

- London
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CHARTERED SURVEYORS

5 Bolton Street

London

London W1J 8BA

Tel: 020 7493 4002

Fax: 020 7312 7548

www.montagu-evans.co.uk

PD8902/WE/JH

email: will.edmonds@montagu-evans.co.uk

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Planning Policy Team
Planning and Development
Ashford Borough Council
Civic Centre
Tannery Lane
Ashford
Kent
TN23 1PL

Via post and email to: planning.policy@ashford.gov.uk

Dear Sir / Madam

**TOWN AND COUNTRY PLANNING REGULATIONS 2012
ASHFORD LOCAL PLAN 2030 REGULATION 19 VERSION CONSULTATION (JUNE 2016) AND
COMMUNITY INFRASTRUCTURE LEVY PRELIMINARY DRAFT CHARGING SCHEDULE
SEVINGTON EAST, LAND TO EAST OF HIGHFIELD LANE**

On behalf of our clients, Friends Life Limited, AXA Real Estate and DMI Properties Ashford Limited, we write to submit representations to Ashford Borough Council (ABC) in respect of the Ashford Local Plan 2030 Regulation 19 Version (June 2016) and the Ashford Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule (PDSC) (June 2016).

Friends Life Limited are owners of the land on the north side of Highfield Lane, Sevington (also known as 'Stour Park' or 'Sevington West'). On 18 May 2016, ABC's Planning Committee resolved to grant consent for the development of an employment led mixed use scheme of up to 157,616 sq.m, the majority of which would be for storage and distribution uses (Class B8), as well as business, office, general industry and small scale retail uses. This permission was brought forward in accordance with allocation U19.

Friends Life Limited also own the land to the east of Highfield Lane (known as 'Sevington East'), which currently comprises approximately 45ha of open agricultural land, similar to the adjacent land subject to the recent grant of planning permission. It is the intention of the owner to bring forward development proposals on this site by way of extension to the already permitted employment led scheme.

The purpose of these representations is to secure an allocation consistent with this objective which will provide the Council with certainty as to the form and nature of development that will come forward. This will maximise the benefits of the scheme and ensure that the development meets the identified strategic needs of the Borough.

Context for Representations

The Draft Local Plan 2030 is intended to supersede the existing development plan documents, include the saved policies of the Local Plan 2000, the Core Strategy 2008, the Town Centre AAP 2010 and Urban Sites and Infrastructure DPD 2012.

Section 2 (Introduction) of the document provides an introduction to the new Local Plan which states that it covers the period between 2011 and 2030 and:

“establishes a policy and delivery framework that provides clear and firm guidance to ensure that the Council's aims for the Borough are achieved where they relate to issues of planning and land use.”

The Local Plan is supported by a revised draft Policies Map which applies the relevant spatial policies to the area, and is also being consulted on.

At the same time, ABC are progressing consultation on a CIL Preliminary Draft Charging Schedule alongside the new Local Plan. The proposals for the CIL PDCS sets out the Council's initial proposals for the levy and should be directly linked to and support the draft Local Plan 2030, especially in relation to infrastructure.

Within this context, it is important that the emerging Local Plan reflects policy that has gone before it and builds upon the substantial body of work that already exists.

The current Core Strategy and Urban Sites and Infrastructure Development Plan Document, when referring to the site allocation for the Sevington West site, confirmed that *“the potential extent of an employment area further eastwards”*, although it was considered appropriate to review the future need for additional land to be released at Sevington at the next review of the Core Strategy. Unfortunately the draft Local Plan does not look to build on the recent grant of planning for Sevington West and we **object** to this omission for the reasons set out below.

Ashford Local Plan 2030

For ease of reference we present our representations in the order of policy contained within the Draft Local Plan.

Section 3 – Strategic Policies

We support the Strategic Objectives of the Local Plan outlined in Policy SP1. In particular we support the objective to provide a range of employment opportunities to respond to the needs of business, support the growing population and attract inward investment. It should be made clear that significant weight in the planning process should be given to development proposals that are consistent with these objectives.

Policy SP3 outlines that 66 hectares of new employment land will be delivered and 11,100 new jobs will be achieved in the borough between 2014 and 2030, including through the maximisation of town centre opportunities and promoting rural employment opportunities.

We agree with paragraph 3.84 which identifies the critical investment in transport infrastructure as they key driver for employment growth within the borough and contributing to Ashford being the number one place for business location within Kent. A key component of this transport infrastructure is the delivery of J10a on the M20. Through the Sevington West planning permission my clients have worked closely with Highways England and ABC to assist delivery of this scheme and will be a major contributor to its funding through the scheme. Highways England are shortly to submit their Development Consent Order which we continue to support and it is understood that the current programme shows that J10a will be open in 2019.

Paragraph 3.102 notes that a primary location for business demand are those with excellent access to the motorway network to support operational needs. It recognises the requirement of distribution companies having specific need for good access to junctions and that it limits the impact on other areas of the town in terms of traffic and congestion. Delivery of J10a will provide such excellent access to the motorway network that

Sevington West will benefit from. The land at Sevington East is similarly well located to take advantage of this access without undue disruption on wider areas.

We also welcome the recognition of 'Sevington' (in Para. 3.104) as being as one of the four key strategic sites for employment in Ashford. Paragraphs 3.107 to 3.110 goes onto discuss Sevington in more detail. Importantly para 3.107 confirms that Sevington West was allocated in the current Core Strategy and subsequently the Urban Sites and Infrastructure DPD as:

"a strategic employment site to provide for a range of employment types and uses but with the opportunity to cater for some of the larger scale employment uses that are less suited to higher density, mixed use environments." (our emphasis)

Paras 3.108 and 3.109 go onto recognise the grant of planning permission and some of the core principles that sit behind this. 3.110 then provides some commentary on delivery of the development and refers specifically to triggers for development thresholds. It is important to note that these triggers are in place only to control the amount of development pre delivery of J10a. As noted above HE are progressing the DCO for J10a and it is currently expected that it will be open in 2019. There will at that time be no constraints on delivery of the permitted development on the site.

Furthermore, it will deliver capacity for significant amounts of other development which could include land at Sevington East. Sevington East benefits from the same attributes as Sevington West and is specifically well located to deliver larger scale employment uses that are less well suited to other locations. We therefore object to Plan failing to allocate Sevington East. This omission is flawed for the reasons set out below.

Section 4 – Site Policies

It is noted that at para 3.115 it is confirmed that with the current Development Plan allocations there is sufficient land allocated to meet employment needs to 2030. It also notes that these existing allocations should be rolled forward as allocations into the new Local Plan. Section 4 is where such allocations are addressed.

Despite noting that all existing allocations should be rolled forward it is noted that Sevington West is not included within this section. This could be understandable now that there is a planning permission in place and this position is presented elsewhere in the draft Plan (see Paras 3.107 to 3.110). However, it is noted that each of the other four key strategic sites identified at para 3.104 maintain a site specific allocation in the draft Local Plan. Presumably this is because there remains land on which planning permission has yet to be granted. We do feel however that an ongoing allocation on Sevington West would be useful to inform future planning on this site consistent with current policy U17.

Turning to Sevington East it is acknowledged that the current allocations are sufficient to meet employment needs to 2030. Notwithstanding this the draft Plan does propose two new employment sites namely Leacon Road/Victoria Way and some additional land at Waterbrook. The reason given for these additional allocations is down to the range and type of sites and the employment opportunities afforded within the existing allocations. It is clear from looking at these sites, and in particular Leacon Road that, there is an identified need for commercial B1-B8 uses.

It is considered that Sevington East would be a more suitable location for the delivery of such commercial space, particularly B8 space given the acknowledged locational advantages of the general Sevington location. Indeed and as already noted it was accepted within the Core Strategy that Sevington East offers *"the potential extent of an employment area further eastwards"* and that this was an issue for consideration for the next Local Plan

review. We consider the decision not to allocate Sevington East is flawed and that it should be allocated to meet identified employment needs that arise over the Plan period over and above the current allocations. Given the current planning permission for Sevington West it is inevitable that Sevington East would only follow after implementation of that consent and as such would be towards the end of the Plan period. This could be controlled through an allocation and/or the grant of planning permission. The same cannot be said of Leacon Road which as a freestanding site could be brought forward in the shorter term following the grant of planning permission. This is not therefore meeting the longer term needs.

[Steve – I would like to add in a couple of paragraphs on market conditions to show that demand already exceeds the quantum of development that we have consent for. I want to get over that there is strong occupier demand for industrial and warehouse space and there is a need for additional space in Ashford, Kent and the South East of England Can you assist and Sevington East is best placed to meet this following on from Sevington West]

Turning now to the specifics of Sevington East. Previously this site was put forward in 2013, as part of the ‘call for sites’ for assessment within the Strategic Housing and Employment Land Availability Assessment (SHELAA). The submission highlighted that the site would be suitable and appropriately located for an expansion to the employment area now approved on the adjacent site (at the time of submission, Sevington West was an allocated employment area within the development plan).

We understand that Sevington East was then subsequently assessed for its potential as an employment site allocation within the SHELAA (site ref. WE15), which forms part of the evidence base for the Local Plan. It concludes:

“This site was identified in the Core Strategy and Urban sites and Infrastructure DPD as having potential for allocation to extend the [U19] Sevington site. The site has some constraints with the archaeological areas and its close proximity to the residential properties to the east and the village of Mersham. This site is not suitable for extension at present due to Junction 10a implications and impact on surrounding setting and villages. Assessed as part of ELR.”

The Employment Land Review (ELR) (April 2016) recognises the Sevington West site as a ‘site of strategic significance’ in meeting demand for B8 warehouse/distribution floorspace. It notes that it will be a key employment site in Ashford when the M20 Junction 10a scheme is delivered. It also recognises the importance of its location, adjacent to the motorway where there will be strong demand for these uses.

In total, the ELR identifies 67 hectares of potential supply of land for industrial and warehousing floorspace. Whilst this represents an ‘over-supply’ in terms of the assessed need, we note that paragraph 4.14 states that “much of available land is constrained by access (either in planning or market terms) in the short-term.

As already noted above the new J10a junction is required to unlock the full potential of land at Sevington and that the planning permission deals with this. However, the current programme for J10a has this work being completed by 2019. This broadly aligns with the development programme for Sevington East. It is not therefore a legitimate constraint for Sevington East as concluded in the SHELAA.

This then leaves only perceived concerns over the “impact on surrounding setting and villages.” As we know from Sevington West similar concerns were raised. However, through a carefully considered design approach including extensive landscape an acceptable solution was reached for what is arguably a more sensitive site given its close proximity to St Mary’s Church (Grade 1 Listed) and other listed buildings at Court Lodge Farm. The officers report concluded the following on this issue:

“In conclusion, I am satisfied that the applicant has demonstrated how the design and external appearance of the proposed buildings could be acceptably accommodated at the site in a manner that would both meet market requirements and help reduce their visual and landscape impact notwithstanding the fact that Policy U19 envisages buildings of considerable footprint and scale and so inevitably would change the character of this entrance to the town by road and rail.”

It can therefore reasonably be concluded that a design solution could be arrived at for Sevington East that would ensure no unacceptable impacts on the character and appearance of the surrounding area and local villages.

Likewise it can reasonably be concluded that based on to the recent application and surveys undertaken for the Sevington West application, technical solutions and appropriate mitigation measures can be found for all other matters including drainage and ecology issues.

In conclusion therefore in the event that there is a requirement for new allocations for employment development towards the end of the Plan period Sevington East is a more appropriate location then the two draft allocations. To address this Sevington East should be allocated in the next iteration of the Plan.

CIL Preliminary Draft Charging Schedule

The CIL PDCS is informed by the Whole Plan and Community Infrastructure Levy Viability Study (Three Dragons, June 2016) which concludes that there is no possibility of charging CIL on commercial uses as all three B class uses produce a negative residual value.

We therefore welcome the plans within the CIL PDCS to impose a ‘nil rate’ for development falling within the use classes B1, B2 and B8. Any impacts requiring mitigation can be appropriately secured through planning condition or s106 Agreements.

However, we note that paragraph 7.10 of the Viability Study states that Ashford is not a focus for industrial and warehouse activities and none of these facilities are planned in the draft Local Plan. Clearly this is not the case given the allocation of land for such uses. This statement should be changed to reflect the current position.

Conclusions

In summary we broadly support the overarching strategic objectives set by the draft Local Plan 2030 and recognition within the Plan of the role Sevington West plays in meeting identified strategic needs.

We object, however, to the omission of Sevington East as an allocation to meet employment need towards the end of the Plan period. This site has long been recognised as a future extension to Sevington West which now benefits from planning permission. The rationale for not allocation Sevington East are flawed and it is clear that its allocation would provide the Council with more appropriate controls over the nature, timing and delivery of employment space.

We trust that these observations are useful at this consultation stage. We wish to maintain an active engagement in the Local Plan formulation process and look forward to receiving news on how the Council propose to proceed through to adoption of the Plan.

Should you require any further clarification on the points raised in this letter, please do not hesitate to contact Will Edmonds (will.edmonds@montagu-evans.co.uk / 020 7312 7410) or James Huish (james.huish@montagu-evans.co.uk / 020 7312 7484) at this office.

Yours faithfully

Montagu Evans

MONTAGU EVANS LLP

cc. S.Messenger - DMI Properties
S.Yates - Axa