

Local Plan & Planning Policy Task Group

Notes of a Meeting of the Local Plan & Planning Policy Task Group held on the **15th January 2020**.

Present:

Cllr. Bartlett (Chairman)
Cllr. Shorter (Vice-Chairman)

Cllrs. Mrs Bell, Blanford, Clokie, Ledger, Michael, Spain, Walder.

Apologies:

Development Partnership Manager.

Also Present:

Cllrs. Burgess, Harman, Pickering, White, Wright.

Spatial Planning Manager, Principal Policy Planner, Head of Planning and Development, Planning Policy Officer, Graduate Planner, Principal Solicitor (Strategic Development), Member Services and Ombudsman Liaison Officer.

1 Notes of the Previous Meeting

- 1.1 The Notes of the Meeting held on 29th November 2019 were agreed as a correct record.

2 Maintaining a five year housing land supply and meeting the housing delivery test

- 2.1 The Chairman reminded Members that confidentiality was required regarding the detailed discussions at the meeting.
- 2.2 The Spatial Planning Manager and the Principal Policy Planner introduced this item and gave a presentation which covered:
- Maintaining a five year housing land supply
 - Windfall sites
 - Settlement confines
 - Policy HOU5 interpretation
 - Potential to bolster housing land supply
 - Housing Delivery Test (HDT) – definition and sanctions on non-delivery of targets
 - HDT results 2018 and expected results for 2019
 - HDT Action Plan.

2.3 The Chairman opened up the item for discussion and the following questions/comments were raised:

- A Member commented that there appeared to be a number of suggested actions to protect and increase the five year housing land supply figure and she urged that these should be explored fully, rather than relying on windfall sites and the HOU5 policy. She also questioned why this issue would not be discussed by the Task Group again until June. The Chairman explained that there was a full list of items for discussion by the Task Group, which were already programmed into future meetings. He pointed out that once the HDT figure for 2019 had been received, the Council would have 6 months to produce an Action Plan, which removed some of the immediate pressure. The Spatial Planning Manager added that Officers were liaising actively with developers on every site to facilitate the process from the pre-planning stage through to completion. In order to bring as many sites forward as possible Officers would continue to unlock all possible avenues to expedite development. He also explained that Officers were reviewing how the residential Windfall Policies in the Local Plan could be implemented to ensure that applications were considered in a consistent way on a site by site basis.
- In response to a question, the Spatial Planning Manager clarified that the figure for windfall sites provided in para 24 included currently permitted sites as well as a projection of delivery from future sites. It was possible to predict a healthy future supply based on historical trends.
- A Member asked whether a site had to satisfy each part of the HOU5 policy in order to be approved. The Spatial Planning Manager confirmed that this was the case, although some parts of an application may meet the policy more closely than others.
- A Member suggested that the Council should lobby central Government. It appeared that many factors contributing to the five year land supply figure and the HDT were outside of the Council's control, but the Council was held accountable for delivery. The Spatial Planning Manager said he expected every planning authority was feeling the same pressure over what was a challenging system, but that it was important to apply the rules and guidance as they stood currently. The Chairman commented that in the recent election both main parties had committed to a significant increase in the house building programme and that lobbying central Government was unlikely to achieve the desired outcome.
- Members expressed concern about the option to call for sites as they felt it may portray the Council in a weak light. They would prefer to see positive activity to encourage the build out of existing and future planning permissions in accordance with the adopted Local Plan. The Spatial Planning Manager said that it was important to grant planning permission,

wherever possible and appropriate, to maintain a deliverable housing land supply and achieve housing delivery targets.

- A Member asked whether containers, or any other independent dwelling, could be counted in the housing supply. The Spatial Planning Manager said that the nature of occupancy dictated whether a dwelling could be included in the supply figure and he gave various examples to illustrate what could and could not be included.
- Members considered that it may be useful to review sites which came forward in the last call for sites, but which were considered marginal in respect of potential allocation. It may be possible to review these sites to see if areas of concern could be resolved so that the sites could be developed satisfactorily.
- In response to a question, the Spatial Planning Manager explained that derelict or empty properties could not be included in the count once they were brought back into use because they were already part of the base housing stock.
- A Member said she considered that more Council and social housing was required, rather than larger private properties, and that developers should be encouraged to concentrate on this area of the market. Modular houses had proved very effective and smaller maisonettes were popular with many house buyers. A shortage of aggregates and materials, together with the price of land in the South East, made it much more expensive to develop in this area than in the North East and a Member suggested that this matter should be raised with central Government.
- Members discussed the future difficulties which may arise in the next 5 years at the Chilmington site. The Spatial Planning Manager said that this was the largest development site in the Borough, and that failure to unlock the proposed A28 road improvements could lead to a restriction in the number of units that might be expected to be delivered in the area over the next five years, which would be difficult to replace elsewhere. Members noted that this issue was already a topic of discussion at strategic level.
- A Member pointed out that the perception of residents was that Ashford was becoming over-developed, and that the challenges facing the Council in terms of meeting housing targets should be more widely publicised. She agreed that social housing was essential and that any new dwellings should be built to full sustainability standards in a mix of styles using alternative materials. She also requested that community use be considered for some windfall sites. Another Member felt that the Council needed to lobby for more powers to put pressure on developers to build more appropriately for the existing market, to encourage smaller houses and fulfilling targets.
- A Member said he welcomed development in his rural ward but pointed out that it had an impact on the character of the village. He considered that confines were important and that the Council should not be flexible in this

matter. He also considered that the Council should prioritise and target development in those rural areas with less development to date.

- A Member said that the Council's Property Company had a role in demonstrating how to perform as a responsible social developer, and he suggested that this example might influence other developers. Another Member agreed and said that the actions of the Property Company needed more publicity throughout the Borough.
- A Member considered that the issue of infrastructure was critical in future development, although he acknowledged that it was often outside the Council's control. He cited the over-subscription to local GP surgeries in the Borough and questioned what the Council's role was in managing development when it added to the problem without providing solutions. Another Member explained that this was a main topic for consideration at the Health & Wellbeing Partnership. He also said that GP surgeries were consulted on planning applications.
- A Member asked what actions the Council could take to deliver on the current time frame, in particular if it was possible to bring some of the later development forward. The Spatial Planning Manager replied that the larger sites typically did not deliver housing quickly as they often required more time to set sites up and put in the necessary infrastructure. He said that where it was possible to bring any sites forward, Officers would do everything to expedite development and encourage developers to build out a mix of units. However, it was ultimately in the hands of developers, and the Council had limited power to influence the pace of development through the planning process.
- Members noted that the Waterbrook site was out of use until March 2021, so it was not possible to bring this forward. Until the future plans for the site were known, it was not expected that the site would be marketed for housing. It was hoped that this would be resolved within the next 12 months.
- The Chairman concluded the meeting by saying that a number of points had arisen at the meeting for Officers to action, as follows:
 - Report on modular housing.
 - Clarification on how to account for serviced accommodation.
 - Clarification of the Ashford and Tenterden built confines – deferred to a future date.
 - No agreement on a call for sites now. This would be covered by a formal review of the Local Plan.
 - HDT Action Plan to be delivered in 6 months, with a report to the June Task Group.

Resolved:

That the Local Plan and Planning Policy Task Group notes the result of the 2019/20 HDT and requests Officers prepare a draft HDT Action Plan to be considered by the Task Group by June 2020.

3 Date of Next Meeting

3.1 Tuesday 11th February 2020 at 10am in the Council Chamber.

3.2 Proposed items for discussion at future meetings

- Policy on Cobbs Wood
- Approach on SUDS on new developments over 10 dwellings
- HOU3a and HOU5 Policy reviews
- Policy on Tall Buildings.

Councillor Bartlett
Chairman – Local Plan & Planning Policy Task Group

Queries concerning these minutes? Please contact membersservices@ashford.gov.uk
Agendas, Reports and Minutes are available on: www.ashford.moderngov.co.uk

Local Plan & Planning Policy Task Group

Notes of a Meeting of the Local Plan & Planning Policy Task Group held on the **11th February 2020**.

Present:

Cllr. Bartlett (Chairman)
Cllr. Shorter (Vice-Chairman)

Cllrs. Mrs Bell, Blanford, Clokie, B. Heyes, Ledger, Michael, Spain.

Apologies:

Cllr. Walder.

Spatial Development Manager, Development Partnership Manager.

Also Present:

Cllr. Burgess.

Team Leader – Spatial Planning (DC), Team Leader – Spatial Planning (IG), Acting Senior Policy Planner, Graduate Planner, Policy Planner, Economic Development Officer, Principal Solicitor (Strategic Development), Member Services and Ombudsman Liaison Officer.

2 Declarations of Interest

- 2.1 Cllr B. Heyes declared that he lived near the Cobbs Wood Industrial Estate.
- 2.2 Cllr Spain declared that he lived in Charing and had recently commented on the Charing Neighbourhood Plan preparations.
- 2.3 Cllr Clokie declared that his Portfolio covered item 5 on the agenda.

3 Draft Fibre to the Premises SPD

- 3.1 The Team Leader – Spatial Planning (DC) introduced this item and drew Members' attention to the key features of the report.
- 3.2 The Chairman opened up the item for discussion and the following questions/comments arose:
 - A Member considered that this SPD was an excellent idea. However, he had concerns about ensuring that the fibre provided was long enough to serve the purpose intended as spare cabling could be required in order to be flexible. He also questioned whether fibre cabinets would be provided in

all rural areas. He considered that the ducting should be in communal ownership to ensure ease of access for maintenance purposes.

- Another Member suggested that the capacity provided would be far more than was needed by the average household, but that fibre cabling was effective future-proofing.
- A member questioned why a minimum figure of 10 dwellings had been specified in the SPD. She said that in rural areas there were often developments of less than 10 dwellings, and she considered that this specified figure disadvantaged people in those areas. She asked whether the figure could be lowered. The Team Leader advised that the current Policy stated a figure of 10 houses in rural areas as the minimum for automatic provision of fibre to the premises, and the SPD was limited to adhering to what was stated in the Policy. He considered that the Council was pushing the market as far as possible at present, but acknowledged that the SPD would not capture all schemes in the rural areas. At the moment there was a limit to what could be covered in the SPD.
- The Team Leader explained that the aim of the SPD was to encourage applicants to liaise with telecom providers at an early stage and detailing around layout and connectivity needed to be addressed as part of this process. He said that the Government was taking steps to move in the same direction, although through different means.
- Members expressed concern over whether the proposed speed provision was sufficient and noted that KCC had set a standard at 30Mbps. Members agreed that they wished to see the SPD require speeds of at least 30Mbps. The Team Leader said that part of the problem of introducing specified speeds was that they quickly became outdated. However, he agreed that the figures stated could be changed and that a speed of 30Mbps could be requested in the SPD.
- In response to a question, the Team Leader explained that where fibre to the premises could not be delivered, developers would have to provide an alternative, or explain clearly why they could not do so.
- Member asked about provision of cabinets and the Team Leader confirmed that all the cabinets in the town of Ashford were fibre enabled. He explained that the option of using copper to premises in rural areas was not ideal and something the SPD was trying to move away from

Resolved

That the Task Group

- i) Approves the broad contents and structure of the draft FTTP SPD**
- ii) Delegates authority to the Head of Planning and Development to finalise and amend the draft FTTP SPD, in agreement with the**

Portfolio Holder for Planning and Development and the Chairman of the Local Plan and Planning Policy Task Group.

- iii) **Agrees that, once finalised, the draft FTTP SPD can be published for public consultation for a minimum of 6 weeks.**

4 Planning policy for Cobbs Wood and other industrial estates

4.1 The Team Leader – Spatial Planning (IG) introduced this item and highlighted the key points in the report.

4.2 The Chairman opened up the item for discussion and the following questions/comments arose:

- A Member said he considered that there had been a number of inappropriate planning applications on the Cobbs Wood industrial site over the previous decade. This was a highly populated area and he favoured a specific planning policy to provide guidance on the type of development which might be considered appropriate. Another Member said other estates were similarly affected and he had concerns about focusing on any estate in particular. He considered that the same principles should apply generally across all industrial sites.
- In response to a question, the Team Leader explained that Eureka Park had a masterplanning process and a development brief, and in that sense it had been approached differently from the older existing industrial estates.
- A Member asked about the proposed timeline for the review of the Local Plan. The Team Leader explained that statutory work on a review was likely to commence later this year but that the whole exercise would take considerable time as it involved various time-consuming stages. Members agreed that policies for industrial estates should be undertaken as part of this larger review, but they wished to see an element of urgency in the process.

Resolved

That the Local Plan and Planning Policy Task Group agrees that site specific policies for existing industrial estates in the Borough will be considered as part of the next formal review of the Local Plan.

5 Neighbourhood Plans

5.1 The Acting Senior Policy Planner introduced this item and outlined the key points within the report.

5.2 The Chairman opened up the item for discussion and the following questions/comments were raised:

- A Member said he welcomed this summary and found it very useful. He asked whether it could be made public to parishes. The Acting Senior Policy Planner said that the status of all Neighbourhood Plans was available on the Council's public website. However, it was not possible to publish or circulate the report in its current format as it contained sensitive information. A Member requested that an amended version be made available publicly, and also suggested that a brief presentation should be given to the Kent Association of Local Councils.
- A Member asked about the draw on officer resources both now and in the future. The Acting Senior Policy Planner said that this was not an issue at present, but if many Neighbourhood Plans came in simultaneously, there could be knock-on effects for staff resources in the Spatial Planning Team.
- With regard to the costs of the process, the Acting Senior Policy Planner advised that it was an expensive undertaking. The Council had a duty to provide whatever evidence was already in the Council's possession and furnish parishes with a clear statement of what the Council would provide under the Duty to Support and well as guidance on the roles and responsibilities of parishes. Officers would also meet with parishes at the start of any Neighbourhood Plan process to offer guidance and advice. The Government agency 'Locality' also provided advice, technical guidance and grants, and the Council covered the cost of Examination and Referendum. However, parishes were responsible for meeting all the costs of evidence gathering.
- In response to a question, the Acting Senior Policy Planner explained the position regarding the degree of protection provided by a Neighbourhood Plan. Where a five year housing land supply could not be established by the Council, less weight would be attached to the Council's policies as the presumption in favour of development from the NPPF replaced them. However, if a Neighbourhood Plan had provided allocations for housing, and had been adopted in the past 2 years, and the Council could prove a three year housing land supply, there would be better protection for those parishes from speculative development proposals than if they had no Neighbourhood Plan.
- The Acting Senior Policy Planner explained to Members that new changes in the NPPF require the LPA to allocate designated Neighbourhood Plan parishes with an amount of housing from the Local Plan requirement which must be delivered in that parish. A Member asked whether parishes should be concentrating on this number now in order to avoid spending time in the

future on further consultation. The Acting Senior Policy Planner said that as the Local Plan review had not yet commenced, it was not possible to advise parishes on any particular amount of housing in this regard and no methodology for establishing the amount of housing each area would be assigned had been established. At present parishes were only obliged to conform to the current Local Plan. It was confirmed that the Spatial Planning Team would liaise with Parish Councils on these potential requirements at the appropriate stage.

- In response to a question, the Acting Senior Policy Planner said that Neighbourhood Plans formed part of the Development Plan and, once adopted, they carried the same weight as the Council's policies. Neighbourhood Plans could potentially hold more weight than the Local Plan policies if they were considered non-strategic.
- The Acting Senior Policy Planner advised that local green space had to meet strict criteria in order to become protected land. Once adopted, green space designations would hold weight.
- The Principal Policy Planner said that the context of Neighbourhood Plans had changed and would keep changing, and they needed to be in a position to react to changes in the parent policy.
- Members considered that it may be timely to reconvene the Parish Forum in order to re-engage parishes on this issue.
- A Member asked about public consultation. The Acting Senior Policy Planner advised that there was an initial six-week stage of consultation required by any Neighbourhood Plan group with residents in which the Council had no involvement, although advice was provided. Additionally, the Council would consult with members of the public for six weeks on the final Plan once submitted to them. The Neighbourhood Plan group also had a requirement to produce a consultation statement for submission to the Independent Inspector.
- The Chairman said he would like to see this item on the Task Group agenda in 6-12 months' time.

Resolved

That the report be received and noted.

Councillor Bartlett
Chairman – Local Plan & Planning Policy Task Group

Queries concerning these minutes? Please contact membersservices@ashford.gov.uk
Agendas, Reports and Minutes are available on: www.ashford.moderngov.co.uk