

Ian Russell

From: "Ian Russell" [REDACTED]
Date: 21 August 2019 14:45
To: <NDPReg14@benendenparishcouncil.org>
Attach: Nancy Tollhurst Email 2nd August 2019.pdf; LEA5.pdf
Subject: Local Green Spaces - Standen Street Orchards

Dear Caroline,

Further to the attached:

CONSULTATION OPENS: REGULATION 14

 **Editor**  16th August 2019

 **No Comments**

The NDP was first published as a rough draft on 23 February, inviting suggestions and comments from residents and other stakeholders. Since then, the plan has been extensively rewritten; we haven't altered any of the main site allocations, but we have checked planning regulations to ensure that our plan complies with relevant laws and guidelines, and we have also established that alternative sites would not meet the approval of the Area of Outstanding Natural Beauty management unit or satisfy the priorities within the National Planning Policy Framework.

Benenden Parish Council approved the revised NDP on 15 July and the next stage of consultation can finally begin today, 16th August. This revised document is available here [Regulation 14 Plan](#) on the NDP website, and we have made a few hard copies available in the community shop and parish office for those who do not have internet access.

Please review and make comments, direct to Caroline Levett (NDPReg14@benendenparishcouncil.org) who as clerk to the Parish Council will coordinate feedback. The Regulation 14 consultation is open for a minimum of six weeks. The closing date for comments will be Friday 11th October. Once the consultation has closed, the NDP team will review feedback, make further adjustments and then publish the Regulation 15 Plan, probably in December.

Paul Tolhurst, Chair, NDP Chair

 Posted in [Consultation](#), [General News](#)

Please find attached a copy of my earlier email to Nancy Tollhurst representing our objection to inclusion of the Standen Street orchards within the proposed LGS designation.

The site fails to meet key selection criteria;

Reasonably Close Proximity to the Community it Serves:

It does not serve a community for the reasons set out in the attached email although you may be forgiven for believing it does based on false representations made by the identified party. Even if those

representations were true the site cannot be considered to fall within the general working definition of being within 5 minutes walking or 300 metres.

Demonstrably Special to the Local Community:

Subset to this selection criteria are Historical Significance in which respect the site scores poorly meeting just one of its relevant tests. In respect of Recreational Amenity, again the site scores poorly given that the site has no public access other than two very short runs of public footpath at either end of the orchard. Access to the remainder of this 55 acre orchard is very strictly controlled under the terms of individual legal ownership documents established in 1972 when the orchard was land plotted and under the terms of restrictive covenants owned and enforced by the family which created and sold these plots. This family remains the single largest land owner within the orchard.

Other Considerations – Statutory Designations:

The PPG states that consideration should be given to whether any additional local benefit would be gained by designating land already protected by statutory designation and/or Green Belt policy as LGS. Planning officers are of the opinion that Green Belt policy provides sufficient protection for sites not covered by other designations, especially given that the NPPF confirms that Local Plan policies for managing development within a LGS should be consistent with Green Belt policy.

The Standen Street orchard currently enjoys protection afforded by its AONB status, being outside LBD1, having an Agricultural Land Classification Grade 3, being situated within a local conservation area and importantly being subject to the special Article 4 direction established by TWBC at the time of land plotting and still in effect withdrawing all normal permitted development rights. Standen Street which provides access to the orchard is itself a designated rural lane within the Rural Lanes SPG.

Summary

In summary there is no credible basis for including the Standen Street orchards within the list of sites being considered for LGS designation either in terms selection criteria applied when assessing suitability and community value or in terms of its protection needs given other systems already established to serve that important purpose.

Do please ask if further information or additional commentary is required otherwise I look forward to hearing from you with confirmation that the Standen Street orchard is no longer being considered for LGS designation.

With kind regards.

Ian Russell
