

Issue 17

Are the topic policies for community facilities justified, deliverable and consistent with national policy? Will they be effective?

i) Does the Local Plan, including policies COM1 and IMP1 provide sufficient clarity as to when and how development would be required to contribute to the community's needs or infrastructure? Would the limitations on the pooling of S106 contributions have any implications for the delivery of critical or strategic facilities or infrastructure, particularly prior to the adoption of a CIL?

1. Yes, the Local Plan provides sufficient clarity as to when and how development would be required to contribute to the community's needs and infrastructure.
2. Please note this response should also be read alongside the Council's response to Issue 3 vi), Issue 12 xi) and Topic Policies – General Question ii)
3. The Local Plan approach has been informed by an extensive Infrastructure Delivery Plan (IDP, SD10), which has been produced alongside the Local Plan and involved early consultation, continuous and extensive discussions with local providers. The IPD at Schedule 3 identifies a detailed list of infrastructure and projects which are required to support development in the Local Plan.
4. The Local Plan uses both site specific policies and topic policies to identify how development is required to contribute to the community's needs and infrastructure. The plan as a whole includes policies that require development to meet the needs for infrastructure and community development that are generated as a result of the development. Development will be expected to meet this through the actual provision of the facility or infrastructure, provision of the land and/or financial contributions towards the facility or infrastructure.

5. Within the site specific policies the Local Plan makes reference to any specific infrastructure project whose need is generated solely from that development, and it is expected to be delivered on site, or in the immediate locality to the site, and/or where land is needed to be provided on the site for the infrastructure or facility, but it is also meeting a wider need. A list of examples has been set out in the Council's response to Issue 3 vi).
6. Site policies therefore deal with infrastructure that is known and required to be specifically delivered by or on that site.
7. To supplement the site specific requirements the Plan includes a number of policies which set out what infrastructure and community's needs development will be expected to meet. The Council does not consider it necessary to repeat the requirements of other policies within each of the individual site policies. This intention is set out at paragraph 4.2 (page 48), which is clear that the plan should be read as a whole, and identifies a number of other policies that apply to all sites.
8. Policies COM1 and IMP1 are overarching policies which require developments to contribute to the communities needs and infrastructure that are generated as a result of the development. COM1 identifies the need for developments to provide or contribute towards providing facilities needed to meet the community's needs, including sports, arts, community (including youth), voluntary sector space, education, health, open space and play areas.
9. These overarching policies are supplemented by more detailed policies relating to specific infrastructure types, where the Council considers there is a need and it is possible to provide further detail regarding what and how development is required to contribute towards.
10. Policy COM2 sets out the specific requirements for recreation, sport, play and open spaces. TRA1 sets out requirements for improvements to bus services. ENV8 and ENV9 sets out the requirements for drainage and sewerage infrastructure. EMP6 sets out the requirements for telecommunications (fibre)

TRA7 and TRA8 set out the requirements for developments to deliver necessary transport and road infrastructure and improvements.

11. The policies therefore provide the framework for identifying the infrastructure needed to support a development, which will be assessed in detail at the time of the planning application, in liaison with the relevant service provider.

12. The Council considers that the Local Plan provides the right balance between providing as much certainty as possible regarding the level and type of infrastructure needed, balanced against being as flexible as possible to ensure that the needed infrastructure will be delivered. In doing so, the approach is considered consistent with the guidance contained in the PPG.

13. Impact of pooling restrictions

14. No, the Council does not consider that the limitations on the pooling of S106 contributions will have any implications for the delivery of critical or strategic facilities.

15. It is the intention of the Council to bring forward a consultation on the CIL draft charging schedule following the adoption of the Local Plan.

16. The infrastructure facilities identified as 'critical' within the IDP (SD10) are not impacted by the pooling restrictions, as explained below:

- Junction 10a - Forward funded, no impact on delivery of scheme which has commenced.
- A28 Chart Road - Funded by a single development Chilmington Green through S106.
- M20 Junction 9/Drover's Roundabout - Improvements complete through forward funding.

17. There are a number of education projects needed in the short to medium term, and as set out in the Council's response to Issue 12 iv), the Council and

KCC are satisfied that these can be funded through S106 contributions from up to five local developments.

18. All of the projects in the IDP which have been identified to be funded through S106, the Council is satisfied that these can be delivered using up to five S106 agreements from local developments, and/or the Council considers that more funding is likely to be secured for the infrastructure through these means, than could alternatively be collected through the CIL.

19. It should be noted that the Council has a strong track record of working with public stakeholders and partners, as well as developers, to ensure that new development is properly served by new or existing infrastructure. In recent years, a substantial amount of funding has been secured to aid the delivery of significant infrastructure, as expressed under Section 1 of the IDP. Policy IMP1 sets out the Council's intention to continue to work with all infrastructure providers to identify and deliver the infrastructure that is needed to support the development set out in the Plan.

ii) Table 4 identifies a need for a number of different types of open space. Paragraph 5.433 states that not all of this provision will be delivered through development. In light of this, does the Local Plan provide a positively prepared and effective mechanism for delivering play, open space and sports needs of the district? Would Policy COM3 be effective in meeting the need for 3.36 ha of additional allotment land?

20. In terms of the overall approach to play, open space and sports needs the Council has prepared a Sports England compliant Playing Pitch Strategy from which the Council will extract the key actions to prioritise in the first 3 years of the strategy. Having this compliant strategy in place provides a significant opportunity to receive external funding in the future as Sport England will often

only release monies for projects where an authority has undertaken an assessment in line with their requirements.

21. The Strategy Framework and Action Plan have been developed from research and analysis of playing pitch provision and usage across Ashford Borough Council. The Action Plan sets out a strategy to enable the delivery of Football, Cricket, Hockey, Rugby Union, Tennis, Bowls and Netball. The strategy provides a framework for delivery with partners and sets out aspirations and provides a priority list for when funding becomes available.

22. The identified outputs for the PPS are:

- Provide a framework to support medium and long term facilities planning for the delivery of sports and leisure in the Borough.
- A clear needs analysis for developers regarding future sports and recreation facility needs in the Borough
- A robust framework to assist the allocation of developer contributions (through S106 money or the Regulation 123 list of CIL funded infrastructure) for sports and recreation provision in Borough.
- To identify priority sports for the area based on National Governing Bodies targets and local community needs.
- To develop a priority list for investment and use of resources secured through Section 106 and CIL, and potentially other funding sources.

23. The strategy framework and action plan focuses on the 5 points above and these points are addressed throughout the Priority Sports Specific Actions and Individual Site Action Plans.

24. The strategy framework focuses on the following three principles:

- **Protect:** The strategy seeks to make sure that the right amount of playing pitches and ancillary facilities of the right quality are in the right place. It promotes the protection of existing provision and recognises the benefits of multi pitch sites by:

- Highlighting sites which have a particular significance for sport and seek to protect them as a local recreational space through the Development Plan process (see NPPF paragraphs 76 and 77).
 - Securing tenure and access for development minded clubs, through a range of different solutions and partnerships.
 - Seeking formal community use agreements with schools where there is a need.

- **Enhance:** Key partners such as Ashford Borough Council, Town and Parish Council's, local schools, Private and Voluntary Sector Sports Clubs, and NGBs must work together to maximise the full potential of playing pitch assets and the long term sustainability of these assets and recognise that an improvement in quality and ongoing maintenance can have an impact on the capacity of use. The strategy will do this by:
 - Improving the quality of the playing surface by providing improved maintenance and as a last resort drainage, by undertaking and supporting improvements and enhancement at sites that do not meet required quality standards, supporting clubs that require improved facilities in order to play at a higher standard, ensuring that pitches have a period of rest and recovery where appropriate.
 - Provision of enhanced ancillary facilities where they are required for example floodlighting and changing.
 - Working in partnership with stakeholders to provide funding.
 - Securing developer contributions or CIL funding.

- **Provide:** In times of public sector austerity, investment needs to be directed at sites which will provide the best impact and highest increase in participation. It is the policy of Ashford Borough Council to support projects and sports clubs that are able to; demonstrate sustainable long term development, increase participation and have achieved the appropriate accreditations e.g. Clubmark and / or Charter Standard providing player and sports development pathways. The strategy looks at:

- Addressing capacity in junior and mini football by designating under played adult football pitches to junior and mini sites to ensure that all teams are playing on pitches of the right size.
- Addressing the need for artificial grass pitches to meet increasing and changing demand for AGP surfaces for both training and competition in football, hockey and rugby and other pitch sports.

25. It should be noted that the Council has been successful in the past in securing funding from Sports England, in addition to monies secured through development. In 2016, the Council successfully bid to Sport England's community asset fund for £150k as part funding towards the demolishing and re-building of a new pavilion and the refurbishment of the tennis courts at Spearpoint pavilion. The grant matched £475k from the Football Foundation and Council acquired S106 agreements for the £1m project.

26. There is no reason to suggest that such a joined up approach to securing provision in the future will not be achieved, particularly now that the Council have a Sports England compliant strategy and as part of this process will be engaged with the national governing bodies for sports on a consistent basis to ensure needs are being met.

27. In relation to allotments, the specific requirements for particular types of open space provision are determined on a case by case basis that is set in the context of the overall total requirement. In many cases the particular requirements are determined through local community consultation before and during the planning application process. For example, the Chilmington Green development includes allotment provision of 2.76 hectares over the whole development.

28. In terms of the provision of 3.36 hectares of employment land the Plan responds in part, although it is important that Policy COM3 is not treated in isolation. Policy COM3 is positively worded and gives a clear indication that new allotment provision will be supported in principle. It also stipulates the clear intention for existing allotments to be retained wherever possible. This will provide a platform on which to expand existing provision in the future, where land is available to do

so. It also provides the opportunities to enhance existing provision which would improve their qualitative aspects that in turn may reduce the quantitative amounts of new provision needed.

29. The justification for seeking contributions for allotments will be secured through Policy COM1 and in the interim will be based on the standards established in the Green Spaces SPD which have been re-affirmed in the recently approved Open Space Strategy (2017). Within this strategy there is an acknowledgement through one of its recommendations for urban Ashford that a 'review' is needed regarding future allotment provision.
30. Essentially this review will need to explore where any future allotment provision, up to the 3.36ha stipulated, may be located in the Borough as it relates to a borough-wide requirement. This will need to establish how much should be focused in and around the town, in addition to the significant amounts of new allotment space (2.76 ha in total) that is being delivered through the Chilmington Green development. This will also need to cover where any existing Council owned land might play a role, providing such space isn't need to meet other open space requirements. For the more rural parts of the Borough the Review will need to reflect the position in any 'made' or emerging Neighbourhood Plans which may or may not include a desire to include allotment provision as part of its overall policy approach.
31. The Council accepts that this review has yet to be undertaken, but are committed to dealing with this issue in the future. In the interim, and where justified to do so, the Council will seek contributions towards future allotment provision as needed. In due course, CIL is likely to play a role in financing any new provision and it should be noted that 'allotments' were on the draft 123 list that was consulted on in 2016. Given the strategic nature of the provision likely to be needed in and around the urban area of Ashford, it seems sensible to potentially use CIL as a delivery mechanism.

**iii) *Is the Plan positively prepared in relation to cemetery provision?
Should the Local Plan identify a site or sites for additional
cemetery facilities in light of the need identified in paragraph 5.452***

32. In the course of the preparation of the Local Plan the Council was in the process of assessing the capacity in its existing cemeteries and the overall position at that time is reflected in paragraph 5.452. The Council was also in the process of assessing possible future sites but there were no definite proposals that could be reflected in the Local Plan and hence the generalised nature of policy COM4.

33. Subsequent assessment work, together with on-site work at the cemeteries at Ashford Bybrook and Tenterden has concluded that there is, in fact, much more capacity at both sites than was originally identified. There is certainly no need for a new site for standard coffin burial to be provided during the Local Plan period. There is less space available for woodland burials and there may be a requirement for additional space to be provided.

34. It is therefore suggested that paragraph 5.452 be amended as follows.

~~Based on an average annual year-on-year future population increase of 1.2% per annum burial space within the Council's Cemeteries is likely to be exhausted in the early 2020s.~~ The Council's current assessment is that over the Plan period to 2030 there is sufficient capacity at its cemeteries in Ashford, Bybrook and Tenterden.

35. The Council considers that policy COM4 should remain. It provides a general approach to the issue and whilst there is no need for a new site to be provide during the Plan period it is possible that initial work on new provision could be carried out prior to 2030.