

ASHFORD BOROUGH COUNCIL
Examination of Ashford Local Plan 2030

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Dear Mr Cole

Thank you for your letter of 11 July seeking clarification of some aspects of our post hearings advice note (ID/10). Our response to each query is set out below. We trust that this further advice will suffice but if there are any more matters to be resolved then please request this via the Programme Officer.

Housing Land Supply

As part of the main modifications process the housing trajectory at Appendix 5 will need to be updated to reflect the latest position and our findings. In assessing the five year supply of sites we have applied the "realistic prospect" test in the National Planning Policy Framework. This is synonymous with the figures in the latest trajectory accompanying the update to the Housing Topic Paper of June 2018 (SD08b) with the exception of the former Powergen site.

The larger sites referred to in our post hearings advice where likely supply has been over-stated are S2, S3 and S20. In each case, on the basis of the evidence presented, we do not consider that completions will occur until 2021/22 at the earliest apart from 25 units at S2 in 2019/20. This reduces the deliverable supply from each of these sites to 150, 140 and 130 respectively and therefore the trajectory should be revised to reflect this.

Residential windfall policies

As we said originally there are likely to be some settlements where development within the built-up confines can be justified as meeting the HOU3a criteria but where development outside the built-up confines would not be able to meet the criteria of Policy HOU5. For example, this could be because there are insufficient services to meet basic day to day requirements. Such settlements should therefore be excluded from the requirements of HOU5 relating to development adjoining or close to it. However, the Council's systematic assessment may indicate that windfall development within that settlement *is* suitable.

We are not suggesting that there should be a specific threshold or percentage increase against which the capacity issue should be assessed. Such an approach is unlikely to be workable in a Borough with a large number of villages of different sizes and different levels of service provision. Rather, the examples given in paragraph 27 are the types of factor (in addition to those set out in paragraph 5.59) that the Council could have regard to in determining whether a proposal would be "proportionate" and "commensurate". There is still likely to

be an element of judgement based on the specific characteristics of each settlement and proposal. However, the policy should at least set out the various considerations against which such judgements will be made.

Affordable Housing

In the first instance, the Council should consider whether or not the relevant allocations would be capable of accommodating 11 dwellings while still meeting other policy requirements. This is important considering if the Council previously saw fit to limit development to 10 dwellings only. However, where a site is capable of accommodating 11 dwellings then the policy could allow for this to facilitate the delivery of affordable housing.

Allocated Sites

Our advice was that an absolute restriction on capacity should only apply where justifiable site specific circumstances warranted it. In the case of site S36 the policy could reflect the most up to date context. Therefore, a change to 19 dwellings would be appropriate to ensure an accurate assessment of supply.

For biodiversity assets, conservation in line with statutory and policy requirements should clearly be the minimum, but measures could be included within most development proposals to both mitigate impacts and make improvements to the current situation. In terms of site specific policies we therefore see no reason why they should not refer to the conservation *and* enhancement of biodiversity assets where this is warranted. Any specific requirements for enhancement set out in any policy could also remain in place.

Policy EMP2

Our concern is that requiring detailed viability evidence about alternative employment uses is likely to be an unnecessarily onerous task, particularly in relation to smaller sites or premises. This applies whether judged over the plan period or a shorter time span. The policy is therefore unsound in its current form, but the advice note invites the Council to pursue a different approach. Whilst not wishing to be prescriptive, the Council may, for example, wish to consider whether it would be more straightforward to require evidence of marketing for a wider range of uses than those in the 'B' use class in the first instance. This would provide some comfort about the likelihood of the site being suitable or viable for other appropriate employment generating uses.

Neighbourhood Plans

We have no further comments to make in the light of ED/18 and therefore request that the Council work up main modifications along the lines suggested.

Indeed, unless otherwise specified, it should be taken that where the Council has suggested modifications within statements of common ground, examination documents or matters statements, then we are assuming these will form part of the main modifications schedule that is currently being prepared.

Policy SP3

The intention is to reflect actual development in the pipeline in the interests of effectiveness. Based on the additional information in ABC/PS/07a, new

employment floorspace in the Plan equates to 63 ha and the policy should be adjusted accordingly assuming that there have been no changes to the individual allocations set out in Tables 1 and 2 of that document.

Timescales

Finally we note your advice regarding the timescales for the preparation of the main modification schedule.

David Smith

Steven Lee

INSPECTORS

20 July 2018