

Appendix 1



Patrick Durr Associates

Planning & Development

Our Ref: PD/JAR3

18 March 2022

Planning Department
Tunbridge Wells Borough Council
Mount Pleasant Road
Royal Tunbridge Wells
Kent
TN1 1RS

Dear Sir

Sharps Hill Farm, Queen Street, Sandhurst, Kent, TN18 5HR

We write on behalf of Sam Jarvis Properties Limited who is the applicant and developer promoting Sharps Hill Farm for future residential development.

Further to our ongoing discussions regarding the above site, we provide the following documents to enhance the evidence base for Policy AL/SA2 of the emerging Tunbridge Wells Borough Council Local Plan 2020-2038:

- Letter from Patrick Durr Associates to Tunbridge Wells Borough Council dated 10 February 2022
Letter considering the Previously Developed Land at Sharps Hill Farm and supporting appendices.
- Landscape and Visual Impact Assessment by Jon Etchells Consulting dated March 2022
- 22.036-SK0004-P1 Proposed Site Layout (Indicative) dated March 2022
Indicative proposed site layout responding to Policy AL/SA2 and the Landscape and Visual Impact Assessment.

We believe that the latest supporting documents prove that a strategic housing development is viable at the site. An informed design can accommodate both the policy criteria and recent appeal decision.

We consider that the refused planning application 19/01493/OUT and associated appeal do not impact the strategic policy, as the former proposal was poorly presented and did not respond to the site or its setting.

For completeness, we provide a brief background and consideration of both the 19/01493/OUT refusal and the latest supporting documents below.

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Background

Sharps Hill Farm consists of a single storey dwelling, ancillary outbuildings and a 'L' shaped stable block and yard, all set within 1.54 hectares of surrounding garden and paddocks. The land has been poorly maintained over the last two years and most of the paddocks are overgrown.

The site retains two accesses onto Queen Street to the north-east and south-east of the property. The north-east access is the main entrance and is shared with neighbouring residences to the north.

Sharps Hill Farm is situated outside the Limits to Built Development of Sandhurst but is adjacent the Sandhurst settlement boundary. The site is within the High Weald Area of Outstanding Natural Beauty (AONB), but not within a conservation area.

Tunbridge Wells Borough Council included the site within its emerging Local Plan 2020-2038 under draft Policy AL/SA2. The emerging Local Plan is currently at public examination. Draft Policy AL/SA2 considers the site suitable for 10-15 dwellings across a reduced area of the property.

On 29 May 2019, the developer submitted an outline planning application for the following development:

"19/01493/OUT - Outline (all Matters Reserved except Access and Layout) - Residential development of up to 31 no. dwellings with associated parking, amenity and landscaping"

This was later amended to 16 dwellings with all matters reserved except access.

Unfortunately, despite planning officer support, the application was refused at planning committee on 5 February 2021 due its impact on the AONB. On planning balance, the subsequent planning appeal was dismissed on 5 November 2021 upholding the same reason for refusal.

In response, the developer has reconsidered the draft Policy AL/SA2 and its evidence base, has undertaken a full Landscape and Visual Impact Assessment (LVIA) and commissioned a new, indicative site layout. It is hoped that the latter two documents demonstrate that the site remains appropriate for residential development and a future scheme can accord with both the draft policy and Planning Inspectorate concerns.

19/01493/OUT commentary

Following our independent consideration of the refused 19/01493/OUT application and related appeal, respectfully we believe that it was the submission that was at fault and not the site itself.

The 19/01493/OUT application was significantly amended on three occasions, which saw the number of proposed units reduced from 31 to 16. The draft Policy AL/SA2 suggests a capacity of 10 – 15 units. It is also highlighted that most local objections were provoked by the initial 31 house scheme, yet the later revisions received far fewer representations.

Further, the supporting landscape statement was a later addition, and the heritage statement was not updated for each revised layout. Therefore, the final proposal was not designed in accordance with the reports' findings and recommendations. As identified by the Inspector, the quality of the statements was found to be lacking in part.

The 19/01493/OUT landscape statement by Hill Wood and Co. was not a full LVIA and did not wholly consider the impact of proposed development. The lack of consideration and justification was

particularly damaging, especially since both the Council and Inspectorate found the main reason for refusal to be the AONB impact.

At Part 3.1.8 of our attached LVIA, Jon Etchells comments on the 19/01493/OUT submission as follows:

“No full or detailed assessment was submitted with the previous application or was available to the Inspector determining the appeal. That is important, because the Inspector made some assumptions about levels of visibility and effects (for example that there would be views of the new dwellings from Queen Street and the footpath to the south west) ...”

Although application 19/01493/OUT was only an outline submission, the proposed site layout suggested an orthogonal, austere design which occupied the centre of the plot and encroached on the land towards the highway. The layout reflected more of a contained urban development and not an edge of settlement scheme. The latter should seek a design and density befitting of the urban to rural transition. By focusing the outline development within a confined area, it increased the impact of the proposal and exacerbated the housing density.

Additionally, the 19/01493/OUT indicative layout did not sufficiently protect the setting of the neighbouring heritage assets. Although, on planning balance, the Inspector found that the impact was minor, they stated that the development alongside the north boundary unnecessarily affected the listed buildings.

Respectfully, although supported by the planning department in principle, and noting that the submission was only in outline form, we do not believe 19/01493/OUT demonstrated a low impact development within the AONB. As such, we are unsurprised that the application was dismissed at appeal. We do not believe that the former application or appeal decision impacts the strategic housing allocation, or an improved future development at Sharps Hill Farm.

Latest supporting documents commentary

In contrast, we provide the latest supporting documents which demonstrate that an alternative, carefully designed residential scheme is viable at the site, when responding to both Policy AL/SA2 and the recent appeal decision.

The Etchells LVIA has demonstrated that the site is suitable for a low-density housing development and the indicative site layout reflects the property and its setting. The LVIA has similar findings and recommendations as the Council's 'Landscape and Visual Impact Assessment of Proposed Allocation Sites within the High Weald AONB 6.10 Sandhurst dated 2020'. The latter was undertaken by the Council when considering the property as a possible strategic development opportunity. It is noted that the 19/01493/OUT application failed to take into account the findings and recommendations of the Council's LVIA report.

The Etchells LVIA has also been undertaken during the winter season at a time when the site is most visible due to the lack of tree foliage. Despite this, the conclusion remains that a development may be suitable at the site, with a “slight adverse” impact on the landscape designation at worst (5.12). The existing site has been assessed as having medium landscape quality and value, whilst limited proposed development would be of lower sensitivity, with no significant visibility from the wider AONB (5.9). Significantly, the 19/01493/OUT appeal decision was unable to come to the same conclusion, as the then landscape appraisal was not a full LVIA and did not assess the site in the winter months.

The 22.036-SK0004-P1 indicative site layout has incorporated all recommendations made by the Etchells LVIA at Part 3 of the report. Specifically, the proposal seeks to use a wider area for

development as suggested by Policy AL/SA2. This allows a more fluid scheme, which dissipates as it approaches the established boundaries. The development has been designed with no orthogonal elements, but a more organic appearance to better reflect an edge of settlement location.

The indicative layout has also incorporated mature trees to be retained at the centre of the site, which was informed by the former Arboricultural Survey and Etchells LVIA. Retained established soft landscaping reduces the AONB impact, allows a maturity of site and reflects Policy AL/SA2.

The development has also been moved away from the highway boundary to the south in accordance with the recent appeal decision, Etchells LVIA and Policy AL/SA2. An established green space has been introduced between the development and the neighbouring heritage assets, which seeks to address the recent appeal decision and reduces the impact on the listed buildings. Generous land remains to the south, east and north of the site for landscape and biodiversity enhancements.

The suggested accommodation mix has also been simplified to demonstrate a hierarchy of dwellings across the site. The mix includes both semi-detached and detached two-storey units, with detached 1.5 storey units to the south-west of the site. The latter accords with the Etchells LVIA and Policy AL/SA2.

Finally, we provide a letter to the Council dated 10 February 2022 which considers the Previously Developed Land at Sharps Hill Farm. We believe that it is important to correctly identify the previously developed areas of the property when considering the planning balance. National policy supports the effective reuse of brownfield sites, especially when these are strategically located and there is an established need for housing. As explored within our 10 February 2022 letter, the 19/01493/OUT appeal decision only acknowledged a minor area of brownfield land around the existing dwelling and garden. Consequently, in considering the planning balance, the Inspector was only able to attribute limited weight to the reuse of Previously Developed Land at Sharps Hill Farm. Conversely, it is expected that having now identified the true extent of brownfield land at the property, sufficient weight may be afforded to the effective redevelopment of the site in the future.

Comparison between 19/01493/OUT and latest supporting documents

At Figure 1, we list the Policy AL/SA2 requirements and consider these against the 19/01493/OUT submission and the latest indicative plan. A traffic light system is used to highlight compliance (green), neutral (amber) and dissent (red).

Policy AL/SA2 Requirements	19/01493/OUT	22.036-SK0004-P1 Indicative Plan
10-15 dwellings	16 dwellings	14 dwellings
(1) Single access from Queen Street supported by Transport Statement	Single access from Queen Street, with Transport Statement	Same single access from Queen Street.
(2) Neighbouring heritage assets will be maintained through design and layout, as informed by LVIA and Heritage Statements	Neighbouring heritage assets' setting not maintained as per appeal decision. No LVIA undertaken. Heritage Statement not produced by suitably qualified professional.	Neighbouring heritage assets' setting maintained by creating green buffer and general layout, as informed by LVIA.
(3) Regard should be given to retention of existing hedgerows and mature trees on site.	No existing trees shown as retained at centre of site.	Existing mature trees retained across the site and incorporated into the design. Architect informed via Arboricultural Survey and LVIA.
(4) Layout and design should be informed by LVIA and should respond to existing settlement pattern. Consideration to the well treed area, edge-of-village location, and a	No full LVIA undertaken. Layout not shown to respond to existing settlement pattern, as per appeal.	Full LVIA undertaken. Layout shown to respond to existing settlement pattern, site, and neighbouring uses. Well treed buffers to north, east and south.

soft approach to the village. South-west corner of site to be low density.	Main focus of development at centre of site with south-west corner vacant.	South-west corner shown to be low density housing.
(5) Contributions to be provided to mitigate the impact of the development in accordance with Policy PSTR/SA1	N/A as refused application.	N/A as indicative scheme.

Figure 1 – Table listing Policy AL/SA2 requirements against 19/01493/OUT submission and 22.036-SK0004-P1 Indicative Plan

We believe that this simple presentation demonstrates that 19/01493/OUT did not fully comply with Policy AL/SA2, which is also reflected by the application’s appeal dismissal. In comparison, the table proves that an informed indicative design, as per 22.036-SK0004-P1, can accord with the policy requirements.

Summary

In summary, we believe that the 19/01493/OUT refusal has no impact on the viability of Sharps Hill Farm in continuing as a strategic housing opportunity under the emerging Local Plan.

It has been proven that the 19/01493/OUT application was insufficiently prepared and presented, which frustrated locals and hampered the Inspector’s consideration.

The latest supporting documents demonstrate that a revised development may be possible at the site, which would accord with the Council’s current evidence base and addresses the Inspector’s specific concerns.

It is important to highlight, that under 19/01493/OUT the Inspector was only able to assess the scheme as presented and they were unable to comment if a lesser, reworked or more informed development may be acceptable. In objecting to 19/01493/OUT on 11 December 2020, Sandhurst Parish Council intimated that a revised redevelopment may be supported:

“This does not mean that we are necessarily opposed to sympathetic and limited redevelopment of the site on a scale more appropriate to the habitat and specific site attributes.”

We are content that the latest information confirms Sharps Hill Farm as a strategic housing opportunity, and that Policy AL/SA2 does not need alteration to ensure a successful, AONB compliant development.

We trust that the Council will continue to support the effective reuse of the property and specifically Policy AL/SA2.

Please do not hesitate to contact us if you have any queries.

Yours faithfully



Patrick Durr LLB AssocRICS

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