

# 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 **5<sup>th</sup> May 2021**.

## **Present:**

Cllr. Bartlett (Chairman)

Cllrs. Blanford, Clokie, Harman, Ledger, Shorter, Spain.

## **Also Present:**

Cllrs. Burgess, Michael, Sparks, Walder.

## **In attendance:**

Spatial Planning Manager; Team Leader - Plan Making and Infrastructure; Deputy Team Leader - Plan Making and Infrastructure; Development Partnership Manager; Principal Solicitor (Strategic Development); Member Services and Ombudsman Liaison Officer.

## **1 Declarations of Interest**

- 1.1 Cllr. Bartlett made a Voluntary Announcement, as he was a Community Councillor at Kennington Community Council.

## **2 Notes of the last meeting**

- 2.1 The Notes of the meeting of the Task Group held on 25<sup>th</sup> March 2021 were agreed as a correct record.

## **3 Housing Delivery Test Action Plan - 2021 Update**

- 3.1 The Team Leader - Plan Making and Infrastructure introduced himself to the meeting as a new Council officer in the Planning Service. He ran through the report and drew Members' attention to the key points.
- 3.2 The Chairman opened up the item for discussion and the following comments/points were raised:
  - In response to a Member request, the Team Leader - Plan Making and Infrastructure undertook to circulate to members of the Task Group details on how to access the brownfield register. He confirmed that the register was in the public domain.
  - A typographical error was noted, referencing Ashfield, rather than Ashford.

- A Member asked about the concept of Permission in Principle on brownfield sites, and expressed concern that the development of these sites could be taken out of the hands of the Local Authority if the Planning Committee process was bypassed. The Spatial Planning Manager explained that developers may prefer to have their applications considered by Planning Committee as Committee approval would provide more secure permission. Permissions in Principle were likely to become less common as there was a national move towards a zonal approach. He further explained that it was necessary to refer to the brownfield register in the Action Plan, but that it was not likely to make a significant contribution to overall delivery in the Borough.
- A Member asked whether Ward Members received notification of Permissions in Principle. The Spatial Planning Manager agreed to check on this.
- A Member noted that housing completions had decreased and asked whether there was a single fundamental problem that could account for reduced delivery. The Team Leader - Plan Making and Infrastructure replied that reduced figures were certainly a matter of concern, but he emphasized that many Local Authorities throughout the country faced this problem, and that the Council was not alone. The current difficulties were a consequence of the new rules established by Government. The Spatial Planning Manager said that Housing Delivery Test figures next year could be an issue because of the Stodmarsh situation affecting permissions. The impact would be better known in June/July time and officers would report back to a future Task Group meeting. He assured Members that officers were doing their utmost to respond to the situation.
- The Portfolio Holder for Planning and Development said that the historical permissions figure exceeded delivery numbers. This was noted in the report and had been fed back to Government previously. The Council's delivery record was very good, and the Stodmarsh problem was being addressed as quickly as possible. He asked Members to recognize that the onus was on developers and builders to deliver new sites on the ground, once permission had been granted. He also pointed out that Kingsnorth was part of the wider Garden Community, and should be referenced in the Action Plan. Another Member said she thought it was important to communicate to the public that the issue of delivery largely lay with developers.
- A Member said that she considered it was difficult for parish councils to get appropriate and pro-active support and advice from the Council regarding neighbourhood plan making. The Spatial Planning Manager said that he agreed with the principle of Council support with neighbourhood plans, but that the dissatisfaction sometimes lay in the level of advice which was expected from the Council. The Council had a critical friend role, but ultimately would have to endorse the final neighbourhood plan or make comments in disagreement. It was necessary for the Council to provide advice and support in relation to principles of plan making, but it should not

provide specific planning advice or direction. He said that the Council should make it very clear what level of support it was appropriate to offer to parish councils. The Member said she understood that neighbourhood plan groups needed to employ external advice at some point, but cited difficulties she had had in obtaining GIS information, and she said this sort of support needed to be more readily available.

- A Member suggested that more data should be available on build out levels so it was clear where responsibility lay for shortfalls. This data should be made widely available to indicate that the Council was providing permissions, but developers were not building out. The Team Leader - Plan Making and Infrastructure said there were resource implications in providing this data. He said it was possible to feed back on a more regular basis to the Task Group, but warned that it was a very resource intensive undertaking. Members agreed that this information should ideally be provided to the Task Group on a six-monthly basis. The Spatial Planning Manager added that the Government was encouraging Local Authorities to understand delivery better and work towards improved relationships with developers. In the last year this process had been hampered by the pandemic, which had slowed down lines of communication between the Council and developers. However, information should become more available as life returned to normal, and this type of communication should be a matter of course for major sites anyway.
- In response to a question the Team Leader - Plan Making and Infrastructure advised that brownfield sites were added to the register at the instigation of landowners and developers.
- A Member asked about the potential for double-counting sites. The Team Leader - Plan Making and Infrastructure said that the counting system precluded double-counting and that everything, including windfalls and individual dwellings, was included.
- In response to a question, the Team Leader - Plan Making and Infrastructure confirmed that the completions at Chilmington Green would be included in the delivery figures.
- A Member asked whether there was an action plan relating to infrastructure requirements for build out to take place. The Team Leader - Plan Making and Infrastructure responded that a review of the infrastructure delivery plan was referred to on page 19 of the Action Plan. This was likely to take around a year. He explained that completion referred to a dwelling with the roof and windows in place.

## **Resolved**

### **That the Local Plan and Planning Policy Task Group:**

- (i) Notes and comments on the contents of the updated Housing Delivery Test Action Plan in line with the discussion above; and,**

- (ii) **Allows the Portfolio Holder, Task Group Chair, and Head of Planning to make consequential amendments to the Action Plan prior to its publication on the Council website.**

## **4 (Bi-Annual) Planning Appeals Review**

4.1 The Deputy Team Leader - Plan Making and Infrastructure introduced this item and highlighted the key points within the report.

4.2 The Chairman opened up the item for discussion and the following comments/points were raised:

- Members approved the format of the report, and, after some discussion, it was agreed that the item should be reported back to the Task Group annually rather than six-monthly.
- Members asked that future reports should include a column indicating whether original refusal had been via Planning Committee or officer decision. The Deputy Team Leader – Plan Making and Infrastructure agreed to provide this information in future.
- A Member asked about the potential for challenging the Inspector when officers had clear reasons to disagree with a previous Inspector's decision. The Principal Solicitor (Strategic Development) advised that the courts had made it clear that statutory challenges to Inspector decisions could only be made on legal grounds. It was not possible to challenge a decision where officers fundamentally disagreed with the conclusion, unless there was a sound legal reason to go ahead.
- A Member said she considered it was very important for Ward Members to be kept updated on significant decisions. The Deputy Team Leader – Plan Making and Infrastructure reminded Members that appeals review statistics were provided to Planning Committee on a quarterly basis and Ward Members could be made aware that this information was available via the website. The Principal Solicitor (Strategic Development) emphasised that the report provided to this meeting was restricted and the details contained within could not be discussed outside the Task Group. The report which was submitted to the Planning Committee contained no sensitive information as it was a public report which was available on the website. This latter report could be discussed and disseminated externally.
- A Member asked whether the appeals review revealed any lessons to be learned by the Council. The Spatial Planning Manager replied that the review showed the advantage of having an up-to-date Local Plan. He believed this contributed towards a good success-rate for the Council at appeal. He believed there were some nuanced lessons, but the pillars of the Local Plan were solid and well interpreted.

**Resolved**

**That the report be received and noted.**

## **5 Boughton Aluph Neighbourhood Plan Update**

- 5.1 The Spatial Planning Manager drew Members' attention to the key points within the report.
- 5.2 The Chairman opened up the item for discussion and the following points/comments were made:
- A Member asked whether the plan was the original version or the version amended by the Inspector. The Spatial Planning Manager confirmed that it was the latter.
  - The Spatial Planning Manager advised that the Council had made some comments on the Neighbourhood Plan, and these had been supported by the Inspector.
  - The Ward Member for Boughton Aluph said that the Parish Council had received very good advice from the Borough Council in relation to their neighbourhood plan. However, the Parish Council had been disappointed at the lack of Borough Council support on the open space policy. The Spatial Planning Manager referenced the strategy for sports and recreational facilities in the Local Plan. He said it was likely that the Local Plan review would reconsider expansion of identified hubs.

**Resolved**

**That the report be received and noted.**

## **6 Work Tracker**

**Resolved:**

**That the Tracker be received and noted.**

## **7 Date of Next Meeting**

- 7.1 24<sup>th</sup> June, 10am, Microsoft Teams  
5<sup>th</sup> August, 10am  
9<sup>th</sup> September, 10am  
21<sup>st</sup> October, 10am  
2<sup>nd</sup> December, 10am

Councillor Bartlett  
Chairman – Local Plan & Planning Policy Task Group

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