



Report to Ashford Borough Council

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

REPORT ON THE EXAMINATION INTO THE ASHFORD CORE STRATEGY DEVELOPMENT PLAN DOCUMENT

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Examination hearings held between 19 June and 16 November 2007

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1 Introduction and Overall Conclusion

- 1.1 Under the terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a development plan document (DPD) is to determine:
 - (a) whether it satisfies the requirements of s19 and s24(1) of the 2004 Act, the regulations under s17(7), and any regulations under s36 relating to the preparation of the document; and
 - (b) whether it is sound.
- 1.2 This report contains my assessment of the Ashford Core Strategy DPD (the CS) in respect of the above matters, along with my recommendations and the reasons for them, as required by s20(7) of the 2004 Act. It first considers the procedural tests, and then goes on to deal with the relevant matters and issues considered during the examination in terms of the tests of conformity, coherence, consistency and effectiveness set out in PPS12.
- 1.3 My role has been to consider the soundness of the submitted CS against the tests. In line with national policy, my starting point was that the CS should be presumed sound unless shown to be otherwise by evidence considered during the examination. Moreover, changes should be required only where there is a clear need to amend the document in the light of the tests.
- 1.4 In this case the evidence presented during the 3 weeks of hearing sessions originally scheduled left me with serious concerns regarding the soundness of the CS as submitted. My concerns related particularly to the adequacy of the information base in several areas as well as the adequacy of the justification given for some of the options chosen, in particular the decision to delay any third major expansion area beyond the end of the CS period¹. Other concerns related to the unevenness of the frontloading process - some key stakeholders, primarily developers and landowners, appeared to have been much less involved than others. In addition, in places the CS relied on other non-statutory documents for its interpretation, including interpretation of the transport policy.
- 1.5 In an effort to resolve these matters I held further hearing sessions on 3-4 September and 15-16 November 2007. Following the latter sessions a series of written exchanges took place early in 2008 to clarify points that were still outstanding. During this process the Council, at my request, re-ran the transportation model to test the effects of a lower level of patronage of the proposed new public transport system - 'SMARTLINK'.
- 1.6 As a result of these exercises I consider that recommendations for changes can be made that would enable the CS to be found sound. However, the changes required are extensive. They go beyond what is likely to be appropriate in many circumstances and are recommended only on the basis that the situation in Ashford is unusual and that there is an urgent need for a strategic plan to be in

¹ See Inspector's Note 2 attached as part of Appendix 1

place. In particular, this is a designated growth area where it seems that growth is being frustrated by infrastructure shortcomings and a lack of housing land. Finding the CS unsound would create a policy vacuum in which there is a real risk of a development strategy becoming established by default through the appeal system before a revised CS could be produced and adopted. Moreover, if substantial development occurs before a mechanism for infrastructure contributions is established the ability to achieve the improvements necessary to enable Ashford to develop sustainably and at the rate envisaged could be seriously undermined.

1.7 In these circumstances I conclude that there is sufficient in the submission CS that is sound, or is capable of being made so through changes I can recommend, to justify my overall finding that, on balance, the Ashford CS is sound, provided it is changed in the ways specified. In summary, the principal changes required include:

- a) reducing the proportion of affordable housing required on qualifying sites in the growth area from 35% to 30%
- b) omitting the lower threshold for affordable housing proposed in the rural areas
- c) eliminating the reliance on windfall sites in the rural areas by increasing allocations in the main rural settlements
- d) altering the transport policy to (i) make it more restrictive on parking in the town centre and (ii) avoid reliance on other documents for its interpretation
- e) clarifying the level and location of employment land with no substantial reduction in advance of an employment land review
- f) including more guidance on the provision to be made for employment and services in the rural areas
- g) replacing specific targets for sustainable design/construction in the latter part of the plan by more flexible wording
- h) excluding the land at Cheeseman's Green that has permission for employment use from the proposed wetlands park
- i) deleting the table in Policy CS8 which aims (but fails) to clarify what infrastructure will be provided through the strategic tariff
- j) revising policy CS18 and dealing separately with major parks
- k) revising Policy CS20 on SUDS and dealing differently with that part of the growth area outside the Stour catchment

Annexe 1 to the report sets out the detailed changes required to ensure that the plan meets all the tests of soundness.

1.8 However, even with these changes, the limitations of some aspects of the information base and the need to avoid undermining the sustainability appraisal and the participatory processes already undertaken mean that the resulting CS will, in my judgement, remain weak in some respects. An early review will therefore be required in order, amongst other things, to increase the amount of housing land by introducing a third major urban expansion area, and to review the employment land situation.

2 Procedural Tests

- 2.1 The CS is contained in the Council's Local Development Scheme, the second review of which is dated February 2007. There, the CS is shown as having an examination date of June 2007. I have taken that to refer to the hearing sessions. These did indeed begin in that month and although the examination has continued for longer than was anticipated I am satisfied that test i of paragraph 4.24 of PPS12 has been met.
- 2.2 The Council's Statement of Community Involvement has been found sound by the Secretary of State and was formally adopted by the Council before the CS was submitted. There has been some criticism by landowners and developers that they were not fully engaged at an early enough stage in the formulation of the CS. I have some sympathy for that view. Not only have there been representations from those whose land has not been identified for development (which may be unavoidable) but also, about matters that it seems to me often ought to have been capable of resolution, from several whose land has been so identified. Despite this, from the documents submitted by the Council, including the Regulation 28 Statement, I am satisfied that the basic requirements set out in the Regulations have been met.
- 2.3 Alongside the preparation of the DPD it is evident that the Council has carried out a parallel process of sustainability appraisal. Moreover, in the light of comments in that appraisal, an assessment of the implications for the Wye and Crundale Downs SAC has been carried out and subjected to consultation. Although this took place after the submission of the CS, I am satisfied that an Appropriate Assessment, in accordance with the Habitats Directive, has been undertaken and that there would be no significant harm to the conservation of any European sites as a result of the policies and proposals within this DPD.
- 2.4 Further appraisal and consultation took place in respect of the proposed post-submission changes relating to the housing trajectory and Policy CS10 (sustainable design and construction). Despite some criticisms of the adequacy of the exercise in respect of Policy CS10, which are more appropriately dealt with in considering the coherence, consistency and effectiveness tests in respect of that Policy, I consider that, on balance, the CS satisfies test iii.
- 2.5 Accordingly, I am satisfied that procedural tests i, ii and iii have been satisfied. In addition, the South East England Regional Assembly has indicated that the DPD is in general conformity with both the approved and emerging Regional Spatial Strategy (RSS) – RPG9 and the South East Plan.
- 2.6 Furthermore, there has been no serious dispute that the CS has had regard to the Council's community strategy. I therefore consider that test v has also been satisfied. Accordingly, in the remainder of the report I concentrate on tests iv, vi, vii, viii and ix.

3 Background to the CS and general overview of it

- 3.1 Before turning to the tests of conformity, coherence, consistency and effectiveness, I consider that it is helpful to make some general background comments.
- 3.2 Ashford is one of the growth areas identified in the Government's Sustainable Communities Plan in 2003². By then the town's capacity for growth had already been investigated in what is often referred to as the Halcrow or Overarching Report³. The conclusions in that Report fed into the alterations to the Ashford section of Chapter 12 of RPG9, which were approved in July 2004.
- 3.3 RPG9, as altered, sets specific targets for additional dwellings and jobs in the Ashford growth area by 2016. It also identifies initial areas of search for expansion to the southeast and south of the town. After 2016 the general direction of growth is shown to move towards the southwest. RPG9 thus sets a particularly clear and detailed vision for the expansion of Ashford. Moreover, it is proposed that its guidance will be carried through largely unaltered into the emerging South East Plan apart from a requirement for further growth up to 2026, and, if the Panel's recommendations are adopted, a spatially less detailed approach.
- 3.4 Two subsequent reports carried out on behalf of the Council and its partners have sought to firm up still further the form that Ashford's growth might take. These are the Greater Ashford Development Framework (GADF) and the Ashford Area Transport Study (AATS).
- 3.5 The main GADF report, published in April 2005, provides a very detailed description of many of the exercises carried out. Sadly it is sometimes less than clear on why key decisions were taken and this makes it less helpful than it might have been. It is still an important document, not least because the CS closely reflects the final GADF working master plan. GADF also seems in many respects to have acted as an options report; on many topics the actual options report contains no real options. Nevertheless, GADF is a non-statutory document that has not been subject to independent scrutiny. Whilst the Council consider that it established some key principles, given its opacity in places I consider that it is more properly regarded simply as a background document, albeit an important one.
- 3.6 The AATS seems to have considered not only the transport implications of expanding Ashford but how that might be affected by the distribution of new development. It concluded that a significant modal shift to public transport was needed and that this could be achieved by the introduction of a bus rapid transit system (BRT), which has become known as SMARTLINK.
- 3.7 The AATS team also appear to have concluded from an early date, and before much of the GADF work had been carried out, that a two-arm SMARTLINK system serving two major urban expansion areas to the southeast and southwest of Ashford offered significant

² The growth area does not include the bulk of the extensive rural part of the Borough.

³ Ashford's Future: the Overarching Report by Halcrow Group Ltd (CD19)

benefits. At that stage GADF seems to have been favouring a three arm/area scenario. Eventually, late in 2004 and following a further assessment of the three-arm system by AATS, a decision was taken that a two-arm system should be adopted with the introduction of a third expansion area put back beyond 2021 when it would have to be served by a lower order public transport system.

- 3.8 This background helps to explain the form the CS has taken and in particular why, in some respects, it and the growth area diagram are rather more detailed than would normally be expected in a CS. There have been some criticisms of this approach but in the circumstances I do not see it as intrinsically inappropriate. On the contrary I consider that the level of detail in the RSS makes a rather more detailed approach necessary if the CS is to add value to existing regional and national policy. That said it is important that the CS should go no further than can be justified on the evidence available; also that before reaching specific conclusions, other options should have been properly considered.

4 Conformity, Coherence, Consistency and Effectiveness Tests (tests iv, vi-ix)

- 4.1 From my assessment of the submission CS and the representations both oral and written that have been made, I consider that the main issues to be addressed are as follows:
- the appropriateness of the strategic vision
 - the appropriateness of the plan period
 - whether sufficient housing land has been identified
 - whether the proposed pattern of development is founded on a credible and robust evidence base and is the most appropriate in all the circumstances
 - the adequacy of the strategy for economic development and the provision being made for employment land
 - the appropriateness of the affordable housing policy
 - the robustness and reasonableness of the policy on sustainable design and construction
 - the need for and level of the proposed strategic tariff
 - the adequacy and appropriateness of the treatment of the rural parts of the borough
 - the adequacy and appropriateness of the transportation policy

Issue 1 – whether the strategic vision and objectives are appropriate in their content and detail

- 4.2 The vision set out in the submission CS is extremely broad and non-spatial. It is a vision for utopia, not Ashford. There is little that one could disagree with, but neither the vision nor the guiding principles add anything of real substance to national and regional guidance. Instead of providing a link between that guidance and the specific strategies and policies for Ashford they are a set of generalities lacking real analysis of the area and the key challenges facing it.
- 4.3 That is all the more serious as there appear to be significant local issues that need attention. There is, for example, little here (or

anywhere in the CS) that acknowledges how challenging it will be for job growth to keep pace with house building or the need for a clear and positive strategy to address this. Neither is the potential conflict between promoting employment and other growth in the town centre and the parking restraints likely to be needed to encourage public transport use recognized. Nor is there evidence of the authors of the CS having understood and grappled with the issues facing the extensive rural parts of the Borough. Other specific local issues that could have been highlighted concern Ashford's susceptibility to both water supply and flooding problems and the question of infrastructure provision generally.

- 4.4 In short, the vision lacks local distinctiveness and a clear spatial focus. It makes it difficult for someone without local background knowledge to understand the logic of what is being proposed and, more seriously, seems in places to have contributed to a failure to address properly some important issues. These are serious failings that make it difficult to be confident that the strategy proposed in the submission CS is, overall, the most appropriate in all the circumstances as required by test vii.
- 4.5 In some circumstances shortcomings of this sort might be difficult to overcome at this stage. However, in Ashford's case, whilst the vision set out in the submission CS is spatially deficient it is possible from the more specific policies and proposals that appear elsewhere, together with the evidence that emerged through the examination, to put together a vision that is locally distinctive. I have done so and recommend that this wording, which is set out in Annexe 1, be adopted.
- 4.6 Turning to the guiding principles, since they are supplemented by objectives of a more spatial nature elsewhere in the CS I consider that they can remain unaltered. As for the specific local issues I have identified, I have sought to address them as far as possible elsewhere in the report. Unfortunately, in some cases, that can only be partially effective at this stage in the process and that lends weight to my conclusion that an early review of the CS is called for. However, given Ashford's specific and unusual circumstances, I consider that this approach is, on balance, appropriate at this stage in the emergence of the LDF system.
- 4.7 Before moving on to other matters, I have one further point. In my view, the failure of Part A of the CS to provide a firm basis and clear focus for the more detailed policies and proposals that follow is made more unfortunate by the extent to which other strategies said to have influenced the CS are reported, especially as in some cases no further use seems to be made of them. For example, the chapter on tourism does not refer back to the Tourism Strategy. A more tightly constructed list limited to those of real significance would have helped to keep the CS focussed and user friendly, informing readers not discouraging them. That said, as the effect is not, in my view, so harmful as to make the CS actually unsound I have not tried to remedy it. I hope however that the Council will have regard to my comments when they come to review the CS.

Issue 2 - appropriateness of the plan period

- 4.8 The CS is intended to cover the period up to 2021. Some representations have suggested that the end date should be extended to 2026 to conform with the emerging RSS or even 2031, which would tie in with the final phase of GADF.
- 4.9 In my view, there are too many uncertainties, including the lack of higher level guidance, to be able to plan forward with confidence as far as 2031. There would be more merit in seeking to tie in with the end date of the South East Plan, but I do not consider that that is essential to ensure that the CS is sound. Moreover, I do not consider that the present information base is sufficiently robust to enable housing and other requirements to be rolled forward by 5 years without further research. In the circumstances outlined in section 1, I consider that it would be inappropriate to delay adoption of the CS simply to allow the information to be gathered to allow it to be extended to 2026.
- 4.10 I am more concerned that when it is adopted the submission CS will not provide the 15 year's supply of housing land that Planning Policy Statement 3 (PPS3) now seeks. To this extent test iv, which requires compliance with national planning policy, is not satisfied. Moreover, I would normally expect that a CS that was otherwise sound would be capable of being rolled forward a year or two to overcome such a difficulty. That said, given that the Ashford CS was produced prior to the publication of PPS3, I consider that this matter should be approached with common sense and a degree of flexibility. Furthermore, for reasons that are set out fully below, I consider that there is a compelling need for an early review of the CS. In these circumstances there seems no real merit in seeking to amend the current document to extend its currency to 2023.

Issue 3 – whether sufficient housing land has been identified

- 4.11 In this section I concentrate on the provision being made in the growth area, where the overwhelming majority of house building is proposed. I deal with provision in the rural area under issue 9.
- 4.12 The adopted regional guidance, RPG9, which seems to have been influenced by local studies, sets a target of 13,100 new dwellings to be provided in the growth area between 2001 and 2016. In the emerging RSS (the South East Plan), which has had regard to GADF, the target for 2006 – 2026 is 22,400. The CS2 target of 16,770 new dwellings by 2021 is consistent with these figures and thus complies with test iv.
- 4.13 Several representations have sought an increase in the housing target, primarily to allow flexibility to accommodate any proposed increase in the emerging RSS figure. However, despite the great importance being given to housing in national advice, I consider that increased provision is less likely to be required in Ashford than in most of the South East. The Ashford area has been the subject of much recent study and the Ashford figures are more up to date and

based on a more detailed assessment of practicalities than I would expect to be the case in most areas covered by the South East Plan.

- 4.14 This assessment has been borne out in the Panel Report on the South East Plan. Whilst changes could still be required I consider that the figure in the CS thus represents a sound starting point, especially if some overprovision is included to allow for contingencies. It would, however, be sensible to preface the figures by 'about' to give a degree of flexibility and avoid an impression of spurious precision.
- 4.15 GADF also includes a figure for 2031. I have already concluded that it would be inappropriate, at this time, to extend the CS period to 2031. However, in this designated growth area, where the emerging RSS envisages continuing growth until at least 2026, I consider that it is important that, without necessarily committing to the 2031 figure, the CS should provide a sound platform from which it could be achieved if required. At the examination the Council and many other parties appeared to agree as much.
- 4.16 It is against this background that I have considered the Council's housing trajectory. If its assumptions are correct, the trajectory suggests that the areas identified in it are sufficient for some 1700 (8%) more dwellings than regional guidance suggests are required. However, despite this, and revisions proposed by the Council since the CS was submitted, the trajectory remains contentious.
- 4.17 There are concerns that not all the sites meet the tests in PPS3 and that some of them may not be deliverable in the plan period, if at all. There is also concern that other sites may not come forward at the time or rate envisaged. In particular, representations have been made that some sites may be delayed by infrastructure problems, especially the need to improve motorway and other road junctions. Also that the rate of delivery in some locations is over optimistic having regard to past experience in Ashford.
- 4.18 Looking in more detail at some specific areas, it has been suggested that residential development on what has been called the Powergen site is unrealistic. This is a significant inner urban site on the edge of the town centre and adjoining a proposed new road that is intended to open up new development opportunities as well as relieve the existing ring road. The site is not specifically identified in the trajectory but I understand that the Town Centre figure includes about 1000 dwellings on it.
- 4.19 The site has remained undeveloped for a considerable time, but in part that may reflect its past allocation for employment use. In my experience a residential use may well be better able to bear the costs involved, even though greater remediation may be required. Moreover, though some of the adjoining uses are unneighbourly, the site has a pleasant southerly aspect across the river and park, and I do not consider it to be inherently unsuited to residential development, as some respondents have suggested.
- 4.20 I was told that the current planning application had addressed many of the technical issues affecting the site, but the application is

in outline only and several matters remain unresolved, including the height of buildings that will be permitted. This could have significant viability implications. The application has now gone to appeal. However, even if permission is granted in the near future it does not automatically follow that implementation will start quickly if at all, especially as several unusual, and potentially expensive, requirements will need to be overcome.

- 4.21 That said, this is an important site that is expected to make a significant contribution towards the growth of the town centre and the enhancement of its image. In my view, if such a prominent, central site remains wholly undeveloped for the entire CS period it will indicate that there is something wrong with the Council's strategy for the sustainable growth of Ashford that could not be put right by identifying greenfield land elsewhere for 1000 dwellings.
- 4.22 I conclude that it is reasonable for the trajectory to anticipate some dwellings to be built on the Powergen site during the CS period. However, I consider that relying on as many as 1000 units being delivered is a high risk strategy in the circumstances. In my judgment, an allowance of about 500 would strike a better balance between optimism and caution. Moreover, if that did prove to be too pessimistic a degree of overshoot on a brownfield site in a growth area seems unlikely to have serious implications.
- 4.23 The CS also envisages that other areas that are currently in active employment use will come forward for redevelopment, including housing. Those whose feasibility has been seriously queried are the Canal District⁴ (predicted capacity 500 dwellings); Chart Estate (150 dwellings); and Cobbs Wood (100 dwellings).
- 4.24 All these areas appear to be in a multiplicity of ownerships, with many of the premises still in active use. The CS contains no positive strategy for relocating existing firms in such areas and the Council have had no discussions with businesses or owners over relocation/redevelopment. In addition, whilst some of the buildings may not be modern there is little to suggest that they are not, for the most part, capable of continuing in beneficial use.
- 4.25 At Chart Estate and Cobbs Wood infrastructure improvements, in particular new roads and SMARTLINK bus services, may provide some stimulus to redevelopment. In addition, I understand that SEEDA have acquired some land for redevelopment. On balance I consider that the housing figures included in the trajectory for these areas are not unrealistic, especially given their small scale. Indeed to conclude otherwise would suggest that the Council's strategy for reinvigorating the urban area is doomed to failure. I do not consider the evidence requires such a negative conclusion.
- 4.26 However, in the Canal District there seems little imminent prospect of public investment in infrastructure or other improvements that might stimulate redevelopment. (That could be a benefit of an

⁴ ie that part of the wider Canal District that comprises the redevelopment of existing employment areas between Kingsnorth Road and Romney Marsh Road – development in the greenfield part of the Canal District does not form part of the CS.

appropriately routed southern extension of SMARTLINK, but to date the Council have resisted this.) Without such investment, and in the absence of consultation with landowners or any clear evidence that redevelopment for a mix of housing and employment uses would be financially advantageous, I consider that the Council's aspirations for this area are extremely optimistic. They seem to be founded more on optimism than any clear and sound evidence base.

- 4.27 I conclude that if the CS is to be soundly based on a robust and credible information base (test vii) it needs to avoid reliance on the Canal District for meeting housing targets. It would also be more robust if the contribution expected from the Powergen site is reduced. In my judgement, taking a more realistic view of the likely contributions from these high risk areas suggests a reduction in house delivery of at least 500 and possibly as much as 1,000 units.
- 4.28 Moreover this cannot readily be made good in the expansion areas where little or no allowance for contingencies has been made. Indeed there are already concerns regarding delivery rates in these areas. Other concerns relate to possible slippages in the delivery of key infrastructure, such as new motorway junction 10A (J10A). This seems to have slipped back further since the revised trajectory was produced and opening is not now expected until Autumn 2013.
- 4.29 On smaller sites the effect of slippages is likely to be on the timing of delivery, not the total amount. However, at Cheeseman's Green / Waterbrook a delayed start in areas that are not already committed would require higher delivery rates later if the same total is to be achieved. The J10A delay appears to affect about 100 units at Cheeseman's Green extension. In addition, delivering 100 units at Waterbrook in 2009/10 seems optimistic given that the AAP is not due to be adopted until 2010. The trajectory also assumes that a new junction can be provided on the A2070 in time to allow 150 houses to be delivered on the original Cheeseman's Green site in 2009/10. In this case there may be scope to compensate for any such slippages later in the period but this would leave very little spare capacity to deal with other slippages here or elsewhere.
- 4.30 Indeed, even as it stands, in places the trajectory requires delivery rates greater than have historically been achieved on single sites in Ashford; for these to be maintained over prolonged periods; and for there to be a sharp increase in building overall. I am aware that towns other than Ashford have achieved considerably higher rates of house building. However, that has tended to be in locations where economic growth has been more strongly established. In the early part of the CS period, at least, I consider that a degree of caution over what can be achieved is called for.
- 4.31 I have taken into account that the proposed 'areas' will often be larger than past 'sites' and that in future developments will be expected to provide a higher proportion of affordable housing. As such housing does not have to be 'sold' in the traditional way, one limiting factor would be reduced. Taking all this into account I consider that, subject to adequate financing for affordable housing

being available, achieving a sustained rate of 300 dwellings per year in individual areas is not unrealistic. However, I consider that it would not be robust to expect this level to be significantly exceeded and that the trajectory should be revised accordingly.

- 4.32 In doing so it is necessary to consider whether the main expansion areas will be regarded by the house buying public as single areas/sites. Looking first at Cheeseman's Green, I understand that both the Local Plan allocation and the additional area now proposed would be served by a single main neighbourhood centre (plus at least one smaller one). Taking this into account I consider that it would be prudent to regard it as a single area despite the degree of differentiation provided by Captains Wood. In contrast, Waterbrook seems likely to be sufficiently distinct physically and/or aimed at a different market to be regarded as a separate area.
- 4.33 Turning to Chilmington Green, its separation from Discovery Park seems more artificial than that between Cheeseman's Green and Waterbrook, though this may be affected by the order in which land is developed. Moreover, whilst the aim appears to be that Discovery Park would comprise a belt of higher density housing around the edge of the park itself, on the evidence available I am not fully convinced that this is a realistic expectation in Ashford. Without such a distinction I consider that these closely related areas are likely to be seen as a single 'offer' by prospective purchasers. In any event, housing around the park will need to await definition of the park area as well as satisfactory linkages to other areas. All this requires considerable work and suggests that delivering housing at Discovery Park as soon as 2009/10 is rather optimistic.
- 4.34 I conclude that to be robust the CS should expect individual areas (as set out above) to deliver no more than 300 dwellings per year. On that basis and taking into account my other concerns I consider that there is a real risk that building in the main expansion areas, including Discovery Park, could fall short of trajectory predictions by up to 800 units or thereabouts. Moreover whilst this is within the original contingency allowance I have already concluded that part of this will be needed to meet a shortfall in high risk brownfield areas.
- 4.35 The overall effect, even if Powergen delivered its full quota, would be that house building would be barely adequate and lack flexibility. In order to be sufficiently flexible and robust I therefore consider that the CS needs to include some additional housing land. Given the degree of risk and the desirability of making some allowance for contingencies in this designated growth area I consider that land capable of delivering not less than 1500 dwellings should be sought. If suitably phased this could help avoid the tailing off that occurs in the Council's trajectory towards the end of the CS period suggesting that the potential of this growth area is not being fully exploited.
- 4.36 My concerns regarding the housing land situation are reinforced when GADF's 2031 target is taken into account. As noted above, it is generally agreed that the CS ought to provide a sound platform for meeting this. In seeking to do so the CS relies very heavily on

the opening up, post-2021, of a third expansion area. However, delivering about 3,500 houses in a single new area over a 10 year period and from a standing start seems unrealistic on the basis of past building rates, especially when likely lead-in times are taken into account. Taking a robust but cautious approach to building rates suggests that meeting the 2031 housing target by introducing a third expansion area that could reach a satisfactory size by that date would require such an area to be identified and formally adopted no later than 2017 and preferably a little earlier.

- 4.37 I conclude that to ensure that the CS is sufficiently flexible to deal with changing circumstances (test ix) and to be soundly based on robust and credible evidence (test vii) additional housing land needs to be identified. In order to achieve the degree of robustness and flexibility aimed at originally (and which I agree is appropriate), and provide a sound basis for the future, I consider that in round figures land for not less than 1500 dwellings ought to be sought. How that might be achieved I consider in more detail below.

Issue 4 – whether the proposed pattern of development is founded on a credible and robust evidence base and is the most appropriate in all the circumstances

- 4.38 The CS proposes two main expansion areas to the southeast and southwest of the town as well as a few smaller greenfield sites around the edge of the built up area and the redevelopment of brownfield land within it. The release of greenfield land will need careful handling if redevelopment of brownfield areas is not to be discouraged. However, despite the concerns of some respondents I am satisfied that to achieve the growth required the CS needs to allow for a significant amount of greenfield development from the outset. Indeed, a major issue in the examination was whether the 2021 target can be achieved without introducing a third main expansion area, as GADF envisages post-2021 in any event.
- 4.39 The reasons given for not proceeding with a third area before 2021 are set out in paragraphs 5.19 – 5.21 of the CS. These paragraphs imply, and this was supported by the evidence initially put forward in the hearings, that public transport considerations lay at the heart of the decision to reduce the scale of development proposed at Kingsnorth and postpone it till after the CS period.
- 4.40 However, it became clear early in the hearings that such a position is not tenable. In response to my Note No 2 the Council accepted that these paragraphs would need to be changed removing the emphasis ascribed to public transport. They also accepted that a SMARTLINK route to Kingsnorth would break even once the development proposed there, about 3500 dwellings, is built out.
- 4.41 All this is a very long way from the position taken in GADF which the Council still consider explains the decision not to include development at Kingsnorth in the CS. GADF indicates quite bluntly⁵

⁵ Final Masterplan Report, p200

that a third arm of SMARTLINK is not viable and that a lower order public transport corridor is needed to serve this corridor [sic].

- 4.42 In reality it seems to me that the proposals in GADF cannot be explained in public transport terms and indeed are at odds with what good public transport planning might suggest. As I understand it, the reduction in development at Kingsnorth is partly a response to uncertainties regarding the feasibility of development in the greenfield part of the Canal District. Despite the progress that seems to have been made by the landowners I consider that flood risk matters raise very serious doubts over the practicability of development in that area, at least within the plan period, and that including it in the CS would be unsound.
- 4.43 However, if, as GADF accepts, there has to be development at Kingsnorth even if there is no Canal District then it is counter-productive to reduce the demand for public transport in this corridor still further by restricting the amount of development at Kingsnorth itself. On the contrary, the evaluation of options that is reported in GADF suggests that *expanding*, not reducing, development at Kingsnorth would be the best response, in public transport terms at least, to the omission of development at the Canal District⁶.
- 4.44 In addition, the CS appears not to have considered whether viability of a Kingsnorth arm of SMARTLINK could be improved by routing it through the existing urban area. This does not seem hopelessly impractical. Indeed in February 2004 the Ashford Area Transport Study⁷ seems to have considered such routes to be possibilities and I have seen no evidence of any later, more detailed, studies that ruled them out. Moreover, whilst such routes may carry time penalties, they would be no more circuitous than that to Cheeseman's Green, which is considered acceptable.
- 4.45 When all this is taken into account, along with the not always consistent evidence given at the hearings, no clear justification for the non-inclusion of a Kingsnorth expansion area emerges. That said I have found no evidence to suggest that an area at Kingsnorth would be preferable to either of the two that are proposed. That is not, in fact, the thrust of the argument of those proposing development at Kingsnorth. Indeed the two expansion areas proposed have attracted remarkably little opposition and I consider that their inclusion in the CS is sound even though the Chilmington Green area is not strictly in accordance with the advice in RPG9.
- 4.46 Moreover, whilst I am satisfied that public transport considerations do not rule out the introduction of a third growth area during the CS period that is not in itself a sufficient reason for including one. On the contrary I consider that if it could deliver the required number of dwellings a strategy based on two expansion areas has much to recommend it. It would maximise the return on the investment in SMARTLINK and allow infrastructure improvements generally to be concentrated on fewer areas. Furthermore, introducing a third

⁶ Main report, p118-125

⁷ Ashford Area Transport Study – Towards a Transport Strategy 18 February 2004

expansion area before it was needed would be likely to discourage the redevelopment of brownfield sites. It could also increase the time that it would take for the two proposed areas to become properly sustainable communities.

- 4.47 However, as noted above, I consider that the housing areas identified are insufficient to ensure that the housing target will be met and do not provide a satisfactory basis for the likely further development requirements beyond then. That said, the shortfall, 1500 units or so, does not necessitate the inclusion of a third expansion area, with the disbenefits that I have outlined, from the start of the plan period.
- 4.48 Moreover, the early introduction of such an area seems likely to offer few short term gains to offset the disadvantages. In particular, a third expansion area at Kingsnorth appears unlikely to deliver many houses until the restriction imposed by junction 10 (J10) of the M20 is relieved by a new J10A. The interim improvements at J10 appear to allow for little more than the building out of existing commitments and any extra 'headroom' for further development seems unlikely to become available until J10A is nearing completion and/or SMARTLINK or other measures to reduce car use are in place. As the Local Transport Plan includes no funding for this before 2012 I see little prospect of a significant modal shift being achieved, and development delivered, much before 2013.
- 4.49 Smaller developments within the urban area may be less affected by such constraints and could have shorter lead in times. However, whilst the Urban Capacity Study identified potential for about 2000 houses from sources that have not been included in the trajectory many of these appear to be in other use and/or raise other issues that give rise to serious doubts over delivery. Although it would be appropriate for the Urban Sites & Infrastructure DPD to consider this matter further to see if any early development opportunities can be identified, I consider that it would be unsound to rely on any significant additional land becoming available in the urban area.
- 4.50 Turning to the main representations made regarding additions or changes to the areas that the CS identifies for development, two simply affect the boundaries of the proposed urban extensions. They do not suggest that more dwellings would be delivered in those areas than the CS already indicates and I defer consideration of them until later. (See paragraphs 4.68-76)
- 4.51 As for the other main 'omission' representations, three promote third major expansion areas: two alternative locations close to Kingsnorth and one northwest of Ashford. The other two promote smaller areas located between Kingsnorth and Cheeseman's Green that would extend an existing development at **Park Farm** which seems to have been progressing for about 20 years. Of the two areas it is accepted that Finn Farm would have to follow the other, Park Farm Southeast. Those promoting these areas consider that the latter could come on stream when the already permitted development at Park Farm is built out in about 2012.

- 4.52 Taken together the two areas could accommodate about 1000 dwellings. This would not be sufficient to meet the shortfall I have identified. Neither, unless it could be combined with some other area, would it provide a basis for continuing development, if required, beyond 2021.
- 4.53 In addition, Park Farm seems to be a development that is fairly typical of its time and not particularly sustainable in today's terms. It appears relatively poorly linked to the main part of Ashford both physically and functionally with residents heavily reliant on the private car. Moreover, the areas now proposed are at the end of Park Farm furthest from the town centre and the main shopping area in Park Farm itself. They might relate reasonably well to the centre proposed at Cheeseman's Green. Even so, development on the scale proposed seems unlikely to make Park Farm a more sustainable locality, which in my view would be a desirable aim of further development in this area. In particular I am far from convinced that the addition of 500-1000 dwellings would materially improve the prospects of a railway station/halt being provided.
- 4.54 There have been relatively few objections to these areas, at least compared to others in the Kingsnorth locality. However, I conclude that including them in the CS would exacerbate the existing shortcomings of Park Farm rather than helping to resolve them and would not properly address the deficiencies in housing provision that I have identified. I conclude that simply including these areas in the CS would not be sufficient to make the CS sound.
- 4.55 On balance, I consider what is required is for a third expansion area to be introduced before 2021. More specifically, if by that date 1500 additional dwellings are to be provided primarily in one area then, given my earlier conclusions on delivery rates, a third expansion area needs to be identified and formally adopted as part of the development plan no later than 2014⁸.
- 4.56 One solution would be to identify such an area now in my report, but to phase in its implementation, thus avoiding some of the adverse effects of an early commitment to a third area. However, I consider that there are serious objections to such an approach.
- 4.57 In my judgement, the only area that I could recommend for inclusion whilst complying with the procedural tests of soundness would be that which I shall refer to as '**South Kingsnorth**'. However, it is clear that including this area would be very unpopular and would shatter the consensus that the Council have built in support of the CS as submitted. That would sit uncomfortably against the concepts of local democracy and accountability, but might be justifiable if the evidence base made it clear that South Kingsnorth was the best solution in all the circumstances. However, I am far from convinced that the evidence base that currently exists is sufficient for me to do so.

⁸ This is earlier than would be required simply to meet the 2031 target (see paragraph 4.36) but is not inconsistent with achieving that target.

- 4.58 Even within the general Kingsnorth area other alternatives appear to exist and the reasons for discounting them are no clearer to me than those for putting off a third area beyond the plan period. Although GADF appears to have envisaged South Kingsnorth functioning with Park Farm as a viable neighbourhood⁹, the positioning of the two developments on either side of Kingsnorth village may make this difficult, at least if the village is to retain its separate identity. In this respect South Kingsnorth seems no better, and arguably worse, than other options nearby such as Court Lodge and the area originally identified in GADF, which was further east, near the railway line.
- 4.59 Furthermore, whilst the Council consider that **Court Lodge** is ruled out by, amongst other things, conflict with the proposed Discovery Park I have been unable to find any clear and compelling reason for that Park being of the size and in the location proposed in the submitted key diagram. In my view, the evidence available is far from sufficient to make a conflict with the Park as shown on what is intended at this stage to be only a diagrammatic plan to be a sufficient reason for rejecting development in this area.
- 4.60 If there are flooding problems, that could point to the use of the area for recreation purposes rather than built development, but again further investigation seems to be necessary. Moreover, Court Lodge appears to relate at least as well as South Kingsnorth to Park Farm and the rest of the built up area. I do not have the evidence to justify including it as a development area at the present time, even if procedurally that was possible, but neither does the evidence clearly rule it out.
- 4.61 In addition, GADF states that the development area at Kingsnorth was moved westwards because of concerns that the proposed Park Farm station might not perform as well as originally anticipated¹⁰. I have no reason to disagree with that assessment. However, at most that seems to indicate that development in the Kingsnorth area need not be closely tied to the railway line. It is not in itself a reason for moving the development elsewhere. I have failed to find any other explanation in GADF for this relocation and it is not self evident that an area further east, which would relate better to the development proposed at Cheeseman's Green and, arguably to Park Farm, would in any material way be inferior to South Kingsnorth.
- 4.62 In my view, before committing to a third expansion area all these options ought to be properly evaluated and compared, with the conclusions made available for public comment. Moreover, other options for a growth area may exist in entirely different locations. In particular, it has been proposed that an area to the northwest of Ashford in the vicinity of **Beechbrook Farm** would be suitable.
- 4.63 This area is less compatible with the general direction of growth indicated in RPG9, but it is not clear to me that this is sufficient to

⁹ Final Masterplan Report, p138

¹⁰ Final Masterplan Report, p108.

rule it out as a possibility, at least post-2016. Certainly SEERA seem more concerned with the amount of growth than its location.

- 4.64 Despite this, in GADF this area seems to have been considered only in the context of the dispersed growth model. However, it is not significantly further from the town centre than areas that were considered in a wider range of options and, whilst development along the direct route is not continuous, it seems possible that a development corridor via the Eureka area could be established. This would involve motorway/railway crossings but need not be much more circuitous than the corridor proposed to Cheeseman's Green, especially if the golf course were to be relocated and its present site developed in line with the ambitions of its owners.
- 4.65 The failure to consider this possibility seriously seems to reflect, in part at least, a lack of effective engagement with landowners at an early stage in the CS process. That is not to say that better 'frontloading' would necessarily have resulted in development being proposed in this area. There are several disadvantages, including proximity of the AONB and an SSSI, as well as possible capacity issues at junction 9 (J9) of the motorway. However, the apparent failure to consider it seriously means that these issues have not been fully evaluated.
- 4.66 The resulting lack of detailed evidence, especially regarding the need for and cost of achieving the 'step change' in the capacity of J9 that the Highways Agency consider is likely to be required, makes it difficult to assess properly the merits of this area or compare them with those of Kingsnorth. Again, such an exercise ought to be carried out before a firm decision is taken on the location of a third expansion area. For the avoidance of doubt, in reaching this conclusion I have attached very little weight to the fact that part of this area was used temporarily in connection with the construction of the CTRL. The site has now been restored and it should not be regarded as brownfield land.
- 4.67 In conclusion, I consider that provision needs to be made for a third major expansion area to have been formally adopted as part of the development plan no later than 2014. However, whilst only one such area could be the subject of a binding recommendation in this report, the evidence base is insufficient to indicate that that area is the most appropriate in all the circumstances. In order to address this issue I therefore consider that it will be necessary to undertake an early review of the CS so that a third expansion area can formally adopted in accordance with the timescale set out above.
- 4.68 Before moving on to other issues there are, however, some more detailed points that are best dealt with under the heading of the pattern of development. Firstly there is the question of the boundaries of the two proposed expansion areas that I touched on briefly in paragraph 4.50. In many cases I would expect matters of this sort to be left to subsequent DPDs. Indeed, in a more typical CS the boundaries of such areas might well not be clear enough to generate objections. However, the Ashford CS diagram is unusually

detailed and the boundaries of the main development areas can, in some places at least, be clearly identified. Moreover, the boundaries shown are in part contentious and give rise to issues that I consider need to be addressed in the CS.

- 4.69 Looking first at Chilmington Green, the representation regarding **Blue Barn Farm** seeks to include development on the north side of the A28. The GADF masterplan indicates development in this area (albeit post-2021) and it seems to have been excluded at a relatively late stage in the CS process so as to reduce impact on Great Chart village. Loss of the area was compensated for by increasing the extent of development to the south of Magpie Hall Road, a minor but reasonably busy road linking the A28 to the Kingsnorth area.
- 4.70 The promoters of Blue Barn Farm consider that development north of the A28 could be kept sufficiently far from Great Chart for there to be no coalescence. They also consider that development there would have less visual impact on the setting of the village than that which is proposed (and some that has already taken place) on the ridge to the south of the road.
- 4.71 I have sympathy for the view that development on the ridge would have a harmful visual impact both on Great Chart village and more widely. This is clear from the building that has already taken place, but I do not consider that to be a good reason for adding to it. Moreover, the Council's own landscape studies appear to identify the ridge as a sensitive landform, albeit one adversely affected in places by existing or past uses.
- 4.72 That said, I consider that building on the ridge could be avoided without the need for development to cross the A28. The proposed southern boundary of the area appears somewhat arbitrary as there is no strong physical feature for a good distance south of Magpie Hall Road and there seems no obvious reason why it could not be altered to allow the ridge to be left clear. In any event this is the sort of matter that I consider can be dealt with in the proposed AAP when a more detailed analysis has been carried out.
- 4.73 Returning to the more controversial point of whether development should be allowed to cross the A28, the impression of separation can be a complex matter involving more than just physical gaps. In practice, I have no real doubt that allowing building north of the A28, even if it were kept well away from the village, would greatly reduce the feeling that Great Chart is a separate settlement. Moreover having the development area split by a main road such as the A28 would make it more difficult to create a fully integrated neighbourhood. In addition, it is far from clear that, in PPS3 terms, any significant part of the Blue Barn area should be regarded as previously developed land. Certainly its appearance is not dissimilar to that of many rural farmsteads. I conclude that there is no need to include development at Blue Barn Farm to make the CS sound.
- 4.74 As for **Cheeseman's Green**, it is clear that in respect of the area referred to as the 'nib' (ie the bulk of the area north of Captain's

Wood) the CS proposal is unsound. The area does not need to form part of the proposed Wetland Park in order for the park to be of an adequate size; nor is it required for essential flood compensation purposes. Moreover, even if were, this is no longer practicable now that planning permission has been granted for employment use. That such an ill-conceived proposal was maintained up to the submission of the CS inspires little confidence in the front loading and other process that should have informed the plan.

- 4.75 What is less clear is what the CS ought to say about the nib. The owners consider that it needs to be available for housing simply to allow the target for Cheeseman's Green to be met. However, that depends on density assumptions for different parts of the expansion area that in my judgement are far from compelling. In particular, if it is acceptable (as the owners suggest) to have high density housing on the nib, where it would be surrounded on three sides by a wetland park (and no longer adjoin a district centre), I see no reason why higher densities could not be achieved in some other locations. Moreover, if more land were needed for greater flexibility the AAP could look at other boundaries to the expansion area.
- 4.76 Given the above, together with my concerns about the adequacy of employment land (see issue 5 below) I consider that it would be unsound at the present time to include the nib within the residential area, despite the advantages that certainty on this matter would have for the planning of the locality. Accordingly I conclude that the wetland park designation shown in the CS should be removed from this area, but that, at least until a proper employment land review has been undertaken, no alternative designation should replace it and it should remain potentially available for employment use.
- 4.77 Turning to the relatively small greenfield housing areas proposed or suggested on the edge of the built up area further evidence of a lack of adequate frontloading emerges. Looking first at the area proposed near the **William Harvey** hospital, this has been justified largely as a means of providing a second access to the hospital. In the light of the additional information which was submitted during the examination I am satisfied that the benefits of such an access may, in principle, be sufficient to justify developing in a relatively sensitive area and on relatively high quality agricultural land. That said, the actual balance is difficult to assess because there is an unresolved dispute between the Council and the owners over the amount of housing needed to bear the cost of the road.
- 4.78 The trajectory indicates 250 houses here, but the developers have suggested that nearer 1000 would be needed to make the road affordable. Whilst that could be seen as an opening gambit, at least it takes into account an estimate of the costs. I have seen nothing in the CS or GADF that helps explain the figure included in the trajectory. Moreover, if the number of dwellings did need to be materially more than 250 it is unclear whether the benefits of a new road would still outweigh the effect on the setting of the AONB and Hinxhill village, as well as the increased take up of agricultural land. Alternatively, funding the road wholly or partly from the proposed

strategic tariff could have significant implications for other much needed infrastructure and, if it does not, raises the question of why development is proposed in this sensitive greenfield location.

- 4.79 In addition, during the examination the Council agreed that some 'enabling' residential development would be required if the CS's ambition for a regional water sports park at **Conningbrook** is to be realised. However, there is again no agreement on the amount of housing needed. The developers consider that it might be over 300 units which would be larger than at least one area identified in the CS. Despite this, there appears to have been no proper sustainability appraisal of the implications of including a potentially substantial amount of housing in an area with no effective public transport. As a result I could not, procedurally, recommend including housing development here in the CS and this will need to be considered further in a subsequent DPD.
- 4.80 Furthermore, if a significant amount of additional housing would be necessary at William Harvey or Conningbrook (or both) in order to achieve other aims the continuing need for or extent of other small areas may need to be reviewed. In particular that may apply to **Kennington Circle North** where the amount of development proposed appears to have been increased beyond that required to deliver a relief road so as to avoid affecting the housing trajectory when another area was deleted.
- 4.81 The best balance of development between these three areas is unclear on the present evidence. Accordingly I am unable to make binding recommendations and this matter will have to be reviewed in the Urban Sites & Infrastructure DPD. The CS needs to be reworded to make this clear, with the trajectory figures being regarded as only provisional in respect of the individual areas.
- 4.82 The only other area of potentially strategic importance to have been the subject of significant representations is **Kennington Circle East**. Housing development was proposed here until a relatively late stage in the CS process again as a means of achieving a relief road. Development of this area would affect relatively high quality agricultural land and would have other environmental implications but it is not clear from the evidence that in these respects it is materially different to some other areas around the northern fringe of the town. Instead the decision not to pursue housing in this area seems to have resulted from a re-evaluation of the merits of the relief road in the context of the high level of local objection.
- 4.83 I have taken into account the submissions of those promoting development here that spreading housing between the two areas would be environmentally preferable to concentrating it at Kennington Circle North. However, it seems to me that the Council's decision was one that could reasonably be concluded from the information available. Whatever my own decision might have been I am satisfied that there is no clear evidence base for concluding that the 'dropping' of development at Kennington Circle East has made the CS unsound. Neither, despite my earlier conclusions on the

housing trajectory, is the inclusion of development at Kennington Circle East necessary for the CS to be found sound.

4.84 As for other possible housing areas, whilst several were drawn to my attention none of them seem to me to be of a size or otherwise of a strategic importance that warrants their inclusion in a core strategy document. In my view their merits can properly be considered as part of the Urban Sites & Infrastructure DPD. For the avoidance of any doubt that includes the rugby club site.

4.85 On this issue I therefore conclude as follows:

- there is a need from the outset for a mixture of brownfield and greenfield sites;
- the proposed balance between them is appropriate on the basis of the information base;
- the two major expansion areas are in themselves soundly based on credible and robust evidence;
- moreover, there is no need to make changes to their boundaries as proposed in two of the representations (though it will be for the AAPs to consider boundaries in more detail);
- however, to meet the housing targets in the most appropriate manner a third expansion area will need to be introduced within the CS period;
- at the present time the information base does not allow the most appropriate location for such an area to be identified and this will need to be the subject of an early review of the CS;
- in addition, greater flexibility is required in respect of the best balance between the smaller greenfield areas.

Detailed recommendations regarding the changes required to make the CS sound in respect of these matters, and thus satisfy tests vii and ix, are set out in Annexe 1.

Issue 5 – whether the policies and proposals contained in the CS are likely to deliver an effective employment strategy that will achieve the stated job targets

4.86 Policy CS2 sets a target of 16,700 additional jobs within the Ashford growth area between 2006 and 2021. Subsequent policies indicate how these jobs are to be distributed within the growth area. The overall figure is close to if slightly less than the housing target and given that at the present time there appears to be a broad balance between the number of jobs and those seeking employment I regard it as appropriate.

4.87 It will however be a challenging target especially as in recent years employment growth seems to have lagged behind house building. Indeed, of the 17,500 jobs originally required between 2001 and 2021 only about 800 had materialised by 2006 – less than 20% of the pro rata target. It is important for this not to continue if Ashford is to be a sustainable settlement and out commuting avoided.

4.88 Given this background I was concerned that the CS as submitted contained no specific section in which the challenges of achieving the job target were set out and positive measures for reaching it

identified. Various measures appear in different parts of the CS, including exclusion of commercial/industrial development from the proposed tariff and addressing infrastructure problems such as the motorway junctions. However, the employment benefits of the latter seem almost incidental and I was concerned that without a clear and co-ordinated employment strategy there was a real risk that the job target would not be achieved.

- 4.89 Accordingly, having discussed this matter on the first day of the hearings, I invited the Council to indicate how they felt the various strands could be drawn together if I considered that to be necessary. Out of this exercise, the CS itself and the discussions in later sessions it is clear that the Council's economic strategy depends heavily on a step change in employment growth in the town centre. Almost half the total increase in jobs to 2021 is expected to be achieved here. This will require a major change in the perception of the centre, which at present has a relatively poor image compared to other nearby centres such as Canterbury and Maidstone, in order to attract speculative office development.
- 4.90 Impetus for growth is expected to come from the introduction, in 2009, of fast rail services to London via the CTRL. However, there seem to have been similar expectations when the international services were introduced, but this did not happen. Moreover, if the fast services to London do have a positive effect, Ashford will still face severe competition from other centres, such as Ebbsfleet, where there are similar expectations and which are closer still to London. There is also a degree of tension between attracting development to the town centre and the need to encourage public transport use by restricting the availability of car parking.
- 4.91 Nevertheless, I consider that there are some grounds for optimism, especially if the Council acts effectively, with other bodies, as a catalyst for redevelopment. Already SEEDA have assembled a strategic landholding of more than 8ha in the town centre as a means of attracting inward investment from the private sector. In addition, the Council intend to promote improvements to the public realm, including a new image for the ring road now that it has been made two-way. Coupled with the encouragement of retail and leisure developments in the centre this should, hopefully, help to create circumstances that will be favourable to the exploitation of any benefits arising from the fast rail services.
- 4.92 Commitment needs to be made to such measures with details of their implementation being set out more comprehensively in the Town Centre AAP. The prospects for net employment growth would also be enhanced by the Council developing a strategy to facilitate the relocation of existing businesses in the town centre (and other redevelopment areas) that would minimise the risk of existing firms and jobs being lost to the town. Ideally this would include the identification of areas for firms to move to. Subject to such matters being incorporated in the CS, I consider the aim to create an extra 8000 jobs in the centre to be challenging but not unachievable.

- 4.93 The CS also envisages that some existing employment areas could be redeveloped to higher densities (and a greater variety of uses). However, it includes very few positive measures to facilitate this. Indeed the Council emphasised that redevelopment schemes would be left to the market. Moreover, GADF looked at this matter and concluded that the net increase in jobs at Cobbs Wood and Chart Estate, having taken into account those displaced, would be no more than 300¹¹. Furthermore, whilst I have often taken a cautious approach to GADF figures, on this occasion I have no evidence whatsoever to suggest that they are wrong. I conclude that whilst redevelopment of these areas may have other benefits, it is of limited significance in terms of job growth.
- 4.94 Jobs will also be provided in a variety of non traditional locations, including the proposed expansion areas and the 'living quarter' zones. I agree that seeking to provide jobs close to homes will be beneficial in helping to create sustainable communities and reducing the need to travel. However, desirable as this is, a realistic approach needs to be taken regarding what can be achieved. The decision, taken at a fairly late stage in GADF, to increase the amount of employment in neighbourhood areas from 5% to 10-15% seems well intended but is not supported by any published evidence of a thorough analysis of the realism of such a change.
- 4.95 Some jobs will undoubtedly be generated in services and facilities providing for the needs of the immediate local population, such as primary schools and local shops. These can be expected to follow housing development as a matter of course. However, whether other sources of employment will be attracted to such locations is more problematic. There appears to be little or no evidence in Ashford as yet to support the view that significant amounts of employment will be generated in such areas – initial stages of the Barracks redevelopment have seen houses built, but no jobs provided. Taking all this into account I consider that it would be unsound to plan on the basis of more than 10% of jobs being provided in such areas.
- 4.96 I have similar reservations regarding the ability of the 'living quarter' areas to accommodate the 5% of the total net increase in jobs that GADF anticipated. Again, some employment can be expected to follow the development of residential units. However, GADF seems to have expected this to be supplemented by specialist creative industries often of an arts and crafts nature related to what was perceived as the cultural and learning offer. Frankly I consider it doubtful whether a town of the size and nature of Ashford can, currently, be said to provide such an offer. In my view a cautious approach needs to be taken to the number of jobs that can be relied on from these areas.
- 4.97 Other jobs may be more widely dispersed in local shops, schools and other facilities throughout the urban area. This needs to be taken into account in assessing the requirements for traditional

¹¹ Final Masterplan Report p176 & p190

style industrial estates and business parks. However, to varying degrees that has always been the case. It does not make an assessment of the land required for 'traditional' employment areas a pointless or impossible exercise, as for much of the examination the Council appeared to be suggesting.

- 4.98 GADF itself concluded that 30-35% of all new jobs would need to be provided for on industrial estates and business parks. Taking into account the uncertainties and weaknesses of the other sources and locations of employment I consider that planning for anything less than 35% to be provided in these 'traditional' areas would not be sound. Indeed, it seems to me that an argument could be made for a higher figure.
- 4.99 I conclude that, for the economic strategy in the CS to be sound the encouragement of employment growth in the town centre and the residential neighbourhoods needs to be complemented by a generous supply of traditional employment land. Moreover, both the amount of land and its distribution ought to be such as to offer a degree of choice to developers and occupiers and competition between landowners as suggested in the Council's own background paper. During the examination the Council suggested that overprovision of about 40% would in their view be appropriate and I see no reason to disagree.
- 4.100 Against this background I was concerned that the draft revised growth area diagrams produced in August 2007¹² in conjunction with other data suggested that the CS was identifying substantially less land for primarily employment use than the existing Local Plan. Moreover, the CS does not make clear how much of the mixed use areas would be available for employment use but, where such areas have previously been wholly industrial, it seems inevitable that the need to accommodate other uses will reduce the area available for employment use.
- 4.101 I found this particularly troubling as, if the impression of a reduction in employment land was correct, it had not been informed by any comprehensive employment land review¹³. In addition, the Kent Employment Survey 2006 produced by the County Council estimated that in 2006 remaining Local Plan allocations and other commitments were barely sufficient, meeting no more than 96% of their guideline for business/employment floorspace requirements in Ashford¹⁴. If anything, that suggests a modest shortfall of employment land whereas in a growth area, where a step change in job creation is being sought, a degree of overprovision seems more appropriate. Certainly, the County Council's figures do not provide a sound basis for reducing the amount of employment land.

¹² The diagram in the submission document did not distinguish between residential, employment and mixed use areas thus making it impossible to assess the amount of employment land being proposed. Such differentiation first appeared on the draft revised diagrams produced at my request in August 2007.

¹³ I understand that a review was commissioned in March 2008 and is to be completed by July 2008.

¹⁴ The figures relate to the whole of the Borough, not just the Ashford Growth Area. However, there seems to be no dispute that the vast majority of employment opportunities are, and will continue to be, provided in the urban area.

- 4.102 Accordingly at the extra sessions held in September 2007, I sought to establish how the Council had concluded that sufficient land would be available to meet the job target and how those producing other DPDs would know how much employment land to allocate. I am aware that not all core strategies have included such figures, but whether that is sound will depend on the particular circumstances. In a growth area where major new areas of development are proposed, not simply reliance on intensification of existing areas, I consider something more than just job figures is called for. By my reading, that is consistent with the Panel Report on the South East Plan.
- 4.103 Unfortunately at the September sessions I was unable to establish any clear basis for the employment land provision, or indeed how much land was being provided. I therefore returned to this matter in November by which time the Council had produced a response to my Note No 3 that suggested that some 116.4ha of business park and industrial 'typologies' would be provided. Applying plot ratios and densities as used in GADF suggested that this would have the capacity to provide 11,500 jobs, a figure well in excess of the CS requirement outside the town centre.
- 4.104 However, when the location of the 116.4ha was clarified, in response to my Note No 4, it became clear that it includes much land that is already in active employment use. If those areas are discounted, the amount of employment land being proposed in the CS is reduced to about 85ha or a little less. That is much less than the amount remaining available for development on major Local Plan sites which the Council confirmed, in March 2008, amounted to over 130ha. It suggests that in terms of new (ie previously undeveloped) land the provision is being reduced by about a third. (I accept that some redevelopment may also take place, but there has always been that possibility and as noted earlier it seems unlikely to have a major impact on job provision.)
- 4.105 In these circumstances it is unfortunate that as recently as February 2008 the Council were suggesting that the amount of employment land proposed in the CS was not less than that remaining committed at the end of the Local Plan period. Such a comment at this late stage does little to instil confidence in the processes involved in the formulation of the employment aspects of the CS.
- 4.106 I acknowledge that it is the number of jobs created that is important, not the amount of land, or even floorspace, provided. I also accept that providing less land is not necessarily incompatible with more jobs being created if there are realistic grounds for considering that previous density assumptions were too low. However, in this case there seems little evidence that the Local Plan was too pessimistic. On the contrary, whilst, for example, it envisaged the Cheeseman's Green site delivering 120,000m² of employment floorspace, the planning permission actually granted was for only 70,000m².

- 4.107 Taking all this into account, whilst applying the GADF densities and plot ratios suggests that the 85ha or so of employment land being proposed may be sufficient to provide 35% of the total job target plus a contingency allowance, I consider that this needs to be treated with a great deal of caution. On balance I prefer the more cautious approach suggested by the County Council's employment land survey which suggests a modest increase in the amount of employment is called for, not a substantial reduction.
- 4.108 In my view, it is unrealistic to expect a smaller amount of land, in much the same location as in the Local Plan and distributed amongst a similar number of sites (indeed very often the same ones that have not been developed in the past) to deliver a step change in job growth. Even if the amount of land is adequate I am concerned that the proposals do not increase the degree of choice and competition despite the Council's own background paper identifying this as a possible obstacle to employment development.
- 4.109 I have taken into account that the CS substitutes an area at Sevington for the similarly sized Local Plan allocation at Cheeseman's Green. The Sevington area adjoins the motorway and thus has some locational advantages. However, Cheeseman's Green itself is less than 3km from a motorway junction and close to one of the main roads in Ashford. It is not in an out of the way location, clearly unsuited to employment use and the locational benefits of this change may be less significant than the apparent difference in attitude of the owners. Nevertheless, this is a positive change and I have taken it into account. However, it is not self evident that in itself it will generate a step change in job creation.
- 4.110 Moreover, this is the only positive change that I have been able to identify in the main employment areas outside the town centre. Of the areas identified by the Council in response to my queries, there seems to be no significant change relative to the Local Plan at Orbital Park and Henwood. As for Cobbs Wood and Chart Estate these are essentially redevelopment areas and, as I have already noted, not of strategic importance in terms of job growth.
- 4.111 That leaves Eureka and Waterbrook. The CS proposes that both of these formerly wholly employment areas will be subsumed in mixed use areas that include residential and other uses. In my view that is inappropriate in respect of Eureka at least, which has been identified as an employment site of county-wide importance. Moreover, it became clear from the Council's response to my Note No 4 that in this area alone the intention is to reduce the amount of employment land available during the CS period by about 26ha.
- 4.112 It may be that the likelihood of all the Eureka area being developed before 2021 is slim. However, it seems to me that reducing the area available for development before then can only be detrimental to the prospects of employment growth. Moreover, the 26ha 'lost' is not even being put to some other use, thus saving some other land elsewhere from development. That might have some apparent logic

even though in advance of an employment land review I consider it would be inappropriate.

- 4.113 Instead the intention is that the land would simply be held back for development after 2021. I see no real justification for this, especially as Eureka is one of relatively few areas not dependent on J10A. Rather than reducing the area available here for employment uses I consider that it would be more appropriate to seek to encourage development activity. That could include reviewing the rather restrictive requirements concerning the nature and form of development that is allowed, along with action to resolve any constraints that may exist, such as the capacity of J9.
- 4.114 I conclude that, for the time being at least, an area equivalent to the existing employment allocation should be retained, with a separate area identified nearby for housing development. There may also be merit in looking for mixed use redevelopment opportunities in the area close to J9.
- 4.115 As for Waterbrook, I have found the CS proposals difficult to understand. Having a high density mixed use area along the SMARTLINK route to Cheeseman's Green seems a sound concept. However, if the potential of the land in the immediate SMARTLINK corridor is fully exploited, in accordance with GADF, this in itself would provide a very high proportion of the total jobs proposed in this expansion area. When jobs in Cheeseman's Green are also taken into account, it suggests a density of employment development in the rest of Waterbrook well below the apparent capacity of the area. On the other hand, if 1300 houses are built here, even at a high density, it seems inevitable that the amount of employment land would be significantly less than the present level.
- 4.116 In my view all this needs to be clarified as a matter of urgency especially if, as appears to be the case, there is scope for some employment development here before J10A is complete. Such development could facilitate the early introduction of SMARTLINK on its intended final route. It may also offer an opportunity to relocate firms that need to move out of the town centre and other regeneration areas. Moreover, Waterbrook is sufficiently distinct from Cheeseman's Green, and the likely pattern of development at Cheeseman's Green seems sufficiently clear, that I consider that allowing early development at Waterbrook need not prejudice a satisfactory overall layout. A commitment to the early production of guidance to allow this to happen should be included in the CS.
- 4.117 On this issue I therefore conclude as follows:
- the aspirations for growth in the town centre are challenging but not unrealistic provided the Council commit themselves to positive action to promote development. This should be set out further in the Town Centre AAP.
 - careful monitoring of job growth in the town centre will be required so that any shortfall is quickly identified enabling corrective action to be taken. This may include identifying more employment land elsewhere.

- in any event, the CS needs to complement job growth in the town centre by a generous supply of traditional style employment land. This should be provided in a variety of attractive locations that are, as far as possible, free from constraints and offer choice to developers/occupiers, as well as a degree of competition between landowners.
- at least until a comprehensive employment land review has been carried out there should be no reduction in the amount of employment land compared to the 2006 base level and the main existing areas of employment land should not be released for other uses. (This excludes Powergen.)
- on the present evidence a modest increase in the amount of employment land may be desirable. Moreover, it would be helpful if any such provision was made in a way that increased the choice of sites. The feasibility of achieving this should be considered in the Urban Sites & Infrastructure DPD.
- a high priority should be given to using the strategic tariff, and other available funding, to remove infrastructure constraints that are an obstacle to employment development.
- a strategy needs to be developed to facilitate the relocation of existing businesses within redevelopment areas.
- the Eureka area should be retained primarily for employment use and action taken to stimulate development there.
- clarification of the intentions for Waterbrook should be a high priority to establish whether potential exists for early development that, amongst other things, would help with the relocation of existing businesses from redevelopment areas.

4.118 In order to satisfy tests vii and ix, and provide proper guidance to subsequent DPDs, the CS needs to incorporate a chapter and policy on the economy and employment land encapsulating the points set out above. Such a chapter and policy is set out in Annexe 1.

Issue 6 – appropriateness of the affordable housing policy

4.119 Historically, affordable housing seems to have been less of an issue in Ashford than much of the southeast. However, recent changes led to the 2005 Housing Needs Survey identifying a need for over 650 affordable dwellings per year for the immediate future.

4.120 This situation may be exacerbated if the introduction of a high speed rail service to London makes Ashford a more attractive place for commuters to live. Other enhancements envisaged in the CS also seem likely, if successful, to further strengthen the housing market and thus increase prices. All this suggests that there is a need for a step change in affordable housing policy and the CS proposes replacing the current 20% provision and 25 unit threshold with 35% and 15 units respectively. An even lower threshold – 3 units – is proposed in the rural areas.

4.121 The 15 dwelling threshold proposed in the urban area reflects national advice and has attracted little objection. I consider it to be sound. In contrast many house builders consider that a 35% requirement is unrealistic and would threaten the viability of

developments and delivery of the overall housing target. Many also feel that it is contrary to the thrust of regional advice, which appears to indicate that 30% is the maximum practical target given the state of the housing market in Ashford and the need for contributions towards infrastructure improvements. In addition, there is a widespread view that if a change of this magnitude is to be introduced it should be phased in.

- 4.122 First of all, I consider that whatever figure is chosen it should be expressed as a target not an absolute requirement. That would better conform to national advice and would also indicate a willingness to have regard to unusual site circumstances. I understand that to be the Council's intention.
- 4.123 Turning to the alleged conflict with regional guidance, the Council emphasise that the RSS figure is a percentage of all dwellings whereas Policy CS12 only applies to sites of 15 units or more. Their figures indicate that, numerically, 35% of units built on sites above that threshold is equivalent to 30% of those on all sites. I see merit in that argument and note that SEERA have expressed specific support for Policy CS12. Taking all this into account I consider that regional policy does not rule out adopting a 35% target and that the CS would not automatically fail test iv if it did so.
- 4.124 On the other hand, given the caveats in regional policy I consider that it does not require 35% and nothing less and that it is still necessary to consider whether that is a reasonable and realistic target having regard to the other demands being made on house builders. Moreover, in Ashford there are some demands (particularly those in Policies CS8, the Strategic Tariff, and CS10, Sustainable Design and Construction) that may be greater than in many other areas. This reflects the existence in Ashford of some specific and unusual infrastructure difficulties that it is widely accepted house builders will, through the tariff, need to help overcome. It is important to ensure that the net effect of these demands, including the requirement for affordable housing, does not deter house building.
- 4.125 At this stage it may not be practicable or necessary to have everything fully costed. However, I consider that it is important to be able to form a view as to the realism of what is being sought. Given the lack of clear evidence from the Council themselves I have therefore looked to the 'Tym Report' produced for the Ashford Landowners Group (the ALG). This has not been fully agreed by the Council but it is the best information available to me.
- 4.126 Put very briefly, the Tym Report suggests that, if the strategic tariff is set at a level that does not deter house building, delivering all the infrastructure that the Council consider necessary will be challenging. Moreover, even that rather pessimistic prognosis has assumed that the affordable housing target is set at 30% not 35%.
- 4.127 I return to these matters when dealing with Policy CS8, but for my present purposes it is sufficient to note that the only firm evidence of costings and viability before the examination does not endorse

the view that a 35% affordable housing target is practicable. I appreciate that owners and developers have an interest in minimising their costs. However, that does not of itself mean that the Tym Report is wrong and the Council have not, to my knowledge, made any detailed criticism of the figures in it. Moreover it accords with the generally cautious approach suggested in the emerging RSS and if the figures differ that, it seems to me, is on the basis of more detailed information.

- 4.128 In short, on the balance of evidence available to the examination, I consider that if an affordable housing target of 35% is imposed there is a real likelihood that development would be deterred or other aims frustrated, including infrastructure improvements. That could have serious consequences for Ashford's growth as well as its sustainability and public acceptance.
- 4.129 In any event, the 35% figure appears to be a compromise. It is not sufficient to meet all affordable housing needs and seems to have been chosen as the most that it would be practicable to achieve. In my view that is a sensible approach. However, for the reasons set out above, I consider that the balance chosen was not the most appropriate in all the circumstances and that, to satisfy test vii, the target should be reduced to 30% in the growth area. The fact that, in the absence of Policies CS8 and CS10, some developers have been prepared to offer a higher proportion of affordable housing does not alter my conclusion that it is unrealistic as a general aim in likely future conditions. However, the early review of the CS that I consider to be necessary for other reasons would enable this matter to be reconsidered in the light of actual experience. In the meantime I consider that lowering the target to 30% for most schemes would avoid any need for the increase to be phased in.
- 4.130 Developments in the rural area will not have to pay the tariff and so I do not regard a 35% target there to be unsound. Moreover, I see no objection in principle to applying different thresholds in different areas. However, that must be properly justified, taking into account the practicability of the proposed threshold, including any effect on the delivery of market housing, not simply rural housing needs.
- 4.131 The main reason for proposing a lower threshold in the rural area seems to be the expected small size of many developments. The Council have produced figures suggesting that (at the level proposed in the CS) a threshold of 3 units rather than 15 would over the last 10 years have produced 94 more affordable dwellings.
- 4.132 The implication appears to be that a similar pattern would occur in the CS period. However, there seems to have been no assessment, involving key stakeholders, of the impact that the threshold could have on the viability of housing in the rural area or the amount that would be delivered. I do not need to agree with all the claims now being made by those opposing the proposed threshold to conclude that any effect that it has on the overall delivery of housing will be negative. Even if it is only by a modest amount, it seems likely that

the number of market houses built will be less, with a corresponding reduction in the increase in affordable housing.

- 4.133 In addition, the Local Plan seems to have allocated only 8 sites of 15 or more houses in the rural area with a combined capacity of less than 200 dwellings. The submission CS proposes allocating more than that in Tenterden alone and over 3 times that amount in the rural area as a whole. Not all of these allocations would necessarily be for 15 units or more. That said, it seems reasonable to expect that in the CS period more rural housing will occur on sites of this size and above than has been the case in the past, again reducing the benefits of the lower threshold proposed.
- 4.134 That is especially so as I am recommending that the reliance on windfalls is dropped, and more allocations made (see paragraphs 4.192-198). Again not all of those new allocations will necessarily be for 15 or more dwellings, but I would expect a substantial proportion to be and that the allocations will deliver considerably more affordable dwellings than if the same number of houses were spread amongst windfall sites.
- 4.135 In short I consider that in the CS period the benefits of a lower threshold may well be significantly less than past figures suggest. In any event, even at the proposed threshold not all the rural housing need would be met and a judgement has again had to be made as to the best that can be achieved. Moreover, whilst similar thresholds seem to have been adopted in a few other rural areas, it is too soon to tell what the effect has been.
- 4.136 Taking all this into account, including the apparent lack of consultation with those most knowledgeable about the rural housing market, I conclude that the reduced threshold is not soundly based on robust and credible evidence and is not the most appropriate in all the circumstances. It does not therefore satisfy test vii. I conclude that the threshold of 15 units should be applied across the Borough.
- 4.137 To summarise, on this issue I conclude that the evidence base does not justify a target of 35% in the urban area where there are many other demands on house builders and the target here should be reduced to 30%. Neither, at the present time, does the evidence justify the lower threshold proposed in the rural areas. Details of the changes required to make the CS sound in respect of these and other matters referred to above are set out in Annexe 1.

Issue 7 – the robustness and reasonableness of Policy CS10, sustainable design and construction

- 4.138 Policy CS10 aims to ensure that all major developments incorporate sustainable design features. At least one housebuilder has objected to the policy on the basis that such matters should be left to the Building Regulations. However, most representations support the policy in principle, though many of them, particularly from developers, express concern about the detail.

- 4.139 I have taken this into account along with the increasing importance being attached at government level to addressing climate change and the specific exhortations for local authorities to set high standards where that can be justified and is practicable. Despite this, it seems to me that the overall direction of travel of government policy may be towards setting standards for reducing carbon emissions from buildings (and the timetable for this) principally through the Building Regulations. That is not to say that planning policies in LDDs have no role to play in addressing the issue of climate change. However they should be clearly justified by local circumstances and take into account the technological and financial implications of setting higher standards.
- 4.140 In Ashford there are specific issues concerning, amongst other things, water supply and flooding that make the area particularly sensitive to the effects of climate change and help to justify higher standards of, for example, water management. There are also some specific opportunities, such as the potential for bringing back into use areas of traditional coppice woodland as a source of biomass energy. In addition, the high level of new building may give some scope for economies of scale; it certainly means that having high standards here would have more effect on whether national targets are met than is likely to be the case in many areas. Taking all this into account I consider it reasonable and appropriate for the CS to include a policy on this matter.
- 4.141 Since submitting the CS the Council have proposed changes to the Policy, primarily to reflect the replacement, nationally, of the EcoHomes standards by the Code for Sustainable Homes (the 'Code'). Concern has been expressed that although the changes have been presented as no more than a 'read across' translation from one standard to another the requirements of the Code (at least at the levels proposed) are significantly more onerous.
- 4.142 I have taken this into account. However, looking at the changes proposed, I note that the Code itself describes its Level 2 as being similar to EcoHomes 'Good' and Level 3 as broadly similar to 'Very Good'. Moreover, where they appear in the policy Levels 2 and 3 have generally not been controversial. I conclude there is no reason to regard those aspects of the policy as unsound and have therefore concentrated on the requirement to achieve Level 4 on urban extensions and greenfield urban sites, together with the practicability of the specific targets proposed for Carbon Dioxide (CO₂) emissions.
- 4.143 Looking first at Code Level 4 there is concern that this relies on technology that is as yet untested and may, particularly for the immediate future, be expensive to achieve. However, the Code describes Level 4 as being 'broadly set at current exemplary performance'. This suggests to me that whilst it is a challenging standard the technology already exists to deliver it, albeit possibly little used.

- 4.144 Moreover, 4 of the 6 mandatory standards are the same whatever the Code Level and in respect of water consumption the requirements of Level 3 and Level 4 are the same. Accordingly the real point at issue seems to concern CO₂ emissions. Here Level 4 requires the dwelling emission rate to be 44% less than the maximum permitted by the Building Regulations, compared to the 25% reduction required by Level 3.
- 4.145 Developers suggest that this is impractical as a general rule and that whilst it may be technologically achievable most ways of doing so would add considerably to the cost of dwellings. In practice, they feel that Level 4 could not be achieved simply by improved design but would require solutions based on combined heat and power generation probably using biomass fuels. This would require community level infrastructure that would be difficult to deliver, especially if the Council do not take the lead, as well as involvement of other organisations such as Energy Supply Companies (ESCOs). Even if there are ESCOs who would be interested, it was put to me that this would take several years to set up. Moreover, supplying energy on this scale is seen as less efficient than production and distribution through the national grid and builders consider that this would inevitably be reflected in higher prices for consumers.
- 4.146 However, given that bodies such as English Partnerships and the Housing Corporation seem to have adopted Level 3 as a norm, then in favourable circumstances it seems to me that it ought to be possible to do better. In Ashford Level 4 is only intended to be applied on greenfield sites adjoining the urban area and in the main expansion areas. These involve large areas of land, very large in the case of the expansion areas, and appear to offer some economies of scale. Moreover, in the expansion areas at least, some areas would be developed to a relatively high density where higher standards may be more practicable.
- 4.147 Not all the technologies may lend themselves to economies of scale but, if nothing else, large greenfield areas may have potential for economies in other respects. In addition, whilst organisational issues may have to be overcome, the scale and density of development proposed in parts of Ashford appears to offer potential for combined heat and power (CHP) schemes. Moreover, such schemes may encourage the use of local woodland coppice as a biomass fuel. Again there may be organisational difficulties but there seems considerable potential for this energy source and a challenging target in respect of new housing in the growth areas could help realise it.
- 4.148 Taking all this into account I consider that it is not inherently unsound for the CS to seek to achieve Code Level 4 in the areas proposed. On the contrary in a growth area, where decisions taken now will affect a large number of dwellings to be built in the near future and where exemplary standards might be expected, I consider that an aspiration to such a level is appropriate. However, other parts of Ashford seem to have less potential and I consider it reasonable for the standards to take this into account.

- 4.149 In addition, compliance with the policy is, in some cases at least, likely to involve the use of emerging technologies that have yet to be fully tested on a large scale. National advice makes clear that standards must be realistic and viable. I therefore consider that the policy needs to be worded so as to make clear that exceptions will be allowed if it can be shown that in a specific case there is no way of delivering the desired standard that is technologically practicable and financially viable and would not seriously penalise occupiers. It is not satisfactory for developers to have to argue that such problems amount to 'other material circumstances' warranting a decision contrary to policy. In my view, changes on the lines set out above are therefore necessary if the policy is to be soundly based on current evidence and thus comply with tests iv and vii.
- 4.150 It would also help if the Council could identify and commit themselves to specific measures to encourage the use of coppice woodland for biomass fuel, rather than relying on indirect pressure. This is not a matter on which I am able to make a binding recommendation, but whilst such measures would make the policy more robust, I consider that on balance they are not essential in order for it to be sound. The Council may however wish to produce supplementary guidance on this matter.
- 4.151 As for refurbishments the Council now propose that the standard for existing houses should be Code Level 3. However, the Code itself makes clear that it is intended to relate only to new developments and the Building Research Establishment appear to envisage that the EcoHomes system will continue to be applied to refurbished housing. I see no reason to expect that the EcoHomes system will become inoperable in respect of refurbishments in the near future at least without some replacement system being put in hand. Accordingly I do not consider that it is appropriate to replace it in this part of Policy CS10 with a standard that, even if it is broadly comparable, is not intended to be applied to existing dwellings. I conclude that the Council's proposed change in respect of 'existing and refurbishment' should not be incorporated in the CS.
- 4.152 Another area of concern relates to the Policy's specific targets for minimum CO₂ reductions. These differ from those in the Code as they take into account only the use of low or zero carbon technologies, whereas the Code also has regard to energy efficiency. This appears to have caused some confusion and it would have been helpful if the CS had made this point clearer.
- 4.153 That said, the more significant issue is whether the percentages proposed in the policy are realistic. The ALG have suggested that all the figures should be reduced to the national norm of 10%. However, local authorities have been encouraged by central government to go beyond that level where it is practicable to do so. In my view, for the reasons set out above, there should be scope for greater reductions in parts of Ashford and the particular susceptibility of the area to some of the effects of climate change makes doing so particularly appropriate. Subject to the introduction of a specific caveat regarding practicability I conclude that it is

appropriate to set higher standards for new development in the growth area.

- 4.154 However, I have seen little justification for applying higher standards in the rural areas or in respect of existing/refurbished buildings in the urban area. In these cases there does not seem to be the same potential for economies of scale or for CHP schemes. On the evidence presented I conclude that the requirement for a 15% reduction in these situations is not soundly based.
- 4.155 In contrast to the concerns expressed regarding the standards for residential development, there has been relatively little opposition to those proposed for non-residential schemes, the main concern appearing to be with the requirements for water credits. In the town centre there may be some difficulties in achieving the desired levels. However, water consumption is an issue of particular importance in Ashford. On balance, subject again to the inclusion of a specific caveat regarding viability and practicability, I conclude that it is reasonable to aim for the proposed standard.
- 4.156 Concern has also been expressed regarding the lack of definition in the policy of 'major development'. However, this is set out in the supporting text and I see no overriding need to repeat it in full in the policy itself. Moreover, given the lower standards required in the Rural Areas I see no objection in principle to the adoption of a lower 'threshold' in those areas.
- 4.157 Turning finally to the tables that are included in the Policy, although these are detailed I am satisfied that the importance of this issue justifies the inclusion of a table in the CS. However, this is a policy relating to technologies that in some respects are in their infancy and where national advice is rapidly evolving. Accordingly I do not consider that it is sensible at this time to try to predict what will be practicable and desirable in the latter part of the plan period as the second table currently seeks to do. On the current information base I consider this table fails test vii and is unsound.
- 4.158 It may well be practicable to achieve higher standards after 2014 and it would be undesirable for that opportunity to be lost. However, rather than trying to fix levels now I consider that the CS should instead restrict itself to setting out an aspiration to increase standards and to indicate that this will be looked at in the early review of the CS or otherwise be brought forward in a DPD.
- 4.159 On this issue I therefore conclude that, in Ashford's circumstances, the inclusion of such a policy is justified and sound. However, some detailed changes are required and more flexibility needs to be written in. In particular, the table setting out post 2014 standards should be omitted. Details of the changes required to ensure that the CS satisfies tests vii and ix and is sound in respect of these matters are set out in Annexe 1.

Issue 8 – the need for and level of the proposed strategic tariff and how it should be applied (Policy CS8)

- 4.160 Policy CS8 seeks to establish a 'strategic tariff' that will secure contributions from developers to help fund the strategic facilities and infrastructure needed to support the sustainable growth of Ashford. At least one respondent has queried the lawfulness of such an approach. However, the overwhelming majority, including most developers and landowners, seem to feel that a tariff is, in principle, a reasonable and sensible approach in an area like Ashford where the level of growth proposed requires new town-wide strategic infrastructure that cannot readily be attributed to individual developments. Moreover, there seems to be general agreement that government policy is sufficiently flexible to allow such an approach. Taking into account the lack of objection from GOSE I see no reason to disagree.
- 4.161 The policy does not seek to set a level for the tariff; the intention being that this will be determined in a subsequent SPD that it is envisaged will be reviewed every 3-5 years. Some representations have suggested that this matter is too important to be left to SPD and that if the level cannot be specified in the CS itself then it should be brought forward in a DPD so that it is the subject of full public scrutiny and independent examination. However, provided the principles are established sufficiently clearly in the CS and developers have the opportunity to challenge the rate if in any specific case it gives rise to serious viability concerns, I see no overriding objection to the SPD approach. Moreover, this would enable the level of the tariff to be established with a minimum delay, enabling it to be applied from an early date, and also varied quickly if that became necessary.
- 4.162 During the examination I queried whether, taking into account the other demands being made of housebuilders¹⁵, I could be reasonably satisfied that the tariff could be set at a level that would enable all necessary infrastructure to be provided. Ashford faces some difficult challenges if growth is to be achieved successfully and in a sustainable manner. As well as the wide range of improvements that are an inevitable requirement of any major expansion there are some specific local requirements of particular significance. These include capacity issues at the motorway junctions, the need for a more attractive public transport system, and water supply and flooding difficulties. These matters will be expensive to address and it is widely accepted that some of the funding will have to come from developers.
- 4.163 Without requiring all these matters to be fully costed at this stage it is important to have enough information to be reasonably confident that the aims of the CS are achievable. I was therefore rather disappointed that the Council had not produced figures of their own and that I have had to rely on those produced for the ALG in the

¹⁵ In particular, the requirement for an increased proportion of affordable housing and the targets for sustainable design and construction.

Tym Report. This suggests that if the tariff is set at a level that does not deter house building there will be a funding shortfall. To help address this, the Report recommends that consideration is given to rephrasing development to prioritise 'early win' sites that have low infrastructure costs. However, I have seen little evidence to suggest that the amount of development that could be accommodated on such sites would have a significant effect.

- 4.164 There may be scope for scaling down some of the proposed infrastructure, especially some of the proposed parks whose scale has not yet been fully justified¹⁶. However, even if all the Tym Report's recommendations were accepted (and I am not convinced that that would be appropriate) a funding gap would remain that the parties seem to expect to be filled by additional government funding. I do not rule out that possibility and it may give some flexibility. Nevertheless, I consider it prudent to assume that such funding will only be forthcoming if the Council are seen to be acting responsibly and are not making unrealistic demands.
- 4.165 My concerns regarding the ability of the tariff to raise sufficient funds without prejudicing other aims were increased by the fact that in the submission CS the tariff appears to be at the bottom of the 'pecking order' given that the targets for affordable housing and sustainable design and construction were fixed whereas the tariff was not. However I am recommending that more flexibility be written into those other policies and that the affordable housing target should be reduced, in part to provide greater confidence regarding the tariff.
- 4.166 Taking those changes into account, and making reasonable assumptions about government funding and investment by utility companies, I consider that it should be practicable to levy the tariff at a rate that will facilitate the provision of necessary infrastructure. By the end of the hearings this appeared to be accepted by most of those involved. Whilst the Council had by no means agreed all the points in the Tym Report, they accepted that the work done was very helpful.
- 4.167 In addition, there appeared to be a broad measure of agreement that the maximum tariff that could be afforded without undermining the viability of development was likely to be in the order of £14,000 per dwelling. To guide the subsequent SPD and provide a degree of certainty I consider that some reference should be made to that figure in the CS. Subject to this I consider that the intent of Policy CS8 – to raise adequate funds without prejudicing development - is clear enough and there is no need to consider further such suggested changes as whether 'should' ought to be replaced by 'will'. That is especially so as this policy, unlike some others, indicates that, subject to an 'open book' approach, it will be applied flexibly. However, to give proper effect to that aim I consider that the reference to 'abnormal circumstances' needs to be modified.

¹⁶ See paragraphs 4.263-266.

- 4.168 Turning to some other concerns regarding the tariff, several respondents consider that it ought to be imposed on non-residential developments. I see logic in that insofar as some (though not all) infrastructure needs will be affected by developments other than housing. On the other hand, the evidence suggests that housing schemes will be much better able to bear the cost of the tariff than most other forms of development. In particular, having regard to my conclusions on employment matters, the need to stimulate job growth makes it inappropriate, for the time being at least, to impose the tariff on industrial and office development. Retail development is also likely to be important to improve Ashford's image and overall sustainability. Accordingly I conclude that it would be counter-productive at present to apply the tariff, even at a reduced rate, to non-residential schemes. They may of course still have to make specific contributions in the usual way.
- 4.169 As for housing, it is proposed to apply the tariff to all development in the Ashford Growth Area, including affordable housing, but not to housing in the rural areas. As the purpose of the tariff is to help provide for the infrastructure necessary to allow development in the Growth Area to take place in a sustainable manner I consider it appropriate for it to be targeted at schemes in that area. That is not to say that occupiers of houses elsewhere in the borough will never use infrastructure and facilities in the town. However, they are unlikely to do so to the same extent and where rural housing developments do give rise to a clear need for infrastructure improvements, either locally or in Ashford, that could be dealt with through specific s106 obligations as is currently the case. I am satisfied therefore that the CS is sound in its geographical application of the tariff.
- 4.170 Given the intended area of application there seems no need to refer to local needs housing on exception sites. I therefore recommend that paragraph 8.8 should be deleted.
- 4.171 Moving on to the proposed application of the tariff to affordable housing, the occupiers of all housing, whether affordable or market, will make demands on infrastructure. Moreover, whilst in some respects this could be viewed as being akin to placing a 'tax' on the provision of a public benefit, the reality is that there is a fixed amount of infrastructure that will need to be paid for. If affordable housing were excluded from the tariff, then logically the rate levied on each 'market' unit would have to be higher.
- 4.172 Furthermore, I have been provided with no clear and compelling evidence that including affordable housing within the scope of the tariff would have a material effect on the quantity delivered. On the other hand, raising the tariff on market housing could, on the evidence of the Tym Report, discourage overall housing provision. On the balance of the evidence before the examination I conclude that it is appropriate to apply the tariff to affordable housing. If this would cause real problems in a particular case it would be open to the developers to seek an exemption, although an 'open book' arrangement would be required.

- 4.173 Similarly a pragmatic 'open book' approach could be followed in respect of 'enabling development' or any other schemes perceived to be of particular public benefit. In my view this would be more appropriate than trying to make a general rule for such untypical developments. On the other hand, despite the reservations of some respondents, I consider it reasonable to expect brownfield sites to be generally more expensive to develop. In any event, given the desire to encourage the re-use of such sites, I consider that it is appropriate in principle to have a lower tariff for brownfield developments. The actual degree of reduction would be set in SPD when more information on relative costs should be available.
- 4.174 It has also been suggested that the tariff should not be imposed on houses that will be occupied by existing Ashford residents, as they are already making demands on the town's infrastructure. However, despite some apparent logic it seems to me that in reality in many cases if new houses are occupied by existing residents that would simply release other accommodation some of which will be occupied by those moving in from outside. Whether directly or indirectly the need for facilities and infrastructure is likely to increase.
- 4.175 Moreover, as with affordable housing, the overall requirement for infrastructure improvements would not be reduced by excluding some houses from the tariff and those remaining within its scope would have to pay more. In any event, the origin of those occupying market housing could not be controlled and trying to monitor this would take up resources that would be better used in delivering much needed infrastructure. Far from being needed to make the policy sound, introducing such an exemption would, in my judgement, make it unsound.
- 4.176 Turning to other matters, if a national equivalent of the tariff is introduced it would be necessary to consider how it would relate to Policy CS8 and how 'double payment' could be avoided. However, given the urgent need in Ashford for infrastructure contributions at an early date I consider that, for the time being, it is appropriate to press ahead with Policy CS8 and the SPD to it, but to review this as national intentions become clearer. That, I understand, is the Council's intention. Subject to some clarifying wording along these lines I consider that no further changes are required at the present time in respect of this matter.
- 4.177 As for existing SPG6, Appendix 1 to the CS suggests that this will be replaced by the tariff or subsumed in it. This was confirmed by the Council at the hearing session. Again in my view it would be helpful to note that in the text to Policy CS8 but I consider no further action is needed.
- 4.178 I turn finally to the table that forms part of Policy CS8. This is intended to help distinguish the infrastructure and other measures that would be paid for by the tariff from those that developers would normally be expected to provide 'on-site' and which would therefore be outside the tariff (and achieved through the normal conditions or s106 procedures).

- 4.179 I agree that it is important to clarify this distinction. However, this will be done more comprehensively in the SPD. At the hearing session, the Council confirmed that, whilst the lists in the CS are lengthy, they are neither exhaustive nor in any order of priority. That being so I see little merit in including so many matters of detail in the CS. On the contrary, doing so runs the risk of the list appearing to be complete when in fact it is not.
- 4.180 In any event, I consider that the benefits of a list will be limited until the tariff is being levied, by which time the SPD will have clarified matters. Moreover, including a list in the CS would mean that for most of the duration of Policy CS8 there would be two lists or tables: one in the Policy itself which could easily be taken to be comprehensive, but is not; and the 'proper' list, which will appear in the SPD. In my view, the confusion likely to be caused would outweigh any limited and temporary benefit of including a table in the Policy. I conclude that for Policy CS8 to be sound in this respect the table should be omitted and replaced (in the text) by some examples that are clearly recognisable as such. I see no serious conflict between this and the aims of Circular 05/05.
- 4.181 As I am recommending that the table be deleted it is not necessary for me to consider in detail what is contained in it. However, in brief, I consider that retro-fitting existing properties with, for example, water efficiency measures may be an acceptable use that would not contravene national advice provided it enables development to go ahead that would otherwise be delayed or frustrated by capacity constraints that cannot readily be overcome in any other way. On the other hand, I have doubts about using the tariff to maintain indefinitely facilities or functions that would be a normal part of the activities of public bodies in any event (though its use to help set them up may be appropriate).
- 4.182 On this issue I conclude that in Ashford's circumstances including a 'tariff' policy is appropriate and justified. However, given that this will be detailed in a subsequent SPD, clearer guidance on the envisaged level of the tariff is required whilst the proposed table of examples is unhelpful and should be omitted. Details of the changes required to satisfy the tests, in particular vii, viii and ix, and thus make the CS sound in respect of these and related matters are set out in Annexe 1.

Issue 9 – the adequacy and appropriateness of the treatment of the rural parts of the borough

- 4.183 In addition to the urban growth area, Ashford Borough includes an extensive rural hinterland. The overwhelming bulk of the borough is rural and even at the end of the plan period, despite the major expansion of the town that is planned, a substantial part of the borough's population will live outside the main urban area.
- 4.184 This suggests that the needs of the rural area could, potentially, be of considerable significance for a spatial strategy. In this context the treatment of the rural areas is weak and unconvincing. Many of

the challenges typically facing such areas receive scant attention and it is difficult to be certain whether they affect Ashford and if so to what extent. For example, the decline of employment in agriculture and other traditional rural industries that is typical of many parts of England goes largely unremarked and there is little indication of recent trends in rural employment. Nor is it clear to what extent there has been a decline in village shops, post offices and other facilities, such as schools, or how this might change in the future. It follows that the CS has little to say about how planning policies might influence such matters.

- 4.185 Indeed, apart from a few often fairly generalised paragraphs on employment, Chapter 6 of the CS concentrates very largely on housing matters. Moreover, except in respect of affordable housing, even this appears to have been approached with little obvious analysis of the actual needs of the rural area and its residents. Instead the figures seem to have been derived very largely by subtracting the targets for the growth area given in higher level plans from those given for the borough as a whole. The CS itself shows little evidence of any attempt by the Council to assess the validity of the resulting figures in the light of actual conditions in this particular area about which they could be expected to be better informed than the authors of the documents they have relied on.
- 4.186 This approach is apparent in Policy CS6 itself, where the proposed settlement hierarchy relates solely to housing and little guidance is given to subsequent DPDs on the level of employment (or other non-residential) development that should be provided for. Moreover, Policy CS7, which deals with the countryside, adds little of value to national and regional guidance.
- 4.187 Looking in more detail at **housing numbers**, the Council have concluded that a further 1180 dwellings are needed in the rural area. However, there seems to have been little or no assessment of how reasonable that figure is having regard to the demographic and social needs of the rural population. In my view it was not necessary for the Council to feel bound by the Structure Plan, which the CS will in part replace, and a more rigorous assessment of housing requirements ought to have been carried out.
- 4.188 Be that as it may, the representations suggesting that the figure should be increased, sometimes to a range of 1500-2000 but more often to 2000, also seem generally lacking in any firm evidence base for the figure proposed. The reasons given are often of a generalised nature and the figures seem to have been chosen as much for their 'roundness' as any clearly identified need.
- 4.189 Some representations suggest that a higher total would be helpful in allowing more housing to occur in particular settlements, but beyond a generalised view that villages will stagnate and decline without some new development there is little specific justification for this. In particular, I have seen little or no evidence that house building in villages on any scale likely to be acceptable would have a significant impact on the provision of shops or other commercial

facilities. It may have some impact on community facilities such as schools but again there is little hard evidence.

- 4.190 In addition, whilst I have identified problems regarding the delivery of housing in the growth area I consider that increasing the target for the rural area to address this would not be sound planning even in the short term. On any significant scale it seems likely to result in a relatively unsustainable dispersal of development that would also be potentially harmful to the character of the borough's small towns and villages. It would be contrary to the thrust of national and regional policy and would in my judgement make the CS less, not more, sound. Similar comments would apply in what now seems to be the unlikely event of the emerging RSS significantly increasing Ashford's overall housing target.
- 4.191 In short, whilst it would have been desirable for the merits of the housing target to have been more rigorously assessed (and this should be done in the Tenterden and Rural Sites DPD), it is at least broadly consistent with other plans and there is currently no clear justification for increasing it.
- 4.192 Of the 1180 dwellings to be accommodated in the rural area, the CS assumes that 525 will come from unidentified '**windfalls**' so that land needs to be allocated for only 655 units. The number of windfalls has been predicted by extrapolating past trends. Following concerns that I expressed the Council extended their data base from 5 years to 10.
- 4.193 Even so, predicting 15 years ahead on the basis of 10 years data seems to me inherently risky. On the other hand, looking further back increases the likelihood that planning policies will have changed. However, that may do no more than suggest that extrapolating past rates without taking into account how changes in the future might affect them is not a very sound procedure. That, as far as I can tell, is what the Council have done.
- 4.194 Be that as it may, national advice in PPS3 now clearly indicates that windfalls should not be relied on in the first 10 years of land supply unless local planning authorities can provide robust evidence of genuine local circumstances that prevent specific sites being identified. In this case, the Council's argument, as I understand it, is that a very high proportion of windfalls come forward on sites of less than 5 houses and that it would simply not be practicable to identify and allocate such small sites.
- 4.195 The small size of past windfalls is not altogether surprising given that adopted Local Plan policy seeks normally to resist windfalls of 5 units or more in most villages. Be that as it may, there is little hard evidence to suggest that larger sites, capable of forming allocations, could not be identified. Rather the Council's concerns seem to be that small windfalls will come forward anyway with the result that more housing than is needed would be provided.
- 4.196 That would carry more weight if the rural housing target were more firmly based on hard evidence and any harmful effects of exceeding it had been clearly identified. As it is, assuming that each windfall is

acceptable in itself (as it must presumably be if it is to be allowed) I have seen little to suggest that the cumulative effect, if windfalls continued to come forward at past rates, would cause real and significant harm through suburbanisation of the countryside, dispersal of activity, or any other reason.

- 4.197 In any event, if there are concerns about this matter I see no reason why the Tenterden and Rural Sites DPD could not take a more restrictive approach to windfalls with a view to reducing their numbers. More allocations in appropriate settlements, and fewer windfalls (which could be in less sustainable locations), seems arguably a better approach. In my view it would accord with the thrust of PPS3.
- 4.198 In conclusion, I consider that in order to better reflect the evidence base and national advice (and thus satisfy tests iv and vii) there should be no reliance on windfalls for the first 10 years of the CS. (What happens in the last years of the plan can be reassessed later in the light of what actually transpires.) That results in the need to identify land for an additional 350 houses.
- 4.199 The CS proposes adding a third tier to the **rural settlement hierarchy** below the two included in the adopted Local Plan. This is somewhat at odds with the conclusions in the Sustainability Report where a continuation of the two tier approach seems to score most highly, especially as the 4 settlements identified in the Local Plan (Tenterden, Charing, Hamstreet and Wye) are clearly of a much higher order than any of the others.
- 4.200 The Council's justification seems to rely largely on the view that it would not be possible to accommodate the required level of growth within the 4 Local Plan settlements without causing serious problems. It appears that no new work has been undertaken in order to reach this conclusion but that reliance has been placed on the landscape assessments carried out for those settlements as part of the preparation of the adopted Local Plan.
- 4.201 Having looked at those reports for myself (and visited the 4 settlements), I consider that it would be challenging to identify sufficient land within them, especially if the amount is increased to avoid reliance on windfalls. They are attractive rural settlements and, apart from Hamstreet, are closely surrounded, in part at least, by AONBs. Further development at Wye, unless opportunities occur on the college site, and Charing seems particularly problematic. That said, there appear to be several areas of land around Tenterden that have no special protection.
- 4.202 On balance, I conclude that there is merit in adding a third tier to the hierarchy but that to reflect better the relative sustainability of the settlements the aim should be to increase the proportion of housing in Tenterden and reduce that in the third tier. Subject to a more detailed assessment of the capacity of Tenterden to absorb further development, which should be carried out in the Tenterden and Rural Sites DPD, I consider that it would not be unreasonable

to seek to make about half the allocations there rather than the 40% currently envisaged.

- 4.203 Turning to the question of which villages should be included in the new tier, I consider that the rural sustainability matrix produced by the Council is a helpful starting point. However, I have some concerns regarding its present accuracy and its robustness to changes that may occur over the plan period.
- 4.204 Changes may be particularly likely in respect of commercial facilities such as shops. There is a clear trend nationally towards the closure of village shops and, whilst there is little up to date information in respect of Ashford, it seems unlikely that the situation here will be radically different. Accordingly I consider that it is not robust to attach great significance to the existence of a single shop. Villages with several shops may be more likely to retain at least one, though in my experience it is not unknown for a village to lose several shops over a 15 year period. In addition, the retention (or not) of rural post offices may depend more on national policies than whether a few houses are built in a village. House building may have more effect on the retention of facilities such as schools, but I have seen little to suggest that the CS has sought to establish which schools, if any, might be under threat.
- 4.205 Of the villages proposed for inclusion in the extra tier, I note that since the matrix was drawn up a shop has closed and there has been a reduction in post office facilities in High Halden. Together with the close proximity of that village to others that are included in the hierarchy, this suggests that its position ought to be reviewed. Moreover, the fact that such changes have occurred so quickly reinforces my concerns regarding the robustness of the matrix
- 4.206 In any event, it would be sensible to review the matrix in the Tenterden and Rural Sites DPD to ensure that it is accurate. I established during the hearings that, contrary to what the matrix suggests, there is no school at Appledore. In that particular case the inaccuracy may be of limited consequence (though it somewhat reduces the merit of the representation seeking to include Appledore in the third tier). However, the existence of such an error (together with the time that it took to confirm it) does not instil confidence in the matrix or the evidence base supporting it.
- 4.207 I am also concerned that the matrix does not take into account access to jobs (except through proximity to Ashford or Tenterden). Although the Council seem to take the view that this is unnecessary because jobs are spread fairly evenly throughout the rural area there is little clear evidence to that effect. On the contrary, my impression is that Wye for example has, or at least had until recently, more jobs than most other settlements. In any event, a lack of variation between villages has not precluded other factors, such as churches, being included in the matrix.
- 4.208 Having regard to all these matters, I conclude that whilst the matrix provides a reasonable starting point it would be desirable for some additional work to be carried out to establish that it is a sound and

robust basis for including villages in the hierarchy. This should be addressed in the Tenterden and Rural Sites DPD. However, subject to this, I consider that in general it is appropriate for the proposed third tier to include those settlements that score most highly in the matrix. Exceptions would be Great Chart and Kingsnorth which are situated very close to the Ashford built up area and where, if they are to retain their separate village character, it may be best to restrict any development to small infill schemes.

- 4.209 Turning to the other matters that are said to have influenced the decision on whether to include villages in the hierarchy, the concept of 'local service centres' seems ill-defined and appears to overlap to a degree with the matrix. It may additionally bring an element of geographic distribution into play but, if so, this, and how it has been applied, could have been made a great deal clearer. This too should be addressed in the Tenterden and Rural Sites DPD. In doing so, the position of Rolvenden, which seems to serve only a modest catchment, should be reviewed.
- 4.210 As for the wishes of local residents (as put forward by parish councils), I see no objection to such views being taken into account. However, whether negative or positive, these need to be considered realistically having regard to other factors affecting the suitability of a settlement for further development.
- 4.211 In the case of Hothfield and Challock, both of which are identified for potential inclusion in the third tier¹⁷, the reasons for seeking their inclusion are not clearly identified, although the school at Hothfield is very small and may be under some threat¹⁸. However, Hothfield is a very small village and its proximity to Ashford and other centres suggests that it may have little role beyond the immediate village. In addition, Challock is wholly within an AONB and the only shops appear to be not within the village proper. Taking this into account, I consider that the information currently available does not fully warrant their inclusion and that a clearer justification would be required, especially for Hothfield.
- 4.212 Aldington is the other village to have been elevated above its apparent status in the matrix. Again local wishes are cited (without any clear explanation of why more development is desired) but in this case it is also stated that the village acts as a local service centre in the southeastern part of the borough. However, the basis for concluding this, and why Aldington should be preferred in this respect to, say, Brabourne Lees / Smeeth which is also in the same general area and has a similar level of facilities, is not clear. That said, I see no overriding objection to including Aldington.
- 4.213 Although not proposed for inclusion in the new tier, Pluckley is another village where the parish council seem to desire some additional development. Moreover, Pluckley scores more highly than Aldington on the matrix and seems well placed to serve as a local service centre for a sizeable rural area in the west of the borough.

¹⁷ A final decision would, I understand be taken in the Tenterden and Rural Sites DPD.

¹⁸ I understand that it has now closed.

The views of the parish council appear to distinguish it from other candidates for such a role¹⁹. I conclude that Pluckley should, provisionally, be included amongst the third tier settlements.

- 4.214 As for other villages that have been proposed for inclusion, I have visited them all and see no reason to disagree with Council's assessment based on the matrix that they are not suitable. In my view none of them is sufficiently sustainable to justify making a specific housing allocation. That need not of course preclude small scale infill or similar development.
- 4.215 That leaves a list of up to 8 settlements that may be suitable for specific housing allocations. Although they are all small villages I consider that most, if not all, of them ought to be capable of accommodating satisfactorily a useful amount of additional housing without resulting in a harmfully dispersed pattern of development or causing other problems, especially if phased over two periods.
- 4.216 However, if, after the more detailed consideration that will take place in the Tenterden and Rural Sites DPD it proves impossible to identify sufficient satisfactory sites in these settlements together with the 4 larger ones to meet the overall rural housing target then, and only then, would it be appropriate to reconsider whether a windfall allowance should be made, provided, of course, there is adequate evidence that windfalls will continue to come forward.
- 4.217 The submission CS appears to envisage little use for the hierarchy other than a means of distributing housing allocations. Such an approach might be justified if it is clear that there is no significant need for other forms of development. However, the CS appears barely to have investigated such matters.
- 4.218 In my view, the need for some other forms of development cannot, at this stage, be ruled out and, unless these are very site specific, it seems likely that those settlements most suitable for new housing will often also be the most appropriate locations for such other forms of development. Having established a hierarchy, I consider that it will be sensible for proposals for uses other than housing to be tested against it and for any allocations that do need to be made to have regard to the hierarchy and, as far as practicable, reinforce it. To be sound I consider the CS needs to indicate as much.
- 4.219 In addition the CS gives no clear guidance on the appropriate level of employment land provision in the rural area. The lack of evidence regarding the current availability and take up of such land or the state of the rural economy generally makes it difficult to form a firm view of likely requirements. That said, unless there is clear evidence that it is unlikely to be taken up, I consider that a reasonable starting point would be to ensure that there is sufficient employment land to avoid any worsening of the existing balance between jobs and housing. Moreover, a more positive attitude to job-creating development would be more in line with PPS7.

¹⁹ Despite the Council's comments I have seen no request from Smarden Parish Council.

- 4.220 This does not mean that I consider that every village with a housing allocation should also have an employment site (or that environmental considerations do not need to be taken fully into account). However, in Tenterden and the larger settlements, as well as the rural area as a whole, I consider that some sort of balance ought to be sought. Again this needs to be referred to in the CS and considered further in the Tenterden and Rural Sites DPD.
- 4.221 Chapter 7 of the CS and **Policy CS7** deal with the rural area outside the settlements included in the hierarchy proposed in Policy CS6. The text to the policy indicates that, in line with national and regional policy, a key principle is that development in these areas should be strictly controlled.
- 4.222 I agree that that is appropriate. However, the policy as it stands adds little if anything to national and regional advice on this matter. If there are no locally distinctive issues then it seems to me that the policy is unnecessary. On the other hand the text suggests that there could well be such issues. For example, the Structure Plan designates several Special Landscape Areas. However, although a Landscape Character Study has been carried out, the CS gives no indication as to whether, notwithstanding current national advice, these are to be carried forward.
- 4.223 In my view, a decision in principle on matters of this sort would have sat most comfortably and appropriately in the CS leaving only the detailed application (if necessary) for determination in a later DPD. However, I do not have the information to write in such a policy, nor is it clear that I could do so procedurally. Consequently this matter will need to be dealt with in the Tenterden and Rural Sites DPD.
- 4.224 Alongside the principle of restraining development, chapter 7 identifies a need to encourage an active and vibrant rural economy, but the policy itself does not address this point. It gives no indication as to how the CS envisages that a vibrant rural economy will be achieved or maintained. In my view this is a strategic and important matter that the CS ought to have addressed. However, as I do not have the data to deal with this in my report it is most appropriate in the context of where we are with the LDF system that it is dealt with in the Tenterden and Rural Sites DPD.
- 4.225 In addition, whilst the text identifies treatment of the urban fringe as a key issue, the policy itself does not mention it. In any event, I am not convinced that woodland will always be the most appropriate solution and, to satisfy test ix, the text needs to be modified to allow more flexibility. More detailed guidance on this matter will again need to be provided in later DPDs.
- 4.226 Finally, I consider that the text and policy could usefully have said more about development in settlements outside the hierarchy. The existing Local Plan is generally permissive of schemes of up to 4 houses and in my view it would have been helpful to have reviewed the effect that this has had and considered whether its continuation is appropriate. That is especially so given my recommendation that

the reliance on windfalls is replaced by more allocations. However, the information available does not allow me to make a specific recommendation on this point and I therefore leave this matter to be reviewed in the Tenterden and Rural Sites DPD.

4.227 In conclusion, on this issue I conclude as follows:

- the treatment of the rural areas is in many places weak and in order to address this further work needs to be carried out in the Tenterden and Rural Sites DPD;
- this work should include reviews of (i) the appropriateness of the overall housing target and (ii) the sustainability matrix, as well as some 'fine tuning' of the proposed settlement hierarchy;
- in addition, the aim should be to avoid reliance on windfalls at least for the first 10 years;
- the settlement hierarchy should be applied to all forms of development; and
- Policy CS7 should be omitted.

Again full details of the changes needed to make the CS sound in these respects, and comply with tests iv, vii and ix, are set out in Annexe 1.

Issue 10 – whether the transport policy is appropriately detailed, soundly based on credible evidence and will deliver the modal shift and other aims required

4.228 A key principle underlying the CS is said to be the need for a "step change" in public transport provision (and the perception of public transport) so as to achieve a significant modal shift away from car use. Such a change seems to be regarded as crucial to the sustainable growth of Ashford and ensuring that the highway network, as proposed, is able to cope (but see also paragraphs 4.233/4 below).

4.229 These aims are to be delivered largely by the introduction of a bus rapid transit system ('SMARTLINK') linking the two main urban expansion areas via the town centre. The system would also link with 2 or 3 proposed Park and Ride car parks on the periphery of the built up area.

4.230 Funding for SMARTLINK is not yet committed. However, despite a few dissenters, there seems to be a broad consensus in favour of it and assessments of its viability appear to have become more positive. Taking this into account I do not have serious doubts that SMARTLINK will be introduced. What has concerned me more is whether it will in practice generate the modal shift that is desired.

4.231 This is important as the Council's own Transport Topic Paper (CD84) notes, albeit in the context of the non-introduction of SMARTLINK, that a lower modal share for public transport would mean increased reliance on the car and higher traffic flows. In turn this might require additional highway improvements and have implications for the sustainability and deliverability of development.

4.232 My concerns were heightened by the Council's Supplementary Transport Paper. Compared to other documents this contains a

relatively pessimistic assessment of SMARTLINK. However, the paper was quickly withdrawn²⁰ and I would have disregarded it had not the Council indicated, in response to my Note No. 2, that they had not resiled from its contents. Nevertheless, given the dubious status of the paper I have not relied on what is said in it. Instead, where I considered it important to establish the Council's position, I sought to do so through questioning of their transport expert.

- 4.233 By this means I established that he considers there is a real, albeit manageable, risk that SMARTLINK will not deliver the modal change being sought. Although his view was that this would not give rise to a need for further highway works I considered it important to have some actual evidence on this matter. Accordingly I asked the Council to re-run the transport model on the basis of SMARTLINK attracting 15% and 25% fewer passengers than predicted.
- 4.234 The outcome of this exercise is contained in CD104. This suggests that there would be no unmanageable increase in traffic flows as a result. Some of the predictions in CD104 are rather surprising and have been queried by other parties. Moreover, if adverse effects are really as limited as predicted it begins to raise doubts as to whether SMARTLINK is as fundamental to the sustainable growth of Ashford as the CS suggests. Be that as it may, on balance I consider that the work now carried out is sufficient to demonstrate that SMARTLINK should be attractive enough to prevent serious highway problems occurring. I therefore consider that any shortfall in SMARTLINK patronage is unlikely to give rise to problems that would seriously affect the ability of the town centre, or Ashford generally, to achieve the desired level of growth, but this will need to be carefully monitored.
- 4.235 That said, given the benefits claimed for SMARTLINK I consider that it will be important, as Ashford continues to grow, to look at how those benefits could be extended to other parts of the urban area. I agree that a degree of caution is called for and that initially having only a two-arm system is sensible. However, evidence produced during the examination suggests that, contrary to the view taken in GADF, there are ways in which the system could be extended to serve a third expansion area, albeit with the need, initially, for a developer subsidy. Accordingly, and having regard to my conclusion that such an area will be required well before 2021, I consider that the CS should specify that the extent to which potential areas can be served by and facilitate the expansion of SMARTLINK will be an important consideration in the selection of a third expansion area.
- 4.236 In contrast, I consider that there is no strategic need to show proposed SMARTLINK stops in the CS even if an adequate evidence base currently exists to indicate where these should be. Taking this into account, and to ensure that the CS is sufficiently flexible to allow for possible changes in circumstances, I consider that Figure 3 (the SMARTLINK 'tube map') should be omitted.

²⁰ This followed discussions, outside the public examination, between the Council and the promoters of the South Kingsnorth expansion area that resulted in agreement between those parties regarding the level of developer subsidy required for a SMARTLINK arm serving that area.

- 4.237 Turning to other transportation matters, parking policy is potentially an issue of considerable significance and sensitivity in Ashford. It appears to be agreed that a degree of parking restraint is essential to help achieve the substantial modal shift that is being sought. On the other hand, meeting job targets depends on a step change in employment growth and enhancing the image of the town centre. This could easily be prejudiced if the degree of parking restraint is too great and out of line with competing towns. On the other hand, without parking restraints, traffic flows will be greater and the ability to deliver desired environmental and other improvements on the ring road and other roads will be reduced.
- 4.238 Accordingly a careful balance will need to be struck if Ashford is to expand in a sustainable manner. It is therefore unfortunate that the submission CS does not recognise this point more clearly and do more to demonstrate how the balance was determined.
- 4.239 Moreover, I found the section on parking in the submission CS to lack consistency and clarity. Whilst paragraph 11.16 notes that *'studies have advised that parking associated with proposals for commercial development should be provided at lower levels than those set out in PPG13 as the strength of the Ashford economy improves'* the CS makes no commitment to this. On the contrary, paragraph 11.17 starts by saying that *'maximum on-site car parking standards should be based on those set out in national guidance'*. It goes on to indicate that more specific standards *may* be required in particular areas but gives no guidance on such variation. The policy itself uses very similar wording.
- 4.240 In addition, despite a comment that long term parking in the town centre will be discouraged, there is no explicit reference to parking charges. In contrast the text advises that new parking for at least 1700 new short stay and 1150 long stay spaces will be provided by 2021. I accept that in a situation like Ashford where substantial growth is envisaged in the town centre a restriction on parking provision may not be incompatible with an increase in absolute numbers. However, I am concerned that the message given is an unsuitable one and that in particular the use of the words 'at least' is not appropriate in this context.
- 4.241 Furthermore, the predictions made for SMARTLINK's usage and revenue appear to assume a doubling of parking charges (in real terms) by 2021 as well as a restriction on the level of parking allowed on commercial developments in the town centre to half the PPG13 standard. In my view, this needs to be reflected clearly in the CS for it to be sound overall.
- 4.242 In fairness, no one has suggested that the Council do not intend to restrain parking in the town centre (merely that this would be tied to the introduction of Park and Ride and SMARTLINK). Indeed, it was suggested that my concerns were groundless given the reference in the CS to the Council's Parking Strategy which deals explicitly with restraint and charges. However, in respect of these matters the references are only in the text and seem to me to be

simply in the way of description or explanation. They do not appear to commit the CS to the implementation of those measures.

- 4.243 In any event, even if Policy CS15 did include a clear and specific reference to adopting the Parking Strategy's aims and targets I consider that it would be unsatisfactory for its interpretation and implementation to rely on reference to another document. That is especially so when, as in this case, that other document is one that is outside the LDF framework; appears to have no formal planning status; and could be changed in future without going through the processes that would be necessary with a DPD or SPD.
- 4.244 I note that in respect of proposed new car parks the CS has taken a rather different and, in my view, more satisfactory approach. Instead of relying on references to the Parking Strategy in the text the Policy itself includes a commitment to implementing the 3 multi-storey car parks. However, that helps to give the overall impression of a Policy that is more favourable to car use than is suggested by the Parking Strategy itself or would be necessary to achieve other aims. Indeed, one could easily form the view that all that was necessary to comply with the Parking Strategy was to build some new car parks and apply national parking standards.
- 4.245 That is, as I have noted, not the case. Indeed, even outside the town centre the Parking Strategy envisages restraints on parking on major development sites, albeit related to their accessibility to public transport. I consider that it would be helpful, to provide guidance to subsequent DPDs, for this too to be referred to in Policy CS15. Despite some apparent concerns from the Council I see no reason why it could not be worded in a way that was not too prescriptive. Certainly it need be no more complicated than the extremely detailed requirements included in some other policies.
- 4.246 After some debate, most parties including the Council appeared to agree that more detail from the Parking Strategy needed to be written into the CS. Moreover, there seems no procedural obstacle to doing so. I therefore recommend that that be done.
- 4.247 Turning to other transport matters, even with SMARTLINK and parking restraint it is clear that some improvements will be required to the highway network. However, not all those listed in paragraph 11.11 have been fully justified; neither is it clear that all of them are truly strategic in nature. In particular, I consider that the inclusion of Orchard Crescent, the Roman Way Corridor and the Romney Marsh Road Corridor in the CS is not appropriate and that references to them should be omitted. (That need not, of course, prevent their inclusion in more detailed DPDs if a proper case can be made.) In addition re-modelling of the ring road is now well advanced and I consider that a reference is no longer called for.
- 4.248 Of the other schemes, Victoria Way and Orchard Way both appear to involve, in the longer term at least, new railway bridges. The Orchard Way one would involve the CTRL, which to the best of my knowledge has not previously been bridged since it was built. In addition, the Victoria Way bridge seems likely to have a very

oblique alignment. It appears that both would be very costly to deliver, if indeed they are deliverable at all within the CS period.

- 4.249 These are major items of infrastructure with, potentially, significant impacts and Victoria Way at least seems to be rather contentious. They are matters that I consider it is proper for the CS to deal with and which I would have expected to have been worked up in sufficient detail to allow an informed decision to be made at this stage. Unfortunately, the limited information available to the examination leaves me unable to conclude with confidence that the benefits of the bridges, compared to the alternative solutions that are available, are sufficient to justify the costs, especially given the funding gap that exists in respect of infrastructure provision.
- 4.250 This matter will therefore need to be considered further in other DPDs. In particular, whilst I have no doubt that the Victoria Way bridge would deliver greater benefits than the route along Leacon Road (which would be used initially in any event) I feel unable to endorse this at the present time. The costs and benefits of the bridge will need to be considered in more detail in the Town Centre AAP to establish whether the cost is justified. In doing so it will be necessary to have regard to the implications that funding the bridge would have on delivery of other infrastructure.
- 4.251 As for the relationship between Park & Ride and SMARTLINK, I am not fully convinced that one service will be able to fulfil both functions. In particular, from my experience Park & Ride users are likely to want a fast, direct service to the town centre, whereas SMARTLINK seems to have been routed to maximise patronage and the routes currently proposed are in some places circuitous. In order to allow for some flexibility on this matter I therefore consider that in paragraph 11.15 reference should be made to high quality frequent bus services, not just SMARTLINK.
- 4.252 Finally I consider that to be sound Policy CS15 needs revising so that it is less in the nature of a development control policy and gives clearer guidance on what the Council and other public bodies will seek to achieve. In addition, the aim set out in the second paragraph of avoiding an increased risk of accidents is unrealistic and unsound unless qualified by the use of 'significant' or 'material' as the reference to delays already is.
- 4.253 On this issue I therefore conclude as follows:
- the evidence indicates that SMARTLINK will be sufficiently successful to avoid the need for additional highway works whilst permitting the proposed levels of growth, but this will need to be carefully monitored;
 - it is prudent to introduce SMARTLINK on a 2-arm basis but the diagram of this is too detailed;
 - the evidence regarding the viability of SMARTLINK suggests that it should be feasible to extend it to other areas and this should be an important factor in selecting a third expansion area;

- parking policy needs to be amended to avoid reliance on other documents and make clear the intention to restrict parking provision in areas with good access to public transport; and
- the feasibility of the two new major bridges carrying proposed roads over railways requires further investigation.

Details of the changes needed to address the above and other related matters, and thus ensure compliance with tests vi, vii and ix, are set out in Annexe 1.

Other changes that are required to make the CS sound

- 4.254 I have dealt above with what I consider to be the most significant and contentious issues raised by the submission CS and have set out my conclusions and recommendations on them. However, there are a number of other aspects of the CS that need to be changed before it could be found sound. I deal with these matters below.
- 4.255 For the avoidance of doubt I emphasise that my task under the present system is not to respond to all 'objections' to the CS that have been made; only to consider the soundness of what is intended to be a strategic document. Although I have taken all the representations into account I do not therefore refer to them unless they raise issues that are potentially of strategic significance or otherwise give rise to doubts about the soundness of the CS.
- 4.256 In making these judgements I have taken care to apply the tests set out in the legislation and to recommend changes only where they are needed to make the CS sound. There are a good many places where I consider that the CS could have been improved, often by cutting down on background information and focussing on the key issues. However, the likelihood that I would have done certain things in a different way is not in itself a sufficient reason for making binding recommendations. The following comments and conclusions should be read with this in mind.
- 4.257 **Phasing** – paragraphs 2.38 – 40. Infrastructure provision needs to keep pace with development and it would be appropriate to indicate that the phasing and release of sites should take into account the ability of providers to deliver necessary improvements. However, the tenor of this section is that in the event of infrastructure provision lagging behind predictions development would be scaled back. That would be an inappropriate response in a designated growth area, at least if it affected the total amount of development within the plan period. In such an eventuality greater priority would need to be given to stimulating the rate of infrastructure provision. This section needs to be revised to address this. Similarly any failure of employment growth to keep pace with house building should not be addressed by restricting housing development but by seeking to stimulate job provision.
- 4.258 **The ring road** - paragraph 3.18 needs amending to reflect changes to the ring road since the CS was submitted for examination.
- 4.259 **Chapter 9 – Design & Sustainability**. Much of the first part of this chapter deals with matters of detail that are of limited strategic

importance. Moreover, including them dilutes the impact of the strategic issues and policies and makes the Core Strategy less comprehensible and user friendly. On balance I consider their removal or amendment is not essential to make the CS sound. However, I hope the Council will bear my comments in mind when they come to review the CS.

- 4.260 So as to better reflect national advice, as well as the local situation, Policy **CS11** should be re-titled 'Biodiversity and Geological Conservation'. In addition, it needs to be reworded so as to make its intent clearer whilst indicating that if, exceptionally, development that is detrimental to biodiversity or geological conservation interests is necessary appropriate mitigation or compensation will be required.
- 4.261 **CS14** – needs to be revised to reflect the deletion of Policy CS7.
- 4.262 Policy **CS18** needs simplifying to provide clarity and avoid confusion over its relationship to Policy CS8, with some of the wording moved to the text. It would also have been helpful for the policy to have given some guidance on how lack of continuing need for existing facilities is to be established. I consider that that would have been much more useful than some of the detail that has been included in the text. However, since it has not, this needs to be set out in SPD. In addition, the evidence base for the comments in paragraph 14.11 is unclear. This paragraph, and 14.24, needs to be revised to indicate that the situation in the rural areas will be investigated and, where appropriate, proposals made in the Tenterden and Rural Sites DPD. Similarly at the end of paragraph 14.5 a reference to the Generic DC DPD and/or SPD is required.
- 4.263 Turning to the proposed strategic recreational open spaces, several of these sit rather uncomfortably in a policy headed 'meeting the community's needs'. In particular, whilst Ashford residents would no doubt make use of Conningbrook Park it has not been justified on the basis of a local need. On the contrary it is described as an *opportunity* to create a *regional* watersports facility [my emphasis].
- 4.264 In addition, it is not, in my experience, usual for wetland parks to be regarded as essential community facilities (though they may be important nature conservation ones). Many areas do not have them, especially on the scale proposed here. Again, both the inclusion of a wetland park in the CS and its proposed extent seem more a reflection of a perceived opportunity than any community need in the normal sense of that term.
- 4.265 As for Discovery Park I have no doubt that it would be used by residents of the Chilmington Green urban expansion area (and existing residents of south Ashford). However, its form, designation as a 'district park' and identification from an early stage in the GADF process all suggest that it is intended to have a function that goes beyond any immediate community need, but which the CS fails to spell out clearly.
- 4.266 I conclude that these and other strategic parks should be the subject of a separate policy and that their relationship to the wider

open space network and the 'blue-green' grid needs spelling out more clearly. In addition, on Figure 2, Discovery Park, the park at Cheeseman's Green and Conningbrook Park should be shown more diagrammatically. Moreover, the 'nib' at Cheeseman's Green should be excluded from the wetlands park. (See also paragraphs 4.74-76)

- 4.267 Policy **CS19** needs to be strengthened and brought into line with emerging regional policy by the addition of a reference to the protection of flood defences. The Policy and text should also reflect the publication of PPS25 and the need for Flood Risk Assessments.
- 4.268 Turning to Policy **CS20**, the first part needs to reflect more accurately the scope and limitations of SUDS capabilities. As for concerns regarding the practicability and cost of requiring SUDS on all sites, there are a variety of SUDS techniques and I have seen no evidence of technical problems that would prevent their widespread adoption in Ashford. Moreover, whilst drainage authorities are often unwilling to adopt them, open SUDS features can often be incorporated in landscape schemes and be maintained as part of them. In addition, the Council indicated that as a last resort they would take on responsibility for properly designed and constructed SUDS infrastructure. Subject to this being written into the CS I am satisfied that it is sound for SUDS to be a normal requirement, especially given Ashford's susceptibility to flooding.
- 4.269 As for the requirement to achieve a reduction in run-off rates, I am aware that this is in excess of national guidance which simply requires no net increase. However, where flooding is a particular concern, as in much of Ashford, I consider it reasonable to seek a higher standard if that is practicable and especially if it helps ensure that development that is required in a growth area takes place in a properly sustainable manner. In these circumstances I do not consider that any inconsistency with national advice in this respect is sufficient to make the CS unsound.
- 4.270 However, I have sympathy for the view that the small part of the Ashford Growth Area that drains to the River Beult should be treated on its own merits. Unlike the Stour, I have been provided with no clear and compelling evidence that conditions in the Beult catchment warrant a standard in excess of the national one. I therefore consider that for the CS to be sound the requirement for greenfield sites in that part of the growth area that drains to the Beult should be set at the same level as those outside the growth area. Subject to this amendment I am satisfied that the policy is sufficiently flexible to cater for differing ground conditions.
- 4.271 Policy **CS21** deals with water supply, which is another potentially significant issue in Ashford. Traditionally there has been a reliance on boreholes but these will not be able to cope with continued growth and previous proposals for alternatives such as reservoirs have proved controversial and unsuccessful. However, that does not necessarily mean that the reservoir schemes now envisaged will also fail. Moreover, even if they did, other options exist. I am satisfied therefore that water supply need not be an overriding

obstacle to the growth being sought although minor amendments to the CS to allow greater flexibility in how provision is to be made would be appropriate.

- 4.272 That said, there should be no complacency over this matter and I have some sympathy for those who feel that more needs to be done to reduce the demand for water and encourage its reuse. However, there are limits to what can be achieved by the Council through the CS. Policy CS10 already sets some challenging targets for water consumption, and, despite the concerns of some developers, I have endorsed those standards, as well as the possibility that retro-fitting existing properties may be a legitimate approach. It is not clear to me that the CS could or needs to go significantly further in respect of these matters.
- 4.273 Turning to more detailed matters, some rewording of the first paragraph of the policy is required to avoid giving the impression that sufficient capacity for the whole of each of the major expansion areas will need to be demonstrated before any houses are built in it. In my view, taking into account the investment programmes of the water companies, that would be unrealistic and at the relevant session the Council confirmed that it was not their intention.
- 4.274 It has also been suggested that the second paragraph is covered by other legislation and is therefore unnecessary. At the hearing session the Council appeared to agree that it could be deleted or moved to the text. However, in my view this paragraph is helpful in indicating that these matters may be taken into account in determining planning applications. I conclude that there is no need to remove it to make the CS sound.
- 4.275 The final part of the CS deals with **Monitoring and Review**. This is a crucial element if the CS is to achieve what it sets out to do and not become merely a paper exercise.
- 4.276 It would have been helpful to any assessment of the success of the CS if in places it had been rather more specific about what it was seeking to achieve. However, there seem to be two key strands. In the growth area the aim is to achieve the growth targets in a sustainable manner whilst improving the quality of life for existing residents. In the rural area the aim is to protect, and where possible enhance, the quality of the countryside whilst promoting the social and economic well being of rural residents. Monitoring needs to enable the progress towards these aims to be measured. There should also be a commitment to taking action if monitoring reveals that satisfactory progress is not being made.
- 4.277 Looking first at the growth area, monitoring housing completions is one of the core indicators. However, to ensure that any emerging problems are identified at an early stage so that appropriate action can be taken if necessary it will be important to monitor house building not just over the area as a whole but also its main subcomponents – the town centre; the main urban extensions and the rest of the urban area. It may be that that is the intention. However, it ought to be spelt out more clearly in the CS.

- 4.278 Similar comments apply in respect of employment development and the provision of new jobs. Such development is critical to the sustainable growth of Ashford and in this case more needs to be done to indicate the necessary steps on the way towards meeting the overall target so that progress can be better judged. In particular, it would be helpful to have in subsequent DPDs if not the CS itself targets for the provision and take up of employment land and the floorspace created on it related to the main sub-areas and strategic employment locations.
- 4.279 In addition, whilst it may not be practicable to have annual targets in quite the same way as the housing trajectory, more needs to be done to set out 'staging posts' along the way rather than just having a target for the end of the LDF period. At present, whilst the intention seems to be to monitor jobs created on an annual basis, it is not clear how it will be possible to check whether the figures are 'on course' or not. Neither, without a spatial breakdown, would it be clear where any problems were arising.
- 4.280 A factor crucial to both housing and employment development is the provision of adequate infrastructure and the removal of those infrastructure constraints that are restricting development. The success in providing such infrastructure and the adequacy of the strategic tariff to provide funding for this is vital to the sustainable growth of Ashford and the success of the CS. It is therefore disappointing that although the CS indicates that there is to be a Strategic Tariff Monitoring Report and that there are to be targets there is no clear indication of what the report will contain or what the targets are to be.
- 4.281 In my view it is essential to the proper growth of Ashford for the Council, working with stakeholders, to identify as a matter of urgency the core infrastructure improvements that are required and a timetable for their implementation, together with an indication of their likely cost and how the funding is to be achieved. Amongst other things I consider it to be critical to identify how much the tariff will be required to raise in various stages and for progress towards this to be monitored closely.
- 4.282 In addition, given the importance attached to a modal shift in travel and the introduction of SMARTLINK I find it surprising that the indicators do not include anything relating directly to the modal split or the level of public transport use. At the very least the level of patronage of SMARTLINK and the revenue it generates ought to be monitored as should the degree of success of approved Green Travel Plans for major developments.
- 4.283 As for monitoring the quality of life of existing residents, it is not clear how the indicators listed would illustrate this, but I accept that in practice this may be difficult to achieve objectively. Nevertheless, as the monitoring process evolves over time the Council should consider whether such indicators could be incorporated. That said, I do not consider that their lack at the present time is sufficient to require me to find the CS unsound.

- 4.284 Turning to the rural areas, direct and objective indicators of the quality of the countryside may again be difficult to devise. However, monitoring agricultural land loss, biodiversity indicators, and housing development in the countryside should give some indication. The Council should consider whether it would be possible to add other indicators in future but again I do not consider this essential to make the CS sound.
- 4.285 On the other hand I am unhappy about the lack of targets and monitoring in respect of the social and economic well-being of rural residents. In my view it is essential if the success of rural policies is to be capable of any objective assessment to establish a benchmark in terms of the existing facilities in the rural areas, such as village shops, post offices, schools and medical facilities, and for these to be monitored regularly for changes. It would also be helpful if rural employment could be established and monitored.
- 4.286 Planning applications should indicate where other uses are allowed and in the smaller villages at least I would expect any changes in facilities to be well known and that consultation with parish councils would readily establish significant changes. As for the larger settlements, I consider that an annual audit of the main shopping areas to establish the total number of units (and the vacant ones) would be a very useful exercise. In my view monitoring along these lines needs to be incorporated in the CS for it to be sound.
- 4.287 There are a number of other proposed indicators where the targets are vague and/or refer only to a single figure at the end of the CS period. The Council should consider whether targets can be made more specific and 'staged' to ensure that progress towards them can be satisfactorily monitored. However, I do not consider that I have the information to make binding recommendations on these matters or that, on balance, this is essential for the CS to be sound.
- 4.288 Changes are also required to the **diagrams** included in the CS. In line with my earlier recommendations, on Figure 1 Pluckley should be shown as a minor centre, but High Halden omitted. In addition, a new category of settlements requiring further consideration should be shown. This would include Rolvenden, Challock, Hothfield and High Halden. More substantial alterations are required to Figure 2 and a revised diagram is included in Annexe 2.
- 4.289 Finally, since submitting the CS the Council have proposed two changes to it. These relate to Policy CS10 and the housing trajectory. I have dealt with the proposed changes to Policy CS10 when considering that policy. I have concluded that some, but not all, of the Council's proposed alterations should be incorporated in the Policy to make it sound.
- 4.290 As for the growth area trajectory, it is clear from my consideration of this matter that to be robust and sound some further changes are required. I have therefore included a further revised version in Annexe 2. This should replace the existing CS Appendix 4. However, even this trajectory should be regarded as provisional and in need of firming up as work progresses on more detailed DPDs. In

particular, I have not tried to reflect my concerns regarding delivery on the Powergen site or possible slippages on sites where this does not seem likely to affect the overall number of dwellings built in the plan period. A 'health warning' to this effect should be included in CS Appendix 4.

5 Overall Conclusions

- 5.1 I conclude that, with the changes I recommend, the Ashford Core Strategy DPD satisfies the requirements of s20(5) of the 2004 Act and the associated Regulations, is sound in terms of s20(5)(b) of the 2004 Act, and meets the tests of soundness in PPS12.

P Grainger

INSPECTOR

Annexe 1

SCHEDULE OF CHANGES REQUIRED TO COMPLY WITH RECOMMENDATIONS CONTAINED IN THE REPORT, ENSURE ACCURACY OR REFLECT CHANGES IN NATIONAL ADVICE AND OTHER CIRCUMSTANCES

Introduction

Page 4 – The District Diagram – amend first paragraph as follows:

The Core Strategy includes a diagram illustrating the development strategy for the Borough. The diagram is in two parts – firstly a district wide section that shows the main settlements, the transport network and the extent of the Areas of Outstanding Natural Beauty in the Borough (Figure 1). The second part deals with the Ashford Growth Area and shows the main proposed strategic development areas, main transport proposals and major proposed open spaces (Figure 2).

Chapter 1

Paragraph 1.12 – on line 1 after 'The Local Transport Plan for Kent' insert '2006-2011'

The Vision – delete and replace with:

Ashford will meet the growth ambitions established in the government's Sustainable Communities Plan, and the more specific targets in the emerging South East Plan, in a balanced and sustainable manner having regard to capacity constraints. Its expansion will follow a compact growth model based on the existing urban area of Ashford town and a small number of sustainable urban extensions to it. Where practicable, impediments to growth, such as capacity limits at the motorway junctions, will be removed allowing the town to develop as an office, research and business node that will attract inward investment and stimulate the economic growth of the sub-region.

Job creation will keep pace with house building and there will be timely provision of all the social and physical infrastructure required to enable development to take place in a truly sustainable manner. Amongst other things there will be a step change in the use of public transport and other sustainable means of travel. This will be facilitated by the appropriate location of land uses relative to each other, often in mixed use areas, and the introduction of a bus-based rapid transit system coupled with restraints on parking where this would not prejudice economic growth.

Growth targets will not be met by development in the rural part of the Borough. In that area development will be restricted to that which is genuinely needed to ensure the economic and social well-being of rural residents and workers and build sustainable and balanced rural communities. Most development will take place in the larger and more sustainable rural settlements, especially Tenterden, Charing, Hamstreet and Wye. A high priority will be given to protecting and enhancing the natural and built environment of the rural areas, especially those parts that have a special designation and those that are closest to the existing and proposed built up area of Ashford.

Chapter 2

Paragraph 2.7 – delete last sentence and replace with:

The Council considers this to be a reasonable starting point and the figures in the Core Strategy are based on it. However, this matter will be considered further in the Tenterden and Rural Sites DPD having regard to demographic trends in the rural areas; the need to build balanced and sustainable rural communities and support the vitality of key local service centres; and the objective of protecting the character of the rural area and the settlements in it.

Paragraph 2.11 – amend as follows:

In the rest of the Borough overall provision for new employment growth should reflect the scale of residential development and aim to avoid any adverse effect on the homes to jobs balance. The primary focus of new employment growth in the rural area will be at Tenterden, given both the proportional scale of allocated housing growth proposed and its principal rural service centre role. New employment opportunities in the other recognised key rural service centres will also be encouraged provided they are of a scale and nature that respects the size and character of the settlement, would maintain or enhance its sustainability and not harm the rural environment. In addition the loss of existing employment and commercial services that contribute to the sustainability of a rural settlement will be resisted. These aims will be implemented through saved Local Plan policies and subsequent Tenterden and Rural Sites DPD.

Paragraph 2.18 – delete and replace with the following (and renumber subsequent paragraphs):

The housing trajectory (Appendix 4) shows the building rates that would be required in the areas currently identified for house building if the 2021 Growth Area target is to be met by those areas. This trajectory is ambitious in several respects. It assumes that it will be possible to maintain over long periods building rates in the main urban expansion areas that in the past have been achieved only briefly on single sites in Ashford. It also assumes that developments in the Cheeseman's Green / Waterbrook urban expansion area will be seen by the house buying public as different sites. In addition, the trajectory expects a step change in development in the town centre and assumes that difficulties associated with at least one site can be overcome relatively early in the plan period. Even so the trajectory makes very little provision for contingencies.

This would be a high risk strategy that carried a real likelihood that in practice delivery would fall significantly short of the target. Moreover, the Urban Capacity Study does not suggest that other opportunities exist in the urban area that could make up any significant shortfall. The trajectory also shows a tailing off in building rates in the latter years of the plan period, below those that the earlier years suggest could be sustained. Unless this would cause serious social or other difficulties, this would be inappropriate in a designated growth area, where the 2021 target is well within the environmental capacity identified in other studies, and where the expectation is that growth will continue beyond the plan period.

In addition, whilst development in the two main expansion areas is expected to continue after 2021, GADF envisaged that a substantial part of the further growth to 2031 would be achieved by the introduction, post-

2021, of a third area. However, to achieve the expected house building in that area between 2021 and 2031 from a standing start would require completion rates even more ambitious than those in the trajectory. Accordingly to provide a sounder basis for post-2021 development and to make the housing trajectory more robust it is considered that a third expansion area will need to be introduced before 2021. The Core Strategy will therefore be reviewed at an early date so that such an area can be identified and formally adopted no later than 2014.

(Existing) paragraph 2.23 – amend beginning as follows:

Planned extensions to existing urban areas are likely to prove the next most sustainable option after building on appropriate sites within the urban area. This is especially the case

(Existing) paragraph 2.32 – amend as follows:

Substantial background work has considered the implementation and potential viability of the SMARTLINK services alongside new and existing development and a two arm system as shown indicatively on Figure 2 is considered to be the optimum initial network .

(Existing) paragraph 2.37 – add at end: *'as amplified in the Tenterden and Rural Sites DPD'*.

Paragraph 2.38-40 – amend as follows:

2.38 Phasing is one of the most important aspects of delivering the quality and form of development in an expanded Ashford. The delivery of required new infrastructure will determine how quickly certain areas can be developed and the ability of providers to deliver necessary infrastructure will need to be taken into account. The viability of public and private services, including public transport, required to support the new housing and jobs will also be dependent on land being released in a phased and logical way.

2.39 Regular reviews will take place to ensure that the timing, level and nature of investment in key infrastructure is in line with that originally assumed and is delivering sufficient capacity to accommodate the development planned. If not, priority will be given to stimulating the provision of key essential infrastructure. This will ensure that significant development does not take place without the essential infrastructure required to support it.

2.40 These regular reviews will also examine the emerging balance between the provision of new housing and the creation of local job opportunities so that any need to provide further stimuli to employment growth is identified at an early stage. Similarly, the reviews will examine the rate of development on brownfield sites. Phasing adjustments may be made where these are necessary to stimulate the development of brownfield sites and this can be achieved without serious implications for overall targets. With the exception of sites in Tenterden and the villages (policy CS6), it is intended that phasing of site releases during the LDF period will be through allocations made in the relevant DPDs.

Policy CS2 amend as follows:

Land for about 16,770 new dwellings and related uses, and about 16,700 additional jobs, plus contingency allowances of about 10% and 40% respectively, will be identified within the Ashford Growth Area. In the rest of the Borough, subject to any amendments made in the Tenterden and Rural Sites DPD, land for about 1,180 new dwellings will be identified, alongside appropriately scaled employment opportunities.

Large scale development proposals will be located in the Ashford Growth Area in line with a compact growth model consisting of significant development within an expanded Ashford town centre; the use of appropriate brownfield sites within the Ashford urban area; allocated greenfield sites on the edge of Ashford and, initially, two major new peripheral urban extensions as shown on the Core Strategy diagram.

In addition, there will be an early review of the Core Strategy so that a revised strategy incorporating a third urban extension area, in a location to be identified, has been formally adopted no later than 2014.

Key infrastructure projects including SMARTLINK, Junction 10a, other transport improvements, utility infrastructure, education and health provision, community and recreation facilities and green links will need to be brought forward at the same time as the new development that they will serve. Financial contributions will be required to help deliver new strategic infrastructure through the use of a Strategic Tariff. Proposals for new development will need to demonstrate how they will provide for the delivery of key infrastructure within the application site – proposals which would be likely to prejudice this will not be permitted.

Smaller scale development opportunities, including opportunities for employment and other non-residential uses, will be identified in the rural centres of Tenterden, Charing, Hamstreet and Wye and a range of other smaller identified settlements.

Progress against the targets in this policy will be reviewed regularly so that any adjustments needed to ensure that development is occurring in a sustainable manner whilst meeting those targets can be made. The need for a broad balance over time between housing and jobs growth, and the need to stimulate brownfield development will be particular issues for the review. It will also pay particular attention to the level and nature of investment that has been made in key infrastructure and the 'capacity' this has created (or the constraints that remain) for well-planned, orderly growth.

Chapter 3

Paragraphs 3.18: amend as follows:

The Ring Road has played a key role in the development of the town centre. In the past it formed a car-dominated environment that was a major constraint to the expansion of the town centre. Developments do not front the Ring Road and pedestrian activity and flows are low. Making the Ring Road into a positive asset of Ashford's Town Centre is fundamental to its future success.

Policy CS3 – amend paragraphs 2 & 3 as follows:

Development of the town centre is a priority and sites will be identified for

an additional 8000 jobs and up to about 2500 new dwellings by 2021.

The conversion of the Ring Road to a high quality two-way street and the Victoria Way link road represent key infrastructure projects for the town centre. Development proposals that assist with the delivery of these projects will be supported in principle to help enable the expansion of the town centre.

Chapter 4

Paragraph 4.8 – amend as follows:

In addition, the Canal District area was highlighted in GADF as a potential mixed use development area that could harness the potential of associating development with waterside assets and help to link the existing development at Park Farm and the proposed development at Kingsnorth with the main built up area. However, floodplain constraints and, if these could be overcome, the need to implement ecological mitigation measures mean that development in this location may not be practicable within the LDF period, if at all. Accordingly the CS makes no provision for development in this area at the present time although this matter will be considered further in the first review of the CS.

Insert new paragraph after 4.12 as follows (and renumber subsequent paragraphs accordingly):

In addition, some housing development may be required at Conningbrook if the aim of creating a regional watersports facility in that location is to be realised. However, the scope for accessing development in that area by sustainable means of transport will need careful consideration. This matter together with the optimum amount of housing development there and in the locations referred to in paragraph 4.12, as well as the optimum balance between these areas, will be considered and specified in the Urban Sites & Infrastructure DPD. The figures contained in the housing trajectory are illustrative only and may be subject to variation.

(Existing) paragraphs 4.16-18 – delete and replace with the following (and renumber subsequent paragraphs accordingly):

A key principle in Ashford is the sustainable growth of job opportunities to maintain a balance with house building. Outside the town centre and main urban expansion areas employment growth is expected to be provided primarily in a small number of industrial estates and business parks, often located close to motorway junctions. These include a new area at Sevington, close to proposed motorway junction 10A, as well as existing areas at Eureka, Henwood and Orbital Park. Together these will make a significant contribution towards achieving the job creation target in Policy CS4, as well as the aims set out in GADF and regional planning guidance. In addition, some jobs will be provided by the intensified use of some existing employment areas such as Cobbs Wood and Chart Estate.

(Existing) paragraph 4.20 – amend as follows:

Allocation of sites within the Ashford urban area will take place in the forthcoming Urban Sites & Infrastructure DPD. Housing allocations will be phased to take account of the objectives referred to above. These will also

take into account the availability of sites and their specific constraints as well as the likely construction rates that may be achieved. In order to provide a level of flexibility in the development market to cater for short-term trends in the housing market, it is desirable to have a proportion of 'over-supply'. Thus, the Urban Sites & Infrastructure DPD should aim to identify land for at least 10% more dwellings than the target in policy CS4 below. This figure makes no assumption about the potential contribution from small, non-allocated 'windfall' sites which may also come forward in this period.

Insert new paragraph as follows after existing paragraph 4.20

In order to provide flexibility for prospective developers and occupiers, and to increase the likelihood that employment growth will match house building, an overprovision of employment land will also be made. In this case the aim will be to have an overprovision in the order of 40%. However, the release of employment land will not be phased.

(Existing) paragraph 4.21 – amend as follows:

The Ashford Urban Capacity Study 2006 has assessed the potential residential capacity of sites within urban Ashford. It suggests that only limited potential exists beyond that shown in the housing trajectory. However, this matter will be considered further in the Urban Sites & Infrastructure DPD.

Policy CS4 – amend paragraphs 1 & 2 as follows:

In the Ashford urban area, priority will be given to identifying brownfield sites for development in the Urban Sites & Infrastructure DPD. These developments must help to add to the quality of the urban environment; and improve local facilities and the connections between areas of the town. Additionally, greenfield sites adjoining the Ashford urban area will be identified for development where they would bring similar benefits or help to secure key infrastructure for the benefit of the locality or the wider town.

Land will be identified sufficient for about 6,625 new jobs to be provided (plus a flexibility allowance of about 40%) and 3,500 additional dwellings to be built during the period up to 2021 in or adjoining the Ashford urban area (in addition to any contribution from 'windfall sites'). To encourage best use of land in the urban area, housing development will be controlled by phasing through the Urban Sites & Infrastructure DPD and completion rates will be regularly reviewed and will feed into the monitoring of the overall housing supply.

Chapter 5

Paragraphs 5.1 to 5.21 – delete and replace with the following (with subsequent paragraphs renumbered accordingly):

5.1 Having concluded that a small number of major new urban extensions is the most sustainable manner for Ashford to expand, GADF went on to consider the most appropriate locations for such extensions. Although this consideration had regard to the broad area of search identified in RPG9 (July 2004) it also took into

account the advice in the supporting text to Policy 2 of that document that the GADF study would need to further refine the areas of search in informing the LDF.

- 5.2 *The GADF report describes in detail the evolution of the preferred option. However, in some cases the justification given for preferring some locations to others is unclear and/or incompatible with the information base that now exists. In particular, the conclusion in GADF that a third SMARTLINK route serving the Kingsnorth area would not be viable has been demonstrated to be incorrect.*
- 5.3 *Notwithstanding this, the conclusion that, initially, development should be focussed on two major urban extensions that can be linked to each other via the town centre by a high quality bus-based public transport system, such as SMARTLINK, has much to commend it. It would help maximise the passenger potential of SMARTLINK whilst that system is being established; allow for infrastructure improvements to be concentrated in the fewest locations; reduce the risk of much needed redevelopment of brownfield sites being discouraged; and minimise the time required for the two areas to become sustainable communities.*
- 5.4 *In addition, there are sound reasons for supporting the two areas identified in GADF which are located to the south-east and south-west of the existing built up area. In particular, such a distribution has the following benefits:*
- *existing permissions and Local Plan allocations to the south-east of the town can be carried forward in a way that improves their sustainability;*
 - *development to the south-east also takes advantage of and reinforces the case for proposed new motorway junction 10A;*
 - *development to the south-west is resilient to any delays in completing junction 10A;*
 - *impact on existing settlements around Ashford is minimised; and*
 - *floodplains and environmentally sensitive areas such as the foreground to the AONB, historic landscapes and high quality agricultural land are avoided.*
- 5.5 *The Core Strategy therefore endorses the proposed expansion areas at Cheeseman's Green / Waterbrook and Chilmington Green / Discovery Park. However, relying on those areas is likely to result in delivery problems that would prejudice the required amount of house building taking place in Ashford by 2021 and would not provide a sound base for the further development that GADF envisaged up to 2031. It will therefore be necessary to identify and formally adopt a third expansion area no later than 2014.*
- 5.6 *At present it is not possible to conclude where a third area would be best located. At Kingsnorth the reasons for GADF preferring one area over others in the same general locality are unclear. In addition, the potential for development to the northwest of Ashford requires further consideration. These matters, together with the ability of the various areas to facilitate an extension of the SMARTLINK system (without compromising other objectives) will*

therefore be investigated further in an early review of the Core Strategy prior to the identification of a third expansion area.

- 5.7 *Detailed proposals for the two initial expansion areas will be set out in an Area Action Plan (AAP) for each area. The following comments are intended to provide guidance for those plans.*

Cheeseman's Green / Waterbrook

- 5.8 *Development at Cheeseman's Green will occur on both sides of Captain's Wood. It is envisaged that the main neighbourhood centre will be located to the south-east of the wood, with a local centre serving the area to the north-west.*
- 5.9 *Captain's Wood itself is an ancient woodland of high biodiversity value that is vulnerable to impacts from nearby development, including increased recreational pressure. The AAP will therefore need to provide for a management plan to ensure that the wood is properly protected and, if practicable, enhanced.*
- 5.10 *Contrary to GADF expectations, the north-western part of the Local Plan allocation, which has approval for employment use, will not be required for floodplain enhancement or wetland park purposes. Moreover, an equivalent area of employment land is to be made available at Sevington, closer to the motorway. However, it has not been demonstrated that this area is required to enable the housing target for Cheeseman's Green to be met in a satisfactory manner. Taking this into account it would be premature to identify this area for residential use at least until a comprehensive employment land review has been carried out which demonstrates that it is no longer required, on quantitative, qualitative or competitive grounds, for employment purposes.*
- 5.11 *As for Waterbrook, this area has historically been identified primarily for B8 distribution type uses. However, its use for a more intensive mix of employment, residential and other purposes would help integrate Cheeseman's Green with the existing built up area and provide a high density corridor for SMARTLINK to operate along. Waterbrook could also be a suitable area for relocating existing businesses affected by redevelopment in the town centre or other areas. Consideration will be given to the feasibility of the early release of land in this area.*
- 5.12 *About 4,300 dwellings and at least 1475 additional jobs should be planned for in the combined area by 2021. After 2021 there is potential for about a further 2,200 dwellings and at least 750 jobs.*

Chilmington Green / Discovery Park

- 5.13 *Development here would be out of the sequence envisaged by RPG9. However, this is considered justified having regard to the relative lack of highway and other constraints compared to much of Ashford as well as its good connections to the existing built up area. Even so the need to remove constraints at motorway junction 9 is likely to mean that no more than 500 dwellings and 100 jobs would be acceptable in this location prior to 2011.*

- 5.14 *Discovery Park is envisaged as a relatively high density residential area immediately adjoining the Park proper on one side and the general residential development at Chilmington Green on the other. The need to define a firm boundary to the Park may have implications for the timing of this development. So too may the need to achieve a satisfactory relationship to other existing and proposed development and ensure the availability of sustainable means of transport.*
- 5.15 *In GADF Chilmington Green was originally shown as extending across the A28. However, this is considered inappropriate given the potential effect on the character and setting of Great Chart village and the difficulty of creating an integrated neighbourhood divided by a busy main road. To compensate for this development will be extended further south of Magpie Hall Road. The southerly extent of development will be defined in the AAP taking into account the visual benefits of minimising development on the ridge to the north-west of Coleman's Kitchen Wood. It is considered that provision should be made for not less than 3350 dwellings and 600 jobs by 2021 and that the overall area has the potential for over 7000 dwellings and 1000 jobs in total.*

(Existing) paragraph 5.22 – on line 6 replace 'in 2011/12' with 'in Autumn 2013'.

(Existing) paragraph 5.24 – amend as follows:

AAPs will be produced in order to provide a framework for the development of Cheeseman's Green/Waterbrook and Chilmington Green/Discovery Park, which will expand upon the aims and objectives set out in Policy CS5. The AAPs will include a masterplan for the development of these areas, against which development proposals will be expected to accord. Consideration will be given to the feasibility of realising the benefits of early development in the Waterbrook area in advance of the currently envisaged adoption date for that AAP (January 2010) including appropriate employment development in accordance with the aims set out in Chapter 7. However, development will not normally be allowed on land which is not allocated in the AAPs, or which does not accord with the design standards and other planning aims and objectives to be set out in the AAPs.

(Existing) paragraph 5.25 – delete last sentence.

Policy CS5 amend as follows:

With immediate effect, major new development areas are proposed at Chilmington Green / Discovery Park and Cheeseman's Green / Waterbrook. In addition, a third area will be identified and formally adopted no later than 2014. The location of this area will be established in an early review of the Core Strategy.

The Chilmington Green / Discovery Park area should be planned to accommodate no less than 3350 dwellings and 600 jobs by 2021 and has the potential for over 7000 dwellings and about 1000 jobs in total.

The Cheeseman's Green / Waterbrook area should aim to accommodate about 4,300 dwellings and enable the creation of at least 1,475 jobs by 2021 and has the potential for a further 2,200 dwellings and at least 750 jobs post 2021. The Waterbrook sub-area should make provision for at least 15ha of employment land unless this is shown to be unnecessary due to the number of jobs being provided on other land in the sub-area.

The third area should aim to make provision for about 1500 dwellings and 200 jobs by 2021 and a further 2000 dwellings and not less than 250 jobs by 2031.

(No change to remainder of policy.)

Chapter 6

Paragraph 6.2 – amend as follows:

Extrapolating the residential target for the Borough as a whole in policy HP1 of the Kent and Medway Structure Plan, and comparing it with the emerging Regional Guidance figure for the Growth Area, suggests that 1,500 additional dwellings will be required in the rural parts of the Borough over the period 2001-2021. The Tenterden and Rural Sites DPD will consider in more detail whether this figure represents a sustainable balanced growth target for the rural area of the Borough.

Paragraphs 6.3 & 6.4 – delete and replace with the following:

In recent years development on windfall sites in the rural area has averaged about 35 dwellings annually. However, to comply with PPS3 no reliance is placed on windfalls for the first 10 years of the Core Strategy, but a notional 175 windfall units allowance is assumed over the period 2016-2021. The validity of this assumption will be reconsidered when the Core Strategy is reviewed. Taking into account completions in the rural area between 2001 and 2006 this indicates a need to make allocations for about 1000 dwellings based on the 1,500 overall figure referred to above.

Amend table after paragraph 6.4 as follows:

Rural Housing Requirement 2006 – 2021	
Ashford Rural Area 2001 – 2021	1500 units
Completions - Local Plan allocations 2001-06	143 units
Completions - windfall sites 2001-06	177 units
Assumed windfalls at 35 p.a. 2016 - 2021	175 units
Rural residual requirement 2006 - 2021	1005 units

Paragraph 6.8 – amend as follows:

The sustainability matrix originally used in the Borough Local Plan was reviewed to take account of a wider range of factors in order to give a broader and more robust guide to the relative sustainability of a parish area, and to account for any changes in service provision that may have occurred since the previous survey was undertaken. It will be updated again in the Tenterden and Rural Sites DPD to take account of recent changes and any likely future changes in, for example, post offices and schools. An indicator relating to employment provision will also be added.

Subject to these refinements, this approach continues to be a very useful guide to a settlement's relative sustainability as a local service centre and its potential to either carry on that role or enhance it. The matrix represents a consistent and objective methodology (see Housing Background Document).

Paragraph 6.9 – add at end: *The role and distribution of local service centres will be considered further in the Tenterden and Rural Sites DPD.*

Paragraph 6.11 delete and replace with the following:

In its rural spatial planning policy the Borough Council will seek to reflect the wishes of local people, where these have been properly established through appropriate consultation procedures, so far as they are consistent with sound planning. Exceptionally this may justify allocating small amounts of development in settlements where this is not indicated by their position on the sustainability matrix but where doing so would help to resolve a specific and clearly established local social, community or economic issue. (This does not include local needs housing which is dealt with separately.)

Paragraph 6.12 – in final sentence, delete all after 'local needs housing'

Paragraph 6.16 – add at end: *Great Chart and Kingsnorth, which also scored highly, have not been included in the third tier because of concerns regarding the effect that further development could have on their character given their proximity to the Ashford urban area, although they may be suitable for limited infilling.*

Paragraph 6.17 – amend as follows:

Aldington is included in the third tier as, although it scores only moderately well in the sustainability matrix, it does act as a significant local service centre for the rural area in the south-eastern part of the Borough with several smaller settlements surrounding it. In addition, the Parish Council were particularly keen to foster this role and were supportive of the principle of growth. In this latter respect it can be distinguished from Brabourne and Smeeth which is in the same general area and scores similarly in the matrix. Mersham, like Great Chart and Kingsnorth, would be close to the expanded urban area.

Paragraph 6.18 – amend as follows:

Rolvenden and High Halden scored reasonably well on the sustainability matrix process. However both these settlements have a smaller local service centre role as the periphery of their surrounding area is already well served - Rolvenden is near to Tenterden and High Halden is relatively close to several other service centres, particularly Tenterden, but also Biddenden, Bethersden and Woodchurch. In addition, the number and quality of facilities in High Halden has declined since the matrix assessment was carried out. The suitability of these settlements for allocations will be considered further in the Tenterden and Rural Sites DPD. However, on present information, it is unlikely that High Halden will be included in the third tier.

Paragraph 6.19 – amend as follows:

Challock and Hothfield have also indicated a desire to have some small scale allocated development in order to address specific local concerns about the continuing vitality of the village. However, they did not score particularly highly on the sustainability matrix. In addition, Hothfield is a very small settlement that seems to have a limited role as a local centre, whilst Challock is within the AONB. Their suitability for inclusion in the third tier will therefore need to be considered further in the Tenterden and Rural Sites DPD, but, unless there is a compelling local need that could only be addressed in this way, it is unlikely that Hothfield will be included.

After paragraph 6.19 insert the following new paragraphs (and renumber subsequent paragraphs accordingly):

Pluckley Parish Council has also expressed some desire for additional development. Moreover, Pluckley scores more highly on the matrix than Aldington and has the potential to act as a local service centre for a substantial rural area in the western part of the Borough. Other villages in this area do not appear to have a similar desire for development and Pluckley has therefore been provisionally included in the third tier.

The proposed breakdown of the rural housing target between the settlements and tiers is set out in Policy CS6. If after a more detailed consideration of constraints to be carried out in the Tenterden and Rural Sites DPD it proves impossible to identify enough suitable land in a particular settlement that land may be reallocated to another settlement of equal or higher rank in the hierarchy. If satisfactory sites cannot be identified in the rural area as a whole sufficient to meet the rural housing target further consideration may be given to whether the PPS3 test for including a 'windfall' allowance has been met.

(Existing) paragraph 6.20 – on line 7, delete 'beyond the 655 units'.

(Existing) paragraph 6.21 – on line 3, delete '310' and insert '450'.

(Existing) paragraph 6.22 – add, at end: *Subject to environmental considerations the aim is to ensure that the jobs to homes ratio in the rural area as a whole, and in the larger settlements in it, does not deteriorate.*

(Existing) paragraph 6.24 – delete and replace with:

Employment development of an appropriate scale may also be acceptable in or next to other villages, especially those identified in the rural settlement hierarchy, and, subject to environmental considerations, will be encouraged where it would meet a local business or community need, or help to maintain or enhance the vitality of the community. Detailed policy guidance will be provided in the Tenterden & Rural Sites DPD.

(Existing) paragraph 6.26 – delete last sentence and replace with:

The fluctuating and uncertain situation regarding the Wye campus will be reviewed in the Tenterden and Rural Sites DPD and policy guidance

brought forward on how the aim of retaining a high quality, knowledge-based presence in the area can best be achieved.

Policy CS6 – amend as follows:

In the Borough outside the Ashford Growth Area, housing site allocations will be made through the Tenterden and Rural Sites DPD based on a hierarchy of settlements suitable for limited expansion.

Subject to a more detailed assessment of environmental constraints to be carried out in the Tenterden and Rural Sites DPD the aim is for the allocations to be distributed at the following settlements and within the following periods:

	Phase 1 (2006 – 2013)	Phase 2 (2014 – 2021)
Tenterden	220	280
Charing	50	60
Hamstreet	50	60
Wye	50	60
Tier 3 settlements*	80	90
Totals	450	550

* The composition of this tier will be finalised in the Tenterden and Rural Sites DPD. At present it is expected to include Aldington, Bethersden, Biddenden, Chilham, Pluckley and Woodchurch together with, probably, Challock and Rolvenden.

The hierarchy will also be used as a basis for employment land allocations, again to be made in the Tenterden and Rural Sites DPD, on a scale capable of avoiding any worsening of the jobs to homes ratio in the rural area as a whole and the larger settlements in it.

Proposals for other forms of development in the rural area will also be tested against the hierarchy and will normally be expected to reinforce it.

Chapter 7

Paragraph 7.5 – amend as follows:

Such developments will be supported in principle provided they are appropriately scaled, located and designed and give rise to no serious problems. However, uses that would generate a significant number of trips may not be suited to sites in the countryside if there is not a regular and reasonably frequent public transport service. Further guidance on how it is intended that a vibrant rural economy will be achieved will be set out in the Tenterden and Rural Sites DPD.

Paragraph 7.7 – amend as follows:

In addition to the AONBs, the Ashford Landscape Character Study identifies a number of landscape character areas across the Borough. These range from the North Downs in the northern part of the Borough to the High Weald and the Romney Marsh in the south. These landscape character areas have evolved and are continuing to change. The most distinctive characteristics of these areas should be conserved and enhanced when new development occurs. Important landscape and habitat features including trees and woodlands, hedgerows, wetlands, ponds and rivers, should be protected from any adverse effects from development.

The Borough contains five locally designated Special Landscape Areas: North Downs; High Weald; Greensand Ridge; Low Weald; and Old Romney Shoreline. The Tenterden and Rural Sites DPD will indicate whether these areas are to be retained and, if so, why that is considered to be justified given current Government guidance in PPS7. If necessary, specific policy guidance for such areas will be set out in that DPD.

Paragraph 7.8 – amend as follows:

The Core Strategy identifies strategic locations at the edge of Ashford which are aimed at meeting Ashford's role as a growing sustainable community. Around Ashford in particular, the treatment of the urban fringe and how it interacts with the open countryside beyond is a key issue for Ashford's future development. There is an opportunity to clearly define a fixed and controlled urban edge to the major new urban neighbourhoods through appropriate landscaping, sometimes but not always in the form of extensive woodland planting, in advance of and alongside new development. Whatever the form of this landscaping it should seek to establish a physical and natural limit to the peripheral growth and also provide a strong identity for those developments whilst creating new habitat and areas for public enjoyment. More detailed policy on the treatment of the urban fringes with the countryside will be provided in the relevant DPDs.

Paragraph 7.9 – delete and replace with the following:

The Tenterden and Rural Sites DPD will assess the implications of allowing limited windfall housing developments within villages that fall outside the defined settlement hierarchy. The current Local Plan allows infilling and minor development or redevelopment of up to 4 dwellings within smaller villages. The Tenterden & Rural Sites DPD will review whether this policy should continue, with or without modification, and, if so, which settlements it should apply to.

After paragraph 7.9, insert the following new paragraph:

The Core Strategy endorses Government guidance on protecting the countryside generally and nationally designated areas in particular. The Tenterden and Rural Sites DPD will consider whether it is necessary to supplement this guidance with more specific advice of a distinctive local character. If so, it will include relevant policies.

Delete **Policy CS7**.

Part C – THE CORE POLICIES

Before the existing Chapter 8, insert a new chapter on 'The economy and employment development' as follows²¹:

- 7.1. *For Ashford to grow in a sustainable manner the increase in house building needs to be matched by growth in the number of jobs available locally. Between 2001 and 2021 a net increase of 17,500 jobs therefore needs to be planned for in the Growth Area. This will be challenging as, recently, employment development has tended to be more sluggish than house building. Indeed, between 2001 and 2006 it is estimated that only 800 (net) jobs were created.*
- 7.2. *A key factor in achieving job growth will be the creation of a strong office market in the town through attraction of new businesses and facilitating the growth of indigenous firms. This will require speculative office development within the town centre to take advantage of the impetus given by much reduced journey times to London from 2009 on the Channel Tunnel Rail Link.*
- 7.3. *The Council will seek to create the right conditions for growth in the town centre by improving its image through enhancements of the public realm and by encouraging retail and leisure as well as office developments. The Council will also work with other bodies to identify and promote redevelopment opportunities. Already SEEDA have assembled a strategic landholding of more than 8ha in the town centre as a means of attracting significant private sector inward investment to deliver the high density mixed use schemes envisaged in the Core Strategy. Further details of the measures proposed will be set out in the Town Centre AAP.*
- 7.4. *In addition, the Council will seek to promote education, leisure and cultural facilities within the town which, amongst other things, should help to retain a higher proportion of young and well-educated people within the borough. This will further enhance the prospects of creating a dynamic local economy.*
- 7.5. *There are therefore realistic grounds for expecting a significant increase in employment in the town centre by 2021. Nevertheless, some uncertainty remains regarding the extent of this growth and how quickly it will occur. Accordingly the strategy for the town centre needs to be complemented by ample provision for employment growth elsewhere.*
- 7.6. *Some of this provision should be in the proposed urban expansion areas where the availability of jobs close to homes will help to reduce the need to travel. GADF sought to provide up to 20% of all new jobs in such neighbourhoods and 'living quarter' areas. However, whilst some employment can be expected to follow*

²¹ To reduce the need for renumbering it may be sensible to combine the chapters on 'Tenterden and the Villages' and 'The Countryside', with the countryside paragraphs being slotted in before Policy CS6. The new chapter could then be numbered 7. I have assumed this in my suggested paragraph and policy numbering.

housing, as a result of the provision of facilities such as shops, schools and other services intended to serve the local population, the feasibility of providing large numbers of jobs that are not population based in these areas has yet to be fully established.

- 7.7. *In any event a significant amount of employment growth will need to be accommodated in traditional industrial estates and business parks, typically with good access to the motorway and the transport network generally. GADF estimated that such areas would need to accommodate 30-35% of the overall net increase in jobs. However, given the uncertainty of the success of the other locations a figure around the top of the range is considered appropriate, indicating a need to provide land for not less than 6,000 jobs in such areas. Job creation in the town centre, and other areas, will be monitored carefully to identify whether this figure needs to be revised.*
- 7.8. *In addition, an element of overprovision will be required to allow for contingencies, to provide a degree of choice for developers and occupiers and to encourage competition between land owners. A figure of 40% is considered appropriate for this.*
- 7.9. *The Core Strategy identifies 5 main areas where employment land will be provided. A new employment area is proposed at Sevington and there are existing ones at Orbital Park, Henwood and Eureka. In addition, Waterbrook, although becoming more of a mixed use area will retain a strong employment element. These areas are shown diagrammatically on Figure 2.*
- 7.10. *The new area at Sevington replaces the similar sized Local Plan allocation at Cheeseman's Green. It is in a high profile location close to the proposed new motorway junction J10A and will provide an opportunity for larger-scale employment developments that are less suited to mixed use areas.*
- 7.11. *At Eureka GADF proposed that no more than 20ha of the 46ha of employment land allocated in the Local Plan and remaining available should be programmed for development before 2021 and that this should form part of a mixed use area. However, that would limit the employment offer in one of the areas not constrained by the need for new motorway junction 10A and dilute the emphasis on job creation. Instead the Core Strategy proposes to retain, for the time being at least, the equivalent of the Local Plan allocation (though its location may be reviewed in the Urban Sites & Infrastructure DPD) and identifies a separate housing area. In addition the Council will seek to stimulate job creation in the area by removing any infrastructure constraints and reviewing the types of development that will be acceptable.*
- 7.12. *At Waterbrook the proposed mixed use area gives some flexibility over the precise location of the employment and other uses. However proposals for this area will be firmed up as quickly as possible in an AAP or other guidance to ensure that employment development that by its nature and/or location is compatible with the mixed use designation is not discouraged and that any potential for such development pre junction 10A is exploited. It will also be*

important to ensure that the quantity of land available for employment development is sufficient to enable job targets to be met. As a guideline it is considered that not less than 15ha of employment land should be provided unless there is clear evidence that this will not be necessary as a result of the number of jobs being provided elsewhere in the Waterbrook area.

- 7.13. On this basis the amount of land in the 5 main employment areas that has not already been developed and is therefore readily available is a little less than that remaining at the end of the Local Plan period, primarily because of the introduction of other uses in the Waterbrook area. Nevertheless, this land could, on the assumptions used in GADF, provide for around 8,000 jobs as well as the 40% contingency allowance.*
- 7.14. However, that depends on the densities achieved in practice and is rather more optimistic than the County Council's Employment Land Survey indicates. This suggests a modest increase in the amount of employment land is required, compared to that remaining available in the Local Plan.*
- 7.15. In any event, the actual capacity of the proposed areas will need to be refined through further detailed investigations in the Urban Sites & Infrastructure DPD or elsewhere. Until this has been carried out and a comprehensive employment land review undertaken, a cautious approach will be adopted with the aim of maintaining the amount of employment land at about the Local Plan level. In addition, the former Local Plan allocation at Cheeseman's Green will not, for the time being, be released for other uses that would preclude its eventual development for employment purposes.*
- 7.16. In the light of the employment land review, the Urban Sites & Infrastructure DPD will also give further consideration to the general suitability of the distribution and number of main employment areas to ensure that the detailed allocations made in it are the most appropriate. Amongst other things consideration will be given to whether, if suitable areas could be located especially in areas not constrained by the need for new motorway junction 10A, a greater variety of sites and a modest overall increase in the amount of employment land would be more likely to deliver the step change in job growth being sought.*
- 7.17. The Council will also give a high priority to using the strategic tariff and other sources of funding to remove infrastructure constraints that have deterred employment growth in the past. The tariff will not be imposed on employment development.*
- 7.18. In addition, some existing employment areas such as Chart Estate and Cobbs Wood have potential for redevelopment to higher densities. There may also be some intensification opportunities in the areas close to motorway junction 9. However, as it is intended that these should become more mixed use areas including some residential development it is not expected that they will deliver substantial numbers of additional jobs. The aim will be to introduce new uses with either no net loss of jobs or a modest increase.*

- 7.19. *In order to facilitate the redevelopment of such areas, and the town centre, whilst minimising the risk of businesses and jobs being lost to the town, the Council will produce a strategy to help, where necessary, with the relocation of existing firms. This may involve the identification of areas suitable for them to move to. The suitability of Waterbrook for this purpose will be given early consideration. Specific guidance on this matter will be set out in a subsequent DPD or SPD.*
- 7.20. *In that part of the borough outside the growth area the main objective is to encourage diversification of the rural economy with sufficient growth in the number of jobs to avoid any worsening of the jobs to homes ratio in the area as a whole and, as far as practicable, in the larger settlements in it. More detailed guidance and policies will be included in the Tenterden and Rural Sites DPD.*

Policy CS7

The Council is committed to improving the economy of the borough and enabling a range of employment opportunities to be provided that will be sufficient to generate an additional 16,700 jobs by 2021, thus ensuring that employment remains in balance with housing development. This will be achieved by:

- *Working with bodies such as SEEDA to create the conditions in the town centre that will allow the impetus to job growth likely to be given by the introduction of fast rail links to London to be realised. Details of the measures proposed will be set out in the Town Centre AAP.*
- *Monitoring closely the creation of jobs in the town centre and taking early action to remedy any emerging shortfall. This may include identifying additional employment land in other locations.*
- *Complementing the strategy for the town centre by ensuring that there is an ample supply of land readily available for employment development in attractive locations elsewhere. This should be well distributed spatially and sufficient to provide a degree of choice and competition.*
- *Unless shown to be unnecessary by an employment land review and/or evidence of the density of jobs being provided on employment sites the target for the Urban Sites & Infrastructure DPD will be to provide about 100ha of strategic employment land, not already in employment use. This excludes the mixed use area at Waterbrook which should include at least 15ha of land primarily for employment use.*
- *The Urban Sites & Infrastructure DPD will also consider whether, if land can be identified, a modest increase in the amount of employment land and the number of employment sites would be more likely to result in the step change in job creation being sought.*
- *Giving high priority to removing, using funds from the strategic tariff and other sources, infrastructure constraints on employment growth, including capacity restraints at the motorway junctions.*
- *Seeking to stimulate job creation in the Eureka area and reviewing the restrictions on the types of development allowed there.*

- *Clarifying, as a matter of urgency, the locations at Waterbrook where employment development can occur, especially any that can take place before J10A is built.*
- *Protecting existing employment sites/allocations that it is not proposed to 'carry forward' but which have not been specifically identified in the Core Strategy for other uses at least until a comprehensive review of employment land has been carried out.*
- *Developing a strategy, to be set out in a subsequent DPD or SPD, to facilitate the relocation of existing firms in areas identified as having potential for redevelopment for more intensive uses to minimise the risk of existing businesses and jobs being lost to the town. If practicable this will include the identification of areas suitable and available for firms to move to.*
- *Promoting initiatives that will encourage dynamic and well educated residents to remain in the borough and carry out their business here.*

Chapter 8

Paragraph 8.1 – add at end:

The phasing and release of sites will need to have regard to the ability to provide essential infrastructure.

Replace paragraph 8.5 with the following:

The split between the measures that will be implemented using the strategic tariff and those that will be dealt with through conditions or specific section 106 agreements will be set out in a Supplementary Planning Document. However, for guidance only, it is expected that:

- *uses of the strategic tariff will include:*
 - *strategic renewable energy projects such as CHP and bio-mass;*
 - *major flood protection schemes;*
 - *retro-fitting existing properties with water efficiency measures;*
 - *waste recycling schemes;*
 - *strategic road improvements, such as improved access to the M20;*
 - *provision of the SMARTLINK network;*
 - *contributions towards primary and secondary education facilities;*
 - *town-wide cultural, leisure and other community facilities; and*
 - *contributions to a town-wide community development fund.*
- *Site specific provision is envisaged in respect of the following:*
 - *renewable energy measures to meet the targets in Policy CS10;*
 - *sustainable drainage systems to serve the development;*
 - *improvements necessary to ensure safe and satisfactory access from sites to the local highway, cycleway and footpath networks;*
 - *provision of bus shelters where necessary;*
 - *reserving a route for SMARTLINK if it crosses a site;*
 - *reservation of serviced school sites and provision of a local community 'hub' where these are justified by the amount of development proposed;*
 - *except on very small sites, laid out and equipped open space and play facilities to meet the needs of occupiers; and*
 - *affordable housing in accordance with Policy CS12.*

The above lists are not exhaustive and are not in priority order. Where sites are too small for on-site provision to be practicable or efficient an 'in lieu' contribution to off-site provision may be acceptable. This would be outside the tariff system.

Amend paragraph 8.6 as follows:

..... with major landowners. At present the level is expected to be in the order of £14,000. However, the precise figure and the details of the operation of the tariff will be set in a Supplementary Planning Document which can be easily reviewed and kept up to date. Exceptionally, where developers face genuinely abnormal costs or for any other reason consider that paying the normal tariff would seriously threaten the viability of a development the Council will be prepared to consider requests for a reduction subject to an 'open book' approach being adopted.

Paragraph 8.7 – amend by adding the following at the end:

In any event, if specific situations occur where payment of the tariff would give rise to a serious risk that the delivery of affordable housing would be prejudiced the Council will be prepared to consider operating the policy flexibly subject to the risk being properly demonstrated through an open book approach. A similar approach may be adopted, if necessary and appropriate, in respect of housing developments that are put forward as being justified on the basis of enabling other desired development to be achieved.

Delete paragraph 8.8 and renumber following paragraphs accordingly.

(Existing) paragraph 8.9 – add at end:

The SPD will also set out how the tariff will relate to the contributions currently sought under SPG6 and how double payment will be avoided.

(Existing) paragraph 8.12 – amend as follows:

The Council recognise that considerable uncertainty exists whilst the Government explores the possible Planning Gain Supplement (PGS) and alternatives such as the Community Infrastructure Levy. The Council has consistently argued that any payments made under Policy CS8 should be offset against any liability arising in future under a PGS or other national regime. If necessary, Policy CS8 and its SPD will be reviewed as a matter of urgency once the Government's intentions are clear.

(Existing) paragraph 8.14 – amend as follows:

Outside the Ashford Growth Area, residential development will not be subject to the payment of the strategic tariff but will be required, in principle, to make contributions to infrastructure and service provision in their locality. The level of contributions will be justified through a clear assessment of local needs in specific settlements to be carried out in the Tenterden and Rural Sites DPD. This approach ensures that developer contributions from residential developments in Tenterden and the villages will remain focused on the specific needs of those communities. Specific requirements should be set out when site allocations are made in the Tenterden & Rural Sites DPD and will be reflected in individual site policies.

Policy CS8 - amend first paragraph as follows:

A 'strategic tariff' will be used to secure contributions to help fund the strategic physical infrastructure and other facilities needed to support the sustainable growth of the Ashford Growth Area. Amongst other things, the tariff may be used to facilitate the establishment of community organisations in accordance with Policy CS18.

Amend sixth paragraph as follows:

The tariff will be set at a rate, currently envisaged to be about £14,000 per dwelling, which should not undermine the viability of development. The rate will be reviewed at least every 3-5 years, following consultation with providers, landowners and developers. Where developers consider that paying the standard tariff would have serious implications for the viability of developments the Council will encourage an 'open book' approach and where necessary will operate the policy flexibly.

Amend eighth paragraph as follows:

Site specific requirements will be tackled using dedicated planning agreements to provide the range of facilities needed. Such facilities will normally be provided on-site but may exceptionally be provided in an off-site location or via in-lieu contributions. Detailed clarification of the facilities that it is expected will be provided on-site and those that are to be facilitated through the strategic tariff will be set out in SPD.

Delete the table on pages 48 and 49.

CHAPTER 9 – Design & Sustainability

In paragraphs 9.41, 9.43, 9.44, 9.47, 9.53, 9.57 and 9.61 - replace 'Ecohomes' with 'Code for Sustainable Homes'

Paragraph 9.42 – after 'Government' replace 'is currently preparing' with 'has produced'

Paragraph 9.43 – on line 4 delete 'transport'
- on line 5 delete 'and land use'

Paragraph 9.46 – add at end:

Use of traditional coppice woodland as a source of biomass fuel will be encouraged.

Paragraph 9.50 – amend as follows:

In this area of rapid change and innovation it is impossible to predict precisely what materials and technologies will be viable over the period to 2021. The aim of the LDF is to increase standards over time to reflect these changes and to move towards zero carbon developments and BREEAM Excellent standards. Making this commitment in principle now will allow developers time to gear up to higher and more challenging standards. However, details of the standards to be applied from 2015 onwards will be set either in a review of the Core Strategy or in a separate DPD.

Paragraph 9.52 – last line, delete ‘the’ before ‘higher standards’
 Paragraph 9.54 – delete first sentence

Policy CS10 – amend as follows:

All major developments (as defined in paragraphs 9.56 and 9.57) must incorporate sustainable design features to reduce the consumption of natural resources and to help deliver the aim of zero carbon growth in Ashford.

Unless it can be demonstrated that doing so is not technologically practicable, would make the scheme unviable or impose excessive costs on occupiers developments are expected to:

- A) Achieve the standard set out below, or specified in a later DPD, or an equivalent quality assured scheme, with a strong emphasis on energy, water and materials. These requirements will be met through:
 - (a) Energy and water efficiency,
 - (b) Sustainable construction materials, and,
 - (c) Waste reduction.
- B) Reduce carbon dioxide emissions through on-site sustainable energy technologies at the percentage set out below or at such other level as may be specified in a subsequent DPD.
- C) Be carbon neutral which can be met through a combination of (A) and (B) above, with any shortfall being met by financial contributions to enable residual carbon emissions to be offset elsewhere in the Borough.

Ashford LDF 2007 – 2014						
		(CS3) Town Centre & (CS4) Brownfield Urban Sites	(CS5) Urban Extensions & (CS4) Greenfield Urban Sites	(CS6) Tenterden, the Villages, and (CS7) The Countryside	Existing and refurbishment	
(A)	Residential	Code level 3	Code level 4	Code level 2	Ecohomes Very Good	
	BREEAM	Overall level	Very good	Excellent	Good	Very good
		Energy Credits	Excellent	Excellent	Excellent	Excellent
		Water Credits	Maximum	Maximum	Excellent	Excellent
		Materials Credits	Excellent	Excellent	Very Good	Very Good
(B)	Minimum Carbon Dioxide reduction					
		20%	30%	10%	10%	

Revised standards for 2015 onwards will be set in a review of the Core Strategy or a DPD.

(Following table to be deleted.)



Where any site is brought forward as two or more separate development schemes of which one or more falls below the relevant threshold for this policy, the Council will require the relevant targets in the above table to be met as though the site had come forward as a single scheme.

Page 63 – amend heading and policy title to read: Biodiversity and Geological Conservation

Policy CS11 – delete and replace with the following:

Development proposals should avoid harm to biodiversity and geological conservation interests, and seek to maintain and, where practicable, enhance and expand biodiversity by restoring or creating suitable semi-natural habitats and ecological networks to sustain wildlife in accordance with the aims of the National and Kent Biodiversity Action Plans. If, exceptionally, there are circumstances in which other considerations justify permitting development that causes harm to such interests, appropriate mitigation or compensation measures will be required.

CHAPTER 10 – Meeting Housing Needs

Paragraph 10.1 – amend as follows:

Affordable housing is defined as subsidised non-market housing, provided to those whose needs are not met by the market. PPS3 states that affordable housing should:

- meet the needs of eligible households, including availability at low enough cost for them to afford, determined with regard to local incomes and local house prices; and
- include provision for the home to remain at an affordable price for future eligible households, or if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.

Paragraphs 10.2 and 10.11 – delete 'Draft' before PPS3.

Paragraph 10.3 – amend ending as follows:

..... through the national rent regime, or rented housing owned or managed by other persons and provided under equivalent rental agreements, as agreed with the local authority or with the Housing Corporation.

Paragraph 10.5 – amend as follows:

This can include shared equity products (for example HomeBuy), other low cost homes for sale and intermediate rent (ie rents above social-rented level but below market rents).

Paragraph 10.9 – amend as follows:

..... the Housing Needs Survey recommends that 35% of new units on all suitable qualifying sites should be affordable homes. However, this must be balanced against the other demands being made on housing developments, including the strategic tariff and high standards of sustainable design and construction, together with the relative weakness of the Ashford housing market and the need to achieve a step change in house building rates. In the growth area, the target will therefore initially be set at 30% of houses on qualifying sites. This will be reconsidered when the Core Strategy is reviewed.

Paragraph 10.12 - delete and replace with:

The need for affordable housing in the rural areas is even more acute. Average house prices in the villages and rural areas are typically 36%⁴⁸ higher than those in the urban area. In addition, historically much of the housing coming forward in the rural areas has been on small sites that fall below the national indicative threshold of 15 units. However, the Core Strategy seeks to reduce the reliance on windfall sites, many of which are small, and increase the proportion of rural housing taking place on allocated sites in the most sustainable rural settlements. As a result it is expected that the proportion of houses built on qualifying sites will increase significantly. Accordingly, and until the implications that a lower threshold might have for overall housing delivery in the rural areas have been thoroughly investigated in conjunction with stakeholders, the threshold will be set at 15 units. This will be reconsidered when the Core Strategy is reviewed.

Paragraph 10.14 – on line 5, insert 'up to' before '1,400'

Policy CS12 – delete and replace with:

On qualifying sites in the growth area the Council will seek the provision of not less than 30% of all dwellings as subsidised affordable housing; elsewhere the target is 35%. The affordable provision shall be split between social rented (60%) and other forms of affordable provision (40%).

Affordable housing will be required on all sites where the scheme is for 15 units or more (including the net addition from the conversion of buildings) or has a site area in excess of 0.5 hectares.

If a site comes forward as two or more separate development schemes, of which one or more falls below the appropriate threshold, the Council will seek an appropriate level of affordable housing on each part to match in total the provision that would have been required on the site as a whole.

Affordable housing should be provided on site and only in very exceptional circumstances will contributions to make equivalent provision elsewhere be acceptable.

Policy CS14 - in criterion b), delete 'in accordance with Policy CS7'

CHAPTER 11 – Transport

Paragraph 11.5, on line 4 replace 'guided' with 'influenced'

Paragraphs 11.6 and 11.7 – delete and replace with:

11.6 Delivering a new public transport system is a fundamental element of achieving the sustainable growth of Ashford. A flexible, high technology bus-based system is proposed, known as SMARTLINK.

11.7 Initially, the system is proposed to serve the two major urban extensions at Chilmington Green / Discovery Park and Cheeseman's Green / Waterbrook via the Town Centre and the railway stations, whilst also serving parts of the existing urban area along the route. In addition, a spur could link the town centre with the proposed Warren Park & Ride site and the development areas beyond at Eureka and Bockhanger. Subject to the success of the initial system, consideration will be given to the feasibility of extending the network to other parts of the town. The ability to contribute to this aim will be an important consideration in the selection of a third urban extension area when this is required in the latter part of the plan period.

Paragraph 11.9 – add at end: *Issues relating to accessibility in the rural areas will be considered further in the Tenterden and Rural Sites DPD.*

Paragraph 11.11 – delete the following schemes:

Orchard Crescent

Roman Way Corridor

Ring Road remodelling

Romney Marsh Road corridor

Reposition 'Victoria Way Corridor' bullet point to the end and add: *The viability of creating a link to the Tank roundabout via a new bridge over the railway will be considered further in the Town Centre AAP.'*

Paragraph 11.15 – after SMARTLINK on line 4 insert '*or other high quality, frequent bus*'

Paragraphs 11.16 & 11.17 – delete and replace with:

11.16 In accordance with the Council's Parking Strategy, long-term parking in the town centre will be discouraged to encourage public transport use instead. In particular, as SMARTLINK and Park & Ride schemes are introduced and the strength of the Ashford economy improves, town centre car parking charges will be increased (doubling in real terms by 2021) and restructured to discourage long term use and encourage non-operational parking to use Park & Ride sites. Even so, new parking for 1,700 new short stay and 1,150 long stay spaces will be required by 2021 and will be provided through allocations in the Town Centre Area Action Plan DPD.

11.17 Maximum on-site car parking standards should be based on those set out in national guidance (currently PPG13) and the draft South East Plan except where lower standards already exist (as, for example,

developments covered by the existing SPG Note 6) or where more restrictive standards are set in other DPDs. In particular, the Ashford Town Centre Area Action Plan will seek to phase in progressive reductions in maximum parking standards for commercial developments as improvements to public transport are implemented. By 2021 the aim is to reduce standards to 1 space per 85 sq.m. of office floorspace and 1 space per 50 sq.m. of retail or leisure floorspace. In addition, parking at major employment, commercial and leisure developments located outside the town centre but with good access to public transport by, for example, being on a SMARTLINK route will be limited to 20% below PPG13 maximum standards, unless it can be shown that in the specific circumstances that would cause serious problems. Further guidance will again be set out in subsequent DPDs.

Paragraph 11.18 - amend second sentence to read: *Some continental Eurostar services also call at Ashford International station, giving the town access to mainland Europe.*

Delete Figure 3 (the SMARTLINK 'tube map')

Policy CS15 – amend as follows:

The Council will seek to promote public transport and other non-car based modes of travel especially in the growth area. This will be achieved primarily by the early introduction of a bus rapid transit system (SMARTLINK), initially on a two-arm basis but with the aim of extending this to other parts of the town as and when this is feasible, together with parking restraint in areas with good public transport. In addition, a new rail halt is planned at Park Farm and measures to encourage cycling will be promoted.

The Council will also seek the earliest possible implementation of highway and other schemes that would remove serious impediments to growth and/or secure important environmental benefits. These include a new motorway junction (J10A), improvements to increase the capacity of the existing motorway junctions, a new road bypassing the town centre to the south (Victoria Way) and the introduction of Park & Ride schemes.

Within this context development proposals must show how all highway, public transport, walking and cycling needs arising from the development will be satisfied and provide for the timely implementation of all necessary infrastructure.

Developments that would generate significant traffic movements must be well related to the primary and secondary road network, and this should have adequate capacity to accommodate the development. New accesses and intensified use of existing accesses onto the primary or secondary road network will not be permitted if a materially increased risk of road traffic accidents or significant traffic delays would be likely to result.

In rural areas, proposals which would generate levels of traffic, including heavy goods vehicle traffic, beyond that which the rural roads could reasonably accommodate in terms of capacity and road safety will not be permitted.

Where development sites include part of an identified key transport infrastructure route or facility the land required should be reserved and the scheme designed to accommodate this. Proposals which are likely to prejudice such infrastructure being provided will not be permitted.

The Council's Parking Strategy will be implemented through the designation in DPDs of three Park & Ride facilities at the Warren, Waterbrook and Chilmington Green and the provision of three new, multi-storey car parks in Ashford town centre together with the redevelopment of some existing surface car parks and a parking management plan that will increase car parking charges, particularly for long stay use, in the town centre. It is currently envisaged that charges will be doubled in real terms by 2021.

Maximum parking standards will accord with national standards and the South East Plan except where existing SPG6 applies or where superseded by more restrictive standards in DPDs. In particular, as SMARTLINK and Park & Ride schemes are implemented, maximum parking standards for commercial developments in Ashford town centre will be progressively reduced with the aim of achieving a rate of half the current PPG13 maximum standard by 2021. In addition, in other main employment areas that are located on SMARTLINK routes or otherwise have good public transport accessibility the aim will be to reduce maximum parking levels to 80% of the PPG13 standard. Full details will be set out in the Ashford Town Centre Area Action Plan and other DPDs.

CHAPTER 13 – Tourism

Paragraph 13.4 – add at end: *The scope for sustainable tourist development in the rural areas will be considered further in the Tenterden and Rural Sites DPD with a view to the identification of specific opportunities.*

CHAPTER 14 – Meeting the community's needs

The clarity and value of this chapter could be greatly enhanced by omitting unnecessary background detail whilst avoiding unsubstantiated and/or vague statements. However, I consider that only the following changes are essential to make it sound.

Paragraph 14.5 – add at end: *Further guidance will be provided in the Generic DC DPD and/or SPD.*

Paragraph 14.11 – delete and replace with: *The need to provide new or improved public open space catering for local demands in Tenterden and other rural settlements, especially those where new housing allocations are proposed, will be assessed and set out in the Tenterden and Rural Sites DPD.*

Paragraph 14.24 – add at end: *The Council's strategy for the provision of community facilities in these areas will be set out in the Tenterden and Rural Sites DPD.*

Insert new paragraph after 14.25 as follows (and renumber subsequent paragraphs):

The Council's strategy is that part of the town-wide community development fund will be used to develop local community capacity by creating, supporting and, where appropriate, maintaining new or existing representative organisations (such as Parish Councils and community trusts) to both initiate and look after public facilities in the interests and on behalf of those local people they represent. The Council will also seek financial contributions pursuant to policy CS8 to help fund community development and voluntary sector activity during the crucial early years as new developments and communities become established.

Policy CS18 - delete and replace with:

Infrastructure and facilities required to meet the needs generated by new development, including public open space, recreation, sports, children's play, leisure, cultural, education, youth, health, public service and community facilities should be provided in accordance with detailed guidance, including guidance on the nature of provision required and the timing of delivery, that will be established in other DPDs and SPD.

Infrastructure or facilities designed to meet localised needs should normally be provided on-site. Other needs will normally be provided for through the strategic tariff established by Policy CS8 to which residential developers will be required to contribute. Amongst other things the tariff may be used to help fund cultural facilities, community development and voluntary sector activity especially during the crucial early years as new developments and communities become established. This may include the creation of and/or initial support for representative organisations that will initiate, manage and maintain public facilities.

The loss of existing facilities of the types mentioned above will normally be resisted, unless they are no longer required or are obsolete. Further guidance will be provided in SPD.

Where the need for developments to contribute to, or provide, particular infrastructure or facilities is dependent on their size, floorspace, traffic generation or any other attribute or impact exceeding a specified threshold, and any site is brought forward as two or more separate schemes of which one or more falls below the relevant threshold, the Council will seek from each scheme a proportionate contribution of the level of provision so as to match in total the requirement that would apply if the site came forward as a single scheme.

Insert new **Policy CS18A – strategic recreational open spaces**:

The Council will seek to protect and enhance Victoria Park and to establish new strategic recreational open spaces at Conningbrook, Discovery Park, South Willesborough Dykes and Cheeseman's Green as shown indicatively on the key diagram (Figure 2). The required size and detailed boundaries of the new strategic open spaces will be determined in the relevant site allocations DPDs in the context of a local assessment of the existing and future need and demand for open space, sports and recreational facilities. The strategic spaces will be linked by a green 'necklace' that will make use of the existing 'green corridors' through Ashford and the proposed 'blue

infrastructure' of floodplain and water management features in accordance with an overall 'green and blue grid' strategy that is intended to be adopted as SPD.

CHAPTER 15 – Flood risk and water resources

In paragraphs 15.4, 15.5 and 15.10 delete 'draft' before 'PPS25'.

Policy CS19 – amend as follows:

Proposals for new development within the 100 year undefended river floodplain or the 200 year sea floodplain (plus an appropriate allowance for climate change) will not be permitted unless following a Flood Risk Assessment it can be demonstrated that:

- i) it would not be at an unacceptable risk of flooding itself, and,
- ii) the development would not result in any increased risk of flooding elsewhere.

In exceptional circumstances, where the tests above cannot be met, essential transport or utility infrastructure, or other development on a brownfield site may be allowed if:

- a) the development is designed to be compatible with potential flood conditions, and,
- b) there are no alternative sites in a lower flood risk zone, and,
- c) the development would make a significant contribution to the overall sustainable development objectives of the LDF such that the wider sustainability benefits of the development outweigh the flood risk, and,
- d) it can be demonstrated to the satisfaction of the Council and the Environment Agency that any residual flood risks are adequately mitigated to avoid an increased risk of flooding either on the site or elsewhere.

In addition, development that would harm the effectiveness of existing flood defences or prejudice their maintenance or management will not be permitted.

In paragraph 15.16, line 2, delete '..... PPG25 and draft

Amend paragraph 15.17 by inserting after 'Ashford Growth Area' in line 5 '*other than those in the southwest part of the area that are not within the Stour catchment*'

Amend paragraph 15.20 by adding at the end: *It is envisaged that if no other practicable means of ensuring long-term maintenance is available the Council will, as a last resort, accept responsibility for maintaining properly designed and constructed SUDS.*

Policy CS20

amend first paragraph as follows:

All development should include appropriate sustainable drainage systems (SUDS) for the disposal of surface water, in order to avoid any increase in flood risk or adverse impact on water quality

amend second paragraph as follows:

For greenfield developments in that part of the Ashford Growth Area that drains to the River Stour, SUDS features shall be required so as to achieve a reduction in the pre-development runoff rate. On all other sites in the Borough, including those in the southwestern part of the Growth Area that drains to the River Beult, developments should aim to achieve a reduction from the existing runoff rate but must, at least, result in no net additional increase in runoff rates.

Amend paragraph 15.23, line 5, by inserting after 'Both proposals' 'or other facilities of equivalent capacity'.

Policy CS21

amend first sentence as follows:

Major proposals for new development must be able to demonstrate that there are, or will be, adequate water supply and wastewater treatment facilities in place to serve either the whole development or, where development is being carried out in phases, the whole of the phase for which approval is being sought.

Chapter 16 – Monitoring and Review

After paragraph 16.3 insert the following additional paragraphs:

16.4 Where appropriate, as for example with housing and jobs, targets will be set and progress towards meeting them will be monitored not only for the Borough as a whole but also for the strategic components of it – the town centre, the remainder of the urban area, the main urban extensions and the rural area. As well as targets for 2021, wherever possible targets will also be identified for shorter periods so that progress towards meeting the overall target can be more easily monitored. Where monitoring shows that progress towards targets is unsatisfactory the Council will review the situation and, where necessary, take remedial action. This may include a review of allocations; pro-active measures to bring forward sites for development; action to secure the timely provision of infrastructure; and a review of relevant parts of the LDF. Particular attention will be paid to monitoring the delivery of jobs in the town centre.

16.5 The Council will as a matter of high priority work with landowners, developers, infrastructure providers and other stakeholders to produce an agreed and costed scheme of essential infrastructure improvements and a timetable for their provision. Progress towards achieving this scheme, including the ability of contributions to the Strategic Tariff to provide sufficient funding, will be monitored at frequent intervals.

Renumber existing 16.4 as 16.6

Insert new paragraph 16.7 as follows:

As the monitoring process develops the Council will where necessary and practicable introduce additional indicators, especially where this would help with monitoring progress towards the key aims of the Core Strategy. This could include indicators of the quality of life of residents and the

quality of the countryside. In addition targets will, wherever practicable and appropriate, be clarified and made capable of measurement.

Amend existing indicators to replace, where necessary, 'Ecohomes' by the 'Code for Sustainable Homes' and in respect of affordable housing replace '35%' with '30%'.

After 'number of net additional dwellings completed per annum within rural windfall sites' delete existing target and replace with '*target to be defined in the Tenterden and Rural Sites DPD*'.

In 'Percentage of Carbon Dioxide Emissions reduced' amend targets (3) & (4) to 10%.

In the target for the amount of floorspace developed for employment, before '592,000m²' insert 'at least'.

Insert the following additional indicators:

Policy	Indicator	Target	Data Source
CS15	Modal split / use of bus network	(1) 35% of journeys to the town centre, and 20% of other journeys, capable of being made by SMARTLINK to do so (2) reduce proportion of journeys made by car from 65% in 2003 to 57% by 2021 (3) 100% compliance with approved Green Travel Plans	KCC Bus operators KCC ABC
CS15	Viability of SMARTLINK	Revenue to exceed operating costs	System operators
CS6	Number & distribution of facilities in the rural area, including: village shops post offices schools GP surgeries	(1) Maintain number of villages scoring 20+ on the rural sustainability matrix (2) Minimise number of facilities lost	ABC Parish Councils KCC (schools)

Appendix 4

Replace submission housing trajectory with the one in Annexe 2 of this Report.

Insert footnote: *The above trajectory is provisional and will be firmed up as work progresses on other DPDs. In particular, the figures for the town centre will be reviewed in the light of more detailed analysis in the Town*

Centre AAP and at this stage are regarded as a maximum that may need to be reduced. The timing of delivery on small sites may also need amending to reflect changes in the delivery of key infrastructure. However, it is not envisaged that this will materially affect overall numbers.

APPENDIX 1

Letter regarding employment matters and Notes 2 – 4 issued by the Inspector during the course of the Examination

Employment letter – issued July 2007

I attach a copy of a paper regarding employment matters that has been produced by Ashford Borough Council in response to a request made by the Inspector during the first hearing session on 19 June 2007. The Inspector would be grateful for your views on whether it would be appropriate and feasible for the Core Strategy to be amended so as to include a specific section and policy on employment matters and, if so, how much, if any, of the Council's paper should be incorporated.

The Inspector also seeks your views on the following points:

- whether the Core Strategy should include a commitment that subsequent DPDs will review existing employment allocations (especially any that have attracted little recent attention) to assess their continuing suitability in the context of today's need;
- whether in the urban area at least existing employment areas should also be reviewed;
- whether the Core Strategy should indicate that subsequent allocations DPDs will be expected to retain the present quantity of employment land even if its location is changed;
- whether it is desirable and feasible for the Core Strategy to offer assistance towards the relocation of businesses located within any employment areas that are proposed for redevelopment for other purposes;
- whether it would be possible for him to make a binding recommendation in respect of any or all of these matters.

If you wish to comment on these matters please submit any response that you / your client/ your organization / Ashford Borough Council wish to make, to the Programme Officer by 10am Monday, 16 July 2007. Please also indicate whether you consider that a hearing session on this topic is called for.

Note 2 – issued July 2007

During the first two weeks of the hearing sessions I have become concerned about the soundness of the geographic distribution of development proposed in the Core Strategy (CS). I am particularly concerned about how this relates to SMARTLINK, the proposed bus rapid transit (BRT) system, as well as the evidence base for this and the transparency of the decisions made in this connection.

There seems general agreement that for a major expansion of Ashford to be sustainable and if highway problems are to be avoided a significant change in modal split is required. Also that to achieve this some form of BRT is required. I see no reason to disagree with this and it seems to me that it follows that there is therefore merit in locating new development, as far as possible, where it can be served by and generate revenue for such a system. Furthermore, serving the greatest amount of development by the smallest length of route seems a sensible aim, though other factors obviously need to be taken into account. That said, I have concerns about the weight apparently given to these matters in the light of the evidence produced.

Paragraph 5.6 of the CS appears to confirm that accessibility by a viable bus-based public transport network was one of 3 or 4 principles that guided the location of development. Moreover, it goes on to state that the advice given to the Council was to the effect that, at least initially, only a two-arm bus network will be able to operate a viable service. In addition, on 20 June Mr Simon Cole, Planning Policy Manager for the Council confirmed that whilst there were a number of factors that led to the adoption of two main growth areas (rather than some other number) that two areas were justified especially in transportation terms and that this helped underpin going for two at this stage.

However, it is not clear to me that the decision to adopt a 2 leg system rather than one with 3 or more routes was informed by any detailed analysis of the actual viability of such systems or routes. Indeed, on 21 June Ms Dunn, the Council's public transport expert, on that day, appeared to indicate that they had tested only the land use pattern given to them (ie that shown in the CS) and not any others. If that is the case then any detailed testing followed the decision to adopt a 2 two leg system (and the adoption of the proposed land use pattern) and cannot be said to have informed those decisions.

Moreover, although during the evolution of SMARTLINK its specification was reduced to eliminate any guidance features, and this change resulted in a substantial reduction in costs, this is something else that appears to have happened after the decision to adopt 2 legs was taken. Furthermore, as far as I am aware, there had not, prior to the start of the examination, been any detailed and serious attempt to re-evaluate that decision to establish whether the conclusion that only a 2 leg system is viable remains valid with the reduced specification.

As a consequence of all this it is not clear to me that the relationship between BRT and development areas, important as it may be, necessarily points to as restricted a set of development options as the Council have suggested. That view is supported by the Council's acceptance on 28 June that one specific proposal for a third leg could be viable by about the end of the CS period. As far as I am aware that is the only proposal for a third leg that has been produced and tested in any detail at least at the current specification. Whether it is a happy accident for the promoters that it could be shown to be viable or whether others could do the same I do not know because similar work seems not, to date, to have been attempted elsewhere.

These general concerns are reinforced by the way in which the CS deals with possible development in the Kingsnorth area. This states quite plainly that the reasons for reducing the contribution (in terms of development) looked for from this area resulted from technical assessments of the Kingsnorth arm of the SMARTLINK service and Park Farm station, both of which were shown to perform disappointingly compared to original expectations and in comparison with alternatives.

During the 21 June session Mr Cole (Ashford Borough Council) reaffirmed that public transport was the biggest single issue in not favouring development at Kingsnorth. However, as far as a SMARTLINK arm is concerned, these assertions do not seem supportable by the evidence provided to date. It appeared to me from Ms Dunn's comments on 21 June that an arm to Kingsnorth was never assessed in the same detailed way as those that were included in the CS. Moreover, she indicated that she saw no intrinsic problem with providing a public transport link to the area south of Ashford. This was reinforced when on 28 June the Council accepted that figures produced by the promoters of development at Kingsnorth demonstrated that a BRT service to that area, of the same specifications as now proposed for SMARTLINK, would be viable by the end of the CS period or thereabouts.

On the following day the Council's solicitor attempted to redress the situation by drawing attention to the level of subsidy that would be required from the developers in the early years and the possible implications that might have for contributions towards other matters. These are points that I had already noted and they will need to be taken into account (along with the promoter's apparent confidence that they are not an overriding obstacle). However, it would have been better if such points had been made by the Council's planning and transportation experts on the day.

Instead I was presented with a position of some confusion. A supplementary paper had been produced by the Council that painted a very bleak prospect for even a 2 leg SMARTLINK system, but I was then asked to adjourn whilst discussions continued between the Council and the promoters of the 'South of Kingsnorth' area regarding an agreed position. As a result almost the whole of the morning was taken up by a series of private meetings at the end of which the Council sought to withdraw their paper. They also informed me that if I concluded that concerns over the housing trajectory necessitated inclusion of an additional area of development at Kingsnorth they now considered that it would after all be possible to provide a high quality bus service that would be viable by the end of the period and would be subsidised by the developers in the interim.

Taken in its entirety this does little to give confidence in the soundness of the Council's conclusion in the CS that there are strong public transport reasons for not proposing development at Kingsnorth or the adequacy of the information base supporting that decision. On the contrary, it lends credibility to the comment made by Cllr P R Davison (who was apparently involved in the processes predating the CS during which development at Kingsnorth was, eventually, rejected as a short term option) that SMARTLINK was neither positive nor negative on this matter. Of course, if that is the case it suggests that the importance of other concerns regarding Kingsnorth may have been greater than the CS suggests, but I consider that I need to assess the soundness of the CS primarily in the terms that it itself set out.

Taking all this into account, I consider that the Council's conclusion that only a 2 leg BRT system would be viable is poorly justified on the evidence that I have

seen and heard to date and that by the end of the plan period a more extensive system could be viable. Moreover, had the Council not, apparently, considered itself restricted in its options by such a conclusion it is not clear that the pattern of development proposed in the CS (2 main areas plus some smaller ones) would necessarily have emerged.

Indeed if the merits of a 2 arm BRT were given a reduced weight more commensurate with the evidence that has been put forward, it is not clear to me that, when all other relevant factors are taken into account, a pattern of 2 main development areas would still be the best available option. Of course if I cannot reach that conclusion that would have significant implications for the soundness of the CS as submitted.

Neither is it clear to me that this is a matter that could easily be addressed, even if I were to conclude that such evidence as there is pointed decisively towards a 3 area approach. The CS is a complex and interlinked set of proposals that seems to have been carefully crafted to secure the backing of a large number of local residents and organisations. That does not, in my view, rule out modest changes to it. However, including a third major growth area seems to me rather more than a minor change. It could easily disturb the consensus that has been achieved as well as giving rise to a need to consider whether all other proposals can simply be left as they are. If nothing else it raises the question of whether the scale of housing proposed during the CS period within the two development areas already identified should be reduced and what the consequences of that might be.

Furthermore, if a third major growth area were to be included in the CS, it could, in my view, be sensible to consider whether the implications that that might have for the take up of 'greenfield' land and the compact growth model could be reduced by looking again at the need for the two smaller 'greenfield' areas proposed for development. These areas affect land that appears in some respects to be relatively sensitive and valuable and the case for the strategic infrastructure improvements that they are said to facilitate seems to me less than overwhelming.

In addition, I do not share the view of the promoters of 'South of Kingsnorth' that inserting a development area here would merely be adding back into the CS something that has been dropped from it or that it is simply a case of bringing forward development that would come on stream anyway post 2021.

I am aware that a development area at Kingsnorth was included in many of the options considered in the Greater Ashford Development Framework (GADF) and though dropped in the short term remains in that document as a post 2021 development area. However, GADF has no formal planning status and I do not regard the CS as being bound by it. In essence I see it as a background document that helps to explain the consultation that took place and the options that were considered. It seems to me that it might also have been helpful in explaining how decisions were reached. Unfortunately, in some cases, it seems sadly deficient in that respect. Taking all this into account I am less convinced, than the Council seem to be, that GADF can properly be said to have established some key principles (or what those principles might be.)

Be that as it may, the CS itself makes clear that the Council is not committed to development at Kingsnorth post 2021. (That being so I see little justification in showing it on the CS diagram, but that is another matter.) Moreover, another possible development area has been proposed at North Ashford that, whatever other problems it might have, may not impact on existing settlements to the same extent as development south of Kingsnorth.

Taking this into account I am not as yet wholly convinced that if a third large growth area had not been ruled out for reasons that now appear to have been inadequately justified, the only option that could have emerged would have been 'South of Kingsnorth'. Even if the general Kingsnorth area were to be favoured, there may be other options worthy of consideration including Court Lodge, perhaps combined with some additional development at Park Farm. That is not to say that all or indeed any of these other possibilities are necessarily preferable to South of Kingsnorth, nor indeed necessarily achievable at all; simply that it is not obvious that a thorough and proper testing of all the options has to date been carried out.

I have not, as yet, reached a final conclusion on these matters. However my interim view is that it may well be difficult for me to conclude on the information now available that an approach based on 2 main growth areas (with or without modest modifications) is clearly the best available option. On the other hand were I to conclude, when I have assessed the housing trajectory and all other relevant matters, that the overall balance of factors points decisively to having 3 full-blown growth areas (which is also not yet clear) I have reservations as to whether I could make such a change without giving rise to ramifications that it is difficult to deal with at this stage. I also have some concerns as to whether I have sufficient information to reach a firm decision on what the best form and location of a third area might be. For all these reasons I have serious concerns over whether I shall be able to find the CS sound.

Note 3 – issued September 2007

CORE STRATEGY SUBMISSION DEVELOPMENT PLAN DOCUMENT - SUMMARY OF MAIN AREAS OF OUTSTANDING CONCERNS AND RELATED MATTERS

Employment

- although a step change is needed in employment growth, the CS does not set out a clear and positive strategy for achieving this (though elements of a strategy appear in various places)
- the CS contains figures for jobs needed (to match housing growth) and allocates them to different areas of the borough, but there are no figures for employment land or floorspace
- the Council have given no clear explanation of how job numbers can be translated to land requirements
 - it is therefore unclear how they have established that adequate employment land is being provided
 - or how subsequent Development Plan Documents (DPDs) will know when they have allocated enough
- the CS core diagram, as revised, shows only two fairly modest areas for employment use, plus some 'mixed use' areas
 - it is not self evident that the two areas are adequate, especially as one appears to include land that is already developed, as well as an ancient monument
 - moreover, they cover less area than the Greater Ashford Development Framework document (GADF – CD5) identified as being developed for 'commercial' purposes by 2021
 - in any event they provide little choice although a background paper identified limited choice as a possible factor in past poor economic performance
 - the diagram also 're-allocates' an existing employment area, identified by the County Council as being of strategic importance, as a mixed use area
 - there is no clear indication of how much of that area will remain available for employment use (or how much employment land there will be in the mixed use areas generally)
- the CS promotes the redevelopment for mixed uses of several existing employment areas but includes no positive measures to help existing businesses in those areas relocate
- **Conclusions:** the CS is weak on employment measures and, in particular, there is no clear evidence base that sufficient land is being made available for employment needs to facilitate the growth required – it appears to fail test vii - *(the strategies/policies/allocations represent the most appropriate in all the circumstances, having considered the relevant alternatives and they are founded on a robust and credible evidence base.)*

Parking

- to be successful and sustainable Ashford needs to achieve a significant increase in public transport use as well as substantial employment growth
- this has potentially significant implications for parking which needs to be set at a level that facilitates economic growth but at the same time helps to encourage the use of SMARTLINK and public transport generally
- there is little explicit recognition of this issue in the CS, or evidence of how it has determined what the appropriate balance would be
- the transport policy itself (CS15) appears unbalanced – it includes a commitment to the construction of 3 new car parks in the town centre but makes no mention of parking restraint

- this is at odds with the Parking Strategy (not a statutory planning document) which sets out a more balanced approach including an increase (in real terms) in the cost of public parking in the town centre together with a reduction in the maximum standards allowed in private commercial developments
- CS15 is also not consistent with the assumptions made in predicting the level of use of SMARTLINK which included similar restraints on town centre parking
- the Parking Strategy document also envisages that parking at major sites outside the town centre should be restricted to 20% below Planning Policy Guidance Transport (PPG13) levels (though account is to be taken of site specific characteristics)
- in contrast CS15 says that maximum standards will accord with national ones unless superseded by new standards set in DPDs (& where existing Supplementary Planning Guidance (SPG) applies)
- **Conclusions:** it is far from clear that the parking strategy set out in the CS would strike the right balance (or provide an adequate 'steer' to future DPDs) and it is unsatisfactory for Policy CS15 to rely for its interpretation on another document with no clear planning status – accordingly the CS again appears to fail test vii (*see above*)

SMARTLINK & the pattern of development

- after the decision was taken to adopt a two-arm bus rapid transit system and two main urban extension areas the specifications and assumptions regarding SMARTLINK were changed, improving its expected performance appreciably
- despite this the validity of the two arm/area approach was not re-evaluated prior to the submission of the CS
- in addition, there are some inadequacies in the reasoning given in the CS for not proposing development in the Kingsnorth area that need to be addressed
- despite this, the overall weight of evidence suggests that initially adopting a 2 arm/area approach is sound
- moreover, there is no evidence that the 2 areas proposed are unsound and they have attracted remarkably little objection
- however, on the basis of the documents before the examination, the public transport evidence does not clearly justify reducing the ultimate scale of growth at Kingsnorth or delaying a third growth area beyond the plan period
- moreover, introducing a third growth area before 2021 (or at least retaining the possibility) would give more certainty regarding delivery of the housing target
- it could also facilitate achievement of the total number of dwellings envisaged in the Ashford Growth Area by 2031
- there could be other ways of overcoming any modest shortfall in the housing trajectory
- however the Council's suggestion that the Urban Capacity Study identifies land for another 2000 dwellings that is not included in the trajectory, but much of which could form allocations, raises a number of issues – in particular:
 - allocating a substantial proportion of this land in the Urban Sites and Infrastructure DPD would, if the sites already included in the trajectory remain, appear to result in that DPD identifying considerably more housing land than Policy CS4 requires, leading to a conflict between the DPDs
 - if there is clear and credible evidence that up to 2000 more houses can be accommodated in the urban area, should the CS have proposed less peripheral greenfield development?
- as for SMARTLINK, despite the general impression that its prospects have improved significantly since 2004, the Council's Supplementary Transport Paper struck a markedly more pessimistic note
 - although this paper was withdrawn by the Council, they have subsequently advised that they stand by its contents

- in these unusual circumstances I felt it necessary to test some of its concerns
- questioning of the Council's principal advisor on public transport established that it is his opinion that whilst SMARTLINK will be introduced there are real and significant risks as to how successful it will be in operation
- in particular there is a real risk it will not deliver the modal change sought
- if SMARTLINK is less successful than envisaged, one consequence would be more traffic on the roads
- the evidence that the highway system within the urban area could cater for such additional traffic is unclear and appears to rely on scenarios that do not reflect current thinking
- moreover, it seems to depend in part on parking restraint in the town centre, even though the CS itself includes no clear commitment to such restraint
- **Conclusions:**
 - the two main growth areas proposed are a sound starting point for the pattern of development
 - however, public transport concerns seem inadequate to rule out a third growth area for the whole of the plan period and the merits of this ought to have been properly explored and explained
 - the implications of the additional housing land said to exist within the urban area should also be thoroughly explored before a final decision is taken on the distribution of development
 - accordingly, there is not a clear evidence base that the overall distribution of development currently proposed is the most appropriate and the CS therefore again appears to fail test vii (*see above*)
 - the information base may also be inadequate to indicate clearly where any additional areas, if required, would best be located
 - in addition, the implications of SMARTLINK failing to deliver the desired modal shift ought to have been more fully investigated
 - at present the evidence does not clearly demonstrate that the CS is sufficiently robust and flexible to deal satisfactorily with different modal shifts – the CS thus appears to fail tests vii (*see above*) and ix, (*the plan is reasonably flexible to enable it to deal with changing circumstances*)

The front-loading process

- the Council have been successful in engaging local residents and interest groups resulting in remarkably few objections to the CS
- however, the engagement of landowners and others with development interests appears to have been less successful leading to the Council agreeing during the course of the examination that they would not resist some changes to the CS
- in respect of the proposed water sports park at Conningbrook, the Council accepted that to achieve the full aspirations for the area an element of 'enabling' residential development would be necessary - however
 - the extent of the enabling development required is not agreed and is unclear
 - if the landowners' estimate of 300 dwellings is correct or nearly so this would be as large as at least one of the development areas identified in the CS
 - no assessment seems to have been made about the sustainability implications of allowing a potentially substantial residential development in an area with no effective public transport
 - possible implications for the housing trajectory and the continuing need for other sites also appear not to have been considered
- as for the land at the northwest tip of Cheeseman's Green, which is estimated to have a capacity of between 300 and 700 dwellings

- including it in a wetland park as proposed in the submission CS is unsound as it is not required to achieve a viable park area or to compensate for floodplain development elsewhere and, especially now that the area has planning permission for employment use, this aim is unachievable
- however including this land within the housing development area, with no reduction elsewhere, as suggested in the statement agreed by the Council and the landowners, is not clearly justified on the evidence produced to date and is contrary to what the Council's Options Report (CD26) envisaged
- moreover, changing the designation of this land from employment (in line with the adopted Local Plan and extant planning permission) to housing is made more problematic by my concerns regarding the adequacy of employment land provision
- **Conclusions:** my concerns about the implications of changing the CS in respect of these two areas reinforce my earlier conclusion that it is not clear on the evidence base before the examination that the pattern of development being proposed (with or without modifications) is clearly the best possible - more thought needs to be given to this in order to satisfy tests vii and ix. (*see above*)

The rural areas

- the CS pays scant attention to the needs of the substantial rural parts of the borough
- the rural area seems to have been regarded primarily as somewhere where land had to be found, with least harm to the environment, to build enough houses to meet the gap between figures handed down for the borough as a whole and those for the Ashford growth area
- no attempt appears to have been made to assess whether, in the light of the Council's more detailed knowledge of their own area, this figure is the most appropriate one taking into account social and other considerations
- meeting the rural housing target relies heavily on windfalls, contrary to current national advice
- no clear assessment is made of the current state of the rural economy and whilst the CS indicates this needs to be encouraged and stimulated there is only limited guidance on how this is to be achieved
- no mention is made of the wildly fluctuating situation regarding Wye College or how its retention, said to be crucial, is to be achieved
- the section on the countryside fails to tackle the issue of whether, notwithstanding national advice, the Special Landscape Areas identified in the adopted Ashford Borough Local Plan should be retained, whilst Policy CS7 adds little of substance to national policy.
- **Conclusions:**
 - the rural areas have not received the attention that they deserve and it is not clear from the limited evidence available that the strategy/policy for them is the most appropriate one, as required by test vii (*see above*)
 - the reliance on windfalls also raises issues about compliance with national policy test iv (*it is a spatial plan which is consistent with national planning policy and in general conformity with the regional spatial strategy for the region and it has properly had regard to any other relevant plans, policies and strategies relating to the area or to adjoining areas*)

Note 4 – issued 27 December 2007

1. This note identifies points on which the Inspector feels it would be helpful for the Council to supply further information/clarification. It is envisaged that this will be conducted by an exchange of written representations, with an opportunity for interested persons to comment. However, the Inspector may exercise his discretion to hold further sessions if, in his view, the responses warrant doing so. Please be aware that the note does not aim to identify all areas where changes to the Core Strategy (CS) may be required, only those where the Inspector considers there to be a continuing lack of clarity.

2. Adequacy of employment land

- 2.1. Table 1 of Appendix 1 to the Council's Factual Response to the Inspector's Note 3 suggests that the CS makes provision for 42.6ha of land for Business Parks and 73.8ha for Industrial development. However, neither the text to the CS nor the Growth Area diagram (Fig 2), either as submitted or as revised, indicate how this figure has been derived or where the land would be located. On the contrary, the size of the employment areas shown on the revised Fig 2 appears to be somewhat less than 116ha.
- 2.2. Accordingly, in order to establish that the CS is soundly based on proper evidence, **the Inspector considers it essential that a plan is submitted indicating the location of the land that makes up the 116ha.** Although this need not indicate precise boundaries, **it should be accompanied by a schedule setting out the approximate size of these areas and the material upon which that is based.**
- 2.3. In addition, applying the density rates used in GADF suggests that 116ha of business park / industrial land would, theoretically, have the capacity to deliver considerably more jobs than the CS requires to be provided outside the town centre and main urban growth areas. In all the examples given by the Council the capacity is at least twice that which GADF envisaged being provided in, apparently, the same area; in one case it would be 6 times.
- 2.4. Although some 'overprovision' may be sensible, it is not clear to the Inspector why the provision needs to be so much in excess of what is in theory required (or that this is what GADF envisaged). He therefore wishes to be satisfied that this does not result in land that is suitable for development remaining undeveloped throughout the CS period and an unnecessary early loss/blighting of greenfield land. The Inspector also formed the view during the November 2007 sessions that the Council do not necessarily accept that the business parks / industrial areas would in practice be able to achieve the theoretical capacity suggested by their size and the GADF densities.
- 2.5. Accordingly **the Inspector seeks the Authority's views on what a realistic level of the capacity of the areas that make up the 116ha would be in terms of the number of jobs that they could reasonably be expected to provide during the CS period. If this is significantly different to that envisaged in GADF, he also seeks the evidence based sources to provide an understanding of the factors that have led the Council to a different conclusion.**
- 2.6. The Inspector is also concerned about the possible implications of the figures suggested for the Waterbrook area. He had understood that the proposals for Waterbrook had been designed to promote a high density of development along the SMARTLINK route. However, reading the figures in the Council's Appendix 1 together with those in GADF suggest that only 675 jobs would be provided on some 25ha of land.
- 2.7. Even allowing for the dwellings now proposed in this area this seems to the Inspector to be a very low density for such a key location. **The Inspector would welcome your comments on whether employment at Waterbrook is in fact intended to be restricted to 675 jobs and if not, what figure is considered to be appropriate (and the evidence for that figure) and what implications, if any, an increase might have for other areas.**

- 2.8. In addition, it appears to the Inspector that the amount of employment land proposed in the CS is less than that remaining committed (in terms of allocations and planning permissions) at the end of the Local Plan period and which the County Council concluded was about adequate for the CS period. Certainly the CS does not carry forward some of the then existing allocations / permissions.
- 2.9. **The Inspector accepts that it is appropriate for the CS to review the scale of provision and the suitability of existing allocations. However, he seeks clarification of how this exercise was carried out**, given that there appears to have been no comprehensive review of employment land or the requirement for such land. Moreover, a reduction appears inconsistent with the conclusion in the Ernst Young Report (CD101) that there is a shortage of industrial space in and around Ashford.
- 2.10. From the discussion at the November sessions, the Inspector understands that the Council consider that it would be possible for the CS to give an indication of the likely employment contribution of the main 'mixed use areas'. The Inspector considers that would be essential at least in respect of those expected to make a significant contribution to employment growth, particularly Waterbrook and Eureka. **The Inspector seeks the Council's views on how clarification of the employment component of mixed use areas could be incorporated in the CS and how the ratio of employment and other uses could be controlled as development takes place. He also seeks advice as to whether there have been any discussions with landowners/occupiers in the Cobbs Wood and Chart Estate areas regarding the potential of those areas for mixed use redevelopment. If so, he invites evidence of the outcome of those discussions.**
- 2.11. The Inspector notes that at a relatively late stage in the GADF process a decision was taken to increase the number of jobs provided in the main urban expansion areas. As the GADF figures appear to have fed through to the CS, **the Inspector seeks clarification of the means by which it was expected that this increased provision in the expansion areas would be ensured and where he can find an assessment of the realism of this.**
- 2.12. Finally on employment matters, the Council's Employment Background Document identified that one constraint to growth was that the major commercial development opportunities were concentrated at just 3 sites, which until recently had just 2 landowners. **The Inspector invites the Council's comments on how the issue of the choice available to potential developers/occupiers was addressed in the CS.**

3. Transportation matters

- 3.1. The Inspector considers that the CS needs to incorporate more of the policy set out in the Council's non-statutory Parking Strategy. From the discussion at the November sessions he understands that the Council would not object to this. However, before doing so **he needs to understand more precisely the basis of the proposals in the Parking Strategy; in particular he seeks clarification of its consultation and assessment processes, the extent to which it can be said to have informed the CS process and will remain extant for the life of the CS, and the basis on which it may be reviewed.**
- 3.2. Turning to SMARTLINK, the Inspector considers that the evidence given to him by the Council's witnesses (specifically Mr Egglestone) together with the Council's Supplementary Transport Topic Paper (which despite being withdrawn the Council have indicated they have not resiled from) indicate that there is a real risk that SMARTLINK will not achieve the modal shift predicted in the CS.
- 3.3. Inevitably the performance of SMARTLINK will depend on a number of factors that cannot be predicted with certainty and the Inspector does not consider that it is necessary to attempt to refine the predictions of likely usage. In his view it likely to be more sensible and appropriate to monitor actual usage so that action can be taken if usage is not as predicted and problems would arise. **The Inspector would welcome the Council's suggestions as to how usage could be monitored in a way that**

would enable a failure to achieve the expected modal shift to be identified at an early date.

- 3.4. In addition, the Inspector considers that for the CS to be robust it is necessary to demonstrate either that SMARTLINK underperforming would not have any significant consequences or that there are satisfactory means of addressing any such consequences. In particular, if SMARTLINK underperforms it seems inevitable that more journeys will be made by car. The Inspector considers that it is important to gain an understanding of: (i) how quickly this could begin to cause congestion and/or environmental problems on the roads leading to the town centre and on the ring road; and (ii) the likely impact of these effects, or measures to mitigate them, on growth of jobs and other development in the town centre.
- 3.5. **The Inspector therefore considers that evidence is currently lacking to contradict the evidence of the Council's own witnesses as summarised above. Unless it already exists, the transportation model should therefore be rerun to demonstrate what would happen if fewer passengers used SMARTLINK but all other assumptions, including the level of growth in the town centre, remain the same.** The Inspector considers that this should be carried out on the basis of 15% and 25% fewer passengers. The predicted traffic flows should then be compared to the capacity of the highway network and the demand for town centre parking compared to the proposed provision.
- 3.6. **In the event that flows/demand are predicted to exceed capacity/provision the Inspector seeks your views on how these matters might be addressed and the effect, if any, that this would be likely to have on other matters, in particular the growth in jobs in the town centre.**
- 3.7. At the November sessions, it appeared to the Inspector that the Council took the view that one implication of a significant shortfall in SMARTLINK usage was that there would be less growth in the town centre. If that is a correct understanding (or if that is the implication of the additional testing he is requesting) **the Inspector seeks the Council's views on whether it would be possible to mitigate a reduction in employment growth in the town centre by more growth elsewhere and how that might be facilitated.**

4. Rural areas

- 4.1. CS paragraph 6.2 advises that 1500 houses represents a sustainable balanced growth target for the rural part of the borough. However, the basis for this conclusion is not explained. Amongst other things it is not clear whether any analysis has been undertaken of the level of house building (if any) needed to meet demographic changes within the existing rural population or the effect that the proposed level would have on the demand for and supply of services and jobs in the rural area. Neither does the CS identify what the existing job to population ratio is; what the trends in employment and service provision are; or how a vibrant rural economy is to be encouraged.
- 4.2. **If these matters have been assessed, the Inspector wishes to know where the evidence can be found. If they have not, he seeks the Council's views on how these and other 'strategic' rural issues, including the future of the SLAs, could be addressed in the Tenterden and Rural Sites DPD.** In doing so, it would be helpful if the Council could supply an outline of the expected format/content/timing of that DPD.

APPENDIX 2**- glossary and abbreviations**

AAP	Area Action Plan
AATS	Ashford Area Transport Study
ABC	Ashford Borough Council
ALG	Ashford Landowners' Group – an informal grouping of landowners in the Ashford Area
BRT	Bus rapid transit – a more generic term for what in Ashford is usually referred to as SMARTLINK
the Code	unless otherwise indicated, the Code for Sustainable Homes
CS	Core Strategy
CHP	Combined Heat and Power schemes
CO ₂	Carbon Dioxide
the Council	unless otherwise indicated, Ashford Borough Council
ESCO	Energy Supply Company
DPD	Development Plan Document
GADF	the Greater Ashford Development Framework
HA	Highways Agency
LDF	Local Development Framework
LDS	Local Development Scheme
LPA	Local Planning Authority
PGS	Planning Gain Supplement
PPG	Planning Policy Guidance Note – ie national advice
PPS	Planning Policy Statement – another form of national advice
RPG	Regional Planning Guidance
RSS	Regional Spatial Strategy – currently here Regional Planning Guidance for the South East (RPG9), but being replaced by the South East Plan
S106	Section 106 of the Town and Country Planning Act 1990
SEEDA	South East England Development Agency
SEERA	South East England Regional Assembly
SP	The Kent and Medway Structure Plan
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance
SMARTLINK	see BRT above
SUDS	Sustainable Drainage Systems
the 2004 Regulations	the Town and Country Planning (Local Development) (England) Regulations 2004