

Planning & Development

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ASHFORD
BOROUGH COUNCIL

Mr Derek Stebbing B.A. (Hons), Dip.
E.P., MRTPI Examiner for Pluckley
Neighbourhood Plan

By Email

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5th December 2023

Dear Mr Stebbing,

PLUCKLEY NEIGHBOURHOOD PLAN EXAMINATION – CLARIFICATION QUESTIONS RESPONSE FROM ASHFORD BOROUGH COUNCIL

Following receipt of your letter dated 15 November 2023, please see below the council's response to the questions raised by the Examiner.

Question 4: Re: Thorne Estate Garages Site (Map 6) (Page 29)

*Can the **Borough Council** please provide me with a note setting out the latest position regarding its proposals for residential development at the Thorne Estate Garages site, as shown on Map 6, and referenced in the preceding text, and specifically whether any amendments to that text are necessary.*

ABC Response

1. Ashford Borough Council submitted a planning application (reference: PA/2023/0424) on the land at Thorne Estate Garages, Thorne Estate, Pluckley, in March 2023.
2. The proposal is for a small residential development comprising of three affordable dwellings together with associated vehicular and pedestrian access, parking, landscaping, and boundary treatments, including the demolition of some existing garages.
3. The planning application was considered at the Council's Planning Committee on Wednesday 8 November 2023. In this meeting, it was agreed to 'resolve to grant' the planning application subject to the undertaking of an Appropriate Assessment in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) to ensure that the proposal would not have an adverse effect on the integrity of the Stodmarsh Lakes SAC, SPA and Ramsar site.

4. Whilst, the site does not fall within the River Stour catchment, it would connect to the existing mains sewerage network, which treats wastewater at Ashford Wastewater Treatment Works. The Ashford Wastewater Treatment Works is located within the Stour catchment and therefore there is a potential for the nitrogen and phosphorus in wastewater generated from the development to reach the internationally designated Stodmarsh Lakes.
5. In accordance with advice issued by Natural England in July 2020 (and subsequently updated in March 2022) overnight accommodation which is located within the Stour catchment, or which discharges to a Wastewater Treatment Works in the catchment, is required to demonstrate that it would not have an adverse effect on the Stodmarsh Lakes. This is demonstrated by achieving nutrient neutrality.
6. As this development provides overnight accommodation and the wastewater from the development will be treated at a Wastewater Treatment Works located inside the catchment, the development will need to provide mitigation to achieve nutrient neutrality. Once suitable mitigation has been identified, the Council [in its role as competent authority] will need to undertake an Appropriate Assessment prior to granting planning permission for the development.
7. Given the site constraints, it is unlikely that the development will be unable to achieve nutrient neutrality onsite and the development is therefore reliant on strategic nutrient mitigation to mitigate the harm generated.
8. Since Natural England issued its advice, the Council has been working to progress its own borough mitigation strategy in the form of a wetland as a means of providing mitigation for housing proposals currently caught by the need to be nutrient neutral and which are unable to deliver their own mitigation solutions. However, Government recently elevated this issue to the national agenda and in October 2023, the work on the borough mitigation strategy was paused with immediate effect following indications from government that it was prepared to act to address the matter at the national level.
9. Whilst the Council await the measures the Government intends to bring forward to deal with this issue, the Council remains focused on identifying available and deliverable forms of nutrient mitigation that can enable a limited amount of new housing to be progressed. This could include implementing appropriate changes in the use of small amounts of land within its ownership and improvements to the water efficiency of its existing housing stock in the catchment.
10. A number of these improvements have been planned for some time but accelerating this process will mean that these water efficiency benefits can then be utilised for targeted new Council housing schemes such as the Thorne Estate Garages site, enabling them to progress and be built; although there are no definitive timescales for the implementation of the mitigation at this stage.
11. Once nutrient mitigation is available and can be secured for the Pluckley Thorne Estate Garages Site, the Council [as competent authority] will undertake an

Appropriate Assessment. Should the development pass the Appropriate Assessment, the planning permission can be issued.

12. In light of the above, the Council proposes the following amendments to the preceding text to Map 6 Thorne Garages Site on page 29 of the Pluckley Neighbourhood Plan Review:

The consultation and identified need showed a requirement for three further homes, affordable to young families. The best scoring site in the Site Appraisal, land at Thorne gGarages, meets this need. ~~In the event, Ashford Borough Council are already bringing forward~~ have submitted an application (PA/2023/0424) to deliver these homes. They will, therefore, which has a 'resolution to grant', subject to the appropriate nutrient neutrality mitigation being identified. Given the progress of the planning application, the Neighbourhood Plan does not seek to allocate this site, instead the site will be considered as 'windfall' housing and assessed under the current relevant planning policies.

No further housing sites are ~~required or~~ allocated in this Review.

~~Given that the sites previously allocated have been delivered or are being delivered. Housing Policy 1 from the 2016 Pluckley Neighbourhood Plan is no longer needed.~~

We hope these responses are helpful. If the Examiner or Qualifying body require any clarification or further assistance, the borough council would be pleased to help.

Kind regards,

Timothy Bailey

Deputy Team Leader – Plan Making and Infrastructure
Spatial Planning Team