

**Agenda Item No:** 10

**Report To:** CABINET

**Date:** 9<sup>th</sup> JUNE 2016

**Report Title:** **The Local Plan to 2030 – Regulation 19 Draft Plan for Publication**

**Portfolio Holder:** Cllr Bennett (Planning, Development and Enforcement)

**Report Author:** Simon Cole, Head of Planning Policy & Economic Development



**Summary:** The Publication version of the Local Plan to 2030 sets out the Council's proposed set of planning policies for new development over the next 14 years, including new allocations of land for housing and other uses and policies to inform the Council in its development management functions.

The draft Plan has been produced to meet the 'Duty to Cooperate' and the tests of soundness in the National Planning Policy Framework (NPPF) and its associated practice guidance and in light of a large amount of informal local consultation with residents across the borough and a whole range of other stakeholders.

It is proposed to publish the draft Plan for an 8-week public consultation period, following which the council will need to consider the representations that have been received and decide whether to make any amendments to the Plan prior to its formal submission to the Planning Inspectorate for public examination.

**Key Decision:** YES

**Affected Wards:** All

**Recommendations:** **The Cabinet be asked to:-**

- i) Agree the content of the Regulation 19 Publication Draft Local Plan to 2030;**
- ii) Subject to (i) above, the Publication Draft Local Plan to 2030 be subject to 8 weeks public consultation;**
- iii) Authorise the Head of Planning Policy & Economic Development, in consultation with the Director of Development to make any necessary clarifications or minor textual changes to the Publication Draft Local Plan to 2030 prior to its publication; and,**
- iv) Agree that any delay to the above decisions**

**becoming implementable would seriously prejudice the Council's and the public's interests, for the reasons set out in para. 31 of the report, and that therefore with the consent of the Chairman of the Overview & Scrutiny Committee, these decisions are being made at this meeting as Urgent decisions within Overview & Scrutiny Procedure Rule 15(j).**

<b>Policy Overview:</b>	Following the Cabinet's agreement to the policies contained within the Publication Draft Local Plan to 2030, these policies will assume limited weight in decision-making for the Development Management function of the Council. Such weight will increase until the Plan is adopted at which point extant Development Plan policies shall be superseded unless otherwise specified.
<b>Financial Implications:</b>	The Publication Draft Local Plan to 2030 sets out proposed policies seeking financial contributions to new services and infrastructure from developers. Indirectly, the Plan proposes new housing development that will act as a source of revenue to the Council via Council Tax receipts and New Homes Bonus and place some additional demand on services provided by the Council. Proposals for new employment development in the borough may act as a source of additional business rates.
<b>Risk Assessment:</b>	YES
<b>Equalities Impact Assessment:</b>	YES – no significant outstanding issues identified.
<b>Other Material Implications:</b>	None
<b>Background Papers:</b>	Regulation 19 Draft Local Plan to 2030
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**Purpose of the Report**

1.     This report details the proposed new draft Local Plan for the borough and the intended process and timetable for public consultation on the document.

**Issue to be Decided**

2.     The Cabinet is asked to approve for Regulation 19 Publication Draft version of the Local Plan to 2030 for an 8 week period of public consultation.

**Background**

3.     Much has changed in the context of national and local planning policy since the last principal planning policy document for the borough (the Core Strategy) was adopted in 2008. Fundamentally, the revocation of the South East Plan (along with the entire tier of spatially strategic higher level planning policy documents) and the introduction of the National Planning Policy Framework (NPPF) in 2012 has created a very different background to the centrally-led 'Growth Area' context under which the Core Strategy was prepared.
4.     The Borough Council's role in plan-making is now firmly established as being responsible for not just identifying where new development should be located and how it should be controlled and managed but also in identifying (and justifying) how much development needs to be planned for.
5.     The Government is also strongly advocating the need for Local Planning Authorities to ensure they have up to date Local Plan coverage in place that reflects the aims and objectives contained within the NPPF.
6.     Whilst the current Core Strategy was prepared under very different circumstances, it also has an end date of 2021 and was due to be updated nonetheless. The new Local Plan looks ahead to an end date of 2030 although a formal review date of 2023 is included.
7.     When adopted, the new Local Plan will supersede, with one exception, the current suite of Development Plan documents contained within the Local Development Framework (Core Strategy, Town Centre Area Action Plan 2010, Tenterden & Rural Sites Development Plan Document 2010 and the Urban Sites & Infrastructure Development Plan Document 2012) as well as any saved Borough Local Plan 2000 policies. The exception is the adopted Chilmington Green Area Action Plan (July 2013) that will be saved and continue to form part of the Development Plan for the Borough alongside the Local Plan to 2030.

**The Main Issues**

8.     As referred to above, the Local Plan to 2030 needs to set the Council's housing and employment development targets for the Plan period as well as the identifying

locations for where this development shall be brought forward. This section of the report sets out the main issues and how the draft Plan covers them.

### Housing and employment targets

9. Government planning policy is clear that a Local Plan housing target should be principally informed by a thorough and objective assessment of likely housing needs in the borough over the Plan period through a Strategic Housing Market Assessment (SHMA). The Council commissioned a SHMA in 2014 which was subsequently updated in 2015 to take account of the most recently published household and population projections.
10. The outcome of the SHMA work indicated a need for around 14,000 new dwellings in the borough between 2011 and 2030. This took into account natural population growth expected from the current population alongside population growth expected from net migration to the borough over the Plan period. Traditionally, the borough has seen net inward migration from the rest of the country and, in particular, from London, where property prices far exceed those in the local area. The presence now of the HS1 rail link to St Pancras and the marked reduction in journey times between Ashford and London increase the borough's attraction as a location to live and can be reasonably expected to at least continue the general pattern of migration from the capital to the borough. Although the SHMA figure makes assumptions about net migration from London to Ashford over the Plan period based on previous trends, as a consequence of the HS1 factor and the relatively depressed rates of in-migration over the recent years of economic recession, officers consider it is prudent to plan for a modest additional housing allowance of around 700 dwellings over the rest of the Plan period to account for greater out-migration from London to the borough as part of this Plan.
11. Officers have also paid due regard to the need to address the 'Duty to Cooperate' that is a fundamental legal requirement of the Plan-making process. Close liaison at officer level with neighbouring LPAs, statutory bodies and infrastructure providers has taken place throughout the draft Plan's preparation and the SHMA was undertaken simultaneously as part of the same commission as that supporting the emerging Local Plans in Maidstone and Tonbridge & Malling. There are no current requests from any LPA to this borough to accommodate any of their unmet housing needs and, in any event, officers consider that there is no scope for significant additional housing to be delivered in the borough beyond that being proposed in the draft Plan without consequent adverse social and environmental impacts. As such, it is considered that the 'Duty to Cooperate' has been met.
12. National guidance also requires LPAs to assess the likely employment growth in their districts and whether this should influence the housing target in the Local Plan. One of the initial pieces of work commissioned to support the new Plan considered 4 different potential economic scenarios for the borough based on different combinations of local and macro-economic factors. At the time of the study, national economic growth predictions were lower than they are now and so the 'downsides risks' scenario that was presented as the most likely at the time is now considered to be too pessimistic. Instead, a 'baseline' economic scenario that predicts job growth on a trajectory similar to that experienced across the economic cycles of the previous decade or so is now preferred as the basis for the employment allocations and policies in the draft Plan. Higher job creation scenarios were also tested but these are considered to be less likely to come about at this stage and rely to a

considerable extent on national and international economic factors around which there is some uncertainty at the current time.

13. The 'baseline' economic scenario was then tested as part of the SHMA work to see if any adjustment to the housing target figure was necessary to deliver the planned jobs growth. However, other than a very minor adjustment of a few dwellings per annum, the SHMA assessment of housing need in the borough was considered to be adequate to deliver the planned jobs growth. It is worth noting that government planning guidance is clear that, even if a lesser amount of jobs were to be expected, the Plan's housing target should not be adjusted downwards for this reason.
14. Given that the evidence base (and therefore, the overall development targets) for the Plan runs from 2011, some of the housing and employment targets have already been met through completions since 2011. As far as housing is concerned, around 2,500 dwellings have been completed in the 5 years from 2011-16, leaving a net housing target of c.12,200 from 2016 to 2030 (857 dwellings pa). Of this number, around 8,700 units are expected to be delivered on a combination of allocated sites that are carried forward from existing Development Plans, sites with extant planning permission, or on future 'windfall' sites. For example, based on reasonable completion rates to 2030, the Chilmington Green development is expected to deliver 2,500 of the net housing target.
15. As a result, the draft Plan assumes a net requirement from new site allocations of around 3,500 dwellings across the borough. This represents a very significant reduction in the amount of new sites needing to be allocated for development than was faced in the preparation of the Core Strategy, where, by comparison, delivery rates in excess of 1,000 dwellings per annum were required to be achieved over a 20 year period.
16. It should be noted that the draft Plan also allows for a modest buffer above the proposed housing target of some 400 dwellings in order to provide greater certainty that the target figure will be achieved. Such an approach thus allows for some slippage in the delivery of either existing commitments or proposed new sites against the housing trajectory that forms part of the draft Plan without putting the council's strategy at risk.

### Major site allocations

17. In line with previous Development Plans for the borough, the overall distribution strategy focuses the large majority of new site allocations (and all new large housing allocations) in and around Ashford. Elsewhere, a less strict approach to a rural settlement hierarchy has resulted in a variety of larger and smaller villages being proposed for limited expansion, whilst in Tenterden, the second stage of the TENT1 site south of the town is re-allocated.
18. This distribution strategy takes account of the need to balance a sustainable pattern of new development with deliverability. There is a variety of different sized sites proposed for residential development, with the largest able to contribute towards delivering new facilities and infrastructure that will serve existing and future residents whilst smaller sites should be able to come forward relatively soon thus ensuring a consistent supply of deliverable housing against 5 year housing land supply targets.

19. Around Ashford the main proposed allocations are at:-
- Court Lodge Farm (policy S3) – a residential-led scheme for up to 950 dwellings including a new two-form entry primary school, local centre of shops and services and extension to the proposed ‘Discovery Park’;
  - Land east of Willesborough Road, Kennington (policy S2) – a residential-led scheme of up to 700 dwellings including a new two form entry primary school;
  - Land at Eureka Park (policy S20) – a mixed use allocation for high quality employment space and residential development of up to 400 dwellings;
  - Land south of Kingsnorth (policies S4 and S5) – a combination of residential site allocations totalling 420 dwellings in aggregate creating a large green buffer zone south of Kingsnorth village.
20. In addition, further extensions to the existing residential areas at Park Farm and Finberry are proposed as well as the consolidation of the Waterbrook site off the A2070 as a mixed residential / employment site together with an enlarged truck stop facility.
21. The largest new site allocation in the rural areas is at Hamstreet, where a phased allocation of 80 dwellings is proposed on land opposite the primary school and is designed to deliver additional sports and parking facilities for the school that will enable its expansion to a full two-form entry school (policy S30).

## **Consultation**

22. Although this is the first time the composite draft Local Plan will have been subject to any form of public consultation, a large amount of local informal consultation has taken place to date. The initial stage saw officers engage with a variety of local communities through the ‘Plan-it Ashford’ exercise which sought to establish general likes and dislikes about their areas and what they considered to be the main issues that needed addressing, whether they be planning related or not.
23. Subsequently, a range of local events were arranged to exhibit the proposed sites that had been put forward for inclusion in the draft Plan through the ‘call for sites’ process. This provided local residents with a chance to comment on individual site options at an early stage and to inform officers of the local context. Further events were held in several locations to discuss remaining ‘shortlisted’ site options once the initial sieve of site submissions had taken place.
24. A considerable range of consultation has also taken place in the context of the evidence base that supports the Local Plan in both the completed studies and those still emerging. This has involved local organisations, professional bodies, statutory consultees, infrastructure providers, developer interests as well as residents and parish / local councils where appropriate.
25. During the course of the Plan’s preparation, the Local Plan and Planning Policy Task Group has provided comments and feedback on emerging policies and site allocations. Ward Members have also been advised separately on proposed site allocations in their wards and offered the chance to discuss these with the Leader and Portfolio Holder for Planning & Development.

26. The Task Group considered the draft Local Plan at their meeting on 31st May and have agreed the draft Plan should now go forward for public consultation.

### **Risk Assessment**

27. The risks of the Council not updating its planning policy base are significant. Central government has indicated a willingness to intervene in Local Plan making in those authorities where Local Plans either do not exist or are seen as out of date and sufficient progress towards creating an up to date Plan has not been achieved by Spring 2017. The date of the Core Strategy (2008) may make the Council vulnerable to such intervention if progress towards a new Local Plan were to be delayed.
28. In addition, it is clear that the context in which the Core Strategy was prepared was very different to that pertaining now. A recent appeal decision highlighted the risks for the Council of relying heavily on extant Core Strategy policies when seeking to defend inappropriate housing proposals in the rural areas. It is timely for the Council to start to re-base its planning policies and wider strategy through the new Local Plan so that it may pay due regard to the requirements of the NPPF and the need to secure a consistent housing land supply at a more deliverable rate than envisaged in the Core Strategy.
29. Undoubtedly, the proposals in the draft Local Plan will receive scrutiny and criticism but the purpose of the public consultation exercise is to provide an opportunity for all stakeholders to comment and make alternative suggestions. Subsequent stages of the Plan-making process allow for the Council to review the draft Plan, and if necessary, make amendments prior to the formal submission of the Plan for examination. Any significant changes would, themselves, be subject to a further period of public consultation prior to Plan submission. Given this, there would be more risk associated with delaying the publication of the draft Plan than progressing to a full public consultation exercise now.

### **Handling / Next Steps**

30. If the Cabinet agrees the recommendation, it is proposed to carry out a period of formal public consultation lasting 8 weeks (two weeks more than the statutory minimum period). During this period, officers will also make arrangements for a series of exhibitions and events that will enable local residents to ask questions and find out more about the draft Plan. The Plan will be available to view and respond to digitally via the Council's website but hard copies will also be made available at several deposit points around the borough.
31. In addition, the Council will publish all the available supporting studies and evidence that have helped to inform the content of the draft Local Plan, although some, such as the SHMA, have been available to view on the council's website for several months.
32. The need to carry out this consultation, as far as possible, in advance of the summer holiday period when many people will be on holiday, is the reason for this report being brought to this Cabinet meeting as an Urgent item of business. It will not be possible to allow the usual time for the involvement of the Overview & Scrutiny Committee if the consultation is not to be delayed too far into the summer holiday period, which would seriously prejudice the Council's and the public's

interests. Therefore, the circumstances of the proposed decisions by the Cabinet have been explained to the Chairman of that Committee, who has agreed that they are reasonable in all the circumstances and that the Cabinet may take them at this meeting as Urgent decisions.

33. Following the consultation period, officers will consider and respond to all representations made and report to the Cabinet via the Local Plan and Planning Policy Task Group.

## **Conclusion**

34. The publication of the Draft Local Plan to 2030 represents a key milestone in the preparation of a new and updated planning policy base for the development in the borough. It will provide the first opportunity for all residents and stakeholders to see and comment on the Plan's proposals in the round and against the evidence base that has been assembled to support the Plan. Further work is still required to refine aspects of the Plan and the continuation of our work to fully understand the infrastructure delivery issues that will need to underpin the delivery of the Plan remains important. For example, the progress of Highway England's proposal for M20 Junction 10a is fundamental to the ability to deliver key aspects of the draft Plan.
35. Much work has been undertaken to date to support the preparation of this Plan and to inform some of the principal elements of it, such as the housing target and the location of major site allocations. The changing emphasis and detail in some elements of central government planning policy has provided a challenging background and there are still some elements (e.g. starter homes policy) where full clarity is still awaited. Nevertheless, it is considered that the draft Local Plan to 2030 is fundamentally sound and matches the Council's aspiration for the growth of Ashford with sensitivity around protecting the environment that provides the borough with so much of its character.
36. It is important to state that the publication of the proposed Local Plan to 2030 should be seen as formal recognition by the Council that Ashford should no longer be regarded as a regional 'Growth Area' in the sense conveyed by the Sustainable Communities Plan of 2003 and the subsequent Regional Spatial Strategy (since revoked). The draft Plan still envisages significant growth focused on Ashford but at a level that is more consistent with meeting its own needs over the next decade or so and which can more readily be delivered to a consistently high level of quality that is appropriate for the borough.

## **Portfolio Holder's Views (Cllr Bennett)**

37. Enormous efforts by the officer team over many months working with the Planning Policy Task Group, and in consultation with all elected members on proposed sites in their Wards, has produced this Draft Local Plan for the next 14 years of the proposed allocated sites for development to match our aspirations for quality growth of the borough until 2030.



38. I commend approval from Members for it to now be lodged for the eight weeks of public consultation.

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