



## To the Members of the Borough Council

Dear Sir/Madam

You are hereby summoned to attend a Meeting of the Ashford Borough Council, to be held in the Council Chamber - Ashford Borough Council on Thursday, 21st February, 2019 at 7.00 pm.

Yours faithfully

T W Mortimer  
Corporate Director (Law and Governance)

### Agenda

Page Nos..

1. **Apologies**
2. **To consider whether any items should be dealt with in private because of the likely disclosure of Exempt or Confidential Information**
3. **Declarations of Interest** 1 - 2
  1. To declare any interests which fall under the following categories, as explained on the attached document:
    - a) Disclosable Pecuniary Interests (DPI)
    - b) Other Significant Interests (OSI)
    - c) Voluntary Announcements of Other Interests

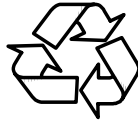
See agenda item 3 for further details
4. **To confirm the Minutes of the Council Meeting held on the 13th December 2018** 3 - 18
5. **To receive any announcements from the Mayor, Leader or other Members of the Cabinet**
6. **To receive any petitions**

7. **To receive any questions from, and provide answers to, the public (being resident of the Borough) which in the opinion of the Mayor are relevant to the business of the Meeting**
8. **To receive, consider and adopt the Minutes of the Licensing and Health and Safety Committee held on the 15th January 2019** 19 - 28
9. **To receive, consider and adopt the recommendations set out in the Minutes of the Meetings of the Cabinet held on the 10th January and 14th February 2019 (to follow )- with the following exception - The recommendations of the 14th February meeting regarding the item 'Budget 2019 /20' be deferred for consideration with Agenda Item No. 10** 29 - 32
10. **To consider the recommendations of the Cabinet regarding the item 'Budget 2019/20' (which includes the adoption of the budget) and the report 'Council Tax 2019/20 Resolutions' (to follow) and to determine the Borough Council's precept of the Collection Fund and set the Council Tax for 2019/20 NB: Members are asked to bring with them the agenda and report for the meeting of the Cabinet held on the 14th February 2019**
11. **Ashford Borough Local Plan 2030 - Inspectors Report and proposed adoption of the plan** 33 - 168
12. **Programme of Meetings 2019/20 and 2020/21** 169 - 174
13. **To consider Motions of which Notice has been given pursuant to Procedure Rule 11**
14. **Questions by Members of which Notice has been given pursuant to Procedure Rule 10**

NOTE: - If debate on any item included within this Agenda gives rise to the need to exclude the press and public due to the likelihood of Exempt or Confidential information being disclosed the following resolution may be proposed and seconded and if carried, the press and public will be requested to leave the meeting for the duration of the debate.

That pursuant to Section 100A(4) of the Local Government Act 1972, as amended, the public be excluded from the meeting during consideration of this item as it is likely that in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to the appropriate paragraphs of Schedule 12A to the Act, where in the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Queries concerning this agenda? Please contact Danny Sheppard Telephone (01233) 330349 Email [danny.sheppard@ashford.gov.uk](mailto:danny.sheppard@ashford.gov.uk)  
Agendas, Reports and Minutes are available on: <http://ashford.moderngov.co.uk>



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### Declarations of Interest (see also “Advice to Members” below)

- (a) **Disclosable Pecuniary Interests (DPI)** under the Localism Act 2011, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares a DPI in relation to any item will need to leave the meeting for that item (unless a relevant Dispensation has been granted).

- (b) **Other Significant Interests (OSI)** under the Kent Code of Conduct as adopted by the Council on 19 July 2012, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares an OSI in relation to any item will need to leave the meeting before the debate and vote on that item (unless a relevant Dispensation has been granted). However, prior to leaving, the Member may address the Committee in the same way that a member of the public may do so.

- (c) **Voluntary Announcements of Other Interests** not required to be disclosed under (a) and (b), i.e. announcements made for transparency reasons alone, such as:

- Membership of outside bodies that have made representations on agenda items, or
- Where a Member knows a person involved, but does not have a close association with that person, or
- Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

[Note: an effect on the financial position of a Member, relative, close associate, employer, etc; OR an application made by a Member, relative, close associate, employer, etc, would both probably constitute either an OSI or in some cases a DPI].

#### **Advice to Members on Declarations of Interest:**

- (a) Government Guidance on DPI is available in DCLG’s Guide for Councillors, at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/5962/2193362.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5962/2193362.pdf)
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, and a copy can be found in the Constitution at <http://www.ashford.gov.uk/part-5---codes-and-protocols>
- (c) If any Councillor has any doubt about the existence or nature of any DPI or OSI which he/she may have in any item on this agenda, he/she should seek advice from the Corporate Director (Law and Governance) and Monitoring Officer or from other Solicitors in Legal and Democratic Services as early as possible, and in advance of the Meeting.

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## Ashford Borough Council

Minutes of a Meeting of the Ashford Borough Council held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **13<sup>th</sup> December 2018**.

### Present:

Her Worshipful the Mayor, Cllr. Mrs J E Blanford (Chairman);

Cllrs. Aaby, Bartlett, Mrs Bell, Bell, Bennett, Bradford, Buchanan, Burgess, Chilton, Clarkson, Clokie, Dehnel, Farrell, Feacey, Galpin, Heyes, Hicks, W Howard, Howard-Smith, Knowles, Koowaree, Krause, Link, Macpherson, Miss Martin, Michael, Murphy, Pickering, Shorter, Suddards, Waters, Mrs Webb, Wedgbury, White.

### Also Present:

Chief Executive, Director of Law and Governance, Director of Finance and Economy, Director of Place and Space, Head of Legal and Democracy, Head of Culture, National Management Trainee, Member Services Manager (Operational).

### Apologies:

Cllrs. Barrett, Iliffe, Mrs Martin, Ovenden, Smith.

Prior to the commencement of the meeting Members remained standing in respect of the late Jill Kirk who was the Member for the Ashford Stanhope Ward from 1979 to 1987. The Reverend Cathie Aldis then said prayers.

## 271 Exempt or Confidential Information

The Mayor asked whether any items should be dealt with in private because of the likely disclosure of exempt or confidential information. The Director of Law and Governance advised that there were none.

## 272 Declarations of Interest

Councillor	Interest	Minute No.
Bartlett	Made a Voluntary Announcement as a Member of Kent County Council.	275(b)
Mrs Bell	Made a Voluntary Announcement as a Member of Kent County Council.	275(b)
Farrell	Made a Voluntary Announcement as a Member of Kent County Council.	275(b)
W Howard	Made a Voluntary Announcement as a close family member was a Director of the Ashford Indoor Bowls Centre.	275(b)

Howard-Smith	Made a Voluntary Announcement as Chairman of the Friends of Victoria Park Group.	275(b)
Koowaree	Made a Voluntary Announcement as a Member of Kent County Council.	275(b)

## 273 Minutes

### Resolved:

**That the Minutes of the Meeting of the Council held on the 18<sup>th</sup> October 2018 be approved and confirmed as a correct record.**

## 274 Announcements

### (a) The Mayor

The Mayor welcomed everyone to the meeting. She advised that the two months since the last Council meeting had been particularly busy but also spectacular. The effort put in by so many to mark the commemorations of the 100<sup>th</sup> anniversary of the end of the First World War had been outstanding. The Memorial Gardens had looked so good and with the improvements to the setting of the memorial itself, more people had been able to attend the Remembrance Service and witness it on a large screen. Despite the rain, she had been very glad to take part. In the evening the Borough had held its own event as part of the national lighting of beacons with military music, speakers, prayers and of course Ashford's lovely poppy display. It had been the most moving occasion and she had received many comments from the public saying that Ashford had really 'hit the mark'.

The Snowdogs had been a great attraction for Ashford. All, from grandparents to toddlers became enamoured with the Snowdogs and congratulations should be given to all those who: - came up with the scheme; saw it through a certain amount of scepticism; and brought it to fruition. It got families out and about in the town and for the future she said she would like to find a way of incorporating the rural areas in to any future projects of this nature. The auction had been great fun and whilst she thought it would be difficult for an auctioneer to sell 35 of the same thing, one after the other, even if they were decorated differently, to raise £142,000 for the Pilgrims Hospice at Willesborough had been a real achievement. She thought that Ashford had looked incredibly dull and empty after the Snowdogs had been removed, but she was glad to see that several had begun to reappear.

The Mayor said that the events she had been asked to attend had been extremely varied: - from the BBC One Show's Rickshaw Challenge; the opening of the new metal recycling centre at Cobbs Wood; and attending many musical events. One engagement she did want to mention was the opening of Blossom's Baby Bump. A new shop on the lower floor of County Square, opened by a trained nurse providing scans for pregnant mothers, advice and a range of baby clothes. She hoped Ashfordians would support this new business. She had also attended the topping out ceremony of Care UK's newest care home by the William Harvey Hospital. Unlike another Member of the Council, at



another event, who had been able to go up in a crane to the roof and receive a glass of beer at the top, she had had to tramp up 60 steps to set the last roof tile, but she had got a magnificent view from the top!

Another event which showed that you never knew what you were letting yourself in for was attending the Maidstone pantomime – Snow White and the Seven Dwarfs. Members may remember that at the last Council meeting Councillor Neil Bell had volunteered to accompany her to this event and he had stuck to his word. She had initially had low expectations after a 300 yard tramp from the car park, through mud, to the venue and a small bar serving gin and tonics in plastic mugs with no ice and lemon. However things perked up when their host arrived, the Mayor of Maidstone, who insisted on paying for the drinks and when the performance started it was great fun. A really traditional panto with a Widow Twankey character with suspect jokes, all of the main characters including a Wicked Queen who enjoyed insulting the audience, masses of costume changes, plenty of good music, dancing, scenery and lighting effects. As for the 'its behind you' scene which involved a ghost, she had never seen children so excited!

The previous day had seen a more serious event – the unveiling of the statue of Queen Marie of Romania – granddaughter of Queen Victoria and born in the Borough at Eastwell Manor. Over 60 Romanians, including the cultural attaché, a Romanian Ambassador and Her Royal Highness Princess Elena of Romania, attended and it had been well supported by Ashfordians. The main three visitors had spoken about Queen Marie, who may have faded from British memory, but was still a very potent symbol in Romania. Not only had she worked to raise money for injured Romanian soldiers, prisoners and their families during the First World War, she had also helped to unite the various States in Romania to form a single country in 1918. It had been a unique occasion for Ashford and she hoped it had brought the two countries closer together.

The Mayor said she wanted to thank those who had kindly accompanied her to various events. She did try to fit the occasion to the person but it did not always work out that way and extra points were always awarded for bearing up under un-promising conditions!

Finally, the Mayor advised that she continued her environmental work with the ten Primary Schools around Ashford who were part of the CARE Foundation. She had visited them all now with Amy Casey from Environmental Services and without exception these had been very enjoyable occasions. The schools varied in size and the usual format was to attend assembly, give a short introduction and then pass over to Amy for the specifics and to show a short film about plastics in the oceans. Following the assemblies they met the "Eco-Warriors" or "Eco-Kids" or "Green Team" depending on the designation and they explained what they were doing and took them on a tour around the school, showing their recycling bins and gardens. In every single case the children had been enthusiastic, informative and confident and it had been an eye-opener to see what went on in modern Primary Schools. Of course, the questions that followed did not necessarily apply to litter or the environment! She had forgotten how many times she had been asked about the chain of office. Usually, "how much is it worth?", "did you buy it?", and yesterday a young man had remarked that for the price of the chain he could "buy a Ferrari and I think I would prefer that!" Saturday would see the long awaited opening of Elwick Square and the Picturehouse Cinema. All were welcome to attend as they were welcome to attend a short drinks reception after this meeting in the Committee

Rooms to celebrate Christmas. The rooms looked lovely and she hoped all present would attend.

**(b) Leader of the Council**

The Leader said that he would like to take a few moments to update colleagues on some recent developments of note. As already mentioned, a bronze statue of Queen Marie of Romania had been unveiled outside the new Picturehouse Cinema earlier that week. The two metre high bronze statue had taken pride of place in Elwick Place, a location chosen because it was a stone's throw from Victoria Park, and as granddaughter of Queen Victoria, it seemed very fitting. Following the unveiling there had been a reception in the new Ashford Picturehouse cinema, followed by a documentary film screening about Queen Marie and her life and work. There was no doubt that Queen Marie had been a very special woman, having led the reparations in her country following the First World War, a War they had joined on the Allied side when neighbouring countries were fighting on the other side. The statue had been donated to Ashford by the Romanian Government. Whilst the opening of the Picturehouse had been delayed due to problems with the electrical mains in that road, the workers had pulled out all of the stops over the last two or three weeks, working day and night and this was great credit to them. The project had been on budget and on time until the last minute interruption of the electrical main, which was no fault of the contractor, and the facility was a really splendid one and now the hoardings were coming down and the official opening was happening that coming Saturday, the whole area was beginning to look great.

A few weeks ago, he had attended the topping-out ceremony for Curious Brewery's new facility in Ashford, and the Mayor was quite right, he had had a ride in an extremely tottery crane! The brewery, owned by Chapel Down Group, and due to open in March 2019, was a multi-million pound project, state-of-the art, custom-built brewery, located a stone's throw away from Ashford International Station and, being within in the town centre, especially in this economic climate, said just how well Ashford was doing. He was sure, with everything it had to offer, the Curious Brewery would be a great addition to the town centre. The 1.6 acre site included a custom built five vessel brewhouse, which would be capable of producing more than four-and-a-half million pints per year. The brewery had the capacity to bottle beer at a rate of more than 4,000 bottles an hour. Curious guests would be taken on a journey through the production side of the brewery before sitting down for a tasting of the core range and then be able to enjoy a meal in the restaurant.

The Mayor had mentioned the Snowdogs, and he had also been at the auction – he now had a Snowdog in his garden that he wasn't quite sure what to do with! However, the £142,000 that had been raised was remarkable and a number of people had purchased dogs and donated them back to the Borough Council, which was delightful.

One final area the Leader wanted to mention this evening was recycling. There had been vast improvements from a position where a few years ago they had been the worst recycler in the country, but they were now the best in Kent, and one of the best in the country. Figures out earlier that day from Defra for 2017/18 showed that they were once again the best in the county and they also had the lowest residual waste (in tonnages) – and, the overall recycling rate had gone from 55% in 2016/17 to 56.6% in 2017/18.

Finally, as this was the last meeting before Christmas, he wanted to wish colleagues, Officers and residents a Merry Christmas and a happy, healthy and a safe New Year.

## **275 Cabinet – 8<sup>th</sup> November and 6<sup>th</sup> December 2018**

### **(a) Cabinet – 8<sup>th</sup> November 2018**

**Resolved:**

- That (i) the Minutes of the Meeting of the Cabinet held on the 8<sup>th</sup> November 2018 be received and noted with the exception of Minute No. 220.**
- (ii) Minute No. 220 be approved and adopted.**

### **(b) Cabinet – 6<sup>th</sup> December 2018**

**Resolved:**

**That subject to the expiry of the period by which decisions arising from the Meeting of the Cabinet held on the 6<sup>th</sup> December 2018 may be called in, i.e. 19<sup>th</sup> December 2018: -**

- (i) the Minutes of the Meeting of the Cabinet held on the 6<sup>th</sup> December 2018 be received and noted with the exception of Minute No. 243**
- (ii) Minute No. 243 be approved and adopted.**

## **276 Audit Committee – 5<sup>th</sup> December 2018**

In accordance with Procedure Rule 9.3 Mr Relf, a local resident had registered to speak on this item. He referred to Minute No. 177 and quoted “The Investigation and Support Manager advised that the year 2017/18 had been a busy year for the team” the 2017/18 report stated that “should the use of RIPA (Regulation of Investigatory Powers Act 2000) and direct surveillance be required then this would be used to its full ability”. He said the Council therefore had the tools available to it that could be used with regards to Environment Agency cases (reference numbers 1664350 and 1597083). These were major incidents, one of which was still ongoing at the Chilmington Caravan site which this Council was responsible for as the landlord. He asked if someone could give him an explanation as to why this option had not been used?

Councillor Bradford, Portfolio Holder for Community Safety and Wellbeing advised that Ashford Borough Council took the management of the Chilmington site very seriously and Officers worked very closely with a number of external and internal partners. In the past three weeks Council Officers had served three Community Protection Warning notices at the site on the grounds of unauthorised fires and had also increased their weekly unannounced visits. Officers were continuing to ensure that residents were reporting the repairs and that they understood their obligations under the licence. There were vacant plots on the site that had been offered and the Council was currently carrying out standard checks prior to full offers being made. With regard to the use of powers under RIPA, this involved using hidden CCTV at locations to fight terrorism and

serious crime. Needless to say it was therefore a tightly regulated area. Authority for a Local Authority to use these powers would only be given effect once an Order had been granted by a Justice of the Peace and Local Authority use of directed surveillance would be limited to the investigation of crimes which attracted a six month or more custodial sentence. Before using RIPA the Council needed to show a valid reason for its use, and consideration would be given to the use of less intrusive methods first. RIPA powers were an important tool that Local Authorities could use to address issues that affected many people's lives such as consumer protection, environmental crime and benefit fraud, but their use must be targeted and appropriate. He wanted to assure Mr Relf that this Council continued to work with Kent County Council, the Environment Agency and the Police on the investigations of the incidents he had mentioned.

**Resolved:**

**That the Minutes of the Meeting of the Audit Committee held on the 5<sup>th</sup> December 2018 be received and noted.**

## **277 Selection and Constitutional Review Committee – 6<sup>th</sup> December 2018**

**Resolved:**

**That the Minutes of the Meeting of the Selection and Constitutional Review Committee held on the 6<sup>th</sup> December 2018 be approved and adopted.**

## **278 Petition – Former Mecca Bingo Site**

The Mayor directed Members' attention to the report of the Head of Legal and Democracy which set out the procedure for considering the Petition and also the advice of the Director of Place and Space on the subject of the Petition itself.

In accordance with the Council's Petition Scheme, Mr Peter Morris-Kelso, spoke to the Petition he had submitted.

Mr Morris-Kelso advised that the Petition proposed conversion of the former Odeon/Mecca Bingo building in to a theatre. He said that Members may have heard some of what he was going to say tonight previously, either on social media, by email or in the local media, who he thanked for publicising this idea.

He said that whenever the concept of a theatre for Ashford had been raised before, normally on the pages of Kent Online or Facebook, the idea had always been met with almost universal approval. However as with any social media posts, they were quickly replaced with something else and put to the back of the mind. After Mecca Bingo moved out of the building, the idea gained new ground but he feared the same would happen again and once a new talking point came up the plan would drop off the page. Encouraged by friends and family, he started a petition on change.org and posted the link to a couple of Facebook groups. It quickly became apparent that the idea behind the petition was a popular one and meant different things to different people. For some it meant keeping a part of Ashford's history intact, whilst for others it meant the exciting

prospect of Ashford having a theatre of its own, instead of having to travel some 20 miles to the nearest theatre, the Marlowe in Canterbury. Keenest on the idea had been his Mother who loved the theatre and had never driven. At nearly 70, and after his father had passed away four years ago, it was impractical and unsafe for her to travel to Canterbury or Maidstone on her own. So theatre trips could only happen when he or one of his siblings could take her – she could walk to town but she could not walk to Canterbury. He knew his mother was not alone as a few years ago Ashford Cineworld had shown a live performance of Michael Morpurgo's War Horse and so popular was the demand for a live theatre experience that they had had to show the performance on four screens simultaneously to meet demand. He said that for most, travelling to a theatre was only half the task. Depending on the venue this usually meant having to park in an unfamiliar town or travelling long distances by car or train and arranging overnight accommodation. In the case of younger theatre goers there was also the need to find babysitters.

Mr Morris-Kelso said that for the building itself, its location in the centre of town and its proximity to the international train station and parking made it an ideal location for such a venue. The history of the building could not be overlooked either, as was explained in the letter sent to the Council's Director Place and Space by the Cinema Theatre Association (CTA). The letter had been tabled for Members this evening and he sincerely hoped all had had a chance to read it and he considered it would be a travesty to see the main auditorium part of the building destroyed simply for the given reason of getting a better view of the Church from a car park. The national advisory body of public theatres – The Theatre's Trust – had also expressed support for exploring options with regards to cultural and community uses for the building. The Trust had advised in another letter to the Council that many former Odeon buildings had been successfully converted in to theatres such as the Stephen Joseph in Scarborough and the former Ritz Cinema to the Capital Theatre in Horsham.

He said that having a theatre in the town would also contribute to revenue and footfall. Being able to stage plays, performances, live comedy and pantomimes would not only attract local theatre goers, but also tourism from afar. As a perfect example, in 2004 before they started a family, he and his wife had travelled to Eastbourne to watch Eddie Izzard live at the Congress Theatre. For this trip they had booked two nights in a nearby hotel and spent time visiting the town itself, buying lunch and shopping and they certainly weren't the only ones to do so. The Congress Theatre had a seating capacity similar to that of the Odeon in its heyday, around 1600, and it was full. In simplest terms the presence of Mr Izzard had increased revenue for local businesses in the area, just by him being there. The phenomenon of local attractions could also be demonstrated locally by the popular and successful Snowdogs trail. This unique experience had been responsible for an increase in footfall of over 120,000 as well as benefitting local businesses. This was a concept that had made Ashford stand out for once and the recent news that nine of the dogs would be staying in Ashford was welcome news indeed. It was often mentioned that the town was being overrun with wine bars and barbers and there were few shops that could not be found in other towns in the County. The Designer Outlet may be considered a tourist attraction, but any claims that it attracted visitors to the town centre were spurious at best. In short, he considered you would not find many people travelling to Ashford town centre to spend money in the same shops they had at home.

Mr Morris-Kelso said that he considered the proposals for what would replace the Odeon building were also rather uninspiring. People in Ashford were sick and tired of having more flats and apartments springing up on every square scrap of land and green space. Having more here would do absolutely nothing for the town centre itself, nor would including more of the same wine bars and restaurants. The recent news that the new Picturehouse Cinema in Elwick Place had not found tenants for most of the eight restaurants should tell how successful other restaurants half way down the High Street would be. With regard to the concept of an open air performance space, he again considered this would depend on the availability of parking and passing pedestrians half way down the High Street. Ashford was not Covent Garden and asking performers to set up and perform in an area with the lowest footfall in the Town Centre was a little demeaning. Especially when there was already an open air performance space at the Bandstand. He thanked Council Officers for directing him to the recent report from Fourth Street consultants, which expertly explained how well placed Ashford had become to be the home of a theatre, either refurbished or new. He particularly mentioned the passage on page 20 which described Ashford as "sizeable, with a culturally engaged population for whom theatre was the most popular art form, despite the town's lack of a dedicated venue". Indeed, both the Fourth Street report and the correspondence from the Theatre's Trust and the CTA made the case for the placement of a theatre in Ashford, as well as the preservation of the former Odeon, better than he ever could on his own. From this he was informed that architects Burrell, Foley, Fisher were in a position to provide a concept of conversion work and they also believed that the Odeon building may be of interest to the Jasmin Vardimon Dance Company. Whilst Fourth Street's report went into details of different types of theatre both locally and nationally, nowhere in the report did it take into account the Odeon building as a possible location. In fact the building was only mentioned once in the entire report at the bottom of page 5, stating "we understand that the prospect of a space satisfying the town's need for a theatre is unlikely." The wording of this sentence was very disheartening as it implied that Fourth Street had been dissuaded from contemplating the Odeon for inclusion from the outset. The extensiveness of their report indicated that they may have been best placed to evaluate the suitability of the building.

Finally, whilst he had started the petition, Mr Morris-Kelso reminded that he was only one signature on a list of many. The petition currently had a total of 3248 signatures, with many taking the time to add their comments to the report and to finish, he wanted to read some of those quotes: -

*"Ashford needs a theatre. Theatre groups struggle to find venues and receive little or no support from our City Fathers. Canterbury has two theatres whilst Ashford is left in a cultural vacuum. This is an iconic building which needs to be preserved."*

*"This should be a theatre. The internal décor is perfect and it will be great to have some sort of entertainment in town as all there is are nightclubs, which are fine if you are a younger person. We travel out of our local town to see shows so to have it on our doorstep would be an excellent opportunity for local restaurants and businesses. ABC will only tear down this building and replace it with more flats. We need to preserve the few historic buildings we have left in the town."*

*"Ashford needs a theatre. We are the first town on the International railway line for goodness sake, surely we can have a theatre. Canterbury has one so what can't we?"*

*“We have an expansion in housing and business both in progress, we need an expansion in culture too. It will take very little to adapt the space for this purpose, it is a great size and would reinvigorate the Lower High Street, bring more people back to the town centre and there is no reason it would not attract performances as big as the Leas Cliff Hall or the Marlowe.”*

*“As a former Ashford music and drama teacher, and a KCC Advisor running hundreds of music and drama workshops in Kent and London, I have seen the difference theatre makes to the lives of children, students and people of all ages and abilities. It encourages them to think, create, work as a team, empathise with others and promote self-esteem and confidence. I have never taught anyone who did not benefit from the process of engaging in musical shows, plays, concerts and choirs and a theatre would bring enormous hope and joy for Ashford and provide a much needed performance space for our amazingly talented citizens. I hope everyone will get behind this idea and enable more people to experience the joy of local live theatre, especially on behalf of our children – the artists and audiences of the future.”*

*“The building has been bought with tax-payers money, surely the tax-payer should have a say on what goes there.”*

The Leader of the Council said that he first wanted to thank Mr Morris-Kelso for his comments. He said to go back four or five years, there was an empty space where the College now stood, along with an empty space where the Commercial Quarter had been planned and laid vacant for 10-15 years and the old market at Elwick Road had been a derelict and unused site. Over those four or five years there had been a gradual transformation in Ashford which had seen the creation of a College to prevent hundreds of students leaving the Borough each day, and development on those other sites. Such things did not happen overnight and a number of people in this Chamber had long held an ambition for a theatre in Ashford and the Council had never said it did not want a theatre. They had looked at this quite seriously about three or four years ago and spoken to the Arts Council who had advised that, at that time, because of the close proximity of theatres in other towns, and the population size, a theatre in Ashford would not have found favour with them. However, as Ashford grew, and as they now had a College and an emerging night time economy with Elwick Place, the situation was changing. The Snowdogs and photographic exhibition in conjunction with the City of London, showed that Ashford was beginning to do new things far above its weight that were making a mark, and there had been recent press interest from as far afield as the Economist and the New York Times. He said that he personally loved the theatre and often travelled to London, Eastbourne and Brighton to see shows whenever time allowed and this Council had certainly not ruled out the possibility of providing a theatre in Ashford. As the Council progressed down its route of being self-sufficient and more entrepreneurial, he considered those behind the petition were pushing at an open door. Ashford would have a theatre. The Fourth Street report had talked of a 350-400 seat theatre, but he wanted to see a minimum of a 750 seat facility for Ashford's growing international town – a modern complex incorporating theatre, conferences, a gallery and a museum, but you could not do everything overnight and you had to have the population to make it viable. To be fair, the Fourth Street report had been commissioned, but they had not asked them the direct question about the Bingo Hall. There were still potential sites in and around the town for a theatre, but the advice they had received was that the Bingo Hall would not be suitable for such a facility and the likely costs involved to provide a building as they would want it, would exceed the costs

of a new theatre. They were looking to retain the façade of the building and the floor above it, which could accommodate upwards of 150 people and it was likely that KCC would be providing Jasmin Vardimon with their own dance academy facility. In conclusion he said that viability was growing and whilst a theatre in Ashford would not come tomorrow, it would come in the next four/five years because of the lead in time.

Councillor Farrell said that he was staggered that the consultants had not been asked to at least look at the Mecca Bingo site. He thanked the petitioner and his colleagues for administering this work. Politicians were often accused of not listening to the public and this was an opportunity for Members to do just that and he considered it would be regrettable if the Council were already in advanced stages of project planning and procuring demolition of this site in advance of this debate, considering the Council had known about this petition for some time. A note of caution on any proposals being debated this evening had come earlier that day when the Secretary of State had revealed that considerations were ongoing as to whether further interventions were required to slow the commercialisation trend in Local Government. He considered this was rank hypocrisy from a Government who had left Local Councils no choice and more often than not encouraged such actions. He said it was important that the petition before the Council was not simply viewed as a debate on theatre provision in the town centre, but a specific theatre on the Mecca Bingo site. Therefore he considered making reference to other provision at other sites lacked adequacy of response. He said he had recently written to the Leader to voice his concern that the residents of the town centre had in many ways been excluded from actively taking part in consultations on how the Mecca Bingo site might be utilised and he said it would be a wasted opportunity to not once again highlight the composition of the Ashford Town Centre Place Making Board, which contained more Members from the rural areas than urban ones and the two Ward Members had been actively prevented from membership of that Board or any development of the proposals. Whilst the majority of Members may be quick to say there had been a Town Centre Consultation, in a view he shared with many, the consultation focussed on a variety of aspects about the town and lacked focus on the subject of this petition. The Town Centre Conference provided an opportunity for residents to be lectured by various speakers, but did little to allow residents to articulate suggestions despite best efforts. Arguably there was already an outdoor performance space at the Bandstand, and a small intimate space at Revelation St Mary's as well as a proposal for a temporary event space in the Commercial Quarter. Surely the suggested way forward would replicate that offer. The proposals as they stood had been developed from a brief with little Member, let alone public, input and he understood that only one option was being pursued. Whilst outdoor spaces provided a great venue for particular events, during the summer months, even the current proposals could not guarantee year-round sunshine. He welcomed the change to the proposals in that some of the original building would be retained, but in his view this presented a wasted opportunity to assist the late night economy further – a sector that until very recently had had little positive intervention from this Administration. While he appreciated some may be enthused by the central tenant of this project being opening up the view of the Church, this ignored other factors. The Vicarage Lane Car Park was a lifeline to the Lower High Street and its popularity should not be overlooked in suggesting that a multi-storey car park outside the ring road would be a like-for-like replacement. A key tenant of the newly announced competitive funding stream for improving high streets was community buy-in as the Government itself had stated that residents needed to have bought in to a proposal, rather than just being treated as commentators. In many ways he considered the people of Ashford had barely been observers.



Councillor Chilton said he first wanted to congratulate the organisers of the petition. It was not easy to pull together a petition on such a scale and it was rare for the Council to receive something like this so they could have a discussion on something that was clearly important to so many people. The Mecca Bingo site was a landmark historical and architectural site in Ashford and for many brought back memories of family nights out and unfortunately that had now gone, therefore there was a need to look at what was going to be done with the site. Ashford's growth in housing and urban development also demanded cultural growth, which all were in agreement with. The question before the Council was how to proceed and there was no doubt that there was support across the Council for some sort of theatre/arts centre/conference venue/gallery, but he thought it was important to go back to residents and ask them what they wanted. The consultants' report made reference to what could happen, but there was an element of 'jumping the gun'. He thought what really mattered to residents was to be consulted from the outset, rather than having proposals put to them. There was a large and very vibrant set of theatre, dance and youth/community groups across the Borough which currently did not have a home and if they wanted that talent to develop and grow they had to ensure they had their own space. He said he was pleased to hear that there were considerations being made but he thought they should be doing more. The Labour Group entirely supported the principle of an arts centre/theatre/conference space/gallery, but considered this should be a shared space that was accessible and open to all. In some circumstances, some theatres could be quite grand and elitist and not open to all and sometimes people could be priced out, so going forward, they favoured a model that was inclusive and allowed everyone regardless of their background to enjoy the experience. He referred to the letter tabled from the CTA which he considered was very important and he hoped all Members had read it in full and took cognisance of the points made in this evening's debate. He said that as Ashford grew, the people of Ashford deserved more than just barbers, nail bars and estate agents in the town centre.

Councillor Chilton proposed, in light of the petition received and what had been said at the meeting so far, "that the Council halt current plans for the Mecca Bingo/Vicarage Lane development and goes back to a full, open and public consultation with residents and stakeholders across the Borough and ask them what they want for this site. There should also be full publication of any minutes of meetings that had taken place regarding this site that were not already in the public domain".

This was seconded by Councillor Farrell.

Councillor Koowaree said he was all for the idea of having a theatre in Ashford. This had first been debated by the Council about 25 years ago and at that time the company who had carried out the feasibility study concluded that it would not be sustainable without a catchment area of about one million people. With Canterbury, Maidstone, Hastings, Tunbridge Wells and Eastbourne all close by, feasibility would still be an issue and it would be very important to get the type and size of facility provided right. To make it sustainable you would need to attract big names and shows from London and get buy in that local people would regularly use the theatre. With the increasing population perhaps Ashford would be ready for a theatre in the next five years and he hoped that would be the case, but it would have to be done properly.

Councillor Galpin said that in response to some of the points made by previous speakers, firstly the town centre consultation that had taken place had been dismissed,

but in fact the Institute of Place Management, who had carried out the consultation, were the foremost authority on consultation for town centre place making so their findings were extremely relevant. The Ashford Town Centre Place Making Board had also been mentioned and the opinion that it was populated by Members that did not live in the town centre, but he said it was important to note that all Elected Members were representative of the whole of Ashford and there should not be a schism between Members who represented urban and rural areas. He said that you would not find a greater advocate of Ashford town centre than himself. Talk about the night time economy had interested him and mentions that nothing had been done to promote the town when in fact the Council had supported and helped finance the new cinema at Elwick Place. It was also interesting to him that there was a suggestion that the 3000 people who had signed the petition would all regularly use such a theatre. Some of the signatures had been from Russia and Australia and he thought it was therefore doubtful. Mention had also been made of barbers and nail bars in a derogatory way, but he said that one of the main reasons these were so popular was because these were services you could not get via the internet. People worked hard to earn a living in such businesses and he believed trivialising those services was not particularly fair. The way people shopped had changed and in a climate where less and less people visited traditional high street shops, Ashford had actually bucked the trend and seen a 4% increase in footfall of people actually coming in to the town, compared to a 3% fall nationally. In conclusion, Councillor Galpin said that paragraph 17 of the report actually already stated that there would be an open consultation on the issue of a performance space in Ashford going forward, and, if the proposal to demolish the Mecca Bingo hall was taken forward, there would also be considerable consultation on that through the planning process.

Councillor Bartlett said he also wanted to thank Mr Morris-Kelso for his time and effort in putting this petition together. With regard to the recommendation in the Fourth Street report, a 250-300 seat mixed use venue offering music, comedy, spoken word and event cinema, he considered this would be in direct competition to the Picturehouse Cinema and Revelation St Mary's, so he was not sure this was the way forward. In inviting developers in to Ashford, this Council had always made the strong case for holding masterplanning events and this generally happened and in this case both sides of the debate seemed like minded in what they wanted and there was a good opportunity to move forward towards the same goal. There was a call for more consultation with town centre residents, but he also wanted to reference paragraph 17 of the report which referenced exactly that.

Councillor Miss Martin said that she had listened very closely to the points made so far. She said that the Leader of the Council had made some very good points about the lead in times for such a venue and she also wanted to thank Mr Morris-Kelso for taking the time to put the petition together. The key point for her had been made by Councillors Chilton and Farrell in that the Council had to ask itself whether they really had consulted with the public as much as they could have. She was sure that there were people across the Borough who would be excited to be involved in such discussions and often felt quite disengaged over what was happening in Ashford. The Borough was a fantastic place, but she believed the Council needed to work harder to involve everyone in its development going forward.

Councillor Bell thanked Mr Morris-Kelso for the petition and said that the time and effort taken underlined the interest and support for the concept of a theatre in Ashford. He also thanked the Members whose comments in support of a theatre were genuinely heartfelt

and were not clouded by politics. He said he opposed the motion on the table because he considered it a distraction from the supportive work for a theatre that was already happening and he wanted to make two clear points. Firstly the Ashford Town Centre Place Making Board was open to everyone and whilst he had seen a number of Members present, he had not seen the Members who had proposed and seconded the motion. All were welcome and a number of debates on this issue had been undertaken at these meetings and it was unfortunate that the Members in question had not taken part as a number of pertinent points had been made. In fact, if they had they would have known that this Council was hugely behind a theatre in Ashford, but they wanted not just an excellent theatre, but also a multi-purpose facility. The second point was that with regard to the call for consultation, paragraph 17 of the report made the point clearly – “the next steps will be guided by the full public debate and consultation held over this summer into the future of our town centre. All this activity will be pulled together in Spring 2019 into an action plan which will be reported to Members, widely promoted and shared.” Therefore there would be all the consultation, transparency and sharing that one could wish for.

Councillor Waters said that firstly he wanted to thank Councillors Chilton and Farrell for their performances this evening and he was sure that their equity cards would arrive in time for them to take up comedy slots at the new facility once it was open! He said that his more serious point was a financial one and it was important to note that the cost of such an establishment would require further consultation with residents because it would need considerable financial support and Council Tax payers needed to be clear on the level of support they would be expected to contribute should they wish this sort of facility to go ahead.

Councillor Suddards said that he wanted to support Councillor Chilton’s motion and a halt to demolition of the Mecca/Odeon building and properties on Vicarage Lane and for there to be a full consultation including potential users of such a facility. Despite what had been said, and although not invited, both Councillor Farrell and himself had attended Ashford Town Centre Place Making Board meetings as observers, and the points made about the voting Members on that Board were well made. With regard to the principle of a theatre itself, he would generally agree that they should perhaps be looking at a more multi-functional facility than just a theatre, but he would support proper public consultation over the Vicarage Lane site itself, rather than another site. Ashford’s urban population was now bigger than Canterbury’s so could sustain a theatre.

The Leader of the Council said that he would like to speak on the motion and make a couple of points. Firstly, as Councillor Bartlett had said there was a need to take into account competing facilities and the mention of a 250-300 seat facility in the consultant’s report did not really sit well with that. The report did go on to say – “the emerging conclusions of the study can help to inform the debate on the future of the Mecca building. In summary the consultants concluded that a theatre seating 250-300 people is likely to be the best combination of meeting demand in the area whilst also being a potentially realistic capital and ongoing revenue subsidy cost. The consultants emphasise however that as the town continues to grow the judgement of how ambitious to be in terms of theatre size depends heavily on political ambition.” He said that this Council had a lot of political ambition and you could clearly see that from what was already happening in Ashford, so whilst he noted what the consultants were saying about 300 seats, he wanted to see a significantly larger theatre. As a growing international town, work should begin now on how to deliver a theatre with 750 to 1250

seats with the flexibility to incorporate other uses, but it would take time and would not happen overnight. With regard to the Ashford Town Centre Place Making Board, this had been set up precisely to deliver projects as the Strategic Delivery Board had done with the Big 8 Projects. One of the key working groups had been named the 'impatience group' and was tasked to make sure that the things which needed doing in and around the town continued now, whilst also planning for the future. Another of the work streams was purely on consultation so this was taken very seriously. With regard to not being able to speak at meetings, he said he did not know of any meeting that he chaired where he did not allow any Member present to speak. He would even be happy to change the times of meetings if Members could not make them due to work commitments. He did not however have a crystal ball so people needed to indicate to him or speak up. The Leader said that he did not therefore agree that everything should be halted for consultation because consultation was already happening and so much was in train and the Council was actually getting on with the job and delivering development on sites that had lain idle for years. He therefore did not support the motion on the table.

Councillor Wedgbury said that he also had concerns over finances. Theatres lost money hand over fist and in his research he had not been able to find a single theatre in the country that made a profit. On average throughout the year, theatres only filled 49% of their seats with paying customers. There was already a theatre in the Borough that nobody had yet mentioned – the Sinden Theatre in Tenterden, which recently held a show that did not attract a single paying customer. Yet 1700 residents of the Borough had signed a petition saying they wanted a theatre and he wondered why they were not attending a theatre that already existed. With regard to funding, the average loss a theatre would make was about £500,000 per year and that was a subsidy that would have to be met by the tax payer. It would be important for residents to understand this and that their Council Tax would have to rise substantially to support such a theatre. The comments that certain Members had made about the town centre concerned him and he wondered if they ever actually attended the town. He was regularly in the town in the evenings and it was busy, car parks were full and it was being used. Another consideration was global warming and the need to provide carbon neutral buildings. It would cost millions of pounds on top of other refurbishment costs to make the existing building carbon neutral, so if the public and the Council did end up supporting the principle of a theatre, it would be far better to provide a new, modern, carbon neutral building.

Councillor White thanked the petitioner for his hard work. He said many would know that he was previously a County Councillor in Hertfordshire and he had ended up as Chairman of the Group that oversaw the running of the theatres and the build of a new theatre in Bishop's Stortford – The Rhodes Museum and Theatre. That had opened as a 250 seater and was heavily subsidised each year by both the County Council and District Council. He did have some sympathy with the points made about the potential for the building with its beautiful façade, but the back of the building and the building as a whole was not suitable. One example he would like to see followed was the Gordon Craig Theatre in Stevenage, a two floor building with a theatre at the top and a music venue/arts gallery on the bottom floor. It was a very modern building and he believed this was the route Ashford should take.

Councillor Shorter said that whilst culture and the arts were not something he was a master of, as the debate had started to mention financial viability this was his Portfolio. As colleagues would know he had routinely spoken about the mechanics of managing

the Council's finances and the value of worth as opposed to money spent in pounds and pence. So he understood why some Councillors had focused on the finances, but it was almost certain that when Ashford had a theatre it would not be financially viable and there would be a requirement for some kind of support funding through a mechanism - that was well understood. The way that would be done would be to continue the policy of this Authority of having a commercial and aspirational outlook with its budget, to own their own money to become self-sufficient and have a balanced budget. A theatre would have to be as viable as possible and a modern multi-functional theatre facility of the type they all wanted would not be able to be provided in a 1920s building such as Mecca. He believed that the process that was ongoing had been right and proper, there had been consultation and he believed there would be a lot more before they arrived at a final product in the future. He thanked the petitioner and said that it was vital for the Council to have these types of debates and for the public to exercise their rights more often.

Councillor Farrell had reserved the right to come back as seconder of the motion. For clarity he wanted to repeat his earlier words as he had not dismissed the town centre consultation. He had said that "the Town Centre Conference provided an opportunity for residents to be lectured by various speakers, but did little to allow residents to articulate suggestions despite best efforts." In reference to other points made, he had indeed attended Ashford Town Centre Place Making Board meetings and he had read the restricted papers for those meetings. He thanked the Leader for the invitation to speak at future meetings, something he had not mentioned to him before in the lengthy emails he had sent him on other subjects. He thought that all Members would have welcomed the politically charged debate they had taken part in this evening, he certainly did, and considered that such democratic scrutiny was right and proper. There had been a lot of talk about viability and how a theatre would be viable in five years' time, but if these proposals were taken forward the opportunity to use this existing site would be lost forever to a square of concrete and blocks of flats. Reflecting on the debate, he considered it disappointing that a majority of Members did not feel the need to engage in the consultation on this specific site and he welcomed discussion on the proposed theatre/conference centre/art gallery, but did not think they should be writing off the Mecca Bingo site for this purpose at this time.

Councillor Chilton summed up as mover of the motion. He said he thought it was good that the Council had had this discussion this evening. The definition of a petition by their very nature were that they were submitted because residents were not satisfied with something – be that a process, a policy or a position. A total of more than 3000 people had signed this petition because they were not happy with the current stance. All that his motion was calling for was a halt and a rethink and an examination by way of a wider consultation. It was not a controversial motion and he would ask everyone that supported the idea of a theatre, and wanted to listen to residents, to support the motion.

In accordance with Procedure Rule 15.4 the Leader asked that a recorded vote be taken on this motion.

This was supported by at least six other Members (i.e. a total of at least seven) who showed their support by standing.

A recorded vote was then taken on the motion and the Members voted as follows: -

For: Councillors Chilton, Farrell, Howard-Smith, Miss Martin, Suddards.

**Votes For 5**

Against: Councillors Adby, Bartlett, Mrs Bell, Bell, Bennett, Mrs Blanford, Bradford, Buchanan, Burgess, Clarkson, Clokie, Dehnel, Feacey, Galpin, Heyes, Hicks, W Howard, Knowles, Krause, Link, Macpherson, Michael, Murphy, Pickering, Shorter, Waters, Mrs Webb, Wedgbury, White.

**Votes Against 29**

Abstentions: Councillor Koowaree

**Abstentions 1**

This motion was lost.

The Leader of the Council said he was delighted to acknowledge the petition and the debate that it had generated. He moved that “the petition be received and welcomed and that it would help to inform the Council’s views on the subject of a theatre in Ashford as they continued through further public consultation for the town centre.”

This was seconded by Councillor W Howard

A vote was then taken on this motion whereby it was:

**Resolved:**

**That the petition be received and welcomed and that it would help to inform the Council’s views on the subject of a theatre in Ashford as they continued through further public consultation for the town centre.**

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(DS)

## Licensing and Health and Safety Committee

Minutes of a Meeting of the Licensing and Health and Safety Committee held in Council Chamber, Civic Centre, Tannery Lane, Ashford on the **15<sup>th</sup> January 2019**

### Present:

Cllr. Feacey (Chairman);  
Cllrs. Adby, Bradford, Chilton, Galpin, Krause, Pickering, Shorter, Smith, White

In accordance with Procedure Rule 1.2 (iii) Councillors Chilton and Galpin attended as Substitute Members for Councillors Farrell and Bennett respectively.

### Apologies:

Cllrs. Bennett, Farrell.

### Also Present:

Environmental Protection and Licensing Team Leader, Community Safety and Wellbeing Manager, Member Services Officer.

## 291 Declarations of Interest

Councillor	Interest	Minute No.
Feacey	Made a 'Voluntary Announcement' as he was the Managing Director of Energysift who worked with members of the taxi trade, he was on the Management Committee of UK LPG and was Chairman of the Ashford Volunteer Bureau who ran its own cars.	293, 294

## 292 Minutes

A Member questioned whether an insurance premium index specific to premiums charged for specialist taxi insurance had been made available to Officers, and whether an incentive for environmentally friendly vehicles was being considered. The Chairman advised that the former had not been provided to Officers, nor had one been discovered. In respect of the latter point the Environmental Protection and Licensing Team Leader would provide more information during the next item on the agenda.

### Resolved:

**That the Minutes of the Meeting of this Committee held on the 16<sup>th</sup> January 2017 be approved and confirmed as a correct record, subject to an amendment to include Cllr Adby's apologies.**

## **293 Proposed Fee Levels for 2019/20 Applications**

The Environmental Protection and Licensing Team Leader introduced the report and advised that the setting of licensing fees generally allowed the Licensing Authority to recover the costs of processing licence applications, regulation and back office costs associated with the running of the licensing regime. Licensing fees must be cost neutral and could not be profit making. He drew attention to the proposed fees contained within the report.

### **Gambling Related Fees**

The report recommended that the fees increase in line with inflation, except where fees were at the statutory maximum.

### **Sex Establishment Fees**

The report proposed that the fees increased in line with inflation.

### **Hackney Carriage and Private Hire Fees**

The report recommended that the fees increase in line with inflation, except:

- Private Hire & Hackney Carriage Drivers Licence (1 & 3 years) – which were proposed to increase to £4 and £8 respectively.
- Vehicle Licence - New or Renewal (including vehicle plate) for 1 year – this was proposed to be increased less than inflation.
- Transfer of Vehicle Licence (with or without vehicle plate) – was proposed to increase by £10. This fee had historically been kept artificially low to promote the transfer of vehicles, however with the forthcoming introducing of a scheme to promote the move towards green energy taxis this was proposed to be bought in line with costs to the Council in administering such transfers.

The proposed 'green scheme' would utilise Section 106 monies to subsidise licensing fees for a three year period for new, green vehicles on the fleet. This would provide a benefit of almost £1,000 to those utilising the scheme. There were a number of other grants and schemes, including one currently offered by Kent County Council which could assist with the cost of purchasing a new or used 'green' vehicle. The report on the Council's proposed scheme would be put before the Cabinet in March.

The Environmental Protection and Licensing Team Leader advised that the definition for vehicles covered by the proposed scheme would be confirmed as part of the reporting process to Cabinet, however it should be noted that he hoped this would be more flexible than that of the Office of Low Emissions so as to enable smaller operators to take advantage of second hand low emission vehicles. Initially, the scheme would run for three years, after which a review would take place and a decision taken to either expand the scheme or abolish it.

### **Scrap Metal Dealers Fees**



The report recommended an increase in line with inflation.

**Recommended:**

- (i) that the fees used for gambling applications and notices as given below be approved.

**RECOMMENDED GAMBLING RELATED LICENCE FEES FOR 2019/20**

Premises Type	New Application (£)	Annual Fee (£)
New Small Casino	<b>6896</b> (8000)	<b>3915</b> (5000)
New Large Casino	<b>8250</b> (10000)	<b>7893</b> (10000)
Regional Casino	<b>12995</b> (15000)	<b>12186</b> (15000)
Bingo Club	<b>2361</b> (3500)	<b>735</b> (1000)
Betting Premises (excluding Tracks)	<b>2403</b> (3000)	<b>477</b> (600)
Tracks	<b>1847</b> (2500)	<b>735</b> (1000)
Family Entertainment Centres	<b>1847</b> (2000)	<b>635</b> (750)
Adult Gaming Centre	<b>1847</b> (2000)	<b>740</b> (1000)
Temporary Use Notices	<b>204</b> (500)	<b>N/A</b>

	Application to Vary	Application to Transfer	Application for Re-Instatement	Application for Provisional Statement	Licence Application (provisional Statement holders)	Copy Licence	Notification of Change
	£	£	£	£	£	£	£
New Small Casino	<b>2823</b> (4000)	<b>1641</b> (1800)	<b>1379</b> (1800)	<b>6896</b> (8000)	<b>2450</b> (3000)	<b>25</b> (25)	<b>50</b> (50)
New large Casino	<b>3731</b> (5000)	<b>1926</b> (2150)	<b>2150</b> (2150)	<b>8250</b> (10000)	<b>4052</b> (5000)	<b>25</b> (25)	<b>50</b> (50)
Regional Casino	<b>6087</b> (7500)	<b>4440</b> (6500)	<b>4440</b> (6500)	<b>12995</b> (15000)	<b>6329</b> (8000)	<b>25</b> (25)	<b>50</b> (50)
Bingo Club	<b>1617</b> (1750)	<b>897</b> (1200)	<b>897</b> (1200)	<b>2361</b> (3500)	<b>976</b> (1200)	<b>25</b> (25)	<b>50</b> (50)
Betting Premises (excluding Tracks)	<b>1365</b> (1500)	<b>897</b> (1200)	<b>897</b> (1200)	<b>2361</b> (3000)	<b>976</b> (1200)	<b>25</b> (25)	<b>50</b> (50)
Tracks	<b>1239</b> (1250)	<b>897</b> (950)	<b>897</b> (950)	<b>1847</b> (2500)	<b>976</b> (950)	<b>25</b> (25)	<b>50</b> (50)
Family Entertainment Centres	<b>835</b> (1000)	<b>897</b> (950)	<b>897</b> (950)	<b>1847</b> (2000)	<b>808</b> (950)	<b>25</b> (25)	<b>50</b> (50)

Adult Gaming Centre	<b>835</b> (1000)	<b>897</b> (1200)	<b>897</b> (1200)	<b>1847</b> (2000)	<b>973</b> (1200)	<b>25</b> (25)	<b>50</b> (50)
Temporary Use Notices	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>25</b> (25)	<b>N/A</b>

(ii) that the sex establishment fees as given below be approved.

**RECOMMENDED SEX ESTABLISHMENT LICENCE FEES FOR 2019/20**

	<b>CURRENT FEES</b> <b>2018/19</b>	<b>PROPOSED FEES</b> <b>2019/20</b>
Grant	£3317	£3397
Transfer	£308	£315
Renewal	£308	£315

(iii) that the Hackney Carriage, Private Hire and Operator applications licence fees as given below be approved for the purposes of public consultation.

**RECOMMENDED HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING FEES 2019/20**

	<b>CURRENT FEES</b> <b>2018/19</b>	<b>PROPOSED FEES</b> <b>2019/20</b>
Private Hire & Hackney Carriage Drivers Licence (for 1 year)	<b>£52.00</b>	<b>£56.00</b>
Private Hire & Hackney Carriage Drivers Licence (for 3 years)	<b>£104.00</b>	<b>£112.00</b>
Additional driver's licence (adding a licence)	<b>£21.00</b>	<b>£25.00</b>
Hackney Carriage Knowledge Test & Re-test	<b>£52.00</b>	<b>£55.00</b>
Replacement badge/Licence	<b>£11.00</b>	<b>£11.50</b>
Vehicle Licence - New or Renewal (including vehicle plate) for 1 year	<b>£316 - New</b> <b>£295 - Renewal</b>	<b>£320 - New</b> <b>£300 - Renewal</b>
Vehicle Plate Internal / External	<b>£20.00</b>	<b>£20.00</b>
Transfer of Vehicle Licence (with or without vehicle plate)	<b>£20.00</b>	<b>£30.00</b>
<i>Vehicle Inspection - Test Fee (set by contract)</i>	<b>£32.00</b>	<b>£32.00</b>
<i>Vehicle Inspection - Missed Appointment (set by contract)</i>	<b>No charge</b>	<b>No Charge</b>

Private Hire Operators Licence - New or Renewal (for 5 years)	<b>1-3 vehicles : £129</b> <b>4-10 vehicles : £435</b> <b>11-20 vehicles : £869</b>	<b>1-3 vehicles : £134</b> <b>4-10 vehicles : £445</b> <b>11-20 vehicles : £890</b>
To increase number of vehicles licensed during duration of Operators Licence	<b>1-3 : £129.00</b> <b>4-10 : £300.00</b> <b>11-20 : £435.00</b>	<b>1-3 : £132.00</b> <b>4-10 : £307.00</b> <b>11-20 : £445.00</b>
Fee for Returned (Bounced) Cheques	<b>£16.00</b>	<b>£16.50</b>

(iv) that the scrap metal, site and collectors fees as given below be approved.

#### **RECOMMENDED SCRAP METAL, SITE AND COLLECTORS LICENSING FEES 2019/20**

	<b>CURRENT FEES 2018/19</b>	<b>PROPOSED FEES 2019/20</b>
Grant Site Licence	£316	£324
Grant Collectors Licence	£212	£217
Renewal Site Licence	£212	£217
Renewal Collectors Licence	£106	£109
Variation	£80	£82
Replacement Licence	£11	£11.50

(v) that the annual licensing summary be received and noted.

## **294 Review of the Hackney Carriage Fare Scale 2019/20**

The Environmental Protection and Licensing Team Leader introduced the report and advised that the Committee were asked to consider and set a Hackney Carriage Fee based on the information contained within the report. The purpose of setting a fare was to strike a balance between the legitimate aims of the taxi trade to maintain profitability, whilst also protecting the public from excessive fares. He drew attention to the singular 3% yardage increase within in the last 5 years, and drew Members' attention to the comparison table contained within the agenda papers, which highlighted Ashford's fares as 9<sup>th</sup> out of 13 Kent authorities, charging £6.40 for a two mile journey. Folkestone & Hythe had been omitted from the table; however he could confirm that their rate was £6.20 for a two mile journey. The last increase to fares had been in 2017/18, since which time there had been a rise in fuel costs and an increase in inflation by 2.2%. The Environmental Protection and Licensing Team Leader advised that he was not aware of an insurance premium index that was specific to premiums charged for specialist taxi insurance, due to this the AA British Insurance Premium Index was utilised as being indicative of the cost change. He welcomed any details that someone from the taxi trade could provide in relation to a specialist insurance premium index.

In accordance with Procedure Rule 9.3 Mr Coombes, a taxi representative, spoke on the item. He drew attention to the national comparison table and Ashford's position on it. There had only been one increase to fees in the past five years, however during that time the cost involved in running a taxi had increased. He noted the use of the general price index for car insurance, he confirmed that taxi policies cost more than general car insurance and there was a requirement for public liability insurance. Mr Coombes noted the options open to the Committee in setting the fees for the coming year. He supported a 3% increase in the fare rate with the drop rate remaining as is. It was difficult to appease the public and maintain profitability.

In accordance with Procedure Rule 9.3 Mrs Whybrow, a taxi representative, spoke on the item. She advised that taxis relied on passengers and questioned whether new residents used taxi services. Ashford had lost over 30 pubs and only had one small nightclub. Further, Elwick Place was struggling, all of these had factored into the cessation of seven taxi firms from trading. The Council must not make a profit, yet she questioned why every year the Council's costs were recovered via an increase in the fees, but this cost increase was not reflected for the trade in a rise in the set fares. In her view it would be useful to understand how the fees were spent and how the time spent on such applications compared to other Local Authorities. Mrs Whybrow questioned why Officers could not contact insurance companies for quotations. Specialist insurance premiums for taxis ranged between £1,000 to £4,000, for those carrying six or more passengers their premiums would be higher. She acknowledged there was a need to be fair to customers. In conclusion she noted that any increase in costs directly affected wages.

The Portfolio Holder advised that he supported a 3% rise in taxi fares across the board. He wished to support the trade and the good work and vital service that they provided to the Borough. Drawing attention to a training session regarding Licensing matters, Councillors had been advised that the policies applied by the Council ensured that drivers were fit and proper. He was grateful for representatives from the taxi trade for attending the meeting and suggested that a sample of the trade could provide Officers with information pertaining to insurance premiums and other associated costs to assist with fee setting in future years. He would discuss this with Officers with a view to sending a spreadsheet to the trade for completion.

A Member felt that 8% of the trade responding to the survey was a low figure and questioned why more did not respond. Low consultation response figures occurred year on year despite efforts to encourage a greater level of response from the trade. He felt that greater engagement from the trade should be encouraged, and he thanked the taxi representatives for attending the meeting.

A Member, who frequently used taxis, advised that due to the level of road works around the Borough, and particularly the town centre, journeys were taking longer and therefore costing more.

The Committee agreed to recommend a 3% increase be made to both rates.

**Recommended:**

**That the Hackney Carriage fare scale for 2019/20 as given in the table below be approved for the purpose of issuing a public notice.**

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**PROPOSED FARES FOR 2019/20**

<b>(a) Fares for distance or time: Rate 1</b>	<b>£</b>
If the distance does not exceed 680 yards, for the whole distance or for the first 216 seconds of waiting time	2.90
For each subsequent 161.8 yards or uncompleted part thereof	0.20
Or for each subsequent period of 51.4 seconds of waiting time or uncompleted part thereof	0.20
<b>(b) Fares for certain times and days: Rate 2</b>	
a) For each hire commenced between 12 midnight and 7 am	1½ x Rate 1
b) For each hire undertaken on <b>GOOD FRIDAY, EASTER MONDAY, MAY DAY, SPRING BANK HOLIDAY, SUMMER BANK HOLIDAY</b> or any other specifically declared Bank Holiday only.	1½ x Rate 1
<b>(i) Fares for certain times and days: Rate 3</b>	
c) For each hire undertaken on a <b>CHRISTMAS DAY, BOXING DAY</b> or <b>NEW YEAR'S DAY</b>	2 x Rate 1
When the holiday charge (b) or (c) is payable the Night Charge (a) is <b>NOT</b> payable.	

<b>2 Miles</b>	-	<b>£6.50</b>
<b>5 Miles</b>	-	<b>£13.10</b>
<b>10 Miles</b>	-	<b>£23.90</b>

	<b>£</b>
<b>Extras</b> - up to a maximum of £1.20	
(a) for each person (excluding infants in arms) carried in excess of two persons (two children under 10 years of age count as one person) irrespective of distance.	0.20
<b>Note: For the purposes of counting the number of persons <u>that the vehicle is licensed to carry</u>, children under 10 years of age should <u>each be counted as a person</u>. A babe in arms should not be counted as a person.</b>	
(b) for each article of luggage conveyed outside the passenger compartment of the carriage	0.05
(c) for perambulators	0.05
(d) for dogs	0.10

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## Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **10<sup>th</sup> January 2019**.

### Present:

Cllr. Bell (Vice-Chairman in the Chair);

Cllrs. Mrs Bell, Bradford, Clokie, Galpin, Pickering, Shorter, White.

### Apologies:

Cllrs. Bennett, Clarkson.

### Also Present:

Cllrs Buchanan, Burgess, Hicks, Smith, Mrs Webb.

Chief Executive, Director of Finance and Economy, Head of Legal and Democracy, Head of Environment and Land Management, Head of HR and Customer Services, Grounds Maintenance Operations Manager, Facility Development Manager, Senior Recovery Officer, Senior Communications Officer, Member Services Manager (Operational).

## 279 Minutes

### Resolved:

**That the Minutes of the Meeting of the Cabinet held on the 6<sup>th</sup> December 2018 be approved and confirmed as a correct record.**

## 280 Leader's Announcements

In the absence of the Leader, the Portfolio Holder for Corporate Property said he wanted to update Members following national press coverage of poor retail performance over the Christmas period. He was pleased to reassure Members that Ashford had bucked the trend and seen a 69% increase in footfall in the town centre during the week before Christmas, as compared to the same week last year. Christmas week itself had seen a 53% increase. This equated to approximately 80,000 and 60,000 people respectively in Ashford Town Centre during those weeks. In terms of Ashford itself, occupancy rates were now at about 80% and County Square had reported that they were the only Kennedy Wilson owned shopping mall in the country that had seen an increase in footfall in the last year. In addition, the town had recently experienced two visits from international media outlets (the New York Times and ARTE TV) with a positive focus on the town's economy. He hoped that would provide some reassurance to Members as it was fair to say that Ashford Town Centre was doing pretty well. The Deputy Leader

thanked the Portfolio Holder for his update and wanted to congratulate all involved in the continued rejuvenation of the Town Centre.

## **281 Revenues and Benefits Recommended Write-Offs Schedule**

The Portfolio Holder introduced the report which proposed the formal write off of 342 accounts totalling £476,183.07. The proposals were in line with the Council's Revenues and Benefits Service Write Off Policy and the Director for Finance and Economy had been consulted along with the Heads of Service for the relevant areas. He advised that provision for bad debts had been made in the final accounts to account for expected write-offs during the year. All reasonable and viable options to recover the debt had been pursued and would continue if possible in to the future. It was though an important part of strong financial management to regularly review and write-off uncollectable debts.

### **Resolved:**

- That (i) the action that accounts totalling £65,279.18 had been written off under delegated powers be noted (Financial Regulations 11.1)**
- (ii) the write offs listed in the Exempt Appendices totalling £410,903.89 be approved.**

## **282 High Weald AONB Management Plan 2019-2024**

The Portfolio Holder introduced the report which advised that the Management Plan had been reviewed for the period 2019–2024. AONB Management Plans were statutory documents under the Countryside and Rights of Way Act 2000 and Local Authorities were required to publish an up to date plan that formulated the policy for the management of the area and for the carrying out of their functions in relation to it.

### **Resolved:**

**That the revised High Weald AONB Management Plan 2019–2024 be adopted.**

## **283 Aspire – Two Year Update**

The Portfolio Holder introduced the report which provided an update on the progress of the Cabinet's decision to bring the grounds maintenance service "in-house" in the form of Aspire Landscape Management. The report also reflected the progress of the Service since its inception in October 2016 and the future anticipated direction of the Service.

She said by any measure the move had been a resounding success and she wanted to thank Tracey Butler, James Laidlaw, David Hartley and the whole team for everything they had done to ensure that success. It was a team and a Service she was very proud to say that she was the Portfolio Holder for. Those comments were echoed by the Cabinet as a whole.

**Resolved:**

**That the report be received and noted and the direction of travel for the Service be supported.**

## **284 Undergraduate Work Placement and Bursary Scheme**

The Portfolio Holder introduced the report which recommended the introduction of an undergraduate work placement and bursary scheme. The scheme would aim to support a local person in developing their career by providing good quality work placements as well as financial assistance whilst studying. He explained that the Council already had a good reputation for supporting young people through graduate placements and apprenticeships and this was the next logical step to enhance their offer and also attempt to help to address recruitment and retention difficulties in key service areas.

**Resolved:**

- That**
- (i) the introduction of the Undergraduate Work Placement and Bursary Scheme be approved.**
  - (ii) the financial commitment of doing so be noted and approved.**

## **285 Ashford and District Rifle Club: Request to Extend and Upgrade Facilities**

The Deputy Portfolio Holder introduced the report which advised that the Cabinet had previously given approval for the lease of additional land to the Ashford and District Rifle Club to enable the construction of an Olympic length outdoor small bore rifle range. Planning permission had subsequently been achieved and the Club had grant offers from Sport England, Kent County Council and Ashford Borough Council. The Club wished to proceed at the earliest opportunity, however as the land to be leased to the Rifle Club was held by this Council as open space, notices had been placed in the local newspaper which had resulted in one objection being received. The report asked the Cabinet to consider the objection and confirm if it still wished to proceed with the transaction.

In response to a question it was confirmed that the land was being leased to the Club, not sold.

**Resolved:**

- That**
- (i) the objection received by the Council be noted, but it be confirmed that the approval given on the 6<sup>th</sup> December 2012 should be actioned.**
  - (ii) the Head of Culture and the Director of Law and Governance be authorised, in consultation with the Portfolio Holder for Culture to take any further actions required to give effect to these recommendations.**

## **286 Joint Transportation Board Minutes – 11<sup>th</sup> December 2018**

**Resolved:**

**That the Minutes of the Meeting of the Joint Transportation Board on the 11<sup>th</sup> December 2018 be received and noted.**

## **287 Local Plan and Planning Policy Task Group Notes – 28<sup>th</sup> November 2018**

**Resolved:**

**That the Notes of the Meeting of the Local Plan and Planning Policy Task Group on the 28<sup>th</sup> November 2018 be received and noted.**

## **288 Ashford Town Centre Place Making Board Notes – 6<sup>th</sup> December 2018**

**Resolved:**

**That the Notes of the Meeting of the Ashford Town Centre Place Making Board on the 6<sup>th</sup> December 2018 be received and noted.**

## **289 Economic Regeneration and Investment Board Notes – 6<sup>th</sup> December 2018**

**Resolved:**

**That the Notes of the Meeting of the Economic Regeneration and Investment Board on the 6<sup>th</sup> December 2018 be received and noted.**

## **290 Schedule of Key Decisions to be Taken**

**Resolved:**

**That the latest Schedule of Key Decisions as set out within the report be received and noted.**



**Agenda Item No:** 11  
**Report To:** COUNCIL  
**Date of Meeting:** 21<sup>st</sup> February 2019  
**Report Title:** Ashford Borough Local Plan 2030 – Inspector’s Report and proposed adoption of the Plan  
**Report Author & Job Title:** Simon Cole, Head of Planning Policy  
**Portfolio Holder:** Cllr. Paul Clokie

**Summary:** Following the examination of the Submission version of the draft Local Plan, the Inspectors’ Report has now been received which concludes that the Plan is sound subject to a series of recommended modifications.

This report proposes that the Council now formally adopt the new Local Plan to 2030 subject to agreeing the recommended modifications.

**Significantly Affected Wards:** All wards

**Recommendations:** **The Council is recommended to:-**

**Endorse the Inspectors’ Report and the appended set of recommended Main Modifications to the Local Plan to 2030 and adopt the Local Plan to 2030 as part of the Development Plan for the borough.**

**Policy Overview:** The Local Plan is a key policy document that takes forward many aspects of the Council’s corporate plan – in terms of providing for new jobs and homes; creating a range of new facilities for the community, and protecting and enhancing the environment and quality of life in the Borough.

**Financial Implications:** None.

**Legal Implications:** This is the final stage in the preparation of the Local Plan. On adoption, the Local Plan to 2030 will form part of the Council’s ‘Development Plan’ for the borough alongside the Chilmington Green Area Action Plan (2013) and the two ‘made’ Neighbourhood Plan for Wye with Hinxhill and Pluckley parishes with all other current adopted Development Plan Documents being superseded. The implications and likelihood of a legal challenge to the adoption of the Plan are dealt with in the main body of the report.

**Equalities Impact  
Assessment:**

Attached to this report.

**Background  
Papers:**

The evidence base supporting the Plan can be found at  
<http://www.ashford.gov.uk/local-plan-2030-evidence-base>

**Contact:**

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## Ashford Borough Local Plan 2030 – Inspectors’ Report and proposed adoption of the Plan

### Introduction

1. The existing adopted Core Strategy and its supporting development plan documents set the planning strategy for the Borough to 2021. The new Local Plan for the Borough will run to 2030, although it will need to be updated and reviewed in the interim. Provision needs to be made in the Plan for the extra homes and employment space needed over that timescale and update the policy base to align with current Government guidance.
2. A first draft of the new Local Plan was published and publically consulted on in summer 2016 followed by a series of proposed ‘main changes’ in summer 2017. The version of the Plan submitted for examination was finalised in December 2017 and it is this version that has been the focus of the public examination by two Inspectors from the Planning Inspectorate during the course of 2018.
3. Public hearing sessions were held between the 11th April and the 13th June 2018 to enable the Inspectors to consider the main issues and determine whether the Plan was sound or not. The list of issues considered and the participants in each hearing session can be viewed on the Council’s website.
4. On 28th June 2018, the Inspectors issued a post-hearing advice note which set out the main areas of the Plan where they considered further changes would be necessary in order for the Plan to be sound. This correspondence led to the publication of a further series of Proposed Main Modifications to the Plan in September 2018. A six-week public consultation period on those Modifications closed on the 26th October 2018.
5. Following this consultation, the Inspectors considered that no further main modifications were necessary and on 2nd January 2019, the Council received the Inspectors’ Report on the soundness of the new Local Plan with the confirmed set of recommended Modifications (appended to this report).

### Inspectors’ Conclusions

6. The Inspectors’ have concluded that the Local Plan to 2030 is sound for planning purposes subject to the inclusion of the proposed main Modifications set out in the Appendix to their report. The following paragraphs set out the principal areas of change from the Submission version of the Plan.

#### Overall housing requirement to 2030

7. As highlighted in the post-hearing advice note in June 2018, the Inspectors consider that the housing requirement for the borough from 2011-30 should be increased from 16,120 to 16,872 dwellings. Taking account of housing

completions from 2011-18, this leaves a residual housing requirement of 13,118 dwellings from 2018-30.

8. The Inspectors concluded that a further allowance for additional housing should be made given the relatively high affordability ratio for housing in the borough and that the previous allowance in the draft Plan for additional in-migration from London was insufficient.

#### Rectifying the housing delivery shortfall over 7 years

9. This is a key recommendation that influences the Council's ability to demonstrate a deliverable 5 year housing land supply. The Inspectors have largely supported the Council's evidence put forward on housing land supply and have recognised that in recent years, the absence in particular of the M20 Junction 10a improvement had hindered the ability of housing development to come forward.
10. With the Junction 10a scheme now under construction, housing development at Chilmington Green now commenced and significant amounts of new housing coming forward in the town centre, the Inspectors consider it appropriate for the shortfall in housing delivery in the borough since 2011 to be rectified over a 7 year period from 2018, rather than the usual 5 years.
11. As a consequence, the Report confirms that the Council can currently demonstrate a 5.3 year housing land supply – a little above the 5 year supply required by the NPPF.

#### Site Allocations - Ashford

12. The Inspectors' report supports the principle of development on all of the proposed sites in and around Ashford identified in the Submission version of the Local Plan. Some modifications are recommended to improve the effectiveness of those policies and to make them more consistent. This includes the largest allocations in the new Plan at Court Lodge (policy S3 - 950 dwellings) and north-east of Willesborough Road, Kennington (policy S2 – 700 dwellings).

#### Site Allocations – A20 Corridor

13. The Submission version of the Local Plan included three sites along the A20 corridor between Ashford and Charing proposed for an aggregate of 300 units between them (Policies S47, S48 and S49). Along with other sites in the rural areas, these were added to the Plan at the 'Main Changes' stage in 2017 in response to the requirement for housing in the borough increasing.
14. However, the Inspectors have concluded that the allocation of these three sites would not be consistent with the broader strategy of the Local Plan and would have relatively poor access to services and facilities catering to everyday needs alongside limited public transport accessibility. As a consequence, they have been recommended for deletion from the Plan.



## Site Allocations – Rest of the borough

15. In the majority of cases, the Inspectors have supported the principle and scale of Council's proposed allocations in the rest of the borough, including at Tenterden and the main rural service centres of Charing and Hamstreet.
16. Elsewhere, a small number of proposed sites are recommended to be deleted from the Plan. These are at Hothfield (Policy S34), where the Inspectors consider that the site is too isolated from the rest of the village to create the integration that the policy is based on; at Wittersham (Policy S61) where the Inspectors have raised doubts about the ability to access the site without harm to ecological interests and its potential impact on the character of the AONB; at Brook (Policy S53) where the Inspectors considered that development behind the site frontage would not be in character; and at the Stevenson Brothers site on the A28 between High Halden and Bethersden (Policy S58) where the Inspectors considered that the location was unsustainable and inconsistent with the broader strategy of the Plan.
17. For the allocations in Aldington (Policies S51 & S52) and Mersham (Policy S59), the Inspectors recommended that their indicative residential site capacities should be reduced in order to provide a more acceptable form of development on those sites.

## Housing windfall policies

18. At the examination, the Inspectors asked for further information to justify the Council's list of settlements that had been included in the Plan's policies governing residential windfall schemes (policies HOU3a and HOU5). Following the discussion at the examination and further consideration, the Inspectors have concluded that 6 small settlements should be removed from the list of settlements capable to accommodating windfall housing schemes. These are Bilsington, Eastwell, Crundale, Godmersham, Molash and Shottenden.
19. In addition, the Inspectors have recommended that a distinction is made between those larger settlements capable of accommodating, in principle, some development close to and adjoining their settlement boundaries and those capable only of accommodating development within their boundaries. Therefore, a definitive list of settlements for each policy is now recommended by the Inspectors.

## Gypsy & Travellers Accommodation

20. The Inspectors have acknowledged that the Council is proposing to bring forward a separate Development Plan Document to deal with the specific issue of Gypsy & Travellers Accommodation later in 2019 but have also considered the two sites for such purpose proposed in the Submission Local Plan.
21. One of these at Watery Lane, Westwell (Policy S44) was allocated for an additional 4 pitches but the Inspectors have recommended that this is reduced to 1 additional pitch over their concerns about the impact of the additional development at the site which lies within the AONB.

## **Other conclusions from the Inspectors' Report**

22. The Inspectors' Report provides firm support for the main planning strategy for the borough contained in the new Local Plan. The split between development in and around Ashford and elsewhere in the borough has been supported in the face of representations from developers seeking a greater proportion of housing in Tenterden and the villages. The Inspectors have specifically supported the use of existing or already-planned infrastructure to support new development in a cost effective manner and have concluded that the Plan's approach represents the "most appropriate strategy" despite the recommended site deletions referenced above.
23. Settlement separation: there is support from the Inspectors for policy SP7 on the separation of settlements and its objective of retaining individual settlement character and identity. In doing so, they agreed that it would be next to impossible to devise prescriptive criteria given the different context of individual proposals.
24. Residential Space Standards: in this section, the Inspectors note the successful application of the local minimum space standards since 2011 as a demonstration that the market is able to deliver this quantum of space on a viable basis. Importantly, they also recognise that where the Council has not been able to apply standards (e.g. office to residential PD conversions), the scale of development has been well below the nationally described standards thus indicating that the market would not be inclined to deliver housing of a suitable scale without the policy in place. As such, the policy (HOU12) is required to provide a good standard of amenity for future residents.
25. Fibre to the Premises: the Inspectors have reiterated their support for the Modified version of the policy (EMP6) which they agree is consistent with the NPPF and will require developers to ensure that FTTP will be enabled where possible. For a nationally ground-breaking Local Plan policy, this endorsement is warmly welcomed.
26. Landscape and biodiversity policies: the Inspectors have made a number of detailed points across the range of landscape protection and biodiversity policies in the Plan. Moreover, they have concluded that the modified versions of those policies will provide a sound framework for assessing impacts on local landscape and biodiversity assets and there is no need for a single policy relating to the protection of local landscape character. They also consider that the Plan does address the issue of cumulative impacts where it can reasonably justify doing so in an effective manner.

## **Proof reading and updating**

27. Following the receipt of the Inspectors' Report, officers have proof read the document to ensure that all the required modifications to the Local Plan are incorporated into the final adopted version, as well as providing an opportunity to correct any spelling or grammatical errors from the Submission version and factually update any passages of supporting text where events have moved on since the original text was drafted (e.g. commencement of construction of M20 Junction 10a).

## **Equalities Impact Assessment**

28. An Equalities Impact Assessment has been completed and is attached to this report. The Assessment indicates that the adoption of the Plan would have no adverse effects for any residents of the borough with protected characteristics.

## **Legal Implications**

29. Any legal challenge to the adoption of a Local Plan (including any alleged act or omission of the Local Plan Inspectors) must be formally launched within 6 weeks from when the statutory notice of adoption is posted on the Council's website. Such challenges are rare, and any challenger must obtain permission from the High Court to proceed with a challenge, which is intended to filter out unmeritorious claims. While some parties may regard the outcome as unsatisfactory for them, this does not mean that legal grounds for a challenge would exist.

30. A minute number of participants in the Examination attended with legal advisers, and officers have received indication from only one party since the Examination closed that they may seek to legally challenge the Plan if it is adopted. This relates to the policy for the former Bombardier site at Leacon Road, Ashford (Site S11a) and alleges that evidence from Network Rail was withheld from the examination that would have resulted in a different outcome had it been available. This relates to the ownership of the site and whether Network Rail would have continued to pursue the stabling of rolling stock there (for which the Local Plan policy now temporarily safeguards the site) had an initial outline South Eastern Railways feasibility study from 2015 not incorrectly indicated that the site was owned by Network Rail. However, Network Rail has consistently pursued the use of the site for stabling since then through the Local Plan process and have recently submitted a planning application and Transport & Works Act Order to that end, and so there would seem little to justify the allegation that Network Rail should have preferred alternative locations for the use and hence the premise of the policy is flawed.

31. Therefore, although the risk of a challenge, and the delay and costs it would cause, cannot be entirely discounted, it is felt that the likelihood of a successful challenge is minimal given the thorough way that the two Inspectors pursued their task and their clearly-reasoned Report and Recommended Modifications to the Plan. Should any challenge arise it would not directly impact upon the material weight afforded to the Plan unless the challenge was successful in the Courts.

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

32. This is the most important planning statement for the Council and will be in place until 2030 unless replaced by the council at a future meeting. The Council will now, as a result of a sound land supply, be able to determine where development should be, rather than being at the mercy of Appeal inspectors.

33. I want to take this opportunity of thanking Simon Cole and his team for the hard work they have put into achieving this sound Borough Plan. I couple with that my thanks for the patience and effort of elected colleagues without whose input and understanding this plan would and could not have been produced.

## Conclusions

34. With the Inspectors having now reported that the Local Plan to 2030 is sound, subject to the inclusion of the recommended Main Modifications attached to their report, it is open for the Council to now adopt the Local Plan. In doing so, it will formally supersede the adopted Core Strategy 2008, Town Centre Area Action Plan (2010), Tenterden & Rural Sites Development Plan Document (2010), Urban Sites & Infrastructure Development Plan Document (2012) and any remaining 'saved' policies from the Borough Local Plan (2000).
35. On adoption, the Local Plan to 2030 will thus form part of the Council's 'Development Plan' for the borough alongside the Chilmington Green Area Action Plan (2013) and the two 'made' Neighbourhood Plans for Wye with Hinxhill and Pluckley parishes.
36. The overall conclusions of the Inspectors in their report is very positive and are a broad endorsement of the Council's planning strategy and the policies it has been promoting through the new Local Plan. Given this is the first borough wide Local Plan produced since the introduction of the NPPF and the need to establish and plan for delivering a borough housing target without a higher level plan (such as the South East Plan or Kent Structure Plan) in place, this should be regarded as a significant achievement.
37. The new Local Plan will now set the benchmark for the scale and quality of new development in the borough in the years ahead.

## Recommendation

**The Council endorses the Inspectors' Report and the appended set of recommended Main Modifications to the Local Plan to 2030 and adopts the Local Plan to 2030 as part of the Development Plan for the borough.**

## Contact and Email

Simon Cole, Head of Planning Policy – 01233 330642; [simon.cole@ashford.gov.uk](mailto:simon.cole@ashford.gov.uk)

# Equality Impact Assessment

1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

## Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation;
  - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (ie tackling prejudice and promoting understanding between people from different groups).

3. These are known as the three aims of the general equality duty.

## Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership\*
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

\*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

## Due regard

5. Having 'due regard' is about using good equality information and analysis at the right time as part of decision-making procedures.
6. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:
- removing or minimising disadvantages suffered by people due to their protected characteristics.
  - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
  - encouraging people with certain protected characteristics to participate in public life or in other activities where it is disproportionately low.

7. How much regard is 'due' will depend on the circumstances. The greater the

potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.

8. In terms of timing:

- Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
- Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
- The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.

### Armed Forces Community

9. As part of the council's commitment to the Armed Forces Community made through the signing of the Armed Forces Covenant the council's Cabinet agreed in November 2017 that potential impacts on the Armed Forces Community should be considered as part of the Equality Impact Assessment process.

10. Accordingly, due regard should also be had throughout the decision making process to potential impacts on the groups covered by the Armed Forces Covenant:

- Current serving members of the Armed Forces (both Regular and Reserve)
- Former serving members of the Armed Forces (both Regular and Reserve)
- The families of current and former Armed Forces personnel.

### Case law principles

11. A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one so that it needs to be considered not only when a policy, for example, is being developed and agreed but also when it is implemented.
- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or

service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

<b>Lead officer:</b>	Simon Cole
<b>Decision maker:</b>	Full Council
<b>Decision:</b> <ul style="list-style-type: none"> <li>• Policy, project, service, contract</li> <li>• Review, change, new, stop</li> </ul>	To endorse the Inspectors' Report and the appended set of recommended Main Modifications to the Local Plan to 2030 and adopt the Local Plan to 2030 as part of the Development Plan for the borough.
<b>Date of decision:</b> The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	21 <sup>st</sup> February 2019
<b>Summary of the proposed decision:</b> <ul style="list-style-type: none"> <li>• Aims and objectives</li> <li>• Key actions</li> <li>• Expected outcomes</li> <li>• Who will be affected and how?</li> <li>• How many people will be affected?</li> </ul>	<p>The adoption on the Local Plan to 2030 will supersede a number of the Council's existing planning policy documents.</p> <p>The Plan will provide an up to date set of planning policies to guide decision-making on planning applications and related matters.</p> <p>Its application is borough-wide and so potentially affects all residents in the borough. Those who live in, or close to, areas allocated for new development in the Plan and those residents or other stakeholders who wish to apply for planning permission for developments (and those who reside nearest to such proposals) may be most affected.</p>
<b>Information and research:</b> <ul style="list-style-type: none"> <li>• Outline the information and research that has informed the decision.</li> <li>• Include sources and key findings.</li> </ul>	<p>The Local Plan is based on extensive evidence and research collected and updated where appropriate over at least a 6-year period. The evidence base has been published on the Council's website but some of the main elements are:-</p> <ul style="list-style-type: none"> <li>• Strategic environmental assessment and Sustainability Appraisal</li> <li>• Strategic Housing Market Assessment</li> <li>• Strategic Housing &amp; Employment land availability assessment</li> <li>• Viability Assessment</li> <li>• Infrastructure Delivery Plan</li> </ul>
<b>Consultation:</b> <ul style="list-style-type: none"> <li>• What specific consultation has occurred on this decision?</li> <li>• What were the results of the consultation?</li> <li>• Did the consultation analysis reveal any difference in views across the protected characteristics?</li> <li>• What conclusions can be drawn from the analysis on how the decision will affect</li> </ul>	<p>Prior to the formal stages of public consultation, the Council carried out extensive informal consultation with local communities on the issues that were most important in their areas and on the sites proposed by local landowners and developers in their areas.</p> <p>An initial Regulation 19 consultation took place during the summer of 2016 and a total of 2866 representations were made. Following consultation and a number of contextual changes including the Government's publication of the Housing White Paper, a series of revisions to the 2016 version of the draft Local Plan were proposed.</p> <p>Subsequently, a further Regulation 19 'Main Changes' consultation took place during the summer of 2017. All of the</p>



<p>people with different protected characteristics?</p>	<p>main changes to the Plan were detailed and a total of 1178 representations were received.</p> <p>The draft version of the Plan was submitted for examination in December 2017 and a series public examination hearings were held on various matters contained in the Plan between April and June 2018. This was conducted independently by two Inspectors from the Planning Inspectorate and gave stakeholders an opportunity to present their case orally.</p> <p>Following the hearings, a schedule of proposed Modifications to the Plan were subject to public consultation during September and October 2018.</p> <p>The Council has prepared background documents which summarise the representations made and the Council's response.</p> <p>The difference in views of those with protected characteristics was not analysed as part of the response to representations process.</p> <p>The approval of the decision will have no differential impact on people with different protected characteristics.</p>
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**Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.**

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

<b>Protected characteristic</b>	<b>Relevance to Decision High/Medium/Low/None</b>	<b>Impact of Decision Positive (Major/Minor) Negative (Major/Minor) Neutral</b>
<u>AGE</u> Elderly	Low	Positive
Middle age	Low	Positive
Young adult	Low	Positive
Children	Low	Positive
<u>DISABILITY</u> Physical	Low	Positive
Mental	Low	Positive
Sensory	Low	Positive
<u>GENDER RE-ASSIGNMENT</u>	Low	Positive

<u>MARRIAGE/CIVIL PARTNERSHIP</u>	Low	Positive
<u>PREGNANCY/MATERNITY</u>	Low	Positive
<u>RACE</u>	Low	Positive
<u>RELIGION OR BELIEF</u>	Low	Positive
<u>SEX</u> Men	Low	Positive
Women	Low	Positive
<u>SEXUAL ORIENTATION</u>	Low	Positive
<u>ARMED FORCES COMMUNITY</u> Regular/Reserve personnel	Low	Positive
Former service personnel	Low	Positive
Service families	Low	Positive

<b>Mitigating negative impact:</b> Where any negative impact has been identified, outline the measures taken to mitigate against it.	N/A
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<b>Is the decision relevant to the aims of the equality duty?</b>	
Guidance on the aims can be found in the EHRC's <a href="#">Essential Guide</a> , alongside fuller <a href="#">PSED Technical Guidance</a> .	
<b>Aim</b>	<b>Yes / No / N/A</b>
1) Eliminate discrimination, harassment and victimisation	N/A
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	N/A
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	N/A

<b>Conclusion:</b> <ul style="list-style-type: none"> <li>Consider how due regard has been had to the</li> </ul>	Due regard has been made to the equality duty from start to finish of the Ashford Local Plan 2030. <b>Page 46</b>
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<p>equality duty, from start to finish.</p> <ul style="list-style-type: none"> <li>• There should be no unlawful discrimination arising from the decision (see guidance above ).</li> <li>• Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified.</li> <li>• How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported?</li> </ul>	<p>There will be no unlawful discrimination arising from the decision.</p> <p>The proposal meets the aims of the equality duty as all sections of the community, including those with protected characteristics, have had the opportunity to comment on the draft Local Plan during all stages of its preparation. The planning department is committed to ensuring that everyone is able to comment on plans that may have an impact on them, which is reiterated in the Statement of Community Involvement (SCI).</p> <p>Monitoring of the policies, procedures and decisions and their implementation will be reported in the annual Authority Monitoring Report.</p>
<p><b>EIA completion date:</b></p>	<p>1<sup>st</sup> February 2019</p>

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# Report to Ashford Borough Council

**by David Smith BA(Hons) DMS MRTPI and Steven Lee BA(Hons) MA MRTPI**  
**Inspectors appointed by the Secretary of State**

**Date: 02 January 2019**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Ashford Local Plan 2030**

The Plan was submitted for examination on 21 December 2017

The examination hearings were held between 11 April and 13 June 2018

File Ref: PINS/E2205/429/12

## **Abbreviations used in this report**

ALP	Ashford Local Plan 2030
AONB	Area of Outstanding Natural Beauty
CIL	Community Infrastructure Levy
DPD	Development Plan Document
FTTP	Fibre to the Premises
HRA	Habitats Regulations Assessment
LDS	Local Development Scheme
MWLP	Kent Minerals and Waste Local Plan
MM	Main Modification
NDSS	Nationally Described Space Standards
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
PSA	Primary Shopping Area
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SPD	Supplementary Planning Document
SuD <sub>s</sub>	Sustainable Drainage Systems
WMS	Written Ministerial Statement

## **Non-Technical Summary**

This report concludes that the Ashford Local Plan 2030 provides an appropriate basis for the planning of the Borough, provided that a number of main modifications [MMs] are made to it. The Council has specifically requested us to recommend any MMs necessary to enable the Plan to be adopted.

All the MMs were proposed by the Council, and were subject to public consultation. We have recommended their inclusion in the Plan after considering all the representations made in response to that consultation. In some cases we have amended their detailed wording where necessary.

The Main Modifications can be summarised as follows:

- Increasing the housing requirement over the plan period to 16,872 dwellings and the residual requirement from 2018 to 13,118;
- Specifying that the shortfall from the start of the plan period should be made up over the next 7 years at a rate of 352 dwellings per annum;
- Amending policies to set targets for new employment land and retail needs and adjusting the policy for Ashford town centre to ensure it is effective;
- Revising one of the site allocations for a gypsy and traveller site to protect the Area of Outstanding Natural Beauty and ensuring that the specific policies reflect national policy;
- Deleting 7 unsuitable housing sites;
- Various changes to the site specific policies to ensure that they are justified and effective; and
- Alterations to the topic and other policies for housing, employment, retail, leisure and tourism, transport, the natural and built environment and community facilities so that they are justified and effective.

## Introduction

1. This report contains our assessment of the Ashford Local Plan 2030 (ALP) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework 2012 (NPPF) (paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. A revised NPPF was published in July 2018. It includes a transitional arrangement in paragraph 214 whereby, for the purpose of examining this Plan, the policies in the 2012 NPPF will apply. The ALP has therefore been considered against national policy in the NPPF of 2012 and references in this report are to that document unless otherwise stated. Likewise where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement.
3. Following consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) in 2016, the Council undertook Main Changes to the Plan. These were made in response to the publication of the 2014 based population and household projections which increased the objectively assessed need for housing and were consulted on in July 2017 for 8 weeks. The Submission Local Plan 2030, submitted in December 2017, is the same as the Main Changes consultation document save for a number of minor amendments (SD01(a)). This Plan is the basis for the examination and the starting point is the assumption that the Council has submitted what it considers to be a sound plan.

## Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the Council has requested that we should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. Our report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report and are set out in full in the Appendix.
5. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out a sustainability appraisal of them. The MM schedule was subject to public consultation between 13 September and 26 October 2018. We have taken account of the consultation responses in coming to the conclusions in this report. In light of these we have made some amendments to the detailed wording of the main modifications where these are necessary. None of them significantly alter the content of the main modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken.

## Policies Map

6. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan.



When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises Sheet 1 and Sheet 2 accompanying the Submission Local Plan (SD01).

7. The policies map is not defined in statute as a development plan document and so we do not have the power to recommend main modifications to it. However, a few of the recommended MMs to the Plan's policies require further corresponding changes to be made to the policies map. Therefore in order to comply with the legislation and give effect to the Plan's policies the Council will also need to update the policies map when the ALP is adopted to include all the changes resulting from the MMs.

### **Consultation**

8. The Statement of Community Involvement (SCI) was adopted in October 2013 (GBD14). Table 1 prescribes consultation techniques that will be used at formal stages of local plan preparation and review whilst Table 2 lists potential informal techniques.
9. The Annual Monitoring Report of 2013/14 referred to the publication of a draft local plan in 2015 but the Local Development Scheme (LDS) of July 2014 confirmed that this would be done under Regulation 19. It is the LDS which must specify under Section 15 of the 2004 Act which development plan documents are to be prepared and the timetable. That is not the function of the SCI and, in any event, it does not anywhere give rise to a legitimate expectation that a formal draft version will be published pursuant to Regulation 18. There is also no legal requirement to do so.
10. Nevertheless, consultation took place in the early stages of plan-making under the auspices of the Plan-It Ashford exercise which encompassed meetings, workshops and exhibitions. This process specifically drew attention to land put forward following the 'call for sites'. In Kennington a workshop was held in April 2014. It is evident from Part 1 of the Consultation Statement (SD05) that the Community Forum was engaged with the process and submitted comments to reflect the views of residents. Specifically, the Forum objected to sites KE2 and KE3 (now S2). Furthermore, 22 individual objections were made in respect of those sites and their content largely reflects subsequent representations made.
11. The formal consultation techniques were undertaken at Regulation 19 stage in accordance with Table 1 of the SCI. Moreover, informal consultation was done in line with Table 2. This elicited responses from those in the Kennington area and would have signalled to the Council that there were likely to be objections if the allocation of sites KE2 and KE3 were pursued. Overall there is nothing to indicate that the Council did not adhere to its SCI and we are satisfied that it was complied with as required by Section 19(3) of the 2004 Act.

### **Sustainability Appraisal**

12. There is a requirement in Section 19(5) of the 2004 Act for local authorities to carry out Sustainability Appraisal (SA) as part of the preparation of a local plan. This is a systematic process to identify, describe and evaluate the likely

significant effects of the plan and reasonable alternatives in order to promote sustainable development. The NPPF says that SAs should be proportionate and the process is an iterative one.

13. The main SA Environmental Report was produced in May 2016 and there was a subsequent Addendum and a further Update prior to submission (SD02). The 13 SA objectives developed through the Scoping Report were used to test the strategic options for employment and housing growth. In turn, 4 alternatives for the distribution of the development were identified followed by 3 options for its location around the Ashford urban area. These were assessed against the sustainability objectives on a like-for-like basis so as to provide a meaningful comparative guide to the Council about the strategies that it should pursue. The SA was also used as a vehicle for site selection.
14. Regulation 13 of the Environmental Assessment of Plans and Programmes Regulations 2004 prescribe the consultation procedures which flow from the requirements in Article 6(2) of the Strategic Environmental Assessment Directive. This includes an "early and effective" opportunity to express opinions on the draft plan and accompanying environmental report before the adoption of the plan. That is exactly what has occurred as both the SA and the Addendum of July 2017 were available as part of the Regulation 19 and Main Changes consultations. There is no evidence that the procedures in Regulation 13 have not been followed.
15. There is criticism that insufficient consideration has been given to the role that the rural area should play. In particular that there is a wide gulf between the favoured option of locating the majority of growth at Ashford with proportionate growth outside it and the alternative of significant development outside of Ashford. However, the PPG on *Strategic Environmental Assessment and Sustainability Appraisal* indicates that alternatives should be sufficiently distinct to highlight the different sustainability implications between them. Moreover, whilst the descriptors used for the alternatives are not precise they provide sufficient detail to broadly understand what they entail and to assess them accordingly. There are no failings in the SA in these respects as it adequately considered a more rural-focussed growth option.
16. There have been regular complaints throughout the examination about the accuracy or consistency of the scoring undertaken for individual sites. Disputes about such findings are nevertheless to be expected. These are due to differences in planning opinion and do not undermine the SA process undertaken. Furthermore, the SA itself is at pains to point out that allocations have not been made solely on the basis of those with the highest score. Rather this has been done with regard to the ALP's general strategy whilst some restrictive criteria are given more weight than others. The SA allows a range of considerations affecting sites to be assessed in a coherent way but does not remove the need for the exercise of judgement by the Council.
17. The SA did not consider sites within 3 neighbourhood plan areas where plans were actively being prepared in order to avoid fettering that process. There is no legal requirement for sites to be considered through SA however they might have scored. In the circumstances these were not reasonable alternatives and the SA took a realistic and proportionate approach.

18. An Addendum SA was undertaken in September 2018 to consider the proposed main modifications (ABC/PS/21). This expressly indicates that the Addendum should be read in conjunction with previous reports. This link to earlier documents is clear and intelligible and does not require a 'paper chase' to be undertaken especially as the same format has been adopted.
19. The Addendum properly considers a fifth option to overall housing growth which is a higher figure than that previously considered. It concludes on that option without specifically dealing with the 'stepped' trajectory that is envisaged. In so doing the SA has adequately addressed the reasonable alternatives and compared it to others but is not required to individually appraise each facet of those alternatives.
20. Overall the SA has sufficiently evaluated the reasonable alternatives and is suitably comprehensive, satisfactory and legally compliant.

## **Assessment of Duty to Co-operate**

21. The Council has a long record of co-operation and joint working that dates back to earlier development plans. Details of the arrangements established and discussions undertaken with the County Council, neighbouring authorities and other relevant bodies have been provided (SD07). The Council is also a member of the East Kent Regeneration Board and a party to the Memorandum of Understanding. Strategic matters affecting more than one planning area have not been considered in isolation but as part of the plan-making process.
22. The NPPF confirms that joint working should enable development requirements to be met that cannot wholly be met within a particular local planning authority area. In this regard there are no formal or informal requests from either Tunbridge Wells or Tonbridge and Malling to assist in meeting their housing needs. Furthermore, both those authorities are at an earlier stage in the plan-making process than Ashford.
23. The Rother Core Strategy adopted in 2014 contains a shortfall of 478 dwellings compared to the full objectively assessed need at the time. In 2016 Rother asked the Council to test a growth option to reflect that unmet need. Representations on the Main Changes queried whether regard had been paid to any further scope within Ashford to address Rother's unmet housing need. However, it is now agreed between the respective Councils that Rother is not asking Ashford to make any provision for its needs and that there has been no breach of the duty. There is also a commitment to future collaboration particularly in view of the planned improved rail links between Ashford and Rye, Hastings and Bexhill-on-Sea.
24. Given that the position at a neighbouring authority had been known during the plan preparation process the Council could have given greater cognisance to this. However, no express formal request to contribute towards the housing shortfall in Rother was made and that is not the case now. Furthermore, the boundary between the two authorities is short and the connections between them physically and functionally are quite limited. Therefore in relation to Rother, the approach of the Council was sufficient in the circumstances to comply with the duty.

25. Overall we are satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the ALP and that the duty to co-operate contained in Section 33A of the 2004 Act has therefore been met.

## **Assessment of Soundness**

### **Background**

26. The ALP will replace saved policies in the Ashford Borough Local Plan of 2000; the Core Strategy of 2008; the Ashford Town Centre Area Action Plan of 2010; the Tenterden and Rural Sites Development Plan Document (DPD) of 2010 and the Urban Sites and Infrastructure DPD of 2012. The Chilmington Green Area Action Plan will remain in force.
27. Ashford town was previously designated as a regional growth area and this was reflected in the Core Strategy. However, that is no longer the case and the ALP seeks to positively respond to the two key aims in the NPPF of deliverability and flexibility as well as to achieving good quality place-making. The plan period is between 2011 and 2030 which is greater than the 15 years referred to in the NPPF. This is also sufficiently forward-looking in order for strategic objectives to be set whilst also allowing for the proposals in the ALP to be put into effect.

### **Main Issues**

28. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings we have identified eleven main issues upon which the soundness of the Plan depends. Under these headings our report deals with those main soundness matters and does not respond to every point raised by representors.

#### **Issue 1 – Are the vision and strategic objectives for Ashford sound having regard to achieving sustainable development?**

29. The vision for Ashford Borough in 2030 refers to meeting housing and employment needs; focussing development at the town of Ashford which is to be regenerated and expanded; the role of rural service centres and smaller settlements; environmental protection and green spaces and a positive approach to climate change. These aspirations have been translated into Policy SP1 in order to ensure delivery and to form the basis of the policy framework. Together the vision and strategic objectives reflect the economic, social and environmental dimensions of sustainable development set out in the NPPF. Therefore the ALP has the achievement of sustainable development at its heart and the vision and strategic objectives are accordingly sound.

#### **Issue 2 – Are the strategic objectives and the strategic approach to the distribution and location of housing and economic development sound, having regard to the needs of the Borough and national policy? Has the Local Plan been positively prepared?**

30. Because of its status as the principal settlement in the Borough, its road and rail transport links, employment opportunities and other facilities the strategy of emphasising Ashford town as the main location for growth is a sound one.

Planning for the majority of development to be here also perpetuates past policy approaches and reflects extant commitments. The SA highlights the clear advantages of this focus and also endorses the option of a dispersed pattern of distribution around the town.

31. Since the adoption of the Core Strategy there have been major improvements at Junction 9 of the M20 and the associated Drivers roundabout. High speed rail links to central London commenced in 2009. Work on a new motorway junction at 10A has commenced and is due to be open to traffic in August 2019. This will relieve capacity issues at Junction 10 and remove a major and long-standing constraint to development around the town. This factor and the recession has held back growth in the past.
32. Consequently the ALP envisages a significant increase in development around the town compared to recent years. Because all the ingredients are now in place for the expectations in the ALP to be fulfilled there is no reason to suppose that the previous low rate of growth will be perpetuated. In support of this development is starting to come out of the ground now including at the major housing site at Chilmington Green. Indeed, with no fundamental constraints it is fair to say that development around Ashford town is already building up some momentum. As a result we are confident that the approach of concentrating growth here is justified.
33. In the ALP as a whole the proportion of housing development in rural areas is around 15%. However, for new allocations alone the figure rises to approximately 24% which partly reflects the increase in the number of rural sites arising from the Main Changes. These percentages accord with the general thrust of Policy SP1 and the preferred option in the SA. In determining the relative proportions of urban and rural growth the Council could have undertaken detailed capacity studies of each of its settlements in order to produce prescriptive targets. However, there is nothing in national policy to indicate that this is a pre-requisite.
34. Tenterden is the second largest settlement in the Borough but the population in Ashford town was about 15 times greater in 2016. Taking existing commitments and proposed allocations into account some 625 dwellings would be provided in Tenterden over the plan period. This equates to some 5% of the Borough's residual housing requirement in Table 1. This is not a precise 'fit' with the size of the town compared to the Borough as a whole but consideration has to be given to constraints such as the Area of Outstanding Natural Beauty (AONB) that surrounds much of Tenterden.
35. In general terms the population of Tenterden has not grown since 2002 compared to growth across the Borough of some 21%. This has led to ageing households. House prices are more expensive than the Borough average and also increasing more quickly in value. However, there is no evidence that the vitality and viability of shops and services have suffered as a result and the town appears to be thriving. Therefore it is not essential for the growth strategy to be changed to favour Tenterden in order to arrest potentially serious economic or social consequences. The distribution of development enshrined in the ALP should allow Tenterden to perform its role as a principal rural service centre as set out at paragraph 3.8 of the Vision.

36. In considering whether the plan has been positively prepared consideration should be given to potential impediments to delivery such as issues of viability and infrastructure. The Viability Study Update (SD09) tests the impact of affordable housing, self-build plots, accessibility and green space standards. The overall result is that with suitably adjusted affordable housing targets the scale of obligations and policy requirements set out in the ALP should not threaten overall delivery. There would also be some capacity to support additional contributions or costs which might arise under the Community Infrastructure Levy (CIL). Viability is weakest in Ashford town and strongest in the rural area outside the Ashford hinterland where values are highest. All in all, the ALP has taken sufficient account of the relevant standards within it in assessing viability in accordance with NPPF paragraph 173.
37. The ALP seeks to utilise existing or planned infrastructure to meet additional needs in a cost effective manner. Furthermore, an Infrastructure Delivery Plan (SD10) has been developed in conjunction with relevant providers to set out what is required to support the planned new development. There is no clear evidence that any of the items listed as critical or essential priorities in section 3 cannot be achieved because of a lack of finance or a suitable site. Overall the infrastructure required, its funding, provision and relationship to the rate and phasing of development over the first 5 years of the plan is clear and therefore in line with paragraph 018 of the PPG on *Local Plans*.
38. With the completion of Junction 10A the Highway Authority is satisfied that the cumulative impact of site allocations on the network around Ashford town as a whole will be less than severe (ED/05a). Any localised impacts on specific junctions can be addressed by suitable mitigation measures. Outside the urban area there are no issues of cumulative impact from a capacity perspective that are incapable of mitigation.
39. The ALP has been positively prepared in that it seeks to meet the need for development and infrastructure as opposed to prevent or severely restrict growth. Furthermore the location of development is justified being based on the principles of sustainability such that it represents the most appropriate strategy. Later in the report we recommend that 7 housing sites in the rural areas with an indicative capacity of over 400 units be deleted from the ALP. However, this would not fundamentally alter the distribution of development around the Borough but rather would be consistent with the primary concentration around Ashford town.

**Issue 3 – Does the Local Plan set a clear policy framework for the preparation of Neighbourhood Plans and provide for an effective relationship between the two?**

40. There are two made Neighbourhood Plans in the Borough for Wye with Hinxhill and for Pluckley. Neighbourhood areas have been designated quite recently at Hothfield, Charing and Egerton and because of the early stage of preparation the ALP allocates sites for development in those Parishes. The plans for Bethersden, Rolvenden and Boughton Aluph and Eastwell are more advanced and so the Council's approach has been to defer to them any site allocations within those areas.

41. In more detail, the Bethersden Neighbourhood Plan is at examination and makes provision for 34 housing units. The draft Rolvenden Neighbourhood Plan contains draft allocations on 3 sites equivalent to 24 houses whilst Boughton Aluph has yet to publish. The Bethersden and Rolvenden sites are properly included in the housing trajectory.
42. The NPPF and the PPG on *Neighbourhood Planning* advise against duplicating planning processes. In this regard the Council has struck a fair balance between providing direction and certainty in neighbourhood areas where plans are at an embryonic stage whilst allowing local communities to shape their areas in 3 others. At Boughton Aluph there is no certainty that any neighbourhood plan will deliver the proportionate rural growth that is the bedrock of the ALP's strategy. However, this would be likely to form a very small part of the overall provision of development and is therefore insignificant in the wider scheme of things. Consequently it is reasonable for the ALP to not prescribe the level of development that should be provided there.
43. In response to paragraph 184 of the NPPF, the ALP states that all its policies are considered strategic for the purposes of neighbourhood planning. However, that view took no account of paragraphs 075 and 076 of the PPG which give advice on how a strategic policy is determined and is therefore not justified. In response, following a review (ED/18), the Council now proposes that some be omitted given that they only apply to certain geographical areas and as some sites are small in scale they are not central to achieving the ALP's objectives. Those remaining can be treated as strategic in this context. This will be confirmed by a new Appendix 7 but the supporting text also allows for clarity to be provided for individual parishes or neighbourhood groups promoting Neighbourhood Plans.
44. Furthermore, the ALP does not acknowledge that in some instances suitably justified local variations to some Borough-wide policies could achieve general conformity. Given the expectation that the Council's role is a supportive one and to assist existing or future neighbourhood forums, this should be remedied. However, in other respects the text adequately reflects the intent to work closely with Parishes considering or working on neighbourhood plans.
45. The ALP has not properly considered whether its policies are strategic or indicated that adjustments to them at neighbourhood level are possible. To be consistent with national policy **MM1** is therefore recommended. Subject to this, the ALP establishes an effective relationship with any Neighbourhood Plans and sets a clear policy framework for their preparation.

**Issue 4 - Is the housing requirement justified and has it been calculated in accordance with national policy and guidance?**

46. The housing target for the entire plan period of the ALP is 16,120. The Housing Topic Paper produced in June 2018 (SD08) shows the position as of April 2018 including the 577 completions in 2017/18. This gives a residual requirement from 2018 to 2030 of 12,366.
47. The methodology undertaken to arrive at these figures follows that prescribed in the PPG on *Housing and Economic Development Needs Assessments*.

48. The housing market area has been suitably defined as the Borough itself. Based on the 2014 population and household projections and a vacancy allowance of 4.2% the figure of 786 dwellings per annum forms a justifiable demographic 'starting point' for assessing objectively assessed need. In arriving at overall objectively assessed need the Council has applied an upward adjustment of 5% to account for market signals. In addition, for future proofing and positive planning, it has included an allowance of 546 dwellings (ED/17) to allow for additional in-migration from London. However, these are insufficient and as a result the ALP under-estimates objectively assessed need.
49. Reference to the trend for positive net flows of households from London to Ashford reflects past events and also the high quality of the Borough's transport links to the capital. As a matter of principle it would therefore result in a change to the demographic projections because of local circumstances as referred to in paragraph 017 of the PPG. It should form part of the objectively assessed need and the figure of 546 provides a useful guide in this respect.
50. The indicators in the PPG to be used in determining how to respond to market signals present something of a mixed picture with lower than average land values and flat rental trends. However, the lower quartile affordability ratio has increased from 8.5 in 2013 to 9.6 in 2017. Any upward adjustment should be set at a level that is reasonable in relation to the relevant signals rather than to wider planning considerations such as the percentage growth in overall stock or the ability to deliver housing in a sustainable way.
51. The PPG observes that any allowance for market signals should increase planned supply by an amount that could be expected to improve affordability. However, there is no requirement for this to ensure that affordable housing needs are met in full. That said, any adjustment should make a meaningful difference in this respect. Based on our advice (ID/10) the Council propose a 13% uplift to encompass the varied picture portrayed by the relevant market signals and an additional allowance for London migration. In our judgement when combined both elements should assist in improving affordability and this percentage increase is justified for Ashford.
52. The Strategic Employment Options Report of 2012 (EBD04) selected a baseline economic growth scenario as the most likely assessment of economic performance. This envisages a 1% per annum growth in employment equivalent to 620 jobs. More recent forecasts from Cambridge Econometrics show lower employment growth across the region and the review of the East Kent Growth framework does not show that enhanced performance or productivity is likely to occur.
53. In any event, even based on the original housing target in the ALP, workforce growth is calculated to exceed 800 per annum from 2016 onwards and would therefore comfortably exceed predicted jobs. As there is unlikely to be a labour supply shortage there is therefore no need to consider whether further new housing should be provided to address this and the possible consequences set out at paragraph 018 of the PPG.
54. Applying a policy target of 30%, an uplift of 56% over and above the demographic need of 786 dwellings per annum would be required to meet



affordable housing needs in full. Increasing this figure to take account of market signals should assist in addressing these needs to some extent but would still fall short of the overall affordable housing need. However, aside from the likely environmental impacts, it is unlikely that the market would be able to deliver that amount of housing in its entirety. So, whilst having regard to the PPG (ID: 2a-029-20140306), a further increase is not warranted.

55. There is no reason why the objectively assessed need for housing should not be met in full. Therefore the housing requirement for the entire plan period should be 16,872 dwellings. As 3,754 have been delivered since 2011 the residual requirement from 2018 should be 13,118.
56. On this basis, and if main modifications are made to reflect these findings, the housing requirement will have been calculated in accordance with national policy and guidance and is justified.

**Issue 5 - Will the Local Plan meet the housing requirement over the plan period? Will there be a 5 year supply of deliverable housing sites with an appropriate buffer?**

57. Taking on board the revised housing requirement set out above there has been a shortfall in delivery from the start of the plan period of 2,462 dwellings. According to the PPG the aim is to deal with any undersupply within the first 5 years where possible. However, at Ashford the need to complete Junction 10A before major developments around the town can be occupied has had a dampening effect. This is no evidence that adjoining authorities are in a position to absorb further housing in the short-term and no requirement to allocate otherwise unsuitable sites to make it up more quickly. Therefore it is reasonable and realistic to expect the shortfall to be made up over the next 7 years at a rate of 352 dwellings per annum.
58. Policy SP2 refers to the housing target between 2017 and 2030. This needs to be updated to reflect the total housing requirement for the residual period of the ALP from 2018. In addition, it must confirm the need to make up the shortfall over the next 7 years. The expected annual delivery between 2018 and 2025 of 1,240 dwellings and between 2025 and 2030 of 888 should be made explicit so that future decision-makers are clear about the requirement over any given 5 year period. This will provide a firm basis for assessing whether an adequate supply of deliverable sites exists at that time.
59. At Ashford there has been a record of persistent under delivery of housing and so as of April 2018 a 20% buffer should be applied to the annual average requirement. For the 5 years to 2023 this increases the requirement from 6,200 to 7,440 in total.
60. To be deliverable, according to the NPPF, there should be a "realistic prospect" that this will occur within 5 years. The Council's calculation in the updated Housing Topic Paper is that deliverable supply equates to 8,594 dwellings. In general terms this evidence is compelling as, in many cases, it is based on the views of the respective developers or promoters of the individual sites. However, some sites are to be deleted from the Plan for reasons of soundness whilst the capacity of others should be reduced. Furthermore, on some of the

larger allocations the Council has over-stated the number of dwellings that are realistically likely to be completed within 5 years.

61. From 2005 to 2018 residential windfall dwellings have totalled 2,325 at an annual average of 179. For 2017/18 the figure was 203. Within the 5 year supply extant permissions for windfall dwellings amount to 996. Over 400 of these are on sites where development has started. As there is no evidence that the others will not be implemented within 5 years it is reasonable to include them all. A 'one-off' figure of 150 is included in the 5 year supply for unidentified windfalls. Having regard to paragraph 48 of the NPPF there is no reason to suppose that such sites will 'dry up' over that period and so this can be considered a reliable source. An entry for this category of development as part of the deliverable 5 year supply is therefore justified. An extra 60 dwellings will be delivered at the former Powergen site.
62. When all this is factored in, the 5 year supply amounts to 7,860 dwellings. Therefore as of April 2018 there is a 5 year supply of deliverable sites with an appropriate buffer. However, this amounts to 5.3 years which leaves little margin. Nevertheless this is a matter that will be monitored and having fulfilled the expectations of national policy there is no need to look to allocate further sites. Indeed, the revised trajectory indicates that there is a good prospect that there will be an up to date supply of sites sufficient to provide five years' worth of housing land on adoption of the ALP. Moreover, that this can be maintained in the years immediately to come.
63. Over the plan period as a whole, taking into account the above-mentioned changes, the total numbers of dwellings provided for by the ALP between 2018 and 2030 is 13,544. This allows for a contingency buffer over the residual requirement of 426 dwellings. As part of the revised trajectory the Council has applied a 25% discount for non-implementation of extant permissions that have not started. This reduces the sum from that source and so provides for a very minor amount of further leeway.
64. Given the historic data and the likelihood that the new policies for windfall development in the rural areas will bear fruit, it is justifiable to allow for 850 dwellings between 2023 and 2030 in the revised trajectory for future unidentified windfall. In total windfall sites account for about 13% of total supply across the plan period. This is a reasonable proportion which is much less than the 35% that occurred in 2017/2018 and does not warrant the allocation of further sites.
65. The NPPF refers to meeting the full objectively assessed need for housing but does not specifically require a contingency buffer. However, this can provide for flexibility to accommodate unexpected delays or permissions not being taken up. At Ashford the residual housing requirement would be exceeded by supply by some 3%. However, almost half of that total comprises existing commitments. As a result the revised housing trajectory shows the highest proportion of housing to be completed in the first part of the remaining plan period with some of the larger sites delivering in the latter stages. Any slippage in the period to 2024 would increase the pool of sites thereafter and so it is not essential for the contingency figure to be increased.

66. Overall the ALP, as modified by **MM3**, will meet the revised housing requirement over the plan period and so is consistent with national policy. Appendix 5 should also be updated by a new housing trajectory and **MM100** is recommended to that end.

**Issue 6 - Is the overall target for affordable housing and the type of tenure justified? Does the Local Plan make adequate provision for specialist housing?**

67. The net need for affordable housing of 368 dwellings per annum has been calculated in accordance with paragraphs 022 to 028 of the PPG on *Housing and Economic Needs Assessments*. This figure excludes housing provision in the development pipeline. In response to that need and to reflect viability considerations, Policy HOU1 sets different percentage requirements for affordable housing in Ashford Town (20%), Ashford Hinterlands (30%) and the rest of the Borough (40%). Moreover, flatted development in Ashford Town is exempt and the policy is flexible in that it contains various options should it be shown that the proportion of affordable units expected cannot be achieved. The split of tenure types is justified so the overall policy approach is sound.
68. The threshold of 10 dwellings or more for the provision of affordable housing tallies with paragraph 63 of the revised NPPF of 2018. Therefore, in order to ensure future consistency with this aspect of national policy, a departure from the Written Ministerial Statement of November 2014 is justified. There is nevertheless insufficient evidence to require the application of a lower threshold within AONBs. In general terms the ALP goes as far as it reasonably can in meeting the need for affordable housing in the Borough.
69. Paragraph 159 of the NPPF refers to meeting the needs of different groups in the community, including older people. Policy HOU2 makes allowance for local needs and specialist housing within or adjoining settlements and therefore provides considerable scope for schemes to come forward. Policy HOU18 also gives support to standalone housing for older persons in suitable locations.
70. Whilst the aged population is expected to increase over the plan period there is no evidence of a chronic lack of provision. Indeed, since 2011, 234 units within Class C2 have been completed. Given the wide range of specialist age related housing and the associated level of care it is understandable that the ALP does not seek to be overly prescriptive. Rather it provides a suitable framework to enable necessary development to come forward.
71. Whilst the role of the Parish Council is important, especially with regard to local needs housing, it is not justifiable to effectively give that body a veto over all proposals. Criterion b) of HOU2 should therefore be removed and replaced by explanatory text (**MM59**).
72. Other policies in the ALP refer to a mix of dwelling types and sizes, residential annexes, accessibility and self or custom build housing. In respect of the latter and allowing for the fact that this is a new area of plan-making, Policy HOU6 sets reasonable thresholds based on demand that has been exhibited. However, the policy needs to be clarified for effectiveness by referring to serviced plots (**MM62**). Subject to this and the other recommended change there would be adequate provision for specialist housing overall.

**Issue 7 - Does the Local Plan make adequate provision for gypsy and traveller sites and is it consistent with national policy?**

73. Based on the 2016 update of Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GBD16) there is a need for 54 pitches over the plan period for those who meet the definition of gypsy and traveller in the Planning Policy for Traveller Sites (PPTS). Since 2012 some 34 pitches have been permitted to offset that and any historic need so that at the very least a further 20 pitches are required.
74. However, the Council has had difficulty in identifying suitable sites due, in part, to the limited options being put forward. Furthermore, Section 124 of the Housing and Planning Act sets out a duty to consider the needs of those residing in and resorting to the Borough with respect to the provision of sites on which caravans can be stationed. As a result the Council has decided to largely de-couple the issue of gypsy and traveller provision to a separate DPD. Work on this has progressed by means of a further accommodation assessment, an issues and options consultation and a targeted call for sites. It is expected that this plan will be submitted for examination in 2019 following Regulation 19 consultation.
75. Nevertheless, the ALP is not entirely silent on this topic since Policy HOU16 contains criteria for considering proposals for traveller accommodation. The Council has given permission for 28 pitches since 2012 so that its application might be expected to allow some sites to come forward. Furthermore, the ALP seeks to allocate 7 pitches on two sites. However, the PPTS expects that there should be a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against a locally set target. If the conclusions of the 2016 Accommodation Assessment are accepted then that is not the case.
76. Before concluding on this matter we shall deal with the proposed sites and detailed policies in the ALP. Site S43 (Priory Wood, Biddenden) compares well with the criteria in the PPTS. However, the area identified has quite extensive mature tree cover and on the basis of the possible layout (ED/24) it is reasonable to limit the site capacity to 2 extra pitches. It is in private ownership but deliverable over the next 5 years.
77. Site S44 (Watery Lane, Westwell) is within the AONB. Although located between the M20 and a railway line an Inspector previously found that the proximity of these negative landscape elements places a greater emphasis on the need to protect remaining open areas (Ref: APP/E2205/A/13/2190874). It might be possible to limit the visual effects of the 4 pitches proposed at the rear of the site but these measures themselves would be likely to appear artificial. More fundamentally there is no justification for allocating pitches in an area which has the highest status of protection in relation to landscape and scenic beauty when other options might be possible through the emerging development plan. Indeed, a good number of the sites rejected through the SA for the ALP were not within the AONB.
78. However, there is an existing pitch along the site frontage which has temporary planning permission. This is very well screened so that the impact on the AONB is negligible. Subject to securing noise mitigation measures this site is suitable for a single gypsy and traveller pitch. Therefore whilst the

original allocation is not justified a lesser area can be allocated and **MM43** is recommended accordingly.

79. Policy HOU16 is deficient in that it does not make it clear that it relates to both new sites and extensions to existing ones. Furthermore, it excludes any reference to the provisions in the PPTS regarding the scale of sites, including any cumulative effects, in relation to the nearest settled community. Other criteria within the policy regarding the establishment of need, imposition of conditions, access to services and Landscape Character Areas are overly prescriptive. **MM69** is required to remedy these deficiencies.
80. Criterion d) sets an upper limit of 5 pitches per site. Based on the local experience of the likely impact of larger sites in rural locations this is justified and there is no evidence that it would unduly fetter new sites as these tend to be small. Subject to the changes identified the criteria are fair and will facilitate that traditional and nomadic life of travellers whilst respecting the interests of the settled community.
81. To safeguard existing traveller sites Policy HOU17 provides that they should be retained for that purpose. However, there is no immediate prospect of a surplus of accommodation and sites with personal permissions may be occupied by gypsies and travellers as defined by the PPTS. Both of these clauses dilute and weaken the intention and effect of the policy and should be deleted given the importance attached to maintaining an appropriate level of supply. This is achieved by **MM70**.
82. There have been a number of 'false dawns' in planning for gypsy and traveller sites in Ashford. It is understandable that there is scepticism about whether and when the proposed DPD will come forward. Deferring it in this way means that full provision for one section of the community would not be made. However, positive steps have been taken in preparing the traveller plan so that it is more than a 'pipe dream' and the timescales for its production are not lengthy. In the meantime the ALP does make a small number of allocations and provides a framework for determining any individual cases.
83. The alternative would be to insist that the issue of gypsy and traveller sites be resolved through the ALP. But this would lead to delay in its final adoption thereby thwarting its wider growth aspirations and creating uncertainty. In the circumstances the pragmatic approach taken by the Council is a reasonable and justifiable one that does not compromise the overall soundness of the ALP. Whilst not entirely consistent with national policy it makes adequate provision for gypsy and traveller sites as far as it can pending the completion of the separate DPD that is in progress.

**Issue 8 - Are the quantum of new employment land and expectations for job creation; the delivery of retail and leisure needs and the policy for Ashford town centre justified, deliverable and consistent with national policy? Will relevant policies be effective?**

84. The baseline economic growth scenario of a 1% increase in jobs is a realistic basis to plan for. Policy SP3 aims to deliver 11,100 jobs to 2030 requiring 66 hectares of new employment land. This is to be achieved at 4 key strategic sites – Commercial Quarter (Policy S1), Eureka Park (Policy S20), Sevington

and Waterbrook (Policy S16). Other site specific policies (S21, S22 and S23) relate to existing employment areas at Orbital Park and Chart and Henwood Industrial Estates. Some of these sites have existing permissions or are where intensification may be possible so based on the new allocations a figure of 63 hectares is a more accurate reflection of what the ALP intends.

85. In the rural area a combination of site allocations and a market-led approach are advocated in the Rural Economic Assessment (EBD01). These have been translated into the ALP by an allocation at Tenterden (S25) in addition to the former Wye College through the Neighbourhood Plan. The employment policies also provide scope for new uses including buildings and premises in the countryside.
86. Changes are also required to the detailed criteria of Policy SP3 for effectiveness in order to ensure that they cross-relate properly to other relevant policies in the Plan (**MM4**). Overall, though, this policy should ensure a sufficient and suitable supply of land to meet identified economic needs in accordance with paragraph 161 of the NPPF.
87. The Retail and Leisure Needs Assessment (EBD03) identifies a need for 15,764 sq m (net) of comparison retailing to 2030. This assessment is adequate but the expectations for Ashford and Tenterden town centres should be set out in Policy SP4 in order to make it clear what is meant by "need". Without tangible figures as recommended in **MM5** the policy would be ineffective. Since 2015 commitments have been made to over 9,000 sq m of floorspace. This quantum of development will meet identified needs to 2025 after which time this will be reassessed. Overall the ALP should deliver sufficient retail and leisure space to cater for foreseeable quantitative and qualitative needs of this type of economic activity.
88. The ALP describes Ashford town centre as a key motor for the Borough's growth in coming years. However, because of competition from elsewhere and other structural changes the Council wishes to reinvent its role. To bring this about, the vision is to encourage and promote a wider range of activities. Policy SP5 picks up the guiding themes and embodies a more flexible approach to new uses than previously. This positivity should promote a competitive town centre in accordance with paragraph 23 of the NPPF and, as far as possible, support its vitality. Whilst the provision of a multi-storey car park remains an aspiration, the absence of a definite proposal is not critical to the success of the policy in the short and medium term.
89. However, the policy does not confirm that proposals in the town centre should also have regard to other ALP policies or make explicit that residential development will be supported. These deficiencies are remedied by **MM6** which also includes other changes required for effectiveness.

**Issue 9 - Are the site allocations justified and deliverable or developable within the plan period having regard to any constraints and consistent with national policy? Is there sufficient detail on form, scale, access and quantum?**

## **Sites – General**

90. The general process of site selection firstly involved 4 stages of screening through the Strategic Housing and Employment Land Availability Assessment (SD12). Following on from that the remaining sites were subject to a more detailed and in-depth site assessment as part of the SA. The entire process has been comprehensive and all sites, whether allocated or omitted, have been considered on a consistent basis. Indeed, the entire methodology provides a reasonable basis for the allocations.
91. The issue of flood risk was also assessed through the site analysis undertaken. The upshot is that with one exception (S11) residential development can be delivered on land within Flood Zone 1 consistent with the aim of steering new development to areas with the lowest probability of flooding in the NPPF. Some sites have land within Flood Zones 2 and 3 but it has been established that development need not intrude into these areas and that flooding issues can be dealt with on a site-by-site basis. The approach taken is therefore consistent with the sequential, risk-based approach in national policy and the Environment Agency raises no objections (ED/25).
92. Some of the site policies refer to the capacity being “up to” a particular number of dwellings. This would restrict a developer’s ability to provide more housing on a site even if it could be delivered in an acceptable way in terms of other policies. Modifications are therefore necessary to remove what amounts to an unjustified restriction on the supply of housing that is contrary to paragraph 47 of the NPPF. Such restrictions are nevertheless justified on sites S40, S41 and S42 where there are recognised constraints on scale and/or the Council is seeking to promote a particular type of housing.
93. Some site policies identify a need for developers to assess the impact on, and/or provide mitigation for, identified biodiversity assets within or near to the site. The terminology used is not always internally consistent with Policy ENV1 or paragraph 118 of the NPPF. This erodes the clarity of the Council’s approach. A number of main modifications to individual site policies are therefore needed to provide consistency with national policy and effectiveness.
94. At some sites development could impact on designated heritage assets. The relevant policies rightly make reference to the need to protect them. However, in some cases the wording used is inconsistent or does not properly reflect national policy. Modifications are therefore needed to include the correct terminology.
95. There is an inconsistent approach with regard to references to connections and the need to provide access to the sewerage system. In some cases, references are made in the supporting text to particular requirements that are not carried through to the policy. Modifications are therefore necessary to ensure it is clear when and where provision is needed for connection to the sewerage system and/or access for maintenance and upsizing purposes.
96. Specific requirements for public open space and community facilities are sometimes made explicit in the supporting text, but are not reflected in policy. Modifications are therefore necessary to ensure that the relevant site policies are effective in this regard.

97. **MM15, MM17, MM23, MM26, MM27** and **MM36** are necessary to address the issues raised above. Others are contained within main modifications across several site specific policies where other changes are also necessary.

**Sites – Specific**

98. The soundness of individual sites is considered below. Where a site is not referred to specifically then, subject to any modifications identified in paragraph 97, it can be taken that in all other matters the site is suitable to be allocated for development and the supporting policy is justified and effective.

*Ashford Urban Area*

99. The land to the north-east of Willesborough Road, Kennington (S2) is proposed for residential development with an indicative capacity of 700 dwellings. The allocation also includes a two form entry primary school. A small parcel of the site is in separate ownership and the policy and supporting text should be adjusted to give flexibility for houses here to be brought forward more quickly than the rest of the site.
100. The boundary of the Kent Downs AONB is about 1km away. From Wye Downs development would be seen as part of a wide panorama including the Ashford urban area. Nevertheless the policy criteria relating to planting and design are not strong enough to safeguard the setting of this designated area. Further provisions regarding structural planting and materials are therefore required. With these in place the proposal should not harm the scenic qualities of the AONB so that it is not necessary to undertake a landscape and visual impact assessment at this stage.
101. About 60% of the site is Grade 1 agricultural land. The SA of May 2016 considered the consequences of the 3 alternatives for distributing new development around the edges of Ashford in relation to the quality of surrounding agricultural land. In so doing, the Council has considered use of poorer quality land but rejected that approach because of other sustainability impacts. Therefore this allocation is in line with national policy in paragraph 112 of the NPPF regarding best and most versatile agricultural land.
102. In general terms the Highway Authority is satisfied that this allocation along with others around Ashford town will not have severe capacity impacts. The policy expects primary access to be taken from Willesborough Road with improvements made to the local road network following a Transport Assessment. In this regard an impact assessment (TBD02) has identified issues at 4 signal junctions along the A28/A2042 corridor. However, provided any necessary mitigation is undertaken, there is no clear evidence that traffic arising from the development together with other allocations could not be accommodated or that the local roads could not cope.
103. There are no obvious impediments to delivery and the site will be designed and implemented in accordance with a masterplan. This should provide the necessary certainty about the quality of development, where open space and the school will be located and how cycle and pedestrian connections will be formed. As part of this it is reasonable to determine the feasibility of a footbridge over the railway. There is no evidence that necessary



infrastructure will not be provided and this can be secured through the masterplan and at the detailed application stage.

104. Part of the proposed site allocation is within a Mineral Safeguarding Area as identified in the Kent Minerals and Waste Local Plan (MWLP) because of the likely presence of Sandstone (Folkestone Formation). By 2027 a landbank of sand of at least 7 years will exist in Kent. Two further sites have been identified as options after then (ED/27). As there would remain an adequate and steady supply even if the potential reserve were lost there is no conflict with paragraph 146 of the NPPF. If extraction were feasible and viable it would significantly delay delivery. This is therefore an occasion where the need for development overrides the presumption for mineral safeguarding as allowed for by criterion 5) of MWLP Policy DM7.
105. The site adjoins the Great Stour local wildlife site and the Conningbrook country park but these are already close to housing so that the two can co-exist. However, greater detail is required about the need for surveys and the implementation, maintenance and monitoring of any mitigation or enhancement measures.
106. Subject to the changes that have been identified to achieve soundness and which are recommended as **MM7**, the allocation of S2 is justified.
107. Policies S3, S4 and S5 cover 3 sites to the south of Ashford at Court Lodge (S3), north of Steeds Lane and Magpie Hall Road (S4) and north of Pound Lane (S5). Together they are allocated for some 1,500 dwellings with the largest indicative capacity at Court Lodge (950). This site also includes a local centre, school, retail, employment space and a community building.
108. Policy S3 makes reference to the Pound Lane Link Road. However, based on capacity assessments, the latest position (ED/19) is that the Highway Authority believes that this is not required to take account of committed developments and these sites. A list of other potential improvements has been identified and, subject to those, all of the affected junctions along the Ashford Road corridor will operate within theoretical capacity. Therefore, references to the Link Road as an imperative should be removed but retained as a desirable option should future modelling show that it is required.
109. Whilst part of the Court Lodge site is within Flood Zone 3, the Environment Agency agrees that development is acceptable subject to flood modelling and the implementation of land re-profiling to ensure that flood risk does not increase. There are no known obstacles to delivery and a masterplan will be required for each site but there is no need for these to be formally linked. No overriding objections exist in terms of the natural environment and landscape character and the detailed policy provisions provide sufficient guidance about how the developments should be brought forward as detailed proposals.
110. Various changes are required to the policies to ensure that they are clear, effective and consistent with one another. These are recommended as **MM8**, **MM9** and **MM10**. Subject to them the proposed allocations at S3, S4 and S5 are justified.

111. The policies for the former Newtown Works (S6) and former Klondyke Works (S7) impose an unjustified restriction on development coming forward prior to additional capacity being provided at the A2070/Orbital Park junction. If a transport assessment demonstrates that a larger development would not result in harm, there is no reason why it should be delayed. In addition, Junction 10a has already been consented and so this part of both policies is superfluous and should be removed. **MM11** is therefore necessary to make S6 sound.
112. In addition, it is no longer anticipated that the Ashford Model Railway Centre will be located at S7. The policy allows for residential development as an alternative but it is not clear when or how the Council would release the site from its intended tourism use. There is also no indication of the scale of development that might be considered acceptable. Planning permission has recently been granted for 90 dwellings on this site. A modification to reflect the current context and address these deficiencies would provide necessary clarity and certainty. **MM12** is therefore recommended.
113. The site at Lower Queens Road (S8) is largely brownfield, is within the built up area of Ashford and has been carried forward from the previous Urban Sites DPD. Access arrangements into the site and at the junction of Lower Queens Road and Canterbury Road are acceptable. The site contains an area of unmanaged woodland, but there is no evidence to suggest that this may contain protected species. It also does not have such amenity value that it should be protected for its own sake. However, to ensure effectiveness the general measures described for the assessment of the nature conservation value of the site should be extended to ensure the woodland is given particular attention. It is not certain at this stage whether there is scope for a larger development involving adjoining land, but it is appropriate to highlight this possibility in the supporting text. For effectiveness, a modification to criterion a) is necessary to make it clear access would be taken from Mace Lane in the event that a larger development comes forward (**MM13**).
114. The site at Kennard Way (S9) was previously identified as an employment site in the Urban Sites DPD. It is currently an area of scrubland, located in the midst of an employment area and residential estate. There is a pond on the site and part of it is within Flood Zone 2. However, the policy seeks to ensure the area around the pond is protected and enhanced and the supporting text confirms that the west of the site should be kept free from development. The policy recognises the importance of any potential effects on groundwater. There is no reason in principle why the site should not be considered suitable for residential development. Nevertheless, a modification is necessary to remove the unjustified and unnecessary restriction on the location of the vehicular access (**MM14**).
115. The site at Leacon Road (S11) has also been carried forward from the Urban Sites DPD. The relationship with neighbouring employment uses is unchanged and there is no reason to find the allocation unsound on this basis. The policies for S11 and Former Bombardier Works (S11a) nevertheless recognise this proximity and expect development to take account of it so that an acceptable form of development can be achieved.

116. The site is within Flood Zone 3. In this case, the Council has concluded that the opportunity to progress a brownfield site in a sustainable location is an important consideration. The policy requires a flood risk assessment and consequently appropriate mitigation measures will be required. As the site is already allocated, there is nothing to suggest necessary mitigation measures could not be achieved. Having regard to all relevant matters, in particular the opportunity to bring forward a brownfield site within the urban area, the allocation is sound.
117. There is nothing unsound in the Council's approach of considering sites S11 and S11a sites separately especially as S11a is identified as having potential for rail related uses. The policies do not preclude landowners and developers coming together to deliver a comprehensive scheme, though it is recognised the Plan would limit the extent of residential and employment uses.
118. Requiring part of site S11a to be safeguarded for railway uses is consistent with the requirements of national policy, particularly in terms of infrastructure to support sustainable modes of travel. There is clear evidence that Network Rail has aspirations to make use of the site. However, there is also some uncertainty about the amount of land needed and timescale for delivery. Some flexibility within the policy is therefore required to ensure the site is not unduly stymied by this requirement. The Council has suggested modifications to ensure the policy will be effective in securing the land for railway uses for as long as there is a realistic chance that it can be delivered. It removes the geographical restriction on safeguarding, but limits the timescale to two years.
119. Some degree of balance and compromise between competing interests is required. Two years will provide all parties with a clear deadline for progress to be made. The safeguarding would be related to the need to secure planning permission, not ownership of the site. It is understood that work is progressing on proposals and thus two years provides a reasonable period of time to secure some form of permission. It would not be reasonable to extend this period until such time as the land is under the control of rail operators or to wait for the outcome of the re-franchising process.
120. The part of the suggested modification relating to franchising is therefore omitted from **MM16**, which is however otherwise necessary to ensure the effectiveness of the policy. Where not needed for rail, the site provides an obvious opportunity for redevelopment for other types of employment use. However, there is nothing to suggest any quantitative or qualitative need that would justify a retail allocation in this location.
121. Park Farm South East (S14) would result in a significant urban extension to Ashford of around 325 dwellings. Although the site is some distance from services and facilities, in the context of the overall housing strategy, it is located on the edge of the main settlement. Development may also help achieve a sufficient critical mass to encourage improvements in public transport provision both here and in the neighbouring Bridgefield estate.
122. The eastern part of the site is affected by Flood Zones 2 and 3. The supporting text makes reference to development avoiding this area and potentially utilising this land as part of an extended Green Corridor. This is a sensible and pragmatic approach. There are other recognised constraints

within the site, including existing trees and hedgerows, and the need to ensure an acceptable relationship between the sites and open countryside. The policy provides an acceptable framework for addressing these issues.

123. The policy for S14 indicates that proposals should investigate the potential for a primary vehicle access from the traffic light controlled junction at Finn Farm Road. There are on-going discussions over land ownership and other constraints with Network Rail. However, the Highway Authority is satisfied that without this access there would still be a suitable means of accessing the site via Cheeseman's Green Lane and Brockman's Lane. The reference in S14 and S45 to a station on the Ashford-Hastings railway makes it clear that contributions will only be sought "if required". Although the project is not currently being progressed, this provides the Council with some scope to consider the most up to date position as and when applications are submitted. This should not impede delivery. The policy therefore provides a suitable framework for delivery of housing and is sound.
124. Finberry North West (S15) was previously identified for large scale employment development. This is no longer feasible and thus the ALP allocates the site for a mixed use development of around 300 dwellings and 8,500 sq m of employment land. The site is well related to large scale residential development taking place on adjacent land, nearby employment and the strategic road network. Local service provision is coming forward through adjacent development and access will be provided through to site S16 which will further improve access to jobs.
125. The Employment Land Site Assessment (EBD/02) suggests some scope for commercial development on this site. 8,500 sq m is within the range suggested, but having regard to all other evidence this seems both optimistic and unjustifiably specific. Nonetheless, it would be premature to conclude there is no scope for employment land and there are clear sustainability benefits in delivering mixed-use development on sites of this scale. A smaller area of land, rather than floor space, should therefore be identified that can be brought forward flexibly in line with the agreed masterplan and prevailing economic conditions.
126. There is no clear evidence of any likely demand for the 10 live/work units required by the policy. While there is no harm in the supporting text making it clear that live/work units might be part of the land use mix, modifications are necessary to remove this unjustified requirement for delivery from the policy. Various other detailed changes are required to the policy to ensure that it is clear, effective and consistent with the approach of others in the Plan, including that related to Green Corridors and affordable housing (**MM18**).
127. Waterbrook (S16) is a large mixed use site which is allocated for around 350 dwellings, a minimum of 22 ha of commercial land and a 600 space lorry park. The site has a long history of being allocated for development and the site provides a good opportunity to deliver a mix of beneficial uses. The site will also link into S15, thus providing additional benefits in terms of access to employment and other facilities. The policy provides a robust framework for addressing issues relating to layout, drainage, biodiversity and highways. **MM19** is however necessary to address a lack of clarity with regard to the amount of employment land required over and above existing commitments

and the specifics of any highway contributions. There is nothing to suggest a need that would justify retail being identified in the mix of commercial uses, either in terms of providing services to the local community or larger scale facilities meeting a Borough-wide need.

128. Willesborough Lees (S17) is an existing allocation that has been carried forward from the Urban Sites DPD. Two planning permissions have already been granted for a total of 220 dwellings. The principle of development has therefore been established and the policy provides an appropriate mechanism for considering any future applications or changes to the current schemes. However, there is no justification in this context to limit the indicative capacity to 200 dwellings. **MM20** is therefore recommended to reflect the current context and provide certainty.
129. The policy requires the closure of Hinxhill Lane south of the hospital to stop a 'rat run' from the M20 through Willesborough Lees to Wye which would result in benefits for local residents. This requirement formed part of the previous policy for the site. The Highway Authority's position has not changed and it does not therefore render the policy unsound for highway-related or delivery reasons. The policy includes a robust approach for dealing with parking issues relating to the nearby hospital.
130. Conningbrook Residential Phase 2 (S19) is allocated for around 170 dwellings. The site is well related to other allocations and development already under construction. The policy recognises a range of constraints, including the proximity of the railway lines, the need to take account of existing residential development and the neighbouring country park in any design and to ensure alternative proposals are in place to replace any overspill parking for the Julie Rose Stadium. Whilst the location of this is uncertain at this stage there seems no reason in principle why a solution cannot be found. **MM21** is recommended to provide effective protection for mature trees on the site, which form part of its existing character and which would help to mitigate the visual impact of development and provide additional protection for biodiversity assets. It also provides some clarity in the supporting text in relation to expectations over pedestrian crossings over the adjacent railway line.
131. Eureka Park (S20) is a large mixed use allocation that would provide around 20 ha of B1 employment land and around approximately 375 dwellings. The allocation includes areas where a low density business park and associated facilities have already been built as part of an existing allocation. The policy establishes a broad vision for a low density development in a 'parkland' setting. The allocation is consistent with the spatial strategy and offers some clear advantages in terms of its proximity to employment opportunities, the strategic road network and the Ashford urban area. The expectations for housing and employment are also indicative, which provides some scope for flexibility. The site has a number of constraints and a detailed masterplan will be produced which will determine the precise layout and delivery of development. Considering the scale and nature of the site, this is an acceptable approach.
132. There will be an inevitable urbanisation and change in character of what are currently mainly open fields. There will also be an increase in traffic and demands on local infrastructure. The policy provides a detailed and robust

approach to addressing potential impacts on landscape character, watercourses, biodiversity assets, traffic, local infrastructure and the amenity of residents on Sandyhurst Lane. There is a reasonable likelihood that development of the scale and nature envisaged can take place without unacceptable harm to any of these factors.

133. The evidence suggests there are localised capacity issues in the area and congestion on Trinity Road. However, neither the Highway Authority nor Highways England has objected to the proposed access to the site or the cumulative impact on the transport network. The policy includes a range of transport related measures, including requirements to contribute to road, public transport and other transport improvements. There will be potential for a negative impact on the local road network. Nonetheless, there is nothing to suggest that the cumulative impact of development would be severe. **MM22** is required for the sake of consistency and effectiveness on matters of biodiversity, but otherwise the allocation is justified and consistent with national policy.
134. The allocation for the Chart Industrial Estate (S22) is sound in principle, but the policy makes reference to the acceptability of bulky goods retail warehousing on the site. There is insufficient evidence to justify what in effect would be an allocation for out-of-centre retailing in this location. To be consistent with national policy this reference should be removed (**MM24**).
135. Land south of Brockman's Lane, Bridgefield (S45) is allocated for around 100 dwellings. The site would act as a logical extension to Site S14 and to the Ashford urban area. The policy provides necessary safeguards to ensure the impact of development on the character of the urban edge is minimised. The policy stipulates that development cannot take place until S14 is complete. However, if the necessary infrastructure serving S14 and linking into S45 is in place then there is no reason why development on S45 should be delayed. This unjustified restriction should therefore be removed. The policy also requires developers to contribute to improvements at Finn Farm Road. No such contribution is likely to be necessary and thus for the sake of clarity this reference should be removed.
136. The site is in an area of identified for minerals safeguarding by the MWLP. To ensure consistency with that Plan, it will be necessary to submit an assessment demonstrating that the minerals safeguarding policy can be set aside. Modifications are therefore necessary to ensure effectiveness and consistency with other parts of the ALP. (**MM44**).

#### *A20 Corridor Sites*

137. Land east of Hothfield Mill (S47), land to the rear of the Holiday Inn (S48) and land at Tutt Hill (S49) all sit in the A20 corridor. None are within or close to settlements identified in Policy HOU3a and thus they would not normally be considered suitable for residential development when judged against Policy HOU5. They have relatively poor direct access to services and facilities capable of meeting everyday needs. While there would be some scope for accessing such services by public transport, there would be little opportunity or expectation of walking or cycling, particularly from sites S48 and S49.

Future occupants would therefore be heavily reliant on the car for most journeys.

138. The sites are therefore inconsistent with criterion a) of Policy SP1 in terms of focussing development in accessible and sustainable locations and with the provisions about development in the rural area in the fourth paragraph of Policy SP2. In light of the housing requirement and supply, there is no justification for the delivery of housing in unsuitable and unsustainable locations. Accordingly, to achieve soundness these allocations should be removed and consequential changes made to reflect this, including the adjusted housing numbers (**MM45, MM46, MM47**).

#### *Tenterden*

139. The Tenterden Southern Extension Phase B (S24) proposes 225 dwellings, along with scope for community and employment uses, to be determined through the preparation of a detailed masterplan. The site lies on the edge of Tenterden and is closely related to 'Phase A', which is a large residential development currently under construction. The site is well related to the facilities in the town and is in a sustainable location. There is no clear evidence that the town would be unable to cope with the growth or that it would result in severe traffic problems. The principle of development is sound and consistent with the overall spatial strategy.
140. The policy provides effective guidance on how development would be expected to address sensitive elements, including the setting of the AONB and views of St Mildred's Church. The policy also sets out necessary measures for the protection and enhancement of biodiversity assets, including the provision of new woodland and wetland features. However, reference to a substantial area of woodland is imprecise and should be modified to provide more certainty over the Council's expectations. The policy states that Phase B cannot be occupied until Phase A is complete. However, if the routes linking the two sites and the town centre are provided then there would be no justification to delay construction and occupation of Phase B. The trigger point should therefore be amended to allow earlier delivery of the site. **MM25** therefore amends the phasing requirements and establishes a buffer distance in the interests of effectiveness.

#### *Aldington*

141. Aldington contains a number of local services and facilities and is a suitable location for a small degree of growth. The village has been subject to recent developments of a larger scale than proposed in the ALP, but there is no substantive evidence that the village could not cope with further development. The two sites on Goldwell Lane (S51 and S52) sit within the extensive setting of the Grade I Listed Aldington Church, which can be clearly seen across open fields. The policies refer to retaining gaps to maintain important views, but if these are simply between dwellings or through gardens, as at neighbouring Church View, then it may not be possible to achieve this. The policies should therefore be amended to be clear that views of the church will be required to form part of the layout and that they should be retained as wide and distinct areas of open space (**MM48, MM49**). These modifications have the effect of reducing the indicative capacities of the sites.

### *Biddenden*

142. Planning permission has recently been granted on North Street, Biddenden (S27) for 45 dwellings and a B1 unit. The principle of development has therefore been established and the allocation is sound in principle. **MM28** is however needed to reflect current uncertainties over the need for a village community building and to be consistent with what has been permitted.

### *Brook*

143. Brook is a village with a distinct linear form within the Kent Downs AONB. The site at Nats Lane (S53) would introduce depth to the settlement pattern that would be significantly at odds with this local character. The Council's suggestion of a 'farmstead' design and layout for buildings to the rear of the frontage would not alter the likely harmful impact of any such development. This would conflict with the principles of good design set out in national policy and development is unlikely to be able to respond positively to local character. Limiting development to the frontage only would reduce the potential capacity to a very small number of dwellings and there is no guarantee an acceptable form of development could be achieved in terms of the living conditions of nearby residents. Owing to these uncertainties, the site should be removed from the Plan and consequential changes made to housing numbers (**MM50**).

### *Challock*

144. The allocation of Land at Clockhouse (S54) is acceptable in principle. The village is small, but growth of the scale envisaged would be proportionate. The development relates well to existing housing and would not constitute major development within the AONB. The allocation is therefore justified but **MM51** is needed to ensure a consistency of approach to development in the AONB.

### *Charing*

145. There are three allocations in Charing, with an indicative capacity of around 235 additional dwellings. The village is one of the larger in the Borough and contains a number of facilities, including some local shops, a school and railway station. While the village has been subject to some recent growth, this does not mean that additional allocations in this Plan are unsound. There is no substantive evidence to suggest that the village has reached any particular limit in terms of infrastructure provision, local services or transport.

146. Northdown Service Station (S28) and Land Adjacent to Poppyfields (S55) lie next to each other on the edge of Charing. The sites are in an area of relatively high landscape sensitivity on the edge of the village and would be visible to an extent from the AONB opposite the A20. Development would not however appear disconnected or isolated from the existing built form of Charing. The buildings to the front of the sites and the relationship with the Poppyfields estate means that, while there would be visible encroachment into the countryside, this need not be unduly harmful to the landscape character of the area or the setting of the AONB. The policies for both sites include measures to minimise impact, though modifications are necessary to provide



clarity over building heights on S28 and expectations over the retention and provision of landscaping features in both policies.

147. The distances involved in reaching facilities in the village on foot are not necessarily prohibitive, but there is a need to improve the quality of pedestrian linkages from S55. Provision should therefore be made in the policy for the provision of new pavements. There is also some uncertainty as to whether a pedestrian link through to Poppyfields is achievable. However, this is not an essential pre-requisite for the development of the site and so this requirement should be downgraded to an aspiration. The A20 is a busy road and the development would clearly add to existing levels of traffic. However, the Highway Authority has raised no concerns over either the individual or cumulative impact of development in this location. The policies make adequate provision for new access points, though a modification is needed to make the provision of a right turn lane and emergency access explicit. **MM29** and **MM52** deal with the above matters and so ensure the policies are effective.
148. Considering the physical relationship between sites S28 and S55, a single point of vehicular would be logical. However, there is no clear evidence that two access points would be inherently unsafe. Any implications of this approach can be adequately addressed at the planning application stage and there is no justification to modify either policy on this basis.
149. Part of site S55 is within a Mineral Safeguarding Area as identified in the MWLP because of the likely presence of sub-alluvial river terrace deposits. Given the relatively small scale of the potential mineral deposit and its location adjacent to existing residential properties, there is justification to set aside the presumption to safeguard in line with MWLP Policy DM7.
150. Land South of the Arthur Baker Playing Field (S29) has an extant planning permission for 51 age related units. As the permitted scheme is for a particular type of housing, it is not necessary to seek to increase the indicative capacity figure. Criteria e) and f) require contributions for play equipment and the upgrading of the pavilion on the adjacent playing field. However, these improvements have already taken place and thus specific contributions are neither necessary nor justified. **MM30** removes these criteria and reverts to the more generic requirements for planning obligations under Policy COM2.

### *Chilham*

151. The site on Branch Road (S56) constitutes the large garden of a detached dwelling known as Harvest House. The site is within the Kent Downs AONB and Chilham Conservation Area. This would not constitute major development in the context of the AONB and there is no reason in principle why a sensitively designed scheme should have an unacceptably harmful impact on heritage assets or the character of the AONB. However, to be effective the policy should reflect paragraph 4.50 by limiting development to two storeys. For the same reason, changes are needed to make specific reference to conserve or enhance the setting of listed buildings.
152. Branch Road is a narrow lane with limited passing places. Localised issues relating to 'rat running' are likely to remain, but traffic generated by the

allocation is unlikely to cause or exacerbate road safety issues. There is no opportunity to create a footway from the site into the village. However, the development is unlikely to generate large numbers of pedestrian movements and there is good visibility along Branch Road, particularly for drivers entering the village from the south. The speed of vehicles using the road will not be high and it is not far from the proposed access to the main part of the village. Nevertheless, modifications are required to ensure the policy reflects the most up to date advice from the Highway Authority and is effective in mitigating impacts on traffic and pedestrian safety.

153. The development would provide some additional benefits associated with the provision of parking spaces for the doctor's surgery. To be effective, additional explanation is required in the supporting text to make it clear that more than 5 spaces may be required if evidence suggests they are necessary (**MM53**).

#### *Egerton*

154. Egerton is one of the smaller and more remote villages in the Borough. However, the delivery of around 15 dwellings on New Road (S30) would round off this end of the village, bringing the edge of the built form in line with the recently built Harmers Way development opposite. To protect sensitive views of the village church, the requirement for buildings to be no more than two storeys in the supporting text should be set out in policy (**MM31**).

#### *Hamstreet*

155. There are three allocated sites within Hamstreet that would provide around 140 additional dwellings. The village has a number of sustainability credentials, not least the fact that it contains a primary school and railway station. There are also a small number of local shops and services. Development here is therefore consistent with the Council's strategy.
156. There will inevitably be an increase in traffic through the village. However, the Highway Authority has not raised any objections to the scale of growth and there is no evidence that the cumulative impact would be severe. There is also no clear evidence that demonstrates services in the village could not cope with the increase in population. Neither the Local Education Authority nor the village school has raised any objection in terms of the capacity. Directing a proportionate level of growth to this village is therefore a sound approach.
157. Land north of St Mary's Close (S31) sits on the edge of the village opposite the Academy. It is an open field which slopes gently from the existing edge of the built form up to an area of woodland. Development would clearly have an urbanising impact on the site which would result in some detriment to the character of the area. However, the site is not within a designated landscape area and, while attractive, it is not a valued landscape as defined by paragraph 109 of the NPPF. The policy recognises the environmental quality of the site and includes measures to minimise impact and protect the value of the woodland. The likely harm to the character of the village or local landscape does not render the site unsuitable for development.
158. Main modifications are however necessary to provide additional clarity over the scale of development and its impact. These relate to the extent and

nature of the "generous buffer" with the woodland and the potential effects arising from the non-residential elements of the allocation, such as significant earthworks and other paraphernalia. In addition, clarity is needed on the location of the car park and outdoor classroom and how these uses will be expected to be integrated into the site. **MM32** is therefore necessary for the policy to be effective.

159. Land at Parker Farm (S32) is allocated for around 10 dwellings. It has been carried forward from the Tenterden and Rural Sites DPD. Updated evidence suggests that earlier concerns over flooding are not as severe as first thought. As such, there is no longer any justification for requiring public open space to be delivered within flood zones (**MM33**).
160. Land at Warehorne Road (S57) is a reasonable walking distance from the core of the settlement and while the railway bridge creates something of a physical and visual barrier to the main part of the village, housing here would not be so isolated or disconnected so as to be unacceptable. Any development is likely to have some detrimental impact on the existing open and undeveloped character of the site. The policy recognises this and seeks to ensure development has proper regard to the character of the wider area but the precise wording should reflect this. Equally, it may not be possible to provide necessary sightlines without some removal of existing hedgerows.
161. The Council's suggested modification proposed two additional criteria to be added to the policy to be consistent with other parts of the Plan. This would however seem to repeat the provisions of criterion j). To be effective, **MM54** recommends the replacement of criterion j) with two new criteria. The suggested reference to the Biodiversity Opportunity Area guidelines is also removed as being unnecessarily specific. The specific nature of any mitigation can be addressed at the time of any planning application.

#### *High Halden*

162. Land at Hope House (S33) is allocated for around 35 dwellings. The site is in a suitable location and there is a reasonable likelihood that development can take place without undue harm to identified heritage and biodiversity assets. The policy requires traffic calming measures to be implemented to slow traffic to 30 mph past the site along the A28. There is no reason to assume drivers will not adhere to these restrictions. There is also no reason why needing to cross the road here to reach the pavement opposite should be seen as inherently unsafe. Nonetheless, modifications are necessary to properly reflect the Highway Authority's most up to date advice on mitigation measures to ensure effectiveness (**MM34**).
163. The Stevensons Brothers, A28 site (S58) is located between High Halden and Bethersden and is not well related to either. The addition of bus stops would provide increased scope for use of public transport, but this is unlikely to make a significant difference to the likely reliance on the car by future residents. A small number of commercial buildings front the site and the area to the rear is open fields. There are a few dwellings either side of the site, and a small estate known as 'The Martins' is located a short distance away. This group of buildings does not amount to a coherent settlement and all development here would achieve is an increase in sporadically located dwellings between villages

for which there is no provision within the NPPF. Any benefits to the vitality of nearby settlements would be minor. The allocation would not therefore be consistent with paragraph 55 of the NPPF.

164. The site would also conflict with criterion a) of Policy SP1 in terms of focussing development in accessible and sustainable locations and with the provisions about development in the rural area in the fourth paragraph of Policy SP2. In light of the housing requirement and supply, there is no justification for the delivery of housing in unsuitable and unsustainable locations such as this. The site should therefore be deleted from the Plan and consequential amendments made to housing supply numbers (**MM55**).

#### *Hothfield*

165. Land east of Coach Drive (S34) is separated from the main built form of Hothfield by a bank of protected trees. Formation of the access and the need to provide adequate sightlines would lead to the inevitable loss of a significant number of these trees. Any development here would appear visually isolated from the main part of the village and not respond to local character.

166. The likely form of any development would not address long standing social cohesion issues said to exist in Hothfield and any attempts to improve connectivity between the site and village would be likely to exacerbate harm to the protected trees. Alternative locations suggested for the main access outside the tree belt would be further from the village and only increase the sense of disconnection. A satisfactory form of development is therefore unlikely to be achieved on this site and the scale of development envisaged does not justify the harm that would be caused. The site is not therefore suitable for development and should be deleted from the Plan and consequential amendments made to housing supply numbers (**MM35**).

#### *Mersham*

167. Site S59 is an attractive site adjacent to a small residential estate. It sits within the Mersham Conservation Area and contains a number of features of note, including two prominent oak trees of high amenity value, an area of woodland and a pond. Because of this a satisfactory form of development with an indicative capacity of 15 dwellings could not obviously be achieved without resulting in harm to these assets. To be sound, expectations should be reduced in order to provide more scope for a suitable form of development. The Council's suggested modification reduces the indicative capacity to 8 units and it is not clear that a higher number could be supported. A cautious approach to capacity is therefore justified in this instance although this would not rule out higher numbers should the policy tests be met.

168. The Council's suggested modification also makes amendments relating to the provision of a footpath across the recreation ground ostensibly in lieu of open space contributions. This has not been justified and, as it would involve land outside the allocation, it is not clear whether it could be delivered. This modification is not necessary to make the Plan sound and is omitted. Otherwise, **MM56** is necessary for the allocation to be sound.

*Shadoxhurst*

169. Land to the Rear of Kings Head Public House (S36) is under construction for 19 dwellings. This will take up the whole of the allocated site and thus it is unlikely that any further development will be possible. **MM37** is needed to bring the indicative capacity into line with the most up to date context.

*Swarden*

170. Land adjacent to the Village Hall (S37) has two planning permissions. One for 25 dwellings is largely consistent with the allocation. A second outline permission for 50 dwellings was granted on appeal. This is for a larger area of land than shown in the Plan. As the principle of development has been established on the larger site, there is no justification for restricting development to the smaller site. To be sound, the policy should be amended to reflect the most up to date context (**MM38**).

*Smeeth*

171. Land south of Church Road (S38) would be accessed via a gap in the existing linear form of development. This is not wholly uncharacteristic of existing development within Smeeth. There would be some effect on the mature hedgerow that fronts the site but this is already broken in places for other accesses. There is a sense of transition between the open countryside and built form at this point. Impacts on local character are unlikely to be significant. The site is also reasonably well related to village facilities.

172. Visibility would be good in both directions and there is no reason in principle why an access should not be taken from Church Road. The increase in traffic from this development is unlikely to be of a scale that would materially exacerbate any existing highway safety issues at the junction of Church Road and the A20. The allocation is therefore justified. **MM39** is however necessary to remove unnecessary prescription in criterion a).

*St Michaels*

173. Land at Pope House Farm (S60) lies on the edge of St Michaels, which ostensibly forms part of Tenterden. This is a sustainable location with good access to services and facilities. The encroachment into the countryside would alter the appearance of the urban fringe, but could be accommodated without unacceptable harm to local character or landscape value. To ensure an effective approach to infrastructure provision, **MM57** is required to clarify how any contributions are likely to be spent. The modification is also necessary to give certainty over the expectation to provide a right turn lane into the site.

*Wittersham*

174. Land between Lloyds Green and Jubilee Fields (S61) is located within the High Weald AONB and abuts an area of ancient woodland. It forms part of an attractive area of open land which allows the countryside to penetrate the built form of the village. The site is therefore important in broad landscape terms and the overall character of the village. Even with the proposed buffer in place, the allocation represents an incursion into the countryside that would

materially detract from the landscape quality of the AONB, contrary to national policy. The allocation is therefore unsound on this basis.

175. The proposed access from Lloyds Green would have to cross a pond, which has the potential to contain Great Crested Newts. To fully understand the implications of this, further survey work is required. In allocating a site there should be reasonable certainty over potential impacts on protected species and that suitable mitigation is deliverable. This level of comfort does not exist and serious doubts remain over whether that development would be possible without conflict with paragraph 118 of the NPPF.
176. The provision of an access from Jubilee Fields also raises significant concerns over impact on character, open space and other nearby biodiversity assets that have not been fully addressed. The allocation of this site is therefore unsound and it should be removed from the Plan along with consequential changes made to housing numbers (**MM58**).

#### *Woodchurch*

177. Land on Front Road (S40) was previously allocated for 10 dwellings in the Tenterden and Rural Sites DPD. The only changes in context since then is that the site is now located outside the Conservation Area and there have been two appeal decisions where the scale of development has been found to be unacceptable. The principle of development here is, however, sound.
178. The gap the site creates allows some views of the countryside beyond the village. However, the existing allocation suggests such views are not critical to the character of the local area or setting of the Conservation Area. There is no overriding reason why development should not be able to integrate into the existing built form of the village or have an acceptable impact on the setting of the Conservation Area. The policy provides guidance on how this might best be achieved in terms of building height and layout. A modification is however necessary to ensure the requirement for the provision of views is effective and consistent with the requirement to provide soft landscaping (**MM40**).

#### *Exclusive Homes*

179. Mulberry Hill (S41) and Beechwood Farm (S42) seek to promote a small number of high quality 'exclusive' homes. Such housing could legitimately come forward as windfalls, including development of exceptional or innovative quality in the open countryside. However, the Council wish to be proactive in identifying sites where such development would be actively encouraged.
180. Site 41 is located outside Old Wives Lees, and is within the Kent Downs AONB. Although not isolated in the context of paragraph 55 of the NPPF, it would nevertheless not be in a location normally considered suitable for housing in terms of Policy HOU5 (as modified). However, the small scale of development proposed and the specific purpose of the allocation to provide a particular type of housing justifies a minor exception to the strategy. The site is located on a lane with other dwellings and thus development would not appear conspicuous. The policy uses the same wording for design as Policy HOU5 and paragraph 55 of the NPPF but this relates to development that is isolated. Using this wording would also fail to reflect any site specific issues or

characteristics of the site. **MM41** is therefore necessary to provide a more bespoke, effective and justified approach to design.

181. Site 42 sits on the edge of St Michaels and is therefore in a sustainable location within walking distance of a number of facilities. The policy uses the wording contained in paragraph 55 of the NPPF and Policy HOU5 in terms of design. This sets a far higher bar for development than would normally be expected for development in this location and is thus not justified. However, there is no reason why in promoting a particular type of development on this site the Council should not be seeking a particularly high quality of design. The policy should be amended to reflect this. The inset map should also identify the likely point of access in order for the policy to be effective (**MM42**).

**Issue 10 - Are the topic and other policies for housing; employment; retail, leisure and tourism; transport; the natural and built environment and community facilities justified, deliverable and consistent with national policy? Will they be effective?**

***Housing***

182. In promoting high quality design, Policy SP6 would make adequate provision for inclusive design and accessible environments in accordance with the NPPF. Other policies in the ALP also address this matter in relation to internal space standards, appropriate storage areas and useable private outdoor spaces.

183. Policy SP7 is concerned with the separation of settlements. It is specifically intended to protect the character and identity of individual settlements as Ashford town grows outwards. In so doing it will contribute to the environmental dimension of sustainable development. Assessments of whether coalescence, merging or the erosion of a significant gap would occur could be done on a case-by-case basis. Devising more prescriptive criteria would be next to impossible given the range of circumstances likely to be encountered in individual proposals. Like many policies, judgement will be required to determine whether the wording of the policy has been breached but there is no reason to suppose that its aims will not be achieved.

184. Policies HOU3a and HOU5 deal with residential windfall development within, adjoining or close to listed settlements in the Borough. They respond to paragraph 55 of the NPPF which seeks to enhance or maintain the vitality of rural communities and notes that development in one village may support services in a village nearby. Moreover the ALP anticipates that 1,000 dwellings in total will come forward through unidentified projected future windfalls and the policies will ensure that past trends are continued into the future.

185. Twenty-two settlements have been added to those in the existing development plan but the basis for this is not clear. Moreover, it is not obvious that the expectations of both policies could be met for all the settlements listed. In particular, some places are small and dispersed. Therefore opportunities for residential development or infilling do not exist within their built-up confines as required by Policy HOU3a. Furthermore, some of these settlements as well as others are without any significant services or

transport facilities. Consequently the criteria for development adjoining or close to them in Policy HOU5 are unlikely to be able to be complied with.

186. It follows that these policies are not justified and will not be effective. This is because they are permissive but in some cases the relevant criteria and provisions would be impossible or highly unlikely to be achieved.
187. In response to our post hearings advice (ID/10) the Council has undertaken an assessment of settlements (ABC/PS/23). As part of this consideration has been given to the existing range of services, the proximity to larger settlements, any national landscape constraints and the potential for infilling and/or edge of settlement sites. Some of the findings about the suitability of certain places including Aldington, Brook, Hamstreet, Hastingleigh, Pluckley Station, Rolvenden, Ruckinge, Shadoxhurst and Wittersham are questioned. This is not an exact science so that some discrepancies may be apparent although the Council appears to give great weight to closeness to the urban area of Ashford. Exercising its judgement in this way is reasonable and there is nothing fundamentally flawed about the analysis.
188. The upshot is that 6 small settlements have been removed from the list under Policy HOU3a which allows for residential development and infilling within settlements. In addition, 24 settlements are now listed under Policy HOU5 where development adjoining or close to the existing built up confines will also generally be acceptable. What is meant by "close to" or the scale of development is not defined but this will vary and the policy framework will allow decision makers to determine what should and should not be permitted.
189. However, the detailed provisions of Policy HOU5 also need to be strengthened in order to give greater detail about what is meant by "proportionate" and "commensurate" development thereby ensuring that cumulative effects are taken into account. To do this the policy should refer to the size of the settlement, the type and quality of day-to-day services available and the input of service providers. Other detailed changes are required to make both policies effective.
190. In considering development within and on the periphery of villages neighbourhood plans may still have a role in setting detailed boundaries and defining the policy terminology in a local context. Policy HOU5 would also apply to Ashford which might imply that quite large scale developments will be accepted but other policies in the ALP including Policy SP7 will address any adverse spatial implications of outward expansion. In any event the criteria within Policy HOU5 are quite demanding so that it does not provide 'carte blanche' for every proposal close to a listed settlement. This means that some schemes will fail it but exception sites are only required to comply with the lesser tests in Policy HOU2. Therefore the policy approach should not prevent all local needs schemes from coming forward.
191. The policies are not sound and **MM60** and **MM61** are recommended to address the deficiencies identified
192. Policies HOU7, HOU8, HOU9 and HOU10 all use different language when referring to the effect of development on the character and appearance of an area and neighbouring uses. This inconsistency could lead some to assume



that the Council's approach differs for the different types of development involved. This is not the case and thus the policies should be modified in the interests of effectiveness. The recommended main modifications that achieve this are identified for each individual policy below.

193. Policy HOU7 sets out the Council's approach to replacement dwellings in the countryside. The policy implies that planning obligations will be used in all cases. However, this would conflict with national policy and so modifications are needed to clarify the role and scope of the use of planning obligations and conditions (**MM63**).
194. Policy HOU8 deals with residential extensions. There are specific issues set out in paragraphs 5.79 relating to the effect on AONBs, conservation areas and how the existing standard of accommodation will be considered in any planning application. For the Plan to be effective, these provisions should be reflected in the policy (**MM64**).
195. Although only expressed in the supporting text, the requirement for standalone residential annexes to demonstrate need in Policy HOU9 is not justified. If a development is able to meet the relevant criteria then need would not be a relevant factor. Should there be conflict with these criteria then other material considerations, including the personal circumstances of an applicant, will be taken into account in the normal way. This requirement is not therefore justified and should be deleted. Furthermore, for the policy to be effective the requirements relating to heritage assets in paragraph 5.83 should be included in policy (**MM65**).
196. Paragraph 53 of the NPPF provides scope for local authorities to set out policies which resist inappropriate development of domestic gardens. It is clear that gardens contribute positively to the character of some settlements and thus a specific policy is justified. Policy HOU10 sets out the Council's approach to this issue. There is a significant degree of overlap between this policy and HOU3a and HOU5, particularly with regard to impacts on local character and amenity. **MM66** is therefore necessary to rationalise this duplication and insert an appropriate cross-reference for clarity and effectiveness. This will result in a policy with a much clearer focus on matters specific to gardens. The Plan should be read as a whole, and other policies will continue to consider issues of residential amenity. Setting benchmarks for what is considered significant harm would not be realistic and the language used in the policy is generally understood.
197. Policy HOU12 sets out the Council's intention to adopt the Government's optional Nationally Described Space Standards (NDSS). The PPG (ID: 56-020-20150237) states that where LPAs seek to require such standards, they should justify them in terms of need and viability. The Council has applied minimum space standards since 2011 with a high degree of success. This demonstrates the market is able to deliver housing of the scale required. The Council's viability assessment also factored in that dwellings would be built to the NDSS standards. There is nothing to suggest that the policy would impede delivery. In terms of need, there is evidence which shows that where the Council has not been able to apply standards, the scale of development coming forward has been well below the NDSS. Therefore it appears that the market would not necessarily provide housing of suitable scale without the policy in place.

As such, the policy is required to provide a good standard of amenity for future occupants. Policy HOU12 is therefore justified and effective.

198. Policy HOU14 signals the Council's intent to adopt optional standards M4(2) and M4(3) of part M of the Building Regulations. There is clear evidence of an ageing population in the Borough and an increase in those with long term health problems or disabilities. However, this does not justify a policy requiring the optional standard for all dwellings. A generalised assertion that the policy would future proof the housing stock is also not sufficient to demonstrate a need as required by the PPG. Furthermore, the Viability Study (SD09) only considered the effect of 20% of housing meeting the optional standard. While this did not suggest the requirement was unviable, no test of the 100% requirement was undertaken. The policy is not therefore justified by the evidence and is unsound. **MM67** is necessary to reduce the requirement to 20% of new homes, which better reflects the demographic and viability evidence produced.
199. With regard to M4(3) there is evidence of a general need for wheelchair adaptable dwellings. The policy limits any requirement to a cap of 7.5% within the affordable element of any development. This is a sensible, pragmatic approach. The viability of this has been tested satisfactorily. The approach is therefore justified and sound.
200. Policy HOU15 is too prescriptive and inflexible in its approach to private external open space provision. It would not be effective in achieving the Council's objectives of ensuring a good standard of design, layout and living environment. The supporting text alludes to the 10 metre minimum distance being a "starting point" or "rule of thumb", but this is not reflected in the policy. To be effective, this should clearly set out all of the factors that will be taken into account in assessing whether sufficient private external space is being provided and the status of any standards that are included. It should also be made clear that the policy would apply to any proposals which result in the loss of private garden space. This will ensure consistency with Policy HOU10 and **MM68** is recommended to achieve all of this.
201. Policy HOU18 seeks to ensure a variety of house types and sizes are delivered. The policy expects the mix to be decided on a case by case basis having regard to a range of factors as identified in the supporting text. This provides a flexible approach which can take proper account of local context and the most up to date evidence. Needs are likely to differ across the Borough and though the Strategic Housing Market Assessment (SD13) is a useful starting point, relying on this for all development would be too prescriptive. This approach is therefore justified and consistent with the requirements of national policy. **MM71** is however necessary to provide clarity on the operation of the policy, particularly in terms of any exceptional circumstances that might apply.

### ***Employment***

202. Policy EMP1 sets out the broad principles for considering windfall employment development in main towns and all rural settlements. What constitutes a rural settlement is not defined and thus could refer to any size of settlement within the Borough, including very small and dispersed locations, many of which are without significant services or transport facilities. This approach could lead to

an unsustainable pattern of development. A modification is therefore needed to narrow the scope of the policy to the larger and more sustainable locations listed in policies HOU3a and HOU5 (**MM72**).

203. Policy EMP2 sets out the criteria against which the Council will consider the loss of existing employment land and premises. Where redevelopment is proposed, the policy expects applicants to demonstrate that any appropriate type of alternative employment use is not viable during the plan period. This is an unduly onerous requirement that would be difficult to achieve in many circumstances and should be removed. However, there is no reason why sites should not be marketed for alternative commercial uses to help demonstrate there is no reasonable prospect of the site or premises remaining in some form of employment use. Modifications are also necessary to remove the unjustified inconsistency between urban and rural areas in terms of the length of time that would constitute a "substantial" period for marketing. A period of 6 months for both areas is justified. There is also no reason why the first bullet point relating to the Ashford urban area should also not apply to Tenterden and the HOU3a villages (**MM73**).
204. Policy EMP2 does not apply to ALP allocations or areas outside defined villages. The requirements are for indicative land areas within mixed use development and thus are not prescriptive over employment floorspace provision. It is not unreasonable for the Council to expect development to be consistent with allocations in the short to medium term. The Plan must be reviewed within 5 years and if allocations are unlikely to deliver the requisite employment land then action can be taken at that point. Should material considerations indicate an earlier need to divert from the allocation, then the Council would also be able to assess this at the time of any application. There is no need to provide a mechanism for the release of sites allocated for new employment. Policy EMP2 is not contrary to paragraph 22 of the NPPF on this basis.
205. Similarly, there is no requirement in national policy for the Council to protect employment uses outside defined villages. While these locations make up a significant proportion of employment land in the Borough, they are often in unsustainable locations. Policy EMP2 is therefore sound.
206. Policy EMP6 requires all development to enable fibre to the premises (FTTP). The principle of supporting advanced and high quality communications infrastructure is consistent with paragraph 42 of the NPPF. There is also no evidence to suggest that such a requirement would harm viability. However, the policy is unclear as to what the policy means in practice and how developers will be expected to meet its requirements. Moreover, the reference to reasonably sized employment proposals is too vague. The lack of clarity renders the policy unclear and ineffective. The policy is therefore unsound.
207. **MM74** is recommended to replace the policy and revise the supporting text which clarifies its intent and expectations for developers. In particular this explains that it is not expected that developers will implement FTTP themselves, but rather ensure that development facilitates FTTP where possible. It also sets out the thresholds on employment uses more explicitly while providing scope for flexibility. The revised supporting text also commits the Council to the preparation of a Supplementary Planning Document (SPD) on this issue which will be beneficial in the longer term.

## **Retail**

208. Policies EMP7 and EMP8 deal with development within the defined shopping areas of Ashford and Tenterden. Both policies have an unduly flexible approach whereby any use within the 'A' Use Class would be permitted in primary frontages of Ashford, and any town centre use would be acceptable in the primary frontage of Tenterden and secondary frontage of Ashford. The challenges facing high streets are well known. However, the policies provide no effective mechanism to consider the individual or cumulative effects of different uses. Such an approach could lead to unintended consequences for the vitality and viability of both centres, contrary to paragraph 23 of the NPPF. Modifications are therefore required to identify the range of factors that will be considered when assessing the impact of non-retail development within each centre. Such changes need not reduce flexibility.
209. The primary shopping area (PSA) plan for Ashford includes an area described as an extension to primary shopping area, but this is not referred to in policies EMP7 or EMP9. Given its function this area should be included to produce a logical boundary and so the PSA should be amended to include it. Overall the recommended main modifications to these policies will therefore ensure consistency with national policy and effectiveness (**MM75, MM76**).
210. A secondary shopping frontage has not been identified for Tenterden, but this is justified by the tightly defined nature of the shopping area and lack of a clear distinction between different parts of the centre.
211. Policy EMP9 sets out the Council's approach to considering development outside centres. The PSAs in Ashford and Tenterden are the preferred locations for retail development. For other main town centre uses, the town centres are the preferred location. There is a clear distinction between what is considered edge of centre for retail and other main town centre uses in the NPPF and the Council's broad approach is consistent with this. The terminology used in relation to the sequential test is however vague and/or does not accord with paragraphs 24 and 26 of the NPPF. Modifications are therefore necessary to provide consistency with national policy.
212. Policy EMP9 also requires an impact assessment for any retail development over 500 sq m. This is significantly lower than the default of 2,500 sq m in the NPPF, but is more reflective of the scale of retail proposals that have been submitted to the Council in recent years and the changing nature of the retail market. As stores of this size are more likely to be of the scale of shops in Ashford and Tenterden they also have the potential to cause harm to the vitality of these centres. The threshold for retail is therefore proportionate and justified. The same 500 sq m threshold is used for office and leisure uses. No specific evidence has been provided for this and thus there is no justification for departing from the default threshold. **MM77** removes this unjustified requirement from the policy and addresses the terminology issues identified above.

## **Transport**

213. Strategic transport schemes including Junction 10A and the Pound Lane Link Road, if required, are supported by Policy TRA1. The evidence is that these

will be delivered in timely fashion so as to facilitate growth and environmental benefits.

214. Policy TRA2 is not clear about how the Council will prioritise the delivery of car parks, how developers will be expected to contribute to their delivery or how a proposal would be seen to prejudice provision to the extent that permission would be refused. As a result, the policy is ineffective and unsound. **MM78** is necessary to clarify the Council's intent and the operation of the policy and to remedy the above defects.
215. Policies TRA3a and TRA3b set out minimum parking standards for residential and some forms of non-residential development. Paragraph 5.260 states that the Residential Parking and Design Guidance SPD will be superseded for all standards other than visitor parking provision. There seems no logical reason to leave this single element of the SPD in place and thus to be effective the entire SPD should be transferred into the policy. The policy is also unclear in its approach to considering departures from the minimum standards. It implies that it is only the Council who might instigate a reduction in parking which would clearly not always be the case. Criterion a) is not relevant to the ALP and, as standards are minima, there should be no general concern over proposals for higher levels of parking. **MM79** is recommended to address these issues in the interests of clarity and effectiveness.
216. Whilst promoting use of public transport is consistent with the NPPF, Policy TRA4 does not provide the decision maker with any indication of how they should react to a development proposal. **MM80** is therefore necessary to make the policy relevant to development and consistent with both national policy and Policy TRA8.
217. Policy TRA7 addresses traffic impacts. The scope and intent of the policy is broadly consistent with paragraph 32 of the NPPF. However, its application to only the primary and secondary road network would implicitly accept risks elsewhere. In the interests of effectiveness this reference should therefore be removed so all parts of the network are covered equally. The policy is also unclear about its relationship with Policy TRA8 and this omission should be rectified by reinforcing the need to assess and mitigate impacts from all trips. The supporting text fails to fully explain the concerns over impacts on rural roads. To be effective, further explanation should be provided (**MM81**).

### ***Natural Environment***

218. Policy ENV1 is broadly consistent with national policy and provides an effective framework for addressing biodiversity issues. However, the policy implies that financial contributions may be acceptable in lieu of mitigation. This is contrary to national policy on the use of planning obligations. A modification is necessary to make it clear that financial contributions will be accepted only where mitigation is achievable (**MM82**).
219. The concept, purpose and identification of Green Corridors within the Ashford area is sound. However, Policy ENV2 does not provide a clear approach to development within or adjoining them. In particular, it is not always clear what land uses are being referred to and there is an inconsistent and unjustified approach to the consideration of harm. Modifications are therefore necessary to ensure the operation of the policy is clear and effective (**MM83**).

220. There is no requirement in national policy for Green Corridors to be identified and thus the Council's approach of not extending them beyond the Ashford area to the villages is sound. Moreover, there are other policies in the Plan, including Policy SP7, which seek to ensure settlements do not coalesce and which serve to protect the character of the rural settlements and the intrinsic beauty of the countryside.
221. Policy ENV3a addresses general landscape protection issues. The purpose and intent of the policy is sound. Criterion i) does not sit well in the list of factors to which the Council will have regard. To be effective, this should stand alone as a general requirement of the policy (**MM84**).
222. Policy ENV3b is broadly consistent with paragraphs 115 and 116 of the NPPF. The first paragraph does not, however, properly reflect the Council's duty with regard to AONB. The policy also implies that major development would not be subject to the four criteria in the second paragraph. This would not provide an effective mechanism for dealing with development in the AONB or its setting. In considering individual applications, it may not always be feasible to enhance the AONB and so requiring this in all instances is not justified. Relevant AONB management plans also do not form part of the development plan and thus it is not justified to expect development to conform to them. Modifications are therefore necessary to remove unjustifiable elements and provide consistency with national policy (**MM85**).
223. Parts of Ashford have been identified as having the darkest skies in the region. Policy ENV4 seeks to help achieve the Council's objective of ensuring that development does not lead to excessive light pollution. This is consistent with paragraph 125 of the NPPF. The policy requires compliance with the Dark Skies SPD (2014). In the light of the 2012 Regulations concerning the content of SPD, key elements of it should be brought into the policy and supporting text (**MM86**). This is necessary for the policy to be effective.
224. Policy ENV5 sets out the Council's approach to important rural features not covered by other policies. The list is not exhaustive and there may be others that are considered important locally that are deserving of similar protection. The narrow scope of the policy is nevertheless not justified and would limit its effectiveness. A modification is necessary to enable other features to be considered on a case-by-case basis. This would better reflect the character of the Borough (**MM87**).
225. Policy ENV6 sets out the approach to flood risk. The intent of the policy is consistent with the NPPF. However, the relationship between the list of criteria in a) to f) and the operation of the sequential and exception tests is unclear. Criterion a) also duplicates the provision of the sequential test and is unnecessary and confusing. Modifications are therefore necessary to ensure the operation of the policy is clear, effective and consistent with the requirements of the NPPF (**MM88**).
226. The Written Ministerial Statement (WMS) of 25 March 2015 establishes that optional water efficiency standards should only be required if they address a clearly evidenced need and where their impact on viability has been considered. There is substantial evidence within the Water Cycle Study (NBD/05) to support a case for there being a need for the optional standards.

Ashford is within an area of serious water stress. Policy ENV7 therefore contributes to a wider strategy to reduce demand for water use. The Viability Assessment (SD09) includes a cost of £9 per dwelling to achieve this standard. There is nothing to suggest that this is not a reasonable or robust figure and thus there is no reason to assume the policy would have an unacceptable impact on viability. The policy is therefore sound.

227. Policy ENV8 seeks to ensure there is sufficient water capacity to serve new development and that it does not have an unacceptable impact on water quantity or quality. The policy only acts as a mechanism to ensure major development does not proceed in advance of any necessary infrastructure being in place. This adds no particular burden on the developer, but ensures development is phased appropriately and it is therefore justified.
228. There are a number of allocated sites which sit within groundwater protection zones. The ALP does not provide adequate guidance to decision makers or applicants as to the implications of this. To this end, main modifications to the policy are necessary to ensure the Plan is effective. It may not always be possible or desirable for development to provide a connection to the main sewerage system at the nearest point of adequate capacity. As a result, the policy may unjustifiably restrict otherwise acceptable development in rural areas. Modifications are needed to remove this restriction (**MM89**).
229. Policy ENV9 relates to sustainable drainage systems (SuDs). Paragraph 5.358 contains detailed requirements that should be set out within policy for it to be effective. A modification is also necessary to remove reference to being compliant with the adopted Sustainable Drainage SPD. There is no justification for requiring contributions for strategic forms of SuDs and it should be made clear that SPD is something to have regard to only (**MM90**).
230. Policy ENV10 supports proposals for renewable energy where they do not have significant adverse impacts. Paragraph 97 of the NPPF suggests that Councils should give consideration to identifying suitable areas for renewable and low carbon energy sources. Owing to the sensitive landscape nature of large parts of the Borough, the Council has chosen not to do this. This is a justifiable approach. However, the supporting text does not properly reflect current national guidance on windfarms and this should be brought up to date in the interests of clarity.
231. There should be no need to demonstrate the sustainability benefits of any proposal if the policy's criteria are met and so a further assessment is not justified. Modifications to remove this requirement are necessary (**MM91**).
232. Policy ENV13 does not properly reflect national policy in distinguishing between substantial harm and less than substantial harm to designated heritage assets. Changes should be made to include this differentiation. However, it is not necessary to repeat the NPPF in full. **MM92** will ensure consistency with national policy and is therefore recommended. There is nothing in the policy which suggests the Council considers designated and non-designated assets to have the same status. In the planning balance, it is legitimate for the Council to consider any public benefits of proposals affecting both designated and non-designated assets.

233. Policy ENV14 addresses how development affecting Conservation Areas and their setting will be considered. The intent of the policy is sound. There are however elements which are unclear, or use vague and imprecise terminology. To be effective, modifications are required to remedy this (**MM93**).
234. Policy ENV15 suggests that any development which would adversely affect Scheduled Monuments and other important archaeological sites will not be permitted. However, this is inconsistent with the approach set out in the NPPF for considering harm to heritage assets and the specific requirements of Policy ENV13 to which this policy is intrinsically linked. **MM94** is necessary to ensure a consistent approach within the ALP and with national policy.
235. The modified policies of the ALP will provide a sound framework for addressing impacts on local landscape and biodiversity assets. There is no single policy relating to the protection of landscape character. However, the Plan must be read as a whole and it is not unsound to have different policies addressing different aspects of development. The ALP addresses the issue of cumulative impacts where it can reasonably justify doing so in an effective manner. There is no justification to recommend a new policy which simply repeats others.

### ***Community Facilities***

236. Policy COM1 establishes how the Council will use planning obligations and CIL to secure infrastructure and facilities. A modification to the third paragraph is necessary to reflect that there is currently no CIL and cross-reference Policies IMP1 and IMP2. This will ensure factual accuracy and internal consistency. The intent of the final paragraph is to ensure developers do not avoid making contributions by splitting larger sites into smaller plots. Whilst this is a justifiable approach, the way it is expressed is confusing. **MM95** is therefore necessary to provide a clear and effective policy.
237. The purpose and intent of Policy COM2 is justified and consistent with national policy. There are elements however which undermine its effectiveness including being clear over the scope of the policy, how it refers to SPD and other extraneous documents, its relationship with other policies and how it relates to the Council's own objectives over the scale and distribution of open space. As such, **MM96** is necessary to deliver an effective policy and approach to open space provision.

### **Issue 11 - Does the Local Plan have clear and effective mechanisms for implementation, delivery, monitoring and future review?**

238. Policy IMP1 implies that all development will be subject to planning obligations. This is not justified or consistent with paragraph 204 of the NPPF. Similarly, it makes no reference to situations where viability might stall development. **MM97** is required to provide consistency with national policy.
239. Policy IMP2 expands on Policy IMP1 by explaining how the Council will have regard to the potential for deferred payments on planning obligations in situations where viability is in doubt. The risk with this approach is that mitigation required may not be provided at all. However, it is a justified and appropriate way of ensuring that necessary development takes place. **MM98** is necessary to ensure consistency with Policy IMP1 and to provide clarity on the implementation of the policy.



240. Policy IMP3 on planning enforcement does not provide any indication as to how a decision maker should react to a development proposal and thus is inconsistent with paragraph 154 of the NPPF. To achieve soundness, this policy should be removed (**MM99**).
241. Appendix 6 sets out the monitoring framework for the ALP that will be kept under review to ensure that it remains effective. **MM101** is required to fill a gap in the framework relating to AONB and to address the lack of specified targets in relation to sustainable transport. With these changes in place, the ALP will provide sufficient clarity over the arrangements for managing and monitoring its implementation.
242. Paragraph 2.26 commits the Council to adopting a review by 2025. However, Regulation 10A now requires that this should be undertaken within 5 years of the adoption of the ALP. This should be clarified and reference also made to the intended progress of a revised plan (**MM2**). On adoption the remaining plan period would be less than the 15 years referred to in paragraph 157 of the NPPF. However, this is not a requirement and there is no clear evidence that circumstances will change to the extent that the ALP should be reviewed any sooner.

## Public Sector Equality Duty

243. In undertaking the examination we have had due regard to the equality impacts of the ALP in accordance with the Public Sector Equality Duty, contained in section 149 of the Equality Act 2010. This, amongst other things, sets out the need to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not.
244. There are policies in the ALP that concern specialist housing (which would include the elderly), gypsies and travellers and accessible environments that should directly benefit those with protected characteristics. In this way the disadvantages that they suffer would be minimised and their needs met in so far as they are different to those without a relevant protected characteristic. There is also no compelling evidence that the ALP as a whole would bear disproportionately or negatively on them or others in this category.

## Assessment of Legal Compliance

245. Our examination of the legal compliance of the Plan is summarised below.
246. The ALP has been prepared in accordance with the Council's LDS of May 2017 (GBD16) which was updated in March 2018 (GBD23). As indicated previously, consultation on the ALP and the MMs was carried out in compliance with the Council's SCI. Furthermore, as explained at paragraphs 12-20, SA has been carried out and is adequate.
247. The Habitats Regulations Assessment (HRA) of December 2017 (SD11) concludes that the Local Plan would not lead to a likely significant effect on European sites on the basis that its policies contain suitable protective measures. Natural England (ED/09) concurs with the findings of the HRA in relation to the Wye and Crundale Downs Special Area of Conservation and the

Dungeness, Romney March and Rye Bay Ramsar site. As separate mitigation is not required to achieve this then an appropriate assessment is not required.

248. The ALP includes policies designed to secure that the development and use of land in the Council's area contribute to the mitigation of, and adaptation to, climate change. These relate to, amongst other things, biodiversity, water efficiency, sustainable drainage, renewable and low carbon energy and sustainable design and construction.

249. The ALP complies with all relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

## **Overall Conclusion and Recommendation**

250. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

251. The Council has requested that we recommend MMs to make the Plan sound and capable of adoption. We conclude that, with the recommended main modifications set out in the Appendix, the Ashford Local Plan 2030 satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

*David Smith*

*Steven Lee*

INSPECTORS

This report is accompanied by an Appendix containing the Main Modifications.

## Main Modifications to the Ashford Local Plan 2030

The Main Modifications are set out in plan order. The paragraph numbers and policy references refer to the Submission version of the Local Plan 2030 and do not take account of any other deletions or additions contained within these modifications. An explanation of the modification is provided in *italics*. Changes to text are expressed in the conventional form of either ~~strikethrough~~ for deletions and underlining for additions of text. Policy wording is shown in **bold**.

Modification number:	LOCAL PLAN SECTION/POLICY	MAIN MODIFICATION (MM)
MM1	Chapter 2 Introduction - Neighbourhood Plans	<p><i>Amend paragraph 2.8 and 2.8.1 text to read:</i></p> <p>2.8 This Local Plan sets out the strategic context within which any Neighbourhood Plan (NP) will operate. They must comply with national policy, with EU obligations and human rights requirements and with the strategic policies of the local development plan. For the purposes of neighbourhood planning, <del>all the policies within this local plan are considered strategic, not just those within the strategic policies section.</del> <u>have been assessed using guidance provided in Planning Practice Guidance (PPG) on Neighbourhood Planning (Paras 75 and 76). However, it is likely that some policies may not be 'strategic' in all NP circumstances, particularly where the policy may refer to a specific geographical area, site or landscape which is not applicable to that NP area. There is also scope for a NP to be more specific than the Local Plan in relation to some topic policies, and where evidence supports this position. Some smaller site allocations in this plan are not strategic in themselves. For clarity, a list of the policies in this plan that may not be considered 'strategic' in a NP context is provided in Appendix 7, but NP groups are advised to liaise with the council to agree the relevant 'strategic' policies to their area at the start of their NP process.</u></p> <p>2.8.1 <del>As of mid-2017-2018,</del> the Borough has seven designated neighbourhood areas at <u>the parishes of Wye with Hinxhill, Rolvenden, Bethersden, Boughton Aluph and Eastwell, Pluckley, Hothfield, Charing and Egerton.</u> The Neighbourhood Plans for these parishes are at various stages in their evolution, with <u>the Wye with Hinxhill and Pluckley Plans</u> now adopted. Where Neighbourhood Plan Areas had been established early on in the preparation of this Local Plan, proposals to allocate sites within these areas fall to the neighbourhood plan, where they are non-strategic in nature. <u>Rolvenden Parish Council is committed to allocating land for 40 24 dwellings in its emerging NP and Bethersden Parish Council has allocated land for 34 dwellings in its emerging NP.</u> <del>this is</del> <u>These figures are therefore included within the Housing Trajectory.</u> Hothfield, Charing and Egerton parishes are more recent designations and it has therefore been necessary for the Local Plan to consider and make site allocations within those parishes, where appropriate. That should not exclude those parishes from considering additional proposals for addressing the equivalent (or greater) amount of development through their Neighbourhood Plans.</p>
MM2	Chapter 2 Introduction – Formal review of the Local Plan	<p><i>Amend paragraph 2.26 text to read:</i></p> <p>2.26 This Local Plan is intended to be formally reviewed, to ensure that the wider policy position is suitably up to date and the development envisaged - and supporting infrastructure – has been delivered. <u>A decision whether to revise the Plan will be taken no later than five years from the adoption of this Plan.</u> It is intended that <del>the review</del> <u>any revised Plan will be adopted by the end of 2025 at the latest.</u> This period of time provides the right balance between providing enough time to allow the policy framework to be implemented by the market and to give them certainty, with the inevitable need to respond to change as time goes by. However, should circumstances dictate, such as significant undersupply of housing delivery or the non-delivery of key infrastructure (<del>namely Junction 10a</del>) then an earlier formal review will be undertaken.</p>
MM3	Chapter 3 Policy SP2 – Strategic approach to housing delivery	<p><i>Amend the relevant paragraphs of the supporting text to read:</i></p> <p><b>3.17 Market signals</b></p> <p>3.17.1 The National Planning Practice Guidance sets out that upward adjustments should be made to housing need figures where affordability is an issue – as is the case in Ashford. There is no nationally identified standard as to what this uplift figure should be. <del>The 2017 SHMA takes this into account and suggests that a 5% uplift is appropriate for Ashford based on an assessment of market signals, affordability, past delivery rates and likely future delivery rates.</del> <u>Lower quartile affordability ratios have recently increased in the Borough and the Council is also conscious of the need to plan for the continuing net out-migration from London to the Borough based on the excellent connectivity by road and rail to Ashford. As a consequence, the OAN includes a market signals uplift of 13% above the demographic projection data. This equates to an OAN of 15,675 16,872 dwellings being identified between 2011 and 2030, equating to 825 888 dwellings per annum.</u></p>

## Main Modifications to the Ashford Local Plan 2030

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### **3.20 Future proofing**

~~3.20.1 The SHMA outcomes set out above already take account of some future in-migration flows to Ashford from London. However, advice received from the Council's consultants suggests that demographic modelling for additional migration flows from the capital, of 34 dwellings per annum, could also be applied from 2017.~~

~~3.20.2 This reflects the current prediction by the Greater London Authority that out-migration from London will return to pre-recessionary levels soon and therefore districts with accessible links to London such as Ashford should plan for this rebalancing back to what were 'normal circumstances'. This is considered a sound aspiration for this Plan given Ashford's HS1 links to London.~~

~~3.20.3 These additional dwellings do not form part of the OAN figure. They are also not seeking to meet any unmet need from London. However, the Council considers that it is a sound planning approach to add these additional 442 dwellings to the overall housing target for the Local Plan.~~

### **3.25 Housing Windfalls**

~~3.25.4 Based on these factors it is assumed that an additional 950 1000 units will be delivered from unidentified windfall sites between ~~2024~~ 2022 and 2030, at an annual rate of 400 125 dwellings per year, well below the historic trends for windfall completions. This is in addition to the 749 996 dwellings on housing windfalls sites that currently have planning permission at 1<sup>st</sup> April 2018, of which only 75% of those not yet commenced are counted against meeting the overall Plan's housing target.~~

### **3.26 The Housing Target**

~~3.26.1 Based on the factors above, an overall Housing Target for the Borough reflecting the OAN of 46,120 16,872 dwellings to be delivered between 2011 and 2030 has been established. Factoring in completions since 2011, this figure is reduced to 42,943 13,118 between ~~2017~~ 2018 and 2030. The overall breakdown of this figure can be viewed under Table 1 below.~~

*Replace Table 1 – Overall Housing Profile with the following:*

Objectively assessed need	16,872
Delivered since 2011	3,754
<b>Residual requirement (2018-30)</b>	<b>13,118</b>
Extant commitments (previously allocated sites with permission)	3,064
Extant windfalls*	875
Chilmington Green	2,500
Future unidentified windfalls	1,000
Local Plan Allocations	5,889
Neighbourhood Plan Areas	216
<b>TOTAL</b>	<b>13,544</b>
Contingency buffer	426

*\*Those not started have been reduced by 25% to account for potential non-delivery with the exception of Tilden Gill, Tenterden*

*Delete section 3.29:*

### **3.29 The Strategic Road Corridors**

~~3.29.1 The NPPF is clear in its desire to promote housing development which has good access to services and facilities, does not require significant infrastructure to deliver it and can be delivered early.~~

~~3.29.2 With this in mind, the Local Plan – following an assessment of the main road corridors which enter Ashford and the ability to maximise the use of the public transport services to Ashford this presents – identifies a few appropriately scaled housing sites near to Ashford along the A20. These sites have excellent access to the main local road network and are sites that do not adversely impact on the local landscape in a way that outweighs the benefits. Suitably scaled and designed housing development here would be consistent with the prevailing character of the built form along this part of the A20.~~

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~~3.29.3 As part of the evolution of the Plan, the Council have confirmation from the landowners that these sites can come forward in the early years of the plan, on account of them being relatively unconstrained and by virtue of requiring little in the way of new infrastructure provision.~~

~~3.29.4 Providing potential development sites along this corridor introduces an additional offer to the market in terms of the types of land being promoted for development within the Borough, complementing the sites in the town centre, those within and adjoining the urban area and the sites on the periphery of rural settlements. Providing this variety is seen as a way of giving choice to house builders and broadening the scope of housing opportunities in the borough.~~

*Amend sections 3.31, 3.34, 3.35 and 3.37 as follows:*

### **3.31 Development at villages**

3.31.3 In line with this approach, the Local Plan proposes an allocation strategy that has been assessed against a broad range of issues, promoting suitable sites that can provide a range of housing opportunities across the Borough. This approach gives considerable weight to more 'local' factors and takes account of recent rates of development in different villages whilst encouraging the small-scale evolution of some smaller settlements which might otherwise stagnate. Overall, the strategy seeks to direct a greater scale of new development towards the most sustainable villages where services are more extensive and well established and public transport connectivity is greatest, consistent with the thrust of the NPPF, whilst accepting that smaller scale development can potentially be accommodated in smaller villages subject to local factors.

3.31.4 In making Local Plan development allocations, the Council is also cognisant of several emerging Neighbourhood Plans being promoted by Parish Councils. The Council has worked closely with these parishes to ensure that their plans are consistent with the proposed strategy for development set out in this Local Plan and has encouraged them to include an appropriate scale of local development allocations in their respective Plans. The current scale of these allocations is included in the Housing Trajectory at Appendix 5.

### **3.34 The borough's profile**

3.34.1 Ashford Borough contains two distinct areas that exhibit clear and differing characteristics in planning terms. Ashford is clearly the most sustainable location within the borough and therefore the most suitable location at which to deliver the majority of new housing growth. In comparison, the borough's rural area is much more sensitive and too much housing growth would quickly lead to an unsustainable model of housing development overall.

3.34.2 These characteristics are clearly evidenced in the accompanying Sustainability Appraisal to this Plan and are reflected in the Plan's distribution strategy which identifies new housing land allocations to deliver around ~~5,159~~ 4,872 dwellings in and around Ashford and ~~4,590~~ 1,017 dwellings in the rural parts of the borough. In addition, Neighbourhood Plan areas proposed rural allocations of 216.

### **3.35 The urban housing market**

3.35.4 It is clear that the recent constraining factors to housing delivery at Ashford are beginning to subside. However, it is accepted that housing completion rates may not increase rapidly as it will take time for the market to continue to improve. A number of key sites are also still constrained until such time as Junction 10a is in place (due to be ~~completed in mid 2020~~ opened to traffic in Autumn 2019).

3.35.5 The phasing strategy in this Local Plan is cognisant of this position in that it predicts ~~a lower level of~~ housing delivery rates in and around Ashford to steadily increase over the next few years following the completion of Junction 10a and the emergence of flatted schemes in the town centre as investor confidence grows in the early years of the Plan (pre Junction 10a) with a steady increase around in the early 2020s. This is considered to be a realistic and deliverable scenario and is consistent with developers' and house-builders' known assumptions and intentions.

### **3.37 Rectifying the housing shortfall since 2011**

3.37.1 As of April ~~2017~~ 2018, the borough has a housing delivery shortfall of around ~~4,770~~ 2,462 dwellings which demonstrates that, except for 2015/16, housing completion rates in the borough have not kept pace with the annual requirement for new housing indicated by the QAN ~~updated SHMA~~.

3.37.2 However, the Local Plan provides the opportunity to address this position and determine a robust and sustainable approach to rectify this shortfall - one which reflects local circumstances and character.

3.37.3 As referred to above, it is questionable how realistic it is to rely on the Ashford urban housing market to achieve a short term step change in housing delivery needed to meet the housing shortfall in the early years of the Plan. It is also doubtful that the industry will be able to deliver such an increase in housing completions in such a short

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Page 98		<p>space of time. This would require securing a local workforce, building materials and immediate financing arrangements at a time when the local market is still recovering and remains in competition with other areas in the south east.</p> <p>3.37.4 The only alternative option therefore would be to require the rural area to rectify the housing shortfall, entirely on its own. Such an approach would lead to <del>over 2,000 additional</del> much more new housing <del>new dwellings</del> in the rural area, significantly more than has been planned through this Local Plan and evidenced as being sustainable through the sustainability appraisal.</p> <p>3.37.7 However, <del>to achieve this outcome it is necessary for the strategy to assume that the shortfall is technically addressed over the whole of the remainder of the Plan period – commonly referred to as the ‘Liverpool’ approach – in order for the Council to be able to demonstrate a deliverable 5-year housing land supply in the short term. Consequently, and having regard to the need to complete Junction 10a before major developments can be occupied, the Plan is based on a strategy that would rectify the existing shortfall (at 1<sup>st</sup> April 2018) over the course of the next 7 years (i.e. 2018-25) at an average rate of 352 dwellings per annum and this should be reflected in the calculation of five-year housing land supply over this period.</del> This approach ensures the integrity of the Council’s strategy for addressing the shortfall in a sustainable way can be properly maintained and that unrealistic annualised levels of housing completions are not required from the start of the Plan, merely as a means of meeting an existing shortfall that can be better and more sustainably phased and located elsewhere in the borough over the Plan period.</p> <p><i>Amend Policy SP2 - The Strategic Approach to Housing Delivery as follows:</i></p> <p><b>A total housing target of <del>12,950</del> <u>13,118</u> net additional dwellings applies for the Borough between <del>2017</del> <u>2018</u> and 2030. In order to achieve this target, additional housing sites are proposed to provide choice and competition in the market up to 2030.</b></p> <p><b>The housing target will be met through a combination of committed schemes, site allocations and suitable windfall proposals.</b></p> <p><b>The majority of new housing development will be at Ashford and its periphery, as the most sustainable location within the Borough based on its range of services and facilities, access to places of employment, access to public transport hubs and the variety of social and community infrastructure available. With this in mind, in addition to existing commitments, new land allocations to deliver <del>5,159</del> <u>4,872</u> dwellings are proposed.</b></p> <p><b>Development in the rural areas will be of a scale that is consistent with the relevant settlement’s accessibility, infrastructure provision, level of services available, suitability of sites and environmental sensitivity. With this in mind, in addition to existing commitments, new land allocations to deliver <del>1,590</del> <u>1,017</u> dwellings are proposed.</b></p> <p><b>Windfall housing development will be permitted where it is consistent with the spatial strategy outlined above and is consistent with other policies of this Local Plan, in order to ensure that sustainable development is delivered.</b></p> <p><b><u>For the purposes of calculating 5 year housing land supply, the shortfall in housing delivery between 2011 and 2018 shall be rectified over a 7 year period to 2025 at an average of 352 dwellings per annum. Over this period, this figure should be added to the annualised OAN requirement to provide an annual housing target of 1240 dwellings plus any relevant buffer. From 2025 onwards, the housing requirement should then reflect the annualised OAN requirement plus any relevant buffer.</u></b></p>
MM4	Policy SP3 – Strategic approach to Economic Development	<p><i>Amend Policy SP3 - Strategic Approach to Economic Development as follows:</i></p> <p><b>Job growth and economic prosperity will be supported in order to enable the achievement of a sustainable economy with the intention to deliver <del>66</del> <u>63</u> ha of new employment land and a total of 11,100 jobs in the Borough between 2014 and 2030. This will be achieved by the following measures:</b></p> <ul style="list-style-type: none"> <li>a) The promotion and development of the employment locations identified within this Local Plan;</li> <li>b) The <del>appropriate</del> retention of the existing industrial/commercial/business land, premises and estates <u>in accordance with policy EMP2;</u></li> <li>c) The maximisation of town centre employment opportunities in accordance with the strategic approach to the town centre set out in this Local Plan</li> <li>d) Taking a positive approach that <del>reflects a presumption in favour of sustainable</del> <u>to</u> economic development;</li> <li>e) Promoting <del>appropriate</del> rural employment opportunities in sustainable locations <u>in accordance with policies EMP3, EMP4 and EMP5</u></li> <li>f) Improving skills in the workforce</li> </ul>

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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 99</p>	<p><b>MM5</b></p> <p><b>Policy SP4 – Delivery of Retail and Leisure Needs</b></p>	<p><i>Amendments to paragraphs 3.126 to 3.128 and insert additional paragraph following 3.128:</i></p> <p>3.126 Since the RLNA was completed, <del>planning permission has been granted for a six-screen cinema, hotel, restaurants and cafes, at Elwick Place, is currently under construction. This development is adjoining the primary shopping area, and will be a key part of the town centre offer. Development has also commenced on the</del> <u>Permission has also been granted for an extension to the Designer Outlet, which provides additional comparison floorspace and restaurants and café uses.</u></p> <p>3.127 These <del>committed</del> developments provide for the need for comparison retail up to at least 2025, and cinema, restaurant and café development, for the whole plan period, in Ashford Town Centre. Given the uncertainty regarding retail forecasts beyond this time, it is not considered appropriate to allocate additional sites to accommodate the remaining need for the last few years of the plan period. In any event, there are sites within the Ashford Town Centre Policy Area, as set out in Policy SP5 which provide opportunities for development.</p> <p>3.128 With regard to the provision of convenience retail need, since the RLNA was completed, <del>a planning permission has been granted for 1,750sqm of A1 convenience retail store, within the Ashford Town Centre Policy Area, for an Aldi supermarket, has been implemented and is now open to the public.</del> <u>This development permission provides for the need for convenience retail within the town centre, under the ‘claw back’ scenario, until at least 2025. In terms of the need for the remainder of the plan period, in order to maintain flexibility, it is not considered appropriate to allocate a specific site. The need is only required if it is possible to further re-distribute the market share to improve Ashford’s convenience provision, therefore the delivery of such a proposal will be very much market driven and there is also significant uncertainty regarding retail forecasts beyond this time. It is considered that a flexible approach should therefore be maintained to enable any further proposals to come forward within the Town Centre policy area, as set out in Policy SP5. Proposals will be required to demonstrate that they accord with Policy EMP9 (Sequential and Impact Assessments) and proposals for convenience provision out of town will be strongly resisted through that policy.</u></p> <p><u>Local needs are addressed through Policy EMP10 which is supportive of additional shopping and service provision within local centres and villages across the Borough.</u></p> <p><i>Delete content of Policy SP4 and replace with the following:</i></p> <p><b><u>At Ashford Town Centre provision is made for an additional 1,548 sqm of convenience retail floorspace and 14,202 sqm of comparison retail floorspace between 2015 and 2030, through the delivery of existing commitments, development proposals in the pipeline, and site redevelopment opportunities, within the Ashford Town Centre Policy Area as defined by Policy SP5. Any further retail and leisure proposals shall be accommodated in the first instance in the town centre, in accordance with Policy EMP9.</u></b></p> <p><b><u>At Tenterden Town Centre provision should be made for an additional 50 sqm of convenience retail floorspace and 1,122 sqm of comparison retail floorspace between 2015 and 2030, through small scale development and changes of use within and adjoining the existing centre.</u></b></p>
<p><b>MM6</b></p>	<p><b>Policy SP5 – Ashford Town Centre</b></p>	<p><i>Amendments to paragraph 3.157 and insert additional paragraph following it:</i></p> <p>3.157 The town centre policy below picks up these themes, <del>setting out the principles and criteria for development proposals within the Ashford Town Centre Boundary, as identified on the policies map. – it is supported by a specific site policy for the Commercial Quarter (see site Policy S1).</del> The general policy approach is deliberately flexible to accommodate a range of potential uses in the town centre that help to meet the vision and approach set out above. In an emerging market a degree of pragmatism is essential to be able to respond to changing market demands. National planning policy supports a market-aware approach of this sort.</p> <p><u>This policy is supported by other policies in this Plan relating to town centre development. Policy S1 is a site specific policy for the Commercial Quarter within Ashford Town Centre. Policy EMP7 identifies the Primary Shopping Area, including the primary and secondary frontages for Ashford Town Centre and which uses will be considered acceptable within them. Policy EMP9 sets out the requirements for the sequential and impact test for retail development and other main town centre uses. These policies will apply to certain development proposed within Ashford Town Centre, and will be considered alongside Policy SP5 where relevant to the specific proposal.</u></p> <p><i>Amendments to Policy SP5 - Ashford Town Centre as follows:</i></p> <p><b>Proposals coming forward in Ashford Town Centre (as shown on the policies map), will be supported in principle where they help to deliver the vision set out above and where they promote high quality design that is appropriate to their location. A range of principal uses may be acceptable including retail, offices,</b></p>

		<p>leisure, residential and hotel. Other complementary uses may include voluntary and community uses and health facilities. <del>Proposals in the town centre will need to comply with sequential test requirements set out in Policy EMP9.</del></p> <p>Proposals will be assessed against the following criteria:</p> <ul style="list-style-type: none"> <li>a) All schemes will need to demonstrate a quality of design that makes a significant contribution to improving the character of the town centre, <u>including any proposed buildings and public realm. This includes not just the buildings proposed but the spaces around them and links to the wider public realm.</u> <del>Mixed use developments are encouraged and street frontages of buildings should include active uses that help bring a sense of vitality to the street scene.</del> New development proposals on major and/or prominent sites will be expected to have been subject to public exhibition/ consultation and be subject to review by the independent Ashford Design Panel;</li> <li>b) Residential development in the town centre is <u>supported</u> <del>encouraged</del>, for example, making use of space above shops but the opportunity also exists to provide a range of types of home, including the potential for serviced private rented apartment schemes;</li> <li>c) Further expansion of further and higher education facilities at the Ashford College complex will be supported subject to design and other site-specific considerations;</li> <li>d) <u>As set out in Policy TRA3, Aa</u> balanced approach to office parking needs will be taken in order to help stimulate early investment in the town centre, whilst considering long term impacts on road capacity and the needs of shoppers, residents and other users. As the market strengthens and further developments come forward this approach is likely to be subject to formal review.</li> </ul> <p>Where a development proposal comes forward that clearly demonstrates it would meet the vision and design quality set for the town centre but is of marginal viability, the Council (taking specialist advice) will explore a flexible approach to seek to reduce the costs of contributions to infrastructure and affordable housing, provided the resulting proposal does not create a serious and unacceptable level of impact, <u>as set out in Policy IMP2.</u></p>
<p>Page 100 M7</p>	<p><b>Policy S2 – Land North-East of Willesborough Road, Kennington</b></p>	<p><i>Amend supporting text at 4.16, 4.17.1 and 4.23 to read:</i></p> <p>4.16 The site, which is approximately 40ha in size, is allocated for primarily residential development with an indicative capacity of 700 dwellings, although a final site capacity should be determined following a detailed and inclusive masterplanning exercise that should inform any planning applications for development on the site. The site should also include a serviced area of land sufficient for the provision of a two-form entry primary school (currently 2.05 ha). <u>The masterplan should be approved by the Council either in advance of, or as part of an outline application for the main body of the site. Any proposals for a limited scale of development within the site allocation may be permitted in advance of a detailed masterplan for the whole site allocation where it can be satisfactorily demonstrated that the proposals would not be prejudicial to the proper place-making of the area (including the delivery of infrastructure and services).</u></p> <p>4.17.1 The Kent Downs AONB lies approximately 1km to the north of the site. In order to minimise any impact on views from the AONB a Landscape and Visual Impact Assessment should be carried out to inform details of structural and internal landscaping and building heights within the proposed development. <u>Such structural landscaping should take the form of linear tree belts and individual street trees to help filter views from the AONB. In this regard the use of non-reflective and sensitively coloured materials and appropriate positioning of solar panels will also be supported.</u></p> <p>4.23 The combination of this proposal and the development permitted and proposed in Policy S19 at Conningbrook means there will be additional traffic at M20 Junction 10. Consequently, no occupations of the residential development at this site may take place prior to the <del>completion</del> <u>opening to traffic</u> of Junction 10a, in accordance with policy TRA1, <u>unless otherwise agreed with the Council and Highways England.</u></p> <p><i>Amend policy S2 wording at criteria e), f), j) and final sentence to read:</i></p> <p><b>e) <u>Structural planting, including linear tree belts running through the length of the development, together with the use of individual street trees, shall be incorporated in the development with this structural planting to be provided as part of the first phase of development.</u></b> The existing trees and hedgerows along the boundaries to Willesborough Road, the railway line and the northern countryside shall be retained and enhanced, except to provide suitable access;</p> <p><b>f) <u>Proposals for ecological mitigation and enhancement measures are to be provided on site informed by a habitat survey. Appropriate species and habitat surveys should be carried out. Results will inform ecological mitigation and enhancement measures to be provided on site and proposals for implementation,</u></b></p>



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		<p><b><u>maintenance and monitoring in accordance with Policy ENV1;</u></b></p> <p><b>j) <u>Be designed to limit its impact upon views from the Kent Downs AONB, informed by a landscape and visual impact assessment to determine appropriate structural and internal landscaping, and building heights and materials.</u></b></p> <p><b>No occupations of the residential element of the development shall take place until the proposed M20 Junction 10a is complete open to traffic, in accordance with Policy TRA1, <u>unless otherwise agreed with the Council and Highways England.</u></b></p>
MM8	<b>Policy S3 – Court Lodge</b>	<p><i>Amend supporting text 4.37 as follows:</i></p> <p>4.37 The Local Centre will also need to be sited at the confluence of the main vehicular links through the development. This will, initially, include a route from the north via Pound Lane or Merino Way and a route from the west via Long Length. This latter route <del>will</del> <u>could</u> also form part of a new ‘strategic’ route through the development to Pound Lane where it <del>will</del> <u>would</u> meet a proposed new single-carriageway link road to the east of Knights Park linking with the A2070 junction at Park Farm (Forestall Meadow). <u>Detailed transport modelling, as required by policy TRA8, on the impact of the development on the highway network will determine whether this strategic route is required to satisfactorily accommodate traffic from the development. Should the outcome of an agreed traffic modelling exercise indicate that the link road is required, it is expected that the development here will would help to fund the delivery of this new link road, on a proportionate basis. In addition any event, the layout shall also provide for the delivery of a route to the south-east as far as the site boundary to deliver a connection to the proposed development allocation at north of Steeds Lane and Magpie Hall Road (see policy S4).</u></p> <p><i>Amend policy S3 criteria c) and final paragraph wording to read:</i></p> <p><b>c) Ecology – <u>Appropriate species and habitat surveys should be carried out, full details of Results will inform ecological mitigation measures to be provided on the site and proposals for their implementation, and future maintenance and monitoring in accordance with Policy ENV1.</u></b></p> <p><b>In addition, the development shall also:-</b></p> <ul style="list-style-type: none"> <li><b>i. <del>Provide affordable housing in accordance with Policy HOU1 and provide a mix of dwelling types and sizes in accordance with Policy HOU18.</del></b></li> <li><b>ii. <del>Provide primary vehicular access from Long Length to Pound Lane via the Local Centre. to enable connection to the Pound Lane Link Road to the north. Vehicular access to the south-eastern boundary of the site and the allocation at site S4 shall also be provided as part of any proposals for the development of the site. Any other links to local roads will be determined as part of the masterplan to be agreed.</del></b></li> <li><b>iii. <u>Provide a proportionate financial contribution to the delivery of the Pound Lane Link Road (if agreed transport modelling indicates this infrastructure is required), and the delivery of Highway England’s scheme for a new M20 Junction 10a and any other off-site highway improvements measures identified through agreed transport modelling in accordance with policy TRA8.</u></b></li> </ul>
MM9	<b>Policy S4 – Land north of Steeds Lane and Magpie Hall Road</b>	<p><i>Amend supporting text to read:</i></p> <p>4.47 The importance of avoiding coalescence in this area is emphasised elsewhere in this Plan, and so the northern extent of built development here needs to be carefully controlled. Development should sit below the ridge line that lies south of Kingsnorth village, with the ridge and the space between it and the village itself forming a strategic open buffer to protect the setting of Kingsnorth and create a sense of separation from the new development. The protection and, <u>where possible,</u> enhancement of existing landscaping in this area is a key policy objective here and should be reflected in landscaping proposals for the development of the site.</p> <p>4.55 Similarly a package of traffic management measures <del>will</del> <u>are likely</u> to be needed on the more minor roads – Magpie Hall Road; Steeds Lane and Bond Lane – to help manage and limit traffic flows to levels that are appropriate given their rural nature and lack of pavements/ lighting, etc. <u>This should be informed by a Transport Assessment in accordance with policy TRA8.</u> Within the development itself, a network of routes should be established to inform a less urban character commensurate with the generally lower density and village-style form of development.</p> <p>4.56 Provision of sports and leisure facilities will be required to meet the community needs arising from the development. This could be met in part through improvements to the existing cricket club and its facilities <u>which should be maintained in public use.</u></p>

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		<p><i>Amend policy wording d), h) and i. to read:</i></p> <p><b>Policy S4 – Land north of Steeds Lane and Magpie Hall Road</b></p> <p><b>d) Ecology – Appropriate species and habitat surveys will be carried out <del>details of which.</del> <u>Results</u> will inform ecological mitigation measures to be provided on the site and proposals for their future implementation, maintenance and monitoring <u>in accordance with policy ENV1</u>. Particular attention to the conservation and enhancement of Isaacs Wood (Ancient woodland) will be required.</b></p> <p><b>h) Community facilities – Public open space and suitably equipped play areas needed to serve the development, taking the opportunity to create a sense of the heart of the community being based around the cricket field at the main traffic corridor – Ashford Road. A local convenience store should be located here in a way that can take advantage of passing trade. A specific set of projects related to the scale of needs arising from the development will be identified in consultation with the local community and the cricket club. <u>It is expected that the cricket field will be retained for community use.</u></b></p> <p><b>In addition, the development shall also:-</b></p> <p><b>iv. Provide a proportionate contribution to the delivery of Highway England’s scheme for a new M20 Junction 10a <u>and any other off-site highway improvements measures identified through agreed transport modelling in accordance with policy TRA8.</u></b></p>
<p><b>MM10</b></p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 102</p>	<p><b>Policy S5 – Land south of Pound Lane, Kingsnorth</b></p>	<p><i>Amend 4.63 text to read:</i></p> <p>4.63 The principal access to the site should be gained from Ashford Road with a secondary access to Pound Lane. The potential for vehicular access directly west to the proposed Court Lodge site should not be prejudiced in any proposed layout on this site, and pedestrian and cycleway links should be provided to the site boundary to achieve connectivity to the proposed Court Lodge Local Centre in due course. The <del>potential for</del> <u>signalising of the Pound Lane / Church Hill / Ashford Road crossroads and closing the western arm to <u>through traffic vehicles</u> should be investigated as part of the transport modelling required to be undertaken in accordance with policy TRA8. <del>once the link from Ashford Road to Pound Lane has been delivered.</del></u></p> <p><i>Amend policy wording from b) onwards to read:</i></p> <p><b>Policy S5 – Land south of Pound Lane</b></p> <p><b>a) Retain the southern part of the site free from built development, with the creation of pedestrian and cycleway links across the land from Ashford Road to the western site boundary.</b></p> <p><b>b) Provide primary vehicular access from Ashford Road and a secondary access to Pound Lane. <u>Proposals to close Pound Lane to through-traffic, providing access to this development only, and the signalisation of the Pound lane / Ashford Road/ Church Hill junction shall be considered as part of the traffic mitigation proposals for the development.</u> Proposals shall also enable the ability to provide a <u>direct</u> vehicular connection to the boundary with the adjoining Court Lodge Farm development.</b></p> <p><b>c) In addition to the pedestrian and cycleway connection in (ba) above, provide a network of pedestrian and cycleway links <u>throughout</u> the built part of the site including a connection to the site boundary with the adjoining Court Lodge development.</b></p> <p><b>d) Provide a landscaping plan for the site, <del>to be agreed by the Borough Council,</del> to create a significant visual break <u>separation</u> with the adjoining Court Lodge development and to screening to the houses and gardens of any adjoining residential properties.</b></p> <p><i>Split criteria e) into 2, creating new f) and amend final paragraph</i></p> <p><b>e) Be subject to a full Flood Risk Assessment, to be <u>prepared in consultation with</u> <del>agreed by</del> the Environment Agency and the <del>Borough Council.</del></b></p> <p><b>f) <u>The layout and treatment of surface water drainage through the use of SuDS should be compatible with drainage proposals serving adjacent development. The development should provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider and</u></b></p>

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		<p><b><u>provide future access to the existing sewerage infrastructure for maintenance and upsizing purposes.</u> The layout and treatment of surface water drainage will need to ensure that there is no adverse flooding or drainage effects to any neighbouring properties.</b></p> <p><b>In addition, the development shall also:-</b></p> <ul style="list-style-type: none"> <li><b>i. <u>Provide a proportionate contribution to the delivery of Highway England’s scheme for a new M20 Junction 10a and any other off-site highway improvements measures identified through agreed transport modelling in accordance with policy TRA8.</u></b></li> <li><b>ii. <u>Provide proportionate financial contributions to deliver, improve, extend or refurbish existing or planned local recreational, educational and community facilities, as appropriate, in accordance with Policies COM1 and COM2.</u></b></li> </ul>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 103</p>	<p><b>MM11</b></p> <p><b>Policy S6 – Former Newtown Works</b></p>	<p><i>Amend paragraph 4.78:</i></p> <p>Before full development of the site can take place, off-site highway improvements are needed to provide additional capacity at the A2070 Orbital Park junction <del>and a clear commitment given to the delivery timetable for of the new junction 10a on the M20.</del> The <u>indicative</u> threshold set for the quantity of development that can be occupied on the site as a whole before these improvements are committed is based on the historic “fall back” position from previous uses on the Newtown and Klondyke sites. The relatively close proximity to the stations and town centre and the bus service through the area provide the opportunity to reduce the car based trip rate arising from the development of the area.</p> <p><i>Amend paragraph 4.78.1:</i></p> <p>While it is expected that the delivery of improvements to the strategic road network will greatly enhance the ability of sites to come forward at pace, there will still be a need to ensure that traffic movements are sustainably managed. Therefore, where traffic generation to and from the site is expected to exceed that of the previous lawful uses, a Transport Statement/Transport Assessment should be provided in accordance with Policy TRA8. <u>Where justified through such an Assessment, additional development may be occupied beyond the levels associated with the ‘fallback’ position from the previous uses on the site in advance of the improvements to the Orbital Park junction being completed.</u></p> <p><i>Amend final paragraph of policy S6 as follows:</i></p> <ul style="list-style-type: none"> <li><b>iii. <u>Unless justified through an agreed Transport Assessment, Only development that would generate no more traffic than would have been generated by the equivalent of the previous lawful uses of the site, shall be built and occupied in advance of the granting of a Development Consent order for the construction of the proposed M20 junction 10a and until additional capacity has been provided at the Orbital Park / A2070 junction.</u></b></li> </ul>
	<p><b>MM12</b></p> <p><b>Policy S7 – Former Klondyke Works</b></p>	<p><i>Delete paragraph 4.90 and amend paragraphs 4.91, 4.92, 4.95 and 4.95.1 as follows:</i></p> <p><del>4.90 There is a strong opportunity to take advantage of the many visitors to the Designer Outlet Centre and the proximity of the domestic and international railway station to attract people to this area to enjoy the railway heritage and help to make a mix of potential uses viable.</del></p> <p><del>4.91 Planning permission has been granted for the Ashford International Model Railway Centre and associated parking on the site, <u>however the development is now unlikely to come forward on this site, and a planning application has been received for residential development on the site. which will be a significant visitor attraction for the Borough. If circumstances in the future were to change then an appropriate alternative use could be for a suitable residential development on the site. The site is considered a suitable location for residential development.</u></del></p> <p><del>4.92 In terms of the possible residential development of the site, <del>t</del>The location of the site makes it suitable for a relatively high density development. A building scale of 3-4 storeys is appropriate but both the scale and positioning of buildings at the southern end of the site will need to respect the domestic nature of the surrounding houses and converted school. <u>This form of development would provide in the region of 90 dwellings on the site.</u></del></p> <p><del>4.95 Before full development of the site can take place, off-site highway improvement are needed to provide additional capacity at the A2070 Orbital Park junction <del>and a clear commitment given to the delivery timetable for of the new junction 10a on the M20.</del> The threshold set for the quantity of development that can be occupied on the site as a whole before these improvements are committed is based on the historic “fall back” position from previous uses on the Newtown and Klondyke sites. The relatively close proximity to the stations and town centre and the bus service through the area provide the opportunity to reduce the car based trip rate arising from the development of</del></p>

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		<p>the area.</p> <p>4.95.1 While it is expected that the delivery of improvements to the strategic road network will greatly enhance the ability of sites to come forward at pace, there will still be a need to ensure that traffic movements are sustainably managed. Therefore, where traffic generation to and from the site is expected to exceed that of the previous lawful uses, a Transport Statement/Transport Assessment should be provided in accordance with Policy TRA8. <u>Where justified through such an Assessment, additional development may be occupied beyond the levels associated with the 'fallback' position from the previous uses on the site in advance of the improvements to the Orbital Park junction being completed</u></p> <p><i>Amend first and final paragraphs of Policy S7, and delete criteria b) as follows:</i></p> <p><b>The site of the former Klondyke Works is proposed for residential development with an indicative capacity of 90 dwellings <del>a tourism/visitor attraction such as the Ashford International Model Railway Centre. A suitable alternative use would be for residential development.</del></b></p> <p><b><del>b) be based on a parking strategy that provides adequate public and on-street parking to best meet the needs of residents and visitors;</del></b></p> <p><b><u>Unless justified through an agreed Transport Assessment, Only development that would generate no more traffic than would have been generated by the equivalent of the previous lawful uses of the site, shall be built and occupied in advance of the granting of a Development Consent order for the construction of the proposed M20 junction 10a and until additional capacity has been provided at the Orbital Park / A2070 junction.</u></b></p>
<p>MM13</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 104</p>	<p><b>Policy S8 – Lower Queen’s Rd</b></p>	<p><i>Amend supporting text to read:</i></p> <p>4.101 Residential development will be acceptable on this site for <u>an indicative capacity of 40 dwellings.</u> <del>up to 40 dwellings.</del> Alternatively, this site could form the first phase of a wider redevelopment scheme with the potential to create an attractive residential riverside environment close to the town centre, in tandem with the redevelopment of the adjacent Mace lane industrial estate to the south. <u>buildings. In the event of a larger scheme coming forward, access to the site should be from Mace Lane.</u></p> <p><i>Amend policy wording opening sentence, criteria a) and e) to read:</i></p> <p><b>Land at the end of Lower Queens Road is proposed for residential use for <u>an indicative capacity of 40 units.</u> <del>(up to 40 units).</del></b></p> <p><b>Development proposals for the site shall:</b></p> <p><b>a) Provide the primary vehicular access to the site from Lower Queens Road <u>or, in the event of a larger site coming forward, access should be from Mace Lane;</u></b></p> <p><b><u>e) Ensure that there is an appropriate assessment of the nature conservation value of the site and that any development makes suitable arrangements for appropriate mitigation in accordance with ENV1. Ensure appropriate species and habitat surveys are carried out. Details of which will inform ecological mitigation and enhancement measures to be provided on the site and proposals for implementation, maintenance and monitoring in accordance with policy ENV1. The surveys, mitigation and enhancement shall pay particular regard to the wooded area to the north of the site and the potential to provide connections with the nearby Green Corridor.</u></b></p> <p><i>Insert additional criteria:</i></p> <p><b><u>f) Provide future access to the existing sewerage infrastructure for maintenance and upsizing purposes.</u></b></p>
<p>MM14</p>	<p><b>Policy S9 – Kennard Way</b></p>	<p><i>Factual update - Amend Paragraph 4.109 as follows:</i></p> <p>Residential development is suitable on the eastern side of the site which provides a developable residential area of approximately 0.45ha <u>0.8ha.</u> This could accommodate around 25 dwellings depending on house size, layout and design...</p>

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		<p><i>Amend criterion b) and f) of the policy as follows:</i></p> <p><b>b) Provide primary vehicle access on Kennard Way, preferably in the centre of the site. An emergency access point should be retained between the site and Henwood Industrial Estate;</b></p> <p><b>f) <u>Appropriate species and habitat surveys should be carried out. Results will inform ecological mitigation and enhancement measures to be provided on the site and proposals for implementation, maintenance and monitoring in accordance with policy ENV1. Particular regard should be given to protecting and enhancing ecological areas in the western part of the site, including the existing pond;</u></b></p>
<b>MM15</b>	<b>Policy S10 – Gasworks Lane</b>	<p><i>Amend opening sentence of the policy to read:</i></p> <p><b>This site is proposed for residential development (<del>up to</del> <u>indicative capacity of 150 units</u>) and should be of a general scale of between 3-4 storeys in height.</b></p>
<b>MM16</b>	<b>Policy S11a – Former Bombardier Works</b>	<p><i>Amend paragraphs 4.129.3 and 4.129.4 to read:-</i></p> <p>4.129.3 The site and in particular, the railway sidings, has been identified by Southeastern railways, the Department for Transport and Network Rail as a <u>potentially highly important piece of infrastructure that needs to be maintained for rail-operating purposes.</u> The site has the potential to provide additional facilities for the berthing of trains for storage, cleaning and light maintenance. Additional provision of train berthing is required in the Borough in order to accommodate additional rolling stock that is required to meet additional demand for rail services from Ashford and the surrounding network. It is therefore considered vital that the site is <u>initially safeguarded for that purpose, An initial feasibility study for the proposals has indicated that only part of the site would be required for rail use, leaving the remainder of the site open for re-development, In order to avoid the long term sterilisation of the site, detailed proposals for any rail-related use of all or part of the site should be drawn up and granted planning permission (where necessary) within a maximum of 2 years following the adoption of this Local Plan. Thereafter, it is expected that the necessary land ownership arrangements would be made to secure the implementation of such proposals and the long term use of the site. It is considered that employment uses, with a mix of B1-B8 would be most appropriate form development on the remainder of the site.</u></p> <p>4.129.4 If, for any reason, the rail operating company / Network Rail subsequently decide <u>within the 2 year safeguarding period that alternative berthing rail-related facilities are to be pursued elsewhere, then it is considered that employment uses, with a mix of B1-B8 uses would be the most appropriate form of redevelopment on the remainder of for the site. the site may be also be redeveloped for an alternative type and scale of commercial development, in discussion with the local planning authority.</u></p> <p><i>Amend Policy S11a criteria a) as follows:</i></p> <p><b>The site is allocated for a mix of operational railway use and commercial (B1-B8 uses) development. Development proposals for the site shall:</b></p> <p><b>a) <u>Safeguard the site an area of land to the north of the site adjacent to the railway line, including the existing railway sidings, together with a vehicular access route from the west of the site, for operational railway use in accordance with the requirements of the train operators for a maximum period of 2 years after the adoption of this Plan unless it is agreed with the rail operator and Network Rail that the site is no longer required for operational railway use;</u></b></p>
<b>MM17</b>	<b>Policy S13 – Former Ashford South school, Jemmett Road</b>	<p><i>Amend paragraph. 4.138</i></p> <p>4.138 This former primary school is principally vacant with a small number of the buildings being let on a short-term basis for community uses and clubs. It is located off Jemmett Road and provides a rare opportunity to develop a partly brownfield site within walking distance of the town centre, railway station and the existing strategic Victoria Park. However, there are current plans to re-use the school buildings for a period of time of <del>no more than 8 years</del> <u>until summer 2020</u>, as a temporary school to meet the education needs of development in the urban area, <u>pending the currently under construction of new facilities until new provision is provided in that specific location.</u></p>

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		<p><i>Opening sentence of Policy to be amended as follows:</i></p> <p><b>The former Ashford South Primary School site is proposed for residential development (up to <u>indicative capacity of 110 units</u>) Development proposals for the site shall:</b></p>
<p>MM18</p>	<p><b>Policy S15 – Finberry North West</b></p>	<p><i>Amend supporting text at 4.160, 4.163, 4.164, 4.167 and 4.169 to read:</i></p> <p>4.160 The Local Plan therefore provides the opportunity to re-examine what role this land should now play in achieving a sustainable and deliverable planning solution – one which meets the wider objectives of this Local Plan and is consistent with the NPPF. With this in mind, this site is proposed to deliver up to 300 residential units and <u>around 0.7ha of employment land, 8,500 sqm of employment space</u>, alongside additional community uses to cater for the increase in local population.</p> <p>4.163 This central area will be expanded (to that currently planned) to include <u>8,500 sqm around 0.7ha</u> of employment floorspace to maximise its accessibility, promote activity and movement and complement the other non-residential uses that will be delivered here which combined will give the central area much of its vibrancy and sense of place. <u>The masterplan will need to demonstrate that the relationship between the employment uses and the houses proposed is carefully planned. This scale of The employment uses floorspace will envisaged are those which</u> will cater for small and medium employment <u>opportunities. Uses, in line</u> with evidence that supports the Local Plan, <u>it is unlikely that B2 and B8 employment uses will be sought. However the exact nature of employment provision will need to be determined through the masterplan process and should take into account the prevailing economic conditions at that time. that identifies a need for such space in accessible locations—such as those which enjoy easy access to the strategic road network.</u></p> <p>4.164 In addition, the masterplan <u>should explore how flexible space at ground floor level around the central area could be delivered, to cater for start-up businesses of very small scale operations. Live/work units could be delivered as part of any mix of development. shall explore how the delivery of not less than 10 live/work units around the central area can be achieved as a means of providing flexible space at ground floor level to cater for start-up businesses or very small scale operations.</u> This approach will complement similar units which are being implemented through the current scheme, help to enhance the central area and allow for flexibility to cater for changing employment demands over time.</p> <p>4.167 A green spine consisting of open space and a cycle route will form a key design feature for development on this site. It will connect with the green spine that is currently being implemented and provide clear desire lines and direct access to the <u>adjoining Green Corridor movement network, countryside and beyond.</u> A local children’s play space area will be delivered along this green spine to provide accessible play for the new residents of this area. The Masterplan will also need to demonstrate how public rights of way and bridleways will be incorporated within the Green Spine <u>and at the same time how the scheme will provide a positive contribution to the green corridor functions, in accordance with the updated Green Corridor Action Plan and Policy ENV2.</u></p> <p>4.169 <del>As reflected in the housing trajectory that supports this Local Plan (Appendix 5) – and as reflected through the current outline permission – housing development is limited to 700 dwellings at Finberry until M20 Junction 10a is completed. However, should planning permission be granted before this date then the dwellings on this site can come forward provided the overall total figure for the wider site does not exceed the current capacity constraints. This position will need to be agreed with the Council and the Highways Authorities.</del></p> <p><i>Amend policy wording to read:</i></p> <p><b>Policy S15 - Finberry North West</b></p> <p><b>Finberry north-west is allocated for an indicative capacity of 300 residential dwellings and 0.7 ha 8,500sqm of B1-8 employment floor space. Development proposals for this site will be implemented in accordance with a masterplan that has been jointly agreed between all the landowners and the Borough Council which will set out how:</b></p> <p>a) Residential development is delivered in a way that provides</p> <ul style="list-style-type: none"> <li>• A continuation of the current scheme in terms of the design, scale, layout, materials used and style of build.</li> <li>• A graduation of average densities across the site with high density development framing the central area through to lower density development where the scheme will make a soft transition to the countryside.</li> <li>• <del>Affordable housing in line with Policy HOU1 of this Local Plan in a way that is suitably integrated with the general market housing offer.</del></li> </ul>

		<p>b) <b>Employment space is delivered to cater for a mix of small and medium sized uses that provides an extension to the currently planned central area. The masterplan will also establish how not less than 10 live/work units are provided with flexible ground floor space, adjacent to the central area.</b></p> <p>c) Landscaping and open space shall be provided in a way that:</p> <ul style="list-style-type: none"> <li>• <b>Provides connectivity and legibility with what is currently being planned and the adjoining Green Corridor networks</b></li> <li>• <b>Delivers a ‘green spine’ – a strategic corridor and cycle route through the site that is complemented by a local children’s play space.</b></li> <li>• <b>Provides a suitable buffer for the development where it adjoins the countryside</b></li> <li>• <b><u>Makes a positive contribution to the functions of the Green Corridor in accordance with policy ENV2.</u></b></li> </ul> <p>d) <b><u>Suitable ecological and flood alleviation measures are delivered. Appropriate species and habitat surveys should be carried out. Results will inform ecological mitigation and enhancement to be provided on the site and proposals for their future implementation, maintenance and monitoring in accordance with policy ENV1.</u></b></p> <p>e) <b><u>Suitable flood alleviation measures are delivered.</u></b></p> <p>Development on this site shall also provide:</p> <p>i) <b><u>appropriate financial contributions towards the delivery of Highway England’s scheme for a new M20 Junction 10a, and</u></b></p> <p>ii) <b><u>a connection to the sewerage system at the nearest point of adequate capacity, in collaboration with the service provider.</u></b></p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">PM19 Page 107</p>	<p><b>Policy S16 – Waterbrook</b></p>	<p><i>Amend supporting text to read:</i></p> <p>4.176 Elsewhere on the site, the principal uses should be commercial development (B1, B2 or B8) and residential development. Some ‘sui generis’ uses, such as those found at Orbital Park (e.g. car showrooms) will also be acceptable in principle here. The masterplan shall make provision for a minimum of 20 hectares of commercial development. An additional area of land adjacent to the entrance to the site for similar commercial uses has been included within the site policy area and this could provide an additional 2 hectares of commercial development to enable the delivery of 22 hectares in total, <u>including the net additional area of lorry parking.</u></p> <p>4.183 Development of the Waterbrook site is also dependent on the delivery of the additional motorway junction capacity proposed in the M20 Junction 10a scheme. Whilst an initial stage of development (which has planning permission) may come forward in advance of the new junction, occupation of new development on the remainder of the site will need to be restricted until Junction 10a is <del>completed</del><u>opened to traffic.</u></p> <p><i>Amend Policy wording at c), h), m) and final paragraph to read:</i></p> <p>c) <b>Provides for a minimum of 22 hectares of commercial development <u>including the net additional area of lorry parking.</u></b></p> <p>h) <b><u>Appropriate species and habitat surveys should be carried out. Results will inform ecological mitigation and enhancement measures to be provided on the site and proposals for implementation, maintenance and monitoring in accordance with ENV1. Particular regard should be given to protectings and enhancings the East Stour river corridor local wildlife site;</u></b></p> <p>m) <b>Provides a proportionate financial contribution towards the delivery of Highway England’s scheme for a new M20 Junction 10a <u>and any other off-site highway improvements identified through agreed transport modelling in accordance with policy TRA8.</u></b></p> <p><b>No residential development or any commercial development (beyond that with an extant planning permission) shall be occupied until the proposed scheme for M20 Junction 10a is <u>open to traffic.</u> <del>complete, in accordance with policy TRA1.</del></b></p>

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MM20	<b>Policy S17 – Willesborough Lees</b>	<p><i>Amend first line of policy to read:</i></p> <p><b>The site to the south east of the William Harvey Hospital is proposed for residential development for up to 200 <u>with an indicative capacity of 220 dwellings.</u></b></p>
MM21	<b>Policy S19 – Conningbrook residential Phase 2</b>	<p><i>Amend supporting text to read:</i></p> <p>4.216 The woodland area in the northern section of the site will need to be cleared, <del>and options should be explored to retain the.</del> <u>A belt of mature trees along the north-western edge should be retained</u> to provide for natural screening and a buffer between the development and the railway line. <del>If this buffer cannot be provided, other screening options should be explored and provided.</del></p> <p>4.220 It is not expected that this site will come forward in advance of the permitted 300 dwelling scheme in Phase 1, as that scheme will enable the delivery of the full country park and its facilities. In any event, the occupation of this site should be dependent on the <u>delivery opening to traffic</u> of the proposed M20 Junction 10a scheme as this provides the additional off-site junction capacity necessary to mitigate the additional traffic generated by the development</p> <p>4.220.1 To the north-west of the site, within easy walking distance, there is an existing at-level crossing of the railway line. The Council's preferred solution to this would be to replace the existing crossing with a new pedestrian / cycleway bridge over the railway in order to provide safer access. Therefore, any masterplan for the site should fully investigate the potential for it to deliver a new single bridge crossing over the railway line, in co-ordination with Policy S2, with the intention of retaining the PRoWs as far as possible. <u>In addition, provision should be made for pedestrian linkages via the road bridge to the south west of the site.</u></p> <p><i>Amend policy criteria e) and f) to read:</i></p> <p><b>e) Provide a substantial landscaped screening, <u>incorporating the retention of a belt of mature trees,</u> between the development and the railway line;</b></p> <p><b>f) <del>Proposals for ecological mitigation and enhancement measures are to be provided on the site informed by a habitat survey;</del> <u>Appropriate species and habitat surveys should be carried out. Results will inform ecological mitigation and enhancement measures to be provided on the site and proposals for implementation, maintenance and monitoring in accordance with ENV1.</u></b></p> <p><i>Final paragraph of policy to read:</i></p> <p><b>Development on this site shall not be occupied until the proposed scheme for M20 Junction 10a is <u>complete opened to traffic,</u> in accordance with Policy TRA1, <u>unless otherwise agreed with the Council and Highways England.</u></b></p>
MM22	<b>Policy S20 – Eureka Park</b>	<p><i>Amend criterion f) of the Policy as follows:</i></p> <p><b><del>f) Ecological mitigation and enhancement measures informed by a habitat survey</del> <u>Appropriate species and habitat surveys should be carried out. Results will inform ecological mitigation and enhancement measures to be provided on the site and proposals for implementation, maintenance and monitoring in accordance with policy ENV1,</u> with particular regard to The Warren Local Wildlife Site;</b></p>
MM23	<b>Policy S21 – Orbital Park</b>	<p><i>Amend Policy S21 as follows:</i></p> <p><b>Land at Orbital Park is allocated for B1, B2 and B8 uses. Other <i>sui generis</i> uses that generate a significant employment output may be acceptable.</b></p> <p><b>Development proposals for this land shall:-</b></p> <p><b>a) Be designed to avoid any significant impact on the amenities of neighbouring residential occupiers on the site's northern boundary;</b></p>




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		<p>b) <u>Appropriate species and habitat surveys should be carried out. Results will inform ecological mitigation and enhancement measures to be provided on the site and proposals for implementation, maintenance and monitoring in accordance with policy ENV1. Particular regard should be given to protecting existing important habitats (especially alongside the East Stour river and within the South Willesborough Dykes Local Wildlife Site) wherever practical and designing the site layout to provide new habitat links – such as planted areas, hedgerows and ditches – linking habitats and providing routes for wildlife and provide for the long term habitat management of these areas;</u></p> <p>c) Ensure that the plot ratio for the development of B1 office plots does not exceed 0.4:1; <u>and,</u></p> <p>d) <del>Protect</del> <u>Preserve or enhance</u> the setting of the Boys Hall scheduled ancient monument</p>
MM24	Policy S22 – Chart Industrial Estate	<p><i>Amend Policy S22 opening paragraph and b) as follows:-</i></p> <p>Land at Chart Industrial estate is allocated for B1, B2 and B8 uses and has the potential to be redeveloped more intensively than its current layout. Proposals for <del>bulky goods retail warehousing and other employment generating uses</del> would also be acceptable in principle provided that existing employment uses can be relocated within Ashford and policy EMP2 is complied with. Development proposals for this site shall:</p> <p>b) <u>Appropriate species and habitat surveys should be carried out. Results will inform ecological mitigation and enhancement measures to be provided on the site and proposals for implementation, maintenance and monitoring in accordance with policy ENV1. ensure that future development has Particular regard should be given</u> to the riverside setting of the site, nature conservation interests and the need to take account of the wider riverside corridor area;</p>
MM25 Page 109	Policy S24 – Tenterden Southern Extension Phase B	<p><i>Amend supporting text to read:</i></p> <p>4.267 Phase B needs to be seen and planned as an evolution of the Phase A development, in line with an overall masterplan that creates a clear and coherent framework for this significant extension to the town <u>and ensures that the whole development (Phase A and B) can be successfully linked to the town centre by high quality routes.</u> Therefore <del>the</del> Phase B land should not be occupied before the routes being planned as part of the Phase A development are suitably established so that they can provide connections for Phase B to utilise. <del>as this would produce a separate settlement which would not strengthen the town centre and would leave a fragmented open area between the Phase B land and the existing town centre without clear purpose or structure. Furthermore, the Phase B land could not successfully be linked to the town centre by high quality routes through the Phase A development if these had not been provided and / or Phase A was still under construction.</del></p> <p><i>Amend policy wording at opening paragraphs and criteria a) and f) to read:</i></p> <p><b>Policy S24 - Tenterden Southern Extension Phase B</b></p> <p>Land to the south of the TENT 1A development is proposed for residential development and the site (known as Phase B) is suitable for an additional indicative capacity of 225 dwellings. The Phase B site shall not be occupied until <del>the TENT1A development has been completed.</del> <u>the high quality routes being planned as part of the Phase A development are suitably established so that they can provide connections for Phase B to utilise.</u></p> <p>Development of this site shall be in accordance a masterplan / development brief that has been submitted to and approved by the Borough Council. The masterplan / development brief shall identify the timing of the planting of a substantial woodland (incorporating wetland) belt to the south of the built development area within this site <u>which shall be at least 20m in depth and should provide connectivity between the two parts of the AONB into one integrated whole.</u> <u>Appropriate species and habitat surveys should be carried out. Results will inform ecological mitigation and enhancement measures to be provided on the site and proposals for implementation, maintenance and monitoring in accordance with policy ENV1.</u></p> <p><u>The masterplan / development brief is also required to</u> and define the extent, location and phasing of community infrastructure and employment land to be delivered both on and off- site.</p> <p>Acceptable forms of development on this site shall also achieve the following:</p>

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		<p>a) <b>The retention and, where possible, enhancement of existing hedges and natural watercourses and ponds on the site</b></p> <p>f) <b>Be designed and laid out in such a way as to <u>conserve and, where possible, enhance the</u> <del>protect the</del> character and setting of the AONB;</b></p>
<p><b>MM26</b></p>	<p><b>Policy S25 - Pickhill Business Village</b></p>	<p><i>Amend site map to be in accordance with the boundary change consulted on at Main Changes consultation:</i></p>  <p><i>Amend policy with addition of the following criteria:</i></p> <p><b><u>f) Provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider, and ensure future access to the existing sewerage infrastructure for maintenance and upsizing purposes.</u></b></p>
<p><b>MM27</b></p>	<p><b>Policy S26 – Appledore, The Street</b></p>	<p><i>Factual updates - Amend Paragraphs 4.279 and 4.281</i></p> <p>4.279 To the north of the site is a row of 2-storey housing along the road frontage, with Magpie Farm and its associated outbuildings to the North West, <u>a site currently being developed as a residential scheme (2018)....</u></p> <p>4.281 The <del>southern area of the site</del> lies within the Appledore Conservation Area (CA) and <del>the whole site is within</del> an Area of Archaeological Importance (Viking Encampment)....</p> <p><i>Amend 4.284 as follows:</i></p> <p>4.284 Opportunities to incorporate and enhance biodiversity, <u>informed from the results of the appropriate species and habitats surveys will be encouraged in accordance with ENV1.</u> In particular, development should take opportunities to help connect and improve the wider ecological networks in this area and to mitigate against any potential increase in recreational pressure that may arise from the development of this site. There is an opportunity along the western edge, within the area of flood zone 2 and 3, to work with the Parish Council to enhance the biodiversity and ecology of the area utilising the existing ponds, and potentially create an informal nature reserve. A pedestrian</p>

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		<p>access point should therefore be retained at the rear of the village hall to access this part of the site.</p> <p><i>Amend policy as follows:</i></p> <p><b>The site in The Street, Appledore is proposed for residential development for <u>an indicative capacity of up to 20 dwellings</u> with potential to provide an extension to the village hall and its car park. Development proposals for this site shall:</b></p> <ul style="list-style-type: none"> <li>a) <b>Be designed and laid out in such a way as to <del>preserve and</del> <u>preserve or</u> enhance the character and setting of the Conservation Area. Particular attention needs to be given to the visibility of new development from the road;</b></li> <li>e) <b><u>Undertake biodiversity surveys and <u>Appropriate species and habitat surveys should be carried out. Results will inform ecological mitigation and enhancement measures to be provided on the site and proposals for implementation, maintenance and monitoring in accordance with ENV1.</u> explore</u> Particular regard should be given to the potential of providing an informal nature reserve along the western edge of the site, utilising the existing ponds and allowing ecological connections to the wider countryside; and</b></li> </ul>
<p>MM28</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 111</p>	<p><b>Policy S27 – Biddenden, North Street</b></p>	<p><i>Amend supporting text 4.288 – 4.292 to read:</i></p> <p>4.288 The site is considered suitable for residential development of <del>up to</del> <u>around</u> 45 units, which should be located on the southern half of the site. This part of the site is approximately 2.3ha and therefore development will be less than 20 dwellings per hectare. This reflects the density of adjoining properties and is suitable for a setting adjoining the countryside in this location.</p> <p>4.290 The village of Biddenden offers a range of services and community facilities, <del>however, at present there is an identified need in</del> The Biddenden Community Led Plan 2014 <u>identifies a wish</u> for a new community facility that could be used to provide improved healthcare facilities such as a GP surgery/branch (branch currently operating out of a small room in the village hall) and other village activities. Development of this site provides an opportunity to provide a mixed use community building that could meet these needs. Liaison with the Parish Council, local healthcare providers, the Village Hall Committee and other local stakeholders is essential to ensure that <u>the proposals for a community building would meet</u> reasonable local requirements and <del>is built to appropriate building specifications for the range of potential uses.</del> <u>If a community need cannot be established, there is also potential for the site to accommodate a building for small scale commercial uses, such as local office space.</u></p> <p>4.291 Careful consideration must be given to the overall site layout to ensure the community facility <u>or any office space building</u> is accessible to all, without impacting on the residential amenity of the new homes in ways such as parking and overlooking. This can be achieved by <u>locating the community building on the northern part of the site, close to the site entrance on North Street, and providing sufficient car parking for the facility to ensure that on-street parking of its users does not adversely affect residents.</u> The design and layout of the development should reflect the local surroundings and must take into account design guidance in the Biddenden Parish Design Statement.</p> <p>4.292 The site is currently visually well screened by mature trees and hedgerows. This screening and landscaping should be retained and enhanced to minimise the visual impact of the new development on the existing residents to the east and south of the site and on the character and setting of the nearby Conservation Area and listed buildings, <u>in particular The Willows Grade II listed building, which is adjacent to the site.</u> As there are ponds on site <u>and known wildlife such as bats and amphibians,</u> <del>an ecological survey</del> <u>appropriate surveys</u> should be undertaken to assess if any mitigation is required <u>in accordance with ENV1.</u> This may include the need for <u>additional planting and measures to provide ecological movement networks.</u></p> <p><i>Amend Policy criteria a, d, e and g as follows:</i></p> <ul style="list-style-type: none"> <li>a) <b>Provide a <u>building which could be used as either a community facility building on-site to accommodate local services and functions, designed in consultation with appropriate stakeholders, or for local office space;</u></b></li> <li>d) <b>Ensure appropriate bespoke on-site parking is provided for the community facility/<u>office</u> building;</b></li> <li>e) <b>Retain and, <u>wherever possible,</u> enhance current hedge and tree boundaries around the site to create a soft landscape buffer between new development and neighbouring properties, <u>paying particular regard to conserving or enhancing nearby heritage assets;</u></b></li> <li>g) <b><u>Undertake ecological survey work;</u> <u>Ensure appropriate species and habitat surveys are carried out. Results will inform ecological mitigation and</u></b></li> </ul>

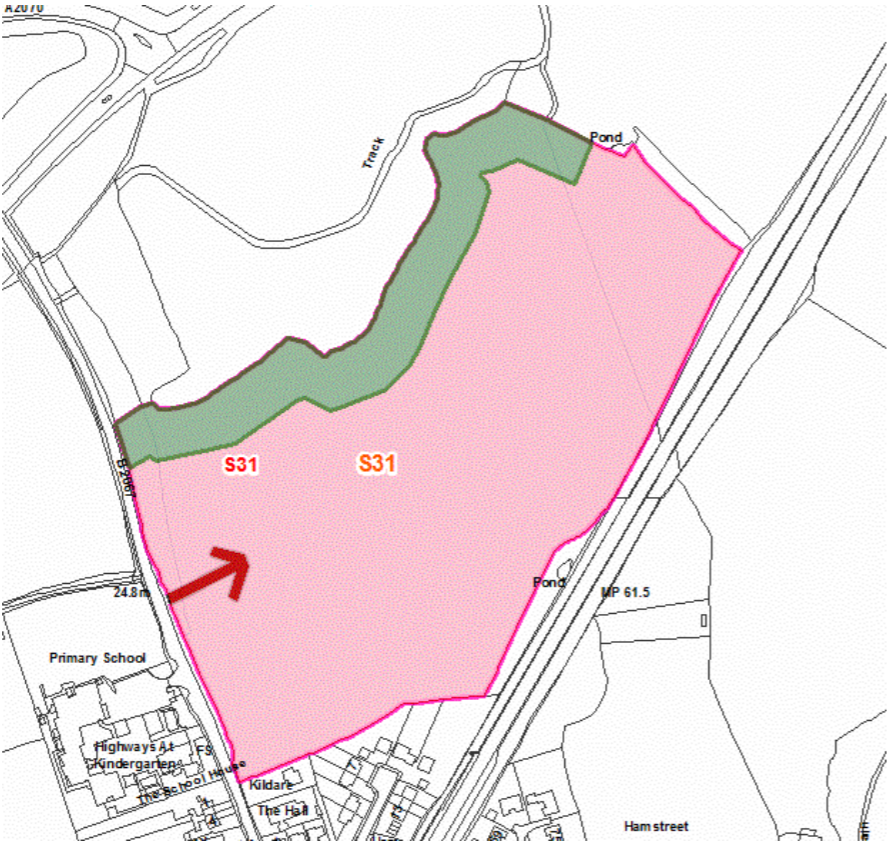
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		<b><u>enhancement measures to be provided on the site and proposals for implementation, maintenance and monitoring in accordance with ENV1. Particular regard should be given to the ponds and known wildlife on site.</u></b>
MM29	<b>Policy S28 – Charing Northdown Service Station</b>	<p><i>Amend 4.298 as follows:</i></p> <p>4.298 Given the character and appearance of the surrounding countryside area and proximity to the AONB to the north, larger properties in generous plots should be generally located in the most sensitive locations on the rural edge, <u>and well-considered additional structural planting will be required.</u> Consideration must be given to the Charing Parish Design Statement when designing the style and layout of development.</p> <p><i>Amend Policy S28 as follows:</i></p> <p><b>Land at Northdown Service Station is proposed for residential development for <u>an indicative capacity of up to 20 dwellings.</u> Development proposals for this site shall:</b></p> <p><b>a) Be designed and laid out in such a way as to protect the character and setting of the <u>Kent Downs AONB and surrounding countryside.</u> Particular attention needs to be given to the topography of the site, <u>impact upon the adjoining AONB</u> and advice in the Charing Parish Design Statement. <u>The development should comprise a mix of dwelling types with a maximum of two storeys in height;</u></b></p> <p><b>b) Provide vehicle access onto the A20 Maidstone Road, as shown on the policies map;</b></p> <p><b>c) Retain the existing employment uses on the frontage where possible;</b></p> <p><b>d) Retain and, <u>where possible,</u> enhance the hedge and tree boundaries around and within the site, particularly where there is adjoining countryside, <u>and provide additional structural planting along the western boundary;</u></b></p> <p><b>e) Ensure that any land contamination issues are satisfactorily investigated and resolved or mitigated.</b></p>
MM30	<b>Policy S29 – Charing, Land south of Arthur Baker Playing Fields</b>	<p><i>Amend supporting text to read:</i></p> <p>4.303 The playing fields to the north of the site are a well-used and popular local facility. Existing access to the playing fields is unsatisfactory being via the adjoining residential development at The Moat. The layout of this site should enable a separate access to be created for vehicles, pedestrians and cyclists to the playing fields from the A20. Similarly, the pavilion and changing facilities are poor which undermines the ability of the playing fields to cater for the additional demand that will occur from the proposed significant increase in development in Charing. Development of this site should make a financial contribution towards the provision of a new or upgraded pavilion. The scale of such a contribution will be negotiated with the Borough Council (in consultation with the Parish Council).</p> <p><del>4.304 Due to the proximity of the playing fields, on-site provision of public open space will not be expected but a financial contribution towards the provision of play equipment on the playing field will be required in accordance with policy COM2. Appropriate financial contributions for community and sports provision will be sought, in line with the provisions set out in COM1 and COM2 of this Local Plan.</del></p> <p><i>Amend policy opening sentence and e) and f) as follows:</i></p> <p><b>The land south of the Arthur Baker playing fields is proposed for residential development, <u>up to with an indicative capacity of 35 units.</u></b></p> <p><del>e) provide play equipment on the adjacent playing field in accordance with policy COM2; and,</del></p> <p><del>f) provide a financial contribution towards the provision of a new or upgraded pavilion at the Arthur Baker playing field.</del></p> <p><b><u>e) Provide appropriate financial contributions towards sports and community infrastructure in line with the provisions set out in Policy COM1 and COM2.</u></b></p>
MM31	<b>Policy S30 – Egerton, New Road</b>	<p><i>Amend policy first sentence and criterion a), and insert addition of criteria f) as follows:</i></p> <p><b>The land north east of New Road is proposed for residential development for <u>up to an indicative capacity of 15 units.</u> Development proposals for this site shall:</b></p> <p><b>a) Be designed and laid out to take account of the residential amenity of neighbouring occupiers. Particular attention needs to be given to the topography of the site and views of the village church. <u>A scheme of no more than 2-storeys will be suitable.</u> The Egerton Parish Design Statement should be taken into</b></p>

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		<p>account;</p> <p><b><u>f) Provide contributions towards the enhancement or maintenance of public open space and equipped play at the village recreation ground in accordance with Policy COM2.</u></b></p>
<p>MM32</p>	<p><b>Policy S31 – Hamstreet, Land North of St.Mary’s Close</b></p>	<p><i>Amend site map to incorporate green buffer:</i></p>  <p><i>Amend supporting text paragraphs 4.314 and 4.318 to read:</i></p> <p>4.314 The site is opposite the Hamstreet Primary Academy and the development of this site presents a unique opportunity to deliver improved facilities for the school which currently has limited space within its existing site. Development of the site would enable the provision of a youth football pitch (Under 14/15s) with an associated changing room facility (2 room and storage) for the use of the Academy that could also be used by the wider community. Also, the Academy currently has limited car parking on site and this is an opportunity to provide additional staff car parking spaces within the new development. <u>It is important that the football pitch, its associated facilities and the car parking areas for the school are well integrated into the development and are designed to reduce visual impact to a practical minimum. Details of any fencing, including its height, materials and design shall need to be carefully considered. The location of the football pitch and school parking area shall be towards the western end of the site in close proximity to the main school buildings opposite.</u> The site will also enable the provision of <u>a small, single storey an outdoor classroom facility and this should be located on the north-eastern edge of the site, within the landscape buffer there</u> <del>within the second phase of the development</del>. The expansion and improvement of the Academy’s facilities will also help to facilitate the expansion of the academy to a full 2FE school.</p> <p>4.318 The location of the development site adjoining open countryside and sensitive woodland areas means that the density of new development should be relatively low and provide generous landscaped buffers to the northern and eastern boundaries. <u>Where the site adjoins ancient woodland to the north, a landscaped buffer of at least 30 metres from any built development should be provided in accordance with the Policies Map for the site. This buffer area should exclude any areas of residential curtilage or car parking and only circulatory footpaths with no hard surface may be provided.</u> A mix of dwelling types and sizes should be provided. The site has a rural aspect and given the character and appearance of the surrounding area, dwellings no greater than 2 storeys in height would be appropriate here. The design and layout of any scheme must take account of the residential amenity of neighbouring occupiers. The Hamstreet Village Design Statement should be taken into account to achieve a suitably designed development that reflects local character and to ensure that any development makes a positive contribution to the built environment. <u>This should similarly ensure that the</u></p>

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Page 114		<p><u>design of the sports and educational facilities on site also respond well to local design and character, avoiding excessive clutter and paraphernalia in this sensitive landscape setting.</u></p> <p><i>Amend policy criteria a), b), c), d), i) l) and n) to read:</i></p> <p><b>Development proposals for this site shall:</b></p> <p><b>a) Provide a new youth football pitch to Football Association standards with changing room facilities and storage, for use by the Academy and by the wider community at other times, <u>which should be well-designed and integrated into the overall layout, and avoid excessive paraphernalia and lighting in line with Policy ENV4;</u></b></p> <p><b>b) Provide a new area of staff car parking for the Academy with a minimum of 60 spaces which would be used to serve the new football pitch at other times, <u>to be placed within close proximity to the school and with a view to safeguarding residential amenity;</u></b></p> <p><b>c) Provide an outdoor classroom facility for the Academy at the <u>north-eastern</u> edge of the site;</b></p> <p><b>d) Be designed and laid out to take account of the residential amenity of neighbouring occupiers. Particular attention needs to be given to the topography of the site and dwellings should be oriented to enable overlooking and natural surveillance of open areas. <u>The No development on the site should be no more than two storeys in height. The guidance in the Hamstreet Village Design Statement shall inform the design and layout of the development, including any non-residential elements.</u></b></p> <p><b>i) Provide a <u>generous landscaped buffer to the northern and eastern boundaries of the site, with a minimum of 30m between the built footprint of any development and the northern boundary with the adjacent Ancient Woodland;</u></b></p> <p><b>l) Consider the impact upon views to and from the site <u>due to internal and local topography</u>, informed by a landscape and visual impact assessment, to determine appropriate structural and internal landscaping and building heights, and having particular regard to the significance of the adjacent SSSI and Ancient Woodland;</b></p> <p><b>n) <u>Ensure appropriate species and habitat surveys are carried out. Results will inform ecological mitigation and enhancement measures to be provided on the site and proposals for implementation, maintenance and monitoring in accordance with ENV1.</u></b></p>
MM33	Policy S32 – Hamstreet, Land at Parker Farm	<p><i>Amend supporting text:</i></p> <p><del>4.323 This site was allocated for residential development within the Tenterden and Rural Sites DPD (as policy HAM2) with an indicative capacity of 20 dwellings, phased post 2016. However, the latest Environment Agency flood mapping shows that flood zones 2 and 3 have extended into the site since its previous allocation in 2010, and is now covering approximately half of the site area. A subsequent iteration of Environment Agency Flood Risk mapping indicated that Flood Zones 2 and 3 had extended into this site since the previous allocation. For this reason, the developable area has <del>was been</del> reduced to 0.38ha and only <u>included</u> <del>includes</del> the area outside of the flood zones. This <del>has</del> lowered the capacity of the site for up to 10 dwellings (at 26dph). The latest Environmental Agency flood mapping now shows that the majority of the site, save for the eastern boundary, is within Flood Zone 1, and therefore an increase in capacity could be given consideration.</del></p> <p><i>Amend first sentence and criteria a), delete criteria e) and new h) as follows:</i></p> <p><b>Land at Parker Farm is proposed for residential development <u>for up to with an indicative capacity of 10 units.</u> Development proposals for this site shall:</b></p> <p><b>a) Retain and, <u>wherever possible</u>, enhance the existing hedge and tree boundary around the site to screen the development from the open countryside and create soft landscaping along site boundaries. The Hamstreet Village Design Statement should be taken into account when considering design and layout;</b></p> <p><b>e) <del>Provide informal open space in the flood zone area of the site;</del> and</b></p> <p><b>h) <u>Provide contributions towards the enhancement or maintenance of public open space at Pound Lees recreation ground in accordance with Policy COM2.</u></b></p>

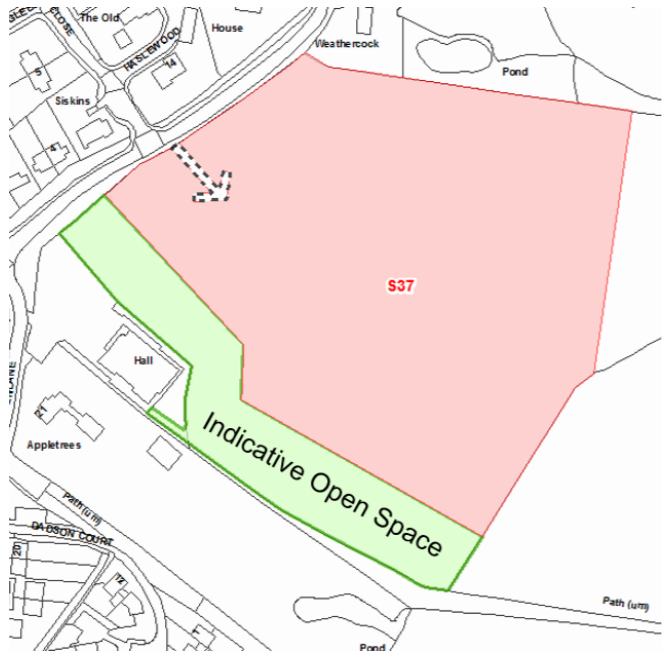
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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 115</p>	<p><b>MM34</b></p> <p><b>Policy S33 – High Halden – Land at Hope House</b></p>	<p><i>Amend paragraphs 4.332, 4.335 and 4.336 as follows:</i></p> <p>4.332 The part of the site considered appropriate for development is approximately 1.7 hectares, which is the land between Rowans and Lynton in the east including the land immediately to the rear of Hope House, Monarch House and Bourne Farm. The area in which the ponds are located on the road frontage has not been taken into account for built development due to the ecological mitigation required on-site and must be enhanced to create a wildlife area. <u>This should be informed by appropriate species and habitat surveys and be in accordance with the requirements of ENV1.</u> The site is therefore considered suitable for up to 35 units, which is equivalent to around 20 dwellings per hectare.</p> <p>4.335 <del>In view of the limited visibility splays currently available,</del> The development will be dependent upon the provision of 2.4 x 43m. <u>acceptable</u> visibility splays being provided in conjunction with the extension of the 30mph limit to cover the site access, to be agreed with the local highway authority.</p> <p>4.336 Due to the site's proximity to a Grade II listed farmhouse (Hope House), high quality design must be achieved within the new development. For example, development proposals should include details of the design of outdoor lighting and street furniture, signage, and landscaping. The built footprint of development on this site needs to be carefully planned. <del>It</del> <u>Development</u> should <del>avoid</del> <u>retain</u> and enhance the existing areas of hedges and trees that provide both natural screening and habitat whilst also including a soft green buffer along part of the western and southern boundaries to help mitigate the impact on the adjacent residential occupiers and on the character and setting of the adjoining countryside.</p> <p><i>Amend Policy wording at a), b) c) and new f) as follows:</i></p> <p><b><u>a) Appropriate species and habitat surveys should be carried out. Results will inform ecological mitigation and enhancement measures to be provided on the site and proposals for implementation, maintenance and monitoring in accordance with ENV1. Particular regard should be given to enhancing the north western area of open space associated with the existing pond/s and mitigate against impacts from development on the biodiversity, providing a wildlife corridor from this area to the adjoining countryside by retaining existing trees and hedging within the site, where possible;</u></b></p> <p><b><u>b) Be designed and laid out in such a way as to protect the character and setting of the village and the residential amenity of neighbouring dwellings, particularly to preserve <u>or</u> and enhance the setting of the listed building, Hope House; attention needs to be given to the topography of the site and dwellings should be orientated to enable overlooking and natural surveillance of the wildlife/pond area;</u></b></p> <p><b><u>c) Provide primary vehicle access onto the A28 Ashford Road, as shown on the policies map and include the provision of traffic calming measures to slow the traffic to 30mph or less <u>an extended 30mph speed limit and a new gateway feature,</u> in accordance with the recommendation of Kent <u>County Council</u> Highways and Transportation.</u></b></p> <p><b><u>f) Provide contributions towards the enhancement or maintenance of public open space and equipped play at the village recreation ground in accordance with Policy COM2.</u></b></p>
<p><b>MM35</b></p>	<p><b>Policy S34 – Hothfield, land east of Coach Drive</b></p>	<p><i>DELETE Policy S34 and supporting text in paragraphs 4.338 – 4.344.</i></p>
<p><b>MM36</b></p>	<p><b>Policy S35 – Mersham, Land adjacent to Village Hall</b></p>	<p><i>Amend supporting text and policy wording first sentence as follows:</i></p> <p>4.346 This site provides an opportunity to facilitate an extension to the Village Hall as well as additional parking provision. It is within walking distance of the village centre and the range of services provided there. It is considered suitable for residential development for up to <u>an indicative capacity of 10 dwellings</u> (at around 15 dwellings per hectare).</p> <p><b>The site on land adjacent to Mersham Village Hall is proposed for residential development, for up to <u>an indicative capacity of 10 dwellings.</u></b></p>

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		<p><i>Add new criteria e):</i></p> <p><b><u>e) Provide contributions towards the enhancement or maintenance of public open space and equipped play at the village recreation ground in accordance with Policy COM2.</u></b></p>
<p><b>MM37</b></p>	<p><b>Policy S36 – Shadoxhurst – Rear of Kings Head PH</b></p>	<p><i>Amend supporting text and policy wording to reflect development under construction:</i></p> <p>4.353 At 1.4ha in size, the site is considered suitable for <del>up to 25</del> <u>19</u> units, <del>depending on the size and layout of the dwellings.</del> Larger properties should be located on more spacious plots joining on to the open countryside to the south and east. Development should front onto Woodchurch Road, Maytree Place and the proposed new access road, creating rows of development. There is also opportunity for small clusters of development in the southern area of the site.</p> <p><b>The site rear of the Kings head in Shadoxhurst is proposed for residential development for <del>up to 25</del> <u>an indicative capacity of 19</u> dwellings.</b></p>
<p><b>MM38</b></p>	<p><b>Policy S37 – Smarden, Land adj. to Village Hall</b></p>	<p><i>Revised map of site reflecting planning approval as follows:</i></p>  <p><i>Amend paragraphs 4.360, 4.362, 4.363, 4.365:</i></p> <p>4.360 This site is located along The Street, the main route through the village. It is currently a field in agricultural use, bounded by hedgerows and trees. <u>The site has outline planning permission for up to 50 dwellings which was granted on appeal in 2017 (16/00045/AS).</u></p> <p>4.362 At approx. <del>4.2ha</del> <u>3.25 ha</u> in size, the site is considered suitable for around <del>25 units</del> <u>50 units</u>, dependant on a suitable layout and design. Development should enhance the character of this part of the street by providing attractive frontage development which fits in with the street scene, whilst preserving the rural edge by backing on to the countryside.</p> <p>4.363 Development of this site <del>is proposed at a low density (around 25dph), and should reflect the open landscape, and the density of the surrounding developments by providing lower densities along the countryside edge.</del> The design of proposals coming forward should also reflect the 'guidelines' set out in the Smarden Parish Design Statement.</p> <p>4.365 The area alongside the village hall in the south is highly visible from the main street, and is an important aspect of the village hall setting and usage. It also contains a</p>



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		<p>PRoW that leads into the countryside. This area should be provided as informal Public Open Space, as shown <u>indicatively</u> on the policies map, which will benefit the village hall users and new residents and will also minimise the visibility of the new development.</p> <p><i>Amend policy wording to read:</i></p> <p><b>The site adjacent to the Village Hall in Smarden is proposed for residential development for up to 25 <u>an indicative capacity of 50 dwellings</u>. Development proposals for this site shall:</b></p> <p><i>Amend criterion b) to read:</i></p> <p><b>b) Create an area of informal Public Open Space along the southern parcel of the site, adjacent to the memorial hall, which includes the existing PRoW, as shown on the policies map;</b></p>
MM39	<b>Policy S38 – Smeeth, Land South of Church Road</b>	<p><i>Amend policy at criteria a) and new e) to be consistent with the requirements outlined in the supporting text as follows:</i></p> <p><b>a) Be designed and laid out to take account of the residential amenity of neighbouring occupiers. <del>Dwellings should be orientated to enable overlooking and natural surveillance of open areas.</del> The development should be no more than two stories in height;</b></p> <p><b><u>e) Provide contributions towards the enhancement or maintenance of public open space and equipped play at the village recreation ground in accordance with Policy COM2.</u></b></p>
MM40	<b>Policy S40 – Woodchurch, Front Rd</b>	<p><i>Amend/ re-order paragraphs 4.383, 4.384, 4.387 and 4.389 as follows:</i></p> <p>4.383 In order to respect the rural setting of this part of the Conservation Area and the Townland Green Character Area within it, proposals for development in this area must have a sufficient degree of openness and visual connection with the countryside. <del>The design and layout of the scheme should and</del> allow for significant spaces between buildings to <del>retain allow for</del> long <u>historic views</u> through the site to the countryside beyond. This could be achieved with varying plot sizes. <u>Development should be set well back from Front Road and not be of a scale or massing which would dominate this approach to the Conservation Area or the public views from it and the layout and design of the development must be consistent with the current linear building line. Principal elevations should be located facing the road frontage, with parking located on the front and side of properties.</u></p> <p>4.384 <del>In order to respect the adjoining Townland Green Character Area within the Conservation Area and the siting of properties opposite the site, development should be set well back from Front Road and not be of a scale or massing which would dominate this approach to the Conservation Area or the public views from it. However, the south western boundary of the site is open to long views from the South (Brook Street) and therefore appropriate landscaping must be provided along this boundary in various places to lessen the visual impact of the buildings on the landscape. This must be designed to retain the longer views through the site to the countryside beyond between the properties as detailed above.</del></p> <p>4.385 The site is now therefore considered suitable for up to 8 units depending on the size and layout of the dwellings. Development here is proposed at a low density(&gt;14dph)</p> <p>4.386 Due to the height of the land above the road and rise in land from south to north a maximum of 2-storey housing only will be acceptable. The design of proposals coming forward should reflect the 'guidelines' set out in the Woodchurch Village Design Statement and take into account the Conservation Area setting of the site, with reference to the updated Conservation Area Appraisal.</p> <p>4.387 <del>The layout and design of the development must be consistent with the current linear building line and principal elevations should be located on the road frontage, with parking located on the front and side of properties</del></p> <p>4.388 The main vehicular access will be provided on Front Road as shown on the policy map, however access to properties fronting the road may be achieved individually if</p>


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		<p>this does not require significant hedge loss. A pedestrian footpath must also be provided along the frontage.</p> <p><del>4.389 The south western boundary of the site is open to long views from the South (Brook Street) and therefore appropriate, substantial landscaping must be provided along this boundary to lessen the visual impact on the landscape, but also be designed to allow views through the site to the countryside beyond.</del></p> <p><i>Amend policy wording as follows:</i></p> <p>a) <b>Be designed and laid out in such a way as to <u>protect and preserve or enhance</u> the character and setting of the Woodchurch Conservation Area. The updated Conservation Area Appraisal and Woodchurch Village Design Statement guidelines must be taken into account when considering the design of the site;</b></p> <p>b) <b>Be of a scale or massing which would not dominate this approach to the Conservation Area, <u>and ensure be a maximum height of 2-storey properties and provide significant gaps between dwellings which retain the key historic views through the site to the countryside;</u></b></p> <p>c) <b>Be set well back from Front Road with the principal elevations facing the road frontage;</b></p> <p>d) <b>Subject to providing safe access to the site, retain and enhance a hedge boundary to Front Road and provide substantial soft landscaping around the site to screen the development from the open countryside and protect the amenity of neighbouring properties, whilst retaining key historic views through the site to the countryside <u>within the gaps between the built development.</u></b></p>
<p>MM41</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 118</p>	<p><b>Policy S41 – Chilham, Mulberry Hill</b></p>	<p><i>Amend supporting text as follows:</i></p> <p>4.395 This site is located between the built area of Chilham village and the small hamlet of Old Wives Lees, on a connecting road between the two settlements. The road is a narrow rural lane, on a steep gradient, with limited vehicle passing places and no footpaths to either settlement. It is therefore unable to accommodate a large increase in vehicular traffic and would not be sustainable for general market housing due to the restricted access to services. However, there are a small number of large detached properties located around the site boundary, <del>and therefore the site is not considered to be completely 'isolated' in the countryside.</del></p> <p>4.396 The site considered to be suitable for the provision of 2 <del>'exclusive' properties</del> <u>low density 'high quality' detached dwellings.</u> <del>The properties must be of outstanding design and quality or 'innovative' in nature, reflecting highest standards of architecture in accordance with paragraph 55 of the NPPF.</del></p> <p>4.397 The site is located within the Kent Downs Area of Outstanding Natural Beauty and has views of the surrounding countryside setting. <del>The innovative and high quality design of the 2 properties and the landscaping of the curtilage must make a positive contribution to the landscape setting not harm the immediate or wider setting, or have a detrimental impact on and must have regard to the amenity of the neighbouring properties.</del></p> <p>4.398 The buildings should be located on the eastern side of the site, a similar distance from the road to that of the neighbouring properties, to minimise views of the buildings from the AONB to the west.</p> <p>4.399 The nearby village of Chilham is particularly important in heritage terms as it contains Chilham Castle and a large number of Listed Buildings within a Conservation Area which covers most of the settlement. There are also sites of archaeological importance in close proximity to the site. The design of the properties here must be sensitive to these defining heritage assets and characteristics of the local area. Design proposals coming forward must also indicate how the immediate setting <u>will could be enhanced.</u></p> <p><i>Amend policy S41 as follows:</i></p> <p><b>Development proposals for this site must:</b></p> <p>a) <b>Meet exceptional <u>a high quality</u> or innovative nature of design, <u>which criteria:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>Responds to and is well integrated with the natural topography of the site</u></b></li> <li>• <b><u>Pays particular regard to its setting, and utilise design to make a positive contribution to local character and that of the AONB</u></b></li> <li>• <b><u>Uses locally appropriate materials</u></b></li> </ul>


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		<ul style="list-style-type: none"> <li>• <del>be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;</del></li> <li>• <del>reflect the highest standards in architecture;</del></li> <li>• <del>significantly enhance the immediate setting; and</del></li> <li>• <del>be sensitive to the defining characteristics of the local area.</del></li> </ul> <p>b) <del>Retain and enhance the existing hedge and tree boundaries</del> <b>around the site and screen the development from the AONB and open countryside by <u>creating to create</u> soft landscaping along site boundaries;</b></p> <p>c) <del>Provide a dedicated vehicular accesses for each dwelling, as shown on the policies map;</del></p> <p>d) <b>Provide a connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water, and ensure future access to the existing sewerage system for maintenance and upsizing purposes.</b></p>
<p>MM42</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 119</p>	<p><b>Policy S42 – St Michaels Beechwood Farm</b></p>	<p><i>Insert vehicle access point arrow on the policies map as shown:</i></p>  <p><i>Amend supporting text and policy S42 as follows:</i></p> <p>4.402 The site was submitted for low density 'high quality' detached dwellings and is considered suitable for <u>such this</u> <del>'exclusive'</del> home purpose, for up to 3 dwellings <del>only</del>. This amount of development enables the retention of the mature trees and hedges, in particular the large Oak, and <del>enhancement</del> <u>retention</u> of the pond that lies beneath it <u>as suitable aquatic habitat</u>.</p> <p>4.403 The design of the properties here must be sensitive to characteristics of the local area and design proposals must indicate how <u>they will work with the</u> immediate setting <u>and its topography will be enhanced</u>. The buildings <del>must</del> <u>should</u> be of innovative and high quality design and must not harm the immediate or wider setting. The properties should be situated away from the road frontage, in large plots, reflecting the built form of neighbouring properties to the south, and will share one access from Ashford Road as shown on the Policies Map.</p> <p><b>Land at Beechwood Farm is allocated for 'exclusive' residential development of up to three dwellings.</b></p> <p><b>Development proposals for this site must:</b></p>

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		<p>a) Meet exceptional <u>a high quality or innovative nature of design, which criteria:</u></p> <ul style="list-style-type: none"> <li>• <u>Responds to and is well integrated with the natural topography of the site; particularly the slope towards the west</u></li> <li>• <u>Respects the particular landscape setting</u></li> <li>• <u>Uses locally appropriate materials</u></li> <li>• <del>be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;</del></li> <li>• <del>reflect the highest standards in architecture;</del></li> <li>• <del>significantly enhance the immediate setting; and</del></li> <li>• <del>be sensitive to the defining characteristics of the local area.</del></li> </ul> <p>b) Retain and, <u>wherever possible,</u> enhance the existing mature hedge and tree boundary around and within the site where possible to screen the development and reduce impacts on neighbouring properties;</p> <p>c) Provide a singular vehicular access, as shown on the policies map;</p> <p>d) Provide a connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water, and ensure future access to the existing sewerage system for maintenance and upsizing purposes.</p>
<p>MM43</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 120</p>	<p><b>Policy S44 – Watery Lane, Westwell</b></p>	<p><i>Amend supporting text, policy wording and map as follows:</i></p>  <p>4.409 This site is currently located on a parcel of land on the outskirts of the village of Westwell. The site <del>directly adjoins the sidings of</del> <u>is close to</u> the M20 motorway to the north and is located <del>within a wider</del> <u>adjacent to an</u> agricultural field to the south, which itself is bounded by the railway line. The buildings of Sunnybridge Farm are located to the southwest, some 80 metres from the site entrance.</p> <p><del>4.410 Area A of the larger site is currently utilised as a single Gypsy and Traveller pitch, which is resided on by a specific named family on a temporary permission basis.</del></p> <p><del>4.411 Area B of the site is currently an agricultural field, which has the ability to accommodate an additional 4 pitches</del></p> <p><del>4.412 Although both sites are currently separate, proposals that unify the sites into one single site of 5 pitches would be seen as a suitable approach, although keeping them independent in their own right would also be considered acceptable. In both instances the design and layout should facilitate proper management and access, in addition to providing a layout conducive to community and individual well being. Utilising the guidance set out in the licencing document ‘Model Standards 2008 for Caravan Sites in England – Caravan Sites and Control of Development Act 1960’ should be used when designing the layout of the site, as this is currently the most up-to-date standards available on pitch design. However, any design for the scheme should utilise the most up-to-date guidance available at the time.</del></p> <p>4.413 The overall site is located within an area designated as AONB. The primary purpose of AONB designation is to conserve and enhance the natural beauty. Despite this</p>

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		<p>designation the provision of a <u>one pitch</u> Gypsy and Traveller site in this location is considered tolerable, <u>as this pitch is set at a lower level than the M20 motorway and is not visible from the wider area. as the area has been significantly altered by the provision of the M20 Motorway. In addition, the site is relatively low lying, and not visible from the motorway or wider landscape views.</u> although visible from the Motorway itself, can be easily screened and remodelled through landscaping and planting. Therefore, any proposals for development of this site should provide a landscaping scheme to mitigate against any potential impacts on the AONB, which would need to be agreed by the Council.</p> <p>4.414 Due to the location of the site within direct proximity of the M20 motorway, the site would need to provide some form of acoustic protection on its northern boundary, to ensure the well being of the residents that will reside there. <del>Whether this could be provided via planting or other acoustic measures would need to be explored in further detail at the planning applications stage. The possibility of providing this acoustic protection in connection with the landscaping scheme would be seen as an acceptable approach.</del></p> <p>4.415 Finally, <del>to</del> <u>To</u> ensure that the site can be provide for the benefit of the wider gypsy and traveller community any personal permissions regarding parts of the site should be removed at planning applications stage and the site shall only be occupied by those persons who meet the most current definition of Gypsies and Travellers.</p> <p><b>Policy S44 - Westwell - Watery Lane</b></p> <p><b>Planning permission will be granted for <u>1 pitch</u> <del>a maximum of 5 pitches</del> at Watery Lane, Westwell, if the following criteria are met:</b></p> <ul style="list-style-type: none"> <li>a) <b>Noise mitigation measures are provided <u>and maintained.</u> on the northern boundary of the site;</b></li> <li>b) <b>Suitable landscaping is provided for the site to minimise its visual impact on the landscape;</b></li> <li>c) <b>The design of the site utilises the most up-to-date guidance on pitch design and layout.</b></li> </ul>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 121 M44</p>	<p><b>Policy S45 – Land South of Brockman’s Lane, Bridgefield</b></p>	<p><i>Amend paragraph 4.420 as follows:</i></p> <p>Access is proposed via Brockman’s Lane, and it is recommended that as part of this development that the speed limit along Brockmans Lane is reduced to 40mph. The proposed development at the adjacent site (S14) indicates a proposed site access adjoining the existing controlled junction at Finn Farm Road and it is proposed that the development of the S14 site should investigate the potential to improve the overall junction arrangements in this vicinity. <del>The development of this additional site will impact upon this junction and if deemed appropriate then it should make a proportionate contribution to junction improvements in this location.</del></p> <p><i>Amend paragraph 4.421 as follows:</i></p> <p>There is a pedestrian connectivity constraint with regards to delivery of this site, which is that <del>this site should not come forward until the Park Farm south East (S14) is developed as there is no footway connection and no means of providing a footway connection until connections with Park Farm South East can be achieved. Therefore the Council could not support this site coming forward in advance of site S14</del> <u>but the site can be developed once the necessary infrastructure is in place to serve the S14 site.</u> Furthermore, more thought needs to be given about bus provision and how the Park Farm South East site and this site will be served. A new service is likely to be required to serve these two sites due to the distance from the existing services at Park Farm East (Bridgefield)</p> <p><i>Add new paragraph after 4.422</i></p> <p><u>The site is located within a mineral safeguarding area. A Minerals Assessment must be undertaken and submitted in accordance with the Kent Minerals and Waste Local Plan Safeguarding SPD, to establish whether any extraction is required in advance of residential development.</u></p> <p><i>Amend policy wording to read:</i></p> <p><b>The site to the south of Brockman’s Lane is proposed for residential development with an indicative capacity of 100 dwellings to be delivered after completion of <u>the necessary infrastructure to serve the adjacent S14 site.</u> Development proposals for the site shall:</b></p>

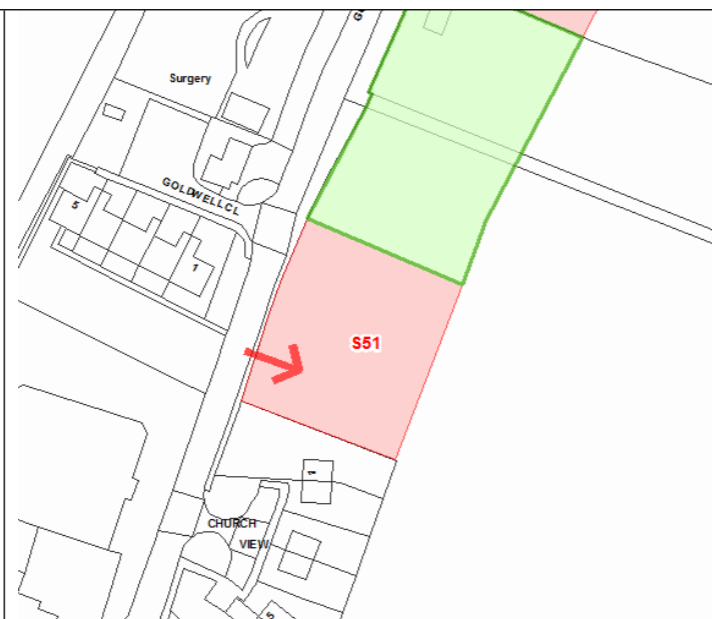
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		<p><i>Amend criterion b) as follows:-</i></p> <p><b>b) Be accessed from Brockman’s Lane. <del>Potential contribution to junction improvements at Finn Farm Road if required.</del></b></p> <p><i>Insert an additional clause into policy S45 as follows:-</i></p> <p><b><u>i) Prior to the grant of planning permission for non-minerals development at the site, the applicant shall prepare and submit a Minerals Assessment to establish whether any prior extraction of minerals should take place in advance of residential development.</u></b></p>
<b>MM45</b>	<b>Policy S47 – Land east of Hothfield Mill</b>	<i>DELETE Policy S47 and supporting text in paragraphs 4.431 – 4.441.</i>
<b>MM46</b>	<b>Policy S48 – Land rear of Holiday Inn Hotel</b>	<i>DELETE Policy S48 and supporting text in paragraphs 4.442 – 4.450.</i>
<b>MM47</b> Page 122	<b>Policy S49 – Land at Tutt Hill, A20</b>	<i>DELETE Policy S49 and supporting text in paragraphs 4.451 – 4.460.</i>
<b>MM48</b>	<b>Policy S51 - Aldington, Land north of Church View</b>	<i>Amend map, supporting text and policy as follows:</i>

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4.461 This site is located on the north eastern entrance to Aldington village, adjoining the small cul-de-sac of Church View. On the opposite side of Goldwell Lane are the former surgery, the Aldington Eco Centre, and 5 terraced houses in Goldwell Close. The site is located in close proximity to the village hall/recreation field and Primary School, and a number of other local services in the village centre.

4.462 At around 0.35ha, the site is considered suitable for an indicative capacity of 6 dwellings. The topography and landscape setting of the site is significant, as Aldington sits on top of the Greensand Ridge, and the North Downs frame views to the north. This site is part of a larger agricultural field which slopes down from the Roman Road and existing linear housing development which is located along its frontage, to the north and east, before inclining again towards Aldington Church in the east.

4.463 From within the site, and from Goldwell Lane itself, there are long and important views of the Grade I listed Aldington Church, Court Lodge Farm and the remains of the Archbishops Palace which are also listed. Situated 1km away from the village to the east, this cluster of listed buildings is included within a Conservation Area designation, and together forms an important heritage asset and a key feature in the landscape as it sits prominently on higher ground. For these reasons, it is concluded that only single depth, frontage development of 2 storeys is suitable in this location, with a distinct gap between the properties and an area of open space of approximately 25 metres kept free from built development south of the PRow to enable retention of these key vistas and protection of the wider landscape character. ~~At around 0.35ha, the site is considered suitable for up to 10 dwellings. Given the landscape character and vistas of the heritage assets, only single or two storey buildings would be appropriate here.~~

4.464 There is a PRow located along the northern edge of the site which must be retained and, if possible, enhanced in collaboration with the development of Site S52. The important views from this footpath towards the site, and across the Greensand Ridgeway towards the church, must be retained. This can be achieved through the open spaces created within the layout and by providing gaps in the built frontage. ~~and any Screening that should also be provided to lessen the visual impact of the development from this wider setting, but designed in such a way as to retain the views from the open spaces.~~ The design and layout must also take account of the residential amenity of neighbouring occupiers in Goldwell Close and Church View.

4.465 There is currently an agricultural vehicle access on the northern part of the site in Goldwell Lane, however it is recommended that a new vehicle access is created for the development in the southern area, at the point shown on the policies map.


4.466 The boundary between the site and the road frontage is currently defined by an established mature hedgerow, and to preserve the existing character it is proposed that this be retained within the development layout where possible. It is suggested that a set back layout similar to that of the adjacent Church View development would achieve this aim.

4.467 Due to the close proximity of the village's public open space and equipped play area to the site, no on-site provision is required as part of this development, but there are opportunities through financial contributions to provide enhancements for these areas. Contributions to the maintenance of the designed open spaces within the

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		<p><u>development will also be sought.</u> A footpath connection must be made to the local network.</p> <p>4.468 Southern Water’s assessment has revealed that additional sewerage infrastructure would be required to serve the proposed development. The development will therefore be required to make a connection to the nearest point of adequate capacity in the sewerage network. Early liaison should take place with the service provider in this regard.</p> <p><b>Policy S51 – Aldington - Land north of Church View</b></p> <p><b>The site is proposed for residential development of up to 10 <u>with an indicative capacity of 6</u> dwellings. Development proposals for this site shall:</b></p> <p>a) <b>Be designed and laid out in such a way as to conserve the mature hedgerow along the road frontage if <u>where possible, retain gaps in the built frontage of the new development and create an area of open space free from development of approximately 25 metres south of the PRow</u> to preserve views and vistas through the site to the <u>Grade I listed church and surrounding heritage assets.</u> <del>and also</del> <u>The overall design of the scheme must also consider the wider landscape settings, the topography of the site and Greensand Ridge location.</u> Dwellings should be a maximum of 2 storeys in height;</b></p> <p>b) <b>Retain and enhance the PRow adjoining the site;</b></p> <p>c) <b>Provide vehicle access from Goldwell Lane, as shown on the policies map, and pedestrian footways to connect to the village centre and the local services;</b></p> <p>d) <b>Provide a soft landscaped boundary along the eastern and northern edges of the site, which should include mature tree planting in places to lessen the visual impact of the development on the wider landscape, but also enable <u>the longer views to be retained towards the heritage assets cluster around the church from the areas of open space within the scheme;</u></b></p> <p>e) <b>Provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider;</b></p> <p>f) <b>Provide contributions towards the enhancement or maintenance of the nearby public open space and equipped play area provision <u>and to the long term maintenance of the informal open spaces created within the development, in accordance with Policy COM2.</u></b></p>
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<p><b>MM49</b></p>	<p><b>Policy S52 – Aldington, Land south of Goldwell Manor Farm</b></p>	<p><i>Amend map, supporting text and policy as follows:</i></p>  <p>4.469 This site is located on the north eastern entrance to the village of Aldington and is currently agricultural fields situated between a site allocated for residential development (policy S51) to the south, and Goldwell Manor Farm to the north. The area of Goldwell Manor Farm adjoining the site is in operation as a small rural business park, Goldwell Court.</p>
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4.470 On the opposite side of Goldwell Lane is the former surgery, now an Osteopathy clinic, and the Aldington Eco Centre. The site is located in close proximity to the village hall/recreation field and Primary School, and a number of other local services in the village centre. The site is currently in use as a paddock.

4.471 ~~At around 0.8ha, the site is suitable for an indicative capacity of 12 dwellings, depending on design and layout.~~ The topography and landscape setting of the site is significant, as Aldington sits on top of the Greensand Ridge, and the North Downs Frame views to the north. From within the site, and from Goldwell Lane, there are long and important views of the Grade I listed Aldington Church, Court Lodge Farm and the remains of the Archbishops Palace which are also listed. Situated 1km away from the village to the east, this cluster of listed buildings is included within a Conservation Area designation, and together forms an important heritage asset and a key feature in the landscape as it is located prominently on higher ground. ~~For these reasons, it is concluded that only single depth, frontage development is suitable in this location~~

4.472 ~~At around 0.8ha, the site is suitable for up to 20 dwellings, depending on design and layout. Given the landscape character and vistas of the heritage assets, only single or two-storey buildings would be appropriate here~~ For these reasons, it is concluded that only single depth, frontage development of 2 –storeys is suitable in this location. There is a PRow located along the southern edge of the site which must be retained and if possible enhanced, in collaboration with the development of Site S51. The important views from this footpath towards the site, and across the Greensand Ridgeway towards the church, must be retained. This can be achieved by creating distinct gaps between the properties and an area of open space of approximately 25 metres must kept free from built development North of the PRow. to enable retention of these key vistas and protection of the wider landscape character.

4.473 There is currently an agricultural vehicle access on the northern area of the site in Goldwell Lane, however it is recommended that a new vehicle access is created for the development in the south, at the point shown on the policies map. This would ensure the access is located within the 30mph zone.

4.474 The boundary between the site and most of the road frontage is currently defined by an established mature hedgerow, and to preserve the existing character it is recommended that this be retained within the development layout where possible. It is suggested that a set back layout similar to that of the nearby Church View development would achieve this aim.

4.475 Due to the close proximity to the village public open space and equipped play area from the site, no on-site provision is required as part of this development, but there are opportunities through financial contributions to provide enhancements to this area. Contributions to the maintenance of the designed open spaces within the development will also be sought. A footpath connection to the existing footways along Goldwell Lane must be provided.

4.476 Southern Water’s assessment has revealed that additional sewerage infrastructure would be required to serve the proposed development. The development will therefore be required to make a connection to the nearest point of adequate capacity in the sewerage network. Early liaison should take place with the service provider in this regard.

**Policy S52 – Aldington - Land south of Goldwell Manor Farm**

**The site in south of Goldwell Court is proposed for residential development ~~of up to 20~~ with an indicative capacity of 12 dwellings. Development proposals for this site shall:**

a) **Be designed and laid out in such a way as to conserve the mature hedgerow along the road frontage-if where possible, retain gaps in the built frontage of the new development and create an area of open space free from development of approximately 25 metres north of the PRow to preserve views and vistas through the site to the Grade I listed church and surrounding heritage assets. ~~and also~~ The overall design of the scheme must also consider the wider landscape settings, the topography of the site and Greensand Ridge location. Dwellings should be a maximum of 2 storeys in height;**

b) **Retain and enhance the PRow adjoining the site;**

c) **Provide vehicle access from Goldwell Lane, as shown on the policies map, and pedestrian footways to connect to the village centre and the local services;**

d) **Provide a soft landscaped boundary along the eastern and northern edges of the site, which should include mature tree planting in places to lessen the visual impact of the development on the wider landscape, but also enable the longer views to be retained towards the heritage assets cluster around the church from the areas of open space within the scheme;**

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		<p>e) <b>Provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider;</b></p> <p>f) <b>Provide contributions towards the enhancement or maintenance of the nearby public open space and equipped play area provision <u>and to the long term maintenance of the informal open spaces created within the development, in accordance with Policy COM2.</u></b></p>
<b>MM50</b>	<b>Policy S53- Brook, Nats Lane</b>	<i>DELETE Policy S53 and supporting text in paragraphs 4.477 – 4.483.</i>
<b>MM51</b>	<b>Policy S54 - Challock</b>	<p><i>Amend Policy opening and a) and d) as follows:</i></p> <p><b>The site at Clockhouse is proposed for residential development for <del>up to</del> <u>an indicative capacity of 15 dwellings.</u></b></p> <p><b>a) Be designed and laid out in such a way as to conserve and, <u>where possible,</u> enhance the character of the AONB and this edge of settlement area, paying particular attention to the well-spaced nature of nearby development;</b></p> <p><b>d) Retain and, <u>where possible,</u> enhance the hedge and tree boundaries around the site, particularly where these abut the open countryside;</b></p>
<b>MM52</b>	<b>Policy S55 – Charing, Land adjacent to Poppyfields</b>	<p><i>Amend supporting text as follows:</i></p> <p>4.491 <del>The approach into the village of Charing along the A20 from the west is an important entrance to the village and the development of the site presents the opportunity to establish a clear edge on this western boundary. <u>with suitable boundary treatment of planting and landscaping adjoining lower density development on this western edge. An appropriate tree belt, supported by suitable boundary treatment, along the western edge to the development should be created. This should also extend along the northern boundary of the site, to the rear of the Swan Hotel. In addition, there is an existing tree and hedge boundary between this site and Poppyfields and this should be retained and enhanced as part of this development. the current mature hedgerows that run through the centre of the site and the tree boundaries between the site and the Poppyfields development should be retained and wherever possible enhanced.</u></del></p> <p>4.492 <del>Development on this site shall be directly access from the A20 and this access should incorporate a right-turn lane off the A20, as requested by the Highway Authority. There are a number of options to <u>achieve direct access the site directly from the onto the A20 along the northern edge of the site which could be provided, including in co-ordination with the access to the adjoining S28 site allocation. A suitable emergency access either onto the A20 or to Poppyfields is also required.</u></del></p> <p>4.492a) <del>To improve the accessibility of the site and its connections to the village, a new footpath along the southern side of the A20 to connect with existing footpath connections at the A20/A252 roundabout junction is required. In addition, the <u>There is no vehicular access into the adjacent Poppyfields development but there is the opportunity to create pedestrian and cycle access into Poppyfields should be explored as part of any proposal so that the this development that- can link into the wider network connecting with the village and the other footpaths in the area.</u></del></p> <p><i>Amend policy criteria b through to h.</i></p> <p><b>b) Create an appropriate <u>soft landscaped tree belt along the northern and western edge to the development and along the northern boundary to the rear of the Swan Hotel; to establish a clear western edge to the development with substantial boundary planting;</u></b></p> <p><b>c) Retain and <u>wherever possible</u> enhance the current <u>mature hedgerows that run through the centre of the site</u> and tree boundaries between the site and the Poppyfields development;</b></p> <p><b>d) Be accessed directly from the A20 <u>including the provision of a right-turn lane,</u></b></p> <p><b>e) <u>Provide a new footpath along the southern side of the A20 to connect with existing footpath connections at the A20/A252 roundabout junction,</u></b></p>

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		<p><b><u>f) Provide a suitable emergency access either onto the A20 or to Poppyfields,</u></b></p> <p><b><u>g) e) Explore the opportunities to deliver</u> Provide a new pedestrian and cycle routes throughout the development to connect with the adjoining Poppyfields development and to existing adjacent PRow;</b></p> <p><b><u>h) f) Provide an appropriate contribution towards the provision, management and maintenance of related community facilities and infrastructure;</u></b></p> <p><b><u>i) g) Provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider; and</u></b></p> <p><b><u>j) h) Provide future access to the existing sewerage infrastructure for maintenance and upsizing purposes.</u></b></p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 127</p>	<p><b>MM53</b></p> <p><b>Policy S56 – Chilham, Branch Road</b></p>	<p><i>Amend para. 4.496 to read as follows:-</i></p> <p>“...The parking area will provide a minimum of 5 <u>additional</u> spaces for the GP surgery in addition to retaining the existing spaces located at the front of the surgery <del>but the final number of additional spaces should be informed by a survey of parking practices by surgery users.</del> <u>However,</u> The existing spaces could be relocated within the new parking areas.”</p> <p><i>Amend the last sentence of para. 4.502 to read as follows:-</i></p> <p>4.502 “Enhancements to the pedestrian access around the area through the creation of traffic calming <u>management</u> measures, <u>which may include the use of additional on-street parking restrictions,</u> along Branch Road, should also be explored in consultation with Kent County Council Highways <u>and Transportation.</u>”</p> <p><i>Amend first sentence and policy criteria b) d) and e) and add additional criteria g) as follows:</i></p> <p><b>Land at Branch Road is proposed for residential development <del>for up to</del> <u>with an indicative capacity of 10 dwellings.</u> Development proposals for this site shall:</b></p> <p><b>b) Be designed and laid out in such a way as to <del>protect and conserve</del> <u>or enhance</u> the character and setting of the village Conservation Area <u>and nearby listed buildings,</u> the residential amenity of neighbouring dwellings, <del>particularly listed buildings,</del> <u>whilst also</u> taking into account the guidance in the Chilham Village Design Statement and <u>be a maximum of two storeys in height;</u></b></p> <p><b>d) Include the provision <del>footpaths and/or</del> <u>of traffic calming management</u> measures in Branch Road <u>appropriate to its location within the Kent Downs AONB and the Chilham Conservation Area</u> in accordance with the recommendations of Kent Highways <u>and Transportation.</u></b></p> <p><b>e) Retain and enhance the hedge and tree boundaries within and around the site <u>wherever possible,</u> and make enhancements to the southern boundary ensuring the character of the Kent Downs AONB is conserved and enhanced and the development is well screened from the wider area;</b></p> <p><b><u>g) Provide contributions towards the enhancement or maintenance of public open space and equipped play at the village recreation ground in accordance with Policy COM2.</u></b></p>
<p><b>MM54</b></p>	<p><b>Policy S57 – Hamstreet, Warehorne Road</b></p>	<p><i>Amend criterion a) and e) as follows:</i></p> <p><b>a) Be designed and laid out <del>in such a way as to protect</del> <u>having regard to</u> the character and setting of the site, paying particular attention to the frontage on Warehorne Road, the topography of the site and the site’s relationship with agricultural land to the north;</b></p> <p><b>e) Retain and, wherever possible, enhance the current hedge boundaries fronting Warehorne Road, <u>except for access and highway safety reasons;</u></b></p> <p><i>Replace criterion j with the following:</i></p>

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		<p><b><u>l) Ensure appropriate species and habitat surveys are carried out. Results will inform ecological mitigation and enhancement measures to be provided on the site and proposals for implementation, maintenance and monitoring in accordance with ENV1; and</u></b></p> <p><b><u>m) Ensure that any indirect impact on the Dungeness, Romney Marsh and Rye Bay and the Hamstreet Woods SSSIs is suitably mitigated. Mitigation measures must be addressed in consultation with Natural England and Kent Wildlife Trust;</u></b></p>
<b>MM55</b>	<b>Policy S58 – High Halden (A28) Stevenson Brothers</b>	<i>DELETE Policy S58 and supporting text in paragraphs 4.512 – 4.518</i>
<b>MM56</b>	<b>Policy S59 – Mersham, Land at Old Rectory Close</b>	<p><i>Amend paragraphs 4.521 and 4.525:</i></p> <p>4.521 The site is considered suitable <u>indicatively</u> for <del>up to 15</del> <b>8</b> dwellings. The developable area of the site, taking into account the existing trees and ponds, is around 1ha, and therefore residential development would result in a low maximum density of <del>10dph 45dph</del>, which is appropriate and suitable with regards to the Conservation Area location and reflects local character and density. The access to the site should be from Old Rectory Close, as shown on the policies map.</p> <p><i>Amend first sentence and criteria a) d) f) and insert additional h) as follows:</i></p> <p><b>The site at Old Rectory Close is proposed for residential development of <u>up to 15 with an indicative capacity of 8 dwellings</u>. Development proposals for this site shall:</b></p> <p><b><u>a) Be laid out to complement and not detract from the setting of the listed buildings adjacent to and nearby the site and conserve the setting of the Conservation Area within which it is located. Ensure the design and layout of the development preserves or enhances the setting of listed buildings in the vicinity of the site and the character and appearance of the Mersham Conservation Area;</u></b></p> <p><b>d) Retain <u>all</u> mature trees on site, incorporating these into a coherent overall landscape design;</b></p> <p><b><u>f) Ensure appropriate species and habitat surveys are carried out. Results will inform ecological mitigation and enhancement measures to be provided on the site and proposals for implementation, maintenance and monitoring in accordance with ENV1. Particular regard should be given to retaining the on-side site ponds integrated into a coherent landscaping scheme that maintains and enhances ensure habitat connectivity to the wider area for biodiversity benefit; and</u></b></p> <p><b><u>h) Provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider.</u></b></p>
<b>MM57</b>	<b>Policy S60 – St Michaels (High Halden) Land at Pope House Farm</b>	<p><i>Amend para. 4.532 to start as follows:-</i></p> <p>The primary vehicle access will be provided directly on to the A28, as shown on the policies map. <u>This will need to include a right turn lane for vehicles travelling from the south with a suitably designed pedestrian refuge island.</u></p> <p><i>Add a new paragraph after 4.536 as follows:</i></p> <p><u>Due to the location of this site, which is within High Halden Parish but adjoined to St. Michaels settlement (part of Tenterden Town), it is important that the scheme makes contributions to the appropriate local facilities. The scale of such contributions will be negotiated with the Borough Council in consultation with the two relevant Councils.</u></p> <p><i>Amend criteria a), b) and e) to read as follows:-</i></p> <p><b>a) Be designed and laid out in such a way as to <del>protect and</del> <u>preserve or</u> enhance the character and setting of the adjoining listed building and associated properties. Particular attention also needs to be given to the eastern area of the site, where it adjoins the open countryside and is visible in the wider</b></p>

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		<p>landscape. Densities should reflect the surrounding character of these locations and overall the site density should be around 30dph;</p> <p>b) Provide primary access from <del>on</del> Ashford Road, <u>including the provision of a right-turn lane with pedestrian refuge island</u>, as shown on the policies map.</p> <p>e) <u>Ensure appropriate species and habitat surveys are carried out. Results will inform ecological mitigation and enhancement measures to be provided on the site and proposals for implementation, maintenance and monitoring in accordance with ENV1. Provide appropriate ecological mitigation and Particular regard should be given to the provision of ecological corridors through the site and an area of open recreation space in the northern areas of the site which are not identified for residential development; and</u></p>
MM58	Policy S61 – Wittersham, Land between Jubilee Field and Lloyds Green	<i>DELETE Policy S61 and supporting text in paragraphs 4.537 – 4.536</i>
MM59	Policy HOU2 – Local Needs/Specialist Housing	<p><i>Addition of word in paras 5.17 and 5.19:</i></p> <p>This policy applies to the delivery of local needs housing and <u>subsidised</u> specialist housing schemes. These are defined as:</p> <p><b>Subsidised Specialist housing schemes:</b> A specific type of subsidised housing accommodation (self-contained or communal) to cater for more vulnerable local residents who have a genuine need and local connection to the area. It allows certain residents to live a higher quality of life near to where they have support or are where they are familiar with their surrounding area.</p> <p><i>Deletion of final bullet point from para 5.23:</i></p> <p>In order to qualify as a local needs housing scheme, a proposal will need to meet all of the following criteria in that:</p> <ul style="list-style-type: none"> <li>• it meets an identified housing need in the particular parish that cater for people who have a genuine local connection, in line with the Council’s Rural Local Needs Housing Guidance Note,</li> <li>• it provides local needs housing that is appropriate in terms of its tenure, type, size and cost to meet the needs identified,</li> <li>• the local need housing element is conditioned so that subsequent occupancy of the dwelling will be controlled by a binding agreement to ensure the property remains available to meet local needs in the future and does not only benefit the first occupier.</li> <li>• <del>has the support of the relevant Parish Council.</del></li> </ul> <p><i>Deletion of first sentence and replacement with new text to para 5.24:</i></p> <p><del>Proposals may provide for one or more groups of people, although it should be noted that decisions on exception sites and the specific needs to be catered for are essentially local issues and the views of the local Parish Council will be taken into consideration. In practice this type of development is normally brought forward by a Housing Association working in close liaison with the relevant Parish Council and Ashford Borough Council. Given that the specific need to be catered for is a local issue, the Parish Council should be well placed to provide a robust view on the need for the development. The Council therefore considers the Parish Council’s views in relation to the need for the development particularly important in determining the acceptability of the proposal. It is expected that the Parish Council will play an integral role in the development of such proposals prior to it being submitted as a planning application; including involvement with the local needs survey. The requirements of a variety of groups of people that will be considered when assessing local needs is set out under the Council’s Affordable Rural Local Needs Housing Guidance note.</del></p> <p><i>Addition of word to title following para 5.25:</i></p> <p><b><u>Subsidised specialist housing</u></b></p>

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		<p><i>Changes to Policy HOU2 as follows:</i></p> <p><b>Policy HOU2 - Local needs / <u>subsidised</u> specialist housing</b></p> <p><b>Planning permission will be granted for proposals for local needs / <u>subsidised</u> specialist housing within or adjoining rural settlements identified under policy HOU3a as ‘exceptions’ to policies restraining housing development provided that all the following criteria are met:</b></p> <ul style="list-style-type: none"> <li>a) <b>a) the local need or requirement for specialist housing is clearly evidenced,</b></li> <li>b) <del>the scheme has the support of the relevant Parish Council/s,</del></li> <li>c) <b>b) the development is well designed, would not result in a significant adverse impact on the character of the area or the surrounding landscape and is appropriate to the scale and character of the village,</b></li> <li>d) <b>c) there would be no significant impact on the amenities of any neighbouring residential occupiers.</b></li> </ul> <p><b>It is expected that all local needs/ specialist housing schemes will be delivered without the need for any cross market subsidy.</b></p> <p><b>Where this is not the case a proposal will need to be supported by robust and transparent viability evidence that will be independently verified by the Council. Should a viability case be proven, the Council will accept an enabling amount of starter homes and /or custom build/ self-build plots as a means of providing the necessary subsidy to allow the identified need to be delivered, providing the proposal remains in accordance with criteria b) – d)-c) above.</b></p> <p><b>Proposals which promote general market housing as a means of enabling the identified need element of a scheme will not normally be supported unless it can be demonstrated that there is an overriding planning benefit from its delivery and that there is no other cross subsidy solution.</b></p>
<p><b>M60</b> <b>Page 130</b></p>	<p><b>Policy HOU3a – Residential windfall Development within Settlements</b></p> <p><b>Page 231</b></p>	<p><i>Amend Paragraphs 5.44 to 5.45 as follows:</i></p> <p>5.44 <u>In addition to Ashford, across the borough there are a number of rural settlements which play a service centre role in that they contain a number of services such as a primary school; a GP service; a community venue (such as a pub or a village hall); shops which are able to meet a range of daily needs and a commuter-friendly bus or train service. These locations are considered suitable for infilling and edge of settlement growth which is of an appropriate scale in relationship to the settlement size and availability of services and are included in both HOU3a and HOU5 below.</u></p> <p><i>Move to new paragraph:</i></p> <p>There are also a number of rural settlements which are smaller and play a more 'secondary' role, yet they still have a limited number of community facilities and services. These settlements often rely on the services of the nearby primary settlements or the town of Ashford and are therefore relatively 'accessible' in a rural context. Within these settlements, appropriate smaller scale development is acceptable in principle although this should also take account of the cumulative effects of any allocated sites and any other developments with extant planning permission in the area. <u>Due to the more limited access to services and settlement patterns, some of these smaller settlements are not considered suitable for edge of settlement growth and are only included in policy HOU3a as suitable locations for growth within the built up confines.</u></p> <p>5.45 The Borough’s remaining rural settlements not mentioned in policy HOU3a or <u>HOU5</u> below are not considered to play a service centre or secondary role on account of their small size and their lack of services and facilities (or proximity to these services/facilities). <u>The built form of the settlement is also an important factor when determining whether they are suitable for growth as many are smaller hamlets or linear settlements and do not have opportunity for infilling within their settlement pattern.</u> Residents of these settlements are typically reliant on the private car to meet all of their everyday needs. These settlements are considered to be countryside for the purposes of determining planning applications.</p> <p><i>Amend Settlements listed in Policy HOU3a as follows:</i></p> <p><b>Residential development and infilling of a scale that can be satisfactorily integrated into the existing settlement will be acceptable within the built up confines of the following settlements:</b></p> <p><b>Ashford, Aldington, Appledore, Appledore Heath, Bethersden, Biddenden, <del>Bilsington,</del> Boughton Lees/Eastwell, Brabourne Lees/Smeeth, Brook, Challock, Charing, Charing Heath, Chilham, <del>Grundale,</del> Egerton, Egerton Forstal, <del>Godmersham,</del> Great Chart, Hamstreet, Hastingleigh, High Halden, Hothfield, Kenardington,</b></p>

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		<p><b>Kingsnorth*, Little Chart, Mersham, <del>Molash</del>, Newenden, Old Wives Lees, Pluckley, Pluckley Thorne, Pluckley Station, Rolvenden, Rolvenden Layne, Ruckinge, Sevington, Shadoxhurst, <del>Shottenden</del>, Smarden, Stone in Oxney, Tenterden (including St Michaels), Warehorne, Westwell, Wittersham, Woodchurch and Wye.</b></p> <p><i>* Existing Kingsnorth village</i></p> <p><i>Amend criterion h) of Policy HOU3a as follows:</i></p> <p><b>h) It would not displace an active use such as an employment, leisure or community facility, <u>unless meeting the requirements of other policies in this Plan.</u></b></p> <p><i>Add sentence to end of Policy as follows:</i></p> <p><b><u>Policy HOU10 will also be applied to relevant garden land applications.</u></b></p>
<p>MM61</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 131</p>	<p><b>Policy HOU5 – Residential windfall development in the countryside</b></p> <p><b>Paras 5.59 - 5.67</b></p> <p><b>page 233</b></p>	<p><i>Amend para 5.59 and as follows:</i></p> <p>5.59 In assessing proposals, the scale of a development will be a major factor to bring into this equation. For larger schemes, the importance of good accessibility to local services and facilities will be of particular importance taking account of the quality and number of such services and the ability to either benefit or be accommodated by such services. The cumulative effects of windfall schemes on local services and facilities having taken account of the impacts from any allocated sites in the area and any other developments with extant planning permission will need to be considered, <u>including whether existing services may readily absorb (or benefit from) the additional demand placed on them as a consequence. This should include reference to the availability of primary school places and GP provision at the nearest available facilities alongside the scale and quality of local community facilities. This may also include any supplementary effects on existing residents, for example as a result of reduced school catchment areas.</u></p> <p><i>Insert additional paragraph following 5.61:</i></p> <p><u>This policy therefore does not include some of the smaller settlements, which may only be suitable for minor development and infilling in accordance with Policy HOU3a.</u></p> <p><i>Admin correction in paragraph 5.67 as follows:</i></p> <p>5.67 Proposals for exceptional dwellings under <del>criterion (iv)</del> <u>the second part</u> of Policy HOU5.....</p> <p><i>Amend Policy HOU5 as follows to include a list of applicable settlements:</i></p> <p><b>Policy HOU5 - Residential windfall development in the countryside</b></p> <p><b>Proposals for residential development adjoining or close to the existing built up confines of the <u>following settlements will be acceptable:</u></b></p> <p><b><del>listed in policy HOU3a will be permitted</del></b></p> <p><b><u>Ashford, Aldington, Appledore, Bethersden, Biddenden, Brabourne Lees/Smeeth, Challock, Charing, Chilham, Egerton, Great Chart, Hamstreet, High Halden, Hothfield, Kingsnorth*, Mersham, Pluckley, Rolvenden, Shadoxhurst, Smarden, Tenterden (including St Michaels), Wittersham, Woodchurch and Wye.</u></b></p> <p><i>* Existing Kingsnorth village</i></p> <p><i>Amend Criteria a), b) e) and f) (vi) as follows:</i></p> <p><b>Providing that each of the following criteria is met:</b></p> <p><b>a) the scale of development proposed is proportionate to the <u>size of the settlement and the level, type and quality of day to day service provision currently</u></b></p>

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		<p><b>available in the nearest settlement, and commensurate with the ability of those services to absorb the level of development in combination with any planned allocations in this Local Plan and committed development, <u>in liaison with service providers</u>;</b></p> <p><b>b) the site is within easy walking distance of basic day to day services in the nearest settlement, <u>and/or has access to sustainable methods of transport to access a range of services</u>;</b></p> <p><b>e) conserve and enhance the natural environment and <del>conserve</del> <u>preserve or enhance</u> any heritage assets in the locality;</b></p> <p><b>f) the development (and any associated infrastructure) is of a high quality design and meets the following requirements:-</b></p> <p><b>vi) It would <del>enhance</del> <u>conserve</u> biodiversity interests on the site and /or adjoining area and not adversely affect the integrity of international and national protected sites in line with Policy ENV1.</b></p> <p><b><del>Isolated r</del>Residential development <u>elsewhere</u> in the countryside will only be permitted if the proposal is for at least one of the following:-</b></p> <p><i>Add sentence to end of Policy as follows:</i></p> <p><b><u>Policy HOU10 will also be applied to relevant garden land applications.</u></b></p>
<p><b>MM62</b></p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 132</p>	<p><b>Policy HOU6 – Self and Custom Build Development</b></p>	<p><i>Amendment to Supporting Text as follows:</i></p> <p>5.71 The establishment of a Right to Build Register and evidence gained from future SHELAAAs and SHMAAs <u>has and will continue to help inform the level of need for Self Build. Based on current numbers on the Ashford Self and Custom Build Register, plots on allocated sites have the potential to meet a reasonably high proportion of demand, but the Council will continue to explore complementary delivery mechanisms which could include windfall proposals for self and custom build (in line with other policies within this Plan).</u></p> <p><i>Amendment to Policy as follows:</i></p> <p><b>The Council will support self and custom build development by requiring all sites within and on the edge of the towns of Ashford and Tenterden delivering more than 40 dwellings to supply no less than 5% <u>serviced</u> dwelling plots for sale to self or custom builders.</b></p> <p><b>In the villages and rural areas sites delivering more than 20 dwellings must supply no less than 5% <u>serviced</u> dwelling plots for sale to self or custom builder.</b></p> <p><b>The following criteria must be met:</b></p> <p><b>a) Where this equates to more than 5 custom build dwellings on a single site a Design Brief should be submitted and agreed with the Council prior to the application being submitted;</b></p> <p><b>b) Where plots have been <u>prominently</u> marketed for sale to self or custom builders for at least 12 months <del>(to the satisfaction of the Council)</del>, and have not sold, the plot can return to the developer to be developed and/or sold as open market housing;</b></p> <p><b>c) Development proposals must be of high quality design and demonstrate a positive response to sustainable development.</b></p>
<p><b>MM63</b></p>	<p><b>Policy HOU7 - Replacement Dwellings in the Countryside</b></p>	<p><i>Amend policy wording as follows:</i></p> <p><b>Proposals for a replacement dwelling will be permitted provided that the proposal:</b></p> <p><b>a) is replacing an existing individual dwelling that has a lawful residential use; and,</b></p> <p><b>b) <del>complements the surrounding built form and the</del> <u>is designed to ensure it does not result in significant harm to the overall character and appearance of the</u></b></p>



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		<p>area <u>taking into account the surrounding built form and/or the existing street-scene</u>; and,</p> <p>c) is <b>sympathetic suitable</b> in terms of its scale, bulk, massing and the materials used; and,</p> <p>d) can be suitably accessed; and</p> <p>e) <del>does not harm the landscape, the functioning of neighbouring uses or the amenities of nearby residents.</del> <u>would not materially harm any neighbouring uses including the living conditions of nearby residents;</u></p> <p>Where a replacement dwelling is proposed in a Conservation Area or a visually prominent position in the landscape, or within or <del>adjoining in the setting of an AONB</del>, proposals will be required to address the specific sensitivities that are prevalent in these areas. Particular consideration will be given to the scale and wider impact of a replacement dwelling in these locations.</p> <p>Where planning approval is given, planning obligations <del>will:</del> <u>conditions may be applied to:</u></p> <ul style="list-style-type: none"> <li>Remove ‘permitted development’ rights where a replacement dwelling has increased the floorspace of the existing dwelling <u>and where a further increase in floorspace/scale may make the development unacceptable with regards to criterion b, c and e above, and</u></li> </ul> <p>Ensure that the existing dwelling is removed within 3 months of the occupation of the replacement dwelling (where an alternative location is proposed), <u>to prevent isolated development in the countryside which does not meet the requirements of Policy HOU5.</u></p>
<p>MM64</p> <p>Page 133</p>	<p><b>Policy HOU8 – Residential Extensions</b></p>	<p><i>Minor change to supporting text as follows:</i></p> <p>5.78 Where an extension requires permission, the Council requires that the scale and visual impact of such development is appropriate in relation to both the existing dwelling and the surrounding area and that the living conditions of neighbours are not adversely affected. To this end, alterations and extensions should be designed to complement the scale, massing and materials of the existing building, preserve <del>and</del> features of <u>architectural</u> interest, provide a satisfactory relationship between the old and new fabric and not lead to overlooking, overpowering or overshadowing of neighbouring properties....</p> <p><i>Amend Policy as follows:</i></p> <p>Proposals for extensions to dwellings will be permitted if each of the following criteria is met:</p> <p>a) the existing dwelling<sup>2</sup> enjoys a lawful residential use; and</p> <p>b) the proposed extension would not materially harm any neighbouring uses including the living conditions of adjoining residents; and,</p> <p>c) the proposed extension is suitable in size, scale and <u>materials built form</u> to the existing dwelling to which it should be physically linked, <u>also taking into account the existing standard of accommodation for extensions to smaller rural properties;</u> and</p> <p>d) the proposed extension is designed <del>sensitively to avoid to ensure it does not result in significant harm to the overall character and appearance of the area taking into account the surrounding built form and /or street scene of the surrounding area and the landscape and the distinct features of the landscape character area in which it is located.</del></p> <p><u>Where an extension is proposed in a Conservation Area or a visually prominent position in the landscape, or within or in the setting of an AONB, proposals will be required to address the specific sensitivities that are prevalent in these areas. Particular consideration will be given to the scale and wider impact in these locations.</u></p>
<p>MM65</p>	<p><b>Policy HOU9 - Stand- alone annexes</b></p>	<p><i>Amend supporting text and policy as follows:</i></p> <p><b>Annexes</b></p>

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		<p>5.80 Annexes which are physically linked to the main dwelling will be determined against Policy HOU8, including in schemes where they contain all the facilities essential for independent residential occupation.</p> <p><del>5.81 For all annexe schemes (attached or standalone) a planning permission is likely to be conditioned to ensure that the annexe in question remains used for its intended purpose. This is to avoid an annexe becoming an independent and separate residential unit at some point in the future without planning permission, particularly as the 'need' can only ever be for a temporary period (for example the need is lost once a relative dies or requires greater care than can be provided at home).</del></p> <p>5.82 Standalone annexes <u>can serve a number of functions</u> <del>will be supported where it can be demonstrated that there is a need for such a facility - for example to provide a home for elderly or infirm relatives unable to live independently, or for staff accommodation and that the standalone will be supported where the annexe is sited appropriately and that it has a real and functional relationship between the occupation of the main dwelling and the annexe. It is unlikely that a standalone annexe located outside the curtilage of the main dwelling, or without a demonstrable functional relationship with the main dwelling, will be supported in principle.</del></p> <p>5.83 Annexes within the curtilage of listed buildings or buildings that are a historical asset or are located within a Conservation Area, which have particular character are likely to be difficult to achieve in terms of satisfactory design. Where these proposals cannot be sited in an acceptable way beyond the curtilage of these buildings, such proposals will not be supported.</p> <p><del>5.81 For all annexe schemes (attached or standalone) a planning permission is likely to be conditioned to ensure that the annexe in question remains used for its intended purpose. This is to avoid an annexe becoming an independent and separate residential unit at some point in the future without planning permission.</del></p> <p><b>Policy HOU9 - Standalone Annexes</b></p> <p><b>Proposals for detached annexe accommodation to residential property will be permitted where:</b></p> <p><b>a) the existing <u>dwelling*</u> residential property enjoys a lawful residential use; and</b></p> <p><b>b) the proposed annexe would not materially harm any neighbouring uses; and, <u>including the living conditions of nearby residents; and</u></b></p> <p><b>c) <u>the proposed annexe is suitable in size, scale and materials the scale and appearance of the proposed annexe is sympathetic and modest in proportion and clearly ancillary and visually subordinate to the principal dwelling; and site;</u></b></p> <p><b>d) sited to achieve a clear dependency is retained between the annexe and the main building at all times; and</b></p> <p><del><b>e) the proposed annexe is designed sensitively to complement the existing dwelling and is clearly ancillary and visually subordinate to it in design and massing; and</b></del></p> <p><b><u>f) the proposed annexe is designed to ensure it does not result in significant harm to would not have a harmful visual impact on the overall character and appearance of the surrounding area taking into account the surrounding built form and street scene; and/or the street scene or be visually intrusive in the landscape in which it is located.</u></b></p> <p><b><u>Where an annexe is proposed in a Conservation Area or a visually prominent position in the landscape, or within or in the setting of an AONB, proposals will be required to address the specific sensitivities that are prevalent in these areas. Particular consideration will be given to the scale and wider impact in these locations.</u></b></p> <p><i>* The term 'existing dwelling' is defined as the property at the time of the planning application</i></p>
<p><b>MM66</b></p>	<p><b>Policy HOU10 – Development of residential gardens</b></p>	<p><i>Amend policy structure and wording as follows (drop down some of the opening text into criteria, add new criteria, amend numbering and wording, delete original b) c) and e)</i></p> <p><b>Development proposals involving the complete or partial redevelopment of residential garden land will be permitted provided the proposed development</b></p>

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		<p><b>complies with: the Council's external space standards as set out in Policy HOU15;</b></p> <p><b>a) <u>Windfall Housing Policy HOU3a or HOU5 (as relevant);</u></b></p> <p><b>b) Does not result in significant harm to the character of the area including <del>a) the surrounding grain and built pattern of development, including the prevailing building density, line, frontage width, building orientation, distance from the road, existing plot sizes and visual separation between dwellings; and</del></b></p> <p><b><del>b)The surrounding built form comprising the scale, massing, height, design and materials of construction of the buildings;</del></b></p> <p><b><del>c) The wider landscape and/or the countryside setting;</del></b></p> <p><b>d) <u>Does not result in significant harm to wildlife corridors and biodiversity habitats. ; and</u></b></p> <p><b><del>e) The amenity of adjoining residents.</del></b></p>
<p><b>MM67</b></p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 135</p>	<p><b>Policy HOU14 – Accessibility Standards</b></p>	<p><i>Amend supporting text as follows:</i></p> <p>5.99 In order to help to fulfil this requirement, <u>a proportion of</u> all new dwellings created as ‘new build’, should be built to comply with a minimum of ‘level 2’ access (building regulations part M4 (2)).</p> <p><i>Amend policy wording to read:</i></p> <p><b>Policy HOU14 - Accessibility standards</b></p> <p><b>Accessibility in compliance with building regulations part M shall be provided as follows:-</b></p> <p><b><u>At least 20 percent of all ‘new build’ homes shall be built in compliance with building regulations part M4 (2) as a minimum standard.</u></b></p>
<p><b>MM68</b></p>	<p><b>Policy HOU15 – Private external open space</b></p>	<p><i>Amend policy wording as follows:</i></p> <p><i>Add paragraphs after 5.107 to supporting text as follows:</i></p> <p><u>In the case of private gardens attached to a house, a minimum area based on the 10m depth x the width of the dwelling (m) provides a helpful starting point. This calculation – resulting in a square metre figure - provides a very modestly sized garden but in most cases can accommodate a sitting out area, clothes drying area, small shed and area of play as well as space to plant shrubs and small trees. The benefit of a garden is undermined if it cannot comfortably accommodate these important functions.</u></p> <p><u>However, the Council realises this standard requires an element of flexibility depending on factors such as the size and type of the dwellings proposed, the character, design and layout of the development and the shape and topography of the site. This could result in the requirement either for a larger or a smaller area in order to achieve a space that can accommodate those elements outlined above.</u></p> <p><u>Furthermore, any proposal affecting an existing dwelling will be refused unless its private external open spaces are retained in accordance with the standards set out in the policy.</u></p> <p><i>Delete existing policy table and policy wording as follows:</i></p> <p><b>Policy HOU15 - Private external open space</b></p> <p><b>Unless drawings indicate alternative provision of private useable external open space, new dwellings, whether created as ‘new build’, subdivision or conversion shall be provided with an area of private open space. <u>Unless demonstrably unfeasible, this should not be overlooked from the road or other public spaces in</u></b></p>

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		<p><del>accordance with the table below:</del></p> <p><i>Table deleted</i></p> <p><b><u>For flats, a minimum of 5m<sup>2</sup> of private outdoor space should be provided for 1 or 2 bedspace dwellings, and an additional 1m<sup>2</sup> should be provided for each additional bedspace. The minimum depth and width for all balconies and other private external spaces (e.g. roof garden, patio) should be 1.5m.</u></b></p> <p><b><u>For houses, as a starting point, the private garden area should be calculated as the width of the dwelling (m) x 10m. This standard can be flexible providing it can be adequately demonstrated that alternative solutions provide a sufficient area of usable private outdoor space which contributes positively to the character and appearance of the area and ensures a high standard of living conditions can be achieved.</u></b></p> <p><b><u>These standards also apply to any proposals which result in the loss of private external space to existing residential property.</u></b></p>
<p>MM69</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 136</p>	<p><b>Policy HOU16 – Traveller Accommodation</b></p>	<p><i>Amend supporting text to read:</i></p> <p>5.108 The need to plan for the housing requirements of the <del>g</del>Gypsy and <del>t</del>Traveller population is in line with Government guidance contained in the National Planning Policy Framework (NPPF) and its companion document ‘Planning Policy for Traveller Sites’. These documents ensure that everyone, including members of the travelling community has the opportunity of living in a decent home.</p> <p><b><u>Setting a Pitch Target for Travellers in the Local Plan National Policy</u></b></p> <p>5.109 The ‘Planning Policy for Traveller Sites’ (PPTS, August, 2015) sets out the Government’s planning policy specifically relating to Travellers and this document has the main overarching aim: <i>“to ensure fair and equal treatment for Travellers, in a way that facilitates the traditional and nomadic way of life of Travellers while respecting the interests of the settled community”</i> (paragraph 3). <u>It requires that Local Planning Authorities assess their own levels of need and plan positively in managing Gypsy and Traveller development.</u></p> <p>5.111 The 2015 PPTS<sup>1</sup> <del>replaced the 2012 PPTS, at the same time redefining the definition of those who qualifies-qualify as a ‘travellers’<sup>2</sup> as follows: Under the new definition travellers who have ceased to travel are now excluded. The new definition defines travellers as: “Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such”. Permissions for Gypsy and Traveller sites will be subject to conditions limiting their occupation to those who meet the definition of Gypsies and Travellers as defined in planning policy.</del></p> <p><b><u>Objectively Assessing Local Traveller Need</u></b></p> <p>5.113 <del>Therefore,</del> in order to achieve the overarching aim of Government policy the Council commissioned a Gypsy and Traveller Accommodation Assessment (GTAA) in 2013, which provided an Objectively Assessed Pitch Need (OAPN) in the borough. Then following the publication of the new PPTS the Council undertook a piece of work<sup>3</sup>, re-assessing the travelling habits of travellers using the GTAA raw data. This piece of work removed any travellers that no longer travel, to ensure that any future need is consistent with the requirements of the PPTS policy. <del>The following results have therefore been defined.</del></p> <p>5.114 <del>The 2013 GTAA outlined a pitch requirement of 57 pitches for the 15-year period 2013 - 2028. However, following reassessment to align the analysis with the 2015 definition of the base data a new OAPN requirement of 48 pitches between 2013 and 2028 can be established. As the Local Plan runs to 2030, on a pro rata basis this would result in an OAPN of 54 pitches by 2030.</del></p> <p><b><u>How many pitches have been provided to date Pitch provision to date</u></b></p> <p>5.115 The Council has a good record of delivering Traveller pitches on appropriate sites and since the GTAA was published 31 pitches have received full planning permission.</p>

<sup>1</sup> In accordance with PPTS, Annex 1 (4), the text in italics of the definition of Gypsies and Travellers and travelling show people

<sup>2</sup> Ashford Gypsy and Traveller Accommodation Assessment Update Paper – Post PPTS (Aug 2015)

<sup>3</sup> See ABC update paper (June 2016)

5.116 Using the new OAPN target above, this leaves a residual need to provide at least 23 pitches by 2030.

**Achieving Delivering the Objectively Assessed Pitch Need (OAPN)**

5.117 The council has considered whether all 23 pitches should be provided through site allocations to ensure the OAPN has been achieved from the outset. ~~However, due to the current lack of suitable, available sites, this it has not been possible to deliver a sufficient numbers of pitches required to meet the need. To deliver the remaining need, the council has adopted a staged approach. In the first instance, this plan seeks to deliver sites through allocations and a windfall policy. The Council is proposing to provide 7.3 pitches through site allocations in this plan, see policies S43 and S44, with the remaining 20 pitches to be delivered through a 'windfall policy'.~~

Whilst this approach offers an appropriate interim measure, it is the intention to deliver the remaining need through site allocations. For this reason, the Council is in the process of delivering a separate Development Plan Document (DPD) to meet the needs of Gypsies, Travellers and travelling showpeople. The DPD will identify additional sites to meet the need identified in the GTAA. The timescale for the adoption of the DPD is set out in the Local Development Scheme (March 2018) and adoption is anticipated in summer 2019.

~~5.118 Also, due to the substantial number of windfall sites that have been delivered since 2013, the Council considers that the remainder of the OAPN requirement is likely to be achieved via a windfall approach. For example, even a modest continued delivery of 2 windfall pitches per year would mean 30 new pitches over 15 years, more than meeting the required need.~~

~~5.119 Therefore, the most pragmatic approach for delivery of the OAPN would be to deliver pitches through a combination of windfalls and allocations. At the same time, to ensure resilience in this approach it is proposed to set out a criteria based policy, requiring the retention of all existing Traveller sites to ensure their continual supply in the market.~~

**Traveller Windfall Policy**

5.120 To deliver pitches in the period up to the adoption of the DPD, the council will implement a windfall policy. Ashford has a long history of delivering Traveller accommodation, especially through the provision of 'windfalls'. 31 pitches have been provided through this means since the publication of the Borough's GTAA.

~~This Local Plan is allocating two sites to provide 7 pitches. Therefore, within this Local Plan there is an interim requirement to provide a minimum of 16 pitches through windfall sites in order to meet the OAPN. Because there is a shortfall of sites coming forward it is considered that the strategy of providing some pitches through windfalls maximises the opportunity for new sites to come forward without relying on a single means of provision, for example the allocation of new sites only.~~

5.121 A specific, clearly worded windfall policy enables the Council to deal with planning applications for traveller sites on a site by site basis and would allow suitable sites to continue to be permitted until the DPD is adopted, provided they meet criteria set out in the policy. To this end, suitable sites, which are well-related to existing and proposed services and facilities and which would not adversely impact on a protected landscape, including internationally protected sites, AONBs or their settings, National Nature Reserves, SSSIs, Ancient Woodland, local wildlife sites and nature reserves or designated area, that may previously not have been identified have the opportunity to come forward in the plan period. In addition, development should not adversely impact on the key characteristics of Landscape Character Areas.

5.122 The 'windfall' policy below sets out a threshold to provide for additional small sites in the borough. This approach is consistent with the approach set out in the PPTS (Paragraph 10d), which states that in producing Local Plans, Local planning authorities should 'relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density'.

5.123 Local evidence, identified from the bi-annual gypsy count<sup>4</sup> suggests that Travellers in Ashford tend to reside on small sites which accommodate their immediate and extended family. Coupled with the lack of available land identified in the GTAA and the long standing issues managing larger sites, a number of smaller sites spread throughout the district would be a more effective means of providing sustainable and flexible accommodation to meet the need. ~~5.124—~~For example, ~~the~~ the Council owned site at Chilmington Green, which has 16 pitches, often has empty and long standing vacant pitches, with Gypsies and Travellers stating themselves that they would rather live with their extended family than on a site which supplies pitches on the open market.

~~5.124.1 To address the accommodation needs of this group more fully, the Council will prepare a separate Gypsy and Traveller Accommodation DPD, as outlined within the 2017 Local Development Scheme (LDS).~~

<sup>4</sup> See ABC update paper (June 2016)

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		<p>5.125 Finally, the impact of new Traveller accommodation on existing communities and how well proposals can be integrated is an important consideration in the determination of applications for Traveller provision. New applications will need to adhere to the criteria in Policy HOU16 below to ensure that this impact is mitigated.</p> <p><i>New paragraph after 1.125:</i></p> <p><u>Permissions for Gypsy and Traveller sites will be subject to conditions limiting their occupation to those who meet the definition of Gypsies and Travellers as defined in planning policy.</u></p> <p><i>Amend policy wording as follows:</i></p> <p><b>Policy HOU16 - Traveller Accommodation</b></p> <p><b>Planning permission for <u>expansion to existing sites</u> or new sites to accommodate Gypsy and traveller accommodation or accommodation for travelling showpeople will only be permitted outside of allocated sites if the following criteria are met:</b></p> <ul style="list-style-type: none"> <li>a) <del>The Council is satisfied that there is a clearly established need for the site and the</del> proposals cannot be accommodated on an existing available site or allocated site;</li> <li>b) The site would not accommodate more than 5 pitches or make an existing site exceed 5 pitches in size;</li> <li>c) The site would provide a good living environment free from the risk of flooding and risks to health through contamination, noise or pollution;</li> <li>d) <del>Occupation is limited to those meeting the definition of Gypsies and Travellers or Travelling Showpeople in the relevant national planning policy;</del></li> <li>e) Local services and facilities – <u>such as</u> shops, public transport, or and schools, <del>medical and social services,</del> can be readily accessed from the site;</li> <li>f) The site is capable of being provided with on-site services such as water supply, sewage disposal and power supply;</li> <li>g) The form and extent of the accommodation does not adversely affect the visual or other essential qualities of the AONB and its setting, SSSI, Ancient woodland, international, national or local nature reserve or wildlife site, <del>or the key characteristics of a Landscape Character Area;</del></li> <li>h) Access to the site which does not endanger highway safety for vehicles and pedestrians can be provided;</li> <li>i) Proposals incorporate a landscape strategy, which will be required by use of planning conditions, where mitigation of the impact on the landscape is necessary to protect the quality of the surrounding landscape.</li> </ul> <p><i>Add additional policy criteria:</i></p> <p><b><u>j) The scale and siting of the site, along with its design, layout and any boundary treatments, should take into account the key characteristics of Landscape Character Area within which it is located.</u></b></p> <p><b><u>k) New sites or enlargement of existing sites are of a scale appropriate to their surroundings and would not individually or cumulatively dominate the nearest settled community, cause significant visual harm to an area and its landscape, or unduly impact on the capacity of local services.</u></b></p>
<p><b>MM70</b></p>	<p><b>Policy HOU17 – Safeguarding existing traveller sites</b></p>	<p><i>Amend policy wording as follows:</i></p> <p><b>Policy HOU17 - Safeguarding existing Traveller sites</b></p>

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		<p><b>Existing permanent authorised gypsy and traveller sites and sites for travelling showpeople shall be retained for the accommodation of gypsies and travellers and for travelling showpeople as defined in the relevant National Planning Policy Document.</b></p> <p><b>Any new <del>gypsy and traveller</del> sites granted permanent planning permission shall also be safeguarded under the provisions of this policy.</b></p> <p><b>This policy may not apply if:-</b></p> <p><b>a) <del>There is a surplus of available accommodation over and above the required five year supply of sites, or,</del></b></p> <p><b>b) <del>Tthe site will be replaced by a site of similar proportions in an appropriate location which complies with the criteria listed in policy HOU16, or,</del></b></p> <p><b>c) <del>A site has been granted a personal permission restricting residency to a named occupier or family.</del></b></p>
MM71	<b>Policy HOU18 – Providing a range of dwelling types and sizes</b>	<p><i>Amend supporting text as follows:</i></p> <p><del>5.127.4 The Council’s starting point is that all proposals for 10 or more dwellings will deliver an appropriate mix and range of dwellings types and that older persons schemes and flatted proposals will deliver an appropriate mix of sizes and tenures. all qualifying proposals are expected to provide an appropriate mix and range of dwelling types.</del></p> <p><i>Insert new paragraph after 5.127.4</i></p> <p>However, <u>exceptional circumstances may dictate that an alternative approach is required. Such circumstances include:</u></p> <ul style="list-style-type: none"> <li><u>- where a proposal is located in a highly sensitive location, such as within or adjoining a conservation area which dictates that a concentration of certain housing types is needed in design terms,</u></li> <li><u>- where locally specific evidence has been produced, such as an assessment by the Parish Council, which justifies that a specific housing type or mix is required to meet an identified local need,</u></li> </ul> <p><u>- where delivering the aspirations of Policy HOU18 would render the scheme unviable. In these circumstances compliance with Policy IMP2 of this Local Plan would need to be demonstrated by the applicant to justify their case. Should this position be supported by the Council, then a degree of flexibility could be applied.</u></p>
MM72	<b>Policy EMP1 – New employment uses</b>	<p><i>Amend Policy EMP1 as follows:</i></p> <p><b>Provision of new employment premises, and the redevelopment, enhancement and reconfiguration of existing employment premises will be permitted within <del>or adjoining</del> the built-up confines of Ashford, Tenterden and the rural settlements <u>listed in policy HOU3a, or adjoining settlements listed in policy HOU5</u> provided that:</b></p> <p><b>a. the character and appearance of the settlement or surrounding landscape is not damaged significantly by the form of development proposed by virtue of its layout, building design and scale, the level or type of activity it generates, and the functional and visual relationship it has with adjoining uses;</b></p> <p><b>b. there would be no significant impact on the amenities of any neighbouring residential occupiers;</b></p> <p><b>c. appropriate provision can be made for parking and access; and</b></p> <p><b>d. any <u>The impact upon the local road network as assessed in terms of policy TRA7,</u> can be mitigated. In the rural settlements, it must be demonstrated that the development will not generate a type or amount of traffic that would be inappropriate to the rural road network that serves it.</b></p>
MM73	<b>Policy EMP2 – Loss or redevelopment</b>	<p><i>Amend paragraph. 5.141 as follows:-</i></p> <p>Otherwise, for proposals involving the loss of employment floorspace, either an equivalent amount of floorspace must be provided at a suitable site elsewhere in the Ashford</p>

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<p><b>of employment sites and premises</b></p>	<p>urban area, or it will be necessary for developers to provide robust evidence that the premises have been marketed unsuccessfully for a substantial period of time on reasonable terms. Whilst each proposal will need to be treated on its own merits with the context of the prevailing market conditions, as a guide, appropriate marketing <u>of at least for less than one year 6 months</u> is unlikely to be considered sufficient <u>necessary</u>. Evidence should be provided that the terms compare with other similar premises and locations being let or sold for <u>B-class</u> employment uses within the local area. The extent of the marketing carried out will be an important factor in the weight given to the evidence. <u>Marketing should also extend to the potential use for other suitable employment generating uses for which the particular location and premises may be suitable.</u> These uses might include, for example, trade counter uses, motor dealerships, education and training facilities, or small scale leisure facilities not suitable for town centre locations.</p> <p><i>Amend paragraph. 5.142 as follows:-</i></p> <p><del>In addition to marketing the site, developers will need to have carried out a viability assessment of the redevelopment potential of the site for any other types of suitable employment generating uses. These uses might include, for example, trade counter uses, motor dealerships, education and training facilities, or small scale leisure facilities not suitable for town centre locations. The viability assessment should consider not only the redevelopment of the site in the current market conditions, but also redevelopment of the site within the timescale of this Plan.</del></p> <p><i>Amend paragraph. 5.147 as follows:-</i></p> <p>When considering an application for the loss of an employment site, an assessment will need to be made as to the viability of the existing use or an alternative employment use. In order to demonstrate that a site is no longer viable for an employment use, the application must be supported by robust evidence that the premises have been marketed unsuccessfully for both the existing use and any alternative suitable B-class employment use for a period of at least 6 months on terms that should compare with other similar premises and locations being sold or let for employment purposes. The extent of any marketing carried out and the prevailing market conditions will also be material considerations in the Council's assessment of viability evidence. <u>Marketing should also extend to the potential use for other suitable employment generating uses for which the particular location and premises may be suitable.</u></p> <p><i>Amend Policy EMP2 as follows:-</i></p> <p><b>In the Ashford urban area:</b></p> <p><b>Proposals for the loss or redevelopment of existing employment sites or premises (outside the town centre) will not be permitted unless at least one of the following criteria applies:</b></p> <p><b>a. The site is no longer appropriate for the continuation of the previous or any other employment use in terms of its serious impact on the neighbouring occupiers or environment; or,</b></p> <p><b>b. It has been shown that the unit has remained unlet or for sale for a substantial period for all appropriate types of B class employment uses <u>or other suitable employment generating uses</u>, despite genuine and sustained attempts to let or sell it on reasonable terms, and furthermore, <u>that it will not be viable to redevelop the site for any appropriate types of alternative employment use within the Plan period;</u> or,</b></p> <p><b>c. The premises are replaced with similar facilities within the existing site or elsewhere in the Ashford's urban area, providing at least the overall amount of developable B class employment floorspace that would be lost to redevelopment.</b></p> <p><b>Within Tenterden and the HOU3a listed villages:</b></p> <p><b>Proposals for the loss or redevelopment of existing employment sites or premises <u>within the confines of Tenterden or the villages listed in policy HOU3a, or adjoining/close to a settlement listed in policy HOU5</u> will not be permitted, unless <u>one of the following criteria apply;</u></b></p> <p><b><u>a)The site is no longer appropriate for the continuation of the previous or any other employment use in terms of its serious impact on the neighbouring occupiers or environment;</u></b></p> <p><b><u>a-b) they The premises</u> are replaced with the same sized or larger sites or premises within or adjoining the same rural settlement, or at the nearest rural service</b></p>
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		<p>centre, or</p> <p><b><u>b. c</u></b> It has been shown that the unit has remained unlet or for sale for a substantial period for all appropriate types of B class employment uses <u>or other suitable employment generating uses</u>, despite genuine and sustained attempts to let or sell it on reasonable terms, and furthermore, <del>that it will not be viable to redevelop the site for any appropriate types of alternative employment use within the Plan period.</del></p>
<p>MM74</p>	<p><b>EMP6 – Promotion of Fibre to the Premise (FTTP)</b></p>	<p><i>Amend supporting text to read:</i></p> <p>5.160 The policy below builds upon this pioneering approach and challenges the market yet further to require fibre to the premise (FTTP) for all <u>most</u> new developments. <del>wherever practical.</del> In doing so, the approach underpins one of the key principles of this Local Plan with regard to the utilisation, enhancement and expansion of existing infrastructure wherever possible.</p> <p>5.163 In the urban area, where the fibre network now exists, the cost of installing FTTP in new developments is considered to be relatively small particularly during the build phase of the development. Any costs (above BCIS assumptions) must also be balanced with increased sales values that are likely to be achieved on account of fast and reliable broadband speeds being available. <u>Based on these factors, Policy EMP6 requires that all residential and employment development within or adjoining the urban area of Ashford, including on site allocations promoted in this Plan that adjoin the urban area of Ashford, shall deliver FTTP.</u></p> <p>5.165 However, the Council recognise that there are <u>can be</u> more challenges in terms of the viability of provision in the rural area and sometimes the ability to connect to the network is more difficult than in the urban area <u>in the rural area to the delivery of FTTP.</u> With this in mind, the policy <u>approach is to target development that is of a scale and/or type that will, in most circumstances, be able to deliver FTTP.</u> <del>below is targeted towards</del> For residential development, EMP6 shall apply to those schemes promoting 10 residential units or more in the rural area. <del>and proposals that will deliver reasonably sized, or larger, employment uses</del> For employment development (B classes), EMP6 shall apply to those schemes which provide 10 full time jobs or equivalent in the rural area. <u>The assumption as to the number of jobs to be created should be based on the national Employment Densities Guide, produced by Government.</u></p> <p>5.166 <u>However, developments that fall below these thresholds will, nevertheless, still be encouraged to provide FTTP</u> <del>Schemes that fall below these thresholds will be encouraged to deliver FTTP wherever practical to try to assist in ensuring that the Borough’s fibre network is delivered to its maximum capacity.</del></p> <p>5.168 However, in order to be consistent with the provisions in the NPPF, the Council recognise that there may be schemes that come forward which cannot be consistent with policy EMP6 <del>fulfil the policy requirements as stipulated below.</del> In such cases, evidence will be needed from the applicant to demonstrate that a departure from policy is justified. Such evidence could include (but is not limited to) issues of viability, the ability to dig the appropriate physical trench and proximity to the nearest breakout point on the fibre network. <u>They may also be circumstances where the operators themselves have concluded that servicing the site is not practical.</u></p> <p>5.169 Where a FTTP solution is not deemed possible <del>(and this position is accepted by the Council)</del> provision of technologies capable of providing speeds in excess of 24Mbps should be delivered <u>instead.</u> <del>wherever practical.</del></p> <p><b><u>Implementation</u></b></p> <p>5.170 <u>The intention of Policy EMP6 is not to require developers to deliver FTTP solutions themselves. Instead, it focuses on the need to conduct early dialogue with telecom providers in order to best understand what their infrastructure specifications are and how these can be accommodated as part of the new development.</u></p> <p>5.171 <u>To facilitate this, the Council requires that an application for a qualifying development is supported by a ‘FTTP Statement’. This will provide details of dialogue with the telecom operators and establish how FTTP will be provided to serve the development and that it will be engaged upon first occupation. This statement will need to be agreed between the applicant and the Council and it is likely that conditions will be applied to any subsequent permission, to ensure that FTTP will be secured as envisaged by the statement.</u></p> <p>5.172 <u>For outline proposals, the ‘FTTP Statement’ may be more limited on specific details relating to the imminent implementation of FTTP. In these circumstances, a commitment to supply the specific details at a later date, including how and when the telecom operators will be consulted, will need to be provided and agreed by the Council.</u></p>

Page 142		<p>5.173 More detailed guidance about the implementation of EMP6 will be provided through a future SPD.</p> <p><i>Delete existing policy wording and replace as follows:</i></p> <p><b><u>Policy EMP6 - Promotion of Fibre to the Premises (FTTP)</u></b></p> <p><b><u>The Council considers that FTTP is essential infrastructure and vital to the delivery of sustainable development. Therefore, all qualifying development shall deliver FTTP. Qualifying development includes:</u></b></p> <ul style="list-style-type: none"> <li>- <b><u>All residential and employment schemes proposed in, or adjoining, the urban area of Ashford, including on those sites allocated in this Local Plan on periphery of the urban area of Ashford.</u></b></li> <li>- <b><u>Residential schemes promoting 10 dwellings or more in the remaining parts of the Borough,</u></b></li> <li>- <b><u>Employment schemes promoting 10 or more jobs (FTE) in the remaining parts of the Borough.</u></b></li> </ul> <p><b><u>Proposals for qualifying development will be required to be supported by a FTTP Statement, to be agreed by the Council. This statement will establish how FTTP will be provided to serve the development and that it will be engaged at first occupation.</u></b></p> <p><b><u>Exceptions to the approach outlined above could be justified in circumstances where it is not practical, viable or feasible to deliver FTTP. In such cases, evidence will be needed from the applicant to demonstrate that a departure from policy is justified.</u></b></p> <p><b><u>For other residential and employment schemes, FTTP will be encouraged by the Council as a means of expanding the local fibre network.</u></b></p> <p><b><u>Where FTTP is not to be delivered, non-Next Generation Access technologies that can provide speeds in excess of 24Mbps should be provided as an alternative.</u></b></p>
MM75	<b>EMP7 – Primary and secondary shopping frontage in ATC</b>	<p><i>Amend supporting text as follows:</i></p> <p>5.183 <del>With planning permission being granted for the a cinema, and restaurants, retail and hotel development under construction on Elwick Road in the southern part of the town centre, Bank Street will become an important pedestrian route linking the proposed leisure-led scheme and the High Street. In this respect, it is proposed that once this has been developed completed it will become part of the Primary Shopping Area, and designated as primary shopping frontage as this is shown by an extension to the existing PSA on the map in Policy EMP7.</del></p> <p>5.184 In the past, frontage policies for Ashford Town Centre have restricted the amount of non-A1 uses within the primary shopping frontages, and the amount of A2 uses within the secondary areas of the Town Centre. With the introduction of more relaxed permitted development rights there is much more flexibility around proposed uses, and planning permission is not required for changes between different class A uses.</p> <p>5.185 Town centres are changing and will no longer be solely supported by traditional retail development, having to expand their offer to wider uses in order to maintain their vitality and viability. Ashford Town Centre is no different. Recent trends show that the proportion of Class A1 within the primary frontage of Ashford Town Centre has fallen, which reflects national trends and a more flexible and pragmatic policy approach to the definition of the primary and secondary shopping frontages is required.</p> <p>5.186 It is therefore not considered necessary to restrict particular percentages of retail uses in certain areas. It is considered that the primary shopping frontages will remain the predominant area for Class A uses, and that the secondary frontages will have a broader range of uses. <u>The approach recognises the role of Ashford Town Centre as the primary shopping centre in the Borough, but understands that the future success of the town centre cannot solely rely on its function as a shopping destination. The town centre should be a place that residents and visitors want to visit, whether for shopping or for other purposes, such as business, leisure or entertainment.</u></p>

The Council recognises that the flexibility provided by the current permitted development rights for commercial uses means that some changes of use would not require planning permission. Where planning permission is required the policy would apply.

The policy requires proposals to maintain or enhance the vitality and viability of the town centre. For proposals within the primary shopping frontage, the Council will take into account a range of factors in determining whether the proposals would achieve this. Some of these factors will apply only when considering applications for change of use that would result in the loss of A1 units, others would apply in all cases. Proposals will be determined on a case by case basis taking into account the following relevant factors.

The Council will take into account whether a particular unit has been vacant and the benefits of bringing that unit back into use. Consideration will be given to whether the proposal can add vibrancy, activity and pedestrian footfall to the area, and this is particularly important during daytime hours. It is also important that the unit has an active shopfront and is immediately accessible by the public from the front, which will ensure that it would be compatible with the nature of a retail area, and that it creates footfall and activity within the publically accessible areas of the town centre.

Where the proposal would result in the loss of A1 retail units, consideration should also be given to whether or not the proposal would result in an accumulation of non-A1 uses along a particular frontage, this could in some cases have a harmful impact upon the retail function of that part of the frontage and therefore be harmful to the vitality and viability of the town centre. The size and form of the unit may also be relevant, for example the loss of a larger or anchor A1 retail unit, which would normally be attractive to multiple retailers, could be more harmful than the loss of a smaller A1 unit.

Within the secondary shopping frontage, the main issue that will be considered in determining whether the proposal would maintain or enhance the vitality and viability of the town centre is whether the proposed use would attract pedestrian activity and footfall to the town centre, thereby supporting its vitality and viability.

5.187 Residential development plays an important role in the vitality and viability of a town centre, bringing people into the town at different times of the day, increasing footfall and supporting a more vibrant evening and night time economy. Residential development will therefore be supported in the town centre in suitable locations. However residential development on the ground floor within the Primary and Secondary Shopping Frontage would be harmful to the economic health of the town centre. Proposals for change of use to residential on the ground floor within this area will therefore be resisted when considering applications for prior approval.

5.188 The following policy defines the locations of the primary and secondary shopping frontages in Ashford Town Centre, as well as the Primary Shopping Area, and sets out what uses will be permitted in such locations.

*Delete Policy EMP7 and replace with the following:*

**Policy EMP7 - Primary and Secondary Shopping Frontage in Ashford Town Centre**

**Primary and Secondary Shopping Frontages and the Primary Shopping Area are defined for Ashford Town Centre as set out on the Policies Map.**

**Within the Primary Shopping Frontages, permission will be granted for development falling within Use Class A1. Use Classes A2, A3, A4 and A5 will be permitted subject to the proposal maintaining or enhancing the centre's vitality and viability, taking into account the following factors, where relevant:**

- a) the impact the proposal will have on long term and persistent vacancy and the continued suitability and viability of the unit for A1 retail use**
- b) the ability of the proposal to attract vibrancy, activity and pedestrian footfall to the town centre during the daytime;**
- c) whether the proposal is compatible with a retail area in that it includes an active shopfront and is immediately accessible by the public from the front;**
- d) the accumulation of non-A1 uses in parts of the frontage, which would significantly erode the retail function of the frontage;**
- e) the loss of a large or anchor A1 retail unit**

**Within the Secondary Shopping Frontage, proposals for all main town centre uses will be permitted, subject to the proposal maintaining or enhancing the centre's vitality and viability by attracting pedestrian activity and footfall to the town centre.**

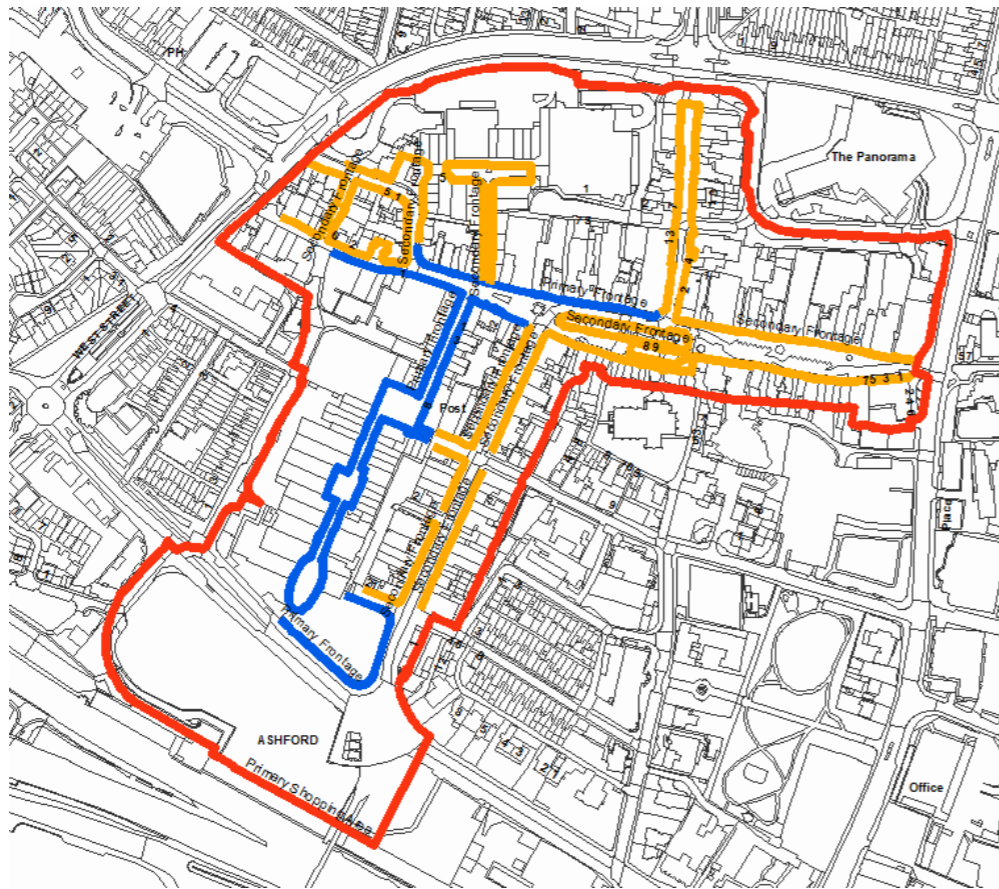
**The Council will support proposals to bring underused upper floors back into beneficial use, including residential and office use.**

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**Residential development will not be permitted on the ground floor within the Primary and Secondary Shopping Frontages.**

*Amend boundary of primary shopping area (PSA) to include the proposed extension to the PSA. Replace Map (EMP7 Shopping Frontages in Ashford Town Centre) at Chapter 7 with the following:*



*(Red = Primary Shopping Area; Blue = Primary Frontage; Yellow = Secondary Frontage)*

**MM76**  
**EMP8 – Primary Shopping frontage in Tenterden Town Centre**

*Amend supporting text as follows:*

5.192 Previous policies for Tenterden Town Centre, have aimed to maintain a high concentration of A1 uses, by restricting proposals that would result in more than 35% of the length of particular primary frontages becoming non-A1 uses. Whilst the current mix of uses within the centre makes for a well functioning and vibrant centre, given the recent extensions to permitted development rights, as with Ashford town centre, it is not considered appropriate to restrict uses by such a threshold, and in any event, this would have no practical effect.

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Page 145		<p>The current mix of uses within the centre makes for a well-functioning and vibrant centre, and it is therefore important that the policy framework protects and enhances this. <u>As with Ashford Town Centre, it is recognised that permitted development rights provides more flexibility without the need for planning permission, but in cases where planning permission is required, it is important that the Council can consider the impact of proposals on the vitality and viability of the centre. Previous policies for Tenterden Town Centre have aimed to maintain a high concentration of A1 uses, by restricting proposals that would result in more than 35% of the length of particular primary frontages becoming non-A1 uses. However it is considered that, as with Ashford, a more flexible and pragmatic policy approach is appropriate, given the changing role of town centres. The policy identifies the primary shopping frontage for Tenterden Town Centre and is supportive of all main town centre uses, subject to the proposal maintaining or enhancing the centre’s vitality and viability, taking into account a range of factors. In addition to those factors identified above in relation to Ashford Town Centre, for Tenterden, the impact of the proposal on the character and function of the Tenterden Town Centre, as the Borough’s main rural service centre and tourism destination, will also be taken into account.</u></p> <p><i>Delete Policy EMP8 and replace with the following:</i></p> <p><b><u>Policy EMP8 - Primary Shopping Frontage in Tenterden Town Centre</u></b></p> <p><b><u>Primary Shopping Frontages and the Primary Shopping Area are defined for Tenterden Town Centre as set out on the Policies Map and extract above.</u></b></p> <p><b><u>Within the Primary Shopping Frontages, permission will be granted for development falling within Use Class A1. All other main town centre uses will be permitted, subject to the proposal maintaining or enhancing the centre’s vitality and viability, taking into account the following factors where relevant:</u></b></p> <ul style="list-style-type: none"> <li><b><u>a) the impact the proposal will have on long term and persistent vacancy and the continued suitability and viability of the unit for A1 retail use</u></b></li> <li><b><u>b) the ability of the proposal to attract vibrancy, activity and pedestrian footfall to the town centre during the daytime;</u></b></li> <li><b><u>c) whether the proposal is compatible with a retail area in that it includes an active shopfront and is immediately accessible by the public from the front;</u></b></li> <li><b><u>d) the accumulation of non-A1 uses in parts of the frontage, which would significantly erode the retail function of the frontage;</u></b></li> <li><b><u>e) the loss of a large or anchor A1 retail unit</u></b></li> <li><b><u>f) the impact of the proposal on the character and function of the Tenterden Town Centre as the Borough’s main rural service centre and tourism destination</u></b></li> </ul> <p><b><u>The Council will support proposals to bring underused upper floors back into beneficial use, including residential and office use.</u></b></p> <p><b><u>Changes of use to residential will not be permitted on the ground floor of any unit.</u></b></p>
MM77	<b>EMP9 – Sequential Assessment and Impact Test</b>	<p><i>Amend paragraphs 5.199 to 5.203 as follows:</i></p> <p>5.199 For the avoidance of doubt Policy SP-4-5 <del>does not over-ride the need for development proposals in edge-of-centre locations to accord with the following policy.</del></p> <p><del>5.200 Proposals for development outside of the PSA will be required to demonstrate, by carrying out a Sequential Assessment, that there are no sites located within a more central location that would be suitable for the proposed development. Applicants will be required to demonstrate flexibility in respect of the format and scale of the proposed development.</del></p> <p>5.201 The National Planning Practice Guidance (PPG) provides advice in setting locally appropriate thresholds for impact assessments. The Retail and Leisure Needs Assessment concludes that impact assessments will be required for proposals for retail, <del>leisure and office</del> developments, which are greater than 500 sqm. <u>Other town centre uses will be required to carry impact assessments where their size is greater than those standards set out in the NPPF.</u></p> <p>5.202 The scope of the Sequential Test and Retail Impact Assessments which are required to be submitted in support of planning applications should be discussed and agreed between the applicants and the Council at an early stage in the pre-application process. The level of detail included within the assessments should be proportionate to the scale and type of retail floorspace proposed and shall be determined on a case by case basis. National Planning Practice Guidance sets out detailed requirements for</p>

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Page 146		<p>carrying out such assessments. <u>The Council will impose conditions on planning permissions where this is necessary to appropriately control the impact of a particular use.</u></p> <p>5.203 The following policy sets out the requirements for consideration of applications for retail development which are located outside of identified primary shopping areas, and other main town centre uses that are not proposed in existing town centre boundaries and are not <del>in accordance with</del> <u>supported by</u> other policies within this Local Plan. For the avoidance of doubt, this policy does not apply to small scale retail and service provision, which is permitted in accordance with Policy EMP10 of this Local Plan <u>or to conversions of rural buildings to employment, non-residential tourism and leisure uses permitted by Policy EMP4.</u></p> <p><i>Amend Policy EMP9 as follows:</i></p> <p><b>Policy EMP9 - Sequential Assessment and Impact Test</b></p> <p><b>Proposals for retail development which are not located in the Primary Shopping Areas, or for other ‘main town centre uses’ which are not located within the town-centre boundaries of Ashford or Tenterden Town Centres (as defined in Policy SP4, EMP7 and EMP8 and set out on the Policies Map), and are not <del>in accordance with</del> <u>supported by</u> other policies in this plan, will only be permitted if all of the following criteria can be met:</b></p> <ul style="list-style-type: none"> <li>a) <b><u>A sequential assessment has been carried out, that <del>to demonstrates</del> that no suitable sites are available, first in the primary shopping area, for retail, or the town centre boundary for other town centre uses, then in edge of centre locations. Only if no sites are available in these locations should out of centre locations be considered in more central locations.</u></b> Preference will be given to sites that are well connected to the town centre;</li> <li>b) <b><u>The proposal, either by itself, or in combination with other committed development proposals, will not have a significant adverse impact on investment or the vitality and viability of a town centre harm significantly the vitality and viability of the relevant centre, or any significant adverse negative impact upon the town centres can be adequately mitigated. Proposals for retail, leisure and office development which are greater than 500 sqm will be required to carry out an impact assessment. Other main town centre uses will be required to carry impact assessments in line with the requirements of the NPPF.</u></b></li> </ul>
MM78	TRA2 – Strategic public parking facilities	<p><i>Amend supporting text and policy wording to read:</i></p> <p>5.245 In light of the above, the Study recognised that a flexible approach to parking was needed, one which can best respond to development as it comes forward in a way that caters for both the needs of long stay and short stay users. <u>This strategy is very much a part of the overall spatial aspiration for Ashford Town Centre, providing a net-increase in parking provision, in the right places and with the avoidance of further land-take, while providing opportunities for the redevelopment of less sustainable public parking land.</u></p> <p><b>Multi Storey Car Parks</b></p> <p>5.247 In Ashford town centre, delivering new multi-storey car parks (MSCPs) has been a long held aspiration of the Council and it remains a valid one. New MSCPs will provide the opportunity to redevelop some of the Town Centre’s existing surface level car parks – highly accessible and sustainable brownfield sites - through the decanting of spaces to new MSCPs <u>while obtaining a net gain in useful spaces.</u> In order to be successful, MSCPs generally need to be located in accessible locations near to shops and leisure facilities and in doing so tend to cater for the shorter term parking demand. They also need to be clean, attractive and provide a sense of safety for their users.</p> <p>5.248 <del>In the Ashford Town Centre Area Action Plan (2010), land was allocated to deliver two MSCPs by 2020. These were both required to meet the needs generated by significant levels of planned retail and leisure development, envisaged to come forward by 2020.</del> <u>Additional car parking facilities of between 700-900 spaces are estimated to be required in the town centre over the Plan period in order to accommodate the levels of growth envisaged in this Plan and support the vitality and viability of the town centre.</u></p> <p>5.249 <del>This Local Plan is not proposing to deliver such large scale of development in the Town Centre. Nevertheless, Surface car parking is recognised as being relatively</del></p>

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Page 147		<p><u>land-hungry and therefore MSCP provision is still seen as an important component of meeting parking needs in the longer term to respond to development coming forward, and remains a key Council aspiration. To avoid excessive land-take in the town centre for parking related to new development, it may be possible to deliver additional parking space (e.g. that required in TRA3b) by extending or decking existing public car parks, subject to a proportionate financial contribution (as per Policy IMP1). Early engagement with the Council should be a priority when considering any development in the town centre that is likely to require parking. Similarly, there may be an opportunity for joint working to deliver a MSCP as part of redevelopment proposals in the town centre.</u></p> <p>5.250 Although MSCPs tend to best serve short stay users, it is highly likely that they will also partially meet long stay demands, especially as new commercial development starts coming forward in the town centre, until such time that a new park and ride facility is operational <u>viable</u> which can cater for this demand in a more sustainable way.</p> <p>5.251 Should a MSCP be delivered, the Council may then wish to pursue the redevelopment of some its existing car parking stock in the town centre. These proposals will need to demonstrate that there is spare capacity in existing public parking stock serving the town centre, that is currently operational or which will be provided elsewhere as part of the redevelopment.</p> <p><b>Policy TRA2 - Strategic Public Parking Facilities</b></p> <p><b>The Council will prioritise <u>an aspiration for the delivery of two new multi-storey public car parks in Ashford Town Centre</u>, one of which will have an indicative capacity of 300 spaces, and at the other with an indicative capacity of 400 – 600 spaces.</b></p> <p><b><u>Proposals which would enable the delivery of these facilities on the site of an existing town centre car park in a sustainable location and on a viable basis will be supported. Likewise, major town centre development requiring parking in line with Policy TRA3b may be required to provide proportionate financial contributions towards the delivery of these facilities. Such provision could be in lieu of on-site parking provision for a proposed development.</u></b></p> <p><b><u>Proposals which would involve the removal or capacity reduction of a publicly-available car parking facility in the town centre, or which prejudice the ability to deliver multi-storey car parking, these facilities on a viable basis will be refused unless it has been agreed with the Borough Council that the facility is either no longer required or the alternative provision of the same amount of parking spaces can be delivered in a suitable location.</u></b></p>
MM79	<p><b>TRA3a - Parking Standards for Residential Development</b></p> <p><b>&amp;</b></p> <p><b>TRA3b - Parking Standards for Non Residential Development</b></p>	<p><i>Amend supporting text and policies as follows:</i></p> <p><b>Residential</b></p> <p>5.256 The NPPF allows Local Planning Authorities to set their own parking standards, providing that issues of local car ownership levels, accessibility, the nature and type of the development and the desire to reduce carbon emissions are taken into account.</p> <p>5.257 Ashford Borough is a large and diverse borough, with extensive rural areas in addition to Ashford town itself which has seen significant expansion over the last decades. A single approach to the provision of car parking is not appropriate for all developments coming forward across the borough during the plan period. This 'zonal' approach to parking standards has been part of the Council's approach for a number of years since the Residential Parking and Design Guidance SPD (2010) was first produced that set out the quantum and design of parking provision in new housing development in the borough.</p> <p><del>5.258 The approach taken in this SPD, has proven useful, robust and clear for all parties and has helped to deliver adequate parking spaces to support development in a way that delivers better quality places and environments which is a key aspiration of the Local Plan. As part of the preparation of this Local Plan the Council has revisited the standards in the its Residential Parking and Design Guidance SPD and revised them slightly in the 'suburban' and 'rural' areas by promoting supporting slightly higher minimum parking standards for certain types of residential uses. This is considered to better reflects a more realistic approach market demand and considering car ownership levels (now and future trends).</del></p> <p>5.259 For the town centre area (as identified under policy SP4) - and within the central areas of larger developments - a more significant change is now proposed. Here the Local Plan now advocates a minimum parking standard of 1 space per residential unit. This standard takes account of local circumstances including car ownership data (and future assumptions), historic problems of insufficient parking facilities in central areas and ensures that sufficient parking spaces are delivered to support development in this location.</p>

5.260 For the avoidance of doubt, the policy below supersedes the standards set out in the 2010 SPD ~~apart from the standards set out for visitor provision. Here the SPD standards should still be used. In addition,~~ with the key exception of the design and layout guidance contained within the existing SPD which remains valid and should be reflected in proposals coming forward.

Care should be taken to ensure that parking is well designed, easily accessible and is sympathetic to the surrounding environment. Unallocated parking spaces, including those required for visitor parking in residential areas, should be seamlessly integrated into the public realm to reduce the visual impact, and be suitably located so that they do not cause obstructions to the highway.

**Policy TRA3 (a) - Parking Standards for Residential Development**

**Proposals for residential development within the town centre area identified on the Policies Map or within ‘central areas’ of larger developments shall deliver a minimum parking standard of 1 space per residential unit on average. It is expected that all of this provision should be delivered on-site.**

**Proposals for residential development elsewhere shall achieve the following minimum parking standards:**

	<b>Suburban and Rural locations</b>
<b>1 bed dwelling</b>	<b>1 space per unit</b>
<b>2-3 bed dwelling</b>	<b>2 spaces per unit</b>
<b>4+ bed dwelling</b>	<b>3 spaces per unit</b>

**Visitor parking should be provided primarily off-plot in short stay car parks where available OR on-plot at 0.2 spaces per dwelling in major residential schemes where layout permits.**

**Parking to support residential development within the Borough shall follow the design, layout and accessibility guidance contained within the Council’s Residential Parking SPD.**

*Amend first sentence of Policy TRA3 (b) as follows:*

**Policy TRA3 (b) - Parking Standards for Non Residential Development**

**Proposals for non-residential developments within the Borough shall provide parking facilities to at least the following parking standards:**

*....Use class list of requirements unchanged.....*

*Insert new sentence:*

**Proposals not falling within the above use classes, including *sui generis* uses, should provide a level of parking proportionate to its activity, and be agreed with the Local Highway Authority and the Council.**

*Amend second part of policy and criteria a) b) and c) as follows:*

**In exceptional cases, ~~the Council may require proposals~~ may to depart from the standards in policies TRA3 (a) or TRA3 (b) if any of the following apply:-**



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		<p><b>a) A bespoke parking standard is included as part of site specific policy within this Local Plan that seeks to take into account specific local circumstances in that area;</b></p> <p><b>b) In order to take account of specific local circumstances that may require a higher or lower level of parking provision, including as a result of the development site's accessibility to public transport, shops and services, highway safety concerns and local on-street parking problems;</b></p> <p><b>c) Where an operator or potential occupier requires either more or less fewer parking spaces to cater for their specific operational needs, such requirements can be clearly evidenced and where their presence has wider planning benefits;</b></p>
<p>MM80</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 149</p>	<p><b>TRA4 – Promoting the local bus network</b></p>	<p><i>Amend supporting text to read:</i></p> <p>5.265 Providing a frequent, fast and high quality bus service can greatly improve bus patronage and in turn provide a viable service. In the past the Council - in liaison with the County Council and bus operators - has been successful in levering funds from the developers to support local bus provision.</p> <p>5.266 In the urban area, the bus service is relatively frequent and efficient, connecting the outskirts of the town with the town centre. However enhancements will be necessary to this network to ensure that it continues to offer a realistic alternative to private car trips where possible. Particular enhancements will be targeted towards key projects in and around Ashford town centre or on the key radial routes into the town centre, as this remains the key destination of the local bus network and where investment should therefore be prioritised.</p> <p>5.267 In the rural area, the bus service is less frequent which reflects both its size and nature but also the difficulties in providing a viable service here. However this provision provides a vital service for many residents in the rural area who do not have access to a car. Therefore, proportionate enhancements should be secured to deliver the most sustainable service possible in this location.</p> <p><u>Applicants will be required to consider the potential for bus patronage as part of development proposals, thus contributing to modal shift. This may be through the supplementing of additional services or the setting up of additional ones in liaison with the provider, depending on the location of the site and scale of the proposal. Where transport assessments are required as per Policy TRA8, the ability to demonstrate how the scope for additional bus patronage can be achieved through either existing bus services or improvements to those services will be important in assessing the sustainability of a proposal.</u></p> <p>5.268 The enhancements needed will be determined in agreement with the County Council and bus operators and will be secured either through S106 contributions, where they relate to more localised projects, or site specific enhancements, or CIL monies where they relate to more strategic enhancements. The scale and timing of any contribution will be agreed between the relevant parties with a view of ensuring that the attractiveness of the bus service is maximised where possible.</p> <p>5.269 The enhancements that will be sought <u>will be proportionate to the scale and location of development, but</u> could include the delivery of bus priority measures, the provision of new or alteration/expansion of existing routes and services, contributions towards bus-related infrastructure and operational subsidy for the service in the early years of a development.</p> <p>5.270 The Infrastructure Plan that supports this Local Plan identifies bus priority measures necessary to deliver better access for bus services to the town centre. However, it is recognised that as new schemes come forward over the Plan period, new projects will be identified in order to ensure that a sustainable bus network in the Borough is maintained, as far as is practical. S106 contributions will be secured to help deliver these projects as appropriate.</p> <p><i>Amend Policy TRA4 as follows:</i></p> <p><b>Policy TRA4 - Promoting the local bus network</b></p> <p><b><del>The Council, in liaison with the County Council, will seek enhancements to the local bus network in order to meet the additional demands created by new development as it comes forward.</del></b></p>

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		<p><b><u>The potential for bus patronage should be considered as part of any proposal for new residential or commercial development. Applications should demonstrate whether modal shift in favour of public transport can be achieved through existing bus services or improvements to the network as a key determinant of the scheme’s sustainability. This should be demonstrated through a Travel Plan, Assessment or Statement (submitted under Policy TRA8).</u></b></p> <p><b>These Enhancements could include the delivery of bus priority measures, the provision of a new service or the alteration/expansion of an existing service, contributions towards bus-related infrastructure and operational subsidy for the service in the early years of occupation of the development.</b></p> <p><b>Where S106 contributions are sought, their scale and timing shall be agreed by the borough and county council following consultation with relevant bus operators, prior to the granting of planning permission.</b></p>
<p>MM81</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 150</p>	<p><b>TRA7 – The road network and development</b></p>	<p><i>Amend supporting text and policy as follows:</i></p> <p>5.276 The roads within the Borough can be classified as follows:</p> <ul style="list-style-type: none"> <li>• Primary routes: These roads form the primary network for the Borough as a whole. All long distance vehicle movements between the main settlements in the Borough and beyond the Borough should be targeted towards these routes as they have the most capacity and have been designed to accommodate proportionately more traffic movements than other routes.</li> <li>• Secondary routes: These roads distribute traffic within residential and commercial areas of the Borough's settlements and include many rural roads which link some of the smaller settlements to the primary network. Much of the borough is made up of these routes which greatly contribute to its attractive and rural character.</li> <li>• Local distributors: These roads distribute traffic within neighbourhoods. The form the link between secondary distributors and access roads.</li> <li>• Access roads: These road give direct access to buildings and land within neighbourhood.</li> </ul> <p><u>Roads are not only important as an engineered product of the highways system, but can have important multiple functions in the remit of landscape character (see Policy ENV3a), rural character (see Policy ENV5) and cultural heritage (see Policy ENV13). Routeways have for centuries provided connections for non-motorised forms of traffic, and the identity of many of Ashford Borough’s rural areas and communities have been shaped by these routes.</u></p> <p><u>Many of these former ‘sunken tracks’ or ‘drovers routes’ now form important functions in the highways network that was never envisaged previously, and care is needed to attend to the multifunctional personality of these routes is not sacrificed either through degradation through overuse and congestion, or insensitive upgrading, but with an imperative to maintain and wherever possible to enhance the safety of all road users.</u></p> <p>5.277 Within the context of the NPPF and its desire to deliver sustainable development, most of the traffic generated by development should be targeted towards the primary and secondary route network in the borough. Other routes should not be subject to inappropriate levels of traffic generation or unsuitable traffic movements.</p> <p><b>Policy TRA7 - The Road Network and Development</b></p> <p><b>Developments that would generate significant traffic movements must be well related to the primary and secondary road network and <del>this should have adequate capacity to accommodate the development.</del> New accesses and intensified use of existing accesses onto the primary or secondary road network will not be permitted if a clear risk of road traffic accidents or significant traffic delays would be likely to result.</b></p> <p><b><u>In rural areas, Pproposals which would generate levels and types of traffic movements, including heavy goods vehicle traffic, beyond that which local the rural roads could reasonably accommodate in terms of capacity and road safety will not be permitted.</u></b></p> <p><b><u>Applicants must demonstrate that traffic movements to and from the development can be accommodated, resolved, or mitigated to avoid severe cumulative residual impacts. In some cases, this may require exploring the delivery of mitigation measures prior to the occupation of a development. Consideration of mitigation and impact will be assessed through the fulfilment of the requirements of Policy TRA8.</u></b></p>

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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 151</p>	<p><b>ENV1 – Biodiversity</b></p>	<p>5.298 The Borough is also home to 83 Local Wildlife Sites (LWS), formerly known as Sites of Nature Conservation Interest, identification of which is overseen by the Kent Nature Partnership. In addition, there are 3 Local Nature Reserves, the Ashford Green Corridor, Hothfield Common and Poulton Wood, Aldington. These sites are important elements of the borough’s biodiversity assets and contribute to the promotion, <del>preservation</del> <u>conservation</u>, restoration and re-creation of ecological networks. The Council therefore expects that they will be <del>protected</del> <u>conserved</u> and enhanced in new development that arises during the lifetime of this Plan. All the national and locally important biodiversity sites are listed in Appendix 4 of this Plan.</p> <p>5.299 Recent years have seen a recognition that the planning system should, in addition to the <del>protection</del> <u>conservation</u> of individual sites and species, move towards a more integrated landscape scale approach to improving biodiversity. In this regard, this Local Plan supports the aims and objectives of the Kent Biodiversity Strategy as they relate specifically to the Biodiversity Opportunity Areas (BOAs) of this Borough, to ensure that the priority habitats and species of each BOA are <del>protected</del> <u>conserved</u> and enhanced in new development. Ashford Borough encompasses parts of 8 of Kent’s BOAs, a reflection of its particularly diverse natural environment. A map of these BOAs can be located in Chapter 7 of this Local Plan.</p> <p><i>Amend policy wording as follows:</i></p> <p><b>Proposals that conserve and enhance biodiversity will be supported. <u>Proposals for new development should identify and seek opportunities to incorporate and enhance biodiversity should be identified.</u> In particular, development should take opportunities to help connect and improve the wider ecological networks.</b></p> <p><b>Proposals should safeguard features of nature conservation interest and should include measures to retain, <del>protect</del> <u>conserve</u> and enhance habitats, including BAP (Priority) habitats, and networks of ecological interest, including ancient woodland, water features, ditches, dykes and hedgerows, as corridors and stepping stones for wildlife.</b></p> <p>...</p> <p><b>Where harm to biodiversity assets cannot be avoided, appropriate mitigation will be required in line with a timetable to be agreed with the Local Authority. Normally any mitigation measures will be required to be delivered on-site, unless special circumstances dictate that an off-site model is more appropriate. A financial contribution - in lieu of <u>on-site</u> mitigation - will only be considered in very exceptional circumstances <u>and where it is demonstrated that the proposed mitigation is deliverable and effective.</u></b></p>
<p>MM83</p>	<p><b>ENV2 – The Ashford Green Corridor</b></p>	<p><i>Amend paragraph 5.310:</i></p> <p>5.310 All development proposals on land within or adjoining the Green Corridor designation must demonstrate that the proposal would not harm the overall environment, biodiversity value, visual amenity, movement networks or existing functions of the Green Corridor. All proposals <u>within</u> must make a positive contribution to the Green Corridor in respect of its environment, biodiversity, visual amenity, movement networks or functioning <del>and</del>. Development on sites adjoining the corridor must also take into account its impact on the setting <u>as design of these sites can have a significant effect on the character and appearance of the Corridor. Positive enhancements in this regard, along with improvements to the movement network and other key functions will be encouraged.</u></p> <p><i>Amend policy wording as follows:</i></p> <p><b>The protection and enhancement of Ashford’s Green Corridor is a key objective.</b></p> <p><b>Development proposals within the identified Corridor designation (and proposed extensions) will be permitted, providing that it is compatible with, or ancillary to, their principal open space use or other existing uses <del>within them</del>, and it can be demonstrated that the proposal would not <u>cause significant harm to</u> the of the overall environment, biodiversity, visual amenity, movement networks or functioning of the Green Corridor.</b></p> <p><b>Other forms of development proposals <del>including those relating to an existing use</del> within the Green Corridor will not be permitted, unless it would be in accordance with a site specific policy in this Local Plan; or where it relates to a) the redevelopment of a suitable brownfield site or b) delivers overriding benefits, and in either scenario, that it can be demonstrated that there would be no significant harm to the environment, biodiversity, visual amenity, movement networks or function of the Green Corridor.</b></p>

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		<p>Development proposals on land adjoining the Green Corridor shall provide suitable access and links to the existing <u>movement networks</u> of the adjoining Green Corridor wherever possible, <u>must not cause significant harm to any of the key features and functions</u> and <u>should</u> make a positive contribution to the Green Corridor in respect of its environment, biodiversity, visual amenity, movement networks or functioning and its setting.</p> <p>Development proposals must take into consideration the appraisals, projects and management recommendations set out for the specific areas in the Ashford Green Corridor Action Plan, including the identified proposed extension areas to the designation.</p>
MM84	ENV3a - Landscape character and design	<p><i>Delete criteria i) and replace with additional sentence to end of policy:</i></p> <p><del>i) Existing features that are important to the local landscape character shall be retained and incorporated into the proposed development;</del></p> <p><b><u>Existing features that are important to and contribute to the definition of the local landscape character shall be retained and incorporated into the proposed development.</u></b></p>
MM85	ENV3b – Landscape character in the AONBs	<p><i>Amend policy wording as follows:</i></p> <p><b>ENV3b – Landscape Character and Design in the AONBs</b></p> <p><b><u>The Council shall have regard to the purpose of conserving and enhancing the natural beauty of the Kent Downs and High Weald AONBs, should be conserved, and where appropriate enhanced or restored, in accordance with their landscape significance.</u></b></p> <p>Major development proposals within the AONBs will only be permitted in exceptional circumstances and where <u>it is demonstrated</u> they are in the public interest.</p> <p><b><u>Other All Pproposals within and/or affecting the setting of AONBs will also only be permitted under the following circumstances:</u></b></p> <ul style="list-style-type: none"> <li>• The location, form, scale, materials and design would conserve and enhance <u>and where appropriate enhance or restore</u> the character of the landscape.</li> <li>• The development would enhance the special qualities, distinctive character and tranquillity of the AONB.</li> <li>• The development <del>conforms with</del> <u>has regard to</u> the relevant AONB management plan and any associated guidance.</li> <li>• The development demonstrates particular regard to those characteristics outlined in Policy ENV3a, proportionate to the high landscape significance of the AONB.</li> </ul>
MM86	ENV4 – Light Pollution and dark Skies	<p><i>Add new supporting text following paragraph 5.319 as follows:</i></p> <p><u>There is an increasing demand for artificial lighting for safety (road schemes etc.), crime prevention (security lighting) and for leisure activities (floodlighting of sports facilities), etc. Linked with this increasing demand has been a rise in the number of complaints about obtrusive light received by local authorities. This combination of circumstances has raised the profile of obtrusive light as an environmental issue.</u></p> <p><u>Obtrusive light is generally a consequence of poorly designed or insensitive lighting schemes. The main problems associated with obtrusive light are:</u></p> <ul style="list-style-type: none"> <li>• <u>Sky glow - the orange glow we see around urban areas caused by a scattering of artificial light by dust particles and water droplets in the sky;</u></li> <li>• <u>Glare - the uncomfortable brightness of a light source when viewed against a darker background; and</u></li> <li>• <u>Light trespass - light spilling beyond the boundary of the property on which a light is located.</u></li> </ul> <p><u>Each of the three types presents very different problems for the general public and for the environment as a whole.</u></p>

As per guidance established by the Institution of Lighting Professionals (ILP, 2011), the borough has been divided into distinct “Environmental Zones” based on global satellite radiance data, to determine suitable local thresholds and standards for external lighting. These are presented in the table below:

<b>Obtrusive Light Limitations for Exterior Lighting Installations as appropriate for Ashford Borough</b>		
<b>Zone</b>	<b>What is acceptable?</b>	<b>Where does it apply?</b>
<b>E0</b>	No decorative lighting acceptable.  Security lighting acceptable only in exceptional circumstances.	Designated ‘dark sky’ zone
<b>E1</b>	External lighting to be limited to accord with ILP lighting guidance for this zone.  Decorative lighting generally inappropriate.  All lighting must be extinguished after 23:00 except in exceptional circumstances.	AONBs; SSSIs; rural areas outside of HOU3a rural settlements
<b>E2</b>	For large-scale developments, lighting levels should accord with ILP technical guidance for this zone. Where development takes place, strict control of new street lighting.  All lighting must be extinguished after 23:00 except in exceptional circumstances	Within identified HOU3a rural settlements (excluding Tenterden High Street)
<b>E3</b>	External lighting levels should accord with ILP technical guidance for this zone.	Extensions to the Ashford urban area and Tenterden High Street
<b>E4</b>	External lighting levels should accord with ILP technical guidance for this zone. Street lighting proposals should be carefully planned and specified to achieve best practice in light pollution control.	Within the Ashford urban area

*Amend policy wording as follows:*

**Policy ENV4 – Light Pollution and Promoting Dark Skies**

**Proposals will be permitted provided that the lighting proposed is the minimum appropriate for its purpose, is designed such that lighting is directed downwards, with a beam angle below 70 degrees and that no significant adverse effects individually or cumulatively will result to the character of the area, the residential amenity of local residents, the safety of vehicle users and pedestrians or the diurnal / seasonal rhythms of the Borough’s biodiversity assets.**

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		<p><b><u>The correlated colour temperature (CCT) of outdoor lighting should not exceed 3000 Kelvins in order to limit the effects of known environmental hazards associated with short-wavelength visible light.</u></b></p> <p><b>Proposals where external lighting is required should include a full lighting scheme that provides information about layout and beam orientation, a schedule of the light equipment proposed including luminaire type, mounting height, aiming angles and lumen unit levels. <u>Schemes will be expected to comply with ILP technical guidance in relation to the Environmental Zone in which an application is proposed.</u></b></p> <p><b>Within the area proposed to be designated as a ‘dark sky zone’, proposals will only be permitted where they adhere to the above requirements and where they can demonstrate that there will be no significant adverse effects on the visibility of the night sky or its intrinsically dark landscapes.</b></p> <p><b>All proposals will be expected to <del>comply with</del> <u>demonstrate clear regard to</u> the guidance and requirements set out in the Council’s Dark Skies SPD (2014).</b></p>
MM87	<b>ENV5 – Protecting important Rural features</b>	<p><i>Add an additional paragraph to supporting text after 5.322:-</i></p> <p><u>Local historic and landscape features, whether designated or not, may provide elements which create local legibility or reference points of meaning to the local community and can also be important in establishing character. Where such features have been identified by Parish Councils or recognised local community organisations in a Parish or Neighbourhood Plan (or an equivalent document), development should also have regard to the need to protect, or where possible, enhance those features.</u></p> <p><b>Policy ENV5 – Protecting important rural features</b></p> <p><b>All development in the rural areas of the Borough shall protect and, where possible, enhance the following features:</b></p> <p>a) <b>ancient woodland and semi-natural woodland;</b>  b) <b>river corridors and tributaries;</b>  c) <b>rural lanes which have a landscape, nature conservation or historic importance; and</b>  d) <b>public rights of way; <u>and,</u></b></p> <p><b><u>e) other local historic or landscape features that help to distinguish the character of the local area.</u></b></p>
MM88	<b>ENV6 – Flood Risk</b>	<p><i>Amend Policy opening and criterion a) as follows:</i></p> <p><b>Proposals for new development should contribute to an overall flood risk reduction.</b></p> <p><b>Development will only be permitted where it would not be at an unacceptable risk of flooding <u>on the site itself</u>, and there would be no increase to flood risk elsewhere.</b></p> <p><b>The sequential test and exception tests established by the National Planning Policy Framework will be strictly adhered to across the Borough, with new development preferably being located in Flood Zone 1. <del>In exceptional circumstances w</del><u>Where it is demonstrated development is unable to take place in an area of lower flood risk, the tests above cannot be met,</u> essential transport or utility infrastructure, or other development <del>on brownfield sites</del> may be allowed <u>as per an exception test</u> if the development is designed to be compatible with potential flood conditions, and:</b></p> <p><b><del>a) there are no alternative sites in a lower flood risk zone, and</del></b></p>
MM89	<b>ENV8 – Water Quality, Supply and Treatment</b>	<p><i>Amend supporting text and policy as follows:</i></p> <p>5.341.3 With regard to the sewerage system (network of sewers and associated facilities that convey wastewater to the treatment works for treatment), developers will be required to work in collaboration with the service provider to ensure that the infrastructure is delivered in parallel with the development. New residential and commercial development will be permitted only if sufficient capacity is either available, or can be provided in time to serve it. Where there is insufficient capacity in the sewerage network developments will be required to provide a connection to the sewerage system at the nearest point of adequate capacity. <u>In circumstances where</u></p>

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Page 155		<p><u>there is no mains connection within reasonable distance to connect to, alternative proposals should be considered.</u></p> <p>5.342 The majority of Ashford’s water supply comes from large underground chalk and greensand aquifers that need regular replenishment over sustained periods. These aquifers are currently over abstracted and over licensed and there is a presumption against further consumptive abstraction. As well as being important sources of drinking water, groundwater provides rivers with their based-flow which if not maintained can be detrimental to water quality. <u>For development proposals in Groundwater Protection Zones (Source Protection Zones and/or Groundwater Vulnerability Zones), it will be necessary to investigate and risk assess the potential for any adverse effects on groundwater supplies in consultation with the Environment Agency. DEFRA is proposing [...]</u></p> <p>5.343 The Water Framework Directive (WFD) is the legal framework established to protect and restore clean water throughout Europe. <u>For sites adjacent to main rivers in the borough, development must respect the river corridor, through the provision of, for example, a suitable buffer zone from the top of the river banks.</u> A key target of the WFD is to achieve ‘good’ status by 2021 or 2027. Aylesford Stream on the East Stour was previously the only waterbody within East Kent achieving ‘Good’ WFD status but the latest cycle (2) shows that that it is no longer meeting WFD objectives. Whilst pollution from wastewater has a significant impact on water quality other impacts such as road runoff, rural discharge from farming practices and low rainfall combined with widespread water abstraction and physical modifications also contributed to poor water quality.</p> <p>5.344 New development must ensure that there are no direct or indirect adverse effects on the quality of water supplies <u>sources in the borough.</u></p> <p><b>Policy ENV8 - Water Quality, Supply and Treatment</b></p> <p><b>Major proposals for new development must be able to demonstrate that there are, or will be, adequate water supply and wastewater treatment facilities in place to serve the whole development, or where development is being carried out in phases, the whole of the phase for which approval is being sought. Improvements in these facilities, the timing of their provision and funding sources will be key to the delivery of development.</b></p> <p><b>All development proposals must provide a connection to the sewerage system at the nearest point of adequate capacity <u>wherever feasible</u>, as advised by the service provider, and ensure future access to the existing sewerage systems for maintenance and upsizing purposes.</b></p> <p><b>Schemes that would be likely to result in a reduction in the quality or quantity of groundwater resources will not be permitted. The Council will support, in principle, infrastructure proposals designed to increase water supply and wastewater treatment capacity subject to there being no significant adverse environmental impacts and the minimisation of those that may remain.</b></p> <p><b><u>Where a site overlies a Groundwater Protection Zone an appropriate site investigation and risk assessment may be required to be undertaken in consultation with the Environment Agency prior to any grant of planning permission.</u></b></p>
MM90	<b>ENV9 – Sustainable Drainage</b>	<p><i>Amend supporting text as follows:</i></p> <p>5.346 Water supply, flood risk and water quality have all been identified as critical constraints to the sustainable growth of Ashford. Ashford’s water environment needs to be managed carefully and the multi-benefits of implementing SuDS within local developments cannot be overstated.</p> <p>5.347 SuDS can make a real different to flood risk by managing the quantity of surface water runoff from development, they can also moderate flow rates and prevent sudden water level rises following heavy rain. SuDS can significantly reduce harm to valuable water resources by retaining water within the local hydrological system as well as protecting water resources from pollution by filtering run-off. SuDS can form an integral part of both soft or hard landscaping and can contribute to the quality of green space for the benefit of amenity, recreation and wildlife. SuDS may also allow new development in areas where existing drainage systems are close to capacity, thereby enabling development within existing urban areas.</p> <p>5.348 The Flood and Water Management Act 2010 introduced the concept of flood risk management into law and sets out the intention for SuDS in all new development. The NPPF requires LPAs to minimise vulnerability and provide resilience to the impacts of climate change, and requires all new developments in areas at risk of flooding to give ‘priority to the use of sustainable drainage systems’. The Government have recently made changes to the NPPF making it clear that they expect SuDS to be provided in all new major development wherever it is appropriate. DEFRA have published ‘non-statutory technical standards for sustainable drainage systems’ which provides guidance on minimum standards of design, maintenance and operation of SuDS systems and sits alongside the Planning Practice Guidance. These documents together with the</p>

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Ashford Stage 1 Surface Water Management Plan provide information and guidance in formulating planning proposals.

5.349 The Ashford Integrated Water Management Study identified that SuDS with restricted discharges would be integral to managing flood risk as Ashford grows.

5.350 SuDS are designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible. The four pillars of a successful integrated SuDS system include the provision of amenity, biodiversity, landscaping, and water quality control. SuDS also provide opportunities (in line with NPPF) to:

- reduce the causes and impacts of flooding;
- remove pollutants from urban run-off at source;
- combine water management with green space with benefits for amenity, recreation and wildlife.

5.351 In April 2015 KCC, as Lead Local Flood Authority for Kent, become a statutory consultee as per national requirements following a parliamentary statement in December 2014. Kent County Council have an adopted "Drainage and Planning Policy Statement" which should inform development of drainage schemes. There are also situations where consultation with the Environment Agency will be necessary in relation fluvial flood risk, water quality, biodiversity and groundwater protection, which may impact measures proposed for surface water management.

5.352 A recent discharge rates assessment based on the latest flood modelling for Ashford confirms the potential to reduce flood risk in Ashford through development appropriately managing and ultimately reducing site runoff rates through new development will assist in ensuring that the floodplain extents within Ashford do not increase even in light of expected changes in rainfall intensity as a result of predicted climate change.

5.353 The findings of the Discharge Rates Assessment demonstrated that the ~~current Ashford Borough Council SuDS SPD policy (CS20)~~ standard of 4 l/s/ha is difficult to achieve when applying to small site developments. The infrastructure required to store the quantity of water needed to achieve this discharge rate would not be feasible within smaller sites, as long term storage requires large areas of land. Therefore, on sites below 0.25ha it is advised that a maximum discharge limit of 2l/s is sought through the incorporation of flow-control devices.

5.354 The Discharge Rates Assessment also recommended that discharge requirements should be based on site specific conditions and monitoring (if available). By undertaking site-specific studies, a detailed analysis of what SuDS could be implemented into the site could also be achieved.

5.355 Finally, it was also ~~recommended~~ noted that the Council should could consider a higher discharge rate than 4 l/s/ha to apply for some brownfield sites borough-wide if the site is brownfield. This study has outlined that the majority of the allocated sites in this plan would be capable of accommodating drainage infrastructure that would be able to discharge to half-capacity within 24 hours, based on a discharge rate of 5 l/s/ha.

5.356 In light of the recommendations of this report, ~~the SPD is to be updated~~ a more focused approach will be taken to reflect recent changes in local and national policies with respect to the requirements for discharge runoff rates throughout the borough and recent government changes on SuDS. These changes will seek to continue the reduction in flood risk through development across the borough, targeting larger sites where multifaceted benefits can be obtained by the introduction of appropriate SuDS and discharge rate reduction. ~~The discharge rates will also be simplified to be more aligned with current guidance / established best practice wherever possible to ensure a robust reasoning behind the policy document. Moreover, discharge rates will be more site specific and should~~ Drainage should seek to mimic the current drainage regime for a site, whilst also reducing the peak discharges and volumes from the critical storms, paying keen attention to drainage destination. The ultimate aim of the policy is to improve flood risk management in the Borough through future development.

~~5.357 The existing Sustainable Drainage SPD (2010) rates remain in place until such time that an updated Sustainable Drainage SPD is released, unless alternative discharge rates are agreed by the Council in consultation with KCC as Lead Local Flood Authority.~~

~~5.358 The updated Sustainable Drainage SPD is anticipated to recommend the following discharge rates based upon the Discharge Rates Assessment:~~

- **Greenfield**—Discharge rates for undeveloped sites should discharge at a maximum of 5l/s/ha, or 10% below current greenfield rates for the existing 1:100 storm event, whichever is lower. There must be no increase in discharge rate from less severe rainfall events, with evidence submitted to demonstrate this principle.
- **Previously Developed**—Discharge rates for previously developed sites must meet at a minimum a reduction of 10% of existing runoff rates where this existing



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		<p><del>discharge rate can be established or 10.26l/s/ha where this cannot be established; but must endeavour to achieve 5 l/s/ha or seek to achieve 50% reduction from existing runoff rates for the site (where this can be established).</del></p> <p>5.359 <del>The above proposals set out the continuation of</del> <u>discharge rates outlined below will enable continued success in reducing runoff rates within the Borough through development.</u></p> <p>5.360 Within the Ashford Borough, the requirement for the inclusion of SuDS within major development has been extended beyond that set out within the NPPF, and also includes minor developments. Permitted developments are also encouraged to integrate SuDS into schemes.</p> <p>5.361 Developers will normally be expected to make provision for SuDS on-site where it is practical to do so. <del>As an</del> <u>In the unlikely case of an</u> exception, where SuDS cannot be achieved on developments in the Ashford urban area, developers will be required to make suitable in-lieu financial contributions through Section 106 Agreements. Consideration should also be given to 'strategic SuDS' where a limited number of attenuation and treatment areas are needed downstream in areas of significant planned development.</p> <p>5.362 The Council expects SuDS to form an integral part of the development design process. This is because successful SuDS require a range of discharge or infiltration techniques that need to be designed in a sequential order. Whilst primarily used to attenuate runoff, early consideration of SuDS provides the opportunity to design-in other benefits which will deliver more sustainable developments. Whilst it is acknowledged that some sites can be more challenging than others, SuDS can be applied to any site. For the reasons set out above, the Council advocates the use of masterplanning in SuDS. Useful guidance on how to successfully integrate SuDS through the masterplanning process has been development by KCC in "Water.People.Place." Kent County Council as Lead Local Flood Authority and statutory consultee has also produced a Drainage and Planning Policy Statement which should be referred to in the consideration of planning applications.</p> <p><i>Amend policy wording as follows:</i></p> <p><b>All development should include appropriate sustainable drainage systems (SuDS) for the disposal of surface water, in order to avoid any increase in flood risk or adverse impact on water quality, and to mimic the drainage from the pre-developed site.</b></p> <p><b><u>On greenfield sites, development should discharge at a maximum of 4l/s/ha, or 10% below current greenfield rates for the existing 1:100 storm event, whichever is lower. There must be no increase in discharge rate from less severe rainfall events, with evidence submitted to demonstrate this principle.</u></b></p> <p><b><u>On Previously Developed Land, development must endeavour to achieve 4 l/s/ha runoff or seek to achieve 50% reduction of existing peak runoff rates for the site where existing discharge rates can be established.</u></b></p> <p><b><u>On smaller sites (less than 0.25ha), development should achieve a maximum discharge of 2l/s.</u></b></p> <p><b>Any SuDS scheme <u>must demonstrate regard to</u> <del>should be compliant with</del> the adopted Sustainable Drainage SPD and any subsequent revisions.</b></p> <p><b>SuDS features should always be the preferred option and provided on site wherever practicable. <del>In the Ashford urban area if this cannot be achieved, then more strategic forms of SuDS may be appropriate. In such circumstances, developers will need to contribute towards the costs of provision via Section 106 Agreements.</del></b></p>
MM91	Policy ENV10 – Renewable and Low Carbon Energy	<p><i>Amend paragraph 5.379 and 5.380 as follows:</i></p> <p>5.379 Following concerns by local communities into the insufficient weight given to the environment with regard to landscape, heritage and local amenity in relation to wind farms, the government issued a statement (6 June 2013) <u>updated national guidance, making it clear that local planning authorities should only grant planning permission if the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing. No such areas are identified in this local plan and thus on-shore wind energy is not anticipated to be acceptable unless an area is identified in a Neighbourhood Plan. <del>expecting local plans to include policies to ensure the adverse impact from wind farms, including cumulative landscape and visual impact are addressed satisfactorily.</del></u></p>

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Page 158		<p>5.380 <del>The government intends to amend legislation so that LPAs will handle all planning applications for onshore wind energy development. Kent Downs AONB JAC has produced a Renewable Energy Position Statement (Updated June 2011) in which it states that due to the high sensitivity of the Kent Downs AONB it considers that large scale commercial wind turbine developments will be unacceptable. The statement also considers it extremely unlikely that any location can be found in or within the setting of the AONB where field-scale solar PV arrays, such as solar farms, does not have a significant adverse effect on the landscape. National policy guidance also highlights the need to focus large scale solar farms on previously developed land and non-agricultural land and as a last resort, low grade agricultural land. This greatly limits the availability of potential sites within the Borough.</del></p> <p><i>Amend Policy ENV10 as follows:</i></p> <p><b>Policy ENV10 - Renewable and Low Carbon Energy</b></p> <p><b>Planning permission <u>applications</u> for proposals to generate energy from renewable and low carbon sources will be permitted provided that:</b></p> <ul style="list-style-type: none"> <li>a) <b>The development, either individually or cumulatively does not result in significant adverse impacts on the landscape, natural assets or historic assets <del>(including their setting)</del>, <u>having special regard to nationally recognised designations and their setting, such as AONBs, Conservation Areas and Listed Buildings</u>;</b></li> <li>b) <del>The scale and design of renewable energy provision is compatible with the character and appearance of the area, having special regard to nationally recognised designations and their setting, such as AONBs, Conservation Areas and Listed Buildings;</del></li> <li>c) <b>The development does not generate an unacceptable level of traffic or loss of amenity to nearby residents (visual impact, noise, disturbance, shadow flicker, odour);</b></li> <li>d) <b>Provision is made for the decommissioning of the infrastructure once operation has ceased, including the restoration of the site to its previous use;</b></li> <li>e) <b>Evidence is provided to demonstrate effective engagement with the local community and local authority.</b></li> </ul> <p><b><u>A Sustainability Assessment statement</u> should be submitted alongside any planning application illustrating <del>the social, environmental and economic benefits of the proposal against this</del> <u>how the proposal complies with the criteria above</u> <del>criteria</del> and any mitigation measures necessary, <u>and be informed by a Landscape and Visual Impact Assessment.</u></b></p>
MM92	Policy ENV13 – Conservation and enhancement of Heritage assets	<p><i>Amend policy wording as follows:</i></p> <p><b>Proposals which <del>protect, conserve</del> <u>preserve and or</u> enhance the heritage assets of the Borough, sustaining and enhancing their significance and the contribution they make to local character and distinctiveness, will be supported. Proposals that make sensitive use of heritage assets through regeneration, particularly where these bring redundant or under-used buildings and areas into appropriate and viable use consistent with their conservation, will be encouraged.</b></p> <p><b>Development will not be permitted where it will cause loss or substantial harm to the significance of heritage assets or their settings unless it can be demonstrated that substantial public benefits will be delivered that outweigh the harm or loss.</b></p> <p><b><u>Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, or where a non-designated heritage asset is likely to be impacted, harm will be weighed against the public benefits of the proposal, including securing the optimum viable use of the heritage asset.</u></b></p> <p><b>All applications which <del>will</del> <u>with potential to</u> affect a heritage asset or its setting should be supported by a description of the asset's historic, architectural or archaeological significance with an appropriate level of detail relating to the asset and the likely impact of the proposals on its significance.</b></p>
MM93	Policy ENV14 – Conservation Areas	<p><i>Amend supporting text as follows:</i></p> <p>5.403 The variety of building styles dating from different periods frequently adds character and interest to Conservation Areas. Innovative design can be appropriate, provided that it is of the highest quality and is sensitive to the context of the site and its setting within the Conservation Area. Therefore, development proposals coming forward within Conservation Areas should have regard to the layout and grain of buildings, streets and spaces and should reflect and <u>wherever possible, enhance local</u></p>

Page 159		<p>distinctiveness through the retention of building lines, and attention to boundary treatments, open spaces and footpaths.</p> <p><i>Amend the policy to read as follows:-</i></p> <p><b>Policy ENV14 - Conservation Areas</b></p> <p><b>Development or redevelopment within Conservation Areas will be permitted provided such proposals preserve or enhance the character and appearance of the area <u>and its setting</u>.</b></p> <p><b>Proposals should fulfil each of the following:</b></p> <p><b>a) the scale and detailed design of all new development and alterations should respect the historical and architectural character, proportion and massing, including roofscapes, of the area, the relationship between buildings, the spaces between them and with their setting;</b></p> <p><b>b) the materials proposed should be appropriate to the locality and <del>in sympathy with</del> <u>complement the those of</u> existing buildings;</b></p> <p><b>c) buildings and streets of townscape character, trees, open spaces, walls, fences or any other features should be retained where they contribute positively to the character and appearance of the area;</b></p> <p><b>d) the development should not generate levels of traffic, parking or other environmental problems which would damage <u>result in substantial harm to the character, or appearance or significance</u> of the area; and</b></p> <p><b>e) the use should be appropriate <u>to and compatible with the character, appearance and historic function of the area.</u></b></p> <p><b><u>f) the development would not prejudice important views into or out of the conservation area.</u></b></p> <p><del>Proposals for inappropriate demolition, alteration or extension of buildings in Conservation Areas or which could prejudice important views into or out of a Conservation Area, will be resisted where such proposals would be detrimental to their character or setting.</del></p>
MM94	ENV15 – Archaeology	<p><i>Add paragraph to supporting text as follows after Paragraph 5.404:</i></p> <p><u>“Significance” is defined in the NPPF as the value of a heritage asset to this and future generations because of its heritage interest. More information on the significance of heritage assets in Ashford Borough can be found in the adopted Ashford Heritage Strategy (2017). However, on a site-by-site basis, archaeological investigation in areas of archaeological potential or where unexpected finds have occurred should include an analysis of archaeological significance, and would include recommendations designed to ensure that any development does not damage or destroy any potential archaeological remains, ensuring important remains are properly recorded and, as relevant, preserved.</u></p> <p><i>Amend Policy wording to read as follows:</i></p> <p><b>The archaeological and historic integrity of Scheduled Monuments and other important archaeological sites, together with their settings, will be protected and where possible enhanced. Development which would adversely affect such designated heritage assets will <u>be assessed in line with Policy ENV13</u> <del>not be permitted</del>.</b></p> <p><del>Planning applications, on sites where there is, or is the known potential for, an archaeological heritage asset, should include an appropriate desk-based assessment of the asset.</del></p> <p><b>In addition, where <u>the assessment outlined in Policy ENV13 reveals that</u> important or potentially significant archaeological heritage assets may exist, developers will be required to arrange for field evaluations to be carried out in advance of the determination of planning applications.</b></p>

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		<p><b>Where the case for development affecting a <del>heritage asset site</del> <u>site</u> of archaeological interest is accepted, the <u>any</u> archaeological remains should be preserved in situ as the preferred approach. Where this is not possible or justified, appropriate provision for preservation by record may be an acceptable alternative <u>dependent on their significance</u>. Any archaeological recording should be by an approved archaeological body and take place in accordance with a specification and programme of work to be submitted to and approved by the Borough Council in advance of development commencing.</b></p>
<p>MM95</p>	<p><b>COM1 – Meeting community’s needs</b></p>	<p><i>Amend paragraph 5.424 as follows:</i></p> <p>5.424 Broadly, this approach will continue, with the Council consulting the local education authority to determine where an education contribution should be sought. <u>The Council will seek contributions through S106, where it would accord with the CIL regulations and national guidance. In most circumstances the Borough Council will only seek contributions from the larger schemes, in light of the S106 pooling restrictions. CIL receipts are <u>may</u> also likely to be required in the future.</u></p> <p><i>Insert additional paragraph following 5.428:</i></p> <p><u>The Council’s current approach is to require developer contributions through S106 on behalf of the local health authority for new or improved healthcare facilities, and this will continue. In order to meet the needs for new healthcare facilities resulting from development set out in this Plan, the Council will seek contributions through S106 where it would accord with the CIL regulations and national guidance. CIL receipts may also be required in the future.</u></p> <p><i>Amend Policy COM1 as follows:</i></p> <p><b>Infrastructure and facilities required to meet the needs generated by new development, including sports, arts, community (including youth) and voluntary sector space, education and health provision, open space and play areas shall be provided as the community is established.</b></p> <p><b>Infrastructure or facilities designed to meet localised needs should normally be provided on-site. Other needs will be delivered in liaison with the relevant stakeholders and service providers to ensure that the provision is supplied in a way that meets their requirements and supports sustainability.</b></p> <p><del>Development monies will be secured via S106 where provision relates to a localised need or as identified through the site allocations in this Local Plan. Otherwise, CIL receipts will be used to deliver strategic provision.</del> <b><u>Provision shall be secured through S106 and/or CIL as set out in policies IMP1 and IMP2, and have regard to any relevant supplementary planning documents.</u></b></p> <p><del>Where the need for developments to contribute to, or provide, particular infrastructure or facilities is dependent on their size, floorspace, traffic generation or any other attribute or impact exceeding a specified threshold and any site is brought forward as two or more separate schemes of which one or more falls below the relevant threshold, the Council will seek from each scheme a proportionate contribution of the level of provision so as to match in total the requirement that would apply if the site came forward as a whole. If a site comes forward as two or more separate schemes, of which one or more falls below any appropriate threshold, the Council will seek an appropriate level of contribution on each part to match in total the provision that would have been required on the site as a whole.</del></p> <p><b>In the Borough as a whole, the loss of existing community infrastructure will be resisted unless sufficient evidence has been submitted to demonstrate that they are no longer required or are obsolete and that suitable replacement provision is being provided or is located nearby.</b></p>
<p>MM96</p>	<p><b>COM2 – Recreation, Sport, Play and Open Spaces</b></p>	<p><i>Amend title and supporting text as follows:</i></p> <p><del>-Sport, Recreation and Play</del> <u>Recreation, Sport, Play and Open Spaces</u></p> <p>5.431 Recreation, sport, open space and play areas can enrich the quality of our lives and contribute towards healthy living. The Borough currently enjoys a wide range of such space and this provision will be added to when current planning applications are implemented, most notably Chilmington Green which will deliver significant recreational and leisure areas.</p> <p>For the avoidance of doubt this policy covers the following:</p>

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- indoor sports/community facilities,
- outdoor sports pitches,
- children’s play areas,
- public open space/ green space areas,
- informal open space,
- natural open space,
- strategic parks.

Policy COM2 also relates to allotments and cemetery provision although the specific policy framework for these are set out in policy COM3 and COM4 respectively (see below).

5.432 The following total quanta of recreational, play, sport and open space are required to meet the needs of the new development proposed in this Local Plan that do not already have planning permission (circa 7,000 new dwellings). These figures are derived from evidence including the Council’s recently approved Indoor Sports Facilities and Playing Pitch Strategy ~~emerging Ashford Borough Playing Pitch Strategy~~, alongside the standards set out in the current Public Green Spaces and Water Environment SPD. The figures do not take into account the role which could be played by provision at schools. This provision should be treated as supplementary as in most cases it tends to have limited public access at key times.

*Delete table 4 and replace with:*

<u>Informal Space*</u>	<u>33.6 ha</u>
<u>Children’s Play*</u>	<u>8.4 ha</u>
<u>Strategic Parks*</u>	<u>5.0 ha</u>
<u>Allotments*</u>	<u>3.4 ha</u>
<u>Sports Halls (1 badminton hall or equivalent)**</u>	<u>4</u>
<u>3G Artificial Pitch**</u>	<u>1</u>
<u>Football Pitches**</u>	<u>7 adult, 3 junior</u>
<u>Hockey 2G pitch**</u>	<u>1 adult</u>
<u>Rugby**</u>	<u>2 senior pitches</u>
<u>Cricket square and outfield**</u>	<u>1</u>

*\*figures derived from Public Green Spaces and Water Environment SPD*

*\*\*figures derived from Indoor Sports Facilities and Playing Pitch Strategy*

5.433 These figures are established as a ‘target’ as only major development (as defined in the NPPF) not all residential development coming forward will be required to deliver a proportion of these provisions. For example, some development will be excluded on viability grounds such as most some proposals coming forward in the town centre, and a number of developments will fall below the threshold that trigger a requirement for provision. However, in due course, smaller developments may also contribute via this is somewhat countered as CIL receipts can be used to deliver recreation, sport, play and open space, where it is strategic in nature. This type of provision effectively meets a need for all new developments in the Borough. In addition, alternative funding to that supplied from development will also be sought by the Council as a means of achieving the targets set out in table 4 above, such as funding grants from Sports England. Therefore the identification of a target figure is considered to be a robust starting point for the policy below.

5.434 In order to determine the quantum and type of provision required for each qualifying proposal, applicants will be expected to have regard to the following:

For the provision of public open space, natural greenspace, informal greenspace, children’s play, strategic parks, allotments and cemeteries, proposals shall be consistent with the standards set out in the Public Green Spaces and Water Environment SPD. In due course, the Council will update these standards as part of a development contributions SPD that will have its viability implications assessed.

For the provision of indoor sports facilities and outdoor sports pitches, proposals shall utilise the Sports England Calculator to ascertain the level and type of facilities and pitches needed as a starting point.

## Main Modifications to the Ashford Local Plan 2030

Explanation of the modification is provided in italics. Changes to text are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text. **Policy wording is shown in bold.**

This initial assessment shall then be supplemented by a more detailed assessment that applies the outcomes of the Council's Indoor Sports Facilities and Playing Pitch Strategy. This may necessitate that the base requirements, identified through the Calculator, need to be refined and/or altered to reflect local circumstances and complement the Council's preferred delivery strategy, as expressed below. Where refinements are required, any alternative provision should be of an equivalent scale or value to that identified by the initial assessment.

A number of specific projects have already been identified as a means of achieving the Council's preferred delivery strategy to meet the targets in Table 4. These projects are expressed in the Infrastructure Delivery Schedule that supports the Local Plan and will be updated annually. In addition, a working group will be established shortly with the remit to assist in the delivery of these projects. The working group will include the Council, the National Governing Bodies for a variety of sports and Sports England.

The Council's expectation is that all qualifying proposals will meet the needs generated by the development and will be delivered through a combination of on-site measures and/or off-site financial contributions secured via Section 106 Agreements.

In many cases the application of this policy will result in the delivery of new facilities. However, where appropriate, developer contributions may also be used to enhance existing facilities in order to improve their qualitative characteristics so as to encourage more use and generate greater capacity.

~~5.434 In order to determine the quantum and type of provision required for each qualifying proposal, applicants will be expected to use the Sports England Calculator and the relevant standards in the Green Spaces and Water Environment SPD. Aside from informal space – which will normally be delivered on site and form part of the wider landscaping/ SUDs strategy, with incidental space around buildings – discussions with the Council shall take place as to what exact provision will be sought from any S106 monies to be collected, using the projects identified within the supporting Infrastructure Delivery Plan schedule as the starting point. The Sports England Calculator may also identify additional off-site requirements that need to be considered as well. Where appropriate, these will be added to the Infrastructure Delivery Plan as they are identified.~~

*Paras 5.435 – 5.447 remain unchanged*

*Policy COM2 Policy COM2 - Recreation, Sport, Play and Open Spaces deleted and replaced with:*

**As a borough-wide target, the Council shall seek to deliver the overall quantum of new recreation, sport, play and open space provision, as set out in table 4 of this Local Plan, by 2030.**

**To assist in achieving these targets, qualifying development proposals shall meet the need it generates, through the delivery of either new facilities or through the enhancement of existing facilities that improves their quality, availability and/or accessibility. New provision will be delivered via a combination of on-site measures and/or through off-site financial contributions, secured via Section 106 Agreements.**

**Proposals on qualifying sites will be expected to have regard to the following:**

**For the provision of public open space, natural greenspace, informal greenspace, children's play, strategic parks, allotments and cemeteries, proposals shall be consistent with the standards established in the Public Green Spaces and Water Environment SPD.**

**For the provision of indoor sports facilities and outdoor playing pitches, proposals will be expected to use the Sports England Calculator to ascertain the level and type of provision needed. A more detailed assessment will then be required in order to take account of the outcomes of the Council's Indoor Sports Facilities and Playing Pitch Strategy so that provision can be appropriately altered or refined to take account of local circumstances and the need to complement the Council's preferred delivery strategy.**

**In Ashford, the provision of children's play, strategic parks and sports facilities will normally be targeted towards the sports and recreation hubs identified in this Local Plan and as shown on the Ashford Urban Area diagram. Proposals which undermine the ability of a hub to play a role in delivering this provision shall not be supported.**

**In the rural area, provision should normally be delivered in a way that helps maintain, enhance and potentially expand existing facilities at the settlement where the development is proposed, or at the nearest settlement that has existing similar facilities.**

**Unless otherwise stated in site-specific policies, on-site provision shall normally be limited to informal/natural green space, and space or facilities which have**

**Main Modifications to the Ashford Local Plan 2030**

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		<p><b><u>been identified to meet a local need generated by the development itself. This provision shall be phased in a way that supports the local community as it grows.</u></b></p> <p><b><u>Exceptions to the approach outlined above could be justified, should the following circumstances arise in that:</u></b></p> <p><b><u>a) there is suitable public open/ green space provision nearby and this provision can be accessed by green routes,</u></b>  <b><u>b) there is a suitable sports facility nearby which has the capacity to be used by the public at key times and this access can be secured over the long term at determination of the application,</u></b>  <b><u>c) delivering such facilities would render a scheme unviable,</u></b>  <b><u>d) not delivering the required provision is supported by the Council or in agreement with, where relevant, the Parish Council.</u></b></p> <p><b><u>Existing open space, sports and recreational buildings and land should not redeveloped or used for other purposes, unless:</u></b></p> <p><b><u>- An assessment has been undertaken which clearly shows the provision is surplus to requirements, or</u></b>  <b><u>- Any loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location,</u></b>  <b><u>- The development is for an alternative sport and recreational provision, the needs for which clearly outweigh the loss.</u></b></p>
<p>MM97</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 163</p>	<p><b>IMP1 – Infrastructure provision</b></p>	<p><i>Additional text to be inserted following paragraph 4.353:</i></p> <p><u>Clearly, it is not possible to foresee all potential needs arising from development proposals (including windfalls), and so these will need to be assessed at the time against relevant policies in this Plan. Where specific requirements are known at this stage, these have been identified through the site allocation policies.</u></p> <p><u>Development is expected to meet the additional demand for infrastructure that it creates, and new infrastructure should be required to be delivered at the right time to meet the new demand. In some circumstances, for example where more than one development site is contributing to its delivery, alternative solutions will need to be considered. The Council, working with the relevant service providers, will allow for some flexibility in this regard, taking into account how critical the infrastructure is and the phasing and timing of development. Flexibility will also be considered in response to issues of viability, as set out in Policy IMP2.</u></p> <p><i>Amendments to paragraphs 5.455 and 5.456:</i></p> <p>5.455 The introduction of the CIL Regulations in April 2015 <del>now</del> limits the scope of Section 106 Agreements and their ability to act as a pool for developer contributions towards strategic infrastructure, although they still have a role in the provision of site specific facilities. <del>As a consequence The Council proposes to introduce a Community Infrastructure Levy Charging Schedule alongside following the adoption of this Local Plan. This has been will be tailored to take account of the general policy requirements contained within this Plan and reflects the viability position at the time of drafting. It is likely that the CIL Charging Schedule will need to be reviewed on a regular basis to reflect changing market conditions.</del></p> <p>5.456 Nevertheless, the Council still considers that Section 106 Agreements can provide a more certain means of delivering specific infrastructure and services than the use of CIL receipts. This has benefits for developers, residents and service providers and allows for more transparency about what will be delivered and when. <u>The Council will therefore continue to use S106 to secure the delivery of infrastructure, where it is justified to do so in line with the NPPF and CIL Regulations, in preference to assuming funding will arise from CIL in due course.</u> Consequently, the Council will continue to work with service providers to identify specific projects which meet additional demand arising from the policies of this Plan, allowing for a maximum of five S106 Agreements to provide proportionate contributions to those projects. <del>in preference to assuming funding will arise from CIL in due course.</del></p> <p><i>Additional paragraph to be inserted following 5.456 and deletion of paragraph 5.458:</i></p> <p><u>The Council, in liaison with the relevant highway authority, will also utilise S278 agreements to secure infrastructure and funding for highways related projects.</u></p> <p><del>5.458 Clearly, it is not possible to foresee all potential needs arising from development proposals (including windfalls), and so these will need to be assessed at the time against relevant policies in this Plan. Where specific requirements are known at this stage, these have been identified through the site allocation policies.</del></p> <p><i>Amend Policy IMP1 as follows:</i></p> <p><b>The Council will continue to work with relevant service providers to identify and deliver the infrastructure that is needed to support the development set out in</b></p>

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		<p>this Plan.</p> <p><del>All Developments shall make provision to meet the additional requirements for infrastructure arising from the development, either through Section 106 agreements and/ or Community Infrastructure Levy contributions, where it is justified to do so in line with the NPPF and CIL regulations. The infrastructure should be provided at a time that is required to support the needs generated by the development.</del></p> <p><u>Provision should be made either by delivery of the infrastructure or by financial contributions towards the cost of the delivery. This shall normally be secured through Section 106 Agreements, Section 278 agreements and / or Community Infrastructure Levy contributions.</u></p> <p><u>The Council will take a flexible approach where it is justified to do so for reasons of development viability in line with Policy IMP2.</u></p>
<p>MM98</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 164</p>	<p><b>IMP2 – Deferred Contributions</b></p>	<p><i>Amend title before paragraph 5.459:</i></p> <p><u>Flexibility, Viability and Deferred Financial Contributions</u></p> <p><i>Amend paragraphs 5.462 as follows:</i></p> <p>5.462 However, it is recognised that in some cases a shortfall in the contributions towards infrastructure requirements and affordable housing provision <u>or other policy requirements</u>, as set out in this plan, may be justified on viability grounds. <u>Where an applicant believes that this is the case, site specific viability evidence must be submitted to can robustly demonstrate that the required developer contributions or other policy requirements cannot be met.</u></p> <p>In such cases, <u>where a reduction in contribution and relaxation of policy requirement is agreed</u>, the council will work with the relevant service providers to determine the most appropriate balance of infrastructure provision <u>and/or policy requirements, including affordable housing provision (in line with Policy HOU1) that should be delivered so that the impact on residents who need the infrastructure is kept to the minimum possible.</u></p> <p><i>Insert additional paragraph following 5.463:</i></p> <p><u>In implementing such an approach regard will be had to the Council’s Guidance Note ‘Principles for the Assessment of Planning Applications where the Financial Viability of the Development shows that it cannot afford to pay all of the necessary Infrastructure Contributions’ and any future Supplementary Planning Documents relevant to the issue.</u></p> <p><i>Amend Policy IMP2 as follows:</i></p> <p><b>Policy IMP2 – <u>Flexibility, Viability and Deferred Contributions</u></b></p> <p><del>Development proposals shall achieve all of the policy and infrastructure requirements set out in this Local Plan in a way that ensures provision comes forward when it is required to support the needs generated by the development.</del></p> <p><u>Where proposals do not meet all of the policy and infrastructure requirements set out in this Local Plan, proposals which do not fulfil this objective should not be permitted unless it must be is supported by extensive viability evidence that establishes why any <u>departure from policy or deficit in infrastructure contribution</u> is deemed necessary to make the scheme viable and that there <u>should be</u> are wider planning benefits for the development to go ahead.</u></p> <p><b>Any viability evidence that is provided to support an application must be done so in a transparent way and will be rigorously tested by independent advisors, paid for by the applicant. For larger schemes, where a proposals is to be phased over time, or where the opportunity exists to do so, the applicant will agree with the Council a programme or method of re-evaluating the viability of the scheme, to capture changes in circumstances.</b></p> <p><b>Where a deficit in infrastructure contribution has been deemed acceptable, the Council will require the applicant to agree a deferred contributions approach, to claw back as much of any deficit as possible, should market conditions improve significantly.</b></p> <p><u>For larger schemes, where a deficit has been deemed acceptable and where a proposals is to be phased over time, or where the opportunity exists to do so, the applicant</u></p>



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		<u>will agree with the Council a programme or method of re-evaluating the viability of the scheme, to capture changes in circumstances.</u>
<b>MM99</b>	<b>IMP3 – Planning Enforcement</b>	<i>DELETE Policy IMP3 (but retain supporting text)</i>
<b>MM100</b>	<b>Appendix 5 – Housing Trajectory</b>	<i>Delete Housing Trajectory and replace with the following:</i>

MM101	Appendix 6 - Monitoring indicators	Amend Appendix 6 - Monitoring Indicators on AONBs and Sustainable Travel as follows:																	
		Indicator	Local Plan policy	Indicator	Target	Source	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	TOTAL
<p><b>Ashford Local Plan 2030 - Housing Trajectory (MAIN MODIFICATIONS - SEPTEMBER 2018)</b></p> <p><b>TOWN CENTRE SITES</b></p> <p><b>Extant Commitments</b></p> <p>Former Powergen 660</p> <p>Elwick Road Phase 2 200</p> <p>Victoria Way East 215</p> <p><b>Town Centre Allocations</b></p> <p>Commercial Quarter (S1) 159</p> <p>Gasworks Lane (S10) 150</p> <p><b>CHILMINGTON GREEN</b> 50 150 200 200 200 200 250 250 300 <b>2500</b></p> <p><b>URBAN SITES</b></p> <p><b>Extant Commitments</b></p> <p>Finberry (LP 2000) 645</p> <p>Repton Park (LP 2000) 304</p> <p>Godinton Way (TC8) 28</p> <p>Blackwall Road (U5) 2</p> <p>Abbey Way (U1) 23</p> <p>Conningbrook Phase 1 (U22) 300</p> <p>K College, Jemmett Road (U6b and S12) 160</p> <p>Land at Butt Field Road, Singleton (U11) 12</p> <p>Willesborough Lees (U14 and S17) 220</p> <p><b>Urban Site Allocations</b></p> <p>Land NE of Willesborough Road, Kennington (S2) 700</p> <p>Court Lodge, Kingsnorth (S3) 950</p> <p>Land north of Steeds Lane and Magpie Hall Road, Kingsnorth (S4) 400</p> <p>Land South of Pound Lane, Kingsnorth (S5) 150</p> <p>Former Ashford South Primary School (U6a and S13) 110</p> <p>Former Newtown Works (S6) 350</p> <p>Former Klondyke (S7)*** 93</p> <p>Lower Queens Road (U4 and S8) 40</p> <p>Kenard Way - Henwood (S9) 25</p> <p>Leacon Road (U7 and S11) 100</p> <p>Park Farm South East, Bridgefield (S14) 325</p> <p>Finberry North West (S15) 300</p> <p>Waterbrook (S16) 350</p> <p>Conningbrook Residential Phase 2 (S19) 170</p> <p>Eureka Park (S20) 375</p> <p>Land South of Brockmans Lane, Bridgefield (S45) 100</p> <p>Chart Road (S46) 25</p> <p><b>RURAL SITES</b></p> <p><b>Extant Commitments</b></p> <p>TENT1A - Tenterden Southern Extension Phase A 230</p> <p>ROLV1 - Rolvenden Football Ground, Rolvenden 40</p> <p>WYE2 - Land at Luckley Field, Wye 25</p> <p>Tenterden, Tilden Gill - Major Windfall* 100</p> <p><b>Rural Site Allocations</b></p> <p>Aldington - Land north of Church View (S51) 6</p> <p>Aldington - Land South of Goldwell Court (S62) 12</p> <p>Appledore - The Street (S26) 20</p> <p>Biddenden - North Street (S27) 25</p> <p>Challock - Land at Clockhouse (S54) 15</p> <p>Charing - Northdown Service Station, Maidstone Road (S28) 20</p> <p>Charing - Land South of Arthur Baker Playing Field - CHAR1 51</p> <p>Charing - Land Adjacent to Poppyfields (S55) 40</p> <p>Chilham - Branch Road (S56) 10</p> <p>Egerton - Land on New Road (S30) 15</p> <p>Hamstreet - Land north of St. Mary's Close (S31) 25</p> <p>Hamstreet - Land at Parker Farm, HAM2 (S32) 10</p> <p>Hamstreet - Warehorne Road (S57) 25</p> <p>High Halden - Land at Hope House (S33)*** 28</p> <p>Mersham - Land at Old Rectory Close (S59) 8</p> <p>Mersham - Land adjacent to Village Hall (S35) 10</p> <p>Shadoxhurst - Land rear of Kings Head PH (S36) 19</p> <p>Smeeth - Land adjacent to Village Hall (S37) 25</p> <p>Smeeth - Land South of Church Road (S38) 20</p> <p>Tenterden Southern Extension Phase B - TENT1B (S24) 70</p> <p>Tenterden (St. Michael's/High Halden) - Pope House Farm (S60) 80</p> <p>Woodchurch - Land at Front Rd, WOOD1 (S40) 25</p> <p>Woodchurch - Land off Appledore Road (S62) 15</p> <p><b>NEIGHBOURHOOD PLANS</b></p> <p>Wye Neighbourhood Plan area (WYE3, Former Imperial College) 40</p> <p>Bethersden Neighbourhood Plan area 20</p> <p>Pluckley Neighbourhood Plan area 8</p> <p>Rolvenden Neighbourhood Plan area 10</p> <p><b>WINDFALLS (NON ALLOCATED SITES)</b></p> <p>Windfalls - Small sites (Under 10 dwellings) - not started** 102</p> <p>Windfalls - Small sites (Under 10 dwellings) - under construct 140</p> <p>Windfalls - Major sites (10 dwellings or above) - not started** 20</p> <p>Windfalls - Major sites (10 dwellings or above) - under construct 209</p> <p>Projected Future windfalls (Based on assumption from past delivery) 55</p> <p><b>TOTAL</b> 1018 1501 1859 1778 1523 1175 825 955 760 675 750 725 13544</p> <p><b>CUMULATIVE TOTAL</b> 1018 2519 4378 6156 7679 8854 9679 10634 11394 12069 12819 13544</p> <p><small>LP 2000 = Ashford Borough Local Plan 2000 Site policy. **Not counted in m<sup>2</sup> windfall figures below. ***Extant permissions not started have been reduced by 25% for assumed non delivery. *** Where planning permission has been granted or is resolved to be granted the numbers reflect the permission and not the proposed allocation.</small></p>																			

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		AONBs	<u>ENV3b Landscape Character and Design in the AONBs</u>	% of major planning applications in the AONBs approved <u>contrary to Policy ENV3b</u>	0%	<u>ABC, AONB Units</u>	
		Sustainable Travel	<p>TRA4 – Promoting the Local Bus Network</p> <p>TRA5 – Planning for Pedestrians</p> <p>TRA6 – Provision for cycling</p> <p>SP1 (e) – Strategic Objectives</p>	<p>Enhancements to <del>bus networks</del> <u>sustainable transport methods</u> provided from new development</p> <p>Enhancements to cycle and pedestrian routes and cycle parking provision <u>from new development</u></p>	<p><del>No Target</del> <u>Improvement of existing non-car routes.</u></p> <p><u>Gains of pedestrian and cycle paths</u></p> <p><u>No loss of PRow provision</u></p>	<p><u>HIA – ABC</u></p> <p><u>S106 monitoring</u></p> <p><u>KCC Highways &amp; Transportation</u></p> <p><u>PRow and Access Service</u></p>	

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# Agenda Item 12



ASHFORD  
BOROUGH COUNCIL

**Agenda Item No:**

**Report To:** Council

**Date of Meeting:** 21<sup>st</sup> February 2019

**Report Title:** Programme of Meetings 2019/20 and 2020/21

**Report Author & Job Title:** Danny Sheppard – Member Services Manager (Operational)

**Portfolio Holder:** Cllr. Clarkson

**Portfolio Holder for:** Leader of the Council

<b>Summary:</b>	To agree the programme of meetings for 2019/20 and 2020/21
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**Key Decision:** NO

**Significantly Affected Wards:** None specifically

**Recommendations:** **The Council is asked to agree the programme of meetings for 2019/20 and 2020/21**

**Policy Overview:** The programme reflects the monthly Cabinet and Overview and Scrutiny cycle as agreed by the former Executive at its meeting on 7<sup>th</sup> January 2010 (Minute No 379/1/10 refers). This generally provides for a Cabinet meeting on the second Thursday of every month and a monthly Planning Committee meeting every four/five weeks. Overview and Scrutiny meetings are programmed in line with the timetable for call-in of items from the Cabinet and will generally fall on the fourth Tuesday of the month.

**Equalities Impact Assessment:** Not Required

**Exempt from Publication:** NO

**Contact:** danny.sheppard@ashford.gov.uk – Tel: (01233) 330349

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**DATES OF MEETINGS MAY 2019 - MAY 2020**

Meetings are usually held at the Civic Centre and start at 7.00pm unless otherwise stated

**MAY 2019**

W 1  
Th 2 **ABC Elections**  
F 3

M 6 **BANK HOLIDAY**

Tu 7  
W 8  
Th 9  
F 10

M 13  
Tu 14  
W 15  
Th 16  
F 17

M 20  
Tu 21  
W 22  
Th 23 Selection & CR  
F 24

M 27 **BANK HOLIDAY**  
Tu 28  
W 29  
Th 30 Council  
F 31

**JUNE 2019**

M 3  
Tu 4  
W 5 Planning  
Th 6  
F 7

M 10  
Tu 11 Joint Transportation  
W 12  
Th 13 Cabinet  
F 14

M 17  
Tu 18 Audit  
W 19  
Th 20  
F 21

M 24  
T 25 O&S  
W 26  
Th 27 JCC 2.30pm  
F 28

**JULY 2019**

M 1  
Tu 2  
W 3 Planning  
Th 4  
F 5

M 8  
Tu 9  
W 10  
Th 11 Cabinet

F 12  
M 15  
Tu 16 Audit  
W 17  
Th 18 Council  
F 19

M 22  
Tu 23 O&S  
W 24  
Th 25  
F 26

M 29  
T 30  
W 31 Planning

**AUGUST 2019**

Th 1  
F 2  
M 5 TEB 10am  
Tu 6  
W 7  
Th 8 Cabinet  
F 9

M 12  
Tu 13  
W 14  
Th 15  
F 16

M 19  
Tu 20  
W 21  
Th 22  
F 23  
M 26 **BANK HOLIDAY**  
Tu 27 O&S  
W 28  
Th 29 JCC 2.30pm  
F 30

**SEPTEMBER 2019**

M 2  
Tu 3  
W 4 Planning  
Th 5  
F 6  
M 9  
Tu 10 Joint Transportation  
W 11  
Th 12 Cabinet  
F 13

M 16  
Tu 17  
W 18  
Th 19  
F 20  
M 23  
Tu 24 O&S

W 25  
Th 26 Audit  
F 27

M 30

**OCTOBER 2019**

Tu 1  
W 2 Planning  
Th 3  
F 4

M 7  
Tu 8  
W 9  
Th 10 Cabinet  
F 11

M 14  
Tu 15  
W 16  
Th 17 Council  
F 18

M 21  
Tu 22 O&S  
W 23  
Th 24  
F 25

M 28  
Tu 29  
W 30  
Th 31 JCC 2.30pm

**NOVEMBER 2019**

F 1  
M 4  
Tu 5  
W 6 Planning  
Th 7  
F 8

M 11 TEB 10am  
Tu 12  
W 13  
Th 14 Cabinet  
F 15

M 18  
Tu 19  
W 20  
Th 21  
F 22  
M 25  
Tu 26 O&S  
W 27  
Th 28  
F 29

**DECEMBER 2019**

M 2  
 Tu 3 Audit  
 W 4  
 Th 5 Cabinet  
 F 6  
  
 M 9  
 Tu 10 Joint Transportation  
 W 11 Planning  
 Th 12 Council  
 F 13

M 16  
 Tu 17 O&S  
 W 18  
 Th 19 JCC 2.30pm  
 F 20

M 23  
 Tu 24  
 W 25 **CHRISTMAS DAY**  
 Th 26 **BOXING DAY**  
 F 27 OFFICES CLOSED

M 30  
 Tu 31

**JANUARY 2020**

W 1 **BANK HOLIDAY**  
 Th 2  
 F 3

M 6  
 Tu 7  
 W 8  
 Th 9  
 F 10

M 13  
 Tu 14  
 W 15  
 Th 16 Cabinet  
 F 17

M 20  
 Tu 21 Licensing & H&S 10am  
 W 22 Planning  
 Th 23  
 F 24

M 27  
 Tu 28 O&S  
 W 29  
 Th 30  
 F 31

**FEBRUARY 2020**

M 3 Standards  
 Tu 4  
 W 5  
 Th 6  
 F 7

M 10 TEB 10am  
 Tu 11  
 W 12  
 Th 13 Cabinet  
 F 14

M 17  
 Tu 18  
 W 19 Planning  
 Th 20 Council (C Tax)  
 F 21

M 24  
 Tu 25 O&S  
 W 25  
 Th 27 JCC 2.30pm  
 F 28

**MARCH 2020**

M 2  
 Tu 3  
 W 4  
 Th 5  
 F 6

M 9  
 Tu 10 Joint Transportation  
 W 11  
 Th 12 Cabinet  
 F 13

M 16  
 Tu 17 Audit  
 W 18 Planning  
 Th 19  
 F 20

M 23  
 Tu 24 O&S  
 W 25  
 Th 26  
 F 27

M 30  
 Tu 31

**APRIL 2020**

W 1  
 Th 2 Cabinet  
 F 3

M 6  
 Tu 7  
 W 8  
 Th 9  
 F 10 **GOOD FRIDAY**

M 13 **EASTER MONDAY**  
 Tu 14  
 W 15  
 Th 16 Council  
 F 17

M 20  
 Tu 21  
 W 22 Planning  
 Th 23  
 F 24

M 27  
 Tu 28 O&S  
 W 29  
 Th 30 JCC 2.30pm

**MAY 2020**


F 1  
  
 M 4 **BANK HOLIDAY**  
 Tu 5 Selection & CR  
 W 6  
 Th 7  
 F 8

M 11 TEB 10am  
 Tu 12  
 W 13  
 Th 14 Cabinet  
 F 15

M 18  
 Tu 19  
 W 20 Planning  
 Th 21 Council  
 F 22

M 25 **BANK HOLIDAY**  
 Tu 26 O&S  
 W 27  
 Th 28  
 F 29

KEY	
O&S	- Overview and Scrutiny
JCC	- Joint Consultative Committee

 School Holidays



**DATES OF MEETINGS MAY 2020 - MAY 2021**

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**MAY 2020**

F 1  
 M 4 **BANK HOLIDAY**  
 Tu 5 Selection & CR  
 W 6  
 Th 7  
 F 8  
 M 11 TEB 10am  
 Tu 12  
 W 13  
 Th 14 Cabinet  
 F 15  
 M 18  
 Tu 19  
 W 20 Planning  
 Th 21 Council  
 F 22

M 25 **BANK HOLIDAY**  
 Tu 26 O&S  
 W 27  
 Th 28  
 F 29

**JUNE 2020**

M 1  
 Tu 2  
 W 3  
 Th 4  
 F 5  
 M 8  
 Tu 9 Joint Transportation  
 W 10  
 Th 11 Cabinet  
 F 12  
 M 15  
 Tu 16 Audit  
 W 17 Planning  
 Th 18  
 F 19

M 22  
 T 23 O&S  
 W 24  
 Th 25 JCC 2.30pm  
 F 26

M 29  
 Tu 30

**JULY 2020**

W 1  
 Th 2  
 F 3  
 M 6  
 Tu 7  
 W 8  
 Th 9 Cabinet  
 F 10

M 13  
 Tu 14 Audit  
 W 15 Planning  
 Th 16 Council  
 F 17

M 20  
 Tu 21  
 W 22  
 Th 23  
 F 24

M 27  
 T 28 O&S  
 W 29  
 Th 30  
 F 31

**AUGUST 2020**

M 3  
 Tu 4  
 W 5  
 Th 6  
 F 7

M 10 TEB 10am  
 Tu 11  
 W 12  
 Th 13 Cabinet  
 F 14

M 17  
 Tu 18  
 W 19 Planning  
 Th 20  
 F 21

M 24  
 Tu 25 O&S  
 W 26  
 Th 27 JCC 2.30pm  
 F 28

M 31 **BANK HOLIDAY**

**SEPTEMBER 2020**

Tu 1  
 W 2  
 Th 3  
 F 4

M 7  
 Tu 8 Joint Transportation  
 W 9  
 Th 10 Cabinet  
 F 11

M 14  
 Tu 15  
 W 16 Planning  
 Th 17  
 F 18

M 21  
 Tu 22 O&S  
 W 23

Th 24  
 F 25  
 M 28  
 Tu 29 Audit  
 W 30

**OCTOBER 2020**

Th 1  
 F 2

M 5  
 Tu 6  
 W 7  
 Th 8 Cabinet  
 F 9

M 12  
 Tu 13  
 W 14 Planning  
 Th 15 Council  
 F 16

M 19  
 Tu 20  
 W 21  
 Th 22  
 F 23

M 26  
 Tu 27 O&S  
 W 28  
 Th 29 JCC 2.30pm  
 F 30

**NOVEMBER 2020**

M 2  
 Tu 3  
 W 4  
 Th 5  
 F 6

M 9 TEB 10am  
 Tu 10  
 W 11  
 Th 12 Cabinet  
 F 13

M 16  
 Tu 17  
 W 18 Planning  
 Th 19  
 F 20

M 23  
 Tu 24 O&S  
 W 25  
 Th 26  
 F 27

M 30

**DECEMBER 2020**

Tu 1 Audit  
 W 2  
 Th 3 Cabinet  
 F 4  
  
 M 7  
 Tu 8 Joint Transportation  
 W 9  
 Th 10 Council  
 F 11

M 14  
 Tu 15  
 W 16 Planning  
 Th 17 JCC 2.30pm  
 F 18

M 21  
 Tu 22 O&S  
 W 23  
 Th 24 OFFICES CLOSED  
 F 25 **CHRISTMAS DAY**

M 28 **BANK HOLIDAY**  
 Tu 29  
 W 30  
 Th 31

**JANUARY 2021**

F 1 **BANK HOLIDAY**  
  
 M 4  
 Tu 5  
 W 6  
 Th 7  
 F 8

M 11  
 Tu 12  
 W 13  
 Th 14 Cabinet  
 F 15

M 18  
 Tu 19 Licensing & H&S 10am  
 W 20 Planning  
 Th 21  
 F 22

M 25 Standards  
 Tu 26 O&S  
 W 27  
 Th 28  
 F 29

**FEBRUARY 2021**

M 1  
 Tu 2  
 W 3  
 Th 4  
 F 5  
  
 M 8 TEB 10am  
 Tu 9  
 W 10  
 Th 11 Cabinet  
 F 12

M 15  
 Tu 16  
 W 17 Planning  
 Th 18 Council (C Tax)  
 F 19

M 22  
 Tu 23 O&S  
 W 24  
 Th 25 JCC 2.30pm  
 F 26

**MARCH 2021**

M 1  
 Tu 2  
 W 3  
 Th 4  
 F 5  
  
 M 8  
 Tu 9 Joint Transportation  
 W 10  
 Th 11 Cabinet  
 F 12

M 15  
 Tu 16 Audit  
 W 17 Planning  
 Th 18  
 F 19

M 22  
 Tu 23 O&S  
 W 24  
 Th 25  
 F 26

M 29  
 Tu 30  
 W 31

**APRIL 2021**

Th 1  
 F 2 **GOOD FRIDAY**  
  
 M 5 **EASTER MONDAY**  
 Tu 6  
 W 7  
 Th 8 Cabinet  
 F 9

M 12  
 Tu 13  
 W 14  
 Th 15 Council  
 F 16

M 19  
 Tu 20  
 W 21 Planning  
 Th 22  
 F 23

M 26  
 Tu 27 O&S  
 W 28  
 Th 29 JCC 2.30pm  
 F 30

**MAY 2021**

M 3 **BANK HOLIDAY**  
 Tu 4 Selection & CR  
 W 5  
 Th 6 **KCC Elections**  
 F 7


M 10 TEB 10am  
 Tu 11  
 W 12  
 Th 13 Cabinet  
 F 14

M 17  
 Tu 18  
 W 19 Planning  
 Th 20 Council  
 F 21

M 24  
 Tu 25 O&S  
 W 26  
 Th 27  
 F 28

M 31 **BANK HOLIDAY**

KEY	
O&S	- Overview and Scrutiny
JCC	- Joint Consultative Committee

 School Holidays