

INDEPENDENT EXAMINATION OF THE CHARING NEIGHBOURHOOD PLAN 2011-2030

RESPONSE TO EXAMINER'S QUESTIONS LISTED IN HIS DOCUMENT DATED 6TH OCTOBER 2022

INTRODUCTION

The plan has taken considerably longer than was originally envisaged mainly due to the complexity of issues in the parish: not least of all the high level of housing growth; the Stodmarsh issues and COVID. Further, the plan has attempted to neutralise the negative effect of a 50-60% population growth by ensuring the establishment of additional infrastructure, facilities and amenities. We have engaged with Ashford Borough Council regularly throughout the plan preparation period.

QUESTION 2 POLICIES C6 AND C7

Charing GP surgery serves a wide catchment area including other areas with additional development scheduled. It is not therefore just funding from S106 contributions within the parish that will support expansion. The number of patients is already not far from the limits of the building's capacity. The intention of the policy was therefore to indicate general support for proposals to expand it or to enable the practice to expand in other ways. To make this clearer, and to provide a link to Policy C2, the first sentence of the policy could therefore be amended and an additional sentence added. A revised policy is shown below.

Policy C6: Health and health care

Development proposals that expand the Charing Surgery and Practice to meet patient needs will normally be supported. Qualifying developments within the parish should provide S106 contributions for this purpose in line with policy C2.

The aim of policy C7 was to help ensure that developments provide contributions for educational needs including secondary schools which are all outside the parish. To make this clearer and to provide a link to policy C2, C7 the policy has been amended as follows:

Policy C7: Education

Where justified, development proposals will be required to provide for necessary education infrastructure and facilities in line with Kent County Council plans and policy C2.

QUESTION 3 POLICY T1

The policy has been amended by deleting two points which were not necessary for land-use planning (b and e). The revised policy is shown below. Text amendments will also be made resulting from KCC response, namely: the correct name for KCC highways and the correct designation for Station Road. Figures for traffic growth along Station and Pluckley road on page 31 will also be corrected and updated – the correct figure for growth in traffic between 2012 and 2021 is 50% while Kent as a whole saw growth of 9% between 2012 and 2019. The revised policy is shown below.

Policy T1: Traffic congestion and speed

- a. Development proposals that accord with the policies in the Plan, and result in improvements to the free flow of traffic, will be supported.
- b. Major developments will be supported in principle, subject to an acceptable impact upon the road network, which should include appropriate highway mitigation measures where necessary, and must not adversely affect pedestrian safety.
- c. Where justified, developments may be required to contribute to related road safety improvements.

QUESTION 4 POLICY EC1

- The site S28, as outlined on the map in the Local Plan, includes two businesses owned by Charing Motors. One, on the North-west corner of the site, next to the house Bylands and set back from the A20, is the motor vehicle repair shop (see plan below). It is, we believe, an anomaly that this was included in the site

S28 map since we understand that the owners never had any intention of including this in the land offered for redevelopment; it is a thriving and highly respected business. Indeed, the building was only constructed in 2015/16 to enable the business to move from a site elsewhere in Charing. Further, the explanatory text (para 4.43) in the Local Plan says “The area of the site appropriate for built development (**excluding the current garage/workshop area**) [our emphasis] is around 0.8 hectares and therefore is considered suitable for around 20 dwellings” thus suggesting that the repair shop was never intended to be included in the residential development.



East of this and closer to the A20 is the petrol station, forecourt and shop with a flat above, also indicated on the plan. (This was formerly known as Northdowns Service Station until acquired by the current owners and is still referred to under this name in some Borough Council documents.) The Local Plan text (Paragraph 4.42) says: “The current employment use of the service station, and associated retail development, should be retained on as much of the existing area as possible.”

We assert, therefore, that, notwithstanding their inclusion in the S28 map in the Local Plan, the intention was always to maintain the current business use of the repair shop and, if possible, the ground floor of the service station.

The service station currently has full planning permission for redevelopment as three small retail/commercial units with three flats above. However, the current owners, after taking soundings from potential buyers, recently made a new application for a single one-storey retail unit (PA/2022/2358). The remainder of the site has outline planning permission for an indicative 17 units. A reserved matters application (22/00616/AS), which is currently under consideration, increases the number of dwellings to 20 (see plan above) to compensate for the potential loss of the three flats in the extant permission for the service station. The site will therefore still deliver the 20 residential units indicated in the Local Plan.

We therefore submit that it is not inconsistent with the Local Plan to identify both Charing Motor sites as business sites, while accepting that the future of the service station site is not yet entirely settled. This said, we accept the comment from the Borough Council that our wording in this and in policy EC3 was too prescriptive in that it did not allow for cases where any business use proved not to be viable. We think therefore that the solution is to include both Charing Motor sites in policy EC3 with an appropriate change of wording referring to Local Plan policy EMP2 and adding an additional caveat concerning the service station due to the fact that its new status is not yet settled. We also change the site “roundabout to Charing Motors” to “roundabout to former Swan restaurant” to facilitate this.

We are also proposing other small changes to EC1 to remove any inconsistency with EC2 and, as suggested by the examiner, are combining EC1 and EC2: A revised policy EC1 is shown below.

Policy EC1: Locations allocated for new business units

The following sites (as shown in Figure 7) are allocated for the development of new business premises (see Table 6 for business class).

PROVISION OF COMMERCIAL BUSINESS UNITS

a. At least 0.3 hectare of Parsons Mead.

PROVISION OF INDUSTRIAL ACTIVITY

b. Hatch Engineering.

Development proposals will be expected to demonstrate the suitability of design and use whilst ensuring appropriate servicing and access arrangements, which should include connections to footpaths and cycleways. All schemes should ensure a minimal effect upon the surroundings. Development may include residential units as part of the scheme if appropriate. Mixed use buildings, comprising commercial and residential use, will be supported on the rest of Parsons Mead, S28, S29, S55 and any new housing development provided the commercial use is appropriate for a primarily residential environment.

Policy EC3 then becomes EC2 and is altered as follows:

Policy EC2: Protection of existing commercial/industrial zones

The following sites should be maintained for employment use. The loss of their employment use will not be permitted unless they meet one of the criteria in Policy EMP2 of the Local Plan arises.

a. Land owned by Cappagh (adjacent to the A20 in Charing village).

b. The land fronting the A20 from the roundabout up to and including the former Swan restaurant site.

c. Threeways Garage site (at the top of Charing Hill).

d. The Fixings Warehouse site (at the top of Charing Hill).

e. The Abattoir site.

f. RW Crawford Agricultural Machinery.

g. The WOW Factory.

h. The Charing Motors repair shop

i. The Charing Motors service station site will be added to this list assuming current efforts to redevelop the site result in an employment, or part employment, use.

Combined commercial and residential use, where this does not already exist, may be permitted if adding residential facilities is appropriate and limited in scope.

Appropriate changes will be made to the supporting text and figures.

QUESTION 5 POLICIES E3 AND E4

The policies have been amended by merging into one policy E3 and cross referenced to Figures 10 to 12. The revised policy is shown below.

Policy E3: Local Green Spaces

a Designation of local green spaces in the parish

The following are designated Local Green Spaces and are shown in Figures 10 to 12:

- Picnic area A20 (next to school field)
- Piquets Meadow A20 (east of school field) (which includes a playground)
- Clewards Meadow (off Market Place)
- Sundial Garden (off Market Place)
- Charing Cemetery (School Road)
- Arthur Baker playing fields
- Alderbed Meadow
- Sayer Road (managed by Ashford Borough Council)
- Westwell Leacon recreation ground
- Charing Heath recreation ground

b Local green space development

Proposals for development in such locations will only be allowed in very special circumstances, and, where such development takes place, the following must apply:

The loss of green space resulting from the proposed development must be replaced by equivalent or better provision in a suitable location; *or* The development proposed is for alternative sport and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

QUESTION 6 POLICY H1

While this is the most important policy in the plan as it provides enhanced and new facilities, amenities and infrastructure for a village where the population is expected to grow by around 60% so avoiding a welfare deficit, it has been thinned down in

size. The full justification behind the new facilities stipulated in this policy is spelt out in detail in Section 13. We have advised Ashford Borough Council that we have developed a business plan for the new community facility and car park including five-year financial forecasts. That document is planned for submission at the planning stage.

The KCC requirement to protect public footpath AW349 has been added to the policy.

We have had many meetings with Ashford Borough Council on the words for this policy which has been fraught with difficulties to put it in shape to ensure it meets all required outcomes. Funding for the proposed new community centre is critical to its viability which hinges on the number of affordable homes planners will want on the site. The preference, to secure the new facilities is for no affordable homes as that would lead to the maximum contribution from the developer which would secure the financial viability of this plans 'Flagship Programme', however we have not been able to secure that exemption. For every affordable home built the developer contribution will decline to a point where the project is no longer financially viable and this policy will fail and parishioners will lose much needed new facilities. We are not sure that this thinned down policy will achieve what we need. If ABC and the Examiner believe it will work, then fine, but if not, we would be happy to meet with Mr Stebbing and Ashford Borough Council to finalise a policy that will meet our objectives. The revised policy is shown below.

Policy H1: Land at Parsons Mead

A key objective of the Neighbourhood Plan is to provide a new community facility at Parsons Mead. The primary uses for the facility shall include community use, commercial use, uses promoting health and wellbeing and events space for a wide range of social, educational and recreational activities. Alternative compatible uses may also be appropriate.

In order to facilitate the delivery of the key objective, 'enabling' residential development on the Parsons Mead site allocation will be acceptable (indicative capacity of 48 dwellings). The new community facility shall be served by appropriate levels of car parking with sufficient space to serve the needs of the facility and provide public car parking for the wider community.

Development on the Parsons Mead site shall:

- a Comprise a new community facility and car park (see Section 13 for full details)
- b Comprise an indicative capacity of 48 new dwellings
- c Require a full Viability Assessment, in particular if any deviation from the provision of affordable housing is requested in order to facilitate the building of the community facility
- d Be designed and laid out in such a way as to preserve or enhance the character and appearance of the Conservation Area and its setting in accordance with Policy ENV14
- e Be consistent with the conditions of Policy HOU1 of the Ashford Local Plan 2030
- f Where possible, retain and enhance the current landscape on the site
- g Protect the residential amenity of neighbouring dwellings
- h Provide adequate residential car parking in accordance with Policy TRA3(a) of the Ashford Local Plan 2030 and a minimum of two fast charging points
- i Provide safe vehicular and pedestrian access
- j Public footpath AW349 is protected

QUESTION 7 FIGURE 21

The revised map has been secured from Parish On-Line and revised Figure 21 is shown below. ABC also provided us with an alternative and we are content with either.



QUESTION 8 Policies H4, H7, H8, H9, H10, H11 and H12

Policy H4 Land at rear of Red Lion, Charting Heath. The policy is amended to take on board ABC comments on 'indicative capacity', the deletion of point (iii) and amended form for point (iv). The revised policy is shown below.

Policy H4: Land rear of Red Lion, Charing Heath

The construction of an indicative capacity of 9 houses on the land behind the Red Lion Pub and to the North of Charing Heath Road will be supported provided:

- i) The houses include at least two bungalows, and a further bungalow or house with both living rooms and a bedroom and bathroom on the ground floor.
- ii) Remaining houses are small in scale with either two or three bedrooms only.
- iii) The development shall provide a pedestrian and cycle route that connects the site to the proposed Charing/Charing Heath Greenway via Windhill Lane.
- iv) Other relevant provisions of this Plan, and, in particular, policy C2g, are adhered to.

Policy H7 Rest of Site S55 (S55/2)

It is considered that Figure 19 clearly defines the three distinct parcels of land at S55 (C the Charing Motors site; D Land south of the Swan and E The Rest of S55) and an additional plan would create duplication. Reference to Figure 19 area is now made in the policy. Points d and e have been withdrawn as ABC state they are covered in existing Local Plan policies. The policy has been revised to accept the wording offered by ABC concerning allotments. We do not entirely agree with ABCs suggestion that original point g should be withdrawn as it is fundamentally important that there are excellent walking and cycling routes to the proposed new community centre, although we added reference to Local Plan policies. The revised policy is shown below.

Policy H7: Rest of site S55 (S55/2) [See Figure 19 area E]

Development on the site will be supported if it:

- a. meets the requirements of policy S55 in Ashford's Local Plan;
- b. provides an indicative capacity of 180 dwellings less the number built in "Land south of the Swan";
- c. provides at least 10 bungalows of varying sizes to cater for an ageing population in Charing wishing to downsize but remain in the area;
- d. provides approximately 0.5 hectares of land for allotments provided that the need for allotments has been demonstrated through the submission of robust evidence; and
- e. provides a safe footpath linking to the existing footpath network, and ensures safe and climate friendly connectivity to the proposed new community centre in line with Local Plan policies S55 and TRA5.

Policy H8 Affordable housing

The policy has been amended by removing the policy requirements introduced to attempt to provide certainty to the viability of the new community centre at Parsons Mead by re-writing to be compliant with Local Plan policy HOU1 and the

need to introduce viability evidence. Additionally, 'First Homes' has now been included in the policy. The revised policy is shown below.

Policy H8: Affordable housing

40% of dwellings in developments of 10 or more dwellings, or sites of 0.5 hectares or more, should, wherever possible, be affordable housing, divided as follows (based on an independent study by AECOM but prior to the requirement for first homes, as a result discounted housing includes First Homes):

- 40% social rented.
- 35% shared ownership.
- 15% starter homes.
- 10% discounted market housing

Deviations from this policy should be exceptional, and only occur in cases where they are justified in accordance with Ashford Local Plan policy HOU1. There is a specific policy (H5) dealing with First Homes.

QUESTION 8 Policy H9

The definition is not in the Local Plan but we believe in a document called Housing Procedure Note which could not be found by means of a simple search on ABC's website. We ask the borough council to provide us with the exact words and we will amend the policy accordingly? In the meantime, the policy remains unchanged other than adding the work connection.

The revised policy is shown below.

Policy H9: Local-needs housing

- A minimum of 50% of affordable homes delivered on sites in Charing (planned developments *or* windfall) will initially be made available to

those with a local connection* and whose needs are not met by the open market.

- * A “local connection” is defined as a person who has lived in the parish for 5 of the last 8 years and is currently resident there, or who has lived in the parish for at least 5 years or whose parents or children are currently living in the parish and have at least 10 years continuous residency or those people who need to live in the parish due to work requirements.

QUESTION 8 POLICY H10

The terminology ‘small-scale’ has been withdrawn from the policy. The revised policy is shown below.

Policy H10: Local-needs housing on exception sites

Proposals for the development of local needs/subsidised specialist housing schemes in or around Charing village, where housing would not normally be permitted by other policies, will be supported, provided:

- the need is clear;
- such development would not adversely affect the character of the area and surrounding landscape;
- such development would not have a negative impact on local infrastructure and amenities; *and*
- the scale of development is compatible with the character and density of the surrounding area.

QUESTION 8 Policy H11 No change is made to this policy. The evidence strongly supports smaller size houses.

QUESTION 8 Policy H12 We believe this was a mistake in the ABC response and the policy ABC stated was not in general compliance with its strategic policies should be policy H15

This is a matter of interpretation. Local Plan policy HOU5 does not set a limit, in fact it doesn’t set anything other than state any

'development proposed is proportionate to the size of the settlement'. Village confines have been drawn to protect the environment and character of the village and policy H15 supports that approach. Also, this policy is specific, meets local needs, upholds plan objectives 1, 2, 7, 8, and 12 and we believe it is in general conformity to the local plan.

Dr Hugh Billot

On behalf of the Qualifying Body and the NP Steering Committee.

20th October 2022