

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 **3 February 2023**.

Present:

Cllr Bartlett (Chairman)

Cllr Mrs Bell, Blanford, Harman, Ledger, Spain, Walder, Wright.

Also Present:

Cllr Burgess.

In attendance:

Director of Place, Space and Leisure; Spatial Planning Manager; Team Leader - Plan Making and Infrastructure; Team Leader - Plan Making and Infrastructure; Deputy Team Leader – Plan Making and Infrastructure: Development Partnership Manager; Planning Officer – Plan Making and Infrastructure; Spatial Planning Officer; Spatial Planning Officer; Developer Contributions Monitoring Officer; Principal Solicitor - Strategic Development; Senior Planning and Development Solicitor; Climate Change Manager; Policy and Democratic Services Assistant; Member Services Officer.

1 Apologies and substitutions

1.1. Apologies had been received from Cllr Bell.

2. Declarations of Interest

2.1 Cllr Bartlett declared that he was a Member of Kent County Council.

2.2 Cllr Mrs Bell declared that she was a Member of Kent County Council.

2. Notes of the last Meeting

3.1 Resolved

The Notes of the meeting of 16 December 2022 were received and noted.

3. KCC Developer Contributions Guide Consultation Response

- 3.1 The Team Leader – Plan Making and Infrastructure introduced the item, referred Members to the content of the report and highlighted officers concerns in response to the consultation.
- 3.2 The item was opened up for discussion and questions. It was felt the report made salient points and that these should be relayed to KCC in a measured and constructive way. Members endorsed the concerns raised. The Chair reminded the group that East Kent Councils had the additional financial burden of the Stodmarsh mitigation measures.
- 3.3 The Chair confirmed it was understood that Kent County Council had statutory obligations to fulfil, but ABC also had a duty to local residents to deliver new facilities and improve existing.
- 3.4 A Member was concerned that the Guide may lead to developers raising the purchase price of homes, making them even more unaffordable.

Resolved

The Local Plan & Planning Policy Task Group

- **endorsed the contents of the report as a means of framing a response to the consultation on the KCC Developer Contributions Guide; and**
- **agreed to delegate authority to The Leader and Assistant Director of Planning and Development to finalise and agree the response to KCC between the Portfolio Holder for Planning and The Chair of Task Group.**

4. Infrastructure Funding Statement

- 4.1 This was an annual statement with the same format as previously. It was commended by Members.

Resolved

That the report be received and noted.

5. The NPPF Prospectus

- 5.1 One of the Team Leaders – Plan Making and Infrastructure introduced the item and began a comprehensive presentation of a high-level summary of the proposed changes included in the consultation, which required an ABC response by 2 March 2023. The presentation is attached to these notes as Appendix A.
- 5.2 The Development Partnership Manager expanded on the first theme.

- 5.3 The Team Leader – Plan Making and Infrastructure highlighted the difference between the 5YHLS and the HDT. ABC's Local Plan would be up-to-date when the changes to the NPPF were scheduled to come into force. There was a lack of clarity as to what the proposed new alignment policy entails and it was recommended that this is highlighted in the response. The role of beauty was being re-emphasised. Reference to local design codes was supported in principle. There are proposals afoot to penalise developers for slow build-out, and the introduction of revised text in the NPPF to afford 'significant weight' to the importance of energy efficiency through the adaptation of buildings.
- 5.4 The Team Leader – Plan Making and Infrastructure explained the changes proposed to plan-making. There was an intention to level up and boost economic growth; further consultations would follow.
- 5.5 The item was opened up for comment and questions. A Member expressed concern that truly-affordable housing options were not receiving high enough priority.
- 5.6 Members raised the issue of greater choice for older home-owners and tenants wishing to downsize, particularly in rural neighbourhoods. The demise of the Community Housing hub was a negative, as there was no-one to take control if exception sites were identified. The Development Partnership Manager advised that bungalows were land-hungry dwellings, and so usually developers are less keen to deliver them.
- 5.7 A Member had concerns regarding the impact of neighbouring authorities not achieving their housing targets. There was nothing in the Prospectus to accommodate improved health infrastructure and this should be included in the response back to government. He asked whether schemes for on-shore wind farms and solar farms that benefit local communities would be considered more favourably. The Team Leader – Plan Making and Infrastructure explained the limitations of Section 106 obligations in the context of proposals to deliver renewable energy. The Climate Change Manager highlighted that it is important to encourage renewable energy, particularly as the country moves from gas-powered heating to greener alternatives.
- 5.8 AONBs are afforded a high status of protection.
- 5.9 A question was asked whether Neighbourhood Plans could facilitate car ports being converted to garages.
- 5.10 The Team Leader – Plan Making and Infrastructure explained that, the Prospectus does not clarify what constitutes 'irresponsible behaviour' on the part of developers, examples were included in the Prospectus. It was agreed that further clarity should be provided by government and this should be raised in the Council's response.
- 5.11 The Chair raised the subject of 'street votes'.

- 5.12 There is a requirement to review Neighbourhood Plans to ensure they comply with the current Local Plan and national policies, some Neighbourhood Plans may need to be reviewed sooner than 5 years.
- 5.13 Officers intended to draft the consultation response within the next two/three weeks, based on feedback from the Group, and the Leader. The Group asked for the opportunity to comment on the draft before the response was submitted. It was agreed this would be emailed out to Members, with a short deadline to respond.

Resolved

The Local Plan and Planning Policy Task Group

- **noted the contents of the presentation as a means of framing responses to the government consultation; and**
- **agreed to delegate authority to the Leader and the Assistant Director of Planning and Development to finalise the response, circulate to members of the Task Group by email for comment and then agree the final response with the Portfolio Holder for Planning and The Chair of Task Group.**

6. Canterbury Local Plan Regulation 18 Consultation Response

- 6.1 One of the Deputy Team Leaders – Plan Making and Infrastructure referred Members to the report, explaining that this was the first stage in the consultation process. It was important to feed back in order to remain actively engaged in the process.
- 6.2 Members endorsed the need to remain involved, and responded positively to the prospect of a Stour Valley Regional Park.
- 6.3 A Member commented on the need to take account of the potential for increased traffic generation across the boroughs.
- 6.4 The Chair had concerns regarding access by car into areas in and around the city.

Resolved:

The Local Plan and Planning Policy Task Group:

- **endorsed the contents of the paper as a means of framing a response to the Regulation 18 consultation on the Canterbury Local Plan to 2045; and**
- **delegated authority to the Assistant Director of Planning & Development to finalise and agree any responses in consultation with**

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

7. Local Development Scheme (LDS) 2023 – Update Note

- 7.1 The Group noted the report, and that the Local Plan Review would be a matter for the next cohort of Members of the Task Group following the upcoming election.

Resolved

That the report be noted.

8. Member Tracker

- 8.1 It was agreed the Chair, the Portfolio Holder and the Spatial Planning Manager would arrange to meet offline to discuss the Member Tracker and items for the March Agenda.

9. Date and time of the next meeting

The next meeting had been arranged for 17 March 2023, at 10am, via Teams.

Councillor Bartlett
Chairman – Local Plan & Planning Policy Task Group

Queries concerning these minutes? Please contact
membersservices@ashford.gov.uk

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The NPPF Prospectus Proposed changes to the National Planning Policy Framework



Planning Reforms History

Government White Paper

Published in August 2020 and laid out the Governments visions for a new Planning System.

The Levelling up and Regeneration Bill

This was introduced on May 11th 2022 aimed at putting the foundations in place for delivering the above agenda.

The Government is not intending to respond to the 2020 consultation and will instead publish a revised framework by Spring 2023.

Prospectus for revising the National Planning Policy Framework

This was issued on 22nd December with a closing date for the consultation on 2nd March 2023.

Planning for Homes

5YHLS

- LPA's with an up-to-date plan will no longer need to demonstrate a deliverable 5YHLS - to take effect as soon as the revised NPPF is published.
- No longer a requirement for buffers.
- LPA's without an up-to-date plan (>5 years) to identify and update annually a 5YHLS taking into account previous under or over supply as set out in the PPG (details tbc).

HDT

- Applying the HDT in a way which does not penalise local planning authorities unfairly.
- Addition of a permissions based test - that will 'switch off' the application of the presumption in favour of sustainable development where an LPA can demonstrate sufficient 'deliverable' permissions to meet its housing requirement.

Planning for Homes

Local Housing Need

- Standard method and ability to use alternative in exceptional circumstances will remain.
- Standard method - An advisory starting-point to inform plan-making.
- PPG to provide more explicit examples of local characteristics that justify use of an alternative method – i.e. high population of elderly, high population of students.
- Preservation of local character to become a reason that may justify a lower number – i.e building at densities which would be significantly out-of-character.
- Past 'over-delivery' to be taken into account

Neighbourhood Planning

- Greater protections for areas covered by an adopted Neighbourhood Plan.
 - protection from unwanted development for five years rather than two.
 - removal of tests that currently mean LPA's need to demonstrate at least a 3 year HLS.
 - Removal of tests that requires the LPA to have delivered a minimum amount of housing (scoring above 45 per cent in the housing delivery test)
- Neighbourhood Priorities Statements



Asking for beauty

Proposed amendments to the NPPF intend to:

- Emphasise the role of beauty
- Facilitate mansard roof as a means of increasing densification/creation of new homes
- Reference the preparation of local design codes in line with the National Model Design Code.
- Ensure planning conditions refer to clear and accurate plans and drawings.



Measures to tackle slow build out of permissions

- Options for tackling past 'irresponsible behaviour'
- Development Commencement Notice (DCN)
- Completion Notices
- Following passage of the Bill gov data will be published on developers who fail to build out.
- New financial penalties for developers failing to deliver – subject to future consultation.



Increased environmental protection & tackling climate change

- Greater flexibility to deliver on-shore wind & proposals to enable the repowering of existing onshore wind turbines.
- The NPPF to give 'significant weight' to the importance of energy efficiency through the adaptation of buildings (New para 61).
- Exploring a form of carbon assessment.
- Flooding Risk Management
- Commitments to work with Defra to:
 - review the current degradation provisions for BNG, to reduce the risk of habitat clearances prior to the submission of planning applications, and before the creation of off-site biodiversity enhancements;
 - issue guidance that details how LPA's will be expected to comply with Nature Recovery Strategies; and
 - undertake a review of ancient woodlands and ancient and veteran trees – consider options for further protection.

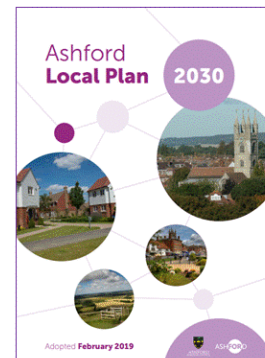


National Development Management Policies

- Consultation on the scope.
- Policies would fall within 3 broad categories:
 - Existing policies aimed at decision-making already within the NPPF,
 - Selective new additions to reflect new national priorities (i.e. net zero policies that it would be difficult to develop evidence to support at a district level, but which are nationally important).
 - Selective new additions to close 'gaps' where existing national policy is silent on planning considerations that regularly affect decision-making across the country (or significant parts of it).
- Further consultation to follow passage of the Bill.

Changes to Plan Making

- Bill sets out reforms to the local plan-making system.
- Plans will be produced more quickly and the content of plans will be simplified.
- Reforming the test of soundness.
- Transitional arrangements for new and revised plans
- Duty to co-operate replaced by “alignment policy”



Levelling up and boosting economic growth

- There are no proposed changes to economy related policies.
- Commitment:
 - o to reshape the existing ‘Building a strong competitive economy’ policies to align more closely with the economic vision set out in the Levelling Up White Paper as part of the full review of the NPPF next year.
- Intention:
 - o Make sure that LP’s support new business investment and give existing business, the confidence to expand and grow.
 - o Support the sectors and businesses that will drive up productivity(i.e. technology and research and dev sectors).
 - o Spread financial capital and investment to the places, projects and people that need it most.

Further Consultations

- The new alignment policy (replacing Duty to Co-operate)
- The Infrastructure Levy
- National Development Management Policies
- Approach to Carbon assessments
- Separate consultation on proposals to introduce a financial penalty against developers who are building out too slowly.
- Wider review of the NPPF 2024

