

Planning

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Date: To be submitted by 11th March 2019

Dear Sir/Madam

Core Strategy Review Regulation 19 Consultation

Thank you for consulting with the Council on the Folkestone and Hythe Core Strategy Review. The Council acknowledges and supports the overall strategy set out in the Core Strategy Review of meeting the District's housing need within Folkestone and Hythe District over the plan period.

However, the Council has concerns regarding the detail of the policies relating to the proposed garden settlement at Otterpool, and how they, and the Plan as a whole address the strategic matters which impact upon Ashford Borough. **The Council is therefore raising objection to the plan on the basis of it being unsound as it is not effective or justified.**

This letter sets out the reasons for this, and proposes amendments to address the issues.

As we have discussed with you over the past 18 months or so, it is the development of the proposed garden settlement at Otterpool which has the potential to result in cross boundary impacts on Ashford Borough, and this is therefore where the focus of the comments are provided. The Council's comments relate primarily to policies SS6, SS7, SS8 and SS9 which provide the policy framework for the proposed garden settlement, and in relation to the following cross border issues:

- Transport – highways and rail
- Water – flood risk, wastewater infrastructure and water quality
- Secondary Education
- Retail provision
- Phasing



In general it is considered that the policies do not contain sufficient detail and are not precise enough to ensure that the cross border matters will be addressed appropriately. The policies should provide the framework and parameters by which the planning application for development will be determined, but it is considered that the policies are deficient in providing for this.

The Council therefore objects to the policies SS6, SS7, SS8 and SS9 of the draft Core Strategy Review. The following identifies the concerns by issue.

Transport – highways - Policy SS7 (6) c.

For such a potentially significant issue, the draft Plan is unclear and imprecise about where impacts are expected and what sort of mitigation will be required. Whilst it is accepted that transport modelling for such a large scale development cannot be wholly precise and that many different factors may influence what actually happens on the ground in due course, the evidence base provides a general overview of potential highway impacts which should be expressed more specifically in the site policy.

In particular, the reference in Policy SS7 (6) c.) to “other key junctions” being improved is vague and does not provide sufficient comfort that adequate mitigation will be required in all necessary locations.

It is requested that specific reference is made to M20 Junction 9 in the policy as any capacity constraints caused here by traffic from the garden settlement may have implications for the Borough Council’s future plan-making and decision-making if capacity is reduced at such a strategic point of the highway network.

There is also a need to ensure that adequate monitoring safeguards are built into the policy. This will enable the predictions for traffic generation and distribution contained within the transport model to be monitored and should actual traffic flows depart from those predicted, require suitable and proportionate mitigation to be designed and implemented. This is particularly the case in respect of the rural road network where relatively small increases can have significant negative effects.

Transport – rail - Policy SS7 (6) g.

The need to make significant improvements to Westenhanger station in order for it to fulfil its anticipated role for the settlement is acknowledged and supported, and will be important in persuading future residents to travel by rail rather than by car. The policy would benefit from being more precise as to the timescale or appropriate trigger point (e.g. number of residential occupations) for such improvements to be completed.

The question of existing and future high speed services to London is a crucial aspect for Ashford’s future growth. Westenhanger is approximately a non-stop 6 minute journey from Ashford International on non-HS1 services and so connectivity to HS1 services that depart from Ashford International is already good albeit requiring a change of train.

If Westenhanger station is to become an additional stop on the HS1 services south of Ashford, this could affect future train passenger capacity at Ashford International. It would be preferable if the Plan reflected the possibility of high speed ‘Javelin’ services to



Westenhanger in the context of ensuring that passenger capacity is not compromised at Ashford International in the future.

Water and drainage - Policy SS7 (1) b.vi; Policy SS8 (1) 1-iv; and Policy SS9 (1)

The proposals presented through the Masterplan for integrated water management are aspirational and if implemented, are likely to have positive benefits for Ashford including reducing flood risk and improving water quality.

However, it is not considered that this has been followed through and is properly secured through the planning policies for the development, particularly in the case of flood risk.

The two policies which deal with flood risk make conflicting statements and it is therefore unclear from the policy what is actually required. Policy SS7 (1) b vi. requires SuDS to be delivered to 'prevent downstream flooding of the East Stour River', whilst Policy SS8 (1) iii. states that SuDS should be delivered to 'avoid increasing flood risk'. It is questionable whether the SS7 requirement is actually deliverable, as it is unlikely the development could reduce runoff sufficiently to prevent flooding of the East Stour River completely. Whilst the requirements of SS8 are not considered to go far enough and should require the development to reduce flood risk.

The work that has been carried out through the masterplanning of the site in relation to greenfield runoff rates and proposed development rates indicates that the development can deliver a reduction in total discharge rate to the East Stour, which would result in a reduction in peak flow rate for 1 in 30 and 1 in 100 flood events, thereby reducing flood risk downstream. This is achieved by delivering an overall post development rate for the site of less than 2 l/s/ha.

The Council considers that amendments are required to the policies which make it clear that the use of SuDS should be designed and implemented to reduce flood risk downstream. The policy should be specific regarding the runoff rates that will be required in order to reduce flood risk downstream, which based upon the current evidence is an average post development rate of less than 2 l/s/ha, with no areas of the development site discharging above 2l/s/ha.

In terms of wastewater infrastructure, Policy SS8 (1) iv. is also vague on the specific requirements, only stating that the water cycle strategy should include details of water services infrastructure requirements and their delivery. Reference is made to Policy CDS5 which is a generic policy about water and coastal environmental management which requires new buildings and dwellings to be delivered in line with wastewater capacity. However, it is not clear as this policy mainly relates to surface water runoff.

There is still uncertainty regarding how the proposals for wastewater infrastructure will be delivered, what they will be and their timing, which it appears may not be capable of being delivered prior to the proposed development phasing. The Council therefore considers that amendment needs to be made to the policies (at SS7 (1) b and SS9 (1)) to make more explicit requirements for wastewater infrastructure and their phasing in relation to the proposed development. This would ensure sufficient infrastructure is in place to support the development and avoid any harm to water quality or impact upon existing infrastructure



which may have a negative impact upon surrounding communities, including those in Ashford Borough.

Secondary Education - Policy SS6 (4) c. and Policy SS9 (1)

Folkestone and Hythe District appear to be at the early stages of discussion with Kent County Council (KCC) regarding school provision for the development, and the proposals for dealing with secondary school provision are not well developed.

The proposals within Policy SS6 (4) c. and Policy SS9 (1) are very generic, and there are no specific requirements regarding the amount, timing or location of secondary education provision within the development. The Infrastructure Delivery Plan does provide some additional information regarding KCC's preference to provide for the additional demand through a combination of expansion to the two existing selective schools in Folkestone, as well as provision on-site.

Given that KCC has indicated that secondary school capacity will be full when the garden settlement development commences, the Council considers that Policy SS6 (4) c. needs to set out further clarity on what will be required and when. The policy should set out the trigger points for requiring secondary schools to be provided on site, or for the off-site expansions to be completed, to ensure that the provision for schools is provided in line with the need.

Without this security within the policy, there is a risk that the demand for school places from the development is not able to be delivered in a timely manner, thereby putting pressure on secondary schools in Ashford, and undermining the planning that has taken place in Ashford to ensure that secondary education provision is expanded in line with development. This should include an amendment to reference to the 'local area' in Policy SS9 (1) b, to ensure this covers the relevant infrastructure in Ashford Borough.

Retail Provision – Policy SS7 (2) b.

The main issue in relation to retail provision which may impact upon Ashford is the potential provision of comparison retail, in terms of its format, scale and location. The potential for large scale comparison retail development which does not meet the everyday needs of the new community, would raise concerns for the Council, in terms of the potential impact upon Ashford Town Centre and its vitality and viability.

Policy SS7 (2) b. provides an indication of the amount of comparison retail expected to come forward by making reference to the amount which the Retail and Leisure Needs Assessment evidences could be supported by the development. However, the policy is worded in a way which only makes reference to the study, and does not specify that this is the amount that should be provided, and a greater amount could come forward. If a greater amount of comparison retail were to come forward, this would be catering for more than the needs of the development and therefore has the potential to draw trade away from other centres, including Ashford.

The Retail and Leisure Needs Assessment Update 2018 identifies the need for 6,299 sqm within Table 3.2, whereas Policy SS7 (2) b. states 7,300 sqm. The correct figure needs to be clarified.



It does appear that the intention is for the retail development to provide only for the needs of the new community, and that it should be located and laid out as a town centre for the development. Policy SS7 (2) b. and supporting text (para 4.179) does recognise that there is the potential for retail development to have an impact upon Ashford (and other centres in F&H District). The supporting text states that the town centre will need to be 'carefully planned and phased' to avoid any detrimental impact to surrounding centre. However, it is considered that the policy should be more explicit about the role and function of the town centre and that the provision of retail development should only be to meet the needs of the new community (based upon the existing retail and leisure needs assessment, or an update to it). Policy SS7 (2) should include more detailed parameters explaining what is meant in terms of being carefully 'phased and planned' in terms of the format, scale, location and phasing of the retail development. For example, to avoid proposals coming forward for large scale retail development and/or in the form of an out of centre retail park.

Phasing – Policy SS6 and Policy SS9 (1)

The delivery and phasing of infrastructure is critical to mitigating potential impacts on existing communities, including those within Ashford Borough. The current requirements for phasing and delivery of infrastructure set out in policies SS6 and SS9(1) are vague, and do not include any specific requirements or parameters around the details of what infrastructure will be required and when. It appears that this is proposed to be fully negotiated and agreed through the planning application process. However, there is no requirement in the policies for the local planning authority to agree with the phasing and delivery strategy – it is only required to be consulted with. It is considered that this is inappropriate and gives Folkestone and Hythe District Council little control over what it to be proposed and how and when it will be delivered.

It is therefore requested that the policies be more specific in identifying what would be regarded as 'critical' infrastructure needed to support the development and either a timescale or set of trigger points to govern when that infrastructure should be in place. For example, when specific highways improvements are expected to be carried out, and schools are expected to be delivered, in relation to the delivery of dwellings/other development. There should be additional detail provided regarding what will be expected to be included within the detailed phasing and delivery strategy, and that this should be agreed by the Local Planning Authority and the development shall be carried out in accordance with it.

It is recognised that the emerging masterplan which is being prepared in support of the planning application does currently address some of these concerns, and that Folkestone and Hythe District Council proposes to address and secure an appropriate solution to the issues through negotiation on the planning application and associated S106 agreement. However, without these details being set out as policy requirements, this does not provide the necessary safeguards that these matters will be addressed appropriately through the development.

We hope that we can work with you to agree an appropriate form of wording to be included within the Plan, to address these concerns. You have advised that the timetable for submission of the Plan does not allow for amendments to be made before this taking



place. It is therefore proposed that the Statement of Common Ground should be used to agree the proposed amendments that will address the Council's concerns.

Please note that due to the timing of the consultation period, this response is provided on a provisional basis, and is due to be considered at the Cabinet meeting on the evening of 14th March 2019. A further response will be provided following that meeting should any changes or additions to this letter be requested by the Cabinet.

Yours sincerely

Ashford Borough Council

