



Schedule of changes to the Submission Local Plan 2030 (March 2018)

The table below contains proposed changes to the Local Plan 2030 Submission version following ABC responses to issues and questions raised by the Inspectors. Full details of reasons for changes can be found within ABC hearing statements and/or Statement of common ground agreements with other parties.

The schedule contains two categories of changes. **Proposed changes** are those which the Council are requesting the Inspectors make to the Submission version of the Plan, to address soundness issues or that have been agreed with other parties within Statement of Common Ground/s. **Optional Changes** are those which the Council are providing as suggestions to resolve issues/questions raised by the Inspectors. It is not the Council's position that they are required, but the Council raises no objection if the Inspectors wished to make them for clarification purposes. This document may be added to throughout the Examination process.

Explanation of the change is provided in italics. Draft changes to text are also expressed either in the conventional form of ~~strike through~~ for deletions and underlining for additions of text. The page numbers, paragraph numbering and Policy references refer to the Submission version the Local Plan 2030 and the changes are in plan order.

| NO | LOCAL PLAN SECTION/PARA | PROPOSED OR OPTIONAL | HEARING STATEMENT / SOCG REF | MINOR CHANGE DETAIL |
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| 1 | Table 1 & Policy SP2 | Optional | ABC Response to Issue 4 – Paragraph 46 | <i>The Local Plan does not set out an annual housing figure that is required to meet the housing requirement over the plan period. However, Table 1 of the Local Plan on page 18 clearly sets out that the plan's overall OAN is 15,675 dwellings which equates to 825 dwellings per year over the plan period (2011-2030). Should it be deemed necessary in terms of providing clarification for this figure to be incorporated into policy then the Council would have no objection.</i> |
| 2 | Policy SP4 | Optional | ABC Response to Issue 8 – Question v) | <i>The Council do not believe that it is necessary, in terms of the soundness of the Plan, to include retail targets or requirements in Policy SP4. Such targets are already clearly established in Table 2 and Table 3 of the Local Plan. However, should it be deemed useful to elevate these targets into policy, then the Council would have no objection.</i> |
| 3 | Policy SP5 | Proposed | ABC Response to Issue 9 – Question iv) Para 26 | <i>The Council agrees that criterion b) of policy SP5 would benefit from a cross-reference to Policy EMP7 to aid clarity.</i> |
| 4 | 4.17.1 (Policy S2) | Proposed | SO CG Kent Downs AONB Unit | 4.17.1 The Kent Downs AONB lies approximately 1km to the north of the site. In order to minimise any impact on views from the AONB a Landscape and Visual Impact Assessment should be carried out to inform details of structural and internal landscaping and building heights within the proposed development. <u>Such structural landscaping should take the form of linear tree belts and individual street trees to help filter views from the AONB. In this regard the use of non-reflective and sensitively coloured materials and appropriate positioning of solar panels will also be supported.</u> |
| 5 | S2 | Proposed | SO CG Kent Downs AONB Unit | e) <u>Structural planting, including linear tree belts running through the length of the development, together with the use of individual street trees, shall be incorporated in the development with this structural planting to be provided as part of the first phase of development.</u> The existing trees and hedgerows along the boundaries to Willesborough Road, the railway line and the northern countryside shall be retained and enhanced, except to provide suitable access; j) <u>Be designed to limit its impact upon views from the Kent Downs AONB, informed by a landscape and visual impact assessment to determine appropriate structural and internal landscaping and building heights and materials.</u> |
| 6 | 4.216 (Policy S19) | Proposed | SO CG Kent Downs AONB Unit | 4.216 The woodland area in the northern section of the site will need to be cleared, and options should be explored to retain the. <u>A belt of mature trees along the north-western edge should be retained</u> to provide for natural screening and a buffer between the development and the railway line. If this buffer cannot be provided, other screening options should be explored and provided. |

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| 7 | S19 | Proposed | SOCG Kent Downs AONB Unit | e) Provide a substantial landscaped screening, <u>incorporating the retention of a belt of mature trees</u>, between the development and the railway line; |
| 8 | S28 | proposed | SOCG Kent Downs AONB Unit | <p>a) Be designed and laid out in such a way as to protect the character and setting of the <u>Kent Downs AONB and surrounding countryside</u>. Particular attention needs to be given to the topography of the site, <u>impact upon the adjoining AONB</u> and advice in the Charing Parish Design Statement. <u>The development should be comprised of a mix of dwelling types a maximum of two storeys in height</u>;</p> <p>d) Retain and enhance the hedge and tree boundaries around and within the site, particularly where there is adjoining countryside, <u>and provide additional structural planting along the western boundary</u>;</p> |
| 9 | S34 | Proposed | SOCG Natural England | f) Ensure that any indirect impact on the Hothfield Common SSSI is suitably mitigated, including provision of on-site recreation space. Mitigation measures must reflect BOA guidelines and be addressed in consultation with <u>Natural England and Kent Wildlife Trust</u>; |
| 10 | S48 | Proposed | SOCG Natural England | g) Ensure that any indirect impact on the Hothfield Common SSSI is suitably mitigated, including provision of on-site recreation space. Mitigation measures must reflect BOA guidelines and be addressed in consultation with <u>Natural England and Kent Wildlife Trust</u>; |
| 11 | 4.451 (Policy S49) | Proposed | SOCG Kent Downs AONB Unit | 4.451 The site is located off the A20 at Tutt Hill. The site is bounded by the A20 to the west <u>and</u> the M20 to the north, and The High Speed 1 railway line forms the north eastern boundary of the site. <u>The Kent Downs AONB is located adjacent to the site, to the north of the railway line.</u> |
| 12 | S49 | Proposed | SOCG Kent Downs AONB Unit SOCG Natural England | <p>a) Be designed and laid out to take account of the residential amenity of neighbouring occupiers <u>and the impact on the adjacent Kent Downs AONB</u>. Particular attention needs to be given to the topography of the site. The development should be no more than 2-3 storeys in height;</p> <p>g) Ensure that any indirect impact on the Hothfield Common SSSI is suitably mitigated, including provision of on-site recreation space. Mitigation measures must reflect BOA guidelines and be addressed in consultation with <u>Natural England and Kent Wildlife Trust</u>;</p> |
| 13 | 4.481 (Policy S53) | Proposed | SOCG Kent Downs AONB Unit | Adjacent to the west of the site is a detached listed building. Particular care should be taken to preserve the setting of the adjacent listed building and to respect the openness of this edge of village site. <u>The scale and density of any development on this site must reflect its surroundings. In this regard, proposals should incorporate development fronting onto the road, while to the rear development could take the form of a farmstead in layout and design.</u> |
| 14 | S53 | Proposed | SOCG Kent Downs AONB Unit SOCG Natural England | a) Be designed and laid out in such a way as to conserve and enhance the <u>character and appearance of the Area of Outstanding Natural Beauty</u>. <u>Proposals</u> should pay particular attention to landscaping of the edges of the site as well as internally;¹ |
| 15 | S55 | Proposed | SOCG Kent Downs AONB Unit | <p>a) Create an appropriate <u>soft landscaped tree belt along the western edge to the development and along the northern boundary to the rear of The Swan Hotel</u>;</p> <p>b) Retain and enhance the current <u>mature hedgerows that run through the centre of the site</u> and the tree boundaries between the site and the Poppyfields development;</p> |

¹ This proposed change is an amalgamation of the wordings for Policy S53 agreed in the SsOCG with the Kent Downs AONB and NE

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| 16 | 4.502 (Policy S56) | Proposed | SOCG Kent Downs AONB Unit | 4.502 [...] Enhancements to the pedestrian access around the area through the creation <u>of</u> traffic management measures along Branch Road should also be explored in consultation with Kent Highways <u>and Transportation</u> . |
| 17 | S56 | Proposed | SOCG Kent Downs AONB Unit | <p>a) Be designed and laid out in such a way as to protect and conserve the character and setting of the village Conservation Area <u>and listed buildings</u>, the residential amenity of neighbouring dwellings, particularly listed buildings, whilst also taking into account the guidance in the Chilham Village Design Statement and <u>be a maximum of two storeys in height</u>;</p> <p>c) Include the provision footpaths and/or of traffic management measures in Branch Road <u>appropriate to its location within the Kent Downs AONB and the Chilham Conservation Area</u> in accordance with the recommendations of Kent Highways <u>and Transportation</u>.</p> |
| 18 | S57 | Proposed | SOCG Natural England | <u>l) Ensure that any indirect impact on the Dungeness, Romney Marsh and Rye Bay and the Hamstreet Woods SSSIs is suitably mitigated. Mitigation measures must reflect BOA guidelines and be addressed in consultation with Natural England and Kent Wildlife Trust;</u> |
| 19 | Policy HOU3a Page 231 | Proposed | ABC response to Issue 10 Questions iv) and xi) | <p><i>Amend criterion h) of Policy HOU3a as follows:</i></p> <p>h) It would not displace an active use such as an employment, leisure or community facility, <u>unless meeting the requirements of either policy EMP2 or COM1.</u></p> <p><i>Add sentence to end of Policy as follows:</i> <u>Policy HOU10 will also be applied to relevant garden land applications.</u></p> |
| 20 | Para 5.67 page 233 | Proposed | Admin correction | <p><i>Amend reference to policy as follows:</i></p> <p>Proposals for exceptional dwellings under criteria (iv) <u>the second part</u> of Policy HOU5.....</p> |
| 21 | Policy HOU5 Page 233 | Proposed | ABC response to Issue 10 Questions v) and xi) | <p><i>Amend criterion f) vi) of Policy HOU5 as follows:</i></p> <p>It would enhance <u>conserve</u> biodiversity interests on the site and /or adjoining area and not adversely effect the integrity of international and national protected sites in line with Policy ENV1.</p> <p><i>Add sentence to end of Policy as follows:</i> <u>Policy HOU10 will also be applied to relevant garden land applications.</u></p> |
| 22 | Policy HOU7 Page 237 | Proposed | ABC Response to Issue 10 Question viii) | <p><i>Amend final paragraph of Policy HOU7 as follows:</i></p> <p>Where planning approval is given, planning obligations will: <u>conditions may be applied to:</u></p> <p><u>Remove ‘permitted development’ rights where a replacement dwelling has increased the floorspace of the existing dwelling <u>and where a further increase in floorspace/scale may make the development unacceptable with regards to criterion b, c and e above,</u> and</u></p> <p><u>Ensure that the existing dwelling is removed within 3 months of the occupation of the replacement dwelling (where an alternative location is proposed), <u>to prevent isolated development in the countryside which does not meet the requirements of Policy HOU5.</u></u></p> |
| 23 | Policies HOU7, HOU8, HOU9 and HOU10 | Optional | ABC Response to Issue 10 Question vii) | <i>The Council does not consider this language inconsistency to be a matter of soundness, but if for clarity the Inspectors consider that the wording should be standardised with regards to built form, street scene, character, landscape, scale & massing, materials and effects on neighbouring uses/residential amenity, in these four policies then the Council would raise no objection to these minor amendments being made.</i> |

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| 24 | Policy HOU8 Page 238 | Optional | ABC Response to Issue 10 Question ix) | <p><i>Amend Criterion c) as follows:</i></p> <p><u>c) the proposed extension is suitable in size, scale and built form to the existing dwelling to which it should be physically linked, also taking into account the existing standard of accommodation for extensions to smaller rural properties; and</u></p> |
| 25 | Policy HOU9 Page 239 | Optional | ABC Response to Issue 10 Question x) | <p><u>Proposals for detached annexe accommodation to residential property will be permitted where evidence is provided of the need, and:</u></p> |
| 26 | Policy HOU10 Page 240 | Proposed | ABC Response to Issue 10 Question xi) | <p>Development proposals involving the complete or partial redevelopment of residential garden land will be permitted provided the proposed development complies with:</p> <p>a) the Council's external space standards as set out in Policy HOU15;</p> <p>b) <u>Policies HOU3a or HOU5 (as relevant);</u></p> <p>c) does not result in significant harm to the character of the area including a) The surrounding grain and built pattern of development including the prevailing building density, line, frontage width, building orientation, distance from the road, existing plot sizes and visual separation between dwellings; and</p> <p>a. b) The surrounding built form comprising the scale, massing, height, design and materials of construction of the buildings;</p> <p>b. c) The wider landscape and/or the countryside setting;</p> <p>c. d) <u>does not result in significant harm to wildlife corridors and biodiversity habitats. ; and</u></p> <p>d. e) The amenity of adjoining residents.</p> |
| 27 | 5.121 (Policy HOU16) | Proposed | SOCG Natural England | <p>5.121 A specific, clearly worded windfall policy enables the Council to deal with planning applications for traveller sites on a site by site basis and would allow suitable sites to continue to be permitted provided they meet criteria set out in the policy. To this end, suitable sites, which are well-related to existing and proposed services and facilities and which would not adversely impact on a protected landscape, including <u>internationally protected sites, AONBs or their settings, National Nature Reserves, SSSIs, Ancient Woodland, local wildlife sites and nature reserves or designated area</u>, that may previously not have been identified have the opportunity to come forward in the plan period. <u>In addition, development should not adversely impact on the key characteristics of Landscape Character Areas.</u></p> |
| 28 | Policy HOU18 | Optional | ABC Response to Issue 10 – xv) – para 141 | <p><i>The policy as written reflects the Council's preferred wording, and it is expected that the majority of residential development will be able to demonstrate policy compliance as its primary aim. However, the Council could be content with wording that makes reference to viability and the qualified exemptions relating to flatted accommodation within the policy text if appropriately articulated.</i></p> |
| 29 | 5.341.3 (Policy ENV8) | Proposed | SOCG Environment Agency | <p>5.341.3 With regard to the sewerage system (network of sewers and associated facilities that convey wastewater to the treatment works for treatment), developers will be required to work in collaboration with the service provider to ensure that the infrastructure is delivered in parallel with the development. New residential and commercial development will be permitted only if sufficient capacity is either available, or can be provided in time to serve it. Where there is insufficient capacity in the sewerage network developments will be required to provide a connection to the sewerage system at the nearest point of adequate capacity. <u>In circumstances where there is no mains connection within reasonable distance to connect to, alternative proposals should be considered.</u></p> |
| 30 | 5.342 (Policy ENV8) | Proposed | SOCG Environment Agency | <p>5.342 The majority of Ashford's water supply comes from large underground chalk and greensand aquifers that need regular replenishment over sustained periods. These aquifers are currently over abstracted and over licensed and there is a presumption against further consumptive abstraction. As well as being important sources of drinking water, groundwater provides rivers with their based-flow which if not maintained can be detrimental to water quality. <u>For development proposals in Groundwater Protection Zones (Source Protection Zones and/or Groundwater Vulnerability Zones), it will be necessary to investigate and risk assess the potential for any adverse effects on groundwater supplies in consultation with the Environment Agency.</u> DEFRA are proposing [...]</p> |
| 31 | 5.343 (Policy ENV8) | Proposed | SOCG Environment Agency | <p>5.343 The Water Framework Directive (WFD) is the legal framework established to protect and restore clean water throughout Europe. <u>For sites adjacent to main rivers in the borough, development must respect the river corridor, through the provision of, for example, a suitable buffer zone from the top of the river banks.</u> A key target of the WFD is to achieve 'good' status by 2021 or 2027. Aylesford Stream on the East Stour was previously the only waterbody within East Kent achieving 'Good' WFD status but the latest cycle (2) shows that that it is no longer meeting WFD objectives. Whilst pollution from wastewater has a significant impact on water quality</p> |

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| | | | | other impacts such as road runoff, rural discharge from farming practices and low rainfall combined with widespread water abstraction and physical modifications also contributed to poor water quality. | | | | | |
| 32 | ENV8 | Proposed | SOCG Environment Agency | <p><i>Amend second paragraph of ENV8</i> All development proposals must provide a connection to the sewerage system at the nearest point of adequate capacity, where feasible, as advised by the service provider, and ensure future access to the existing sewerage systems for maintenance and upsizing purposes.</p> <p><i>Add final paragraph to ENV8</i> <u>Where a site overlies a Groundwater Protection Zone an appropriate site investigation and risk assessment may be required to be undertaken in consultation with the Environment Agency prior to any grant of planning permission.</u></p> | | | | | |
| 33 | 5.389 (Policy ENV12) | Proposed | SOCG Natural England | 5.389 The National Planning Policy Framework (NPPF) states that the planning system should contribute to and enhance the natural and local environment. It should prevent both new and existing development from contributing to or being put at unacceptable risk of pollution, including air pollution. Consideration must be given to the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual development proposals sites in <u>on protected and important habitats and</u> local areas. | | | | | |
| 34 | Appendix 6 Monitoring indicators | Proposed | SOCG Kent Downs AONB Unit and SOCG Natural England | <p><i>Add to Appendix 6 Natural and Built Environment Indicators</i></p> <table border="1"> <tr> <td><u>AONBs</u></td> <td><u>ENV3b Landscape Character and Design in the AONBs</u></td> <td><u>% of major planning applications in the AONBs approved contrary to Policy ENV3b</u></td> <td><u>0%</u></td> <td><u>ABC, AONB Units</u></td> </tr> </table> | <u>AONBs</u> | <u>ENV3b Landscape Character and Design in the AONBs</u> | <u>% of major planning applications in the AONBs approved contrary to Policy ENV3b</u> | <u>0%</u> | <u>ABC, AONB Units</u> |
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