

## **Local Plan & Planning Policy Task Group**

Notes of a Meeting of the Local Plan & Planning Policy Task Group held on the **25<sup>th</sup> May 2017**.

### **Present:**

Cllr. Clarkson (Chairman);  
Cllr. Clokie (Vice-Chairman);

Cllrs. Mrs Blanford, Bradford, Galpin, Shorter, Smith.

### **Apologies:**

Cllr. Mrs Dyer.

### **Also Present:**

Cllrs. Burgess, Dehnel, Hicks, Krause, Miss Martin.

Simon Cole – Head of Planning Policy; Ian Grundy – Principal Policy Planner; Jennifer Shaw – Housing Strategy Manager, David Jeffrey – Housing Enabling Officer; Jeremy Baker – Principal Solicitor (Strategic Development); Rosie Reid – Member Services and Ombudsman Complaints Officer.

## **1 Declarations of Interest**

- 1.1 Cllr. Clarkson made a Voluntary Announcement as he was a Director of A Better Choice for Property Ltd and a Member of the Weald of Kent Protection Society.
- 1.2 Cllr. Shorter made a Voluntary Announcement as he was a Director of A Better Choice for Building Consultancy Ltd and Kent Play Clubs.
- 1.3 Cllr. Clokie made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.
- 1.4 Cllr. Mrs Blanford made a Voluntary Announcement as she was a Member of the Weald of Kent Protection Society and the Campaign to Protect Rural England.

## **2 Local Plan to 2030 – revised Affordable Housing Policy**

- 2.1 The Head of Planning Policy introduced this item, and advised that it had been carried over from the last meeting. He drew Members' attention to the key points in the report, and explained that the principal reason for reviewing this Policy arose from the publication of the Housing White Paper in February 2017. This set out the Government's agenda for Affordable Housing, and provided more detail on the approach to Starter Homes and the minimum requirement indicated. As a result, it was now necessary to review how policy for Affordable Housing was contained within the emerging Local Plan. He explained the current adopted policy on Affordable Housing in the Core

Strategy, expressed in terms of percentages. The draft Local Plan, drafted prior to publication of the White Paper, proposed a broad split of Affordable Housing requirements into three geographic areas and three different categories, with a focus on the provision of Starter Homes. The White Paper had now removed the 20% Starter Home requirement, which allowed the Council to reconsider how best to distribute the types of Affordable Housing available. The White Paper also indicated a broader range of what was termed Affordable Housing. In light of this, viability consultants had been asked to review four specific geographic options and advise the Council how the current policy could be amended and implemented to incorporate the new Government proposals. The consultants considered that all options could be afforded, with headroom for Section 106 contributions to be made. The Head of Planning Policy explained that the revised policy did not propose any change from the draft Local Plan of June 2016 in respect of the total overall proportions that should be sought or the threshold at which that requirement would be triggered. The difference lay in the minimum proportion of Shared Ownership and Starter Homes. The White Paper allowed a broader view to be taken, to enable other Home Ownership products to form part of the total Affordable Housing requirement. The Head of Planning Policy advised Members that the recommendation was to amend the policy in line with the proposals shown on pages 9 and 10 of the Agenda.

2.2 The Chairman opened up the item for discussion, and the following points were raised:

- Members expressed concern about viability, and the potential danger of discouraging development. The Head of Planning Policy drew Members' attention to the current Core Strategy policy, which indicated the levels of Affordable Housing sought from developers at present. He said these requirements were set some time ago, under different circumstances. There was no overriding requirement at the time to viability test the percentages used in the policy, and therefore these figures did not have the same level of viability testing scrutiny as had been applied to the figures now proposed. In the Ashford Growth Area some developers had claimed that they could not meet the Affordable Housing policy requirement. Such claims had been independently assessed, and it was acknowledged that certain types of Affordable Housing, particularly the Affordable and Social Rented categories and flatted development, could not be afforded in these schemes. Members had previously taken the pragmatic view that development should be encouraged, and policy requirements should be waived in these circumstances. Deferred contributions were required where values had risen, and this was a fundamental factor in the policy. The Head of Planning Policy said that the Strategic Housing Market Assessment work that had been undertaken indicated that circa 45% of the overall housing need of the Borough fell into an Affordable category. However, there would be little point in seeking this percentage of Affordable Housing on new developments, as very little development would be viable. Therefore, it was necessary to find a balance which sought to deliver as much Affordable Housing as possible, in order to get as close to meeting the target as could be achieved, without discouraging development. In the rural areas, evidence was clear that developers could accommodate more

Affordable Housing provision. The Head of Planning Policy was confident that the proposed breakdown of total Affordable Housing requirement in rural areas was viable and would not discourage development from coming forward. A Member said she was concerned at the prospect of placing the majority of Affordable Rented accommodation in rural areas, as it would segregate a proportion of those on lower income in the rural areas. The Head of Planning Policy said the proposed proportions came out of the viability work. The rural part of the Borough was the most viable part, as house prices were higher. He acknowledged that the highest need for Affordable Housing was in the urban area and town centre, but it was not possible to deliver such a high percentage in those areas due to viability restraints.

- A Member asked for the definition of the geographic regions discussed, which included Ashford town, the urban area, Ashford hinterlands and the rest of the Borough. Members considered that it was important to agree an exact definition of the relevant areas as soon as possible.
- Some Members cautioned against Shared Ownership as a panacea for all, and suggested that the Council should be careful how Shared Ownership was promoted, as it was not always the right solution and could have pitfalls. A Member advised that feedback from young residents in his Ward indicated that they considered Shared Ownership to be divisive, and to be avoided. The Housing Strategy Manager said the current mortgage market's required levels of deposit put home buying out of reach for many young people. She suggested that the Council could be looking more innovatively at how to help people into home ownership. There was some discussion about the potential for the Council to facilitate mortgages, and it was agreed that this was a subject for further discussion in the future.
- A Member asked about Rent to Buy properties, and whether these were a preferable option to Shared Ownership. The Housing Strategy Manager explained that the Rent to Buy product was usually developed through a Housing Association. The tenant would pay only the rent, which would be an affordable rent at 80% of market value. The idea was that this would enable the tenant to save for a deposit, and they would be offered the option to buy at various junctures throughout the rental period.
- A Member suggested that new homes could incorporate new building techniques and technology features that would make them cheaper to run. This may be one way in which the Council could help facilitate more affordable homes for young people.
- A Member drew attention to paragraph 5.23, on page 9 of the Agenda. He considered that more work was needed on tenure mix and maximizing opportunities to build homes. He said that the current approach was not flexible enough.

- A Member expressed concern about the 0% requirement for Social Rented accommodation for Ashford town. In the hinterlands, those in Social Rented accommodation may not have their own transport, and bus services could be poor in some areas. The Council should take care not to put too much emphasis on Social Rented accommodation in the hinterlands, and there should be provision of this sort of accommodation inside the town.
- Another Member also expressed concern over the degree of Social Rented accommodation proposed for rural areas. Over a period of time, Affordable Housing properties could move into private ownership through purchase and be lost from the Affordable Housing pool. More suitable Affordable Housing properties would need to be built to replace them. The report did not address exception sites, which could be a way of addressing part of the problem, as properties could be retained into perpetuity for people in the rural areas. The Head of Planning Policy explained that exception sites remained a valuable potential route for delivery of local Affordable Housing, particularly related to the local community, but were not included within the scope of the policy under discussion. With regard to the question of how to retain Affordable Housing units into perpetuity, this was governed by national policy and outside the Council's control. Right to Buy was a key factor which the Council would have to continue to work around.
- A Member asked about off-site contributions in lieu of Affordable provision on site. She asked what happened to these contributions and when the funds would be used for building properties. The Head of Planning Policy replied that the default position was to seek Affordable Housing onsite. However, there were occasions when an offsite contribution may be acceptable. In these circumstances a formula was applied to calculate the developer's contribution, which was paid to the Council either as a lump sum or in tranches. The Council would use these funds to help deliver other Affordable Housing proposals. However, the Head of Planning Policy emphasised that the default position was preferable and consistent with NPPF guidance, and he urged Members to retain that position for the majority of circumstances.
- A Member asked about the percentage of developer profit assumed in the viability work. The Head of Planning Policy advised that a figure of 20% had been used as the industry standard developer profit level.
- The Head of Planning Policy advised Members that the Ward Member for Biddenden had contacted him regarding the overall percentage of Affordable Housing that the policy should be seeking and whether it should be flexible enough to take into account a number of factors. The Head of Planning Policy responded that specific local circumstances could be regarded as material to the application of the policy and might justify an exception to the usual rules. However, he was reluctant to write this eventuality into the policy as a default position.

- A Member said he would approve the recommendations, subject to an agreement to revisit and review the options, particularly with regard to the Affordable Home ownership provision.

## **Resolved**

### **The Task Group agrees that:**

- i) **Draft policy HOU1 be amended as set out in Section 6 of the report; and**
- ii) **The Head of Planning Policy be authorised to make consequential amendments to the supporting paragraphs of the amended policy.**

## **3 Local Plan to 2030 – Separation of Settlements Policy**

- 3.1 The Head of Planning Policy introduced this item and highlighted the background to the proposed policy and the key features. During draft Local Plan consultation, Parish Councils had expressed particular concern over the potential loss of village identity. This policy had been developed to address those concerns, by establishing a principle which protected individual settlements. It was proposed that this policy would be added to the list of Strategic Policies in the Plan.
- 3.2 Members welcomed the recommendation in response to the concerns expressed by villages.

## **Resolved**

### **The Task Group agrees that:**

- i) **The draft ‘separation of settlements’ policy and its supporting text is agreed and should be included in the proposed changes to the draft Local Plan for approval by the Cabinet.**

## **4 Local Plan to 2030 – Any Outstanding Issues**

- 4.1 The Head of Planning Policy referred to the discussions at the previous Task Group meeting on 10<sup>th</sup> May, when the final set of potential site allocations had been discussed. Since that meeting, officers had closely examined a number of the sites to ensure they were deliverable, and this had led to reconsideration of three particular sites:

### Kenardington – High House Farm

Members noted a restrictive covenant that would potentially frustrate development on the frontage of this site, and it was agreed that the rest of the site did not warrant an allocation in its own right. Members agreed that the site would not be promoted in the draft Local Plan to be presented to the Cabinet.

Brabourne/Smeeth Playing Field/Caldecott Foundation site

The Task Group on 10<sup>th</sup> May had agreed to allocate two sites in Brabourne/Smeeth for consultation, but include only the preferred option of the two as a final proposed allocation. Further consideration of both sites had led officers to suggest that the Caldecott Foundation site was preferable for a number of reasons and should be promoted in the revisions to the Local Plan to be presented to the Cabinet, and that the playing field land should no longer be included. Members agreed to this recommendation.

Tenterden – Land rear of Westwell Court

Officers had spoken to key stakeholders and it appeared that the Westwell Court site was unlikely to come forward quickly. For this reason it was recommended that this site should not be proposed in the revisions to the Local Plan. Members agreed that the site should not be allocated in the draft Local Plan to be presented to the Cabinet.

## **5 Date of Next Meeting**

To be advised.

Councillor Clarkson (Chairman)  
Local Plan & Planning Policy Task Group

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