

Ashford Borough Council: Local Plan & Planning Policy Task Group

Notes of a Virtual Meeting of the Local Plan & Planning Policy Task Group held on Microsoft Teams on **21st October 2020**.

Present:

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

Cllrs. Mrs Bell, Blanford, Clokie, Harman, B Heyes, Ledger, Spain, C Suddards.

Also Present

Cllrs. Burgess, Pickering, Sparks, Walder.

In attendance:

Head of Planning & Development, Interim Spatial Planning Manager, Deputy Team Leader (Planmaking), Team Leader (Placemaking), Development Partnership Manager, Principal Solicitor (Strategic Development), Senior Planning & Development Solicitor, Member Services and Ombudsman Liaison Officer

1 Notes of the last meeting

- 1.1 The Notes of the meeting of the Task Group held on 24th September 2020 were agreed as a correct record.

2 The Planning White Paper Consultation Response

- 2.1 The Interim Spatial Planning Manager introduced this item and explained that this meeting was to consider the items which were not discussed at the last Task Group meeting in relation to the Planning White Paper Consultation response. He advised that the emerging draft response had been circulated to Task Group members the previous week, but that amendments could be made up until the deadline. Members may also wish to have discussion on the draft covering letter to accompany the response to the White Paper proposals.
- 2.2 The Team Leader (Placemaking) gave a presentation which covered “Building Beautiful” and Design Code proposals. The Chairman opened up the item for discussion and the following points/questions were raised:
- A Member said that careful consideration was needed on how to respond to the Fast-Track for Beauty proposals as design should not be allowed to overcome function. She noted the Officer’s comment that the definition of Beauty should be decided by community preference and she considered

that there was a definite role for neighbourhood planning in this regard. She suggested that the Government could be called upon to support this either financially or in terms of resources. She commended the idea of a Chief Officer for Design and Place-making, but considered that this would require a different set of skills from normal planning qualifications as it would need qualifications and experience which encompassed design too. She was strongly against the concept of pattern books as the Council needed to be able to decide on the most appropriate designs for the Borough, including quirky and original ideas. The Team Leader (Placemaking) agreed that beauty in design was not just about aesthetics. He considered that the appropriate skill set was already available in the Planning team, with qualified urban designers in post. He also agreed that a pattern book approach was not desirable, and that the best design would take account of local vernacular and contextualization, and that this would be included in the response

- A Member suggested that it could be useful to have a representative from the Council on any national expert body for design that was established. She expressed concern that community engagement would be reduced to a tick box exercise. The Team Leader (Placemaking) agreed that it would be useful to have a Council representative on any national expert body, and that community engagement must be handled in a meaningful way, so that input from residents was at the heart of development.
- Another Member asked whether more energy generation requirements could be included in the planning process as he wished to see an emphasis on energy generation as well as energy efficiency in all types of new dwellings. He also suggested that open design competitions could be a good way to strengthen the quality of new buildings throughout the Borough. The Team Leader (Placemaking) drew attention to the design standards for energy efficiency, and agreed that a suggestion to include design competitions would be included in the response comments.
- A Member said it was important to build in 21st century style, where appropriate, and not hark back to the past. She wanted to see more adventurous design to signal that Ashford was a forward-looking Borough. Another Member said that good design should not mean automatic permission to build, although he did consider that pattern books could be useful, if certain conditions were imposed. He pointed out that good design also referred to internal arrangements, such as disabled provision. The Team Leader (Placemaking) replied that the White Paper was not clear regarding automatic planning permission resulting from Beautiful status, and that applications would still be subject to the planning rule book. He agreed regarding the need for 21st century design and noted the suggestions about contemporary energy efficiency.

2.3 The Head of Planning and Development gave a presentation which covered S106 and the Infrastructure Levy (IL). She advised that there was currently a lack of clarity on exactly what was proposed, but the proposal was that S106 and CIL may be scrapped in favour of the IL. The stated aim of the IL would be to capture

greater amounts of contributions. However, it was not clear to Officers how this would happen, especially in view of the wide range of land values that exist. S106 had many purposes which were not clearly covered by the introduction of IL and the White Paper proposals. Some of the proposals were welcomed, such as the fact that IL would capture all development, including permitted development changes of use. However, there were concerns over the proposals, particularly in relation to the risks to local authorities, that would arise from the expectation of them forward funding infrastructure prior to developments. It was unclear how the developer 'in kind' mechanism would work in practice. It appeared that there would be flexibility in how local authorities could spend IL money, but there could be issues with regard to transparency for the public in how it was spent and when, due to the timescales between agreeing the IL and payments being received. There were no proposals for government funding of infrastructure and it seemed clear that the IL would not be sufficient to cover more spatial infrastructure requirements.

- Members expressed concern over the level of risk to which local authorities would be exposed and considered that the Council's response should be strengthened to emphasise this point.
- A Member said that the Council's response should be drafted in such a way that emphasis was placed only where the Council felt most adamantly opposed to the proposals, and the rest of the response should identify issues and make constructive suggestions and comments. It was also suggested that the covering letter could reiterate key points.
- In response to a question, the Head of Planning and Development agreed that the Council's response needed to seek reassurance from government regarding central funding for larger infrastructure requirements.
- A Member said she considered that amendments to the current system would achieve the same result as the White Paper proposals and she believed that much of the White Paper was proposing change for change's sake. She was opposed to the suggestion that local authorities could pay IL into their general budgets, as she believed there was a risk that IL could become a political tool. The Head of Planning and Development agreed that the existing system could be amended to achieve the aspirations of the White Paper, and that this would be indicated in the Council's response.

- 2.4 The Development Partnership Manager gave a presentation which covered the Infrastructure Levy and Affordable Housing. He explained that the aim of the IL was to deliver on-site Affordable Housing, secured through 'in kind' delivery, and that the Council could specify forms and tenures, as well as accept land as levy payment. The quality of stock would be secured through a 'revert to levy' payment process. There was a proposal for first refusals for councils to buy a proportion of on-site stock, with the cost set nationally.
- 2.5 The Head of Planning and Development gave a presentation on funding and resourcing the Planning department. She said the White Paper had significant financial and resource implications for the department as it proposed a front-

loading approach as well as responsibility falling on local authorities to develop design codes. The Council was in the fortunate position of having design staff in post, but the nationally-set fees would not cover all costs. On a positive note, the White Paper appeared to recognize that funding proposals were needed for modernizing the planning system.

2.6 The Chairman led a discussion to approve in principle the individual responses and confirm whether Members had any further comments:

- Qs1 – 4 not appropriate for a Council reply.
- Q5 – include request for Council involvement in national expert panel.
- Q8a – with regard to the likely 25% increase in housing numbers, there was still no resolution on how to encourage developers to build out permissions. A Member noted the current Parliamentary Inquiry on this topic asking for evidence from local authorities. She considered that it was vital for the Council to respond to this Inquiry as this was a pressing problem. The Interim Spatial Planning Manager said that he would make further enquiries on this with a view to the Council making a contribution. The Deputy Team Leader (Planmaking) displayed a table showing the difference between permissions granted and completions in the last few years. The Chairman asked her to circulate the document to Task Group members, including the numbers from the Chilmington Green development. A Member suggested that constructive proposals could be put forward on how government could motivate developers to build out, such as via a council tax on dwellings permitted but not built out within a specified time period.
- Q8b – the Chairman said that regarding the proposed standard method for assessing local housing need, the Council's response must be aimed at protecting areas of the Borough using an approach similar to Local Plan Policy SP7. It was also suggested that the response should refer to the need to protect areas of the Borough from excessive infill development.
- Q9a – Members were very opposed to this proposal and considered that it would erode the democratic system and weaken the role of Planning Committees. Members agreed that the response to this question needed strengthening.
- Q11 - the Chairman asked Officers to delete the reference to austerity.
- Q15 – the Chairman cited the Chilmington Green development as an exemplar of good design and a beautiful place, and suggested that the response should promote the good work done in this area.
- Proposal 17 – response to include reference to design competitions.
- Proposal 18 – response to include reference to energy generation and efficiency.

- Q22(d) – Members agreed that there should be some measure of underwriting from government in the event that IL from developers to repay forward funding did not materialise. A Member suggested that there could be a brief summary of the impacts on the community in the event that the Council was to become bankrupt.

2.7 It was agreed that the Interim Spatial Planning Manager would recirculate the draft letters to Task Group members, with a request for any comments within 24 hours. It was agreed that no reference should be made to the Council's request for buffer land at Mersham in the draft Planning White Paper response, and that it should be dealt with separately.

Resolved

The Local Plan and Planning Policy Task Group:

- Notes the contents of Appendix 1 to the report as a means of framing the Council's response to the 'Planning for the Future' White Paper, and**
- Agrees that the detailed and final responses to the consultation questions shall be agreed between the Head of Planning, the Portfolio Holder for Planning and Chair of Task Group, subject to the points discussed at the meeting.**

3 Date of Next Meeting

3.1 26th November 2020 at 10am, Microsoft Teams (post-meeting note: this date replaces the previously-planned meeting on 4th November 2020)

16th December 2020 at 10am, Microsoft Teams

Councillor Bartlett
Chairman – Local Plan & Planning Policy Task Group

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