

CHIDDINGSTONE PARISH COUNCIL

Clerk to the Council
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16th May, 2019

Sevenoaks District Council
Argyle Road
Sevenoaks
Kent TN13 1HG

Dear Sirs,

I set out below Chiddingstone Parish Council's comments on the following planning application:

SE/19/01052/FUL: Newtyehurst Farm, Cowden Pound Road to Truggers Lane, Markbeech TN8 7DA

Background. Chiddingstone Parish Council considered the development of Newtyehurst Farm during the consultation on the Local Plan. It was met with very strong local resistance and subsequently rejected by the District Council. This application has met with equal resistance from local residents who have communicated a wide range of views against the development to the Parish Council. Chiddingstone Parish Council has confined its objections to those that appear contrary to national and local policy and its objectives. We have also highlighted where we agree with other statutory consultees.

Chiddingstone Parish Council **strongly objects** to this application on the following grounds:

1. This proposal represents a disproportionately large, isolated development in a remote part of the High Weald AONB. The site is in a deeply rural area, with narrow lanes, far-reaching views and scenic beauty. The proposed development of domestic buildings on this site would without doubt harm the character of the landscape in the AONB. The form and scale of this proposed development does not conserve and enhance the character of the landscape and therefore Chiddingstone Parish Council is of the view that the proposal is contrary to policy EN5 of the Allocations & Development Management Plan and contrary to policy 172 of the NPPF.
2. The Sevenoaks Countryside Assessment SPD describes the key features that distinguish this area and the character of the local landscape. The SPD states that Chiddingstone Hoath is a landscape of high sensitivity. A development of this scale would damage the almost unique character of this landscape in the district.
3. Contrary to policy EN5 of the Allocations & Development Management Plan, a development of this size would have a negative impact on the peace and tranquillity of the area. One of the defining features of this area is tranquillity.
4. The Government's Planning Policy Statement PPS1 sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. It states that one of the Government's objectives for the planning system is that planning should facilitate and promote sustainable urban and rural development by protecting and enhancing the natural and historic environment and the quality and character of the countryside (Para 5). In its key principles, PPS1 states that "design which fails to take the opportunities for improving the character and quality of an area should not be accepted" (Para 13.iv). This proposal does not improve the character and quality of this area and therefore we assess that it is contrary to PPS1.

5. The area is within the Green Belt. SDC's Core Strategy Policy LO8 states that the extent of the Green Belt must be maintained, and the countryside must be conserved and the distinctive features that contribute to the special character of its landscape and its biodiversity must be protected and enhanced where possible. Chiddingstone Parish Council assesses that an urban style, high intensity development on previously agricultural land is contrary to policy LO8.
6. Policy GB7 of SDC's Allocations & Development Management Plan states that proposals for the re-use of a building in the Green Belt will be permitted if it meets the following criteria:
 "The proposed new use, along with any associated use of land surrounding the building, will not have a materially greater impact than the present use on the openness of the Green Belt or harm the existing character of the area."
 This proposal is contrary to the policy GB7 as it would harm the existing character of the area and would have a materially greater impact than the present use on the openness of the Green Belt.
7. The NPPF policy 143 states that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Chiddingstone Parish Council has not seen, nor can find, any very special circumstances attached to this proposal.
8. Policy SC1 of SDC's Allocations & Development Management Plan states that the District Council will take a positive approach that reflects the presumption in favour of sustainable development. The Parish Council notes that this site was rejected for development under the SDC Local Plan because it was not sustainable. The Parish Council strongly agrees with KCC Highways that this location is not sustainable due to the absolute reliance on the ownership of a private car to live in this location. We highlighted then and do so again that this site is not in a sustainable location because:
 - the site is in a very rural and remote location, with narrow lanes
 - there are no bus services to Edenbridge or Tunbridge Wells passing the site, and specifically no bus route to a secondary school within a mile of the site.
 - the local doctors surgeries are currently over-burdened
 - there is no pedestrian access to a bus stop or railway station
 - the proposal is contrary to Policy SC1 and EN1, which states that proposals must ensure satisfactory means of access for pedestrians.
 - residents in these proposed dwellings would rely on a private car for travel
 - the impact of this proposal on the surrounding environment, landscape, habitats and biodiversity, including the Green Belt and AONB, would be huge and this proposal has no regard to these issues.
9. Section 2 of the NPPF Paragraph 12 states 'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'" Chiddingstone Parish Council has not seen, nor can find, any material considerations attached to this proposal.
10. Part of this site is within the Woods South of Chiddingstone Castle Local Wildlife Site and the proposed development would result in the loss of a woodland strip. Policy SP11 of the SDC Core Strategy states that 'the biodiversity of the District will be conserved and opportunities sought for enhancement to ensure no net loss of biodiversity. Sites designated for biodiversity value will be protected with the highest level of protection given to nationally designated Sites of Special Scientific Interest, followed by Local Wildlife Sites and sites of local importance for biodiversity.' The proposal, in our view, is therefore contrary to Policy SP11.
11. The NPPF policy 177 states that "The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site. KCC's Ecological Advice Service states in its comments to this application that the proposal does not include enough information regarding the impact of the proposal on the Local Wildlife Site, in particular Great Crested Newts. Another specific concern for this site is that Bechstein's bat, status - very rare, indeed one of the UK's rarest mammals, was first found in Kent hibernating in 2001. A lactating female was recorded in 2009, and subsequently a maternity roost was discovered in 2012. The light pollution and disruption from the building would severely affect any colonies in woods close to the site.

Chiddingstone Parish Council is of the view that full ecological survey is required, including a bat survey, prior to any decision, but is certainly essential as a condition to adhere to policy 177.

12. Ancient woodland takes hundreds of years to establish and is an irreplaceable habitat. Ancient woodlands house many endangered species. Only 2% of UK land is covered with ancient woodlands. Not only will the development be adjacent to an ancient woodland but, whilst the building works are being carried out, there will be considerable disturbance on the site. The NPPF policy 175c states 'development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and suitable compensation strategy exists.' Chiddingstone Parish Council is not aware of any wholly exceptional reasons attached to this proposal.

Chiddingstone Parish Council strongly objects to this application. Members wish to reiterate that this is an objection. However, if SDC feels that the application, contrary to the policy evidence made with our objection, satisfies planning policy, then the Parish Council would like to request that the following conditions be imposed:

1. The earth bund to the South of the site must be retained in order to minimise the visual impact of the development.
2. The social housing aspect of the scheme must only be available for people with a strong local connection.
3. English Rural Housing Association must be offered the management of the social housing units.
4. There must be no permitted development rights attached to these units in future.
5. A bus service must be routed past the development site, for Chiddingstone Primary School, for the secondary schools in Tunbridge Wells, and throughout the day for access to shops.
6. The bridleway from the rear of the site towards Chiddingstone must be enhanced to form a cycle path.
7. The footpath that runs towards Cowden Station must be enhanced.
8. Landscaping must be included in the scheme to reduce the visual impact.
9. Only low-level lighting will be allowed on site.
10. A full and detailed bat survey is undertaken.
11. An impact assessment is carried out with regard to Great Crested Newts.
12. An impact assessment is carried out with regard to the Local Wildlife Site.
13. An impact assessment is carried out with regard to the ancient woodland adjacent to the site.
14. Adequate parking provision is included in the scheme to take account of residents, visitors and delivery vehicles.

As a final note, it has been brought to the Parish Council's attention that a covenant on the land has been identified in the deeds. The Parish Council would like to be reassured by Planning Officers that this covenant does not impact the application.

Yours faithfully,

Louise Kleinschmidt

Clerk, Chiddingstone Parish Council