

HEARING STATEMENT

ISSUE 15 – TRANSPORT

12 JUNE 2018 (PM Session)

ASHFORD BOROUGH LOCAL PLAN  
EXAMINATION

EXAMINATION HEARING SESSIONS

Prepared By Barton Willmore  
On Behalf of  
Persimmon Homes &  
Taylor Wimpey (Representor ID 793)

April 2018

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## CONTENTS

PAGE NO.

**Issue 15: Are the topic policies for transport justified, deliverable and consistent with national policy? Will they be effective?**

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**Issue 15: Are the topic policies for transport justified, deliverable and consistent with national policy? Will they be effective?**

*i) Do policies TRA2-TR7 provide an effective basis to promote opportunities for sustainable transport modes and is the approach sufficiently aligned to the growth strategy?*

1.1 No comment.

*ii) Are the multi-storey car parks (MSCP) referred to in Policy TRA2 those identified in the Ashford Town Centre Area Action Plan? Is the policy justified and positively prepared in terms of meeting identified needs for additional MSCPs and would it be effective in delivering the need?*

1.2 No comment.

*iii) The WMS of 25 March 2015 introduced additional text to be read alongside paragraph 39 of the NPPF. In light of this, what is the clear and compelling justification necessary to include parking standards to manage the local road network? Are the individual standards in policies TRA3a, TRA3b and TRA9 justified? As the standards are expressed as minima, how would proposals which sought to provide higher levels of parking be assessed?*

1.3 There is no known justification for the standards and for reasons unknown, the unallocated parking requirement for residential development sits outside of Policy TRA3a and is contained in the supporting Residential Parking SPD (GBD18), as explained at para 5.260 of the Plan. This approach is not explained or referenced in the Policy. The parking requirement is therefore not transparent, and it is assumed the visitor provision could be altered/increased more readily through the SPD. The Policy should be amended to include the unallocated parking requirement to make it Effective.

*iv) Is it the intention that exceptions to parking standards would only be allowed where required by the Council? Is this approach justified? Would applicants be permitted to make a case for a departure from the standards if the same circumstances applied? If so, should the policy be expressed differently? Should Policy TRA3b also refer to 'minimum' standards for consistency?*

1.4 No comment.

v) *Is Policy TRA4 consistent with paragraph 154 of the Framework in that the provision of bus services is not a Council function? How would it be used to react to a development proposal? Is it clear in what circumstances planning obligations would be required and is the approach consistent with legal and national policy requirements?*

1.5 The approach set out in the policy appears reactive rather than proactive, and it is not clear in what circumstances planning obligations would be required. Should it have been necessary for the Borough and County Council to identify improvements to the bus network, this should have been identified and contained in the Infrastructure Delivery Plan (SD10).

1.6 The drafting of the policy assumes that it would be applied to all developments and fails to reflect the legal tests (CIL reg 122) that any contributions sought should be necessary, directly related and fairly and reasonably related in scale and kind. This approach is contrary to legal requirements. Furthermore, the requirement to contribute to bus infrastructure provision should be identified through the TA and Travel Plans, as required by Policy TRA8. TRA 4 should therefore be removed.

vi) *Is Policy TRA7 consistent with paragraph 32 of the NPPF, particularly in relation to the consideration of impact and mitigation? If the intention is that the effect of development is to be assessed through Transport Assessment or Statements, then would Policy TRA7 be more effective if the provisions and potential outcomes of Policy TRA8 were made clear?*

1.7 The NPPF (para 32) clearly allows for the potential for highway improvements to be delivered to mitigate a developments impact. Policy TRA7 as currently worded is unclear as to whether the potential for a development to mitigate its impact will be considered when assessing the acceptability of a scheme. The policy should be amended to allow for improvements to the highway network to be taken into account in line with the NPPF (para 32).

1.8 Additionally, the threshold at which development is acceptable has been significantly lowered from that in the NPPF (para 32) which clearly states, '*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*' Reference in the policy to '*significant traffic delays*' as an alternative test that should be removed and replaced with the NPPF wording so the policy accords with National Guidance.