

ASHFORD BOROUGH COUNCIL
Examination of Ashford Local Plan 2030

Inspectors: David Smith BA(Hons) DMS MRTPI
Steven Lee BA(Hons) MA MRTPI

Programme Officer: Lynette Duncan

Tel: 07855 649904

Email: programme.officer@ashford.gov.uk

Address: c/o Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL

Webpage: [Local Plan to 2030](#)

HEARING AGENDA

WEDNESDAY 13 JUNE at 10:00am

Issue 16 – Built and Natural Environment

Inspector: Steven Lee

Issue 16: Are the topic policies for the natural and built environment justified, deliverable and consistent with national policy? Will they be effective?

Natural Environment

- i) Is Policy ENV1 consistent with paragraphs 113, 117 and 118 of the NPPF? In particular, does it make an appropriate distinction between the hierarchy of designated sites so that protection is commensurate with their status and fully recognises the role of mitigation? Is it clear to which parts of the policy the sixth paragraph relates and does this lead to any contradiction and inconsistency with what comes before?
- ii) Is the difference between the types of development considered in the second and third paragraphs of Policy ENV2 sufficiently clear to make the policy effective? Is it reasonable to expect all development on the edge of the Green Corridor to make a positive contribution to the factors listed?
- iii) Is the approach of Policy ENV3 justified and will the individual criteria be effective? In Policy ENV3b, is it justified to expect development within the AONB to 'conserve *and* enhance' the character of the landscape in the first bullet point? Is it justified to expect all development within an AONB to 'enhance' their special qualities? Is this consistent with the first paragraph of the policy?
- iv) Is Policy ENV4 too prescriptive, particularly in terms of specifying such things as beam angles? Is this likely to provide sufficient flexibility to address individual circumstances? What is the justification for identifying the area as a 'dark sky zone' and would the policy be effective in delivering this aspiration?
- v) To what extent are the features included Policy ENV5 protected by other policies in the plan? What is the justification for selecting these particular features and not others? Is the policy consistent with the NPPF, including

paragraph 118, in terms assessing impact, mitigation and the benefits of development?

- vi) Is Policy ENV6 consistent with paragraphs 100-105 in the NPPF and is it sufficiently clear to be effective? Is the preference for development in Flood Zone 1 relevant or appropriate to all types of development? What is the justification for a separate set of criteria for development which has failed the sequential and exception tests and do some of the criteria duplicate what is already required in these tests in any event?
- vii) What is the evidence to justify the requirement of optional water efficiency standards in policy EMP7?
- viii) Is Policy ENV8 too prescriptive with regard to connection to the sewerage system for all developments, particularly for housing in rural areas? Would this policy restrict development that otherwise accords with other policies, including HOU5, EMP4 and EMP5? How would the reduction in quality and quantity of the water supply be assessed and is it justifiable for any reduction to lead to refusal?
- ix) Does criterion a) of Policy ENV9 duplicate the requirements of policies ENV6 and ENV8? If so, are the requirements consistent? Are criteria b) – j) likely to be applicable and achievable for all forms of development and SuDS? This policy is directed to all development as referred to in paragraph 5.360. Is this reasonable?
- x) Does Policy ENV10 contain an appropriate balance between maximising renewable and low carbon energy development while ensuring adverse impacts are addressed satisfactorily? Is the policy based on robust and up-to-date assessment of what might be deliverable? What is the justification for the submission of a Sustainability Assessment and what bearing would it have on decision making, particularly where developments meet criteria a)-e)? For effectiveness, should the reference to the production of Landscape and Visual Impact Assessments be included in the policy?
- xi) Has the effect on viability and delivery of Policy ENV11 been assessed? Should the policy refer to viability as well as practicability in relation to exceptions to meeting the standard?
- xii) Has the effect of Local Plan policies on air quality been fully assessed? Does Policy ENV12 provide an effective way to promote the shift toward low emission transport?

Built Environment

- xiii) Is Policy ENV13 consistent with statutory requirements for heritage assets and paragraphs 126-140 of the NPPF, particularly in relation to the consideration of substantial and less than substantial harm and public benefits?
- xiv) Is the approach of Policy ENV14 justified and will the individual criteria be effective?

- xv) Is Policy ENV15 consistent with Policy ENV13 and paragraphs 131 – 134 of the NPPF in terms of its approach to the consideration of harm to designated heritage assets? Is the policy also consistent with the PPG (Reference ID: 18a-040-20140306) in terms of assessment? Should the process of initial assessment, followed by desk based survey and then a field evaluation only when necessary be more clearly set out?

Participants:

Ashford Borough Council
367 Gladman Developments
592 Kent Downs AONB (Katie Miller)
412 Home Builders Federation
925 Shadoxhurst Parish Council
793 Taylor Wimpey/Persimmon Homes (Barton Willmore)
1059 Cllr Jane Martin
461 Mr James Ransley
683 Mrs Mary Walton
031 Rural Means Rural (Peter Brett Associates)
206 CPRE (Christine Drury)
407 Weald AONB
615 Mrs M Lewis
515 Mr John Crawford