ref. 16/502860/OUT) for up to 180 dwellings at the site known as ‘Land at Brick Kiln Farm’ interposes as between the Cranbrook Conservation Area boundary and the Application Site.

Approach to Assessment

- 7.79 The parties agree that the approach to the assessment of development in the setting of heritage assets contained in Historic England’s Good Practice Advice Note 3: *The Setting of Heritage Assets* (“GPA3”) comprises an industry standard which is best practice.
- 7.80 The parties agree that the recent Bramshill [City and Country v SSCLG [2021] EWCA CW 320] Court of Appeal decision is useful in interpreting the statutory provision (Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.81 In addition, the parties agree that the Bedford [Bedford BC v SSCLG [2013] EWHC 2847 (Admin)] case is helpful in establishing some principles that apply to the identification of harm under paragraph 195 (substantial harm) or paragraph 196 (less than substantial harm). Essentially, Bedford clarifies that substantial harm is serious harm, such that it would either remove entirely or very much reduce the significance of a designated asset.
- 7.82 The parties likewise agree that the assessment on harm must be made with reference to the asset’s significance as a whole, albeit applying proportionality to the extent and nature of the impacts, taken together with the particular assets of an affected asset.

The Proposed Development

- 7.83 The parties agree that there are no direct views between the Upper High Street Character Area of the Cranbrook Conservation Area, or any of the above named assets and the development proposals.
- 7.84 It is agreed that the design of the proposals reflects the AONB design guidance, and that guidance is prepared with reference to the time-depth of the AONB.

Air Quality

- 7.85 It is agreed that the proposed development will generate additional traffic on the local road network, some of which will travel along Cranbrook Road in Hawkhurst, an area identified as having high annual mean nitrogen dioxide concentrations by Tunbridge Wells Borough Council. It is also agreed that overall, the operational air quality effects of the proposed development are judged to be 'not significant' and can be mitigated by the conditions set out in the Council's Committee Report for 27th January 2021.

Flooding

- 7.86 The site is not within a flood plain. The proposal would deliver a betterment in terms of surface water run-off rates from the site through a SuDS scheme (to be secured by planning conditions).

Exceptional Circumstances

- 7.87 The details of the application proposal, the need for housing that cannot be located outside the AONB and the benefits outlined above are considered to amount to exceptional circumstances and demonstrate that the development is in the public interest which overrides the presumption against major development in the AONB.

Sustainable Development

- 7.88 It is agreed between the parties that the proposal represents sustainable development.

8.0 Merits of the Development

8.1 Matters relating to the merits of the Development that are agreed between the parties are:

- i It will provide housing which will make a contribution towards meeting local housing requirements. Subject to planning permission being granted, the Site is available;
- ii It will provide a significant amount of financial contributions to be secured by a S106 agreement, some of which would provide wider public benefits beyond mitigating the impact of the development;
- iii It will provide a significant proportion of affordable housing which exceeds overall adopted policy requirements by 5%, in addition to provision of fully wheelchair accessible homes for which there is no specific adopted policy requirement.
- iv The site is accessible by a range of transport modes, including walking, cycling, local bus services and private vehicle with enhanced pedestrian routes through the site leading to Cranbrook town centre, schools, doctors/hospital, shops and community centres, which are wider public benefits, and there are a number of readily accessible local services.
- v The scheme would provide additional footpaths (provided on a 'permissible' basis) connecting to the existing Public Rights of Way network, which would link to the adjacent Turnden Phase 1 and Brick Kiln Farm sites and which would be publicly accessible;
- vi The Site would provide new publicly accessible amenity space for the enjoyment of future residents and provide opportunities for a number of play and leisure activities.
- vii The scheme includes provision of interpretation boards, public art and (within the LEMP) educational work such as guided walks and activity days;
- viii The proposals include the re-instatement of lost hedgerow/field boundaries and the lost historic Tanners Lane route;
- ix There would be new woodland block planting; management and enhancement of existing woodland (including Ancient Woodland) areas within the site (secured by legal agreement);
- x The proposed development would result in a significant Biodiversity Net Gain.
- xi It will generate indirect short-term beneficial effects to the local economy by creating jobs during the construction phase and longer-term benefits to the local economy through the spending of new residents. The proposed development would incorporate a variety of energy reducing measures

9.0 **S106 and Infrastructure**

9.1 The following financial contributions are agreed and included in the completed S106 Agreement:

- KCC: Cranbrook Hub (Libraries, Adult Learning and Social Care) - £69,238.95
- KCC: Primary Education (Expansion of Cranbrook Primary school) - £627,830.50
- KCC: Waste (Waste transfer station – North Farm) - £27,629.25
- KCC: Youth Service (Additional resources for the Kent Youth Service locally in the Cranbrook area) - £10,807.50
- KCC: Public Rights of Way and Access Service (Off-site PROW improvements) - £10,000
- KCC: Sustainable Transport (Improving public transport services) - £165,000
- NHS: The relocation of the three existing general medical practices in Cranbrook being Orchard End Surgery Crane Park Surgery and/or Old School Surgery - £157,932
- Cranbrook Parish Council (improvements to the local community facilities at the Crane Valley play area at Crane Lane), or for the proposed Cranbrook Hub (such as future indoor play/recreation facilities) - £318,571.10

9.2 The S106 secures a total S106 contribution of £1,387,009.40, affordable housing, on site open space and accessible land, play areas permissible path access and the long-term management of the Wider Land Holding and Development Area for the benefit of ecology, habitat enhancement and public access.

10.0 **List of Agreed Conditions**

Definitions

10.1 'Ecological Enabling Works' means: Ecological enabling works required for the development which includes:

- ecology works - including ecological vegetation/hedgerow/tree works, clearance, management, mitigation, enhancement measures and compensatory habitat construction, and all works under Natural England licence

10.2 'Initial Enabling Works' means: Initial infrastructure enabling and site set up works required for the development which includes:

- "Ecological Enabling Works"; and
- site establishment and temporary welfare facilities and temporary site accommodation;
- installation of construction plant;
- utilities diversions and reinforcements insofar as necessary to enable the construction of the development to commence;
- temporary drainage, temporary surface water management, power and water supply for construction;
- archaeological investigations; and
- contamination investigations

10.3 'Above Ground Works' means: Development hereby permitted above the finished floor level approved under Condition 13.

(1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan

S101J - Location Plan

Site Plans

P101-AH Proposed Roof Level Plan

P108-V Open Space Plan

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19-012-P120-P1 Contour Plan

LEMP

Landscape and Ecology Management Plan March 2021

Reason: To clarify which plans are approved.

(3) No development (excluding 'Initial Enabling Works') shall take place until a scheme detailing the phasing of the construction of the development and 18/02571/FULL and 19/01863/NMAMD and an indicative programme for the development of the entire site and adjoining land within the applicants control, has been submitted to and approved in writing by the Local Planning Authority. The development will be carried out in accordance with the details approved

Reason: the interests of the proper planning of the development and highway safety. Such details are fundamental to the application and are therefore required prior to its commencement

(4) Notwithstanding the submitted details and approved plans, no development (excluding 'Ecological Enabling Works') shall take place until a site specific Construction/Demolition Environmental Management Plan has been submitted to and been approved in writing by the local authority. The plan must demonstrate the adoption and use of the best practicable means

to reduce the effects of noise, vibration, dust and site lighting. The plan shall include, but not be limited to :

- o All works and ancillary operations which are audible at the site boundary or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 07:30 hours and 18:00 hours on Mondays to Fridays, 08:30 and 13:00 hours on Saturdays and at no time on Sundays and Bank Holidays. Unless in association with an emergency or with the prior written approval of the Local Planning Authority.
- o Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- o Measures to minimise the production of dust on the site(s).
- o Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s).
- o Design and provision of site hoardings.
- o Management of traffic visiting the site(s) including temporary parking or holding areas.
- o Provision of off road parking for all site operatives.
- o Measures to prevent the transfer of mud and extraneous material onto the public highway.
- o Measures to manage the production of waste and to maximise the re-use of materials.
- o Measures to minimise the potential for pollution of groundwater and surface water.
- o The location and design of site office(s) and storage compounds.
- o The location of temporary vehicle access points to the site(s) during the construction works.
- o The arrangements for public consultation and liaison during the construction works.
- o Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: In the interests of the amenities of surrounding occupiers and highway safety. This is a pre-commencement condition as the measures will be required to be in place from the commencement of development

(5) The development shall be carried out in accordance with the approved details of foul drainage (drawing 19-012/P01 P5 Drainage Strategy Plan) which shall not be

varied without details being first submitted to and approved in writing by the Local Planning Authority.

Reason: to ensure provision for foul sewage disposal.

(6) Notwithstanding the submitted details and approved plans, development (excluding 'Initial Enabling Works'), shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the Local Planning Authority. The detailed drainage scheme shall be based upon the detailed Drainage Strategy prepared by Withers Design Associates (Rev D 06 November 2020) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

o that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

o appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

(7) No building on any phase of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system associated to that Phase and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system, associated to that Phase, where the system constructed is different to that approved.

The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed associated to the Phase.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework (July 2018).

(8) Prior to the commencement of 'Above Ground Works' on any phase of development, details (including source/ manufacturer, and photographic samples) of bricks, tiles and cladding materials to be used externally on that phase, together with details relating to windows and dormer windows, and details associated with the appearance of Block A shall be submitted to and approved in writing by the Local Planning Authority before. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and ensure the build quality of the development

(9) Notwithstanding the submitted details and approved plans, prior to the commencement of 'Above Ground Works' on any phase of development, detailed plans and information regarding the following aspects of the proposed development phase. The development shall be carried out in accordance with the approvals, unless otherwise agreed in writing by the Local Planning Authority:

a) The positions, design, materials and type of boundary treatment;

b) Design and the location of utility meters, the pumping station and enclosure, and below ground water booster tank and equipment;

c) The storage and screening of refuse and recycling areas (in conjunction with approved plan 19183 P107-B);

d) The alignment, height and materials to be used in the construction of all walls, fences or other means of enclosure, including parking forecourt gates;

Reason: To ensure the build quality of the development

(10) Notwithstanding the submitted details and approved plans, prior to the commencement of 'Above Ground Works' on any phase of development, detailed plans and information regarding the following aspects of the proposed development phase. The development shall be carried out in accordance with the approvals, unless otherwise agreed in writing by the Local Planning Authority:

The layout, position and widths of all proposed roads, footpaths, and parking areas (including the method of delineation between the road and the footpath)

and the means of connecting to the existing highway, the materials to be used for final surfacing of the roads, footpaths and parking forecourts, and any street furniture;

Details of highway design, including kerbs, dropped kerbs, gulleys, utility trenches, bollards, signs and lighting (if applicable);

Details showing how dedicated and continuous footway routes will be demarked;

Details of the demarcation of the cycleway or revised cycleway between Plot 36 and the side of Plot 31 to enhance legibility between these two points.

Reason: In the interests of highway safety and to ensure the build quality of the development

(11) Notwithstanding the submitted details and approved plans, prior to the first occupation of development on any phase, detailed plans and information regarding the following aspects of the proposed development phase. The development shall be carried out in accordance with the approvals, unless otherwise agreed in writing by the Local Planning Authority:

Details of on-site play areas, as indicatively shown in the submitted 'Landscape Statement' (December 2020), including details and finished levels or contours, means of enclosure (if applicable), surfacing materials, and play equipment;

Details of seating, litter bins, signs, artwork (if applicable) and lighting;

Timetable for implementation of all the above

Reason: To play areas/open spaces are designed to an acceptable standard.

(12) The development hereby permitted shall incorporate measures to minimise the risk of crime. No phase shall be occupied until details of such measures, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

Reason: In the interest of security, crime prevention and community safety. Such details are fundamental to the application and are therefore required prior to its commencement.

(13) Notwithstanding the submitted details and approved plans, no development (excluding 'Initial Enabling Works') shall take place until details of existing and proposed levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved levels and shall not be varied without details being first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the build quality of the development. This is a pre-commencement condition as the agreed details will be required to be in place from the commencement of development

(14) Notwithstanding the submitted arboricultural documents, no development (excluding Initial Enabling Works) shall take place until an updated Arboricultural Method Statement (AMS) in accordance with the current edition of British Standard BS 5837 has been submitted to and approved in writing by the Local Planning Authority. The AMS shall incorporate the following:

A schedule of tree works;

An updated tree protection plan including, if appropriate, demolition/construction phases;

Specific measures to protect retained trees during level changes, spoil deposition and utility installation;

Specifications for the protective fencing, temporary ground protection and permanent cellular storage system(s) to be used; and

Provision for a pre-commencement site meeting between the main contractor, appointed arboriculturist and LPA Tree Officer;

A schedule of arboricultural supervision, including the contact details of the Arboriculturist to be appointed by the developer or their agents to oversee

tree protection on the site, the frequency of visits and the reporting of findings.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990, and to safeguard existing trees to be retained and mitigate impacts from demolition and construction which could lead to their early loss. This is a pre-commencement condition as the measures will be required to be in place from the commencement of development

(15) The approved development shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following:

All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with the current edition of British Standard BS 5837 and in accordance with the approved Tree Protection Plan and Arboricultural Method Statement pursuant to condition 14. Such tree protection measures shall remain throughout the period of construction

No fires shall be lit within the spread of branches or upwind of the trees and other vegetation;

No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;

No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of

the branches or Root Protection Areas of the trees and other vegetation;

Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such

trenching as might be approved shall be carried out to National Joint Utilities Group recommendations.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality

(16) All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site. Any parts of hedges or hedgerows removed without the Local Planning Authority's prior written permission or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged following contractual practical completion of the approved development shall be replaced as soon as is reasonably practicable and, in any case, by no later than the end of the first available planting season, with equivalent hedge or hedgerow species.

Reason: In the interests of protecting the visual amenities and character of the site and locality.

(17) The development shall be implemented in accordance with the approved Landscape & Ecology Management Plan (LEMP) in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the existing populations of protected species and to improve their habitat on the site and to cover ecological enhancements on individual dwellings/curtilages that are not bound by the LEMP. The occupiers of the dwellings are not proposed to be bound by the S.106 agreement insofar as it relates to the LEMP

(18) Notwithstanding the submitted details and approved plans, prior to the commencement of 'Above Ground Works' on any phase of the development a scheme showing the specific locations of bird, dormouse and bat boxes on that phase of the development site, together with a timetable for installation, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall take account of any protected species that have been identified on the site, and shall have regard to the enhancement of biodiversity generally. The scheme(s) shall be implemented in accordance with the approved proposals within it and shall be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and enhance existing species and habitat on the site in the future and the submitted details are shown in indicative form only.

(19) Prior to the commencement of development, suitable licences covering protected and notable species and habitats (as identified in the ecological site surveys), proposals for avoidance, mitigation, monitoring and future long-term site management shall be obtained and submitted to the Local Planning Authority in writing. In addition to this, the submission shall include details of mitigation measures for species identified in the submitted ecological survey which are not required to be subject to Natural England licences.

The works shall be implemented in completed accordance with the approved licences and details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition in order to protect and enhance existing species and habitat on the site in the future.

(20) Prior to the commencement of development of the new ponds hereby approved (in accordance with Condition 6), details of the drainage outlet/overflow leading from them to the stream within the adjacent woodlands shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a method statement, alignment of the

drainage outlet and details of construction. The development shall be carried out in accordance with the approved details.

Reason: This information is required prior to the commencement of development in order to protect and enhance existing species and habitat on the site in the future.

(21) Notwithstanding the submitted details and approved plans, prior to any works of excavation a full method statement for the deposition of spoil within the wider land holding shall be submitted to and approved in writing and the development shall be carried out in accordance with the approved details. The method statement shall include appropriate controls for the handling of the soil, methods of working and remediation along with a timetable for this element of the development. The scheme shall also have regards to the position of the existing Southern Water sewer adjacent to Hartley Road.

Reason: In order to protect and enhance existing species and habitat on the site in the future. In the interests of protecting the visual amenities and character of the site and locality.

(22) Notwithstanding the submitted details and approved plans, prior to the commencement of 'Above Ground Works' on any phase of the development, details of soft landscaping and a programme for carrying out the works associated with that phase shall be submitted to the Local Planning Authority for approval.

The submitted scheme shall include details of soft landscape works, including planting plans, written specifications (including cultivation and other operations associated with the plant and grass establishment) and schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate. The submission shall include details of protection for new and retained structural planting.

The landscaping scheme approved for each phase of development on any part of the site shall be carried out fully within 12 months of the completion of the development on that phase, or in accordance with a timetable to be agreed in writing by the Local Planning Authority.

Except where otherwise indicated by the approved Landscape & Ecological Management Plan, any trees or other plants which, within a period of ten years from the completion of the development on that phase, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority give prior written consent to any variation.

Reason: In order to protect and enhance the amenity of the area

(23) If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to and approved in writing by, the Local Planning Authority and the remediation has been completed.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance

with the approved methodology.

b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with

the necessary documentation detailing what waste materials have been removed from the site.

c) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

(24) Notwithstanding the submitted details and approved plans, prior to the installation of any external lighting (where applicable) full details shall be submitted to and approved in writing by the Local Planning Authority. Details shall include a lighting layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and wildlife/local residents from light pollution

(25) The areas shown in each phase of development on the approved plans (or subsequent approved revisions thereof) as resident and visitor vehicle garaging, parking, servicing and turning shall be provided, surfaced and drained in that phase in accordance with details submitted to and approved in writing by the Local Planning Authority before the buildings they serve are occupied.

After this they shall be retained for the use of the occupiers of, and visitors to, the development in accordance with the details approved, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude the use of such facilities for their intended purpose.

Reason: Development without provision of adequate accommodation for the parking and turning of vehicles is likely to lead to parking inconvenient to other road users

(26) Prior to the commencement of above-ground development, details of off-site highway works within the A229 (Hartley Road) as shown in principle on Drawing 19072/001D shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include details of the following;

Footpath widening to the north and south of the proposed access onto the A229 (within the site frontage);

Right hand turn ghost lane highway works into Turnden Road and the site access; and

Traffic Islands;

Details of the timetable for implementation and completion.

The works shall be carried out in accordance with approved plans.

Reason: In the interests of highway safety.

(27) a) Prior to the commencement of development (excluding Initial Enabling Works) and only if used for construction and operative traffic, as determined by Condition 4;

The access point to the highway shown on the approved plans shall be completed to a bound course in accordance with the approved drawing

19072/001D (drawings associated with the submitted Transport Assessment Addendum II dated October 2020 (Appendix 13));

The area of land within the vision splays shown on the approved plan 19072/001D shall be reduced in level as necessary and cleared of any obstruction exceeding a height of 0.6 metres above the level of the nearest part of the carriageway and be so retained in accordance with the approved plan.

b) Prior to the first occupation of development;

The access point to the highway shown on the approved plans shall be practically complete in accordance with the approved drawing 19072/001D (drawings associated with the submitted Transport Assessment Addendum II dated October 2020 (Appendix 13), unless otherwise agreed in writing by Local Planning Authority;

Reason: This is a pre-commencement condition in the interests of highway safety as the access will need to be completed to a safe standard for use during the construction process

(28) Before the first occupation of any dwelling on any phase of the development, the following works between the dwellings on that phase and the adopted highway shall be completed as follows:

- i. Footways and/or footpaths shall be completed, with the exception of the wearing course; and
- ii. Carriageways completed, with the exception of the wearing course, including the provision of a turning facility beyond the dwelling together with related:

Highway drainage, including off-site works,

Junction visibility splays,

Street lighting, street nameplates and highway structures if any.

Reason: In the interests of highway safety and ensuring provision of an acceptable road layout.

(29) No residential dwelling on any phase of the development shall be occupied until details of the emergency access, as shown on drawing P101AH, shall be submitted to and approved by the Local Planning Authority. The details shall include the location and design of the emergency access linking the development and Turnden Farmstead (aka Phase 1), the means of preventing access by other vehicles, and a timetable for the implementation of the emergency access in relation to the phasing of the development.

Reason: In the interests of highway safety and ensuring provision of an acceptable road layout.

(30) Notwithstanding the submitted details and approved plans, no residential dwelling on any phase of the development shall be occupied until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority, in consultation with the local Highway Authority. The agreed Travel Plan measures shall subsequently be implemented and thereafter maintained from the 1st residential occupation until 3 months after the last residential occupation of the buildings hereby permitted.

The Travel Plan shall include some or all of the following:

- a) Setting objectives and targets.
- b) Measures to promote and facilitate public transport use, walking and cycling.

- c) Measures to reduce car usage
- d) Monitoring and review mechanisms.
- e) Provision of travel information.
- f) Marketing of environmentally sensitive forms of travel.

Together with a timetable for the implementation of each element.

Reason: In order to realise a sustainable pattern of development in the area and in the interests of air quality mitigation.

(31) No flats within any phase of the residential development shall be occupied until secure cycle storage facilities to serve them have been provided in accordance with the approved details. The cycle storage shall thereafter be retained.

Reason: To ensure the proposal provides adequate sustainable transport measures. In the interests of air quality mitigation.

(32) No dwellings on any phase of the development shall be occupied unless refuse storage facilities, including bin collection points, have been provided in accordance with the submitted and approved Refuse Strategy (Ref:19183 P107 B). The refuse storage facilities shall thereafter be retained, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To facilitate the collection of refuse, preserve visual amenity and to reduce the occurrence of pests.

(33) Prior to the commencement of 'Above Ground Works' on each phase of the development full details of a scheme for the incorporation of energy efficiency measures and renewable energy (including the location of PV panels and resident/visitor EV charging points within that phase) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure a satisfactory standard of development which meets the needs of current and future generations.

(34) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order revoking or re-enacting that Order with or without modification), no development shall be carried out within Classes A, B or F of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order) without prior planning permission from the Local Planning Authority.

Reason: In the interests of protecting amenity and the character of the countryside and AONB.

(35) Prior to the first occupation of any part of the development, all the former equestrian buildings/parts of buildings and paddock fencing on site shall be demolished/removed.

Reason: In the interests of protecting amenity and the character of the countryside and AONB.

(36) Prior to the commencement of any works that require ground breaking, the applicant, or their agents or successors in title, will secure and implement:

- i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

ii. further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

Reason: This is a pre-commencement condition to ensure that features of archaeological interest are properly examined and recorded prior to any ground breaking taking place, due to the sub-surface nature of the potential archaeological finds.

(37) No dwelling on any phase of the development shall be occupied until details of the provision of obscure glazing to dwellings within that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect residential amenity.

(38) No dwelling on any phase of the development shall be occupied until details of a scheme of heritage, arboriculture, and ecological interpretation in addition to public art display (if applicable), including a timetable of implementation has been submitted to and approved by the Local Planning Authority. The approved details shall thereafter be implemented in accordance with the approved details and shall be retained on site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that information on the heritage, arboriculture, ecology of the site is recorded and is suitably accessible to the public, and is included within the overall proposal

(39) Prior to the commencement of 'Above Ground Works' details of residential boilers, to mitigate the air pollution arising from the development when in occupation, shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with approved scheme.

Reason: To mitigate air quality impacts arising from the development.

Appendix 3 **Extracts of Mr Slatford's Proof of Evidence**

Exceptional Circumstances (pages 45-53)

Assessment of Alternative Sites (pages 53-59)

Appendix 2 – Alternative Sites Assessment

Planning call-in Inquiry: Turnden, Land
adjacent to Hartley Road, Cranbrook
Proof of Evidence of Simon Slatford
BA (Hons), MRTPI, BPI

Applicant: Berkeley Homes (Eastern Counties) Ltd

Planning Inspectorate No: APP/M2270/V/21/3273015

Application No. 20/00815/FULL

23 August 2021

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overall, the application proposal would preserve and enhance the AONB. I cover this matter in more detail later in this proof, but the main evidence on this issue is provided by Mr Cook. In my view, the extent of harm to the AONB is an important factor in this case.

Exceptional Circumstances

6.49 I now turn to the determination of this application with specific regard to its location within the AONB. As I have noted, it is agreed that this is major development and, therefore, planning permission should be refused other than in exceptional circumstances. As noted above, the NPPF states that consideration of such applications should include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

6.50 In this context, I have reviewed a number of appeal decisions and Secretary of State decisions on this issue and, in the consideration of this Inquiry, I have already drawn from these above. Moreover, case-law makes clear that the these bullets do not preclude consideration of other considerations [*SSCLG v Wealden DC* [2018] Env LR 5 at paragraph 63 (CD 20.5) and *APP/Q3115/W/16/36531 CABI International* (31 August 2017) (CD 19.5)].

6.51 In my view, when making a decision on exceptional circumstances, the starting point should be the assessment of the degree of impact and harm to the AONB, before account is taken on the other considerations mentioned in the NPPF.

1. Effect on the AONB

- 6.52 The assessment of the impact on the AONB is addressed in detail by Mr Cook. He is of the view that in terms of effects on character, the proposed development would result in a change to the character of the site, an inevitable consequence of accommodating housing on a greenfield site and thus resulting in a significant magnitude of change, but in terms of its nature of effect this would be neutral rather than adverse. With regard to effects on visual on amenity, Mr Cook concludes that, given the high-quality of the proposal reflecting the vernacular architecture and in accord with the AONB Housing Design Guide (CD 12.15), the proposed housing would be in keeping in terms of its appearance and therefore, the scheme would be neutral rather than adverse in terms of nature of effect. Sight of the proposed scheme would not cause material harm to the visual amenity of the area in terms of the AONB.
- 6.53 Overall, Mr Cook is of the view that the proposed development would conserve the general character of this particular part of the AONB, which has a strong **settled character and with it 'sense of place'**. **Further**, with regard to the balance of the site, the scheme would facilitate new substantial green infrastructure and Mr Cook is of the view that this would bring about improvement in both landscape character and visual amenity terms and in broad terms he considers this would be enhancement in terms of the AONB. Mr Cook also concludes that, in his view, the sheer volume of new planting and landscape enhancement proposed is quite exceptional, given the limited scale of proposed housing. Therefore, both elements of the scheme, Development Area and wider landholding green infrastructure, would conserve and enhance the AONB at the local level, and as such would not conflict with policy with regard to this designation.
- 6.54 Further, for the draft Local Plan, a landscape assessment (CDs 14.3.10-14.3.13) **has also been undertaken by the Council's officers and their independent consultant – Mr Duckett from HDA**. This was a consideration when TWBC

decided to allocate the site in the draft Local Plan. Mr Duckett is giving his own evidence on the matter.

6.55 In the overall assessment of harm, both parties gave consideration to the extent of the proposed mitigation proposed as part of the application proposals and how this could moderate the effect on the AONB. This is an important aspect in the considerations on the application proposals as the proposed mitigation is, in my view, extensive and significant.

6.56 The overall conclusion is that the proposal has been carefully designed to deliver a high-quality residential scheme set within substantial green infrastructure. As a result, the scheme would not cause any material harm to landscape elements, landscape character or the general visual amenity of the area. This scheme would ensure that the local AONB environment would be conserved and enhanced from a landscape and visual perspective.

6.57 Overall, as I have noted above in my review of relevant appeals, the degree of harm to the AONB is a key starting point for considering whether there are exceptional circumstances and, if there is no or limited harm to the AONB other considerations could have greater weight. In this case, as Mr Cook assesses no material harm to the AONB, I consider that the considerations set out below amount to exceptional circumstances.

6.58 I would also add that the ‘consideration’ also refers to any detrimental effect on ‘recreational opportunities’. However, in this case, I consider that there would be a positive effect on recreational opportunities predominantly through increased public access to the countryside.

2. The need for the development

6.59 In paragraph 177 of the NPPF one of the considerations is “*the need for the development, including in terms of any national considerations*”. It is therefore important, in the first place, to recognise the national need to deliver housing, as set out in the NPPF and as I have outlined above.

6.60 On the more local scale, in my view there are four elements for the consideration of the need for development: the overall housing need (including affordable housing) for the Borough; the housing and affordable housing need in the local area, the need to deliver a five-year supply of housing land and the economic benefits that arise from the development for the local community. These are separate components but, in this case, all are relevant and material in this case.

Housing Need within the Borough

6.61 **The Government’s policies for delivering housing are set out in Chapter 5** of the NPPF. In particular, paragraph 60 of the NPPF is significant:

“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”

6.62 In identifying what is “*the sufficient amount and variety of land*” to come forward, paragraph 61 confirms that, to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach. Paragraph 66 requires that strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.

6.63 Strategic policy making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of a) specific, deliverable sites for years one to five of the plan period; and b) specific,

developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan (paragraph 68 of the NPPF)

6.64 Further, paragraph 63 states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site.

6.65 TWBC are preparing a Local Plan and the pre-submission version (Regulation 19) was out for consultation until 4th June 2021. The draft Local Plan seeks to meet the Standard Method for housing need for the Borough. The Council maintain that the Standard Method is regarded as being a realistic, but achievable, housing need target, seeking a significant increase in the level of housebuilding relative to what has been achieved in recent years (as well as being 40% above the projected household growth for the Borough). Therefore, at least 678 dwellings a year is regarded an appropriate local housing need target for the new Local Plan for the Borough. As a consequence, the broad development strategy for Tunbridge Wells Borough, over the period 2020-2038, is to ensure that a minimum of 12,204 dwellings are developed, together with supporting infrastructure and services.

6.66 I do not see this requirement changing. The SHMA (CD 14.2.9) defines the **relevant housing market area as being the 'West Kent Housing Market Area'** (HMA), reflecting the 2011 Tunbridge Wells Travel to Work Area (TTWA), which includes Sevenoaks, Tonbridge and Tunbridge Wells, and extends to include Crowborough, Hawkhurst and Heathfield. In terms of the relationship to local authority boundaries, the TTWA covers most of Sevenoaks District, with the western part of Tonbridge & Malling borough, focused on Tonbridge itself, providing a key linkage. The HMA also extends into the northern part of Wealden district and the north-western, quite rural, part of Rother district. Given the various cross-boundary interactions and for completeness, the TWBC draft Local Plan also gives consideration to the housing need and supply situation in all neighbouring local authority areas. However, the current plan-

making situation in the two main neighbouring authorities, as at May 2021, is in a state of flux as set out below.

6.67 Sevenoaks District Council (SDC) - In December 2020, SDC asked for permission to appeal the Judicial Review ruling by Dove J. ([2020] EWHC 3054 (Admin)) that upheld the Planning Inspector's reasons for rejecting its draft Local Plan. The Council was informed on Friday 8 April 2021 that it had not succeeded with the challenge. It was reported that officers would be speaking with the Secretary of State to put forward a strategy that ensures a new Local Plan can be put in place as soon as possible. The reason for the Sevenoaks Local Plan being rejected was because the Council had failed the Duty to Co-operate with their neighbours, such as Tonbridge and Malling BC (TMBC) and TWBC with the Inspector concluding (CD 14.4.1):

“It is noted that neighbouring authorities have not indicated any willingness to take unmet need from Sevenoaks, in part due to the extent of Green Belt, but proper engagement at the right time would have enabled all three authorities and others in the wider area to properly grapple with the issues arising from unmet housing need. There is, of course, no guarantee that such an approach would have resulted in arrangements being made for Sevenoaks' housing needs to be met in full. However, in my view, earlier and fuller proactive engagement on this crucial issue, in accordance with national policy, would have been significantly more likely to result in an effective strategy for meeting Sevenoaks' unmet need.”

6.68 Tonbridge and Malling Borough Council (TMBC) – In December 2020, the TMBC Local Plan Inspectors had written to the Council noting that (CD 14.4.2):

“However, it appears from the evidence before us that the Council knew for a number of years, prior to the submission of their plan for examination, that it was highly unlikely that SDC would be able to meet its housing requirement in full. Despite this there is no evidence that the Council engaged in any meaningful discussions with SDC to consider how the strategic matter of

unmet need could be resolved. Instead the Council has relied on the fact that SDC did not formally ask them for help. However, from the evidence it seems that SDC chose not to make any formal request for help because they knew that the answer from Tonbridge and Malling would be ‘no’ due to ‘constraints’. We consider Tonbridge and Malling were complicit with this for having said no without any active, ongoing and constructive engagement. This is not indicative of an attempt by Tonbridge and Malling Council to engage constructively or actively to resolve this issue.”

6.69 In March 2021 TMBC wrote to the Local Plan Inspector advising that the Council remains confident that it has met the requirements of the Duty to Cooperate and will now challenge the Inspector’s **final decision**. **In the letter to the Local Plan Inspector the Council noted that this will inevitably result in further delays to adopting a Local Plan for Tonbridge and Malling and raises the risk that this will not now be achievable by the Government’s deadline that all Local Planning Authorities should have an up-to-date Plan by the end of 2023. It concludes “.... I can confirm that the Council will not be withdrawing the Local Plan and, therefore, invite you to prepare a final report at your earliest convenience”.**

6.70 In June 2021 the Inspectors produced their report and concluded that that the Tonbridge and Malling Borough Council Local Plan should not be adopted. It was the **inspectors’ view that** the Council did not fulfil a duty to co-operate with Sevenoaks District Council. The Council are now focusing on next steps.

6.71 As a consequence, TWBC have concluded that for their Local Plan it should, as a minimum, seek to meet **the Borough’s** own local housing needs within the Borough. In addition, TWBC determined that it would be prudent to also consider the scope to help meet the unmet needs in Sevenoaks DC in order to ensure, as much as possible in accordance with the NPPF, that the full housing need across the West Kent housing market area is met.

- 6.72 Overall, based on the NPPF Housing Chapter objectives to boost the supply of homes that are needed, the above would indicate a very real need for the allocation of this site for housing in the draft Local Plan to be supported.
- 6.73 Further, the Housing Needs Assessment Topic Paper (CD14.2.4) produced in support of the emerging Local Plan considers affordable housing need based on a number of assessments and concludes, in paragraph 3.11, that: *“Notwithstanding the variations, it should be noted that all three studies show that there is a substantial need for affordable housing in the Borough and that contributions to affordable housing should be maximised where possible”*.
Housing Need within the Borough and at Cranbrook
- 6.74 In identifying the need for the development, consideration should also be given to meeting the local needs of an area and, in terms of affordable housing this should include not just those with an immediate connection with the area, but for those who want to live and work in the area.
- 6.75 In the first instance, in terms of overall housing requirement for Cranbrook, one way to consider or assess this would be to apply a percentage to the **Standard Method housing number based on Cranbrook’s population share of the Borough**. As Cranbrook represents 5.7% of **the Borough’s** population and the standard method for the Borough is currently 677 dpa this would indicate a need for 39 dwellings per annum at Cranbrook (585 dwellings over 15 years). This is a very broad, high level way of distributing housing **on a ‘fair share’ basis, since** the amount of homes each settlement gets is proportional to its current population. It is simple and logical approach which ensures every settlement delivers at least some new homes and so continue to grow. As indicated in paragraph 79 of the NPPF, without growth and support of new population some rural settlements can enter a cycle of decline and experience population loss.
- 6.76 In the emerging Local Plan, under Policy STR/CRS 1 the strategy for Cranbrook and Sissinghurst is to build approximately 415-429 new dwellings at Cranbrook (this includes 216 new dwellings that have outline planning approval at: Policy

AL/CRS 1 (180 dwellings) and Policy AL/CRS 4 (36 dwellings); and 38 at Sissinghurst, including affordable housing, as allocated under the subsequent site allocation policies. This lower figure was set because, although this is the main settlement in the area, testing of large-scale growth through the plan-making process has shown this to be inappropriate, particularly in terms of the impacts of development of individual sites, and cumulatively, upon the High Weald AONB. The sites set out below are considered to deliver growth compatible with the AONB designation (paragraph 5.276 of the draft Local Plan, CD 14.1.1).

6.77 This is compatible with paragraph 79 of the NPPF which confirms that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

6.78 Further, the Housing Needs Assessment Topic Paper February 2021 (CD 14.2.5) states there are 925 households on the housing need register. Of these, data from 6th August 2021 provided by TWBC Housing (as agreed in the SoCG with TWBC) indicates that 175 Applicants have specified they want to live in Cranbrook, while 62 households have a local connection to Cranbrook. I consider that both aspects of this need are important and that both should be met where possible. The overall need for affordable housing in the Borough is significant and it is important that this is distributed across the Borough and met locally, where practicable, to support local communities and to minimise travel. This should include new homes for those who want to live in the area and for those who have a connection with the area.

Five-year housing land supply and Housing Delivery Test

- 6.79 With regard to the supply of new homes, paragraph 74 of the NPPF looks to LPAs to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum **of five years' worth of housing** against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
- 6.80 On housing delivery, paragraph 76 states that, to maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that **delivery has fallen below 95% of the local planning authority's housing** requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under delivery and identify actions to increase delivery in future years. If it is below 85 percent, a 20 percent buffer should be added to the housing target.
- 6.81 In this case, it is agreed that TWBC cannot identify a sufficient supply of sites going forward to meet the standard method housing needs over the next 5 years and this is an important consideration, having regard to the requirements in paragraph 74 of the NPPF. As noted above, the site is also allocated in the emerging Local Plan to meet the overall housing requirement for the Borough.
- 6.82 **In my view, the Council's estimate of the five-year supply (CD 12.16) is generally robust, but optimistic in certain regards.** For example, National Planning Policy Guidance (paragraph 007) states that sites which are allocated in a development plan require further evidence to be considered deliverable. In this case, the Former Plant and Tool Hire Site at Eridge Road and the Turners Pie Factory Site at Broadwater Lane are allocated sites, but applications for planning permission have not yet been submitted. The NPPG states that the further **evidence could include** *'firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery*

intentions and anticipated start and build-out rates'. For both sites, TWBC state that a case officer has had discussions with the Applicant, **and** *'it is therefore considered likely that a planning application will be submitted during summer 2021'*. However, with no written or other evidence to confirm this statement, this **does not meet the NPPG definition of 'clear evidence'**. On this basis, these sites (of 45 and 100 dwellings respectively) could, arguably, be discounted from the Five-Year Housing Land Supply. This is also in the context that the requirement in the NPPF is **for a 'minimum' of five years supply**.

6.83 In terms of past delivery, the latest Housing Delivery Test results show that in TWBC over the last three years, housing delivery was at 85 percent. This is just on the line of requiring a 20% buffer **on a local planning authority's five-year** land supply. In other words, at one percent lower on the HDT the Council would have been required to permit more sites to meet the additional 20% of the housing requirement. In any event, the Council is required to prepare an Action Plan to assess the causes of under delivery and identify actions to increase delivery in future years.

6.84 Even if there was a five-year supply the NPPF still requires a need for specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of any Local Plan.

6.85 Overall, the above supports the case that the application proposals are wholly consistent with the Government policies for delivering a sufficient supply of new homes, particularly at a rural settlement and including a high percentage of affordable homes and that it is important to ensure this will be delivered.

Summary on Housing Need

6.86 It appears highly likely that some development will have to take place within the AONB at Cranbrook, if future housing needs are to be met and that some of the growth will be on greenfield land at the periphery of the settlement.

6.87 The proposal would make a significant contribution towards housing land supply and to affordable housing and make a significant contribution towards **meeting the District's market and affordable housing needs** and shortfall in housing land supply. In my view this should carry substantial weight.

Economic Benefits for Cranbrook

6.88 **Part of the considerations on 'need' is** the impact of permitting it, or refusing it, upon the local economy. The socio-economic effects of the proposed development are assessed in the submitted Environmental Statement submitted with the application.

6.89 As stated above, paragraph 79 of the NPPF confirms that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.

6.90 It is common ground that, through the delivery of new homes, the application proposal will create construction jobs which will generate expenditure in Cranbrook and local shops. Further, future occupiers of the proposed development will support local shops and business through increased expenditure. In my view, in this current age, all rural settlements could benefit from some growth to maintain and support local shops and services.

6.91 Earlier in this proof, under sustainable development, I have set out the significant monetary value associated with these economic benefits which would support the local economy. In my view, these are positive benefits to the local community to be weighed in the balance against any harm to the AONB.

3. The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way

6.92 In terms of assessing the scope for developing outside the AONB and/or meeting the need in some other way, I draw significantly from the recent work that has been undertaken by TWBC for identifying the overall approach to distribution and site selection for housing sites for the pre-submission Local Plan (CDs 14.2.1-14.2.10). This is because it is an extensive recent evidence base that the Council have been working on over many years to identify all possible, suitable locations for housing growth. I have reviewed this work carefully, and I am satisfied that the work has been thorough, robust and comprehensive. I have covered the issue regarding small sites above.

6.93 By way of background for this case, I summarise some of the main assessment work undertaken by the Council and the broad conclusions on how housing sites were identified for the draft Local Plan. This is of relevance to this case, because it identifies the broad considerations on alternative sites and explains why the application site is allocated in the draft Local Plan.

6.94 When considering the approach that has been adopted to identifying suitable sites necessary for housing development, I consider that it is essential to first consider the requirements for development and on what basis these have been determined. Paragraph 23 of the NPPF confirms that “*Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area”.* The underlining is my emphasis to highlight that there are a number of considerations to take into account including the ability to deliver the sites and that any such development should be sustainable. In other

words, it is not appropriate, or in line with national policy, to identify any site at any location.

6.95 The main Local Plan evidence base document that I draw from is the recently released Development Strategy Topic Paper (February 2021) (CD 14.2.2) (**“the Topic Paper”**). In the Introduction to this Topic Paper it is confirmed that this:

“... sets the context for the future development of the borough and shows how the proposed development strategy has evolved as the consequence of an iterative process, drawing on consultation responses to the earlier ‘Issues and Options’ and ‘Draft Local Plan’ documents, the outcomes of a range of studies and reports, specific site assessments (under the Strategic Housing and Economic Land Availability Assessment), due regard to relevant national policies and guidance and recommendations from the Sustainability Appraisal (SA)”.

6.96 This document appropriately identifies that particular consideration has been given to the potential to accommodate development needs within the Borough, notably for housing, without undue impacts on the functioning and purposes of the Green Belt and the defining characteristics of the High Weald AONB.

6.97 As part of the process, the Council considered the settlement hierarchy of the Borough and **identified ‘Groupings’ of settlements**, based on scores and evidence collected on key services, such as Post Office and convenience stores, schools, train station, comparison and convenience shops, doctors surgery, pharmacy, dentist and opticians. Cranbrook is in Group B, below Tunbridge Wells, but alongside the other larger settlements of Hawkhurst, Southborough and Paddock Wood. These groupings give an indication of the level of sustainability and appropriateness of these settlements to accommodate further growth in terms of access they provide to services and facilities that support their sustainability.

- 6.98 However, having regard to the overall guidance in the NPPF, the Topic Paper recognises that, while these groupings give an indication of the level of the relative sustainability of settlements in terms of access to goods and services and hence the need to travel, it is only the starting point for identifying growth potential.
- 6.99 In considering all constraints to potential new development, paragraphs 3.2 and 3.3 of the Topic Paper note that 69% of the Borough is within the AONB. Paragraph 5.15 notes that the Draft Local Plan sought to meet development needs as much as possible within the context of the various constraints in the Borough, including the Green Belt, AONB and areas of flooding. In view of the limitations on the growth of existing settlements, relative to the identified local housing need, together with the fact that feedback from the earlier consultation **on an ‘Issues and Options’ document gave “in principle” support for a new settlement**, options for potential locations for larger scale development were evaluated. This resulted in two proposals for strategic growth, one involving the substantial growth of Paddock Wood extending into Capel Parish and the other being a new village between Five Oak Green and Tonbridge. These are both allocated for new housing growth in the draft Local Plan.
- 6.100 In overall terms, the Sustainability Appraisal (CD 14.1.2) can be seen to support:
- i meeting the standard method housing need figure of 678 dwellings pa;
 - ii seeking to provide for more urban intensification, especially in Royal Tunbridge Wells, as the largest town;
 - iii looking to have less development in the AONB, both at larger settlements of Cranbrook and Hawkhurst and at some smaller villages, subject to further consideration of site-specific merits and **‘exceptional circumstances’**; and

- iv including strategic sites in principle over strategies without them, subject to further consideration of Green Belt impacts, respective **merits and consequential 'exceptional circumstances'**

- 6.101 For the Draft Local Plan, the Council was also mindful to ensure that suitable PDL/brownfield sites and underutilised land are put to the optimal use, particularly through the Call for Sites/SHELAA process. This included: reviewing all existing sites allocated in the SALP (2016) which did not have planning permission, and drawing (where relevant) on further discussions held with site promoters and developers (including at pre-application stage) to seek to increase the densities on those sites; recognising sites with significant areas of hardstanding or built form, or are former waste sites, and could potentially be used much more intensively; and through the use of a masterplanning process.
- 6.102 As noted above, further consideration was given to the use of a housing windfall allowance within the housing supply calculation based on the assumption that infill development, development on brownfield land, and intensification of development will continue to come forward and deliver a quantity of development that can be counted towards the housing supply. The Council have taken a cautious approach in the calculation of this allowance, as this was challenged in comments on the earlier drafts of the Local Plan, but a comprehensive review was undertaken to inform the Pre-Submission Local Plan. This looked at: historic rates of windfall developments; types and sizes of windfall developments; recent trends in windfall developments; and likely impact of recent and emerging legislation.
- 6.103 This work also reviewed whether site capacities were actually reflecting their context, including not only existing built form but the potential for higher densities, reflective of the location, to optimise the density of development. The **outcome of this work is set out in the 'Brownfield and Urban Land Topic Paper'** (CD 14.2.10). The further assessment of brownfield sites is also reflected in the

updated 'SHELAA' (CD 14.2.8). In summary, having reviewed all the evidence, the Pre-Submission Local Plan includes an increased allowance (relative to that in the Draft Local Plan) for sites continuing to come forward on both small and larger windfall sites.

6.104 The Topic Paper also reviews the extent to which brownfield and existing urban sites were being allocated for development, and their capacities, demonstrating that suitable sites for allocation are being promoted and that their densities show effective use of land, appropriate for their location. In this regard, the Pre-Submission Local Plan includes reference to promoting the effective use of urban and previously developed (brownfield) land (having due regard to relevant Plan policies) as part of the overall development strategy at Policy STR1. As an integral part of the development strategy, a new brownfield land policy is proposed.

6.105 In terms of identifying what was regarded as suitable housing sites, it is noted that the Council assessed around 500 sites through the Pre-Submission Local Plan SHELAA process. Full details of the submitted sites, as well as those contained in previous Local Plans (which were not yet implemented) and additional sites **identified by officers are set out in the 'SHELAA for the Pre-Submission Local Plan'** (CD 14.2.8). This report also presents information about each site, its suitability, availability, achievability, with overall conclusions on their appropriateness for allocation within the Local Plan. The conclusions have regard to the findings of the Sustainability Appraisal.

6.106 Sites have been assessed in collaboration with relevant service providers, such as officers of Kent County Council. Discussions have also been held with parish/town council/ neighbourhood plan groups (including with Royal Tunbridge Wells Town Forum).

6.107 As part of the overall site selection process for the draft Local Plan, and in response to concerns expressed on the previous draft of the Plan, a rigorous appraisal of the larger sites being considered in the AONB was undertaken.

- 6.108 For all of the 17 draft site allocations that were initially **considered to be ‘major’** (in AONB terms) for major developments, an independent Landscape and Visual Impact Assessment (LVIA) was commissioned (CD 14.3.9). This reassesses their suitability for development and considers further measures for avoidance and mitigation of possible adverse effects as well as to consider what further benefits they might provide. I note that Natural England and the AONB Unit were consulted on the methodology for the LVIA as the work progressed so that comments could be taken into account before reaching any final conclusions. As stated above, **the Council’s Landscape witness undertook this work.**
- 6.109 I note that, during this process, concerns were also raised about the loss of grassland habitats as a result of development within the AONB. In response, the Council commissioned an independent survey of all proposed sites to be allocated within the AONB that contained pasture/grassland - **The ‘Grassland Survey’** (CD 16.11).
- 6.110 The LVIA and other studies, mentioned above, have all informed site assessments of the suitability of sites through the Strategic Housing and Economic Land Availability Assessment (SHELAA) process (CD 14.2.8).
- 6.111 **In terms of giving great weight to the AONB’s defining characteristics, the** approach taken for the draft Local Plan was that development was very unlikely to be supported where development was considered likely to cause significant harm to the defining character of the AONB (also having regard to potential mitigation) or cause harm disproportionate to likely benefits of the scheme.
- 6.112 In addition to this extensive work undertaken by the Council, the Applicant undertook and submitted, as part of the application (CD 3.12), an assessment looking at the availability of other sites in Cranbrook, which is within the AONB, to deliver 160-170 dwellings. The assessment considers sites submitted and/or promoted as part of the SHELAA and any other potentially suitable land.

- 6.113 A total of 6 potential alternative sites were identified and considered. The identified sites were assessed having regard to delivery and to the impact on the AONB. Where an overriding constraint to the feasibility of a site was identified, no further detailed analysis took place. All six were discounted based on factors such as access, sustainability, AONB impact and inability to provide ecological and recreational improvements. This assessment was not contested by the Council.
- 6.114 Further, and as noted above, I am aware that in 2018 Aecom prepared a Site Assessment Report for the Cranbrook and Sissinghurst Neighbourhood Plan that is attached to the draft Statement of Nancy Warne in Appendix 6 of the CPRE Statement of Case (CD 9.7). As I have stated above, this identified 11 sites that, based on a traffic light system, Aecom considered were Green or Amber.
- 6.115 In the first instance, it is relevant to note that the application site, which is subject to this Inquiry, was identified as an Amber site. From all of the work undertaken by the Applicant's team and by the fact that the Council resolved to grant permission, this would be elevated to Green.
- 6.116 I have set out my views on the other sites identified by Aecom earlier in this proof and I conclude that none are more suitable or appropriate than the current application site and none are currently available.

Other Benefits

- 6.117 In addition to the analysis set out above, under the headings of considerations set out in the NPPF, there are a number of other benefits of the application proposals that are summarised in the SoCG with TWBC, in my assessment above of the sustainability credentials of the site and in the planning balance section later in this proof. These include the recreational benefits of the application through enhanced public access to the countryside.

Proof of Evidence of Simon Slatford

Appendix 2 – Alternative Sites Assessment

Our ref 63404/01/SSL/ITL
 Date August 2021
 To Berkeley Homes (Eastern Counties) Ltd
 From Lichfields

Subject Turnden, Cranbrook - Analysis of AECOM Site Assessment

1.0 Introduction

- 1.1 CPRE have raised the issue that the Neighbourhood Plan evidence base identified a number of potential housing sites around Cranbrook and, in addition, that Aecom criticised the site at Turnden as part of this exercise.
- 1.2 In response to this, we have carried out a review of the sites assessed by Aecom in the report (2018). Table 5 of the report provides a **summary of assessment of all sites in Cranbrook and Sissinghurst. Each site has been categorised as ‘red’ – not appropriate for allocation, ‘amber’ – appropriate with constraints, and ‘green’ – the site is appropriate for allocation.** For the purpose of this exercise, **‘red’ sites have been discounted.**
- 1.3 **Ten sites have been assessed as ‘amber’ and one site has been assessed as ‘green’.** Section 4.1.2 of the Aecom report states that *‘Some of the sites in the amber category may need further advice or assessment not possible to address through this high-level assessment. Such advice could be commissioned through specialist consultants or in conjunction with relevant officers at TWBC and Kent County Council (e.g. highways, education, waste, infrastructure) to allow them to be moved into either the green or red categories.’*

2.0 Assessment

Site ref	Location (see maps below)	Site area (ha)	Current land use	Assessed dwelling yield	Aecom assessment	Aecom Assessment rationale	Berkeley Team Comments
25	Land to the west of Frythe Way and east of Freight Lane, Cranbrook	2.83	Agriculture	85-113	Amber – appropriate for allocation with minor constraints	No significant constraints to development identified; greatest is that the site would tend to result in car-based development as it would form an extension of an existing long cul-de-sac. The only alternative to this would be the development of a road circuit via site 396 and the 2016 Crane Valley allocation to the High Street but as site 396 is not considered suitable for development, this is not recommended. Site moderately located for	The January 2021 SHELAA considers that the site is <i>unsuitable</i> due to landscape/settlement pattern and access impacts. Vehicle access would have to route through an existing residential area and as such there will be an impact on local roads. Vehicular traffic routing towards Hawkhurst would need to travel through Cranbrook High Street which would lead to

Site ref	Location (see maps below)	Site area (ha)	Current land use	Assessed dwelling yield	Aecom assessment	Aecom Assessment rationale	Berkeley Team Comments
						services and facilities and impact on Grade II listed Pest House should be minimised.	<p>additional traffic through the village centre with a potential effect on amenity and delay.</p> <p>The site is located a 700m walk to Cranbrook town centre (defined as Lloyds Bank located on the High Street).</p> <p>There is no relevant planning history at this site.</p> <p>Red</p>
130	Cranbrook School Campus, Waterloo Road, Cranbrook TN17 3JD	16.07	Secondary school buildings and playing fields	Not possible to estimate precisely without an indicative or detailed masterplan; it is also not yet clear if it is housing or other land uses proposed. If housing, the sensitivity and complexity of the site suggests a limit of tens rather than hundreds of units seems appropriate.	Amber - Appropriate for allocation with significant constraints	This is a large, complex site with constraints related mainly to heritage assets and town character due to the very large number of listed buildings within and adjacent to the site, including the working Union Smock Mill, which may restrict development in parts of the south of the site for operational as well as heritage reasons. However, this does not preclude limited and sensitive intensification or development in selected locations, guided by an appropriate masterplan responsive to the site's key requirements. Other than heritage and character, the site performs well in terms of brownfield development and access to services and facilities, though any development of playing fields would have to pass the NPPF paragraph 74 test.	<p>January 2021 SHELAA states that the site is '<i>Not to be allocated for residential</i>', 'The site is a part PDL site partly within and partly adjacent to the LBD. IT forms part of Cranbrook School and could be used to support the future needs of the school'. The site is allocated in the emerging Local Plan for educational and community facilities, to include sports and leisure provision. The school is still open and does not appear to be closing – it therefore seems unlikely residential would be suitable on this site. Cranbrook School's reps state that they are pleased with the allocation AL/CRS 10 which allocates the site for education and community facilities to include sports and leisure provision.</p> <p>Access to the site appears to be available from Waterloo Road to the west or Bakers Cross to the south. Waterloo Road is narrow and would unlikely be able to cater for significant levels of traffic. Access to the south via Bakers Cross would need to be upgraded and consideration would need to be given to Frythe Way.</p>

Site ref	Location (see maps below)	Site area (ha)	Current land use	Assessed dwelling yield	Aecom assessment	Aecom Assessment rationale	Berkeley Team Comments
							<p>Traffic heading towards the A229 would need to pass through the village centre with a potential effect on amenity and delay.</p> <p>The site is located a 550m walk to Cranbrook town centre.</p> <p>There is no relevant planning history at this site.</p> <p>Red</p>
131	Jaegers Field, Angley Road, Cranbrook (southernmost part of site only)	2.75	Playing Field	25-34	Amber - Suitable for development with significant constraints (n.b. northern three quarters of the site are red)	The most significant constraint for development of the entire site is the risk of actual or perceived coalescence between Cranbrook and Wilsley Green, which it is considered would be contrary to national planning policy. However, development of the southern quarter of the site only, if sensitively designed to minimise the risk and perception of coalescence, could be suitable. The requirement for re-provision of playing fields on a suitable site as per NPPF paragraph 74 would still apply. The separation between Cranbrook and Wilsley Green at this location is narrow already and potential to mitigate this constraint as part of any development should be explored.	<p>In Cranbrook School's supporting statement it is stated that that the loss of the playing field will either be justified under Sport England's policy E1 (there is an excess of playing fields in the catchment and the site has no special significance for sport) or E4 (playing field will be replaced, equivalent or better). Site is allocated in emerging LP for 30-35 dwellings and Cranbrook School reps state they are pleased with this allocation. However, in the SHELAA the site was considered unsuitable for allocation due to the adverse impact upon existing sports provision located in the western part of the site. It is difficult to argue this site should be 'red' without relying on coalescence as an argument</p> <p>Site likely to be accessed from Angley Road. Appropriate visibility looks as it can be achieved. There is a good existing pedestrian provision, including routes through existing residential areas towards the High Street.</p> <p>Limited number of dwellings would not result a significant number of vehicle trips.</p>

Site ref	Location (see maps below)	Site area (ha)	Current land use	Assessed dwelling yield	Aecom assessment	Aecom Assessment rationale	Berkeley Team Comments
							An outline planning application (21/02396/OUT) has been submitted on 12/07/2021 for up to 63 residential dwellings and is awaiting a decision. Amber
133	Land adjoining Cranbrook Primary School, Quaker Lane, Cranbrook (southern half only)	4.21	Playing field and agriculture	50-67	Amber – Suitable for development with significant constraints	The most significant constraint for this site is the risk of actual or perceived coalescence between Cranbrook and Wilsley Green and its conservation area, which it is considered would be contrary to national planning policy. Additionally, the northern half of the site is designated as Grassland of Importance in the Kent County Council Priority Habitats 2012 dataset. Both of these factors make the northern half of the site unsuitable for development. The southern half of the site could be developed with significant constraints: firstly, the requirement for sensitive design to mitigate any actual or perceived coalescence between the two settlements, including retention of the existing hedge as a defensible boundary; secondly, the need for re-provision of playing fields on a suitable site as per NPPF paragraph 74; and thirdly, though they are not specifically protected by national or local planning policy, the local policy approach to development of allotments is that opportunities should be explored for re-provision of allotments in the locality	Allocated under Draft AL/CRS5 for only 35-45 dwellings compared to 50-67 in the AECOM assessment. However, in the SHELAA it is considered unsuitable as 'it has not been possible to demonstrate that a safe vehicular access could be provided into the site that would not have an adverse impact upon the character of the Conservation Area, and upon the character of the Angley Road. Any likely yield from redevelopment of the library is likely to be of a scale that is not considered suitable for allocation'. Access looks to be achieved from Angley Road but there does not appear to be enough frontage to achieve an adequate access. In addition, the vicinity of Quaker Lane from the likely access location will need to be reviewed in any case. A planning application (21/00519/FUL) for 35 dwellings was refused in May 2021 for 13 reasons, including access and heritage impact. Red
157	The Tanyard Woodyard, The Tanyard, Cranbrook TN17 3HU	0.22	Urban back land	7-9	Green – appropriate for allocation with minor constraints	It would be relatively easy to provide vehicular access to the site; though it would be at the end of a long cul-de-sac, it benefits from direct pedestrian and cycle connections to services and facilities within the town centre and the small size of the site would reduce traffic impact; there is a fairly steep slope on the site that would need to be	A narrow site constrained by topography and access from the Tanyard. As undeveloped it forms part of the setting of the green corridor along Crane Brook. To develop this site would reduce the width of the corridor and urbanise this edge of green finger. Would not describe as urban backland. Views across the site towards the

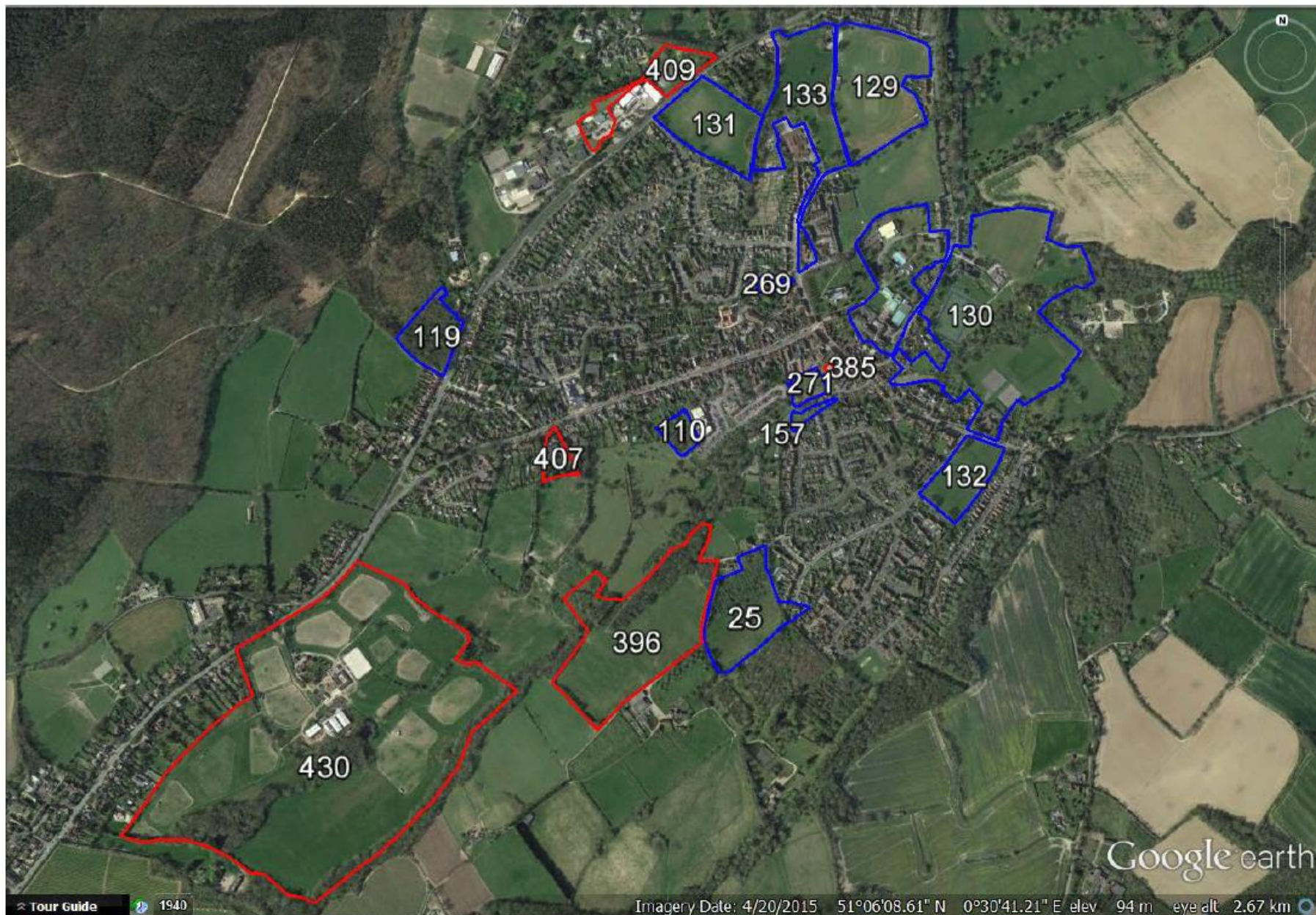
Site ref	Location (see maps below)	Site area (ha)	Current land use	Assessed dwelling yield	Aecom assessment	Aecom Assessment rationale	Berkeley Team Comments
						mitigated through appropriate housing design and layout, which would also seek to respond to the adjoining conservation area and nearby listed buildings	<p>church and over the conservation area from streets to the south would be compromised. The narrowness of the site would be challenging to resolve an appropriate design response relative to adjacent uses, public spaces and access. Existing trees to the north will limit the extent of useable space. Would not consider these constraints as minor.</p> <p>A submission (ref. 18/04003/BRF) to the Brownfield Register for 7-9 dwellings refused in 2019 on the basis of access and impact on AONB.</p> <p>Windfall</p>
159	Land south of The Street, Sissinghurst	0.55	Agriculture	16-22 dwellings	Amber – suitable for development with minor constraints	The site performs well on a number of criteria but access issues, which led an existing application to be withdrawn, need to be resolved. Additionally, design and layout, including in terms of visual impact/building heights, need to be sensitive to adjacent conservation area and listed building. Subject to satisfactory resolution of these issues, the site is very-well located in terms of services and facilities, visual and ecological impacts are limited relative to other Sissinghurst sites, and there is potential for development to enhance a community facility (Village Hall/St George’s Institute).	<p>An application ref. 17/02976/FULL for 9 dwellings was withdrawn due to access issues).</p> <p>Allocated in draft Local Plan under policy AL/CRS 6 for approximately 20 dwellings.</p> <p>Amber</p>
269	Museum and land, Carriers Road, Cranbrook	0.16	Museum	Would need to be assessed by architect who specialises in historic buildings, but estimated at between 2-4 dwellings as conversion of existing building	Amber – appropriate for allocation with significant constraints	The site is suitable for redevelopment for housing uses subject to significant heritage constraints, which would entail no additional buildings within the existing curtilage and sensitive redevelopment of the existing building without any material changes to its external appearance, in line with the duty to protect and enhance conservation areas. Additionally, NPPF paragraphs 28 and 70 indicate	<p>In contrast to the Application site, this one involves direct impacts on a heritage asset, and its setting. This contrasts with the Turnden site where, as accepted in the SoCG with the LPA, there is not even intervisibility as between the proposals and nearby heritage assets.</p> <p>There is no relevant planning history at the site.</p>

Site ref	Location (see maps below)	Site area (ha)	Current land use	Assessed dwelling yield	Aecom assessment	Aecom Assessment rationale	Berkeley Team Comments
						that any redevelopment without re-provision of the museum, which is an important community facility, in a suitable alternative location, would not be permitted	Windfall
385	The Providence Chapel, Stone Street, Cranbrook	0.03	Unused Chapel	Would need to be assessed by architect who specialises in historic buildings, but estimated at between 1-2 dwellings as conversion of existing building	Amber – appropriate for allocation with significant constraints	The site is suitable for development subject to sensitive redevelopment of the existing listed building without any material changes to its external appearance, in line with the duty to protect and enhance conservation areas. As the Chapel is disused, there would be no loss of a community facility and the location in terms of access to community services and facilities is outstanding. Minimisation of impact on nearby underground Victorian culverts should be considered in any redevelopment.	The proposals would necessarily entail a significant and harmful change to the physical form of a statutorily listed building, involving its subdivision to enable a domestic use, with a marked change to its character, also harmful and notwithstanding the attempts to minimise harm. The Application proposals have no such direct impact, or indeed any tangible setting impact on listed buildings in the CA or otherwise in the locality of the site. There is no relevant planning history at the site. Windfall
407	Land at Brooksdan, High Street, Cranbrook	0.41	Back garden of veterinary hospital	5-8 dwellings (developable area reduced due to mature trees in a conservation area, and assumption that existing building will remain in use as a veterinary hospital)	Amber – appropriate for allocation with minor constraints	The site is a large back garden within a conservation area that has no impact on listed buildings but has a number of mature trees; development should seek to ensure no net loss of trees. Other than this consideration, the site has few constraints; it is highly accessible for services and facilities and the visual impact of development would be very limited. Visual inspection reveals an existing derelict property that could have heritage value when restored, and development could have potential for restoration of this property as 1-2 dwellings.	Backland development that could retain the character of the high street with a suitable design and would be contained within the existing built envelope (gardens)/ Access will be problematical as this will be an urbanising impact on the character of the High Street at this part of the town – which is leafy and verdant. Many large trees which reduces the net developable area and will impact on amenity, agree that 1-2 dwellings as a conversation reasonable. An application (ref. 19/00375/OUT) for four dwellings refused in 2019, appeal dismissed. Reasons for refusal were the impact on Cranbrook Conservation Area, and undue harm to biodiversity.

Site ref	Location (see maps below)	Site area (ha)	Current land use	Assessed dwelling yield	Aecom assessment	Aecom Assessment rationale	Berkeley Team Comments
							Windfall
409	The High Weald Academy, Angley Road, Cranbrook	1.70	Secondary School	Difficult to ascertain without clearer understanding of developer's intention and/or detailed masterplanning but were site to be developed entirely for housing and school re-provided elsewhere, then between 46-61 dwellings.	Amber – appropriate for allocation with minor constraints	The site could have potential for housing but without clearer evidence of developer intention and/or a masterplan, it is difficult to comment in detail. If the site were to be developed for uses other than a school, the school would need to be re-provided on a suitable alternative site. Additionally, redevelopment of playing fields would need to pass the NPPF para 74 test. The site is not particularly accessible by foot to community services and facilities in Cranbrook town centre.	<p>SHELAA considers this site <i>unsuitable</i> as a potential allocation, because 'there is concern about the deliverability of the site, that provides uses associated with the immediately adjacent secondary school, in the Local Plan period.' School is still open. The school is the only alternative secondary education facility to the selective Cranbrook School. The School could not be re-provided within Cranbrook without encroaching into the AONB, with a significant major impact greater than housing.</p> <p>There is no relevant planning history at this site.</p> <p>RED</p>
430	Turnden Farm, Hartley Road, Cranbrook	27.64	Farm and surrounding agricultural land	Difficult to ascertain without clearer understanding of developer's intention and/or detailed masterplanning. What is clear is that redevelopment of the entire site is not proposed, which would in any case fail the test of suitability. Based on the footprint of existing buildings and the heritage constraints of the listed farmhouse, it is estimated that the indicative range of dwellings the site could accommodate would be around 30-50, probably	Amber – appropriate for allocation with significant constraints	Due to the potential risk of perceived or actual coalescence between Cranbrook and Hartley, only a small proportion of the site should be developed; it is understood that this proportion would be in or around the existing footprint of farm buildings in the centre of the site. If this is the case, development would need to be sensitive in terms of respecting the setting of the Grade II listed Turnden Farmhouse. The site is very poorly located in terms of walking distance to services and facilities and will as a result be mainly car-based, but this is to an extent mitigated by the site's assumed limited capacity and the benefits of redeveloping/intensifying existing underused buildings.	Application site

Site ref	Location (see maps below)	Site area (ha)	Current land use	Assessed dwelling yield	Aecom assessment	Aecom Assessment rationale	Berkeley Team Comments
				as residential-led mixed use development.			

Figure 7: Sites in Cranbrook to be assessed in detail (TWBC Interim SHELAA sites in blue, sites not previously assessed in red)



Source: Google Earth

Figure 8: Sites in Sissinghurst to be assessed in detail (TWBC Interim SHELAA sites in blue, sites not previously assessed in red)



Source: Google Earth