

8 Introduction

Development Management Policies

8.1 The policies in Part Two provide guidance on a range of topics:

- Housing and the Built Environment;
- Economy;
- Retail and Leisure;
- Community;
- Transport;
- Natural Environment;
- Climate Change;
- Health and Wellbeing; and
- Historic Environment.

8.2 The policies in this section provide a basis for considering planning applications within Shepway, both for the allocated sites in Part One and development proposals that come forward on other sites in the district. They complement the area-based policies in Part One, and will contribute to the effective management of development in the district.

8.3 It is important to read the plan as a 'whole', that is with reference to all the policies that may be relevant; policies should not be read in isolation. They reflect local circumstances and are in addition to requirements already set out in the [National Planning Policy Framework](#) (NPPF) and [Planning Practice Guidance](#) (PPG). The Introduction to Part One highlights some of the other considerations that may apply in assessing development proposals.

Housing and the Built Environment

9 Housing and the Built Environment

Introduction

9.1 This chapter contains policies dealing with a range of matters relating to the built environment and proposals for residential development and other forms of accommodation. The sections below contain policies covering:

- General design considerations, relating to all types of development;
- Housing-related topics, such as housing design, space standards, self-build and custom housebuilding, new residential development in the countryside, local needs housing and dwellings to support a rural-based business;
- Alterations of and extensions to dwellings, the development of gardens and proposals to build annexes to homes; and
- Other forms of accommodation, including residential care homes and institutions, houses in multiple occupation and gypsy and traveller accommodation.

General Design Considerations

9.2 This section contains general design policies that apply to all types of development.

9.3 The [National Planning Policy Framework](#) (NPPF) places quality design at the heart of the planning system, making it clear that good design is a key aspect of sustainable development and place-making, indivisible from good planning (NPPF, paragraph 56). Further detail is provided in Core Strategy policies, particularly Policy SS3: Place-Shaping and Sustainable Settlements Strategy.

9.4 This plan seeks to meet the NPPF requirement for "*robust and comprehensive*" design policies that "*establish a strong sense of place*" (paragraph 58) and provide more detail to policies in the Core Strategy.

Quality Places Through Design

9.5 Achieving good design is about creating places, buildings and spaces that work well for everyone, are attractive, long lasting and will adapt to the needs of future generations. Good design responds in a practical and creative way to both the function and identity of places. Research has shown that good urban design adds economic, social and environmental value. It increases retail rents, commercial trading, footfall and average residential value, yet does not necessarily cost more or take longer to deliver than poor design.

9.6 Furthermore, good design has intrinsic benefits to health and wellbeing; encouraging journeys on foot or bicycle, while increasing social interaction and creative play. Evidence shows that good design reduces the perception and risk of

crime. In addition, the integration of green space within a development can provide opportunities for carbon storage and habitats for wildlife and can lower surface water run off and reduce the 'urban heat island' effect.

9.7 Development should be led by sound urban design principles, such as those set out in the [Building for Life 12 standard](#), the adopted [Kent Design Guide](#) and the [Kent Downs Area of Outstanding Natural Beauty \(AONB\) Landscape Design Handbook](#). Wider guidance is provided in the [Manual for Streets](#), while local guidance may also be set out in Village Design Statements, Conservation Area Appraisals and Neighbourhood Plans.

9.8 The Council has a strong record of working with partners to assess design quality and in particular has worked with [Design South East](#) to increase skills and knowledge in the local authority. The Council has also implemented Design Review for a number of strategic and smaller applications and will continue to promote this through Planning Performance Agreements and other means where appropriate.

9.9 The objective of good design is not necessarily to copy local features, which can create pastiche development, but to reference local character, layout, scale and materials within a proposal in a new way to ensure it contributes positively to its surroundings.

Policy HB1

Quality Places Through Design

Planning permission will be granted where the proposal:

1. Makes a positive contribution to its location and surroundings, enhancing integration while also respecting existing buildings and land uses, particularly with regard to layout, scale, proportions, massing, form, density, materiality and mix of uses so as to ensure all proposals create places of character;
2. Facilitates circulation and ease of movement within the locality for all users, promoting low vehicle speeds, integrated resident and visitor parking and prioritising active forms of travel with roads, footways and paths appropriately located to allow for natural surveillance while maximising legibility;
3. Creates, enhances and integrates areas of public open space, green infrastructure, biodiversity and heritage and other public realm assets;
4. Does not lead to an adverse impact on the amenity of future occupiers, neighbours, or the surrounding area, taking account of loss of privacy, loss of light and poor outlook. In assessing the potential impacts of new build residential development on neighbouring dwellings, the Council will apply the same guidelines as for alterations and extensions set out in Policy HB8;
5. Provides a clear definition between the public and private realm, incorporating high quality hard and soft landscaping, boundary treatments, public open spaces and lighting, including details of future maintenance and management; and
6. Complies with other relevant policies within the development plan and responds positively to the design policies and guidance contained within relevant Town and Village Design Statements and Neighbourhood Plans.

9.10 The [Sandgate Design Statement](#) was adopted as a Supplementary Planning Document (SPD) in 2013; proposals in Sandgate should have regard to the advice and policies this contains. The Council may consider the introduction and use of other appropriate guidance, such as design codes. Where adopted, these will be a material consideration in decisions on planning applications.

Housing Policies

9.11 This section contains policies setting out design criteria for new housing developments, space standards, requirements for self-build and custom build homes and for providing affordable housing in the rural area and homes to support rural-based enterprises.

Cohesive Design

9.12 Proposals should demonstrate a comprehensive approach to design, avoiding the need for retrofitting as much as possible. Design and Access Statements will be scrutinised to understand how the chosen scheme has developed.

9.13 A high standard of layout, design and choice of materials will be expected for all new development. Materials should be sympathetic to those predominating locally in type, colour and texture.

9.14 Planning applications for development with an element of public use will be assessed for their provision for access for disabled persons in respect of site layout and for the relationship between buildings and their car parking areas and other public access points. (Requirements for car parking are set out in Chapter 13: Transport.)

Building for Life 12

9.15 Building for Life (BfL)12 is the latest iteration of the government-endorsed industry standard for well-designed homes and neighbourhoods. It was developed by a consortium led by the former Commission for Architecture and the Built Environment (CABE) at the Design Council, Design for Homes and the Home Builders Federation, with support from Nottingham Trent University. The Council supports the BfL standard and will seek to achieve all its recommendations within major developments as far as is reasonably practicable.

9.16 The BfL 12 standard should be used throughout the design process and is a useful tool for the Council, developers and the community to assess proposals in a structured way. All major housing developments should include BfL12 assessments as part of planning applications in accordance with local validation requirements, while BfL12 should form the basis for engagement with communities prior to the submission of a planning application.

9.17 The BfL criteria have been used to inform Policy HB2 below. 12 criteria are grouped under three themes:

- Integrating into the neighbourhood;
- Creating a place; and
- Street and home.

9.18 Detailed consideration of the BfL 12 standard will help to ensure that a comprehensive approach is taken to the design of new housing developments. The Council will assess Design and Access Statements and application drawings to ensure proposals deliver development of the highest quality and are inclusive in their design and layout. Large scale development proposals should include masterplans, parameter plans and design code documents where required.

Policy HB2

Cohesive Design

For major housing developments or complex proposals or on sensitive sites, a design statement should be prepared which demonstrates compliance with Building for Life 12, as far as is reasonably practicable. The statement should demonstrate how the proposal:

Integrates into the Neighbourhood

1. Integrates into its surroundings by reinforcing existing connections and creating new ones where appropriate; while also respecting existing buildings and land uses along the boundaries of the development site;
2. Provides (or is located close to) community facilities such as shops, schools, workplaces, parks, play areas, pubs and cafés;
3. Has good access to public transport to help reduce car dependency; and
4. For housing development, provides a mix of housing types and tenures that meet local requirements.

Creates a Place

5. Creates a place with a locally inspired or otherwise distinctive character, well related to the local landscape character;
6. Takes advantage of existing topography, landscape features (including water courses), trees which contribute positively to the landscape; wildlife habitats, existing buildings, heritage assets, site orientation and micro-climates;
7. Integrates buildings with landscaping to define and enhance streets and spaces and turn street corners well; and
8. Makes it easy for residents and visitors to find their way around.

Creates Streets and Homes

9. Creates streets that encourage low vehicle speeds and social interaction;
10. Provides well integrated parking that does not dominate the street;
11. Clearly defines public and private spaces and ensures they are attractive, can be well managed and are safe; and
12. Provides adequate external storage space for refuse and recycling as well as storage for vehicles and cycles.

Affordable Housing and Starter Homes

9.19 The Council's requirement for the provision of affordable homes is set out in Core Strategy Policy CSD1: Balanced Neighbourhoods for Shepway. Since this policy was adopted, the Government has introduced two main changes to legislation and guidance relating to planning obligations and Starter Homes.

9.20 Firstly, the Government has introduced legislation that limits the requirement to provide affordable homes to developments of 11 or more dwellings or, when in Areas of Outstanding Natural Beauty, five dwellings or more.

Given this, Core Strategy Policy CSD1 will still be used when considering planning applications for housing development outside the Kent Downs Area of Outstanding Natural Beauty (AONB) where they are for 11 dwellings or more in accordance with the policy requirements:

- Development proposing (or land capable of accommodating) 11 to 14 dwellings (net gain) should provide at least two affordable dwellings on-site, subject to viability; and
- Development proposing (or land of 0.5ha or more in size) 15 or more dwellings (net gain) should provide 30 per cent affordable dwelling on-site, subject to viability.

Within the Kent Downs AONB, the threshold of five dwellings or more will continue to be used, in accordance with Policy CSD1.

9.21 Secondly, the Government introduced the [Housing and Planning Act 2016](#), which contains provisions relating to Starter Homes. Starter Homes are new dwellings, available to purchase only by qualifying first-time buyers which are sold at a discount of at least 20 per cent of the market value and are subject to restrictions on sale or letting. The sale price is subject to a cap of £250,000 outside London.

9.22 The Starter Homes [exception sites policy](#) set out in Planning Practice Guidance encourages applications for development for Starter Homes on under-used or unviable industrial and commercial land that has not been currently identified for housing. It also restricts local planning authorities from seeking developer contributions from such schemes. Local planning authorities are encouraged to work in a positive and active way with landowners and developers to secure a supply of land suitable for Starter Homes exception sites in their areas.

9.23 A Starter Home is expected to be well-designed and suitable for young first time buyers. The Council will work with developers to determine what size and type of Starter Home is most appropriate, reflecting the local housing market and the proposed site.

9.24 The Council will update the Affordable Housing Supplementary Planning Document to reflect the new legislation and guidance relating to affordable housing obligations and Starter Homes.

Access and Inclusion

9.25 Local planning authorities are required by the NPPF to develop robust policies that help to create safe and accessible environments (paragraph 58). They should also encourage high quality and inclusive design (paragraph 57) and use evidence to plan to meet the needs for housing for different groups (paragraph 50).

9.26 The Council will expect all buildings and places to meet the highest standards practicable for access and inclusion. Building Regulations Part M addresses access to and use of buildings. The Regulations contain a basic minimum standard for access and use which should be applied to all new dwellings (M4(1)), and two optional requirements for increasing accessibility for those with lower levels of mobility.

9.27 Core Strategy Policy CSD2: District Residential Needs requires all developments of 10 dwellings or more (Class C3) to include 20 per cent of market dwellings which meet [Lifetime Homes](#) standards, unless demonstrated to be unfeasible in design or viability terms. The Council will now require all developments of 10 dwellings or more to include a minimum of 20 per cent of market dwellings meeting M4(2) Category 2 (Accessible and Adaptable Dwellings), which can include units of M4(3) Category 3 (Wheelchair User Dwellings) if desired or as part of affordable or extra-care housing requirements. This requirement will apply to new build schemes only, and will be secured through the use of planning conditions.

Internal and External Space Standards

9.28 Inadequate space within homes is an issue of increasing importance to home buyers. The former Commission for Architecture and the Built Environment (CABE) produced a report, '[Space standards: the benefits](#)' (2010) which summarised the seven main benefits of sufficient internal space as:

- Improved health and wellbeing resulting from privacy and social activity;
- Enhanced family life and the opportunity for children to study uninterrupted;
- Opportunities for home working, increased productivity and therefore wider economic benefit;
- Increased flexibility and adaptability to changing needs;
- The ability to respond to occupants' changing physical requirements over their lifetimes;
- Reduced overcrowding; and
- A more stable housing market driven by an understanding of long-term need rather than short-term investment.

9.29 The Government has since set out standards in '[Technical housing standards - nationally described space standard](#)' (DCLG, March 2015) but these are currently discretionary. The standards aim to ensure new developments provide adequate

space for residents to undertake everyday activities comfortably. Locally, while many new developments have met or exceeded these standards, many one and two bedroom dwellings are falling short.

9.30 To improve the quality of new homes in the district, proposals will be assessed against Policy HB3: Internal and External Space Standards. (The 'Technical housing standards' are set out in full with further supporting information in Appendix 2) The Council will particularly scrutinise applications for Houses in Multiple Occupation against these standards to ensure that proposals provide acceptable living space for residents (see also Policy HB13: Houses in Multiple Occupation).

9.31 For flats, it is expected that usable balconies or terraces are provided for all units in new build developments. In the case of conversions of existing buildings, balconies or terraces should be provided wherever feasible and where they would not take away from the character of the existing building or street scene.

9.32 For houses, a larger area of private external space is necessary to accommodate a storage shed, a sitting out area, washing line or rotary drier, planting and play and amenity space. These features can make a garden attractive, support people's health and wellbeing, and provide valuable habitats for wildlife.

Policy HB3

Internal and External Space Standards

Planning permission will be granted for new build residential development and conversions for residential use where the proposed scheme:

1. Meets the nationally described technical housing space standard, or subsequent updates to the standard, including minimum floor-to-ceiling heights;
2. Provides an area of private open space for each new or converted dwelling as one or both of the following:
 - A private usable balcony area with a minimum depth of 1.5m for flats, as long as this does not reduce the privacy of neighbouring dwellings;
 - An area of private garden for the exclusive use of an individual dwelling house of at least 10m in depth and the width of the dwelling. In the case of infill developments there should be sufficient space retained for the original dwelling;
3. Demonstrates consideration of the acoustic environment of outside spaces so they can be enjoyed as intended;
4. Provides each dwelling with discretely designed and accessible storage space for the different types of refuse bin; and
5. Provides bicycle storage in accordance with Policy T5: Cycle Parking.

Number of Bedrooms (b)	Number of Bed Spaces (Persons)	1 Storey Dwellings (sqm)	2 Storey Dwellings (sqm)	3 Storey Dwellings (sqm)	Built-in Storage (sqm)
1b	1p	39 (37) ⁽¹⁾	-	-	1.0
	2p	50	58	-	1.5
2b	3p	61	70	-	2.0
	4p	70	79	-	
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	

Number of Bedrooms (b)	Number of Bed Spaces (Persons)	1 Storey Dwellings (sqm)	2 Storey Dwellings (sqm)	3 Storey Dwellings (sqm)	Built-in Storage (sqm)
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Table 9.1 Technical housing standard - nationally described space standard

1. *Where a one bedroom, one person property has a shower instead of a bathroom, the floor area may be reduced from 39sqm to 37sqm.*

For certain types of conversions, including those of heritage assets or buildings in Conservation Areas, a communal garden for the exclusive use of the residents of a group of flats may be acceptable in place of individual balconies or terraces. On particularly constrained sites, as an exception, commuted sums may be paid to provide off-site amenity areas.

The Council will only consider variations to the external space standards if it can be demonstrated through the Design and Access Statement or site masterplanning that such an approach is needed to reflect the character of the area or provide for a mix of units within a development that create a higher density suitable to the urban nature of the site. In such instances communal or public open space should be provided or be made available within the immediate locality.

The Council will expect 20 per cent of homes on major new build developments to meet the accessibility and adaptable dwellings Regulation M4(2) of the Building Regulations (as amended).

9.33 A private outdoor space is one which is not significantly overlooked from the street or other public place. Private balconies on the front elevation of flats may be acceptable if the building is set back from the street onto which they face or otherwise designed to create privacy. If the building is sited on or close to the back edge of the pavement, a balcony on the front elevation, where the activities of the occupants can be easily observed by passersby, is not likely to provide an acceptable private outdoor space; however, recessed balconies may provide sufficient privacy.

9.34 In calculating the size of communal gardens, the Council will have regard to the size of the different flats. For example, a building containing seven flats, three of which have four bedspaces and four of which have three bedspaces, should provide a private amenity area of at least 45sqm $((3*7)+(4*6))$.

Self-build and Custom Housebuilding

9.35 'Self-build' is the practice of aspiring homeowners creating their own homes. The self-builder's input may vary from undertaking the actual building work to contracting out all the work to an architect or building package company, or contracting the development of the shell of a building and completing the internal building work themselves. Consequently it is now also commonly termed 'custom housebuilding' (that is where the home is custom-built to the individual's specification, rather than being designed and built by a construction company to a standard specification). Self-build and custom housing can be built or commissioned by individuals or people collaborating as a group.

9.36 Self-build and custom housebuilding has a number of advantages over mainstream developer-led models of construction. These include:

- Lowering development costs;
- Improving housing choice;
- Increasing use of innovative techniques and green technologies;
- Improving build quality;
- Increasing business for local suppliers, trades people and other small businesses;
- Enhancing local construction skills; and
- Providing a greater diversity of supply.

9.37 There are, however, a number of challenges facing self-build and custom housebuilders, including:

- Lack of access to available plots;
- Unwillingness of financial institutions to lend against self-build homes;
- Planning and other regulatory requirements; and
- Securing the provision of infrastructure to the plot or scheme.

9.38 The [Self-build and Custom Housebuilding Act 2015](#) places duties on local authorities to keep a register of individuals who wish to acquire serviced plots of land for self-build and custom housebuilding projects and to have regard to these registers in carrying out planning and other functions. Self-build and custom housebuilding registers provide local planning authorities with valuable information on demand in their areas and evidence which can be used to inform planning policies and decisions on planning applications.

9.39 National guidance in the NPPF states that local planning authorities should identify and make provision for the housing needs of different groups in the community including those wishing to build their own homes. Planning Practice Guidance also makes it clear that the Government is keen to support and encourage individuals and communities who want to build their own homes, and is taking active steps to stimulate the growth of the self-build market.

9.40 One measure to help self-builders has been to grant them an exemption from the Community Infrastructure Levy (CIL). The CIL exemption will apply to those who build their own homes or commission a home from a contractor, housebuilder or sub-contractor. Individuals claiming the exemption must own the property and occupy it as their principal residence for a minimum of three years after the work is completed. This provision is intended to boost the availability of self-build and custom housebuilding plots to meet the needs of those registered with the local planning authority.

9.41 Shepway District Council is keen to support self-build and custom housebuilding. The Council's self-build and custom housebuilding register allows people to register their interest in these opportunities. (Further information is also available on the [self-build portal](#), provided by the [National Custom and Self Build Association](#).) The Council will support qualifying bodies in delivering self-build and custom housebuilding projects through the Neighbourhood Plan process as well as through community self-build projects.

9.42 Further evidence of the need for self-build and custom housebuilding will be gathered through future revisions of the Council's Strategic Housing Land Availability Assessment (SHLAA) and Strategic Housing Market Assessment (SHMA), as well as the register itself. Using the policy criteria below it is calculated that the site allocations in this plan will provide for at least 36 self-build and custom housebuilding plots by 2031 which is likely to be further supplemented by 'windfall' development of smaller sites (below five dwellings) which often deliver self-build homes.

9.43 Policy HB4 requires sites above qualifying thresholds to provide a proportion of homes in the form of self-build or custom house build plots. Requirements for individual sites are also highlighted in relevant policies in Part One of this plan. Exceptions may be allowed where the scheme proposed is a predominantly high-density, flatted development where provision of a self-build or custom build element would not be deliverable. Developers should consider delivery models and

site management issues carefully at the outset. The affordable housing requirement of the site should be calculated on the total number of homes being delivered on a site, including the self-build or custom build element.

Policy HB4

Self-build and Custom Housebuilding Development

The Council will support self-build and custom housebuilding development by requiring:

1. All sites within the Folkestone and Hythe Urban Area delivering more than 40 dwellings to supply no less than 5 per cent of dwelling plots for sale to self-build or custom housebuilders on the Council's register; and
2. All sites within the North Downs and Romney Marsh Areas delivering more than 20 dwellings to supply no less than 5 per cent of dwelling plots for sale to self-build or custom housebuilders on the Council's register.

Development on sites on and above these thresholds shall be subject to the following criteria:

1. Design parameters for self-build and custom housebuilding plots shall be submitted within any outline planning application as part of the Design and Access Statement and shall be in compliance with other policies in the plan;
2. Plots shall be provided with outline planning permission, services to the boundary and access to the public highway or internal road layout;
3. Plots shall be appropriately marketed to self-build and custom housebuilders for a period of at least 12 months from commencement of the development before consideration is given to a return to open market units; and
4. Self-build and custom housebuilding plots shall be appropriately integrated within the wider development, in accordance with relevant policy requirements and contribute towards the wider plan objectives for the maintenance and management of the public realm.

The Council will consider proposals for self-build and custom build homes on schemes below these thresholds positively, subject to other policies in the plan. The Council will encourage local communities to provide plots for self-build and custom build homes in Neighbourhood Plans.

Residential Development in the Countryside

9.44 Paragraph 55 of the NPPF states that local planning authorities should avoid isolated new homes in the countryside unless there are special circumstances, such as that:

- They are essential for rural workers to live near their work;
- They would provide a viable use of a heritage asset;
- They would involve the re-use of redundant buildings that would lead to an enhancement of the immediate setting; or
- They would result in a development of exceptional quality.

9.45 Where proposals are to replace dwellings in the countryside, the Council will support proposals that are carefully managed to protect the character of the rural area. This will also apply to other residential associated development, such as garages. To avoid overbearing and bulky dwellings and associated development in isolated locations, the Council will pay particular attention to the design, scale and materials proposed. This is especially important in the north of the district, where most of the countryside is within the Kent Downs Area of Outstanding Natural Beauty and in Romney Marsh, which has a flat, open and exposed character. Proposals for replacement dwellings will, therefore, be required to justify the design approach and will need to meet the design policies in this plan.

9.46 Where proposals are for replacement dwellings that are not located on the original footprint of the existing house, the Council will seek, through a planning condition, to secure the demolition of the existing dwelling within three months of the occupation of the replacement, in order to prevent two dwellings remaining on site.

9.47 Where planning permission is granted for a replacement dwelling this may be subject to a condition withdrawing permitted development rights for residential extensions and out-buildings. This is to protect the countryside from intrusive development by bringing future alterations to the new property within the control of the planning system.

Policy HB5

Replacement Dwellings in the Countryside

Planning permission will be granted for replacement dwellings in the countryside provided that:

1. The existing dwelling has a lawful residential use;
2. It can be demonstrated that the scale, bulk, massing, external appearance, architectural detailing, materials, lighting and location within the site does not harm the wider landscape, the functioning of neighbouring uses or the amenities of nearby residents; and
3. It can be demonstrated that a suitable access can be achieved.

Where permission is granted, Permitted Development Rights may be removed in order to control future alterations or extensions that may impact on the landscape and rural character of an area.

Where permission is granted and an alternative location is proposed, a planning condition will be used to ensure that the existing dwelling is removed within three months of the occupation of the replacement dwelling.

Planning permission for residential-related outbuildings, such as garages, will be granted provided that it can be demonstrated that the scale, bulk, massing, location within the site and materials used do not harm the wider landscape, the functioning of neighbouring uses or the amenities of nearby residents.

Local Housing Needs in Rural Areas

9.48 The viability of local communities and local facilities such as shops and schools can be threatened if local people, particularly young families, are unable to afford to stay in an area. The NPPF supports local housing needs; as paragraph 54 states, local planning authorities should *"be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate ..."*

9.49 These 'exception sites' will be provided in addition to the allocation of land through the local plan, and will be developed on land which would not normally be released for housing. They will have to meet the criteria set out in Policy HB6 below.

9.50 In assessing local needs, the requirements of the following groups of people resident in the parish of the proposed development, or adjoining parishes, will be considered. The requirement for local needs housing will be demonstrated by the inability of households to gain access to accommodation suited to their needs at an

affordable cost and within the limits of their disposable income. A parish survey will need to show that a significant number of households are in this position. The survey should include quantitative information on the following:

- Households currently resident in accommodation unsuited to their circumstances for physical, medical or social reasons, and where the homes are incapable of being improved;
- Persons who are dependants of households resident in the parish;
- Households including persons employed full-time in the parish, on other than a short-term basis, or who will be taking up such employment, or who provide an important service requiring them to live locally;
- Persons who are not currently resident, but have retained long-standing links with the local community or who have moved away due to lack of affordable housing; and
- Other cases of local need, if considered justified by the local planning authority.

9.51 For supporting evidence, 'resident' is interpreted as a person with three years' continuous residence in the parish or alternatively, residence of any five out of the last ten years. To ensure priority for the affordable housing is given to people in local housing need, the Council will require the affordable housing provider to enter into a legal agreement with cascade provisions, under which applicants with a connection to the parish (through residence, employment or close family) are given first priority, followed by those with a connection to neighbouring parishes, and then those in the rest of the district.

9.52 In the majority of cases, all homes on exception sites should be affordable, as these sites are granted as exceptions to general policies restricting development in the countryside. This may not always be possible, however, without subsidy: an element of market housing may therefore be permitted on exception sites where no public subsidy is available and where changing the tenure of the affordable homes would not assist the scheme's viability or properly address local needs.

9.53 The developer must demonstrate that the inclusion of market housing is required to enable the site to be developed primarily for affordable housing. Developers seeking to justify a lower proportion of affordable housing will be required to demonstrate why a housing scheme solely providing affordable homes is unviable and identify what level of affordable provision would be viable. The financial viability assessment should be prepared by the applicant. Where agreement is not reached, external consultants will be appointed to undertake a further independent viability assessment. The applicant will be expected to meet the costs of the independent assessment.

Policy HB6

Local Housing Needs in Rural Areas

Planning permission will be granted for proposals for local needs housing within or adjoining villages of a suitable scale and type to meet identified needs provided that:

1. The need cannot satisfactorily be met on: sites with planning consent for housing; through an allocated site in this local plan or a Neighbourhood Plan; from redevelopment, infill or conversion in line with other plan policies; or by other means;
2. The local need has been clearly identified by a detailed parish survey and the size, mix and tenure of the dwellings would help to meet the identified need. It may be necessary to take into account the needs in adjacent parishes so as to relate catchment areas to settlements;
3. The development has been designed and will be available at a cost capable of meeting the identified local need; and
4. The site is well-related in scale and siting, to the settlement and its services and is capable of development without significant adverse landscape, ecological, environmental, historic environment or highway safety impacts.

If a viability appraisal demonstrates that it is not viable to provide all the homes in the scheme as affordable dwellings, consideration will be given in order of preference to:

1. Changing the tenure mix of the affordable homes and/or the application of any available public subsidy; and only then to
2. Including the minimum market housing necessary to make the scheme viable and still remain an exception site.

Dwellings to Support a Rural-based Enterprise

9.54 In many instances it will be possible for workers in agricultural and land-based occupations to live in a town or village near to their business. However, occasionally the nature of agricultural and other rural enterprises makes it essential for someone to live on the site, or close to the enterprise. Applications for planning permission in such circumstances will need to demonstrate that the enterprise or intention to engage in one is genuine and will be sustained for a reasonable period of time to justify granting permission for a dwelling in the countryside where it would otherwise be refused. It will be necessary to establish that the enterprise needs one or more workers to be readily available at most times; for example, to provide essential care to animals or processes at short notice or to deal quickly with emergencies that could cause serious loss of crops or produce.

9.55 Such dwellings may be exceptionally permitted in open countryside only because of the needs of the enterprise. Planning Practice Guidance allows for this as a special circumstance which can justify the presumption against new homes in the open countryside. As this is a departure from policy, the planning permission will be subject to a condition restricting occupation.

9.56 In meeting the needs of rural workers, preference will be given to the re-use or replacement of existing buildings over the erection of new dwellings in order to avoid further development in the countryside. The erection of a new dwelling could not be justified where an existing dwelling serving the site, holding or enterprise (or closely associated with it) has either recently been sold off or in some other way effectively separated from it. The assessment of the design quality, scale, landscape impact and effect on local character of the proposed dwelling will be considered against other relevant policies in the development plan.

9.57 The Council will seek advice on the viability of the proposed enterprise and, where future viability is uncertain, it will resist new permanent dwellings in the countryside. In these circumstances a temporary planning permission for a caravan may be granted to enable the applicant to demonstrate that the enterprise is viable.

9.58 The size and nature of such dwellings should be commensurate with the reasonable needs of the business. Unusually large dwellings in relation to the staff needs of the enterprise, or expensive construction in relation to an enterprise's income, will not be permitted.

9.59 When marketing a dwelling subject to an occupancy condition, if other buildings are associated with the dwelling, the marketing must include the dwelling being offered for sale independently of the other buildings.

Policy HB7

Dwellings to Support a Rural-based Enterprise

1. Proposals for permanent dwellings in the countryside for full-time workers in agriculture, forestry or in another business where a rural location is essential, will be permitted if special circumstances can be demonstrated by meeting the following criteria:

- There is a clear existing functional need for one or more workers to be readily available at most times;
- The enterprise has been established for at least three years and is, and is likely to remain, financially viable;
- There is no other accommodation within the site, holding or nearby which is currently suitable and available, or could be made available and suitable through conversion and change of use;
- A dwelling or building suitable for conversion to a dwelling within the site or holding has not been sold on the open housing market without an agricultural or other occupancy condition in the last year; and
- The proposed dwelling is no larger than that required to meet the reasonable needs of the enterprise;

2. Where it cannot be demonstrated that the enterprise has been established for at least three years and is financially viable, or where it is a new enterprise, the siting of a temporary dwelling may be permitted for up to three years where the other criteria are met, and in addition there is clear evidence demonstrating:

- A firm intention and ability to develop the enterprise;
- That the enterprise has been planned on a sound financial basis; and
- That the functional need cannot be fulfilled by another existing building on the site or holding or any existing accommodation; and

3. Where a new dwelling is permitted, this will be the subject of a condition ensuring the occupation will be limited to a person solely or mainly working, or last working, in agriculture, forestry or in another business where a rural location is essential, or a surviving partner of such a person, and to any resident dependents.

The relaxation of an occupancy condition will only be permitted where it can be demonstrated that:

- There is no longer a continued need for the dwelling on the site or holding or for the enterprise, or to house surviving partners and any resident dependents;

- There is no long term need for a dwelling with restricted occupancy to serve a need in the locality; and
- The property has been marketed locally for a reasonable period (a minimum of 12 months) at a price which reflects the existence of the occupancy condition.

Alterations, Extensions, Annexes and Development of Gardens

9.60 This section sets out detailed policies relating to alterations, extensions and annexes to dwellings and developments in residential gardens.

Alterations and Extensions to Dwellings

9.61 The majority of planning applications involve extensions and alterations to existing dwellings, although many extensions can be carried out under permitted development rights.

9.62 While it is important that residents are able to adapt existing accommodation to suit their needs, it is equally important that any alterations do not detract from the character of an area, individually or cumulatively. Careful design of home extensions and alterations, however, can enhance both the appearance of the individual property and local character, so creating desirable places to live. The following policies aim to ensure that this transformation is managed to retain and improve local character.

9.63 Householder applications need to take account of considerations including: amenity; outlook; proportion and scale; and balance and harmony. These are explored in turn below.

9.64 Amenity is usually understood to mean the effect of a development on visual and aural factors in the immediate neighbourhood or vicinity of a site. Relevant factors include: loss of privacy, light, outlook, parking, landscaping and open space; overshadowing; and the creation of an overbearing sense of enclosure.

9.65 Unsympathetic extensions can affect the outlook of and light to the habitable rooms of neighbouring homes. Natural light is an important element in a good quality living environment. Effective orientation of buildings and windows can reduce the need for electric lighting, while sunlight can contribute towards meeting some of the heating requirements of homes through passive solar heating.

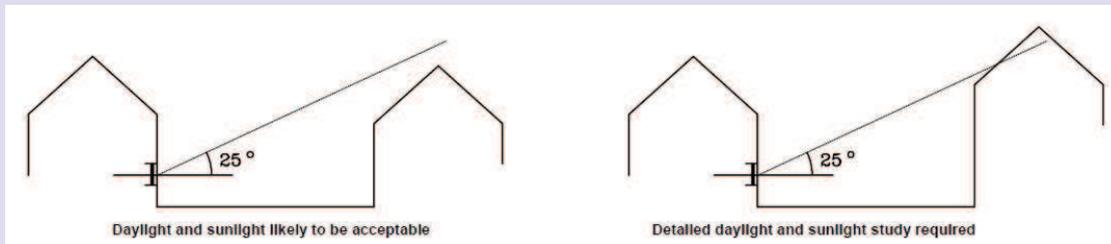
9.66 Two-storey rear extensions to semi-detached and terraced dwellings can be very prominent in views from adjoining dwellings and can dominate outward views from adjoining ground floor windows, appearing excessively large and dominant. Because of this, the following principles will be applied when considering applications.

The 25 Degree and 45 Degree Tests

The [Building Research Establishment's](#) (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice' (2011) sets out two helpful tests for determining the acceptability of an extension in terms of its potential impact on neighbouring dwellings: the 25° and 45° tests.

The 25 Degree Test

The 25° test is used where development is opposite a window according to the diagram below.

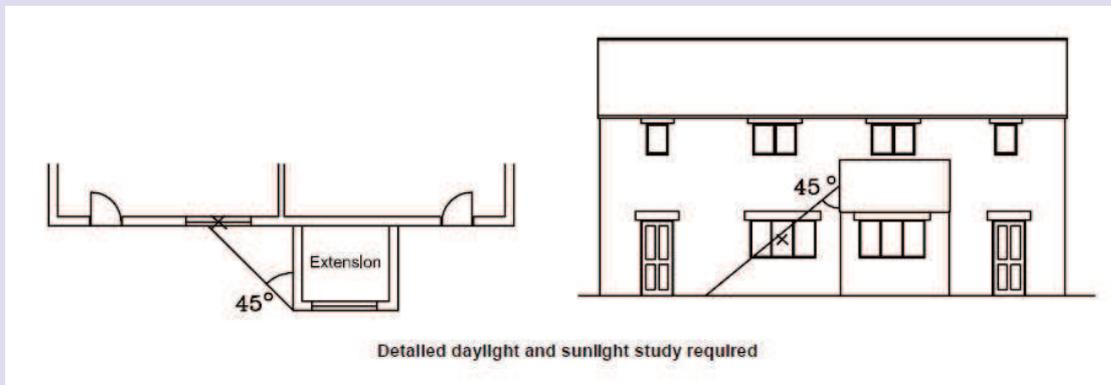


The 25 Degree Test

If the whole of the proposed development falls below a line drawn at 25° from the horizontal (above left), then there is unlikely to be a substantial effect on daylight and sunlight. However, if the proposed development would be above the 25° line (above right), further assessment will be required.

The 45 Degree Test

The 45° test is used for extensions that are perpendicular to a window according to the diagram below:



The 45 Degree Test

Where the 25° or 45° tests are not met, it may still be shown that natural light levels are acceptable, subject to checking using the BRE's detailed tests, including:

- Vertical sky component;
- Daylight distribution / no skyline (where room layouts are known);
- Average daylight factor; and
- Annual probable sunlight hours.

The same general principles will also apply in assessing the impact of new build residential development on existing dwellings neighbouring or close to the new proposal.

9.67 In the maintenance of proportion and scale, extensions and alterations should generally be subordinate to the original house; the extension or alteration should be in proportion to the original building. (For the purposes of Policy HB8, 'original' means as existing on 1 July 1948 or in relation to a dwelling built after that date, as so built, unless the dwelling has subsequently been replaced. This is to avoid the impact of cumulative extensions over a number of years.)

9.68 Balance and harmony can aid legibility of a street scene. Proposed extensions should generally respect and reflect the form, scale and architectural style of the original building and area. This can be achieved by:

- Respecting the proportions, integrity and character of the original house;
- Using an appropriate roof form;
- Matching or reflecting materials and details; and
- Matching and reflecting window styles and positions.

Policy HB8

Alterations and Extensions to Residential Buildings

Alterations and extensions to existing buildings should reflect the scale, proportions, materials, roof line, and detailing of the original building. Proposals should avoid unacceptable overlooking or loss of privacy and should not adversely affect the amenity enjoyed by the occupiers of neighbouring properties and not have a detrimental impact on the street scene, either by themselves or cumulatively.

Applications for extensions to existing residential buildings will be permitted where:

1. The extension does not cause undue overshadowing of neighbouring properties and allows adequate light and ventilation to existing rooms within the building. Single storey extensions should be designed so as to fall within a 45° angle from the centre of the nearest ground floor window of a habitable room or the kitchen of the neighbouring property. In the case of two-storey extensions, the 45° angle is taken from the closest quarter point of the nearest ground floor window of a habitable room or kitchen. This covers all elevations of the neighbouring property and conservatories, if they are clearly used as a habitable room. Patio or fully glazed doors will be treated as windows for this test, but not solid panel doors or those half-glazed;
2. For side extensions care should be taken to avoid creating a terracing effect which could result by extending up to the boundary. A minimum distance of one metre should be maintained from the boundary to any part of the extension above single storey level;
3. Single-storey flat-roofed extensions will be permitted only if they are well-designed, and the proposed extension would not be generally visible from a public place and would serve only as an adjunct to the main building. Use of 'green' or 'brown' roofs will be encouraged. Two-storey flat-roofed extensions will not be considered acceptable, unless the property itself is of a flat roof design;
4. Loft conversions requiring dormer extensions will be in proportion to the existing roof, thus maintaining overall building proportions. They should avoid presenting a top-heavy and flat-roofed appearance. Planning applications for extensions in roof spaces which front a highway will ensure that the proposed structure avoids damage to the architectural and aesthetic character of the existing building, and maintains the integrity of the street scene;
5. To maintain the visual quality of the street:

- The width of the extension should be less than or equal to half the width of the original frontage of the property;
 - The depth of the extension should be less than or equal to half the depth of the garden;
 - The extension should respect the building line to all streets onto which the property faces;
 - The extension should be subordinate to the property;
 - The extension should be of materials that complement those of the existing building;
 - Fenestration should complement the proportions and alignment of fenestration in the existing building; and
 - The extension should maintain the open character of the plot, where this is a feature of the street scene;
6. Alterations and extensions to dwellings in areas of high flood risk should not create floor levels below those of the existing dwelling, and this should be demonstrated on the submitted drawings. This is to ensure the safety of the occupants;
 7. Alterations and extensions should respect the building and location's character and should not result in unacceptable harm to heritage assets (whether designated or not) or their setting;
 8. Proposals for alterations and extensions to dwellings in the countryside should be proportionate to the size and scale of the original dwelling and must not adversely impact on the quality and character of the landscape or be detrimental to the rural setting; and
 9. Garages should be set back six metres from the highway boundary. This is to enable a vehicle to stand clear of the highway while the doors are being opened or for cleaning or maintenance purposes.

The Council will also apply the considerations set out above in assessing the impact of new build residential development on existing dwellings neighbouring or close to the proposal.

Annexe Accommodation

9.69 There are circumstances where extensions or annexes are required to accommodate dependant relatives, such as the elderly, which will help them maintain separate lifestyles but allow relatives or carers to be close for help and assistance if needed. While the Council is supportive of such extensions as annexes, there is concern that these could become separate dwellings after the use has ceased. In these situations, the Council's preference is for a Section 106 agreement to be negotiated to ensure that such extensions and annexes are used only in conjunction with the existing dwelling.

9.70 Standalone annexes will be supported where it can be demonstrated that there is a need for such a facility; for example, to provide a home for elderly or infirm relatives unable to live independently or accommodation for carers. The standalone annexe should be sited appropriately and there should be a functional relationship between the occupation of the main dwelling and the annexe. It is unlikely that a standalone annexe located outside the curtilage of the main dwelling will be acceptable.

9.71 In circumstances where annexes are within the curtilage of a listed building, a building that is a heritage asset or a conservation area, it may be difficult to achieve an acceptable design. Where these proposals cannot be sited and designed in an acceptable way they will not be supported.

Policy HB9

Annexe Accommodation

Annexes for dependants' accommodation, especially in the countryside, should be attached wherever possible. Proposals for attached annexes will be judged against the relevant criteria in Policy HB8. The attached annexe should have access to the existing dwelling and cannot be capable of being converted to a separate dwelling when the need for the annexe ceases.

Proposals for detached annexe accommodation to a residential property will be permitted where:

1. The existing residential property enjoys a lawful residential use;
2. The proposed annexe would not materially harm any neighbouring uses;
3. The scale and appearance of the proposed annexe is sympathetic and modest in proportion to the principal dwelling and site;
4. The proposed annexe is sited to achieve a clear dependency between the annexe and the main dwelling;
5. The proposed annexe is designed sensitively to complement the existing dwelling and is clearly ancillary and visually subordinate to it in design and massing;
6. The proposed annexe respects the dwelling's character and does not result in unacceptable harm to heritage assets (whether designated or not) or their setting; and
7. Where the proposed annexe is outside the settlement boundary, it does not have an adverse impact on the quality and character of the landscape or its rural setting.

A proposed annexe to a residential property in an area of high flood risk should not create floor levels below that of the existing dwelling, and this should be demonstrated on the submitted drawings.

Development of Residential Gardens

9.72 Residential gardens can provide suitable, well located development sites. However, gardens also add to the character of our urban areas and soften the built environment. They provide spaces for amenity and recreation that improve the health and wellbeing of residents and they also create habitats for wildlife, particularly where the gardens are well established. The uncontrolled loss of residential gardens can lead to a piecemeal pattern of development and lose these health, wellbeing and wildlife benefits.

9.73 It is therefore important to manage the development of residential gardens and the Council will apply the following policy, which should be considered alongside others in the plan, particularly policies HB2: Cohesive Design and HB3: Internal and External Space Standards.

Policy HB10

Development of Residential Gardens

Development proposals involving the complete or partial redevelopment of residential garden land within settlement boundaries will be permitted provided that:

1. The proposal responds to the character and appearance of the area, as well as the layout and pattern of the existing environment, taking into account views from streets, footpaths and the wider residential and public environment;
2. The plot to be developed is of an appropriate size and shape to accommodate the proposal, taking into account the scale, layout and spacing of nearby buildings, the amenity of adjoining residents and the requirements for living conditions set out in Policy HB3: Internal and External Space Standards;
3. Adequate access and parking is provided; and
4. The proposal incorporates established trees wherever possible. Any loss of biodiversity value on the site is mitigated, and where practicable, measures to enhance biodiversity through habitat creation or improvement are incorporated.

Other Forms of Accommodation

9.74 This section contains policies dealing with other forms of accommodation, including residential care homes, houses in multiple accommodation and gypsy and traveller accommodation.

Residential Care Homes and Institutions

9.75 Residential care homes and institutions take a number of different forms. They are, depending on circumstances, likely to fall into one of two use classes as set out in the Town & Country Planning (Use Classes) Order 1987 (as amended):

- C2 - residential institutions; or
- C3 - dwelling houses.

Hostel accommodation is considered to be

sui generis

(in its own class) under the Order.

9.76 Residential institutions are defined in Use Class C2 of the Order. This definition covers residential institutions and other non-custodial institutions where a significant element of care is provided for the residents. This can cover a range of uses such as:

- Nursing and convalescent homes;
- Children's homes;
- Community care and care homes for the elderly;
- Centres for those with severe disabilities; and
- Residential schools.

9.77 In relation to Use Class C3b dwelling houses, this is defined as up to six people living together as a single household and receiving care. For example, this could include supported housing schemes such as those for people with learning disabilities or mental health problems.

9.78 Given the demographic profile of Shepway and the historic development of its coastal settlements, many care homes and institutions have been established in the district. However, with the changing nature of the industry and the requirement for improved service provision and for larger sites to increase the viability of businesses, the Council anticipates significant changes in the building stock over the plan period. It is expected that larger Victorian properties that have so far supported residential care in the district will become too costly to reconfigure to modern standards, and that these will be brought forward for conversion or redevelopment for other uses.

9.79 Kent County Council's (KCC) [Kent Social Care Accommodation Strategy 'Better Homes: Greater Choice'](#) (July 2014) notes of the district that the average care home is 27 beds, and that this is one of the lowest average sizes in the county. It states that "*Shepway will need more fit for purpose residential and nursing homes in future. There are a high number of converted Victorian properties that are unable to accommodate the more complex individual that we are seeing in today's care homes.*" There is, therefore, a pressing need to provide policy guidance to assess proposals for changes of use, demolition and new build in this plan period.

9.80 At the national level, the policy and regulatory framework for residential care and nursing homes is the responsibility of the Department of Health and the Care Quality Commission (CQC). The CQC is the independent regulator for health and social care in England and is responsible for making sure that health and social care services provide people with safe, effective, compassionate and high-quality care. The CQC also encourages improvements in care services; it monitors, inspects and regulates services to make sure they meet fundamental standards of quality and

safety and publishes its findings, including performance ratings, to help people choose care providers. Details of the national standards for residential care homes can be found on the [Commission's](#) website.

9.81 Kent County Council is the body responsible locally for Adult Health and Social Care. KCC has recently changed its procedures for commissioning and care in response to the Health and Social Care Act 2012, the Care Act 2014 and restrictions on local government finances. KCC's [Strategic Statement 2015-2020 'Increasing Opportunities, Improving Outcomes'](#) outlines a commitment to enabling more people to remain in their homes, thus reducing the need for transfer to residential institutions. In its [Social Care, Health and Wellbeing - Community Support Market Position Statement](#) (February 2016) KCC highlights *"plans to facilitate a continued decrease in the number of publicly funded care home placements, as we look to develop more personalised housing options, including Extra Care Housing, supported living and Shared Lives."*

9.82 There will therefore be an increased need in the district over this plan period for the relocation and reconfiguration of existing residential care homes and institutions (C2 or *sui generis* use class) to meet the standards of KCC and the Care Quality Commission.

9.83 Where this cannot be achieved within the existing building, there will be a need for the building's conversion to other uses, or else an impetus for demolition of the building and new build development on the site. Policy HB11 will be applied to proposals for the loss of residential care homes and institutions.

Policy HB11

Loss of Residential Care Homes and Institutions

Planning permission will be granted for the conversion of a residential care home or institution (C2) to residential (C3), hotel or bed and breakfast (C1) or non-residential institution (D1) use, or the demolition of the building or buildings and new build development for these uses, if the following are satisfied:

1. The applicant has provided a viability report demonstrating that:
 - A residential care or institutional use in the current building is not economically sustainable;
 - Extension or adaption is not viable; and
 - The property has been actively marketed at a reasonable rate for a period of at least 12 months and no reasonable offers have been made;
2. Design and layout take account of the design and sustainable construction policies within this plan, as far as is reasonably practical;
3. It can be demonstrated that levels of traffic movements can be successfully accommodated on the local road network;
4. Development does not result in increased noise or disturbance which impacts on neighbouring residential amenity; and
5. In the case of redevelopment for residential (C3) use, the development provides affordable housing in accordance with Core Strategy Policy CSD1: Balanced Neighbourhoods for Shepway.

The Council will resist the demolition of a residential care home or institution that is a heritage asset or where the building is within a Conservation Area.

New or Extended Residential Institutions

9.84 KCC's 'Better Homes: Greater Choice' highlights that there will be a particular demand for quality residential accommodation in Shepway, focused in Folkestone, Hythe, New Romney and Lydd. Already, the district has among the highest proportions of people who live in residential care in Kent, and this need is unlikely to decrease. Both the District and County Councils support provision of accommodation to meet the requirements of those in special need of supervision so that they are fully integrated into existing communities and can live in sustainable locations.

9.85 The principles of sustainability in location and design apply equally to the development of new residential institutions as to general residential development. Policy HB12 sets out criteria for the assessment of proposals for new or extended residential institutions.

Policy HB12

Development of New or Extended Residential Institutions (C2 Use)

Planning permission will be granted for the development of new residential institutions, or the conversion of existing properties to this use, subject to the following requirements:

1. Accommodation is designed and built to the Care Quality Commission's (CQC) Fundamental Standards;
2. The proposal is in a sustainable location with access to local services, leisure and community facilities, including shops, healthcare and public transport in accordance with Core Strategy Policies DSD: Delivering Sustainable Development and SS3: Place-Shaping and Sustainable Settlements Strategy;
3. The proposal is compatible with surrounding land uses, so that the development does not cause substantial disturbance or detrimental impact to neighbours and is not located in an area subject to significant noise or other disturbance, or reasonably likely to be so as a result of the expansion of existing businesses, in accordance with National Planning Policy Framework paragraph 123;
4. The design and layout of the proposal are in accordance with the design policies in this Local Plan, as well as the parking requirements of Policy T2;
5. Sufficient open and defensible amenity space is provided for use by residents, staff and visitors; and
6. The site and immediate surroundings have a gentle topography to facilitate pedestrian movement and access to services and public transport facilities.

Houses in Multiple Occupation

9.86 Parts of the district, particularly the older parts of Folkestone, are characterised by large properties built in previous centuries to accommodate larger families and their domestic staff. Many of these are unsuited to modern household requirements and have been converted into smaller units. In areas where there is still pressure for conversions, the Council needs to manage this to ensure that this does not result in over-intensive development, both for neighbouring residents, who may be affected by the additional traffic or amenity impacts, and the future occupants, who have to cope with inadequate living accommodation.

9.87 Houses in Multiple Occupation (or HMOs) are defined as more than one household occupying a single dwelling where all facilities are not self-contained. The Use Classes Order 2015 allows for a change of use from C3 (dwelling) to C4 (House in Multiple Occupation) for three to six people without the need for planning permission. For proposals involving more than six people planning permission is required and the Council will apply Policy HB13.

9.88 Smaller HMOs - those for three to six people - may be controlled by serving an Article 4 direction on a particular area; this removes permitted development rights so that the proposals require planning permission. Although no Article 4 directions are currently in force restricting this permitted development right, the Council will monitor the situation to see if it becomes necessary in areas where there are particular problems.

9.89 The standard of accommodation provided in HMOs is often poor and the Council has an continuing policy of improvement of HMOs. The Council is particularly concerned that poorly managed HMOs can be a source of considerable nuisance to adjoining occupiers and nearby residents, and can lead to the deterioration of the residential environment.

Licensing of Houses in Multiple Occupation

The Council operates a system of mandatory licensing of houses in multiple occupation. Converted blocks of flats that fall within the definition of an HMO will not be subject to mandatory licensing, unless there are any facilities such as kitchens and bathrooms which are shared or not fully self contained. In order to be licensed, the local authority must be satisfied that the house meets a prescribed amenity standard, is managed by a fit and proper person and that there are suitable management arrangements in place; this licencing regime is operated using the Council's powers under the Housing Act and is separate from the planning controls outlined above. Developers of HMO accommodation will therefore be required to present a detailed management plan for the proposed scheme.

9.90 Policy HB13 deals with planning applications for HMOs involving more than six people that are decided through the planning system.

Policy HB13

Houses in Multiple Occupation (HMOs)

Proposals for Houses in Multiple Occupation (HMOs) will only be permitted where the proposed development, taken by itself or in combination with existing HMOs in the vicinity of the site, would not result in an unacceptably harmful impact on:

1. Residential amenity, caused by increased noise and disturbance;
2. The character or appearance of the street scene or neighbourhood;
3. The character or appearance of the building, including from inappropriate or insufficient arrangements for storage, including for refuse and bicycles; and
4. Highway safety, caused by insufficient on-site parking provision thereby resulting in an unacceptable increase in on-street parking.

Off-street car parking should be provided in accordance with the parking standards set out in Policy T2. Parking provision should not cause unacceptable detriment to the street scene through the loss of trees or gardens.

Proposals that do not provide for sufficient off-street and dedicated parking in accordance with the parking standards will be required to provide a parking survey, undertaken by an independent technical consultant, in accordance with the Lambeth methodology to demonstrate that adequate on-street parking capacity will remain available once a proposal is completed and occupied.

Permissions granted will normally be subject to a condition that restricts the number of occupants allowed to reside at the property as their main residence.

Gypsies and Travellers

9.91 The Government's '[Planning policy for traveller sites](#)' (DCLG, August 2015) defines 'gypsies and travellers' as: "*Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*"

9.92 In assessing whether a person falls within this definition, local planning authorities should consider:

- Whether the person has previously led a nomadic habit of life;

- The reasons for ceasing their nomadic habit of life; and
- Whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

9.93 The [East Kent Gypsy, Traveller and Travelling Showpeople Accommodation Assessment](#) (Salford Housing and Urban Studies Unit, April 2014) reflecting the guidance in the now superseded Planning Policy for Traveller Sites (2012), recommended a need of seven traveller pitches for the period 2013-2027. However, the new definition of gypsies and travellers means that this requirement will need to be reviewed by more up-to-date evidence.

9.94 Given this, the Council is currently working with a consortium of Kent local planning authorities in commissioning a new Gypsy and Traveller Accommodation Assessment. This evidence will be used to inform the Core Strategy Review.

9.95 The Council is positive about providing appropriately located sites for members of the gypsy and traveller community. Given the low overall requirement for pitches identified in the 2012 assessment, a criteria-based policy will be used to provide flexibility in the location of the small amount of development required. It is expected that some pitches will be provided on and adjoining existing permitted sites in the district, and such development will be supported by the local planning authority subject to Policy HB14 and other relevant policies.

Policy HB14

Accommodation for Gypsies and Travellers

Planning permission will be granted for gypsy and traveller accommodation which will contribute to meeting the needs of those households conforming to the definition set out in 'Planning policy for traveller sites', subject to the following:

1. The development safeguards the health of occupiers and provides a satisfactory level of amenity for them, by reference to factors including but not limited to: the space available for each family; noise; odour; land contamination; other pollution or nuisance; flood risk; and the disposal of refuse and foul water;
2. The site is in a sustainable location, well related to a settlement with a range of services and facilities and is, or can be made, safely accessible on foot, by cycle or public transport;
3. Adequate vehicular access, sight lines and space for turning and manoeuvring can be provided;
4. The development will not give rise to an unacceptable impact on amenity for residents in the vicinity of the development, or, in the case of nearby commercial users, result in the imposition of new constraints on the way in which such users can operate their businesses;
5. If the proposal involves the development of land originally identified in this Local Plan for another purpose, the loss of such land is justified by the desirability of providing additional gypsy and traveller accommodation; and
6. There is no adverse effect on the landscape, environmental or other essential qualities of countryside, including the Kent Downs Area of Outstanding Natural Beauty or Natura 2000 sites, Sites of Special Scientific Interest, national or local nature reserves or heritage assets.

The exception to the above criteria relate to applications for the expansion of existing permitted gypsy and traveller sites, in which case only criteria 1 and 4 will apply. However, it must be demonstrated that those households still conform to the gypsy and traveller definition, and that expansion will result in additional gypsy and traveller pitches.

Economy

10 Economy

Introduction

10.1 This chapter contains policies dealing with a range of matters relating to the economy. Policies cover:

- The allocation of new sites for employment;
- The redevelopment of existing employment sites;
- Tourism development, hotels and guest houses and touring and static caravan sites, chalet and camping sites;
- The rural economy, including farm diversification and the re-use of rural buildings; and
- The provision of broadband or Fibre to the Premises (FTTP).

National and Local Policy Context

10.2 The [National Planning Policy Framework](#) (NPPF), as one of its core planning principles, states that local planning authorities should set out a clear vision which positively and actively encourages sustainable economic growth (paragraph 17). Local planning authorities must also balance the need for economic growth against the need to make the most efficient use of land; the NPPF states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose and they should consider applications for alternative uses to support sustainable local communities (paragraph 22).

10.3 More recently, the Government has published a Green Paper, '[Building Our Industrial Strategy](#)' (2017). The objective of the strategy is *"to improve living standards and economic growth by increasing productivity and driving growth across the whole country"*. The strategy focuses on ten 'pillars' to drive forward the economy:

- Science, research and innovation;
- Skills;
- Infrastructure;
- Business growth and investment;
- Procurement;
- Trade and investment;
- Affordable energy;
- Sectoral policies;
- Driving growth across the whole country; and
- Creating the right institutions to bring together sectors and places.

Comments were invited on the Green Paper from 23 January to 17 April 2017 and the Government is currently considering the responses.

10.4 In 2015 the Government published '[Towards a one nation economy: A 10-point plan for boosting productivity in rural areas](#)' (DEFRA, 2015). To increase rural productivity, the Government put forward a plan focusing on:

- Extensive, fast and reliable broadband services;
- High quality, widely available mobile communications;
- Modern transport connections;
- Access to high quality education and training;
- Expanded apprenticeships in rural areas;
- Enterprise Zones in rural areas;
- Better regulation and improved planning for rural businesses;
- More housing;
- Increased availability of affordable childcare; and
- Devolution of power.

10.5 The Council's Corporate Plan and the Core Strategy set out the importance of the boosting the local economy, increasing job opportunities and educational attainment in Shepway. Core Strategy Policy SS2: Housing and the Economic Growth Strategy sets out targets for the provision of additional employment land in the district, based on the findings of the [Shepway Employment Land Review](#) (2011) (this is dealt with in more detail below). Core Strategy Policy CSD3: Rural and Tourism Development of Shepway promotes economic diversification through the re-use of rural buildings, the protection of existing employment sites and the promotion of economic development within settlements. Policies within this chapter provide more policy guidance on these topics.

10.6 Alongside this, the Council, together with business partners such as the [South East Local Enterprise Partnership](#) (LEP) and [Locate in Kent](#), assists new investors planning to locate to the area and helps existing businesses develop and expand.

The District's Economy

10.7 The Council has recently updated the 2011 Employment Land Review to take account of new evidence and economic trends. The Employment Land Review (ELR) (2017) indicates that the district's economy has recorded relatively strong employment growth over recent years when benchmarked against the regional and national growth levels. The [Shepway Economic Development Strategy 2015 - 2020](#) indicates that the economy of the district has improved over the years with the number of jobs increasing by 24 per cent between 2000 and 2012; full time earnings have also increased and unemployment has fallen. The jobs forecast is also predicted to grow more quickly than the South East average to 2031.

10.8 There are a number of key sectors in the district that are well represented in the local economy which provide a particular advantage for growth. These are:

- Financial and insurance services;

- Creative industries (including media and IT);
- Business and professional services (including engineering-related scientific consultancy and research and development);
- Transport and logistics;
- Energy;
- Tourism, culture, retail and recreation; and
- Advanced manufacturing.

10.9 In addition London Ashford Airport, just outside of Lydd, plays a valuable role in the local economy. The airport has planning permission for an extended runway and a new terminal building and the Council will ensure that the economic growth opportunities from the airport's development are fully harnessed in the future.

10.10 Nevertheless, there are still some problems with the overall health of the economy in the district:

- Jobs are generally lower paid and lower skilled;
- There is a deficit of opportunities and workers in the knowledge industries;
- Despite recent improvements the district still has relatively low economic activity and employment rates;
- Claims for Jobs Seekers' Allowance are higher than the South East average;
- Full time earnings are lower than the South East average and national wages; and
- Productivity, as measured by gross value added (GVA) per job, has been running increasingly behind the South East over the last 12 years.

10.11 The 2017 ELR indicates that that there is also:

- A shortage of skilled labour in the district to support the requirements of local businesses;
- A lack of good quality commercial space to meet modern occupier needs; and
- An absence of strategic road access to much of the district outside Folkestone.

These drawbacks have contributed to the district being highly self-contained, in terms of local businesses operating in mostly local markets, with few inward investments attracted to the Shepway economy.

10.12 The decommissioning of Dungeness A nuclear power plant has also resulted in the loss of employment in the area. The impact is being offset by a number of schemes to help new businesses to develop. These include the ['Marsh Million'](#), a £1 million three-year economic growth fund for the Romney Marsh area, funded by the Magnox Socio-economic programme, Kent County Council, Ashford Borough Council and Shepway District Council. Kent County Council is the Accountable Body for the scheme, with support provided by the Romney Marsh Partnership and other public and private sector partners.

10.13 To help overcome these problems, the Shepway Economic Development Strategy sets out the ambitions for economic growth and considers four priorities to achieve this. The priorities are to:

- Build on current and emerging economic strengths;
- Boost productivity and support business growth;
- Promote further investment by maximising the value of the district's assets and stimulating confidence; and
- Improve education and skills attainment.

10.14 The Council is actively seeking to bring forward sites to address the lack of private sector investment and tackle the lack of skills in the area through apprenticeship schemes and local strategies such as the [Folkestone Community Led Local Development Programme Strategy](#) (CLLD). The CLLD's overall strategic objective is to promote social and economic cohesion in Fokestone through interventions to help residents in the most deprived communities access jobs and to support businesses in the area to grow and provide new job opportunities.

Allocated Employment Sites

10.15 The Core Strategy sets out under 'Strategic Need A' that one of the key aims is “to deliver a flexible supply of employment land in terms of location, size and type”. Policy SS2: Housing and the Economy Growth Strategy specifically identifies a target of approximately 20ha (gross) to be delivered between 2006/07 and 2025/26 inclusive, with approximately 7ha being delivered in the first four years of the plan period.

10.16 Since the adoption of the Core Strategy, the 2017 ELR has reviewed the future requirements for office and industrial employment uses. The updated ELR considered three scenarios: Labour Demand; Past Completion Rates; and Labour Supply. The table below sets out the demand of the three scenarios.

	1. Labour Demand	2. Past Completion Rates	3. Labour Supply
OFFICES			
Requirements	18,690	-14,600	18,650
Current Supply (Allocations and permissions)	50,825		
Surplus/Shortage	+32,135	+65,425	+32,175
INDUSTRIAL			
Requirements	-5,000	15,540	-5,100

	1. Labour Demand	2. Past Completion Rates	3. Labour Supply
Current Supply (Allocations and permissions)	97,745		
Surplus/Shortage	+102,745	+82,205	+102,845

Table 10.1 Demand/Supply Balance for Office and Industrial Space in Shepway (sqm) 2016 - 2026

10.17 Regarding the existing supply, the ELR finds that generally the range of employment sites show good activity and low vacancy rates. In particular, a low level of vacancy was evident among industrial sites, demonstrating that much of the current industrial stock is meeting a need in the market. This includes good occupancy at lower quality sites, with high demand at the lower end of the rental market. Overall, occupancy levels in the office market appear to be lower than the industrial market.

10.18 Looking forward, the ELR concludes that, based on the current supply of employment space from extant planning permissions and allocated sites, there is a sufficient supply of employment space to meet the estimated office and industrial requirements under all three future growth scenarios over the period 2016 to 2026, and also beyond to 2031.

10.19 However, there are some considerations - particularly around the balance of supply between Folkestone and the rest of the district and the quality of available employment sites - that mean that the situation will need to be closely monitored to see if further intervention, beyond the protection and allocation of land through planning policy, is necessary. The ELR particularly recommends the regular assessment of sites and the preparation of an employment land trajectory through the Council's Authority Monitoring Report (AMR). The Council will therefore monitor this in future updates of the AMR; any change to the employment strategy will be addressed through the Core Strategy Review.

10.20 To support the requirements of local businesses, the plan will ensure a good range of industrial sites and premises are delivered across the district. The total quantity of employment land identified to meet the requirements of the Core Strategy and updated evidence is set out in Policy E1.

Policy E1

Allocated Employment Sites

The sites identified below are protected for business uses under use classes B1 (business), B2 (general industrial) and B8 (storage and distribution), unless otherwise stated.

Site	Floorspace (sqm)	Uses
Shearway Business Park, Folkestone	11,650	B1 - B8
Cheriton Parc, Folkestone	15,000	B1a
Ingles Manor, Folkestone	1,600	B1
Park Farm (Silver Spring site), Folkestone	<i>TBC</i>	B1
Affinity Water site, Cherry Garden site, Folkestone	3,500	B1a
Folkestone Harbour	500	B1a
Hawkinge West, Hawkinge, Folkestone	2,366	B1 and B8
Nickolls Quarry, Hythe	15,000	B1
Link Park (Phase1 and 2) Lympne Hythe	73,175	B1, B1c, B2 and B8
Mountfield Road Phase 3 and 4, New Romney	9,010	B1, B1c, B2 and B8
Harden Road, Lydd	840	B1 and B1a
Dengemarsh Road, Lydd	11,725	B1 Mixed

A proportion of non-business class uses (up to 25 per cent) will be permitted provided it can be demonstrated that:

1. The use will add to the attractiveness and function of the employment site;
2. There is full justification of its location within the wider employment site; and
3. Proposals comply with other Local Plan policies, including those relating to Retail and Leisure.

Redevelopment of Existing Employment Sites

10.21 The Council considers that there is a need to protect employment sites in the district that have a reasonable prospect of continuing in that use throughout the plan period. While it is acknowledged that some employment land may be lost through the effects of national policy (such as permitted development rights allowing the change of use of offices to residential) evidence in the ELR indicates that there is a need for the retention of land and properties to support the employment needs of Shepway.

10.22 The overall assessment of existing employment sites in the ELR indicates that the district contains a reasonable range of sites of differing condition and type. While some of these sites support ageing premises and infrastructure, they display good activity and low vacancy. In particular a low level of vacancy was evident on industrial sites, demonstrating that much of the current industrial stock is meeting a need in the market. Existing employment sites, therefore, play an important role in the district's economy as they provide a range of premises to meet the different business needs of the district.

10.23 The ELR also indicates that over an eleven year period (2002/03 to 2013/14), while there was a small net gain in employment land overall, there was a net loss of office space (1,300sqm), which was offset by an average gain of industrial space (2,400sqm). However, over the same period there was an increase in B1 office job numbers, yet less jobs in B2 and B8 industries. Therefore, loss of office sites, especially in the urban area where demand is greatest, should therefore only be allowed when they are no longer fit for purpose and would not meet the future need.

10.24 Other issues highlighted in the ELR indicate that the district is reliant on a few large sites to meet the overall requirements set out in the Core Strategy. There is therefore a need to ensure existing sites are retained to continue to provide other options for businesses.

10.25 Where employment sites are considered for alternative uses, the Council will expect any proposals to demonstrate why the site is no longer required. This should be through an assessment of neighbouring uses, showing why it would not be viable to redevelop the site for new employment uses or, if the property has been empty, evidence of the marketing that has taken place over the previous six months. It will also be necessary to show that the proposed new use would not undermine neighbouring employment uses.

10.26 To ensure that employment land or property is retained to meet the requirements of the Shepway economy, the following policy will apply. This policy will not apply to any sites identified on the Council's Brownfield Land Register as these will go through a separate assessment process.

Policy E2

Redevelopment of Existing Employment Sites

Existing employment sites are protected for business purposes under classes B1 and B8. Proposals to fully or partly redevelop existing employment sites for alternative uses will be permitted provided that it is demonstrated that:

1. The existing or former employment use is no longer appropriate in terms of neighbouring uses or impacts on the natural environment; or
2. The site or premises has been subject to sustained marketing over a six month period prior to the submission of the planning application but the site or premises has remained unlet or unsold for all appropriate types of B class employment use and nor reasonable offers have been received;
3. It does not prevent or limited opportunities for any remaining land left undeveloped coming forward for employment purposes;
4. Any established businesses are relocated to appropriate alternative premises within the local area; and
5. The site is unviable for redevelopment for an alternative employment use.

In addition, proposals should demonstrate that the proposed new use does not undermine neighbouring employment uses or their future development.

Tourism

10.27 There is a wide variety of tourist attractions within the district including:

- Water-related sports along the stunning coast line;
- Key attractions such as Port Lympne Reserve and the [Romney Hythe and Dymchurch Railway](#);
- Numerous heritage assets;
- Expansive wild landscapes; and
- New initiatives, such as the [Creative Quarter](#) in Folkestone.

10.28 This tourism offer is an important aspect of the district's economy. The value of tourism to the local economy was estimated at £235,213,000 in 2013 and tourism is believed to employ over 4,500 people (12 per cent of the workforce)⁽¹⁾.

10.29 The Council is keen to promote further investment in new facilities and attractions (such as the new tree house accommodation at Port Lympne) that broadens the overall offer, ensures visitors stay longer and helps diversify the

¹ COOL Activity 1.2 Economic Impact Research The Economic Impact of the Kent Visitor Economy 2013 Shepway District Feb 2015

economy. The Council has produced a Tourism Destination Management Plan for Shepway to support and expand the visitor economy, making the most of local resources and assets, identifying and addressing key gaps, and putting the district in a strong position for the future.

10.30 The Heritage Strategy will identify opportunities to use the district's heritage assets as part of its tourism offer. Shepway is rich in heritage and its strength lies in the cumulative nature of its heritage assets; outstanding examples include the arrangement of Napoleonic defences, the Martello Towers, the Redoubts and forts, the Royal Military Canal, which extend along the coast and across the Romney Marsh; and the unique landscapes of the Romney Marsh and Dungeness. The vast majority of Shepway's heritage is accessible to the public, at least externally and some of these assets may be public buildings or in publicly accessible areas, such as Folkestone Harbour Arm.

10.31 Proposals for new tourist development should comply with the locational policies in the [National Planning Policy Framework](#) (NPPF) and Core Strategy and be located within the settlements in the hierarchy (Core Strategy Policies SS3: Place-Shaping and Sustainable Settlements Strategy and SS4: Priority Centres of Activity Strategy). Where proposals are located outside the settlements, in the open countryside, they should utilise existing buildings, especially if it would bring a heritage asset into viable use. New tourist-related development in the countryside will need to provide clear justification for the proposal's location.

Policy E3

Tourism

Planning permission will be granted in or on the edge of town centres for proposals to provide new tourism development including hotels, guesthouses, bed and breakfast, self catering accommodation and new visitor attractions where:

1. The location is well related to the highway network and is accessible by a range of means of transport, including walking and cycling and by public transport;
2. The massing, materials and overall design of the proposal does not have a detrimental impact on the wider landscape, heritage assets or surrounding built form;
3. There is no detrimental impact on neighbourhood amenities;
4. There is no detrimental impact on biodiversity assets; and
5. Evidence is provided that demonstrates how the proposal contributes to the diversification of tourist attractions in the district and the need for the development.

New tourist accommodation and attractions in the countryside will be permitted in exception circumstances where it can be demonstrated that:

1. Available sites within or on the edge of settlements are not suitable and the proposal clearly indicates why an open countryside location is needed;
2. There are no suitable vacant buildings in the locality that could be converted;
3. The development is viable and will have significant economic and other benefits to the locality to outweigh any harm; and
4. Where the proposal is located within the Kent Downs Area of Outstanding Natural Beauty, or its setting, it would comply with Policy NE3.

Proposals for new residential accommodation to serve tourism development in the countryside will be required to comply with Policy HB7.

Hotels and Guest Houses

10.32 The Council wishes to retain a range of good quality hotel and guest house accommodation in the district, which will appeal to all types of tourist, and will resist the loss of visitor accommodation where this would be detrimental to the tourist economy. The upgrading of existing stock or conversion to other tourist-related uses will be supported, subject to environmental considerations.

10.33 In the operation of this policy the Council will have regard to available evidence from local hotel and tourist organisations concerning tourist demands and requirements.

Policy E4

Hotels and Guest Houses

Applications for the change of use or redevelopment of hotels, guest houses or self-catering units which would result in a loss of visitor accommodation will only be permitted where:

1. The standard and type of accommodation that is, or could be provided at reasonable cost, is unsuited to meet visitor demands; or
2. In the case of hotels and guest houses, the premises or site are poorly located in relation to the areas of main tourist activity or tourist routes, and uses in the immediate vicinity are predominantly unrelated to tourism or incompatible with the continued tourist use of the premises; and
3. In addition to the above, it has been demonstrated that the business has been marketed at a reasonable rate and for a period of 12 months.

Touring and Static Caravan Sites, Chalet and Camping Sites

10.34 Touring and static caravan facilities, chalets and camping sites play an important role in tourism by providing long- and short-stay self-catering accommodation. Most sites are, however, located along the coastline and can have an unacceptable visual impact on the wider landscape and be detrimental to the special environment that draws people to the area. The Council will, therefore, seek to consolidate and improve existing caravan sites through minor expansions, limited infill and the diversification to other forms of self-catering accommodation, rather than through the development of new sites.

10.35 Proposals for the change of use of caravan parks from tourism to permanent residential use will be permitted in sustainable locations and where it can be demonstrated that the accommodation is no longer required for tourism.

10.36 Flood risk is also an important consideration for a change of use to residential as there are stricter provisions set out in the [Planning Practice Guidance](#) for permanent residential use than for tourist use. Residential caravans are classed as 'highly vulnerable' and should not be located in areas identified as Flood Zone 3. Applicants for sites within Flood Zone 3 should also consider the flood hazard mapping in the Council's [Strategic Flood Risk Assessment](#) (Herrington Consulting Ltd, 2015).

Policy E5

Touring and Static Caravan, Chalet and Camping Sites

Proposals for the infilling, expansion and diversification of existing lawful touring and static caravan, chalet and camping sites will be permitted where:

1. The proposal would not harm the character or appearance of the countryside or coastline or conflict with other countryside and environmental protection policies;
2. The site has good access through a local distributor road to the primary road network, and any local roads needed to gain access to the site are capable of accommodating the extra traffic generated without undue hazard or inconvenience to local residents or other road users;
3. Minor expansions are located to minimise their effect on local amenity, and should as far as possible, be screened from public roads, open spaces or footpaths, and where necessary a scheme of landscaping should be submitted with the proposal to achieve this;
4. The proposal does not significantly affect the best and most versatile agricultural land;
5. The proposal does not substantially interfere with the amenities of residents in nearby dwellings;
6. The diversification is compliant with the holiday use; and
7. The demand for the infilling, expansion and diversification can be demonstrated.

Proposals for change of use to residential use will only be permitted where:

1. The site is within an existing settlement boundary and is well-related to the built up area;
2. The site is acceptable in terms of highway access;
3. The proposal would not have a significant impact on the wider landscape and biodiversity;
4. It can be demonstrated that the accommodation is no longer required for holiday use; and
5. The location is not within an area of high flood risk.

Rural Economy

10.37 The rural area plays an important economic role and over the past few decades rural businesses have become increasingly diverse. According to the Government's ['Towards a one nation economy: A 10-point plan for boosting](#)

[productivity in rural areas](#)' the trend towards greater diversification is continuing and economic activity is becoming more dynamic, facilitated in part by improved information communications.

10.38 The Government has pledged to improve rural productivity through the provision of extensive, fast and reliable broadband services, modern transport connections, expanded apprenticeships and providing strong conditions for rural business growth. This Local Plan will help to ensure that the district can benefit from these initiatives.

Farm Diversification

10.39 The Government encourages diversification of the rural economy through the development of new farm enterprises to sustain and develop rural businesses, thereby supplementing farmers' incomes and providing new and more varied employment opportunities for local people, to replace jobs lost through structural changes to the agricultural industry.

10.40 Examples of farm diversification include packing and processing of farm produce, farm shops, craft workshops, sporting facilities and holiday accommodation. Proposals to diversify will be supported where there is no detrimental impact on the character, appearance and nature conservation value of the countryside.

10.41 With regard to farm shops, permission will be granted where it can be demonstrated that the proposal would not impact on any nearby shopping facilities in local towns or villages. (Applicants should also have regard to Policy RL8: Development Outside Town, District and Local Centres.)

Policy E6

Farm Diversification

Planning permission will be granted for the diversification of farm businesses where:

1. The proposal is compatible with surrounding buildings and the location in terms of scale and design;
2. There would be no detrimental impact on local amenity or the character, appearance or nature conservation value of the rural landscape. This criterion will be given additional weight in the Kent Downs Area of Outstanding Natural Beauty, and nature conservation designations;
3. Adequate provision is made for access, servicing and parking;
4. Any retailing proposed relates to the sale of farm produce and would not harm the viability of retail facilities in nearby centres in accordance with Policy RL8: Development Outside Town, District and Local Centres;
5. The proposal would not prejudice the agricultural working of the farm unit; and
6. Where practicable, the proposal re-uses an existing agricultural building.

Reuse of Rural Buildings

10.42 The Council will support the re-use or adaptation of rural buildings, such as barns and stables, for new commercial, industrial, recreational or tourism-related uses that assist in the diversification of the rural economy or meets specific needs of rural communities.

10.43 Proposals will be acceptable if they are in keeping with their surroundings in terms of their form, bulk and general design and do not generate unacceptable impacts on environmental, traffic or other grounds. Where physical alterations are involved, they should generally respect local building styles and materials.

10.44 With regard to heritage assets (including archaeology), whether designated or not, the historic character of traditional farmsteads and farm buildings, as well as their settings, can be retained and enhanced through sympathetic change and development. The NPPF stresses the importance of:

- Retaining and enhancing local character and distinctiveness; and
- Conserving heritage assets in a manner appropriate to their significance and putting them to viable uses consistent with their conservation.

10.45 The Shepway Heritage Strategy states that farmsteads that are dated after 1900 are far less likely to represent the historic character of the local area due to development and alterations. All of the substantially complete traditional farmsteads within Shepway District are considered to be of 'moderate significance'. Heritage Statements produced for planning applications should refer to the Heritage Strategy in their evaluation of the significance any historic assets affected by the proposals.

10.46 The Government has published changes to the permitted development rights for the change of use of some rural buildings to business or residential uses. Beyond the scope of these permitted development rights the following policy will apply.

Policy E7

Reuse of Rural Buildings

Planning applications for the conversion of existing rural buildings and/or the creation of new buildings that support the development and expansion of the rural economy or tourist industry (including visitor accommodation), will be approved where:

1. The building is of permanent and substantial construction and the proposed conversion is sympathetic to the building's intrinsic character, appearance and setting and is capable of being implemented without significant extensions or alterations to the existing building and would not damage the historic fabric, character or setting of a historic asset;
2. Development would not prejudice the agricultural working of a farm unit or the vitality and functioning of nearby rural towns and villages;
3. Access, servicing and parking requirements can be met without detriment to the visual or other amenities in the locality;
4. Where the proposal is within the Kent Downs Area of Outstanding Natural Beauty or its setting, it is of a high quality of design of buildings and surrounding space and reinforces local distinctiveness to help maintain the Area of Outstanding Natural Beauty as a special place;
5. There is no detrimental impact on residential amenity; and
6. There is no detrimental impact on the protected species, sites or features of nature conservation interest.

Where a rural building can accommodate a business reuse in accordance with criteria 1 to 3 above, proposals for conversion to a residential use which is not ancillary to a scheme for business reuse, will need to be justified through a statement detailing the efforts made to secure a business reuse in the first instance and, in addition, the proposal would involve the re-use of a traditional building of architectural or historic merit that is worthy of retention.

Promotion of Fibre to the Premises (FTTP)

10.47 The e-technology sector is undergoing major changes and the Government, through its broadband agency [Broadband Delivery UK](#) (BDUK) is supporting investment to:

- Provide superfast broadband coverage to 90 per cent of the UK by early 2016 and 95 per cent by December 2017;
- Provide access to basic broadband (2Mbps) for all from December 2015; and
- Explore options to provide superfast coverage to the hardest to reach parts of the UK.

10.48 The availability, reliability and speed of broadband provision is now a key consideration for house buyers and many view it as essential as the standard utilities. Similarly, it is also a key concern for the business sector.

10.49 In light of changing work patterns, the increase in remote office working, and the need for local businesses to maintain an online presence, the Council is aware of the need for all development to ensure sites are serviced to be able to provide the fastest available broadband speeds.

10.50 The NPPF supports the provision of infrastructure in achieving sustainable economic growth, stating that: *"the development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services"* (paragraph 42). It also requires that, *"in preparing Local Plans, local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband"* (paragraph 43).

10.51 In addition to this, in 2015 the [Secretaries of State for Communities and Local Government and for Culture, Media and Sport](#) wrote to local authorities to advise them *"through Local Plans and when considering planning applications to ensure whenever possible commercial and residual new builds are able to access superfast broadband"*.

10.52 Locally Kent County Council (KCC) is working with BDUK to improve access to superfast broadband services through its ['Making Kent Quicker'](#) programme. This work has brought superfast broadband to more than 125,000 homes and businesses, meaning that 92 per cent of properties across the county can now access a superfast broadband service of at least 24mbps. KCC is now working with BDUK on a second project and aims to achieve 95 per cent coverage by the end of 2017 and 95.7 per cent coverage by September 2018.

10.53 Ashford Borough Council, adjoining Shepway District, has been a pioneering authority in requiring fibre to the premises (FTTP) for all new developments. Policy E8 follows the successful approach established by Ashford and requires the provision of FTTP as part of major developments.

10.54 There are, however, challenges in terms of the viability of provision, particularly in more remote areas. The policy below is targeted towards schemes promoting 10 residential units or more and proposals that deliver reasonably sized, or larger, employment uses. Schemes that fall below these thresholds will be encouraged to deliver FTTP wherever practical to try to ensure that the district's fibre network is delivered to its maximum capacity. There may be schemes that come forward which cannot fulfil the policy requirements; in these circumstances, the applicant should provide evidence to demonstrate that a departure from policy is justified. Evidence could include problems of viability, physical access to the site or proximity to the nearest point on the fibre network.

10.55 Where a FTTP solution is not possible, provision of technologies capable of providing speeds in excess of 24Mbps should be delivered wherever practical.

Policy E8

Provision of Fibre to the Premises

All major developments within Shepway District will enable Fibre to the Premises (FTTP).

For smaller schemes the Council will expect FTTP to be provided where practical.

Where it can be demonstrated that FTTP is not practical due to special circumstances, then technologies that can provide speeds in excess of 24Mbps should be delivered wherever practical.

Retail and Leisure

11 Retail and Leisure

Introduction

11.1 This chapter contains policies dealing with a range of matters relating to town centres, retail and leisure development. Policies cover:

- The hierarchy of retail centres within the district;
- Town, district and local centres and development outside these centres;
- Advertisements, shop fronts, blinds and security shutters; and
- Mixed-use development allocations.

11.2 The chapter begins with some background on recent trends affecting town centres and the retail and leisure sectors, as well as an overview on national and local planning policies relating to retail and leisure.

Background

National Trends

11.3 The Council's [Shepway Town Centres Study](#) (PBA, 2015) highlights a number of pressures affecting town centres. The market context for town centres, and retail in particular, is fast changing. The role of town centres is not as straight forward as it has historically been and indications are that those town centres which have a diverse range of uses tend to be more robust in the face of economic changes.

11.4 Key trends in the retail and leisure sectors identified by the Town Centres Study are:

- **Polarisation to higher order centres** - The 'polarisation trend' refers to the preference of retailers to concentrate trading activities in larger schemes, within larger centres. Retailers recognise that greater efficiency can be achieved by having a strategic network of large stores offering a full range of their products, rather than a network of smaller-format stores which are only able to offer a limited range of products. Middle-order centres such as Folkestone are particularly susceptible to this trend, as retailers seeking to locate within the south-east are likely to focus their efforts on destinations such as Lakeside, Bluewater, Brighton and Royal Tunbridge Wells;
- **Growth of the convenience goods sector** - The convenience goods sector (everyday essential items particularly food) has become a key driver of growth since the economic downturn. The sector has traditionally been dominated by the 'big four' supermarket operators, but increasingly both higher-quality operators and discount retailers are gaining market share;
- **Growth in commercial leisure** - Most commentators predict that commercial leisure (uses such as cafes, bars, restaurants and cinemas) will constitute a growing share of town centre floorspace. This is partly a replacement driven by

reduced demand for traditional shopping space and an increase in leisure spending. There is scope for town centres to capitalise on this, promoting themselves as 'destinations' in their own right; and

- **Growth in online shopping and e-commerce** - Online shopping has increased at a rapid pace in recent years, particularly in the comparison goods sector (retail items not bought on a frequent basis, such as electrical goods and clothing). Online shopping is perceived to offer a number of significant advantages over 'traditional', high street-format shopping, including lower prices, a wider choice, and the ability of customers to easily search out bargains. However, the competition is not a straight forward choice between online shopping and the high street as new technologies are promoting an integration between the two, to the point where a town centre that embraces digital technologies can find itself in a strong position.

National Policy and Guidance

11.5 Against this changing context, Government policy highlights the importance of promoting the vitality and viability of town centres. The [National Planning Policy Framework](#) (NPPF) states that local planning authorities should: "*recognise town centres as the heart of their communities and pursue policies to support their viability and vitality*" and "*promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres*" (paragraph 23). To achieve this, local planning authorities should "*allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres*" and should aim to meet identified needs in full (paragraph 23).

11.6 The Government's [Planning Practice Guidance](#) sets out further detail, including a section on 'Ensuring the vitality of town centres'. This states that a positive vision or strategy for town centres is key to ensuring their success; this will enable economic growth and provide a wide range of social and environmental benefits. Any strategy should be based on evidence of the current state of town centres, and opportunities to meet development needs and support their viability and vitality should be taken.

11.7 In addition to these policies and guidance, [High Streets at the Heart of Our Communities](#) (CLG, 2012) (the Government's response to [The Portas Review](#)) suggests a number of ways to revitalise town centres. While some of these focus on the management of streets and spaces, planning also has a key role to play through, for example:

- Promoting better access for cycling and walking to help improve air quality and reduce congestion;
- Reducing street clutter (such as signs, hoardings and railings) and rethinking how urban spaces could be used to bring life back to town centres; and
- Encouraging a variety of uses, including social, entertainment, cultural and market uses, as a vital part of town centres.

11.8 The potential of urban spaces to bring life back to towns is explored further in '[Re-imagining urban spaces to help revitalise our high streets](#)' (CLG, 2012). Some key messages are that:

- Open spaces, streets, squares, green spaces and the network of pavements and pedestrian thoroughfares are what hold town centres together;
- Local authorities should develop a shared vision to transform town centres to encourage visitors, working with local communities, businesses, landowners and developers;
- The evening and night-time economy should be encouraged through promoting a mix of uses and events outside of shop opening times and using sensitive lighting schemes to enhance the appearance of towns and improve public safety;
- Local authorities should promote the use of public buildings for a mix of leisure, social, cultural and educational uses to encourage people back into town centres and to visit towns in the evening and night-time; and
- The use of high quality and locally distinctive features and materials can enhance town centres and help attract customers and businesses.

Core Strategy Local Plan

11.9 The Core Strategy sets out a number of objectives for the district, including enhancing the viability, vitality and appeal of its town centres. Folkestone is identified as a significant commercial, cultural and tourism centre.

11.10 The Core Strategy explains that town and village centres in Shepway play a critical role in anchoring economic activity within the district. There remains a need to carefully manage the location and development of retail to maintain Shepway's position in relation to other competing retail centres outside the district. There is also a preference for retailers to locate to out of town locations within the district. However, the district's town centres continue to "*retain a strong, practical and symbolic significance*" (paragraph 4.95).

11.11 The Core Strategy provides a settlement hierarchy for the district (set out in the introduction to Part One). This confirms Folkestone as the highest-order centre in the district, a 'Sub-Regional Town', where substantial residential, commercial and social development should be accommodated, and where the focus should be for retail, leisure, cultural and public services for the whole of the district.

11.12 Hythe and New Romney are identified as second-tier 'Strategic Towns for Shepway' where significant development will also be accommodated; Lydd and Hawkinge are third-tier 'Service Centres'; and Dymchurch, Elham, Lyminge and Sellinge are smaller 'Rural Centres'.

11.13 Regarding retailing, the Core Strategy sets the objective to *"accommodate the majority of Shepway's identified needs for retail, office and leisure uses through new development to improve their vitality, public realm, mix of uses, and daytime and evening economy"* (Table 4.4: Priority Centres of Activity Network).

11.14 Retail development should be focused on the most sustainable towns and villages, with Folkestone, Hythe and New Romney identified as the district's main town centres. The Core Strategy promotes Folkestone as a well-connected, legible and sustainable town and proposes upgrades to the public realm as well as an enhanced choice of independent shops, cafes, restaurants and galleries. In order to support the new dwellings set out in the Core Strategy, a target is set for the development of 35,000sqm of goods retailing space (Use Class A1). (These targets are based on previous retail evidence, particularly the [Shepway Retail Needs Assessment](#) (KCC, 2010), which has been updated by the 2015 Shepway Town Centres Study.)

Retail Hierarchy

11.15 To ensure the long term vitality and viability of the district's town centres, the Council will focus development for retail, leisure and other main town centre uses within town centres (a 'town centre first' approach). Development should be appropriate to the size and function of the centre in which it is located.

11.16 A strong town centre policy enables and encourages town centre uses to be developed within the centres, and also allows the Council to reject proposals that could draw trade away from established shopping areas. Town centre uses are defined in the NPPF and include retail, leisure, entertainment facilities, intensive sports and recreation uses, offices, arts, culture and tourism development.⁽¹⁾ Given the context outlined above, the Council will support the provision of a diverse range of uses which appeal to a wide range of age and social groups. Social and cultural experiences provide attractions drawing people to centres and businesses such as restaurants, cafes and pubs can support high street shops. In addition, as the NPPF highlights, residential development can play an important role in ensuring the vitality of centres.

11.17 A diversity of uses adds to a town centre, making it more attractive, but a concentration of uses in a small area which detract from a centre's variety will be resisted. For changes of use to restaurants, pubs or takeaways within town centres, in particular, the Council will consider the proximity of other similar uses and whether

1 Main town centre uses: Retail development (including warehouse clubs and factory outlet centres); leisure; entertainment facilities; the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

a proliferation of the same use within the same immediate area would be likely to affect the vitality and viability of the centre or would be in conflict with other objectives, such as the need to manage traffic, noise or litter.

11.18 The Core Strategy identifies a hierarchy of town centres and this forms the basis of the policy below.

Policy RL1

Retail Hierarchy

Within the designated town centres in the retail hierarchy, planning permission will be granted for the development of a range of town centre uses that add to the vitality and viability of the centres, except where the proposed development is in conflict with other policies or environmental objectives.

The Council will seek to enhance the established character and diversity of town centre uses and avoid over-concentration of particular uses that would be detrimental to the character or function of an area. Residential development will also be permitted where it would enhance the vitality and viability of town centres.

Development should be of an appropriate scale in accordance with the centre's position in the following hierarchy:

- Major Town Centre - Folkestone;
- Town Centres - Hythe and New Romney;
- District Centres - Cheriton, Hawkinge and Lydd; and
- Local Centres - Sandgate, Lyminge, Elham, Sellindge and Dymchurch.

Retail Need

11.19 Based on the factors outlined above, as well trends such as population growth and increased spending, the Town Centres Study highlights quantitative requirements in the district over the plan period for retail floorspace needs. These requirements are based on an assessment of spending patterns within and beyond the district. The Study identifies the following patterns:

- **Comparison goods (non-food) shopping** - The district retains just over 50 per cent of spending, totalling around £188m a year, of which around £105m is spent in Folkestone Town Centre. Ashford (around £80m) and Canterbury (around £60m) account for the majority of comparison spending outside the district; and
- **Convenience goods (food) shopping** - The district retains 77 per cent of spending, totalling around £200m a year of which foodstores in Folkestone

account for £121m of spending. Ashford (£34m) and Dover (£9m) account for the majority of convenience spending outside the district.

11.20 Based on these patterns, the following requirements have been identified.

	2014	2017	2021	2026	2031
Comparison Goods (²) Floorspace Requirement (sqm net, rounded)	0	1,100	3,600	<i>8,000</i>	<i>12,800</i>
Convenience Goods (³) Floorspace Requirement (sqm net, rounded)	-4,400	-4,200	-3,600	<i>-2,700</i>	<i>-1,600</i>

NB: Figures are cumulative. Figures in italics are indicative.

11.21 The Town Centres Study finds that there is a need for the quality of comparison retail space to be enhanced, especially in Folkestone, to create a more mid-market offer to reduce the expenditure lost to surrounding centres and, through the provision of larger retail units, to meet the needs of national retailers. This is likely to require the modernisation of existing floorspace as well as the identification of opportunity sites. The planning permission at Folkestone Harbour includes up to 10,000sqm of commercial floorspace including A1 (shops), A3 (restaurants and cafes), A4 (drinking establishments), A5 (hot food takeaways), B1 (business), D1 (non-residential institutions) and D2 (assembly and leisure) uses. This will provide a high quality town centre uses at a waterside location which will go some way to meeting the identified needs, alongside the cultural, tourism and leisure space provided at the Harbour Arm.

11.22 The Study also considers the NPPF's requirement for suitable sites to meet its town centre needs. After considering the identified potential uses of each Folkestone town centre site as a short-term, medium-term or long-term opportunity, the Study concludes that there is limited potential for development in the short-to-medium term, and the identified sites are unlikely to represent realistic opportunities for meeting qualitative and quantitative needs. The sites with the greatest potential for redevelopment are the Folkestone Bus Station site and existing retail units on Guildhall Street / Shellons Street.

² Other goods not classified as convenience goods such as clothing, fridges, televisions

³ Broadly defined as food, drinks, tobacco, newspapers, magazines, cleaning materials, toilet articles

Town Centre Designations

11.23 Folkestone, Hythe and New Romney have designated town centres. The following sections set out policies for development within the town centre boundaries of these settlements. Other policies deal with district centres and local centres, following the hierarchy set out in Policy RL1.

Folkestone Town Centre

11.24 Core Strategy Policy SS4: Priority Centres of Activity Strategy focuses town centre uses in centres in line with national policy. The Core Strategy also includes a policy for Folkestone, Policy CSD6: Central Folkestone Strategy, which identifies 'arcs' where new development should deliver investment in commercial, cultural and educational uses and contribute to public realm improvements that enhance the physical environment, to create a sense of security and improve connections. The 'arcs' consist of the 'Central/West Development Arc' and the 'Seafront/Creative Regeneration Arc'.

11.25 The importance of town centres and their role as the heart of the local community is recognised in the NPPF. Paragraph 23 states that planning policies for town centres should promote competitive environments and the management and the growth of centres and support their viability and vitality.

11.26 Folkestone is defined as a 'Major Town Centre' in the retail hierarchy and is the focus for comparison goods shopping, civic facilities, tourism, arts and culture in the district. The centre contains a number of supermarkets and therefore also provides a convenience goods function.

11.27 The Town Centres Study identifies a number of distinct areas where the mix and quality of the shopping environment differs substantially. The primary retail area is focused around the pedestrian element of Sandgate Road and the more recent Bouverie Place Shopping Centre. In this part of the town centre retail uses dominate, and in common with many other towns, there is a move towards more value-orientated retailers alongside established national retailers. The opening of the Bouverie Place Shopping Centre has succeeded in bringing a number of higher-profile retailers to the town, to complement its long established department store on Sandgate Road.

11.28 The secondary retail areas are the peripheral areas which adjoin the primary retail areas; these include the un-pedestrianised section of Sandgate Road, Cheriton Place, Guildhall Street and Rendezvous Street. In these areas, the diversity of uses is less focused on retail, with a greater mix of services such as estate agents, cafés, pubs and bars. These areas are generally quieter, with lower levels of pedestrian activity, and some parts of these secondary areas also have higher levels of vacancy. Rendezvous Street however has significant footfall and has established itself as a vibrant area connecting the High Street with the Creative Quarter, with its own 'café culture'.

11.29 The [Creative Quarter](#), comprised principally the Old High Street and Tontine Street, is an area which has been revitalised under the guidance of the [Creative Foundation](#), an independent arts charity. The Foundation started in 2002 and has overseen the restoration of over 90 buildings. Many shops in the area are currently being redeveloped, and the area is being promoted as a hub for creative industries. This area offers predominantly smaller, independent retail units and includes a number of boutiques, specialist retailers and exhibition space. The Creative Foundation has also led the development of the [Quarterhouse](#) arts venue, which occupies a prominent position on Tontine Street, and provides an important cultural facility for Folkestone and the wider East Kent area, putting on theatre, live comedy and live music performances and film screenings. The Creative Quarter is a particularly important asset to the town, offering a good and changing mix of independent retailers and cafés, as well as the Quarterhouse arts centre, but despite being entirely complementary to the more 'mainstream' offer elsewhere in the town, it needs to be better integrated with the wider area to fulfil its full potential.

11.30 The Town Centres Study concludes that, on the whole, Folkestone Town Centre is only performing adequately. The diversity of uses can be considered to be reasonable, but the focus of the retail offer is only on meeting day-to-day uses, rather than higher-order, more specialist comparison goods. The town centre benefits from good accessibility by car and public transport (although linkages between the town centre, railway station and seafront require improvement). Environmental quality is also poor in places.

11.31 The Study highlights two areas which need to be addressed to ensure the long term vitality and viability of the town. These are:

- **The evening economy** - Folkestone lacks an evening economy, particularly in respect of family restaurants and commercial leisure facilities, which reduces the attractiveness of the centre as anything other than a shopping destination; and
- **The high level of vacant units** - Investment in some areas with higher levels of vacancy, such as Guildhall Street, is required in the short term to help address this. Such investment may include the improvement of the shopping environment and public realm, modernisation of shop units, and investment in the promotion of the different 'quarters' of the town centre.

11.32 Work by the [Folkestone Coastal Community Team](#) also highlights:

- The lack of connections between the town and the seafront;
- The need for improvement to the public realm;
- The importance of maximising events in arts and culture;
- The need for support for the hotel sector and green links; and
- The need to enhance the 'café culture' and the evening economy.

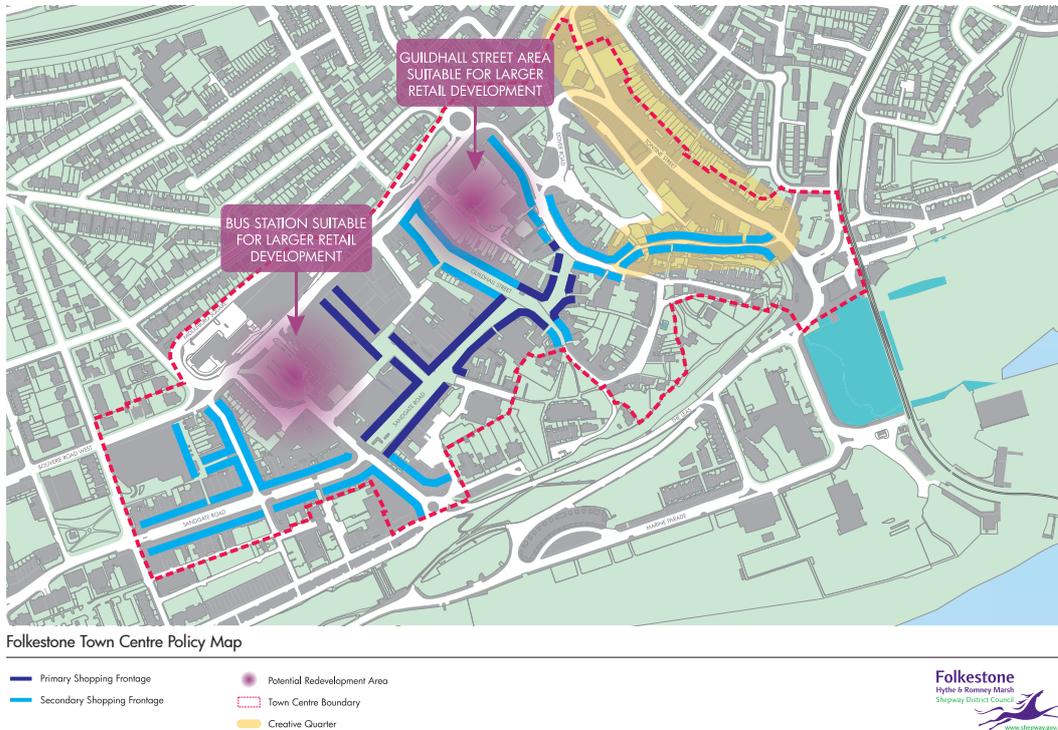
Policies in this plan, together with those in the Core Strategy, seek to assist with these aims.

11.33 The [Folkestone Triennial](#) provides the town centre with a significant regional, national and, at times, international attraction which, alongside the significant investment in the Creative Quarter and Folkestone Seafront and Harbour, will continue to deliver increased activity over the plan period. In addition, other schemes continue to be delivered; for example, planning permission was granted in 2016 for the creation of a new Urban Sports Park in Tontine Street and this is due to open in 2018.

11.34 The Primary Shopping Frontage in Folkestone has been successful at preventing the loss of retail uses at ground floor level in the main shopping areas of the town. The primary shopping area is compact in nature, running the extent of the pedestrianised precinct of Sandgate Road and the top end of Rendezvous Street. It also includes the new Bouverie Place development. The area is characterised by a high proportion of retail units; many of them occupied by multiple retailers. While it is important to maintain a concentration of shops, other town centre uses - such as bars, nurseries or doctors' surgeries, education, civic buildings, health, museums and galleries - could help to improve the vitality and viability of the centre by drawing people in.

11.35 Secondary Shopping Frontages have been designated at the eastern end of Sandgate Road, the northern part of Guildhall Street and The Old High Street. The designation seeks to provide an area where there is a greater mix of town centre uses to support the primary area, providing a wide range of shops, services and restaurants as well as space where more specialist and individual shops can locate to (due to the availability of smaller and cheaper units). These areas would also be suitable for small businesses, provided that they retain active frontages and traditional shop fronts. Proposals for A5 (hot food takeaways) uses will be permitted, provided that they meet the requirements of policies in this chapter and Policy HW1: Promoting Healthier Food Environments. In relation to 'appropriate sui generis uses', these will be assessed on a case-by-case basis depending on the nature of the use proposed in relation to neighbouring and surrounding uses.

11.36 The Town Centres Study also highlights the need for improvements to the public realm and pedestrian enhancements between the Harbour, town centre and railway station. The Core Strategy sets out a requirement in Policy CSD6: Central Folkestone Strategy for public realm improvements and, since then, a collaborative project between Kent County Council, Shepway District Council, Folkestone Town Council and the Creative Foundation has delivered improve signage around Folkestone Town Centre.

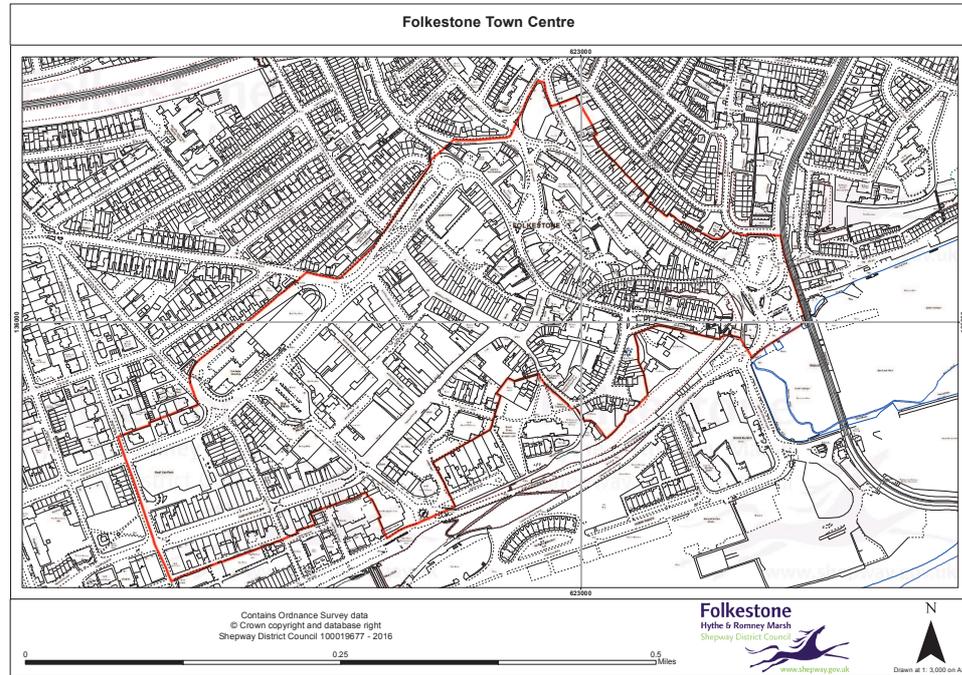


Folkestone Town Centre Policy Map

11.37 Policy RL2: Folkestone Town Centre is intended to promote development that will add to the vitality and viability of the town, including town centre uses that will enhance the evening economy. It also identifies areas for future investment highlighted in the study (the Bus Station, adjacent to Bouverie Place, and Guildhall Street / Shellon's Street) to meet the needs of larger retail stores. As there are currently no advanced proposals it is not possible to define boundaries, but the policy will provide the basis for future masterplans for these areas.

11.38 The [Folkestone Triennial](#) provides the town centre with a significant regional, national and, at times, international attraction which, alongside the significant investment in the Creative Quarter and Folkestone Seafront and Harbour, will continue to deliver increased activity over the plan period. Planning permission was granted in 2016 for the creation of a new Urban Sports Park in Tontine Street, due to open in 2018.

11.39 The NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre. For this the Council needs to identify a town centre boundary so that policies can be applied effectively. The boundary is set out in the Policies Map and has been designated after taking into account primary and secondary frontages and areas predominantly occupied by main town centre uses adjacent to the frontages.



Folkestone Town Centre Boundary

Policy RL2

Folkestone Major Town Centre

Within the designated town centre area (as identified on the Policies Map), planning permission will be granted for development that provides for a range of town centre uses that adds to the vitality and viability of the town centre, particularly where it can be demonstrated that the proposal would enhance the evening economy. Residential development will also be permitted where it would enhance the vitality and viability of the centre.

Within the Primary Shopping Frontage (as identified on the Policies Map) development on the ground floor will be permitted for A1 (shops) and A3 (restaurants and cafes) uses. Other uses will be permitted in the Primary Frontages where:

1. They fall within the National Planning Policy Framework definition of town centre uses; or
2. They fall under D1 (non-residential institutions) or C1 (hotel) uses and provide a complementary function to the town centre; and
3. They would not create a continuous frontage of two or more non-A1 (shops) uses; and
4. In the case of appropriate *sui generis* uses they would create an active frontage with a shopfront display and positively contribute towards providing a high quality environment and enhance the vitality and viability of the area.

Within the Secondary Shopping Frontages (as defined on the Policies Map) proposals for development, redevelopment or change of use for Class A1 (shops), A2 (financial and professional services) and A3 (restaurants and cafes), A4 (drinking establishments) and A5 (hot food takeaways) uses will be permitted, provided that:

1. They fall within the National Planning Policy Framework definition of town centre uses; or
2. They fall under B1 (business), C1 (hotels), D1 (non-residential institutions) or D2 (assembly and leisure) uses, retain an active shop frontage and provide a complementary function to the town centre; and
3. They would not create a continuous frontage of three or more A5 (hot food takeaway) units.

Proposals for retail development and other town centre uses will be permitted at:

1. The area around and including the bus station, providing that a suitable alternative location for the bus station can be provided; and

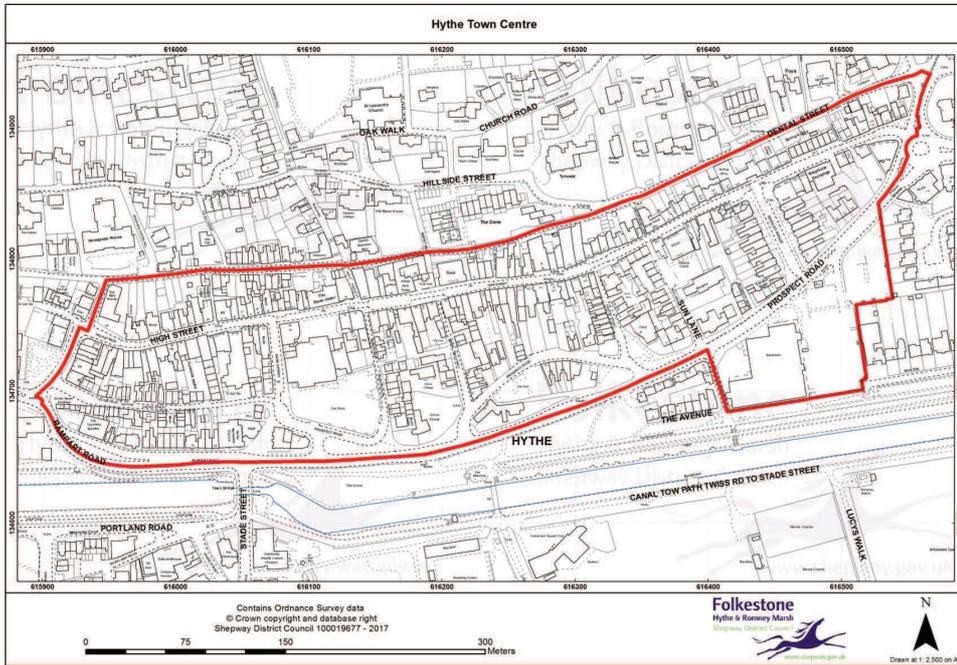
2. Through the consolidation of smaller retail properties in Guildhall Street, or the redevelopment of land to the north of St Eanswythe Way (including the car park).

Development proposals within the town centre uses definition that cannot be located within Folkestone Town Centre will be judged against Policy RL8.

Hythe Town Centre

11.40 Hythe is the second-largest centre in the district and is classified as a 'Town Centre' in the hierarchy. Hythe town centre has a character significantly different to that of Folkestone. The town centre is predominantly retail in character, largely orientated towards independent retailers selling more specialist products, particularly in respect of comparison goods. The retail area is largely confined to the High Street with two superstores at either end. The vacancy rates are low at 7 per cent (2015).

11.41 The Town Centres Study indicates that policies should protect the role and function of Hythe town centre as the district's second largest centre. The primary shopping area benefits from a good concentration of retail and other footfall-generating activities, such as independent cafes and restaurants, and applications for change of use away from A1 (shops) or A3 (restaurants and cafes) uses should be resisted where possible, to retain the vitality and viability of the High Street. Proposals for A5 (hot food takeaways) uses will be permitted, provided that they would meet the requirements of Policies RL3: Hythe Town Centre and HW1: Promoting Healthier Food Environments. In relation to 'appropriate sui generis uses', these will be assessed on a case-by-case basis depending on the nature of the use proposed in relation to neighbouring and surrounding uses.



Hythe Town Centre Boundary

Policy RL3

Hythe Town Centre

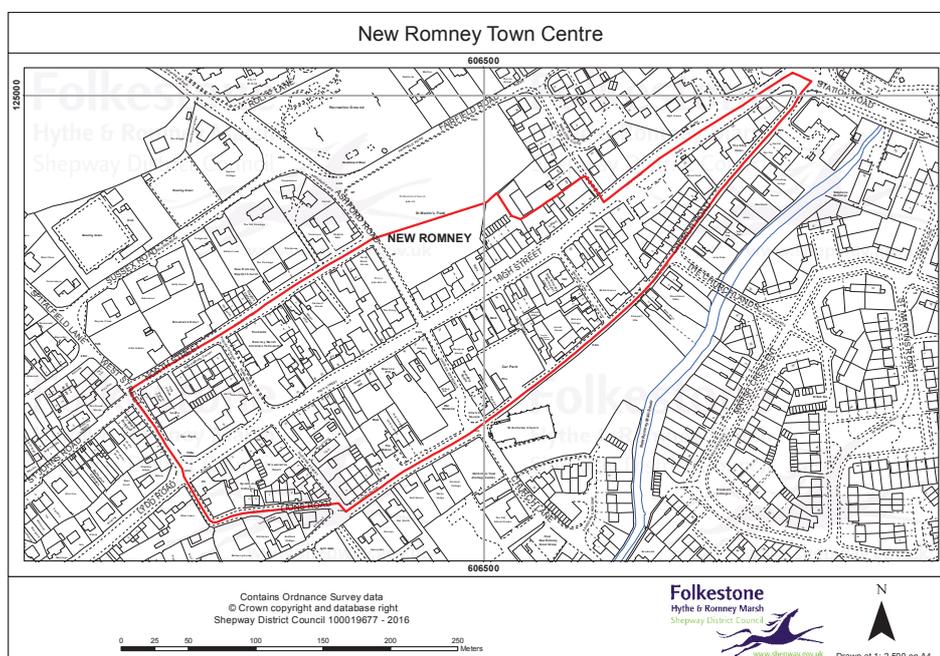
Within the designated town centre area (identified on the Policies Map), planning permission will be granted for development that provides for a range of town centre uses that adds to the vitality and viability of the town centre.

Within the Primary Shopping Frontage (as identified on the Policies Map) development on the ground floor will be permitted for A1 (shops) and A3 (restaurants and cafes) uses. Other uses will be permitted in the Primary Shopping Frontage provided that:

1. They fall within the definition of town centre uses in the National Planning Policy Framework; or
2. They fall under D1 uses and provide a complementary function to the town centre: and
3. They would not create a continuous frontage of two or more non-A1 (shops) uses; and
4. In the case of appropriate *sui generis* uses they would create an active frontage with a shopfront display and positively contribute towards providing a high quality environment and enhance the vitality and viability of the area.

Development proposals within the town centre uses definition that cannot be located within Hythe Town Centre will be judged against Policy RL8.

New Romney Town Centre



New Romney Town Centre Boundary

11.42 New Romney is defined as a 'Town Centre' in the retail hierarchy and functions as an important service centre, providing a range of facilities and services for an extensive rural catchment area. New Romney High Street is linear and is comprised of mainly comparison retail and service units. There is a supermarket at the eastern end, while shops along the High Street consist of a range of mostly independent convenience, comparison and services retailers, including a small number of specialist shops such as a delicatessen, crafts shop and tea rooms.

11.43 The Town Centres Study suggests that the town has a significantly lower vacancy rate than the UK average, and just one vacant unit was identified in the Study. The centre is attractive and well-maintained and the centre is currently performing well. The primary shopping area benefits from a good concentration of retail and other footfall-generating activities, such as independent cafes and restaurants. Changes of use away from A1 (shops) or A3 (restaurants and cafes) will be resisted to retain the vitality and viability of the High Street. Proposals for A5 (hot food takeaways) uses will be permitted, provided that they would meet the requirements in Policies RL4: New Romney Town Centre and HW1: Promoting Healthier Food Environments. In relation to 'appropriate sui generis uses', these will be assessed on a case-by-case basis depending on the nature of the use proposed in relation to neighbouring and surrounding uses.

Policy RL4

New Romney Town Centre

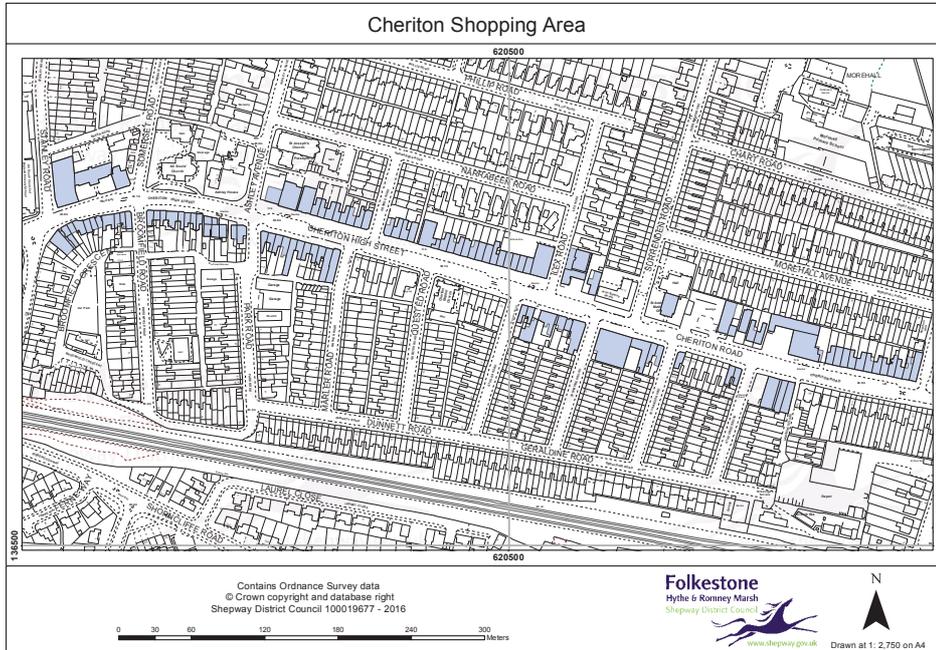
Within the designated town centre area (identified on the Policies Map), planning permission will be granted for development that provides for a range of town centre uses that adds to the vitality and viability of the town centre.

Within the Primary Shopping Frontage (as identified on the Policies Map) development on the ground floor will be permitted for A1 (shops) and A3 (restaurants and cafes) uses. Other uses will be permitted in the Primary Shopping Frontage provided that:

1. They fall within the definition of town centre uses; or
2. They fall under D1 (non-residential institutions) uses and provide a complementary function to the town centre: and
3. They would not create a continuous frontage of two or more non-A1 (shops) uses; and
4. In the case of appropriate *sui generis* uses they would create an active frontage with a shopfront display and positively contribute towards providing a high quality environment and enhance the vitality and viability of the area.

Development proposals within the town centre uses definition that cannot be located within New Romney Town Centre will be judged against Policy RL8.

Cheriton District Centre



Cheriton District Centre Boundary

11.44 Cheriton is defined as a 'District Centre' in the retail hierarchy. The High Street is a linear centre to the north-west of Folkestone urban area. It comprises just under a hundred retail units along a single road. The main 'anchor' store in the centre is a convenience food store (although there is a large superstore to the west of the centre, outside the centre boundary). This centre enjoys an attractive mix of retail outlets including a number of traditional independent stores, chemists, a hardware store and other services such as a post office, as well as a number of take-away outlets and fast food retailers.

11.45 The Town Centres Study concludes that Cheriton faces challenges to retain its present vitality and viability. It recommended that physical improvements are made, and additional supermarket space is provided if a suitable site becomes available within the centre (indicatively up to 1,000sqm net convenience goods sales area).

11.46 Over the longer-term, the Study suggests that the Council should monitor the empty properties and consider an appropriate contraction of the district centre boundary, to help build a critical mass of retail activity, and focus footfall within a more tightly-defined area. This would allow for the diversification of uses in more peripheral areas, away from retail uses.

11.47 In relation to ‘appropriate sui generis uses’, these will be assessed on a case-by-case basis depending on the nature of the use proposed in relation to neighbouring and surrounding uses.

Policy RL5

Cheriton District Centre

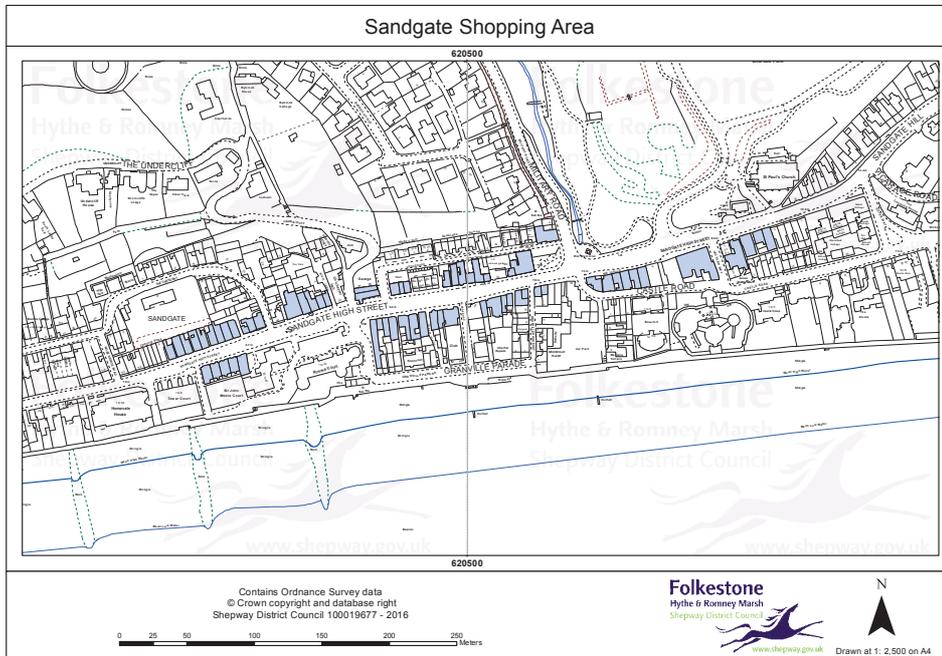
Within the District Centre of Cheriton, as defined on the Policies Map, proposals for the development, redevelopment or change of use for Class A uses (1 to 5) (shops, financial and professional services, restaurants and cafes, drinking establishments and hot food takeaways) will be permitted.

Appropriate *sui generis* uses will be permitted providing they create an active frontage with a shopfront display and positively contribute towards providing a high quality environment and enhance the vitality and viability of the area.

Other town centre uses will be permitted provided that they would not create a continuous frontage of three or more A5 units and meet the requirements in Policy HW1: Promoting Healthier Food Environments.

Development proposals within the town centre uses definition that cannot be located within Cheriton District Centre will be judged against Policy RL8.

Sandgate Local Centre



Sandgate Local Centre Boundary

11.48 Sandgate High Street has been identified as a Local Centre to reflect its importance to the local community. ⁽⁴⁾ Retail units here have been under threat through conversion to residential use, which is starting to undermine the character and vitality of the centre.

11.49 The Town Centres Study suggests that the focus should be on supporting existing local-scale shopping facilities and that any applications for new development that come forward should be considered on their merits.

4 Town Centres Study, paragraph 9.2.9, footnote 13

Policy RL6

Sandgate Local Centre

Within the Local Centre of Sandgate, as defined on the Policies Map, proposals for the development, redevelopment or change of use to Class A1 (shops) and A3 (restaurants and cafes) uses will be permitted.

Appropriate *sui-generis* uses will be permitted providing they create an active frontage with a shopfront display and positively contribute towards providing a high quality environment and enhance the vitality and viability of the area.

Other town centre uses will be permitted provided that they would not create a continuous frontage of three or more A5 units and meet the requirements in Policy HW1: Promoting Healthier Food Environments.

Other non-residential town centre uses will be permitted provided that:

1. They fall under D1 (non-residential institutions) or C1 (hotels) uses and provide a complementary function to the local centre: and
2. They would not create a continuous frontage of two or more non-A1 (shops) uses.

Development proposals within the town centre uses definition that cannot be located within Sandgate Local Centre will be judged against Policy RL8.

Other District and Local Centres

11.50 Policy RL1 sets out a retail hierarchy that includes:

- District Centres at Cheriton, Hawkinge and Lydd; and
- Local Centres including Sandgate, Lyminge, Elham, Sellindge and Dymchurch.

Cheriton District Centre is dealt with in Policy RL5 and Sandgate Local Centre is dealt with in Policy RL6 above. Policy RL7 below covers the remaining District and Local Centres of Hawkinge, Lydd, Lyminge, Elham, Sellindge and Dymchurch.

11.51 The Town Centres Study recommends that the retailing offer in the centres of Lydd and Hawkinge should be protected to ensure that the centres can continue to meet residents' day-to-day needs.

11.52 Given the constraints to providing additional floorspace within the existing centre at Hawkinge, consideration should be given to providing additional small-scale facilities adjacent to the Lidl foodstore at Haven Drive, given this is already an established shopping destination for many residents in the town, and is accessible

by public transport. Any additional development at this location should be of a scale appropriate to the role and function of Hawkinge in the retail hierarchy and would need to demonstrate that it could not be accommodated within the defined centre of Hawkinge, nor would cause a significant adverse impact on Hawkinge or other centres, in accordance with Policy RL8.

11.53 For Lyminge, Elham, Sellindge and Dymchurch new development should support existing local-scale shopping facilities. Should any applications for new development come forward for these centres, they will be considered on their merits.

Policy RL7

Other District and Local Centres

Within the District and Local Centres of Hawkinge, Lydd, Lyminge, Elham, Sellindge and Dymchurch, proposals for development will be granted for a change of use from Class A1 (shops) provided that:

- The proposed use does not threaten the vitality and viability of the local centre;
- The proposed use is not detrimental to residential amenity; and
- The existing use is no longer viable and the property has been actively marketed at a reasonable rate for a period of at least 12 months and no reasonable offers have been made.

Development proposals within the town centre uses definition that cannot be located within the District and Local Centres will be judged against Policy RL8.

Development Outside Town Centres

11.54 The NPPF sets out a test for proposals for retail, leisure and office developments outside town centres in paragraph 26. Proposals should demonstrate what the impact of the development would be on centres in the catchment area of the proposal (including existing, committed and planned developments) and on the vitality and viability of centres (including local consumer choice and trade). Impact assessments are required for developments of 2,500sqm or above, if there is no locally set threshold.

11.55 The Town Centres Study recommends that a local threshold should be set in policy. This should reflect local aspirations, but also the specific development pressures in Shepway. As well as the requirements of the NPPF impact test, the Town Centres Study recommends that the policy should require impact assessments to include the following:

- The extent to which the market profile of the development proposed will compete with existing facilities in town centres;
- The potential for relocation of businesses currently trading in town centre to out-of-centre locations;
- The impact on linked trip spending between different town centre uses or businesses;
- The cumulative effect of more than one development coming forward at the same time; and
- The impact through trade diversion on the role and function of a centre or centres.

11.56 The Study considers that developments of less than 2,500sqm could potentially have a significant adverse impact on some of Shepway's centres, depending on the occupier and location. Using the default threshold would mean these developments would not need an impact assessment under the NPPF. The Study therefore recommends that two impact thresholds should be introduced:

- Developments outside Town Centres and District Centres - 500sqm gross; and
- Developments outside Local Centres - 200sqm gross.

11.57 Policy RL8 sets out these requirements.

Policy RL8

Development Outside Town, District and Local Centres

Planning permission for town centre uses outside the Major Town Centre, Town Centre, District Centres and Local Centres will be permitted provided that:

1. The sequential approach set out in the National Planning Policy Framework and Planning Practice Guidance has been followed;
2. A full assessment is provided of the impact that the proposal would have on the retail health of all centres that are likely to be affected, relating to the scale and the type of development proposed in accordance with the requirements of the National Planning Policy Framework and Planning Practice Guidance. In addition, the assessment should demonstrate:
 - The extent to which the market profile of the development proposed will compete with existing facilities in town centres;
 - The potential for relocation of businesses currently trading in town centre to out-of-centre locations;
 - The impact on linked trip spending between different town centre uses or businesses;
 - The cumulative effect of more than one development coming forward at the same time; and
 - The impact through trade diversion on the role and function of a centre or centres.
3. It can be demonstrated that the site is in an accessible location and well connected to the centre enabling easy access on foot, by bicycle and public transport;
4. The proposed development does not have a significant detrimental impact on the highway network in terms of congestion, road safety and pollution;
5. Acceptable vehicular access and, if required, service space, can be provided without harm to the living conditions of local residents; and
6. The design, including parking and landscaping, complies with Policy HB1 and reflects the character of the local street scene and wider built context.

For the purposes of this policy, the following impact thresholds will be applied:

- Outside the Major Town Centre, Town Centre and District Centres - 500sqm gross; and
- Outside Local Centres - 200sqm gross.

The threshold will be based on the nearest centre to the proposal.

To avoid cumulative developments that exceed these thresholds, an impact assessment will be required if the threshold is breached in one year by more than one planning application.

Advertisements, Shop Fronts, Blinds and Security Shutters

11.58 As outlined at the beginning of this chapter, the quality of the shopping environment in the district's centres is important to their vitality and viability. The design of advertisements, shopfronts, blinds, canopies, awnings and security shutters can have a great impact on buildings and shopping streets and can detract from their character and appearance if changes are implemented unsympathetically.

Design, Location and Illumination of Advertisements

11.59 Most advertisements are controlled under the [Town and Country Planning \(Control of Advertisements\) Regulations 2007](#). This regime allows local planning authorities to control advertisements, when it is justified, in the interests of amenity and public safety. When considering proposals for outdoor advertisements that require express consent, the Council must have regard primarily to the regulations, but the plan's policies can also form a material consideration in determining whether an advertisement is permitted.

11.60 Policy RL9 provides guidance for prospective advertisers on the type of advertisement displays that are likely to be acceptable. Standardised or corporate displays that have no regard to the character of the building on which they are to be displayed or the general characteristics of the locality will be unlikely to be acceptable.

11.61 Applications for advertisement consent should provide a sufficient level of information to allow the Council to reach an informed decision about the likely impacts of the proposal. Proposals for development which incorporate advertising should clearly show the impact of the advertising at an early stage, preferably as part of an initial planning application.

11.62 In respect of advertisements on Listed Buildings or in Conservation Areas, the Council will only grant consent if it can be demonstrated that the proposal would preserve or enhance the character or appearance of the building or area. The Council will pay special attention to the quality and appropriateness of illumination in respect of Listed Buildings, Conservation Areas or other heritage assets; standardised solutions, such as the use of internally illuminated box advertisements are unlikely to be acceptable.

Policy RL9

Design, Location and Illumination of Advertisements

Planning permission for advertisements will be granted where:

1. The advertisement is sensitively designed and located having regard to the character of the building on which it is to be displayed and the general characteristics of the locality;
2. The size, scale, materials, colour scheme and any means of illumination are appropriate having regard to the character of the building on which it is to be displayed and the general characteristics of the locality;
3. The cumulative impact of the advertisement would not be detrimental to the character of the building on which it is to be displayed and the general characteristics of the locality; and
4. The advertisement is not overly visually prominent in the street scene or landscape setting and does not harm amenity and is not a danger to public safety.

Proposals for the illumination of advertisements and signs will be permitted where:

1. The means of illumination reflects the character of the building on which it is to be attached and its immediate surroundings;
2. The proposed illumination is unobtrusive and discreet in its form; and
3. It is of a quality which enhances the advertisement display.

Shop Fronts, Blinds and Security Shutters

11.63 There are a number of important shop fronts in Folkestone town centre and other centres within the district, and wherever possible these should be retained and repaired rather than replaced. Policy RL10 is designed to ensure that the design and materials of shop fronts are of a high standard and respect the character of the shop building and the visual appearance of the surrounding street scene.

11.64 Blinds, canopies and awnings can appear as prominent features on the front of buildings and need careful consideration to ensure that they do not detract from the character or appearance of the shop or street scene.

11.65 Solid metal shutters and external shutters can introduce a blank appearance to shopping streets when closed and can discourage passersby, reducing activity. The Council will encourage other security measures which do not require intrusive features on a building's exterior, such as toughened glass and alarm systems.

Proposals for the installation of solid metal shutters, metal shutter boxes, external grilles or other obtrusive features are unlikely to be acceptable in Conservation Areas or on Listed Buildings or other heritage assets.

Policy RL10

Shop Fronts, Blinds and Security Shutters

Proposals for new shop fronts, or alterations to shop fronts, will be permitted where:

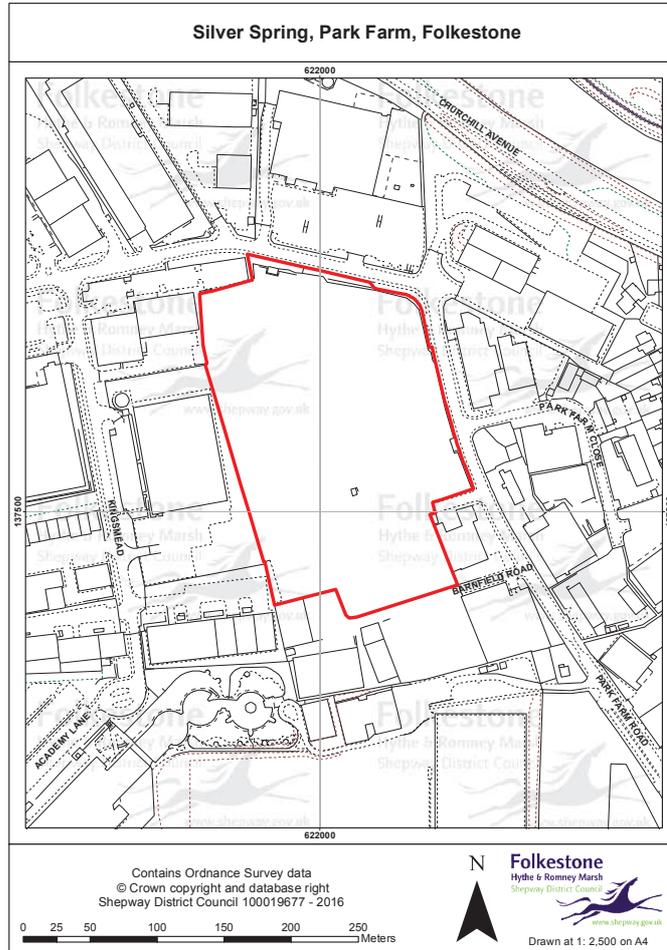
1. The design, materials and proportions of any new, or altered, shop front relates to the character of the building and its locality;
2. Proposals that reflect the traditional character of shop fronts must include historically appropriate detailing;
3. Any existing features of historic or architectural interest are retained; and
4. Proposals affecting Listed Buildings, Conservation Areas or other heritage assets will preserve or enhance the character or appearance of the asset and its setting.

Proposals for blinds, canopies or awnings which respect the architectural character and features of the building on which they are to be installed will be permitted.

Proposals for the use of security measures will be permitted only if they do not involve the introduction of obtrusive features or detract from the character of the street scene.

Mixed Used Developments

Former Silver Spring Site, Park Farm, Folkestone



Picture 11.1 Former Silver Spring Site, Park Farm, Folkestone

11.66 Park Farm is situated on the northern edge of Folkestone, just to the south of Junction 13 of the M20. The 28.3ha site contains both a retail park as well as an industrial area. The industrial estate covers 12.9ha which equates to 45.6 per cent of the total site area. The site has good access to the strategic road network including the M20.

11.67 Within the Park Farm Estate there is approximately 3.8ha of vacant industrial space, where the former Silver Spring company was located. (Silver Spring was a soft drinks company that closed in 2013 and the buildings associated with this business have now been demolished and the site cleared.) There are two main issues

that need to be considered for any schemes to redevelop this site: the first is a need to provide good business accommodation in Folkestone; and the second is the changing nature of the Park Farm Estate.

11.68 The Employment Land Review identifies the need to provide good quality office space in Folkestone to improve the attractiveness of the district to businesses and encourage them to locate to the area. This site provides an opportunity to do this. The nature of Park Farm, however, is changing, with a large area now in retail use, with a DIY and large convenience store.

11.69 Given this, the Council considers that the former Silver Spring site should be redeveloped as a mixed-use scheme that reflects the changing nature of Park Farm but also provides good quality business accommodation. Other uses could include bulky retail (A1), assembly and leisure (D2) and hotel (C1) uses, where it can be demonstrated through a full impact assessment that the uses would not impact on the viability and vitality of Folkestone or other centres. Due to the surrounding uses, residential is not considered to be appropriate for this site.

11.70 Due to the mix of uses proposed for the site, measures to encourage cycling, walking and the use of buses should be an integral part of proposals.

Policy RL11

Former Silver Spring Site, Park Farm

The former Silver Spring site, Park Farm, as defined on the Policies Map, is allocated for mixed-use development consisting of business uses (B1), leisure (D), retail (A1) and hotel (C1) uses.

Proposals for mixed-use non-residential development will be permitted provided that:

1. There is a comprehensive approach to the development of the site so that any individual elements would not prejudice the development of the whole site;
2. The existing access, or any new suitable accesses can be established, onto Park Farm Road is to the satisfaction and approval of the Local Highway Authority;
3. It promotes and encourages the use of sustainable transport; including improvements footpaths, cycle facilities and routes in accordance with the Shepway Cycle Strategy; and provision of a bus stop.
4. Appropriate and proportionate contributions, through a S106 agreement, are made towards extending service hours of the No.73 bus route.
5. There is a high level of design that responds to the sites location within the setting of the AONB;
6. Any potential contamination from former uses is investigated, assessed and if appropriate, mitigated as part of the development;
7. A full assessment is provided, outlining what impact any proposed town centre uses would have on the vitality and viability of Folkestone Town Centre and other centres, in accordance with Policy RL8; and
8. The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.

Policy RL12

Former Harbour Railway Line

The former Harbour Railway line, as defined on the Policies Map, is allocated for a linear park, promoting active travel by providing a cycle and pedestrian route to the harbour area, together with visitor car parking.

Planning permission will be refused for inappropriate development that would compromise its reuse as an alternative transport link.

Community

12 Community

Introduction

12.1 This chapter contains policies dealing with a range of matters relating to the community. Policies cover:

- Creating a sense of place as part of new developments;
- Safeguarding community facilities;
- The provision of open space; and
- The provision of children's play space.

12.2 The [National Planning Policy Framework](#) (NPPF) in paragraph 69 states that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. The Council recognises the benefits of a healthy community and the local plan can help in two main ways, by:

- Delivering new community facilities, through allocating sites and securing contributions from development through Section 106 and Community Infrastructure Levy (CIL) contributions; and
- Protecting existing community facilities that serve their current needs or could meet future requirements.

Community Facilities

In this Local Plan, 'community facilities' refers to the definition of set out in the Core Strategy:

"Community Infrastructure - facilities available for use by all the community, such as church or village halls, doctor's surgeries and hospitals. Community facilities could also include nursing homes, public houses, children's playgrounds and sports facilities" (Appendix 6: Glossary of Terms).

(For nursing homes see also Policy HB11: Loss of Residential Care Homes and Institutions.)

12.3 Shepway's growing population will put increasing pressure on community facilities. Consequently planning decisions need to ensure facilities are provided in accessible locations to serve both existing and new residents. The use of a building and the needs of communities can change over time; new community facilities should therefore be flexible and adaptable to changing circumstances, being capable of expansion and being used for different activities.

12.4 As well as built facilities, good quality open space and outdoor recreational facilities are also vital to people's health and wellbeing. The Council is currently preparing two strategies, the Open Space Strategy and the Play Space Strategy, and these have informed the standards for open and play space in new developments set out in the policies below.

Creating a Sense of Place

12.5 A key feature of a successful place is that people identify closely with it. Successful places often take time to evolve, gaining associations with particular events or people over history. In contrast, many new developments can lack character. One way of addressing this is by ensuring the design and landscaping of the development are of the highest quality, encouraging people to develop an attachment to a place. Other ways are through links to the heritage of the area or the use of public art.

12.6 Heritage plays a fundamental role in providing a place with a unique character, grounding it in its history. Buildings, open spaces, historic features and patterns of roads and lanes are what ultimately define the character of settlements. It is therefore important that any change is sensitive to this character, adding to and developing its distinctiveness rather than diminishing it. (Policy HB2: Cohesive Design sets out a structured approach to incorporating the built form of an area into new housing developments.)

12.7 Public art (which can include landscaping or lighting and as well as installations) can help develop a sense of place, address community needs, tackle social exclusion and provide educational value.



Picture 12.1 Examples of effective community art and gardens in Shepway

12.8 Within Shepway, the [Folkestone Triennial](#) has raised the national profile of the town and has encouraged a 'creative economy'. This can be helped through establishing the right environment and encouraging people to participate in local events, boosting social interaction. An outcome of this process could be a piece of public art with special relevance to, and shaped by, local people.

Policy C1

Creating A Sense of Place

The Council will expect all new major development to demonstrate a deliverable and fully resourced project for fostering a sense of place through methods such as landscaping, public art, water features, lighting and/or through the use historic references. This programme should be fully outlined in the Design and Access Statement submitted as part of the application.

This will apply to the following:

1. Residential developments comprising 10 or more dwellings; and
2. Other developments where the floor area to be built is 500sqm gross or greater, including office, manufacturing, warehousing and retail developments.

In larger, phased development, it is acceptable for this to come forward in later phases so that it involves a critical mass of population.

Any programme for community-building and place-making must engage the local community and could be community-led, having regard to the local circumstances of the site and/or local aspirations.

Where physical public art is provided on a permanent basis, it needs to form part of managed open space or, if agreed, transferred to Town or Parish Councils. Contributions and commuted sums for up to 10 years' maintenance will be required, to include the cost of decommissioning where appropriate.

Safeguarding Community Facilities

12.9 Community facilities provide a meeting place where social networks are strengthened and extended. This is especially important in rural areas; pubs, for example, often host a wide variety of community-oriented events and activities that add considerably to local civic life. Increasingly they also host a range of important public services including post offices, general stores and broadband internet access.

12.10 The Government has introduced procedures for identifying and protecting 'Assets of Community Value', under the [Localism Act 2011](#). This Act enables voluntary and community organisations to nominate an asset to be included on their local authority's register of assets of community value so that when it becomes available on the market, they can bid for it. There are a number of assets already identified in the district and more are under consideration; nomination details and a list of current assets can be found on the [Council's website](#).

12.11 While identifying a facility as an asset of community value can help to secure its future if it comes to be sold, additional protection is needed through the planning system. To ensure further protection, the policy below will be applied before any development proposals for alternative uses are granted permission.

Policy C2

Safeguarding Community Facilities

Planning permission for development leading to the loss of an existing community facility will be granted where it can be demonstrated that:

1. There is no longer a demand for the facility within the locality, supported by evidence that the premises have been actively marketed for a minimum period of 12 months in the recent past prior to submission of the planning application; and
2. As part of the evidence in point 1 above, the sale or rental price was realistic for the existing use, supported with a written valuation from a commercial estate agent; and

Where there is a need for an alternative facility or facilities to serve the local community, the proposed development should provide an alternative on the site or at a location which is well-related and easily accessible to the local community or settlement.

Provision of Open Space

12.12 Parks and other areas of public open space provide local destinations for people to walk, play and cycle, contributing to the health and wellbeing of communities. They provide experience of the natural world, positive mental health benefits, and places for social interaction, which is important for building community life. For children and young families, parks provide a place to meet and for children to participate in physical and social play. The provision of public open spaces is thus a key factor in promoting active living and providing physical, psychological and social health benefits for people of all ages.

12.13 The importance of open space is recognised in the NPPF (paragraphs 73 to 74) and [Planning Practice Guidance](#), which notes that open space of public value can take many forms, from formal sports pitches to open areas within a development, as well as linear corridors and country parks.

12.14 Paragraph 74 of the NPPF clearly states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Applying Open Space Standards

12.15 The Shepway Open Space Review and Strategy (2017) provides an assessment of open space in terms of quantity, accessibility, quality and value. It also establishes local provisional standards to aid the implementation of policies. These are determined by the analysis of existing quantity local and national standards and benchmarks and evidence gathering from local needs assessment. The open space standards for Shepway (excluding play space) are:

Typology	Quantity Standard	Accessibility Standard
Parks and Gardens: <ul style="list-style-type: none"> • District • Local • Small Local 	2.89ha/1000 head of population (Quantity standard derived from Parks and Gardens and Natural and semi-natural greenspace)	<ul style="list-style-type: none"> • 1.2km • 400m • 280m
Natural and Semi-natural greenspace: <ul style="list-style-type: none"> • Sub-Regional • District • Local • Small Local 		<ul style="list-style-type: none"> • 3.2km • 1.2km • 400m • 280m
Green corridor		<ul style="list-style-type: none"> • N/A
Amenity green space		<ul style="list-style-type: none"> • 280m
Allotments	0.12ha/1000 population	<ul style="list-style-type: none"> • 1.2km
Cemeteries and Church Yards		<ul style="list-style-type: none"> • N/A

Table 12.1 Open Space Standards

Quantity

12.16 The quantity of provision is assessed using the recommended quantity standards for each of the typologies where a quantity standard has been developed. Recommended standards are expressed as hectares of open space per 1000 people. The purpose of the standards is to ensure that the district's residents can access a network of open spaces of different sizes and that the quality of spaces is maintained or enhanced.

12.17 The quantity standard of **2.89ha of open space per 1,000 head of population** reflects the current provision of open space within the district. New development should ensure that this standard continues to be met. Residents should also have access to **0.12ha of allotments per 1,000 head of population**. These quantity standards are locally derived and deemed to be realistic and achievable.

12.18 Sufficient supply or under supply of open space for each agreed area or ward can be calculated based on these standards. The amount of open space required for the increased population can also be calculated using the quantity standards. The use of the quantity standards should be considered alongside the access standards. For example, even though quantity standards may be met locally, there may be gaps in access and therefore new provision may still be required.

Access

12.19 The table above indicates the accessibility standards for open space. Typically standards are expressed as straight line walking distances. The Shepway Open Space Strategy (2017) provides maps which show where there are deficiencies and potential over supply of facilities. This information can be used alongside the quantity standards to determine if new provision of a particular typology should be provided or improved accessibility is required. These gaps could be met by a residential development.

Open Space Strategy Findings

12.20 The Open Space Strategy highlights that, despite being a relatively rural district, a significant proportion of the district's residents is deficient in access to one or two levels of the open space hierarchy (sub-regional, district, local and small local). This is because large areas of open space are inaccessible, such as agricultural land, marshland or sports pitches with restricted access. A large proportion of residents live within a catchment of sub-regional scale open spaces, but these don't always meet local needs. These larger spaces require further enhancement regarding their accessibility, quality and value.

12.21 There are also deficiencies within pockets of the built-up residential areas, particularly those immediately to the west of Hythe and the coastal settlements within Romney Marsh, in addition to Lympne and Sellindge in the North Downs. The Strategy

recommends that the amount of publicly accessible open spaces available in these areas should be increased through securing opportunities brought about by proposed development (such as the new proposed open space in Sellindge).

Delivering New Open Space Provision and Enhancements to Existing Provision

12.22 The extent to which development should be expected to contribute to open space depends on a range of factors, including the size of development, and the number and types of dwellings (for example family housing with two or more bedrooms), as well as the existing open space provided in and around the proposed development. The open space accessibility and quantity standards set out above will be applied to new residential development. The process for identifying the required open space provision will be based on the following assessments.

1. The amount of publicly accessible open space in the area that development is proposed compared to the quantity standard; and
2. The location of publicly accessible open space in the area that development is proposed compared to the access standard.

12.23 If provision of publicly accessible open space in the area that development is proposed meets the quantity and accessibility standards, then an assessment will be made to record the quality and value of the existing spaces to inform decision making and propose any enhancements to existing open space.

12.24 If there is limited provision of publicly accessible open space in the area that development is proposed, additional open space will be required to meet these deficiencies.

12.25 Large residential developments of over 20 dwellings will be expected to provide on-site open space, unless the site is in a location, such as a town centre, where a financial contribution to off-site provision may be considered more appropriate. For smaller residential developments, of up to about 20 dwellings, where there are limitations on providing satisfactory on-site provision, a financial contribution to off-site provision may also be considered more appropriate for part or all of the open space requirement. Off-site provision must be of equivalent value to on-site provision. For smaller residential developments, of up to about 20 dwellings, where there are limitations on providing satisfactory on-site provision, a financial contribution to off-site provision may also be considered more appropriate for part or all of the open space requirement. Off-site provision must be of equivalent value to on-site provision

12.26 On-site provision for amenity green space and natural and semi-natural greenspace will be sought for developments of 20 dwellings or above (in addition Policy NE2: Biodiversity seeks enhancement to biodiversity as part of the overall

design and green infrastructure provision). On-site provision of allotments and parks and gardens is normally sought on schemes of 250 or more dwellings, unless specifically identified in sites allocated in this plan.

12.27 Any new open space should be transferred to and maintained in perpetuity by a management company or, if agreed, the local Town or Parish Council, subject to payment of a commuted sum.

Protecting Existing Open Space or Assessing if Space is Surplus to Requirements

12.28 The Council will also seek to protect existing open spaces in line with the NPPF. Any assessments for the loss of open space should draw on the latest Open Space Strategy and the provision at that time in the first instance.

12.29 Existing open spaces, as defined on the Policies Map, will be safeguarded. Development proposals that would result in the loss of open spaces will be granted provided that:

1. An assessment has been undertaken which clearly identifies the open space is surplus to requirements; or
2. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of the standards in Table 12.1 above; or
3. The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Open Space Calculations

12.30 Contributions towards the provision or improvement of open spaces can be calculated using the capital cost of provision per person. This is irrespective of whether there is new provision or improvement of existing facilities and features. These calculations can be used to calculate developer contributions for on-site provision and where feasible any off site projects. Cost of provision per square metre and quantity standard square meter per person can be used to determine cost of provision per person.

12.31 If a development is required to provide open space on-site, the developer would be expected to maintain the open space for an agreed minimum period (typically one year). For larger sites a management plan should have been submitted and approved by the Council as a planning condition.

12.32 The Council may accept a commuted sum and make arrangements for management and maintenance of an open space by the Council or third party. The amount payable for the commuted sum for all classifications of play area can be calculated using the figures within SPON'S External Works and Landscape Price Book and using cost per square metre per annum by typology.

12.33 The gross open space calculation may include provision of: sustainable drainage systems (SuDS) provided they do not compromise the safety of open space users; informal sports pitches; and formal play spaces providing they are made accessible to all.

Policy C3

Provision of Open Space

To meet the additional need in open space generated by new residential developments the Council will require proposals of 20 or more dwellings to provide for open space in accordance with the standards in Table 12.1 above.

Where full provision on-site would not be appropriate or desirable, or the proposed development is less than 20 dwellings, the space needed may be met by commuted sum payment towards the provision or improvement of open space nearby on a scale related to the size and scale of the development.

This gross open space calculation may include provision of publicly available:

- Sustainable Drainage Systems (SuDS), provided they do not compromise the safety of open space users;
- Informal sports pitches; and
- Formal play spaces.

Any new open space should be transferred to and maintained in perpetuity by a management company or, if agreed, the local Town or Parish Council, subject to payment of a commuted sum.

Existing open spaces, as defined on the Policies Map, will be safeguarded. Development proposals that would result in the loss of open spaces will be granted provided that:

1. An assessment has been undertaken which clearly identifies the open space is surplus to requirements; or
2. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of the standards in Table 12.1 above; or
3. The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

12.34 In some cases, it may be appropriate for existing off-site open space to be enhanced in accordance with a priority list of projects prepared by the Council's open spaces team with responsibility for leisure. This would be in lieu of on-site or

alternative off-site provision. Contributions will be assigned to particular projects to directly benefit the residents of the development. The priority is to provide or improve open space that is strategically located, accessible and usable. Contributions will be combined where appropriate in order to achieve this, but will accord with the Community Infrastructure Levy Regulations 2010 Regulations 122 and 123. The priority list will be reviewed at least annually or more regularly if other needs arise, for example, as a result of safety or risk management issues, opportunities for matching funding or strong community support.

Children's Play Space

12.35 Play is an essential part of a child's life, and is vital for the enjoyment of childhood, as well as social, emotional, intellectual and physical development. The Shepway Play Area Review (2017) indicates that play areas are predominately located within or adjacent to larger open spaces (such as parks) and some local people are not within easy walking distance of suitable facilities. Play provision throughout Shepway is generally good in terms of distribution, with some evident lack of provision for the 11+ age group in terms of quality. The Review also identified deficiencies within:

- The centre of New Romney;
- Intermittent areas along the coast;
- Residential areas in Romney Marsh;
- South-east of Folkestone Harbour; and
- Broadmead.

Applying Play Area Standards

12.36 The Shepway Play Area Review (2017) provides an assessment of play areas in the district in terms of quantity, accessibility, location, value and quality. It also establishes local provision standards to aid the implementation of policies. These are determined by the analysis of existing quantity, consideration of existing local and national standards and benchmarks and evidence gathered from the local needs assessment.

12.37 The standards below refer to the following classifications of play facilities:

- **Local Areas of Play (LAP)** - Small, low-key games areas (which may include 'demonstrative' play features) with a minimum activity zone of 100sqm;
- **Local Equipped Areas for Play (LEAP)** - Spaces containing approximately five types of equipment with a minimum activity zone of 400sqm;

- **Neighbourhood Equipped Areas for Play (NEAP)** - Spaces containing approximately eight types of equipment, kickabout and/or wheeled activities; and
- **Destination Play Space** - Play spaces which can attract visitors from a wider catchment, usually within larger parks. These spaces often have supporting facilities such as car parking, catering and toilets.

12.38 These standards are set out in the following table.

Type of Standard	Proposed Standard
Quantity	Destination: 0.03 hectares per 1,000 population NEAP: 0.080 hectares per 1,000 population LEAP: 0.077 hectares per 1,000 population LAP: 0.005 hectares per 1,000 population
Accessibility	Destination: 1000m NEAP: 600m LEAP: 240m LAP: 60m
Location	Destination 85.71% - Exemplar: Lower Leas Coastal Park Fun Zone NEAP 74.29% - Exemplar: Canterbury Road Recreation Ground LEAP 62.86% - Exemplar: Tayne Field (adjacent public house) LAP 62.86% - Exemplar: Blenheim Drive
Value	Destination 74% - Exemplar: Brockhill Country Park NEAP 72% - Exemplar: Canterbury Road Recreation Ground LEAP 68% - Exemplar: Elmfields LAP 55% - Exemplar: Megan Close

Type of Standard	Proposed Standard
Quality	<p>Destination 65.71% - Exemplar: Brockhill Country Park</p> <p>NEAP 60% - Exemplar: Cheriton Recreation Area</p> <p>LEAP 54.29% - Exemplar: Newington Village Hall</p> <p>LAP 52% - Exemplar: Atkinson Road Play Area</p>

Table 12.2

12.39 The process for applying and determining the quantity and accessible standards are comparable to the Open Space Strategy.

Delivering New Provision and Enhancements to Existing Provision

12.40 Play standards have been developed through the Shepway Play Area Review (2017). These standards will apply to proposals of over 10 dwellings. The locally derived standards above setting out quantity and accessibility standards propose quantities of play space by play area classification which should be delivered on site where feasible. On smaller residential developments, of up to about 10 dwellings or within town centres, because of the limitations on providing satisfactory on-site provision, part or all of the play area may be best provided for in the form of a financial contribution, of equivalent value to on-site provision, towards the enhancement and management of play areas.

12.41 In assessing the requirement for play space provision, this will be based on the number of properties with two or more bedrooms in the proposed scheme. The requirement for any proposed developments will be based on the current provision identified in the Play Area Review. For example, if a scheme is located within 240m of an existing LEAP, then a commuted sum could be provided to upgrade that facility to meet the additional demand from the new development. In some cases it may be appropriate for youth or adult equipment (such as 'outdoor gyms') to be provided.

12.42 Areas should be set out and located so as to minimise annoyance to nearby occupiers, maximise children's safety and be visible from neighbouring properties.

12.43 Any new play space should be transferred to and maintained in perpetuity by a management company or, if agreed, the local Town or Parish Council, subject to payment of a commuted sum.

Protecting Existing Play Spaces or Assessing if Space is Surplus to Requirements

12.44 Reference should be made to the Shepway Play Area Strategy (2017) to inform decision making.

Policy C4

Children's Play Space

To meet the additional need for children's play space generated by new residential developments, the Council will require proposals of 10 or more family dwellings (2 or more bedrooms) to provide for child play space in accordance with the standards in Table 12.2 above.

Areas should be set out and located so as to minimise loss of amenity for nearby occupiers, maximise children's safety and be visible from neighbouring properties.

Where full provision on-site would not be appropriate or desirable, the space needed may be met by commuted sum payment towards the provision or improvement of play space nearby on a scale related to the size and scale of the development.

Any new play space should be transferred to and maintained in perpetuity by a management company or, if agreed, the local Town or Parish Council, subject to payment of a commuted sum.

Local Green Spaces

12.45 The open spaces within our towns and villages are a vital part their character and help to make places where people would wish to live, work or visit.

12.46 The Council recognises the importance of safeguarding existing open space within the district's towns and villages, such as formal gardens and Local Wildlife Sites. (Reference should also be made to Policy HE4: Folkestone's Historic Gardens.) This principle is set out in Core Strategy Policy CSD4: Green Infrastructure of Natural Networks, Open Spaces and Recreation, which establishes the protection, management and expansion of areas of green infrastructure within the district at a strategic level.

12.47 The NPPF (paragraphs 76 and 77) makes provision for local communities, through local and neighbourhood plans, to identify areas of particular importance to them for protection as Local Green Spaces. The NPPF states that Local Green Space designations will not be appropriate for most green areas or open space and should only be used where the green space is:

- Reasonably close to the community it serves;
- Demonstrably special to a local community and holds a particular local significance, for example, because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- Local in character and is not an extensive tract of land.

12.48 During the preparation of the plan 45 areas of land in Hythe, Lympe and Saint Mary in the Marsh were put forward to be considered as Local Green Spaces. These were assessed against the NPPF criteria but only one was considered to meet them (Eaton Lands). The reasons why sites did not meet the criteria included that they were extensive tracts of land or were covered by other designations (such as Area of Outstanding Natural Beauty or Site of Special Scientific Interest) where other policies of protection apply. As only one site was identified (that was already protected by open space considerations in the NPPF), the Council considers that a district-wide policy would not be suitable and that any designations should instead come from the local community through Neighbourhood Plans.

12.49 The Council will support and assist local communities with the assessment and designation of Local Green Spaces, based on the NPPF assessment criteria, through Neighbourhood Plans.

Transport

13 Transport

Introduction

13.1 This chapter contains policies dealing with a range of matters relating to transport. Policies cover:

- The street hierarchy and site layout;
- Parking standards for residential and non-residential and commercial developments;
- Residential garages;
- Parking for Heavy Goods Vehicles (HGVs); and
- Cycle parking standards.

Street Hierarchy and Site Layout

13.2 Town planning in the 1960s and 1970s sought to exclude vehicular traffic from residential areas, but in doing so often removed connections between different areas of towns and villages, making it more difficult for people to meet and build community life. These street layouts are in contrast to the traditional pattern of Shepway's settlements; Folkestone in particular was laid out in a grid pattern that aids connectivity while providing sufficient space for street life. The Council will seek to improve connectivity through new development, ensuring that new buildings are integrated with existing streets, avoiding the creation of isolated neighbourhoods.

13.3 The approach towards accommodating vehicles in residential developments should be considered as an integral part of the design process and be informed by the Department for Transport's (DfT) [Manual for Streets](#) (2007) and the [Kent Design Guide](#). Certain planning applications require a Design and Access Statement to be submitted and this should show how street design and connectivity have been considered and establish the most appropriate approach towards parking. This is explored further below.

13.4 Street design should ensure that land is used efficiently and effectively by incorporating on-street parking as an integral component of all street types, as this provides additional capacity to manage parking demand as a part of the character of the place.

13.5 The way people experience places as they move through them has a crucial impact on how people behave. The demarcation between public space and streets for traffic in residential areas is becoming increasingly flexible. The Manual for Streets, for example, encourages shared streets and a better balance between pedestrians and vehicles, while ensuring accessibility for all. The nature of a street is influenced by its width, the height of adjacent buildings and factors such as surfacing and parking arrangements: the height-to-width ratio in particular influences the 'feel' of the place.

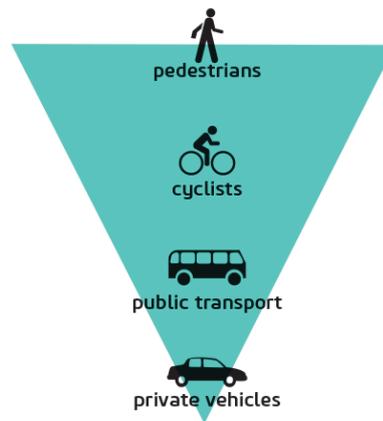
Landscaping and the provision of appropriate street trees is also highly important in the creation of a successful place, softening hard infrastructure and encouraging street life.

13.6 An area's street hierarchy should provide a clear transition from the external distributor roads, where vehicular space requirements may be more dominant, to residential streets, where the needs of pedestrians and other non-car users should take precedence.

13.7 The following categories of roads are most suitable for residential frontages, and create different types of street and environment:

- **Path** - Primarily a pedestrian route but accessible for emergency vehicles and refuse collection. These are potentially enclosed by tall buildings on each side, overlooked, and allow access to residential units;
- **Street** - A standard street will include provision for parking on one or both sides. It will demonstrate active frontages, provision of pavements and traffic calming measures;
- **Avenue** - This is a broader street, tree-lined and often framing views or leading to major places and public spaces. It is generally framed by taller buildings than a street;
- **Mews** - Smaller scale shared-use surfaces and intended to be a common type within residential areas, often without pavements and with parking in courts;
- **Square** - A variety of spaces at key junctions and associated with a range of public uses. These are not necessarily pedestrian-only areas, but are often shared-surfaces with car free areas adjacent to shops or restaurants or near water; and
- **Sustainable Drainage System (SuDS) street** - Wherever possible, all streets will be SuDS streets, in which surface water is moved in surface water channels into an aquifer through any necessary cleansing mechanisms, such as reed beds and swales.

13.8 There should be an understanding that almost all trips begin and end with walking. Reflecting that, the pedestrian should be the focus of street design. The design and operation of streets should prioritise modes in this order: walking; cycling; public transport; and private cars. In some circumstances, the hierarchy may be adjusted somewhat, such as along a segregated bicycle lane corridor. This hierarchy will influence street cross-sections, junction design, signal timings and maintenance scheduling. The diagram below illustrates this hierarchy.



Street hierarchy: streets should be designed to give precedence to users in accordance with this hierarchy

Policy T1

Street Hierarchy and Site Layout

Planning permission for major developments will be granted if the Design and Access Statement submitted as part of the application demonstrates attention has been paid to street design.

An application should show that:

- The street hierarchy considers pedestrians first and private motor vehicles last;
- Permeability is provided through and beyond the site for all users;
- An environment is created that is safe for all street users, which encourages walking, cycling and the use of public transport;
- A range of street types is created providing legibility throughout the development, meeting the needs of all users, and not allowing vehicles to dominate;
- Active frontages are created throughout the development, particularly in relation to publicly-accessible areas, for the purposes of natural surveillance and creating characterful places; and
- Appropriate street furniture and signage is included only when necessary for reasons of safety, orientation or comfort of residents and visitors.

Developers should ensure, with the support of Kent County Council as Highways Authority, that active travel routes are provided as a priority, both within developments and linking sites to other services, community facilities and transport hubs.

13.9 If there is the possibility that a street will serve further homes or businesses in the future, for instance if there is an adjacent allocated site which is likely to be developed (and accessed through the first site), then the streets should be designed to the appropriate standard, or be capable of being altered in the future. No 'ransom strip' or other gap should be left between the adopted highway and the site boundary, so that a durable street layout can be provided that can accommodate future changes.

13.10 Good street design and effective use of the new hierarchy will help to:

- Establish high quality streets, where the building frontage is prominent, positively addresses the street and is not obscured by the car or garage;
- Provide convenient and safe routes between the parking spaces and homes;
- Provide safe and secure car and cycle parking; and
- Use space efficiently, without excessive land being taken by parking or for manoeuvring.

Integrated Design

There have been numerous examples of well-designed, integrated and executed development in Shepway in recent years. However, there have also been examples in which these aspects have fallen short of expectations.



An example of recent street design

The above development, in the south of the district, echoes generic Kentish vernacular in terms of its building design. It also provides a range of street types, giving precedence to pedestrians and cyclists.

However, there are a number of components of this design that could be improved, for example:

- Street furniture, including the bollards fronting the pedestrian walkway, appear out of keeping with the setting, and look like an afterthought;
- The telephone exchange box sits prominently on the grass verge as a hurdle: the Kent Design Guide document '[Making it Happen](#)' refers to such impositions as 'visual clutter', which can impede the movement of pedestrian users, and detract from the street scene;
- The choice of materials for the roadway appears poor and undifferentiated;
- Off-street parking has been integrated somewhat into the development (as shown to the left of the picture) but there are a number of houses along this street without adequate parking provision; and
- The segregated foot and cycle way with low lighting columns does not accord with '[Secured by Design](#)' principles and the penetration of this development

is challenging, leading to an expanse of tarmac. A range of surfaces, timber bollards and street trees would significantly enhance the public realm.

13.11 The promotion of the street hierarchy design principles above can effectively meet the [National Planning Policy Framework](#)'s (NPPFs) core planning principle "*to make the fullest possible use of public transport, walking and cycling*" (paragraph 17). Properly designed and easily accessible cycle storage facilities properly integrated into development, and at strategic locations throughout the public realm, can encourage local journeys to be taken by sustainable means. This requires careful design of streets and the integration of private vehicular traffic to ensure inappropriate parking does not restrict the movements of pedestrians, cyclists or public transport users.

13.12 The Council recognises that all sites and development proposals will be different, with different challenges and site conditions; 'Home Zones', for example, can be encouraged, but not made mandatory. Similarly, there are some situations in which segregated roadways will not be as safe as a shared space, and in many cases it will be up to the designer to offer the best solution for the site within the broad parameters set out in Policy T1: Street Hierarchy and Site Layout.

Parking

Residential Parking

13.13 A fundamental test for the quality of a street is its approach to parking. While some of Folkestone is fortunate to have well set-out streets able to accommodate parking, in many other parts of the district parking is a key concern for residents. Streets need the flexibility to be able to support our reliance on private vehicles, both for their economic and social benefits and to avoid conflict and nuisance.

13.14 The provision of on-street parking, well-integrated into street design, has the following advantages:

- The number of driveway crossovers is minimised, allowing for a continuous and accessible footpath along the street;
- Street berms can be provided to create a landscaped and attractive neighbourhood street, which encourages walking and cycling to local destinations;
- Streets are safer due to more activity on the street;
- On-street parking is efficient in terms of space and maximises quality open space and the provision of new housing;
- Safe access to front door on foot and cycle is enabled;
- Parked cars create a buffer between moving traffic and the footpath;
- Parking spaces are used more frequently because everyone can use them; therefore fewer spaces are needed overall compared to allocated spaces;

- Houses gain more open space at the front; and
- Residents and passersby can keep an eye on the cars in the neighbourhood.

13.15 The [Shepway District Council Transport Strategy](#) (URS / Scott Wilson, 2011) notes that there is a relatively low level of private car ownership in the district when compared with Kent as a whole, with an average of 1.15 cars per household. However, given the dispersed nature of settlements in East Kent, and the limited public transport available compared with other areas, there is a continuing reliance on private transport for commuting, leisure and business activity.

13.16 Car parking should be an integral part of the design of new development. There is evidence that insufficient parking, or parking in the wrong locations, leads to blocked and congested streets and parking on pavements. Minimum parking standards can, rather than reduce car ownership, simply create parking problems for nearby neighbourhoods. [Government guidance](#) is that "*Local planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network*".

13.17 Kent County Council's (KCC) [Interim Guidance Note 3 \(IGN3\): Residential Parking](#) (2008) provides an appropriate foundation for parking design, giving indicative minimum and maximum residential parking guidelines depending on location. This document was produced to update the residential parking standards presented within Supplementary Policy Guidance SPG4 of the Kent and Medway Structure Plan 2006. Proposals for residential development and conversion should accord with IGN3, and these standards are set out in Table 13.1 below. While this is a useful indicative guide, there is scope for adaptation according to the development proposal and site location.

Interim Guidance Note 3 (IGN3): Guidance Table for Residential Parking

Location	City/Town Centre	Edge of Centre	Suburban	Suburban Edge/Village/Rural
On-street Controls	On-street controls preventing all (or all long stay) parking	On-street controls, residents' scheme and/or existing saturation ⁽³⁾	No, or very limited, on-street controls	No on-street controls, but possibly a tight street layout
Nature of Guidance	Maximum ⁽¹⁾	Maximum	Minimum ⁽⁶⁾	Minimum ⁽⁶⁾
1 and 2 bed flats	1 space per unit	1 space per unit	1 space per unit	1 space per unit
Form	Controlled ⁽²⁾	Not allocated	Not allocated	Not allocated
1 and 2 bed houses	1 space per unit	1 space per unit	1 space per unit	1.5 spaces per unit
Form	Controlled ⁽²⁾	Allocation possible	Allocation possible	Allocation of one space per unit possible
3 bed houses	1 space per unit	1 space per unit	1.5 spaces per unit	2 independently accessible spaces per unit
Form	Controlled ⁽²⁾	Allocation possible	Allocation of one space per unit possible	Allocation of one or both spaces possible
4+ bed houses	1 space per unit	1.5 spaces per unit	2 independently accessible spaces per unit	2 independently accessible spaces per unit
Form	Controlled ⁽²⁾	Allocation of one space per unit possible	Allocation of both spaces possible ⁽⁷⁾	Allocation of both spaces possible ⁽⁷⁾

Location	City/Town Centre	Edge of Centre	Suburban	Suburban Edge/Village/Rural
Are garages acceptable? ⁽⁴⁾	Yes, but with areas of communal space for washing, etc.	Yes, but not as a significant proportion of overall provision	Additional to amount given above only	Additional to amount given above only
Additional Visitor Parking ⁽⁵⁾	Public car parks	Communal areas, 0.2 per unit maximum	On-street areas, 0.2 per unit	On-street areas, 0.2 per unit

Table 13.1 IGN3: Guidance Table for Residential Parking

Notes

(1) Reduced, or even nil provision is encouraged in support of demand management and the most efficient use of land.

(2) Parking/garage courts, probably with controlled entry.

(3) Reduced, or even nil provision acceptable for rented properties, subject to effective tenancy controls.

(4) Open car ports or car barns acceptable at all locations, subject to good design.

(5) May be reduced where main provision is not allocated. Not always needed for flats.

(6) Lower provision may be considered if vehicular trip rate constraints are to be applied in connection with a binding and enforceable Travel Plan.

(7) Best provided side by side, or in another independently accessible form. Tandem parking arrangements are often under-utilised.

13.18 Residential parking should be designed as part of a place-making approach to design, creating streets that work for residents and are not dominated by the private car. To this end, advice in [Building for Life 12](#) provides best practice guidance for residential parking. Some car parking should be provided on the street, wherever practicable, in all developments. Visitors should park on the street and walk to the dwelling where possible. All cars should be visible from ground and upper floor windows. Breaks in rows of on-street parking bays should be provided approximately every six spaces; this is to allow space for street trees to break up the impact of parking, and make it easier for pedestrians to cross the road.



On-street parking appropriately integrated into the development

13.19 While KCC's IGN3 notes that the relative inconvenience of tandem parking can lead to problems, and advises that independently accessible spaces are provided for on-plot parking, this is not the approach encouraged by the Council. The Council considers that tandem parking can provide a positive solution, where multiple spaces are required, so that the building line can be maintained and the integrity of the overall street scene is not undermined. It is acknowledged that the provision of tandem parking can have a small inconvenience factor, and therefore for every tandem relationship on a plot in suburban locations, and in rural locations where new streets are created, 0.5 unallocated flexible parking spaces should be provided on-street.

13.20 Proposals for development, including the sub-division of larger properties, within areas with a history of on-street parking problems, including town centre areas, will need to demonstrate through a parking survey that appropriate parking provision is available or can be provided (see also Policy HB13: Houses in Multiple Occupation).

Non-Residential and Commercial Parking Standards

13.21 For non-residential development the Council has, in common with other local planning authorities in Kent, relied on the advice of KCC and the maximum standards contained in KCC SPG4. These standards have generally proved appropriate for this district.

13.22 To ensure the delivery of appropriate parking provision in new non-residential developments in the district over the plan period, and to reduce opportunities for commercial developments to deliver fewer spaces than the maximum, SPG4 will be applied as *the* standard for non-residential development in the district (that is, neither a maximum or a minimum). Controlled Parking Zones are also supported as an option for the Council to address specific problems with overspill commercial car parking into residential areas should these occur.

13.23 The general guiding principles for the design of residential parking are equally applicable for non-residential and commercial parking, with the exception of the quanta to be provided. The standards provided by KCC in its parking guidance note SPG4 applies to the use classes indicated in Table 13.2. However, it should be noted that SPG4 includes guidance on parking requirements for additional land uses over and above those presented in Table 13.2, for example Land Use Class D1: Non-residential Institutions. SPG4 also includes guidance on cycle parking provision. For a complete guide the user is advised to refer to the SPG4 document.

Non-Residential and Commercial Parking Standards

Use Class		Non-Residential and Commercial Parking Standard
A1	Food retail up to 1,000sqm	1 space per 18sqm
	A1 Food retail of 1,000sqm and over	1 space per 14sqm
	Non-food retail	1 space per 25sqm
A2	Financial and professional services	1 space per 20sqm
A3	Restaurants and cafes	1 space per 6sqm ⁽¹⁾
A4	Drinking establishments	1 space per 10sqm ⁽¹⁾
A5	Hot food takeaways	1 space per 8sqm ⁽¹⁾
B1	Office use (up to 500sqm)	1 space per 20sqm
	Office use (up to 2,500sqm)	1 space per 25sqm
	Office use (2,500sqm and over)	1 space per 30sqm
	High technology, research and light industrial	1 space per 35sqm
B2	General industrial	1 space per 50sqm
B8	Storage and distribution	1 space per 110sqm
	Wholesale trade	1 space per 35sqm
Hotels		1 space per bedroom

Notes

(1) These use classes are also required to deliver 1 space per 2 staff in addition to the standard set out above.

Use Class	Non-Residential and Commercial Parking Standard
<i>All floorspace references in this table refer to gross external floorspace.</i>	

Table 13.2 Guidance Table for Non-Residential and Commercial Parking

13.24 Design and Access Statements accompanying planning applications should fully explain the approach to parking. Layout plans that clearly identify the status of parking spaces (for example, allocated, visitor, unallocated), and the unit to which these relate, should be provided.

Policy T2

Parking Standards

Residential Parking

Planning permission will be granted for schemes providing residential parking where the resident and visitor parking is sufficient and well integrated so that it does not dominate the street. The Council will use the standards in Table 13.1 above as a starting point.

Applicants should demonstrate that:

1. Priority has been given to on-street parking in well-designed streets;
2. There is sufficient parking for residents and visitors, with a preference for unallocated parking;
3. Parking is positioned close to people's homes;
4. Parking courtyards are small in size, with no more than five properties using each courtyard, and they are well overlooked;
5. Any roofed parking structures are proportionate so that they do not dominate the street scene, and are well-integrated into the overall design of the development;
6. A variety of parking treatments has been considered on sites of more than 5 dwellings;
7. The schemes shows a preference for tandem on-plot parking if more than one off-street space is provided per dwelling;
8. Spaces are of sufficient size to comfortably host a larger car, and on-plot spaces have sufficient space for the movement of wheeled waste bins to a collection point (as required);
9. A charging point for electric vehicles is provided at a ratio of 1 per dwelling as far as is reasonably practicable;
10. Covered cycling facilities have been integrated into the residential parking offer; and
11. Measures have been taken to discourage the parking of Heavy Goods Vehicles, in accordance with Policy T4 below.

Rear serviced parking layouts are to be discouraged, and will be permitted only where alternatives are not feasible.

Technology has been developed to make use of street lighting columns to permit on-street electric vehicle charging, and opportunities to promote this technology will be explored and supported, where appropriate.

Non-Residential and Commercial Parking

Planning permission will be granted for non-residential and commercial schemes where parking is provided in accordance with Table 13.2 above.

A Transport Assessment (TA) will be required in support of planning applications where appropriate and required by the local planning authority in accordance with defined thresholds on development size and in accordance with national planning policy. For smaller schemes a Transport Statement may be satisfactory, subject to agreement with the District Council and Local Highway Authority at the pre-application stage.

The purpose of an assessment in reference to residential parking is to provide a clear indication of how the proposed scheme impacts on any existing adjoining on-street residential parking. Wider issues, such as highway capacity and highway safety and accessibility by non-vehicle modes, must also be considered as part of an assessment.

The dimensions for a car parking space are 2.5m (width) by 5m (length), unless the space is adjacent to a structure or obstruction (e.g. wall or fence), in which case the width measurement needs to be increased by 0.2m for every obstruction.

Garages

13.25 Given that garages can be variously used either for parking or for storage, or a combination of both, their use for vehicle parking is unreliable. The Manual for Streets highlights the propensity for many garages to be used for storage, resulting in problems of displacement and inappropriate parking, issues which need to be considered by local planning authorities. While this is mitigated to some extent in urban areas by on-street parking controls, these are not always in place in suburban or rural areas, leading to greater on-street parking problems.

Policy T3

Residential Garages

Applications for residential development or conversion proposing the provision of garage space will be approved if:

1. Free-standing or integral garages have **not** been included in the number of parking spaces in suburban or rural locations; and
2. Integral garages are 'over-sized' in town centre or edge-of-centre locations to allow for use both for cars and sundry storage.

Car port structures will be counted towards meeting the residential parking standard, however, these may be subject to planning conditions that remove permitted development rights to prevent the structure being enclosed at a later date without Council control.

Assessing Transport Needs

13.26 Travel Plans, Transport Assessments and Transport Statements are all ways of assessing and mitigating the negative transport impacts of development in order to ensure that sustainable development is delivered.

13.27 [Planning Practice Guidance](#) effectively sets out a hierarchy of evidence needed to support a planning application, depending on its scale and likely transport impact. Transport Statements should be used where development has a limited transport impact. Transport Assessments should be used where a greater impact is expected and mitigation measures are likely to be needed. Travel Plans are required when long term management strategies are needed to deal with significant transport impacts. For development that has no significant transport impact - developments that do not generate significant amounts of traffic movement - then no statement, assessment or plan is required.

13.28 The NPPF requires the submission of a Transport Assessment or Transport Statement for all developments that generate significant amounts of traffic movement (paragraph 32). In terms of these requirements:

- **Transport Assessment** - Developments over 80 dwellings (or others within Appendix B of the DfT's '[Guidance on Transport Assessment](#)') will normally require the preparation of a full Transport Assessment (TA). The scope of the TA should be agreed in advance with the local planning authority and should be in accordance with current national guidelines. It should assess both traffic impact and transport sustainability, including an assessment of how well a

scheme addresses the needs of pedestrians of all ages, cyclists and non-motorised users. A balance of the above choices, maintaining permeability and aesthetic quality, will be appropriate for new development; and

- **Transport Statement** - Developments of between 50 and 80 dwellings (or others in the DfT's guidance) will normally require an abbreviated form of a TA, known as a Transport Statement, which addresses certain limited issues that are relevant to the particular scheme; these will usually be access to pedestrian, cycle and public transport facilities. The scope of the Transport Statement should be agreed in advance with the local planning authority, and should cover accessibility as well as impact.

Transport Assessments and Travel Plans will be expected from developments at or above the following thresholds:

A1: Shops	1,000sqm
A2: Financial and Professional services	2,500sqm
A3: Restaurants and Cafés	1,000sqm
A4: Drinking Establishments	1,000sqm
A5: Hot Food Takeaways	1,000sqm
B1(a): Office	2,500sqm
B1 (b and c): Research and Development / Light Industrial	3,000sqm
B2: General Industrial	5,000sqm
B8: Storage and Distribution	4,000sqm
C1: Hotels	100 bedrooms
D1: Primary and Secondary Schools, Further Education (FE) and Higher Education (HE) Establishments	New locations and expansion
D1: All Other Non-Residential Institutions	2,500sqm
D2: Assembly and Leisure	1,000sqm
D2: Stadia	1,500 seats
<i>Sui Generis</i> uses	Individually assessed

Indicative Thresholds for Developments Requiring Preparation of Transport Assessments / Travel Plans

Heavy Goods Vehicle (HGV) Parking

13.29 Given the district's location on the strategic transport network between London and continental Europe, significant flows of Heavy Goods Vehicle (HGV) traffic travel through the district.

13.30 While provision for suitable stopping places from the M20 motorway is the responsibility of Highways England, there has been a rise in recent years of inappropriate parking and movements of lorries through residential areas in search of stopping places. The Council will ensure through planning policy that HGV stopping places are well catered-for, without detrimental impact on the amenity of local residents. In addition, new residential developments will be required to include measures discouraging the parking of lorries (see Policy T2, above).

13.31 For the purposes of Policy T4, the roads within the district can be classified as follows:

- **Strategic Road Network (SRN)** - This comprises motorways and trunk roads and the most significant 'A' roads that are managed by Highways England. The SRN represents about 2 per cent of all roads in England by length, but carry a third of all traffic by mileage. Two thirds of all heavy goods mileage in England is undertaken on the SRN;
- **Primary routes** - These roads form the primary network for the district as a whole. All long distance vehicle movements between the main settlements in the district and beyond should be directed to these routes as they have the highest capacity and have been designed to accommodate proportionately more traffic movements than other routes;
- **Secondary routes** - These roads distribute traffic within residential and commercial areas of the district's settlements and include many rural roads which link some of the smaller settlements to the primary network. Much of the district is made up of these routes which greatly contribute to its attractive and rural character;
- **Local distributors** - These roads distribute traffic within neighbourhoods. They form the link between secondary routes and access roads; and
- **Access roads** - These roads give direct access to buildings and land within neighbourhoods.

Policy T4

Parking for Heavy Goods Vehicles (HGVs)

Applications for the provision of Heavy Goods Vehicle parking and service facilities will be approved subject to the following criteria:

1. The site should be accessed from the designated Strategic Road Network;
2. Proposals for the mitigation of noise and air quality impacts from lorry movements and any associated commercial operations will need to be specifically addressed as part of any application;
3. Substantial landscaping and screening, based on a strong landscape framework, should be provided to mitigate the visual impact of the development;
4. Suitable mitigation will be required to deal with artificial lighting, to restrict the impact of the development on neighbouring residential properties or vulnerable uses in accordance with Policy NE5: Light Pollution and External Illumination;
5. Adequate space for access, sight lines, turning and manoeuvring must be provided in addition to the required parking spaces. These spaces should not be used for any other purpose than parking; and
6. The minimum dimensions of a lorry parking space should be 16m by 3.5m (56 sqm).

Every effort should be made to restrict the circulation of lorries, other than for delivery purposes, on local distributor and access roads within the district, to protect the amenity of local residents.

Cycle Parking Standards

13.32 The [National Planning Policy Framework](#) (NPPF) supports people's health and wellbeing, through promoting healthy communities and more active and sustainable forms of transport. Cycling helps to achieve these aspirations, and providing sufficient space in new residential developments for cycle storage is a key planning requirement. The policy should also apply to development comprising conversion of a property, unless proven to be unviable or unfeasible.

13.33 Cycle parking standards are set out in Policy T5 below. These are based on KCC's Supplementary Policy Guidance SPG4 and seek to encourage the use of bicycles by:

- Making them more easily accessible to users;
- Protecting them from theft; and
- Ensuring parking facilities are well-integrated into the design of the development.

13.34 A high standard of security is required to avoid the need to take bicycles a long way into a building. ⁽¹⁾

13.35 Any cycle parking provided in garages must allow cycles to be removed easily without first driving out any car also parked within the garage. When provided within the footprint of the dwelling, or as a freestanding shed, cycle parking should be accessed by means of a door (secured by mortice lock) and be of a sufficient size to easily accommodate the required cycle provision and allow easy access to avoid the need to lift out bicycles.

13.36 For flats and other multi-occupancy dwellings, cycle parking should be sited within 20m of the relevant entrance of the building, and always closer than the nearest non-disabled car parking space. It should be adequately lit (in accordance with Policy NE5: Light Pollution and External Illumination), and provided with good surveillance (whether through overlooking or the use of CCTV).

Policy T5

Cycle Parking

Planning permission will be granted for residential development subject to the provision of cycle parking at the following quanta:

Individual residential developments	1 space per bedroom
Sheltered accommodation	1 space per 5 units

Cycle Parking Standards

Parking should be provided either within the curtilage of a residential dwelling or in a secure communal facility, where a suitable alternative is not available.

Any external residential cycle parking should be secure, covered, and preferably constructed from the same materials as the main structure.

Any planning application involving cycle parking should demonstrate how the proposal accords with the aspirations and guidance set out in Building for Life 12 with regard to the provision of cycling facilities.

Cycle parking requirements for non-residential uses will be provided in agreement with the Council.

¹ Developers are also advised to consult the best practice guidance produced by Cambridge City Council '[Cycle Parking Guide for New Residential Developments](#)' as a useful and comprehensive guide to this topic.

Natural Environment

14 Natural Environment

Introduction

14.1 This chapter contains policies dealing with a range of matters relating to the natural environment. Policies cover:

- Access to the natural environment;
- Biodiversity;
- Protecting the district's landscape and countryside;
- Equestrian development;
- Light pollution and external illumination;
- Land stability;
- Contaminated land; and
- Management of the coast.

14.2 National guidance on the natural environment is provided in paragraphs 73 to 78 of the [National Planning Policy Framework](#) (NPPF) which are concerned with ensuring access to high quality open spaces for the community and also recognise the contribution to health that such open space makes. Also of relevance is Section 11 'Conserving and enhancing the natural environment' of the NPPF which sets out guidance on how the planning system should contribute to and enhance the natural environment.

14.3 Local planning authorities also have legal duties in relation to Areas of Outstanding Natural Beauty (AONB) under section 85 of the [Countryside and Rights of Way Act \(2000\)](#). This requires that *"in exercising or performing any functions in relation to, or so as to affect, land"* in National Parks and Areas of Outstanding Natural Beauty, relevant authorities *"shall have regard"* to their purposes.

14.4 Core Strategy Policy CSD4: Green Infrastructure of Natural Networks, Open Space and Recreation is concerned with protecting, managing and enhancing Shepway's varied and extensive green and open spaces, including its water features and coast. These include unique landscapes and habitats that are of both national and international importance. Designated sites, such as Special Areas of Conservation (SAC) and Special Protection Areas (SPAs), have been part of conservation protection for so long that their importance is often underestimated. Despite other challenges, like climate change and the need for habitat expansion, designated sites are still the most important tool for nature conservation.

Access to the Natural Environment

14.5 Access to the countryside and the natural environment is poorer in some parts of the district than others; in particular for some communities which also have relatively poor health and high levels of economic disadvantage. A key issue is how

best this position can be improved to ensure that an accessible supply of green open spaces is provided; one way of doing this is by improving access to the open countryside that surrounds the district's built-up areas. Links between the urban area and the countryside and key open spaces can be improved by making use of existing corridors such as rivers, canals and also the national cycle network. However access also needs to be managed due to the potentially damaging impact of recreational activity on over-wintering birds at the Dungeness Complex of Sites, SPA/SAC, sensitive habitats and the Folkestone to Etchinghill Escarpment SAC.

14.6 Shepway District Council and Rother District Council have prepared a study that forms a basis for managing access to Dungeness and has helped to inform the Local Plan. Actions include further monitoring of visitor numbers, birds and vegetation, improvements to waymarking and some zoning of activities at the coast. This strategy will also inform the management of access to the Folkestone to Etchinghill SAC. Additional work will be undertaken as part of the review of the Council's [Green Infrastructure Report](#) (2011) to establish a network of corridors and assets.

Policy NE1

Enhancing and Managing Access to the Natural Environment

To enhance access to the natural environment the Council will:

1. Target opportunities for improvements on routes and links from urban areas where access is currently poor, except where there would be an adverse impact on sensitive areas;
2. Improve access to key open spaces identified in the Green Infrastructure Strategy from all areas; and
3. Manage access to Special Areas of Conservation and Special Protection Areas through the implementation of the Dungeness Sustainable Access Strategy and identify or enhance land elsewhere to divert recreation activities away from those designations by the provision of enhanced facilities, such as at urban parks.

14.7 There are areas in the district that are subject to acute recreational pressures due to their location close to the main urban areas. Regard will also need to be given to those other European designated habitats within the district, including the Folkestone to Etchinghill SAC.

Biodiversity

14.8 All new developments are encouraged to take account of and incorporate biodiversity into their features at the design stage. Policy NE2 below protects sites of biodiversity importance, which contain wildlife or geological features that are of

special interest. Exceptions will only be made where no reasonable alternatives are available and the benefits of development clearly outweigh the negative impacts. Where a development proposal would result in significant harm to biodiversity and geological interests that cannot be prevented or mitigated, appropriate compensation will be sought.

14.9 The Council will be updating its Green Infrastructure Report which will identify areas, such as Biodiversity Opportunity Areas, where enhancements to biodiversity can be targeted. This plan, along with advice from partners, will inform decision-making in relation to identifying and protecting local wildlife corridors, incorporating beneficial features into development and deciding on mitigation measures.

14.10 With specific regard to recreational impacts, the Council may consider the use of core catchment zones that identify potential impact areas which extend beyond the relevant European site itself. Development proposals within such areas will then take account of any relevant published findings and recommendations. Other documents that should be referred to in conjunction with the Local Plan include the [Kent Biodiversity Action Plan](#) and the [South East river basin district - River basin management plan](#) (Environment Agency/DEFRA, 2015).

14.11 Incorporating green space into developments makes them more attractive and resilient to climate change, as well as benefiting people's health and wellbeing. Achieving gains for nature through planning accords with the National Planning Policy Framework's ambition to move "*from a net loss of biodiversity to achieving net gains for nature*" (paragraph 9).

14.12 One way to achieve this is through the creation of pollinator habitats. These can be created through new wildflower meadows, and bee-friendly landscaping of gardens, as well as green roofs, green walls and bee hotels. The idea of a biodiversity offsetting system was introduced in the Government's Natural Environment White Paper - '[The Natural Choice: securing the value of nature](#)' - a 50-year vision for the natural environment published in 2011. Biodiversity offsetting is a proposed approach to compensate for habitats and species lost to development in one area, with the creation, enhancement or restoration of habitat in another. Under this system any negative impacts on the natural environment would then be compensated for, or 'offset' by developers through developer contributions, off-site provision or the Community Infrastructure Levy (CIL).

Policy NE2

Biodiversity

European Sites

Development will safeguard and protect all sites of European and Global importance, designated as Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites. Development must not result in significant adverse effects on these internationally important nature conservation sites, either alone or in combination with other projects and plans. The Council will expect development proposals to demonstrate and contribute to appropriate mitigation and management measures to maintain the ecological integrity of the relevant European site(s).

National Sites

Nationally important sites, including Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR), will be safeguarded from development, unless the benefits of the development can be demonstrated to outweigh the identified national importance of the nature conservation or scientific interest of the site.

Local Sites

Local sites, including Local Nature Reserves (LNR), Key Wildlife Sites (KWS) and Regionally Important Geological and Geomorphological Sites (RIGS) will be safeguarded from development, unless the benefits of the development outweigh the nature conservation or scientific interest of the site. Where development is considered necessary, adequate mitigation measures or, exceptionally, compensatory measures, will be required, with the aim of providing an overall improvement in local biodiversity and/or geodiversity. Opportunities will be sought to access and enhance the value of such sites for educational purposes, particularly in relation to promoting public awareness and appreciation of their historic and aesthetic value.

Protected Species

Development proposals that would adversely affect European Protected Species (EPS) or Nationally Protected Species will not be supported, unless appropriate safeguarding measures can be provided (which may include brownfield or previously developed land (PDL) that can support priority habitats and/or be of value to protected species).

Development and the Natural Environment

All new development will be required to conserve and enhance the natural environment, including all sites of biodiversity or geodiversity value (whether or not they have statutory protection) and all legally protected or priority habitats and species. The Council will support development that:

- Enhances existing sites and features of nature conservation value (including wildlife corridors and geological exposures) that contribute to the priorities established through the Biodiversity Action Plan and the Green Infrastructure Plan;
- Does not reduce, and where feasible, improves species' ability to move through the environment in response to predicted climate change, and to prevent isolation of significant populations of species; and
- Incorporates features that enhance biodiversity as part of good design and sustainable development, including the creation of new pollinator habitat suitable to the scale of development.

The District has a number of undesignated sites, which may nevertheless host rare species or valuable habitats. Where a site is indicated to have such an interest, the applicant should observe the precautionary principle and the Council will seek to ensure that the intrinsic value of the site for biodiversity and any community interest is enhanced or, at least, maintained.

Where an impact cannot be avoided or mitigated (including post-development management and monitoring), compensatory measures will be sought. The Council may, in exceptional circumstances, allow for biodiversity offsets, to prevent loss of biodiversity at the district level. Such compensation will be directed to Biodiversity Opportunity Areas (BOAs) within the district or projects identified in the Council's Green Infrastructure Plan.

Protecting the Landscape and Countryside

14.13 The Kent Downs Area of Outstanding Natural Beauty (AONB) covers 878sqkm from the Surrey border to the White Cliffs of Dover. The AONB roughly follows the southeast's outcrop of chalk and greensand, the two ridges running parallel with each other to the coast. The chalk ridge, with its dip slope and dry valleys, has great wildlife importance in its unimproved chalk grassland, scrub communities and broadleaved woodlands. Farming covers around 64 per cent of the AONB. Expansive arable fields are generally on the lower slopes, valley bottoms and plateaux tops. Historically, the Kent Downs has supported mixed farming practices where arable crop production has co-existed with livestock grazing and horticulture.

14.14 Broadleaf and mixed woodland cover 23 per cent of the Kent Downs. Almost 70 per cent (12,129ha) of the woodland resource is ancient woodland (continuously present since at least 1600). Ash is a particularly prominent tree in the Kent Downs AONB. Both in the woodlands and hedgerows ash forms a prominent and important

part of the landscape. Kent Downs woodlands were one of the first areas in Britain to experience widespread infection from Ash Dieback and the landscape implications are thought to be serious with the expected death and weakening of the ash population. Hidden below the chalk is a significant aquifer providing 75 per cent of Kent's drinking water. In the east Kent Downs, the Lympne escarpment of calcareous Sandstone and Ragstone provides a spur of higher ground affording dramatic views across the near-level Romney Marsh and Hythe Bay. The position of the Kent Downs, close to London, mainland Europe, major urban centres and growth areas means that the Kent Downs AONB faces intense development pressure.

14.15 The landscapes within the AONB are highly valued; they need to be protected and enhanced to ensure that their nationally important status is maintained. It is also important to protect views into and out of the AONB. Section 85 of the CROW Act places a statutory duty on all relevant authorities requiring them to have regard to the purpose of AONBs when coming to decisions or carrying out their activities relating to, or affecting land within these areas. This is known as the 'duty of regard'.

14.16 Although the NPPF does not specifically refer to 'setting' in the context of AONBs, the [Planning Practice Guidance](#) confirms that the duty of regard is "*relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on the setting of, and implementation of, the statutory purposes of these protected areas.*" The policy is complemented by Core Strategy Policy CSD4: Green Infrastructure of Natural Networks, Open Spaces and Recreation, which includes in criterion (e): "*Planning decisions will have close regard to the need for conservation and enhancement of natural beauty in the AONB and its setting, which will take priority over other planning considerations.*"

14.17 There are a number of high quality landscape areas outside the AONB and it will be necessary to consider whether these areas should benefit from a local landscape designation, particularly where they are important to the setting of the AONB. A new [High Level Landscape Assessment](#) was carried out for the whole district in February 2017, and it is proposed to carry forward the designations, Special Landscape Areas and Local Landscape Areas of the previous plan. Local Landscape Areas are areas which are of particular local landscape value and/or act as green buffers within or adjoining urban areas, contributing to local environmental quality and identity. The landscape area designations are shown on the Policies Map.

Policy NE3

Protecting the District's Landscapes and Countryside

Kent Downs Area of Outstanding Natural Beauty

The impact of individual proposals and their cumulative effect on the Kent Downs Area of Outstanding Natural Beauty (AONB) and its setting will be carefully assessed. Planning permission will be granted where it can be demonstrated that all the following criteria have been met:

1. The natural beauty and locally distinctive features of the AONB and its setting are conserved and enhanced;
2. Proposals reinforce and respond to, rather than detract from, the distinctive character and special qualities including tranquillity of the AONB. The design scale, setting and materials of new development must be appropriate to the AONB;
3. Either individually or cumulatively, development does not lead to actual or perceived coalescence of settlements or undermine the integrity of the predominantly open and undeveloped, rural character of the AONB and its setting;
4. Development is appropriate to the economic, social and environmental well-being of the area or is desirable for the understanding and enjoyment of the area (where this is consistent with the primary purpose of conserving and enhancing natural beauty); and
5. Development meets the policy aims of the Kent Downs AONB Management Plan and AONB Unit produced supporting design guidance.

Special Landscape Areas

Special Landscape Areas (SLAs) are defined as follows and shown on the Policies Map:

- North Downs (including the scarp and crest);
- Old Romney Shoreline; and
- Dungeness.

Proposals should protect or enhance the natural beauty of the Special Landscape Area. The Council will not permit development proposals that are inconsistent with this objective unless the need to secure economic and social wellbeing outweighs the need to protect the SLAs' county-wide landscape significance.

Local Landscape Areas

Local Landscape Areas are defined as follows and illustrated on the Policies Map:

- Romney Marsh;
- Sandgate Escarpment and Seabrook Valley;
- Eaton Lands;
- Coolinge Lane and Enbrook Valley; and
- Mill Lease Valley.

Proposals should protect or enhance the landscape character and functioning of Local Landscape Areas. The Council will not permit development proposals that are inconsistent with this objective, unless the need to secure economic and social wellbeing outweighs the need to protect the area's local landscape importance.

Landscape Character Areas

Proposals should demonstrate that their siting and design are compatible with the pattern of natural and man-made features of the Landscape Character Areas, including their cultural and historical associations.

Opportunities for remediation and improvement of damaged landscapes will be taken as they arise.

14.18 The [Kent Downs AONB Unit](#) has produced the [Kent Downs Management Plan 2014-2019](#) on behalf of the constituent authorities. The AONB Management Plan and its supporting documents identify the distinctive features and characteristics of the landscape and provide the framework for the management and spatial planning of the AONB. The Management Plan does not formulate land-use planning policies but is a component of the decision-making process in planning applications. The status of the Management Plan, combined with the thorough process of plan making and review, means that the AONB Management Plan and its policies are a material consideration in planning matters and should be afforded weight in decisions. The Planning Practice Guidance confirms this, and supports the evidence and principles established in the Management Plan being taken into account in local planning authorities' Local Plans and in Neighbourhood Plans.

14.19 The NPPF states that planning policies and decisions should *"identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason"* (paragraph 123). Further information on areas of tranquillity within the district will be provided in the Green Infrastructure Plan. Tranquillity is defined by the Guidelines for Landscape and Visual Impact Assessment (GLVIA) (LI and IEMA 2013) as *"a state of calm and quietude associated with peace, considered to be a significant asset of landscape"*.

Equestrian Development

14.20 Much of the district is rural in character, and development related to the keeping of horses is one aspect of this character.

14.21 In many cases, this type of development will not require planning permission. Stables for horses kept for the individual enjoyment of a household and not for any commercial gain may be erected within a domestic garden without applying for planning permission, subject to the restrictions which apply to outbuildings within domestic gardens. (These restrictions are set out in Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015. However, it should be noted that in some cases these rights have been taken away.)

14.22 The erection of stables, associated tack-room and feed-store buildings and the installation of arenas on agricultural land will require planning permission for the change of use of the land, as well as for the new building and/or engineering work involved. Planning law currently makes a distinction between horses that are 'grazing on land' and horses that are 'kept on land'. A court judgement in 1981 (known as *Sykes v Secretary of State*) took the view that horses simply turned out on land are 'grazing', which does not require planning permission, whereas 'keeping horses' on land does require planning permission for change of use. The distinction rests on factors such as the addition of permanent buildings or structures, use of the land to ride, drive, train or other activities which indicate 'keeping' rather than simply 'grazing'.

14.23 Manèges, or outdoor arenas, require planning permission. These areas change the appearance of land and are usually fenced with timber posts and rails. These often require substantial earthworks since they need to be completely flat.

14.24 If in doubt, advice should be sought from the local planning authority in advance of any development. The Kent Downs AONB Unit has produced '[Managing Land for Horses: a guide to good practice in the Kent Downs Area of Outstanding Natural Beauty](#)' (2011), which advises on all matters relating to equestrian activity and constitutes good practice for the whole district on this issue.

Policy NE4

Equestrian Development

Planning applications for equestrian-related development, including the change of use of land, will be permitted where:

1. There would be no detrimental impact on the character or appearance of the rural landscape, especially within the Kent Downs Area of Outstanding Natural Beauty, the Special Landscape Areas and Local Landscape Areas;
2. Existing buildings are reused wherever possible. Where new buildings are necessary, these should be well-related visually and locationally to existing buildings, appropriate to the number of horses to be kept and the amount of land available. The scale and design of the development is appropriate to the character of the locality;
3. Adequate provision can be made to meet access, servicing and parking requirements without detriment to the visual and other amenities of the locality and proposals will not generate traffic of a volume and type inappropriate to the locality;
4. Sufficient land is available for grazing and exercise to ensure the safety of horses and avoid excessive erosion of soil and vegetation in accordance with the British Horse Society Standards;
5. Development does not unacceptably affect local amenity by virtue of smell, noise, lighting or road safety;
6. Any jumps or other related equipment are well designed and maintained and removed when not in frequent use;
7. There is no irreversible loss of the best and most versatile agricultural land;
8. The proposal is well related to, or has improved links to, the existing bridleway network, with no impact on the bridleway capacity to accommodate the growth; and
9. Suitable provision is made to deal with foul and surface water drainage and soiled bedding materials.

Planning permission granted for buildings related to horse keeping activities will be subject to a condition that structures are temporary and are removed when the use of the land for such purposes ceases. Particular consideration will be given to the cumulative effects of proposals on the local area and the wider landscape and environment.

Proposals for additional accommodation in relation to equestrian development will be judged against Policy HB7: Dwellings to Support a Rural-based Enterprise.

Light Pollution

14.25 Light pollution is light that is wasted upwards and reflects off the atmosphere, causing the visible blanket cover that hangs over major cities at night. It is a problem for various reasons, including energy wastage, effects on human health and psychology, erosion of tranquillity, and disruption of ecosystems.

14.26 [Planning Practice Guidance](#) states that, while artificial lighting may be needed and can provide social benefits, especially in terms of sport and recreation, in many cases it is unnecessary and has detrimental impacts on ecology and amenity; the best use of artificial light provides the right light, in the right place at the right time.

14.27 The Marsh area and parts of the Kent Downs AONB currently enjoy some of the darkest skies in the south-east, with parts of the western marsh having been measured by global satellites as 'intrinsically dark' in accordance with NPPF paragraph 125, and therefore worthy of particular protection. Good practice, however, advises appropriate lighting design in all development to avoid obtrusive light. Obtrusive light is generally a consequence of poorly designed or insensitive lighting schemes.

14.28 The three main problems associated with obtrusive light are:

- **Sky glow** - the orange glow seen around urban areas caused by a scattering of artificial light by dust particles and water droplets in the sky;
- **Glare** - the uncomfortable brightness of a light source when viewed against a darker background; and
- **Light trespass** - light spilling beyond the boundary of the property on which a light is located.

14.29 Sky glow is the result of ill-directed lighting and reduces the ability of people to see the natural night sky. This is a problem found not only in urban areas but also in rural areas, where dark skies at night are one of the special and intrinsic qualities of the rural landscape. Artificial lighting can also detract from local character by introducing a suburban feel into rural areas.

14.30 Insensitive lighting can have serious implications for motorists who may become distracted or blinded by glaring lights spilling onto the highway. Bright or inappropriate lighting in the countryside can also have significant ecological impacts.

14.31 Light trespass is a common problem and can intrude on the residential amenity causing stress for people affected. Obtrusive light in rural locations can also affect the natural diurnal rhythms among a wide range of animals and plants, as well as along water courses and other habitats. Birds that have their sleep disrupted by artificial light, for example, suffer impacts to their long-term circadian rhythm that dictates the onset of the breeding seasons.

14.32 Local planning authorities are advised to distinguish between broad areas that merit different levels of lighting control, as outlined in the [Institution of Lighting Professionals](#) (ILP) Guidance Notes for the Reduction of Light Pollution (2011). This can then be used to test the impacts of external artificial lighting.

14.33 The Council will require the applicant to assess:

- The need for the lighting scheme proposed, taking into consideration whether the development could proceed without lighting;
- Whether the benefits of lighting outweigh any drawbacks; and
- If there are any alternative measures that may be taken.

No lighting is ultimately the best solution in the most sensitive locations, and therefore the Council will ensure that only lighting schemes that are strictly necessary are approved in these locations.

14.34 Developments in the district's High Speed 1 and Channel Tunnel safeguarded zones shall be designed to avoid dazzle and glare or light shed which could cause hazard or distraction to operators, either from a lighting system which forms part of the development or alterations to accommodate the development. All proposals for lighting systems, either temporary or permanent, shall be submitted in writing and approved by the local planning authority in consultation with operators. Unless otherwise agreed in writing with the local planning authority, in consultation with operators, the approved scheme shall be implemented. This is for reasons of safety as, depending on the orientation and shrouding of the lighting or component lighting levels and the position of the development, lighting can interfere with sighting of signals.

14.35 The Council will also take account of the requirements of the Highway Authority (Kent County Council) and Highways England with regard to proposals relating to highway safety to secure the most appropriate solution with least light pollution.

Policy NE5

Light Pollution and External Illumination

Applications for major development, and development including significant external lighting, will be approved if:

1. The proposal does not materially alter light levels outside the development site;
2. The proposal does not adversely affect the use or enjoyment of nearby buildings or open spaces; and
3. The proposed lighting scheme accords with the best practice guidance provided by the Institution of Lighting Professionals (ILP) (2011) relevant to the particular Environmental Zone (see table below).

For proposals involving sensitive uses (such as hospitals or residential institutions) the Council will have regard to whether an existing neighbouring light source would make the proposed used unsuitable for the site.

Applications should include a lighting assessment with details of the following:

- Where the light shines;
- When the light shines;
- How much light shines; and
- Possible ecological impact.

Zone	What is acceptable?	Where does this apply?
E0	Protected: No decorative lighting acceptable. Security lighting acceptable only in exceptional circumstances.	Not applicable in this district.
E1	Natural: External lighting to be limited to accord with ILP lighting guidance for this zone. Decorative lighting generally inappropriate. All lighting must be extinguished after 23:00 except in exceptional circumstances.	Kent Downs Area of Outstanding Natural Beauty; Sites of Special Scientific Interest; rural areas outside settlement confines.

Zone	What is acceptable?	Where does this apply?
E2	Rural: For large-scale developments, lighting levels should accord with ILP technical guidance for this zone.	Within identified secondary and primary village confines, Hawkinge, Seabrook, Saltwood, and suburban areas of New Romney, and Hythe.
E3	Suburban: External lighting levels should accord with ILP technical guidance for this zone.	Suburbs of Folkestone, and New Romney and Hythe town centres.
E4	Urban: External lighting levels should accord with ILP technical guidance for this zone. Street lighting proposals should be carefully planned and specified to achieve best practice in light pollution control.	Within Folkestone town centre

Table 14.1 : Obtrusive Light Limitations for External Lighting Installations

Land Stability

14.36 With regard to the stability of land, and following the requirements of NPPF paragraph 120, Planning Practice Guidance has the triple aims of:

- Minimising risk and effects of land stability on property, infrastructure and the public;
- Helping ensure that development should not be placed in unstable locations without precautions; and
- Bringing unstable land, wherever possible, back into productive use.

14.37 Local geology in Shepway varies, often substantially, within a small area. There is a belt south of the M20, which runs south of Lympne, and through Hythe, Saltwood and Sandgate, where the geology is predominantly Folkestone Beds/Sandgate Beds overlaid by Gault Clay. Groundwater is particularly found at the interface between the Folkestone and Sandgate Beds, and this has been a contributory cause of landslips in this area in the past.

14.38 The area identified as at risk of landslip has increased over recent years, largely as a result of increased technological sophistication to be able to identify where land is or can be made less stable by inappropriate development. While the

Council will not necessarily refuse development within these areas, professional expertise must be sought for any activity within these identified zones that could prejudice the proposal or any property in the vicinity.

Policy NE6

Land Stability

Planning permission will be granted for development within the area defined on the Policies Map, or as identified by the British Geological Survey, only if investigation and analysis is undertaken by a competent accredited authority which clearly demonstrates that the site can be safely developed. This analysis should also demonstrate that the proposed development will not have an adverse effect on the slip area in part or as a whole.

Where proposals affect land where instability is suspected, any planning application must be accompanied by a Phase 1 desktop land stability or slope stability risk assessment report which:

1. Identifies and assesses the degree of instability;
2. Identifies the measures required to mitigate against any risk identified in point 1 (above);
3. Specifies routine monitoring (as appropriate); and
4. Addresses the need for formal environmental assessment arising from any stabilisation works.

The Council will look favourably on schemes that can bring unstable land back into use, subject to other planning and viability considerations.

Contaminated Land

14.39 The UK, as the first country in the world to industrialise, has a legacy of land contamination. Contaminated land may pose risks to human health and the environment. The NPPF states that responsibility for securing a safe development rests with the developer and/or landowner. Contamination is more likely to arise in former industrial areas but cannot be ruled out in other locations, including in the countryside. In addition, some areas may be affected by the natural or background occurrence of potentially hazardous substances, such as radon, methane or elevated concentrations of metallic elements.

14.40 While Shepway does not have a major contaminated land legacy from historic industry, the presence of contamination is a planning consideration and will be considered by the local planning authority as part of its development management function. The Council will expect to see consideration of potential for contamination,

particularly where the development proposed involves a sensitive use such as housing, schools or nurseries, or where the site has a history of potentially contaminative use. For major development, an application will always be accompanied by at least a contamination assessment including a Phase 1 investigation, consisting of a desk-based study, site walkover and conceptual site model.

Policy NE7

Contaminated Land

When development is proposed on or near a site that has been used for the purpose of waste disposal, is known to be contaminated, or where there is reason to believe that contamination may exist, the applicant will be required to carry out a site assessment and submit a report of the findings in order to establish the nature and extent of the contamination. The assessment should be phased, starting with a Phase 1 Investigation (or Desk Study) the results of which will determine the requirement for a Phase 2 Investigation (intrusive investigation), which will in turn determine any requirement for a Remediation Strategy and Verification Report. Assessment should be carried out in accordance with Environment Agency CLR11 Guidance Model Procedures for the Management of Land Contamination.

Development will be permitted subject to the identification, and commitment to the implementation of, practicable and efficient measures to treat, contain and/or control any contamination so as to:

1. Protect the occupiers of the development and neighbouring land users, including in the case of housing the users of gardens, from unacceptable risk;
2. Ensure the structural integrity of any existing or proposed structure on or adjoining the site;
3. Prevent contamination of any watercourse, water body or aquifer;
4. Prevent the contamination of adjoining land or halt existing contamination; and
5. Ensure that any remedial measures do not damage adjacent historic artifacts.

Any permission for development will require that the remedial measures agreed with the Council must be completed as the first step in the carrying out of the development.

14.41 The NPPF (paragraph 121) requires that planning policies ensure that any site is suitable for its new use, taking account of:

- Ground conditions and land instability, including from natural hazards or former activities such as mining;
- Pollution arising from previous uses; and
- Any proposals for mitigation, including land remediation or impacts on the natural environment arising from that remediation.

It also requires that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990, and that adequate site investigation information, prepared by a competent person, is undertaken.

The Coast

14.42 The [Marine and Coastal Access Act 2009](#) provided for the introduction of a marine planning system for England's inshore and offshore marine area. As the UK marine area and marine plan area boundaries extend up to the level of mean high water spring tides while terrestrial planning boundaries generally extend to mean low water spring tides (including estuaries), the marine plan area will physically overlap with the boundaries of the Places and Policies Local Plan.

The Government's vision for the marine environment is:

"clean, healthy, safe, productive and biologically diverse oceans and seas".

UK Marine Policy Statement (HM Government, March 2011)

Integrated Coastal Zone Management

14.43 Integrated Coastal Zone Management means adopting a joined-up approach towards the many different interests in coastal areas – both on the land and at sea. In coastal areas, local planning authorities are required by NPPF paragraph 105 to take account of the [UK Marine Policy Statement](#) (2011) and marine plans and apply Integrated Coastal Zone Management across local authority, land and sea boundaries, ensuring integration of the terrestrial and marine planning regimes. The designation of Coastal Zone Management Areas requires joint working with adjoining Kent authorities with connecting coastlines. The NPPF further states that risks arising from coastal change should be reduced by avoiding inappropriate development in vulnerable areas or adding to impacts of physical changes to the coast (paragraph 106).

14.44 Marine planning, including the preparation of Marine Plans, is carried out by the [Marine Management Organisation](#) (MMO). Marine Plans must be consistent with the Marine Policy Statement and they make a significant contribution towards coastal integration. They guide developers about where they are likely to be able to carry out activities or where restrictions may be placed on what they do.

14.45 Shepway falls within the South Inshore Marine Planning Area and the MMO consulted on a draft [South Marine Plan](#) for this area in November 2016. Until this work is further advanced, it is premature for the Council to pre-empt the outcome of the marine planning process. However, in the interim, the MMO has been consulted during the preparation of the Places and Policies Local Plan under the Duty to Co-operate.

14.46 Much of Shepway is low lying with 195sqkm (55 per cent) lying within the Environment Agency's Zone 3a flood risk area. The Council's [Strategic Flood Risk Assessment](#) (SFRA) (Herrington Consulting Ltd, 2015) provides an analysis of the main sources of flood risk to the district, together with a detailed means of appraising development allocations and planning policies against the risks posed by coastal flooding over this coming century. The SFRA, alongside detailed national planning guidance and policies in the Core Strategy, has been used to inform the allocations in this Local Plan and will be used when making decisions on planning applications within or capable of affecting areas of flood risk.

Policy NE8

Integrated Coastal Zone Management

Development in coastal areas should complement the aims and objectives of the Shoreline Management Plan and the emerging Marine Plan. The Council will promote with partners Integrated Coastal Zone Management, including the preparation of a comprehensive management plan for the coast.

Proposals and initiatives will be supported that promote the following general objectives:

1. Facilitate the economic, environmental and social wellbeing of the area, including the proper consideration of marine wildlife;
2. Address proposals for the coastline and coastal communities set out in Coastal Defence Strategies and Shoreline Management Plans;
3. Contribute to greater safeguarding of property from flooding or erosion and/or enable the area and pattern of development to adapt to change, including the relocation of current settlement areas, and vulnerable facilities and infrastructure that might be directly affected by the consequences of climate change;
4. Provide resources to improve the process of harbour and coastal management, incorporating and integrating social, recreational, economic, physical and environmental issues and actions; and
5. Improve infrastructure to support sustainable modes of transport, especially cycleways, bridleways and footpaths, including the England Coast Path National Trail.

14.47 A Coastal Change Management Area will only be defined where rates of shoreline change are significant over the next 100 years, taking account of climate change. The NPPF states that local authorities should define Coastal Change Management Areas (CCMAs) where they are needed to help reduce the risk of flood from coastal change by avoiding inappropriate development in vulnerable areas (paragraph 106). The NPPF states that CCMAs should be designated in any area likely to be affected by physical changes to the coast. CCMAs will not need to be defined where the Shoreline Management Plan (SMP) policy is to 'hold the line' or 'advance the line' for the whole period covered by the SMP.

14.48 For the [South Foreland to Beachy Head Shoreline Management Plan](#) (2006), the policy for the majority of locations is 'hold the line', for Hythe Ranges and Lydd Ranges it is 'managed realignment'. For Copt Point the policy is 'no active intervention'. Currently it is not proposed to define a CCMA but this will continue to be reviewed

with the Environment Agency. Until such time as a CCMA is put in place, Policy NE8: Integrated Coastal Zone Management will help to reduce the risk of flood from coastal change.

Development Around The Coast

14.49 The cliffs between Folkestone Warren and Dover, included within the AONB, are designated as Heritage Coast in recognition of their national importance. Policy CO6 of the Shepway District Local Plan Review (2006) stated that:

"The District Planning Authority will give long term protection to the Folkestone and Dover Heritage Coast and to the areas of undeveloped coast shown on the proposals map. Within these areas development will not be permitted unless proposals preserve and enhance natural beauty, landscape, heritage, scientific and nature conservation value (consistent with any agreed management plan). In all cases, it must be demonstrated that a coastal location is required for development and that no suitable site exists along the developed coast. Proposals should where practicable also maintain or improve public access to the coast where this can be achieved without compromising conservation objectives."

14.50 Besides the Heritage Coast there are also significant areas of other undeveloped coast within the district, which are dynamic and vulnerable to coastal processes and often specifically identified for their nature conservation importance. The main stretch of undeveloped coast spans from Dungeness to Greatstone-on-Sea although smaller expanses exist between the built-up coastal areas from Littlestone to Hythe. Areas range in character from sand dunes to tidal mudflats to extensive shingle deposits. The seaward boundary for both the Heritage and undeveloped coast reflects the mean low water mark.

14.51 Outside settlement boundaries and villages in the settlement hierarchy, the character of the district's undeveloped coast, should be protected and enhanced. Development in close proximity to the sea suffers physical damage caused by wave and wind borne sand, grit and shingle and chemical degradation of materials from saltwater and spray. Essential to the efficient and effective maintenance and repair of storm damage to coast protection and sea defence works is the easy access for plant and vehicles from the highway to the sea wall or beach. There is provision within the Environment Agency's Land Drainage and Sea Defence Bye-laws for the consent of the Environment Agency to be obtained for any works between low water mark and a line 15m from the landward side of the defences it maintains. Reference must be made to the relevant Shoreline Management Plans and Coastal Defence Strategy to ensure that any proposed development is not affected by a coastal management policy of 'managed realignment' or 'no active intervention'. Even in areas where the policy is 'hold the line' there is no guarantee of future funding and it is anticipated that all coast protection schemes will require a degree of contribution in order to secure Government grant.

14.52 Seascape is defined by the Marine Policy Statement as *"landscapes with views of the coast or seas, and coasts and the adjacent marine environment with cultural, historical and archaeological links with each other."* [The Seascape Character Assessment for the Dover Strait](#) (LUC for Kent County Council, 2015) provides a spatial classification of Seascape Character Types (SCTs) and Seascape Character Areas (SCAs). It is used to assess the impact of any proposed development or new use, whether onshore or offshore, from a marine and coastal perspective.

Policy NE9

Development Around The Coast

The Council will give long term protection to the Folkestone and Dover Heritage Coast and to the areas of undeveloped coast shown on the Policies Map. Within these areas development will not be permitted unless proposals preserve and enhance natural beauty, landscape, heritage, scientific and nature conservation value (consistent with any agreed management plan).

Planning permission will be granted for development in the coastal area, outside of settlement boundaries, where it can be demonstrated that all the following criteria have been met:

1. There are no harmful effects on or net loss of nature conservation or areas of geological importance;
2. The development provides recreational opportunities that do not adversely affect the character, environment and appearance of the coast;
3. Regard has been shown to the high quality and inclusive design of new buildings in coastal locations in accordance with other relevant design and historic environment policies;
4. There are measures for mitigation of any detrimental effects including, where appropriate, the improvement of existing landscapes relating to the proposal;
5. Where appropriate, opportunities have been taken to upgrade existing footpaths and cyclepaths, enhance and protect the England Coast Path National Trail and ensure that public access is retained and provided to connect existing paths along the waterfront;
6. The development would not be detrimental to infrastructure for, and quality of, water-based recreation, or be detrimental to the safety of navigation; and
7. Development should be informed by and complement the distinctive characteristics of the Seascape Character Areas and types identified in the Kent Seascape Character Assessment.

The Council will safeguard a minimum of a 15m strip of land immediately behind the landward edge of the existing or proposed sea defence or coast protection works to facilitate access for plant and materials used in connection with their maintenance or repair.

The Council will safeguard a minimum of a 25m strip of land, measured from the landward edge of the existing or proposed sea defence or coast protection works, in harsh marine environment areas in order to prevent storm damage to buildings. Planning permission will be granted for a replacement dwelling unless there is past evidence that the existing or demolished property has been damaged

as a result of the harsh marine environment. Repeat applications for replacement dwellings will be refused unless the applicant can demonstrate that no future harm will occur.

The following Heritage Coast is shown on the Policies Map:

- Folkestone/Dover

Other undeveloped coast sites are shown on the Policies Map:

- West Hythe;
- Dymchurch;
- St Mary's Bay; and
- Dungeness.

14.53 The Strategic Flood Risk Assessment recommends all proposals within 50m of the landward crest of the seawall should be accompanied by a site-specific flood risk assessment specifically focusing on the risks associated with wave over-topping.

Climate Change

15 Climate Change

Introduction

15.1 This chapter contains policies dealing with a range of matters relating to climate change. Policies cover:

- Reducing carbon emissions as part of new developments;
- Sustainable construction;
- Sustainable Drainage Systems (SuDS);
- Wind turbine developments, as well as small-scale wind turbines; and
- Solar farms.

15.2 The chapter begins by summarising the policy background and recent changes to standards.

Background

15.3 National planning policy and legislation requires local planning authorities to work to mitigate climate change, mainly by reducing greenhouse gas emissions and promoting sustainability. Local planning authorities need to ensure that the urban and natural environments are capable of being adapted to meet the expected impacts of climate change.

15.4 In support of this, Strategic Need B of the Core Strategy includes the requirement for new development to *"Minimise local carbon emissions, maintain air quality, control pollutants and promote sustainable waste management."* The Core Strategy's future vision also promotes low-carbon development, as set out below.

Future Vision for Shepway

Shepway will flourish into a distinct area of *high-quality coastal towns and countryside.*

This will occur through planning for a smart, self-confident, secure and low-carbon district, and through enhancing the district's many diverse and special environments.

15.5 However, since the adoption of the Core Strategy, there have been significant changes to the planning and Building Regulations systems relating to energy efficiency and low carbon development. Following the Housing Standards Review, the Code for Sustainable Homes was withdrawn (effective from 26 March 2015). As a result of this, local planning authorities can no longer stipulate compliance with Code levels or require Code assessments in planning policy. In place of this, the Government

introduced a number of changes to Building Regulations standards, along with some new standards. These included for water (Part G), a new optional standard (110 litres per person per day) for water stressed areas has been added to the baseline standard of Part G (125 litres per person per day).

15.6 Following this, the Government released its Productivity Plan '[Fixing the Foundations](#)' (HM Treasury, 2015). In this Plan the Government announced its intention not to proceed with the zero carbon homes policy. This means that the expected change to the energy efficiency standard in Building Regulations (Part L) has not been delivered. Local planning authorities can still include 'Merton' style policies in their Local Plans which require a percentage of a development's energy use to be delivered by renewable or low carbon energy on or near to the site. Non-domestic buildings have not been affected. Local planning authorities can still require above Building Regulations standards for non-domestic buildings; these are commonly defined by the use of the Building Research Establishment's [BREEAM](#) tool or similar mechanisms.

15.7 At the local level, Kent County Council has produced the [Kent Environmental Strategy](#) (2016) to support economic growth while protecting and enhancing the county's natural and historic environment and creating vibrant, healthy and resilient communities. The policies in this chapter will help deliver the strategy's themes:

- Building the foundations for delivery;
- Making the best use of existing resources;
- Avoiding or minimising negative impacts; and
- Working towards a sustainable future.

Reducing Carbon Emissions

15.8 Buildings are responsible for around 40 per cent of the UK's energy consumption. Most of our buildings' carbon emissions come from the energy used to provide the heating, cooling, lighting and other building services that keep occupiers comfortable and healthy. This energy has financial and environmental costs and generates carbon emissions. This can be reduced by using energy more efficiently, and by finding other ways to generate energy to heat our homes and offices.

15.9 New developments can help reduce carbon emissions through maximising efficiencies according to the energy hierarchy set out below.

Energy Hierarchy

1. Reducing the energy load of the development;
2. Maximising the energy efficiency of the building fabric;
3. Delivering energy from renewable sources;
4. Delivering energy from low carbon technologies; and
5. Any continuing use of fossil fuels to be clean and efficient for heating and co-generation.

15.10 The energy hierarchy sets out a sequence for reducing carbon emissions, starting with reducing the need for energy by making changes to the design and fabric of a building ('fabric first'), then using energy more efficiently within the building, before using energy from renewable or low carbon technologies and finally ensuring that any fossil fuels that are required are used as efficiently as possible.

15.11 All developments should already be implementing a 'fabric first' approach to reducing carbon emissions as Building Regulations relating to the energy efficiency of new buildings are generally achieved through the design and fabric of the building. As outlined above, in relation to housing developments, local authorities cannot introduce additional technical standards or requirements relating to the construction of new dwellings that go beyond Building Regulations. Policy CC1, however, seeks to reduce carbon emissions by promoting other measures in the hierarchy, specifically the generation of energy from renewable and low carbon sources.

15.12 This aspiration is supported by the Core Strategy which aims to minimise carbon emissions by reducing the emissions from new buildings. Policy SS3: Place-Shaping and Sustainable Settlements Strategy states that proposals should be designed to contribute to local place-shaping and sustainable development *"through appropriate sustainable construction measures, including water efficiency and a proportion of energy from renewable/low carbon sources on new-build development"* (paragraph (e)(ii)).

15.13 As well as reducing on-site carbon emissions beyond those achieved through building fabric and construction measures, Policy CC1 will also help to:

- Deliver national targets for renewable energy generation;
- Provide renewable energy as a standard feature of major developments in the district; and
- Provide economic benefits through promoting the manufacture, installation, service and maintenance of renewable energy technologies.

15.14 In line with Government legislation and guidance, the policy does not require the construction of developments to go beyond that needed to comply with Building Regulations. To meet the policy, major developments should be designed to meet

Part L of Building Regulations and the anticipated carbon emissions for the development should then be identified. Using this carbon emissions figure as the baseline, the applicant should then calculate the quantity that should be met through the provision of renewable or low carbon energy technologies to deliver at least a 10 per cent reduction, calculated by reference to the baseline.

15.15 The choice of which renewable or low carbon energy technology to use to meet the policy requirements will be for the developer but should respond to the specific characteristics of the site and the scale and type of development proposed. Technologies could include:

- Photovoltaic panels;
- Wind turbine;
- Solar thermal panels;
- Air or ground source heat pumps;
- Anaerobic digestion;
- Combined heat and power plants; and
- Biomass boilers.

For substantial new developments, site-wide renewable and low carbon energy solutions, such as renewable and low carbon district heating systems or combined heat and power networks, may be particularly appropriate.

15.16 The information required will vary depending on whether the proposal is at outline, reserved matters or full planning application stage. In some cases, for example with outline planning applications, it may be that the calculations required to demonstrate compliance with Building Regulations have yet to be undertaken. In these circumstances, the application should make an estimate of site-wide emissions using appropriate benchmarks and outline a feasibility assessment of which technologies would be utilised. The submission of more accurate carbon emissions calculations will then be conditioned for submission either alongside any reserved matters application or prior to occupation of the development. The Council will also seek a condition requiring the installation to be retained and remain fully operational in accordance with an agreed maintenance programme.

15.17 A component that covered carbon emissions and sustainable construction was built into the viability testing of the Community Infrastructure Levy (CIL) to ensure that these requirements do not hold back the delivery of development. ⁽¹⁾.

¹ In the 'CIL and Whole Plan Economic Viability Assessment'; Dixon Searle Partnership (July 2014), a cost per unit of £2,327 for sustainable design and construction costs, lifetime homes, EPCs and renewables was assumed

Policy CC1

Reducing Carbon Emissions

Planning applications for all major new build housing developments and new non-residential buildings of 1,000sqm or more gross floorspace will be required to reduce carbon emissions by a minimum of 10 per cent (to be calculated by reference to a baseline for the anticipated carbon emissions for the development as defined by Building Regulations).

This should be through the use of on-site renewable and low-carbon energy technologies which could include an integrated system or site-wide solution involving the installation of a system that is not integrated within the new building.

Sustainable Design and Construction

15.18 The [National Planning Policy Framework](#) (NPPF) states that planning should support the transition to a low carbon future in a changing climate. To achieve this planning should seek ways to radically reduce greenhouse gas emissions, actively support energy efficiency improvements and through the use of nationally described standards when setting any local requirements for sustainability.

15.19 All development should achieve high environmental standards. Developers will be encouraged to implement appropriate mitigation and adaptation measures to address the potential impact of climate change. Key measures include:

- Using suitable sustainable construction techniques in new developments to make them more efficient. The retrofitting of existing buildings also needs to be considered, as the number of new buildings that will be delivered by 2031 will be a small proportion of the existing building stock at the start of the plan period;
- Planning for buildings to have a longer life, incorporating flexibility into building design so that buildings can be adapted to suit the changing lifestyles and home occupation patterns of residents and users;
- Planning for future weather changes by including adaptations like shading, natural and passive ventilation, and better drainage systems; and
- Tackling water shortages by reducing water consumption, reusing wastewater, water metering and rainwater harvesting.

15.20 After it decided not to proceed with the zero carbon homes policy, the Government created a new approach for setting technical standards for new housing, including relating to water efficiency. [Planning Practice Guidance](#) states that local planning authorities have the option to set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of water efficiency where there is a clear local need. Water resources are renewable, but not unlimited,

and the district is already under severe water stress. Given climate change forecasts and population increases, water scarcity is an important issue that the Local Plan must address.

15.21 The Building Research Establishment's Environmental Assessment Method (BREEAM) is the most commonly accepted assessment tool by which to judge and require increased sustainability standards in new non-residential developments. In relation to water, non-residential developments will be expected to reach a minimum of the BREEAM 'Very Good' standard.

15.22 Specific planning policies on waste are contained in the [National Planning Policy for Waste](#) (DCLG, 2014); all local planning authorities must have regard to this and the [National Waste Management Plan for England](#) (DEFRA, 2013). Although Shepway does not have any waste planning responsibility it must play its role in delivering the waste hierarchy. As Planning Practice Guidance states, this could include measures such as *"including a planning condition promoting sustainable design of any proposed development through the use of recycled products, recovery of on-site material and the provision of facilities for the storage and regular collection of waste."*

15.23 Although Core Strategy Policy SS3: Place-Shaping and Sustainable Settlements Strategy paragraph (e)(ii) states that proposals should contribute to sustainable development through appropriate sustainable construction measures, including water efficiency and securing a proportion of new buildings' energy needs from renewable and low carbon sources, it does not set specific targets. Policy CC2: Sustainable Design and Construction is intended to address this.

Policy CC2

Sustainable Design and Construction

Proposals for all new dwellings or for new non-domestic buildings will be permitted where the proposal:

1. For new dwellings, achieves a maximum of 110 litres per person per day including external water use, where technically feasible and viable. Proposals should demonstrate that water efficiency and water re-use measures have been maximised;
2. For non-residential development, achieves BREEAM 'Very Good' standard including addressing maximum water efficiencies under the mandatory water credits, where technically feasible and viable;
3. Minimises energy demand through passive design and layout and landscape mitigation measures;
4. Is accessible to all and is designed to be flexible towards future adaptation in response to changing life needs;
5. Includes measures to adapt to climate change, such as the provision of green infrastructure, sustainable drainage systems (SuDS) in accordance with Policy CC3, suitable shading of pedestrian routes and open spaces and drought resistant landscaping; and
6. Provides discretely designed and accessible storage for waste, recycling and composting.

Sustainable Drainage Systems (SuDS) and the Mitigation of Flood Risk

15.24 Measures that take account of water quantity, water quality and amenity issues are collectively referred to as Sustainable Drainage Systems (SuDS). SuDS comprise a sequence of management practices, control structures and strategies designed to efficiently and sustainably drain surface water, while minimising pollution and managing the impact on water quality.

15.25 These systems are more sustainable than conventional drainage methods because they:

- Manage runoff volumes and flow rates, reducing the impact of urbanisation on flooding;
- Protect or enhance water quality;
- Are sympathetic to the development's environmental setting and the needs of the local community;

- Provide a habitat for wildlife in urban watercourses; and
- Encourage natural groundwater recharge (where appropriate).

15.26 SuDS are suitable for any site, large or small, and do not necessarily require a large land area to implement; nor do SuDS have to be expensive, with surface SuDS that avoid heavy engineering proving particularly cost-effective solutions.⁽²⁾

15.27 Sustainable drainage includes a variety of components, each having different approaches to managing flows, volumes, water quality and providing amenity and biodiversity benefits. The role of the site in relation to the surface water 'treatment train' should be understood when designing SuDS, and the advice of an appropriately qualified drainage engineer should be sought to achieve best results.

15.28 SuDS do not only include traditional soakaways, ponds or wetlands but incorporate a suite of components working in different ways, including through:

- Infiltration (soaking) into the ground convey (water flow) into a watercourse (or if necessary a sewer);
- Provision of water storage on site; and
- Attenuating (slowing down) the flow of water.

Often SuDS use a combination of these processes and a number of mechanisms.

15.29 The nature of the site needs to be understood to fully exploit the potential of SuDS. Although many SuDS components using infiltration are highly effective, there are sites where infiltration is not possible, due to impermeable ground conditions, contamination or a high water table. This does not prevent the use of the SuDS approach, but requires careful thought to be given to how water can be treated to improve quality and attenuated to reduce peak flows. Rainwater harvesting, green roofs, permeable surfaces, swales, ponds and wetlands can all operate without infiltration. Permeable surfaces - used for car parks and drives - are very effective, even where infiltration is not possible.

15.30 Under Schedule 3 of the [Flood and Water Management Act](#), Lead Local Flood Authorities (LLFAs) - County Councils and Unitary Authorities - were to be required to establish SuDS Approval Bodies (SABs). This would have required Kent County Council (KCC), as the LLFA in Kent, to approve and adopt SuDS for new developments. In December 2014, the Government announced that Schedule 3 would not be enacted and SuDS would be dealt with instead by strengthening existing planning policy. This change, which took effect on 6 April 2015, requires local planning authorities to ensure that SuDS are included as part of new developments.

15.31 The LLFA is the statutory surface water consultee for all major development, and applicants' attention is drawn to KCC's '[Drainage and Planning Policy Statement](#)' (2017) which clearly outlines the parameters against which major proposals will be

2 More information about SuDS can be found on the [Susdrain website](#).

judged. The Environment Agency (EA) remains the statutory consultee for river and sea flooding and groundwater issues for Flood Zones 2 and 3 and for Critical Drainage Areas. (There are at present no Critical Drainage Areas designated in Shepway.) Table 15.1 below sets out the roles of these consultees.

Type of Development	Area of Flood Risk			
	Flood Zone 1	Critical Drainage Area	Flood Zone 2	Flood Zone 3
Permitted Development	Guidance notes from LLFA and EA			
Minor Development	Guidance notes from LLFA	EA	Standing Advice from EA	EA
Major Development	LLFA	EA	LLFA (surface water) EA (river and sea)	LLFA (surface water) EA (river and sea)

Table 15.1 Statutory Consultation Matrix for Flood Areas

15.32 Planning Practice Guidance states that new development should only be considered appropriate in areas at risk of flooding if priority has been given to the use of sustainable drainage systems. The vast majority of the southern part of the district (the Marsh) is situated in Flood Zones 2 and 3, and proposals here should always show how surface water drainage has been taken into account and integrated into the site.

Policy CC3

Sustainable Drainage Systems (SuDS)

Development will be permitted where:

1. Surface water is managed close to its source and on the surface where reasonably practicable to do so;
2. Priority is given to the use of 'ecosystem services' as defined in the National Planning Policy Framework;⁽³⁾
3. Water is seen as a resource and is reused where practicable, offsetting potable water demand, and that a water sensitive approach is taken to the design of the development;
4. The features that manage surface water are commensurate with the design of the development in terms of size, form and materials and make an active contribution to place-making;
5. Surface water management features are multi-functional wherever possible in their land use;
6. There is no discharge from the developed site for rainfall depths up to 5mm of any rainfall event;
7. The run-off from all hard surfaces receives an appropriate level of treatment in accordance with Sustainable Drainage Systems guidelines, SuDS Manual (CIRIA C753), to minimise the risk of pollution;
8. Major development accords with Kent County Council's Drainage and Planning Policy Statement 2017 or successor document;
9. Development adjacent to a water body actively seeks to enhance the water body in terms of its hydromorphology, biodiversity potential and setting; and
10. All hard surfaces are permeable surfaces where reasonably practicable.

Shepway is one of the driest districts in England, and this is only likely to increase given the likely impacts of climate change. Mechanisms to ensure the effective collection and reuse of water should be designed into any surface water drainage system. Any development should also ensure the drainage design is resilient to these future changes.

15.33 The Council expects that a drainage strategy will accompany all major planning applications. At a minimum, the strategy must comprise the following:

- A site layout;
- A drainage proposal schematic or sketch;

3 The benefits people obtain from ecosystems such as, food, water, flood and disease control and recreation.

- A description of key drainage features within the drainage scheme (such as attenuation volumes and flow control devices); and
- Information to support any key assumptions (such as impermeable areas and infiltration rates).

15.34 Development should not increase the overall runoff of the site compared to its greenfield rate. On brownfield sites, discharge rates should be reduced to the equivalent greenfield runoff rate.

Adoption and Maintenance of SuDS

15.35 Unlike in some other areas in England, the statutory water and sewerage undertaker for the district, Southern Water, does not yet adopt SuDS. Wherever these systems are used, there will be a requirement for the developer to provide evidence to the local planning authority that arrangements are in place for SuDS to be adopted either by a management company, private residents or another responsible body (for example, an Internal Drainage Board). It will be the developer's responsibility to ensure that a maintenance manual and schedule related to on-site systems are provided to successors in title. A clause will be inserted into the Section 106 agreement of any planning permission involving SuDS requiring this, and for the nomination of a named person or body to undertake this.

15.36 The aim of Shepway's policy is to support the requirements of KCC's role as the Lead Local Flood Authority, while ensuring that all developments take surface water management into consideration from an early stage. Given the fact that the south east of England will see significant development over the coming decades, the Council considers that even small developments (including those within some classes of the General Permitted Development Order) will have to play their part in preventing the cumulative impact of increased hardstanding.

15.37 Given the above requirement that development does not result in an increase in site runoff compared with its greenfield rate, which applies also to brownfield land, there may be a requirement for increased mitigation measures so that development actually decreases surface water runoff compared with existing uses. This will provide multiple benefits, and applicants are encouraged to reuse water on site wherever feasible.

Renewable Energy

15.38 National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources. This plan supports development that promotes these objectives. An important element in this is to promote energy efficiency and the use of renewable energy in all new developments, to help reduce the emission of greenhouse gases.

15.39 The [Written Statement by the Secretary of State for Communities and Local Government](#) issued in June 2015 made the following requirement concerning wind turbines:

"When determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if:

- *The development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and*
- *following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing."*

15.40 Given this, areas that may be suitable for wind farms will be identified on the Policies Map based on the [Renewable Energy for Kent Action Plan](#) (2013); this research by AECOM for Kent County Council produced energy opportunities maps to highlight opportunities for a range of renewable technologies spatially at local authority level. Areas identified as having high potential for large scale wind energy are where wind speed and spatial or designation constraints are such that large scale wind turbines might be accommodated.

15.41 Following the Written Statement, the Local Plan allows for allocations for wind energy development to be made in Neighbourhood Plans. Further research will be commissioned to identify more specific areas within the district that will support Neighbourhood Plans in allocating sites. Reference should also be made to the Council's [High Level Landscape Assessment](#) which was carried out for the whole district in February 2017.

15.42 Being allocated in a Neighbourhood Plan will demonstrate that any local planning impacts have been fully addressed and the proposal has the community's backing. The Kent Downs AONB Unit has produced a [Renewable Energy Position Statement](#) (June 2011) which states that due to the high sensitivity of the Kent Downs Area of Outstanding Natural Beauty, large scale commercial wind turbine developments will be unacceptable.

Policy CC4

Wind Turbine Development

The creation of wind turbines at a community and commercial scale will be supported where proposals demonstrate that the development site is in an area allocated for wind energy development in an adopted Neighbourhood Plan.

15.43 Small scale wind turbines are typically 1kw to 6kw.

Policy CC5

Small Scale Wind Turbines and Existing Development

Small scale wind turbines to provide energy for existing buildings will only be acceptable where proposals meet the following criteria:

1. A single turbine is proposed for an existing building;
2. The scale of the turbine is not overwhelming in relation to the height of nearby buildings;
3. There is no adverse impact on the setting of a Listed Building, a Conservation Area or other heritage asset;
4. It is demonstrated that the turbine will not cause any adverse impact on the amenity of a nearby building(s) by way of obstructed outlook, noise or flicker;
5. The turbine does not have an adverse impact on the landscape character or have any adverse visual impact on the scenic beauty of the Kent Downs Area of Outstanding Natural Beauty or other sensitive local landscapes;
6. There are no adverse ecology impacts arising from the development;
7. The turbine is finished in an appropriate colour to minimise its visual impact; and
8. The turbine is removed when no longer operational; this will be the subject of a condition.

15.44 Factors that should be considered when determining applications for different renewable energy technologies are set out in Planning Practice Guidance; these include the cumulative impacts of wind and solar farms. The Council will expect clear commitments to returning land associated with solar farms or wind farms to its previous use and productive condition.

15.45 While the development is in use, the Council will encourage land diversification alongside energy generation, incorporating biodiversity enhancements or a continued agricultural use. In 2014 the Building Research Establishment's National Solar Centre published '[Biodiversity Guidance for Solar Developments](#)' which gives further guidance on how biodiversity enhancements can be secured as part of renewable energy schemes. The Kent Downs AONB Unit's position statement quoted above, considers it extremely unlikely that any location can be found in, or within the setting of, the Kent Downs Area of Outstanding Natural Beauty where field-scale photo-voltaic arrays, such as solar farms, would not have a significant adverse effect on the landscape.

Policy CC6

Solar Farms

The development of new solar farms, or the extension of existing solar farms, will only be acceptable where:

1. The proposal does not have an adverse impact on the landscape character or have any adverse visual impact on the scenic beauty of the Kent Downs Area of Outstanding Natural Beauty, other sensitive local landscapes or heritage assets;
2. The proposal does not result in the direct loss of amenity to nearby residential properties by virtue of glare or other disturbance;
3. Any necessary ancillary building works are minimised so as not to adversely impact on the character of the surrounding area;
4. There are no adverse ecology impacts arising from the development;
5. A suitable landscaping and screening strategy is included with the application;
6. The solar panels and supporting frames are finished in an appropriate colour to minimise visual impact;
7. The solar panels are removed when no longer operational;
8. The consideration of the need for and impact of, security measures such as lights and fencing, are included in the application;
9. The proposal clearly indicates the installed capacity (MW) of the proposed facility; and
10. The solar farm will not result in the loss of the best and most versatile agricultural land.

15.46 The Government promotes community energy, which it defines as being "*collective action to reduce, purchase, manage and generate energy*" and has produced a [Community Energy Strategy](#) (DECC, 2014) to increase the proportion of energy produced by local low-carbon generation. Community energy projects have an emphasis on "*local engagement, local leadership and control and the local community benefiting collectively from the outcomes.*" Community-led action can often resolve challenging issues around energy, with community groups well placed to understand their local areas and to bring people together with common purpose. The Council will support these community-led initiatives where they comply with the policies above.

Health and Wellbeing

16 Health and Wellbeing

Introduction

16.1 This chapter contains policies dealing with a range of matters relating to the health and wellbeing of the local community. Policies cover:

- Promoting healthier food environments;
- Improving health and wellbeing and reducing health inequalities;
- Supporting healthy lifestyles; and
- Promoting active travel.

16.2 The chapter begins by providing some background to health policy and the health problems affecting the district's population. This chapter should be read in conjunction with others in the Local Plan, particularly Chapter 12: Community, which contains policies for the provision of open space and children's play space.

Background

16.3 As human beings we are naturally sociable and benefit from having a supportive environment and sense of purpose. Loneliness and social isolation are harmful to our health: research shows that lacking social connections is as damaging to our health as smoking 15 cigarettes a day (Holt-Lunstad, 2010). The population and housing growth that will take place in Shepway to 2031 will need to be supported by the necessary infrastructure, including that for health.

16.4 The Core Strategy promotes the development of community facilities that provide the opportunity for healthy lifestyles. Policy SS3: Place-Shaping and Sustainable Settlements Strategy states that: *"Development must address social and economic needs in the neighbourhood and not result in the loss of community, voluntary or social facilities (unless it has been demonstrated that there is no longer a need or alternative social/community facilities are made available in a suitable location)."*

16.5 This approach is in line with the priority objective of the '[Fair Society, Healthy Lives](#)', [The Marmot Review](#) (2010) to create and develop healthy and sustainable places and communities. The NHS reform by the Health and Social Care Bill, transferred the responsibility for public health to local authorities. Planning has an important role to play in public health as the built environment can have a particularly significant impact on people's physical and mental health.

16.6 The Government's [Planning Practice Guidance](#) provides guidance on how the National Planning Policy Framework's policies on health can be considered in plan making. This includes guidance on creating an environment that:

- Supports people of all ages in making healthy choices;

- Promotes active travel and physical activity;
- Promotes access to healthier food; and
- Provides high quality open spaces and opportunities for play, sport and recreation.

Promoting Healthier Food Environments

16.7 The Core Strategy aims to deliver a safe and healthy district. The [Health Profile 2016 for Shepway District](#) produced by [Public Health England](#) shows that in Year 6, 19.1 per cent of children are classified as obese. The local priorities set out in the Health Profile include promoting physical activity for children and adults.

16.8 The [Kent Public Health Observatory](#) publishes a [Joint Strategic Needs Assessment](#) (JSNA). In relation to 'Healthy Weight' the [JSNA Chapter Summary Update 2014/15](#) identifies that Swale, Shepway and Dartford Districts have the highest levels of adult obesity in Kent; for Shepway this amounts to 56,457 people aged 16 and above carrying excess weight.

16.9 The [South Kent Coast Clinical Commissioning Group](#) (CCG) and [Kent Health and Wellbeing Board](#) (HWBB) have made tackling unhealthy weight a key priority for joint work over the next few years. The [Kent Joint Health and Wellbeing Strategy 2014-2017](#) produced on behalf of the Kent HWBB identifies a number of key priorities. Priority one is to 'Tackle Key Health Issues where Kent is performing worse than the England average' which requires:

- A reduction in the proportion of 4-5 year olds with excess weight; and
- A reduction in the proportion of 10-11 year olds with excess weight.

16.10 South Kent Coast CCG's 'Prevention and Self Care Strategy' aims to reduce levels of childhood obesity and the CCG is working closely with Public Health England to improve the health of people with hypertension and other long term problems. Dover and Shepway District Councils are also working to increase people's level of physical activity and encourage more healthy lifestyles. [The South Kent Coast Healthy Weight Strategy](#) has four themes, the first of which is to 'Take action on the environmental and social causes of unhealthy weight'. This identifies that:

"Individual action to tackle excess weight is increasingly challenging as there are more outlets available for purchasing and consuming foods that are calorie dense and contain excess sugar and fat. The majority of people are more sedentary due to a decrease in manual and semi-manual occupations and increased use of cars means that people are becoming more physically inactive. Action needs to be taken to tackle the wider determinants of health such as improvements to housing, the built environment and open spaces and parks."

16.11 Hot food takeaways provide employment, offer a range of food adding to the cultural mix in an area, and can provide food at affordable prices. However many takeaways offer food which is energy dense and nutritionally poor, which can contribute to problems of obesity.

16.12 According to Public Health England's ['Obesity and the environment: regulating the growth of fast food outlets'](#) (2014):

"Obesity is a complex problem that requires action from individuals and society across multiple sectors. One important action is to modify the environment so that it does not promote sedentary behaviour or provide easy access to energy-dense food".

16.13 Elsewhere the document highlights that child obesity tends to persist into adulthood, so obese children are more likely to become obese adults. A priority for the Council is therefore to ensure that this issue is addressed within the Local Plan.

16.14 One way to tackle this is to manage takeaway developments near primary and secondary schools. Best practice suggests a distance of 400m to define the boundaries of a fast food 'exclusion zone', as this equates to a walking time of approximately five minutes. For the implementation of Policy HW1, the 400m distance will be applied using the most direct walking route from the proposed development to the closest pedestrian access point to the school grounds.

16.15 Ideally this policy will form just one approach to this issue and the Council will also work with businesses to help them make a healthier offer to their customers.

Policy HW1

Promoting Healthier Food Environments

The Council will refuse planning permission for new hot food takeaway shops that fall within 400 metres of the boundary of a primary or secondary school (the exclusion zone).

The Council will only consider granting planning permission for new hot food takeaway shops outside the exclusion zone where:

1. The percentage of hot food take-away shops in Town and District Centres does not exceed 5 per cent and in Local Centres does not exceed 10 per cent of retail units and the proposal complies with Policies RL2 to RL7 of this plan;
2. There is no harm or loss of amenity to the living conditions of nearby residents, including that created by noise and disturbance from other users and their vehicles, smell, litter and unneighbourly opening hours; and
3. Parking and traffic generation is not a danger to other road users, public transport operators or pedestrians including where appropriate the provision of parking for delivery vehicles; and
4. Adequate provision is made for:
 - The collection, storage and disposal of bulk refuse and customer litter;
 - Sound proofing, especially if the proposal would be below or adjacent to living accommodation and other mitigation as appropriate in relation to the impact on neighbours of the proposed opening and delivery hours; and
 - The efficient and hygienic discharge of fumes and smells, including the siting of ducts. These should be unobtrusive and not cause an adverse impact on a Listed Building, Conservation Area or other heritage asset.

Improving Health and Wellbeing

16.16 The provision of Health Impact Assessments (HIAs) as part of large developments ensures health is taken into account in new proposals. These can include an assessment of factors such as the provision of:

- Good quality housing;
- A well-designed public realm;
- Sustainable transport;
- Employment and training opportunities; and
- Access to leisure, cultural activities and green space.

These factors are known as the 'wider determinants of health'.

16.17 HIAs provide a systematic approach for assessing the potential impacts of development on the social, psychological and physical health of communities. Ensuring these issues are considered at an early stage in the planning process can lead to improvements in the health of new residents and occupiers as well as the local community. HIAs assess whether a proposal would reinforce health inequalities and inadvertently damage people's health or have health benefits.

Policy HW2

Improving the Health and Wellbeing of the Local Population and Reducing Health Inequalities.

For residential development of 100 or more units and non-residential development in excess of 1,000sqm a Health Impact Assessment will be required, which will measure the wider impact of the development on healthy living and the demands that may be placed on health services and facilities arising from the development.

Where significant impacts are identified, measures to address the health requirements of the development should be provided and/or secured by planning obligations or planning conditions as appropriate.

A Health Impact Assessment for smaller forms of development may also be required where the proposal is likely to give rise to a significant impact on health, for example, the cumulative impacts of a number of developments might necessitate the need for new health or social infrastructure.

Supporting Healthy Lifestyles

16.18 Food security is a long-term challenge; farming needs to be supported in building capacity for sustainable production both in the UK and globally. However, the food chain has major impacts on climate change, biodiversity and the wider environment which require management. Incorporating productive landscapes into the design and layout of buildings and landscapes can support healthy and active communities, improve the quality of open spaces and enhance biodiversity. For the purposes of Policy HW3, 'productive landscapes' includes allotments, community gardens and growing spaces, green roofs and walls and productive planting.

Policy HW3

Development That Supports Healthy, Fulfilling and Active Lifestyles

To increase, create and safeguard opportunities for healthy, fulfilling and active lifestyles and to reduce the environmental impact of importing food, development proposals should:

1. Incorporate productive landscapes in the design and layout of buildings and landscaping of all major developments;
2. Not result in the net loss of existing allotments; and
3. Not result in the loss of the best and most versatile agricultural land (Grades 1, 2 and 3a) unless there is a compelling and overriding planning reason to do so and mitigation is provided through the provision of productive landscapes on-site or in the locality.

Promoting Active Travel

16.19 Physical activity has been shown to increase personal wellbeing while decreasing the chances of people developing diabetes, heart disease and other preventable conditions. Making shorter journeys by foot or by bicycle helps reduce the number of vehicles on the road and improve air quality.

16.20 Kent County Council's research, in its [Consultation Draft Active Travel Strategy](#) (2016), however, shows that people are deterred from walking and cycling for a number of reasons including:

- A lack of suitable routes between homes and community services, workplaces or schools;
- A lack of facilities such as lockers and secure parking;
- Obstacles in cycle lanes and in footways; and
- Concerns about personal safety when walking and cycling.

Policy HW4 is intended to tackle some of these barriers.

16.21 In addition, the Council will support the delivery of strategic projects that promote active travel, such as the [Kent Active Travel Strategy](#) (KCC, 2016), [Shepway Cycling Plan](#) (KCC, 2011) and the [Countryside and Coastal Access Improvement Plan 2013-2017](#) (KCC), including routes and proposals for improvements contained in integrated network maps. The Royal Institute of British Architects' report Healthy Cities 2012 found that streets and parks designed to be safer and more attractive were the most common changes people reported would encourage them to walk more. Provision of safe and pleasant cycle and walkways in conjunction with public

health initiatives such as Intelligent Health's 'Beat the Street', a real life walking, cycling and running game for a whole community, can encourage people to be physically active.

Policy HW4

Promoting Active Travel

Planning permission will be granted for development likely to give rise to increased travel demands, where the site has (or will attain) sufficient integration and accessibility by walking and cycling including, where appropriate, through:

1. The provision of new cycle and walking routes that connect to existing networks, including the wider public rights of way network, to strengthen connections between settlements and the wider countryside;
2. The protection and improvement of existing cycle and walking routes, including the public rights of way network, to ensure the effectiveness and amenity of these routes is maintained, including through maintenance, crossings, signposting and way-marking, and, where appropriate, widening and lighting;
3. The provision of safe, direct routes within permeable layouts that facilitate and encourage short distance trips by walking and cycling between home and nearby centres of attraction, and to bus stops or railway stations, to provide real travel choice for some or all of the journey; and
4. The provision of, or contributions towards, new cycle and walking routes identified in adopted strategic documents.

Historic Environment

17 Historic Environment

Introduction

17.1 This chapter contains policies dealing with a range of matters relating to the district's built heritage. Policies cover:

- Heritage assets;
- Archaeology;
- The local list of heritage assets; and
- Folkestone's historic gardens.

17.2 The chapter begins by summarising the national and local policy context and the findings of the Council's Heritage Strategy.

National and Local Policy Context

National Policy and Guidance

17.3 The historic environment comprises all aspects of the environment resulting from the interaction between people and places through time, whether visible, buried or submerged. It also includes some landscaped, planted or managed flora, such as Historic Parks and Gardens. These elements are known as historic assets. The [National Planning Policy Framework](#) (NPPF) definition of a heritage asset is:

"A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets includes designated heritage assets and assets identified by the local planning authority."

17.4 The NPPF sets out three dimensions to define sustainable development: economic, social and environmental. The historic environment forms part of the environmental dimension. The NPPF states that local planning authorities should set out a positive strategy for the conservation and enjoyment of the historic environment in their local plans. Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, taking account of:

- Sustaining and enhancing the asset and putting it to a viable use;
- The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- The desirability of new development making a positive contribution to local character and distinctiveness; and
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

17.5 The national [Planning Practice Guidance](#) (PPG) proposes that local planning authorities should identify specific opportunities within their areas for the conservation and enhancement of heritage assets.

Shepway Heritage Strategy

17.6 To identify and understand the district's heritage, and to set out a positive strategy, the Council commissioned Kent County Council (KCC) to produce the Shepway Heritage Strategy. This provides a strategy to ensure that the heritage of the district plays a clear role in shaping any future regeneration, development and management decisions, as well as identifying opportunities and vulnerabilities (such as crime and neglect). The Strategy has informed the development of this plan and provides evidence that ensures a positive approach to heritage.

17.7 While the primary purpose of the Shepway Heritage Strategy is to address local planning needs, it also sets out a wider policy context. It has been written to explain the substantial benefits that conservation of the historic environment and heritage assets, their recognition and use can bring to the district. The Heritage Strategy will:

- Ensure that heritage plays a positive role in all areas of strategic planning – place shaping, economic, tourism, health and wellbeing and education;
- Enable and inform regeneration and growth, building places and communities with a stronger sense of place, pride and interest in their surroundings. Heritage-led regeneration and development provides additional economic value to an area, providing a quality environment that attracts new businesses;
- Contribute to Shepway's visitor experience and tourism economy;
- Increase wider understanding of the district's heritage and the ways in which the community can engage with and experience their heritage;
- Provide strong social and health benefits through improving quality of life and activities that encourage physical and mental health and well being, and reduce social exclusion and crime; and
- Provide a valuable educational resource that can contribute context to curricula at all stages for local schools and colleges.

17.8 The Council will produce an action plan to set out how the recommendations in the Heritage Strategy will be taken forward, including:

- How and when conservation areas will be reviewed;
- How local communities can help identify or review heritage assets; and
- What further studies will be undertaken and by whom.

Heritage Assets

17.9 Shepway is home to numerous heritage assets, both non-designated and designated, that contribute to a compelling historic narrative about the district. These include an array of medieval churches, castles, windmills and historic defences and fortifications. There are just over 20 Conservation Areas in the district and over 900 Listed Buildings.

Heritage Assets

Heritage assets can be designated or non-designated. Designated assets have been identified under relevant legislation and include Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas.

Non-designated assets are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated.

17.10 The Shepway Heritage Strategy identifies the positive role heritage can play in the district's future, including:

- Acting as a catalyst for economic and social regeneration;
- Encouraging tourism and visitors; and
- Contributing to improved public health and wellbeing.

17.11 While the Council will consider proposals affecting heritage assets positively, some assets are worthy of conservation for their significance alone and some may be incapable of re-use or being made viable.

17.12 Policy HE1 below supports proposals that provide, where possible, a viable use that assists in social and economic regeneration and ensures the long term protection, conservation and, where appropriate, the enhancement of heritage assets in line with Government legislation.

Policy HE1

Heritage Assets

The Council will grant permission for proposals which promote an appropriate and viable use of heritage assets, consistent with their conservation and their significance, particularly where these bring at risk or under-used heritage assets back into use or improve public accessibility to the asset.

Consideration of Heritage Assets in Planning and Listed Building Applications

17.13 The Core Strategy sets out the broad approach to the historic environment, the enhancement of local identity and includes an express requirement to have regard to local context and the impact of development on heritage assets.

Legislation and Guidance Governing Heritage Assets

As set out in the Introduction to Part One, the purpose of the Local Plan is to add detail to national legislation, policy and guidance only where necessary.

The consideration of heritage assets (including Scheduled Ancient Monuments and Historic Parks and Gardens) in the planning process is clearly set out in Government legislation and guidance. The Council will consider planning applications in light of these requirements. Relevant considerations include:

- The Planning (Listed Buildings and Conservation Areas) Act 1990;
- The NPPF;
- Planning Practice Guidance; and
- Statements from government departments.

The Act (Sections 66 and 72) ensures that **proposals for Listed Buildings and in Conservation Areas preserve or enhance the building or its setting (Section 66) or the character or its setting (Section 72)**. The **National Planning Policy Framework** sets out **what should be considered for proposals that affect heritage assets**, including:

- What considerations should be taken into account (such as a viable use);
- The significance of the heritage asset;
- The level of harm; and
- What the public benefits of the proposal would be if there is harm.

17.14 To help determine applications against this legislation and to assist applicants with Heritage Statements, the Shepway Heritage Strategy provides information on the heritage assets in the district. The Strategy has set out thirteen heritage themes (including 'Defence', 'Coastal Heritage - Harbours and Ports' and 'Farming and Farmsteads') and provides an initial assessment of their 'significance'.

17.15 The Strategy also sets out how heritage assets can play a positive role in all areas of planning through:

- Creating a sense of place;
- Re-use of heritage assets;
- Adding value to new development;

- Attracting business and commercial activities;
- Creating employment;
- Durability of regeneration; and
- Reducing social exclusion.

17.16 Applications should also consider the design policies in Chapter 9 of this plan to ensure that issues such as setting, scale, materials and local character are also considered.

Archaeology

17.17 In areas of known or suspected archaeological potential, as identified using available information, including the Kent Historic Environment Record, there is a reasonable possibility that archaeological remains exist and therefore the potential impact of any proposed development will need to be considered. This could be by an appropriate desk-based assessment and, where necessary, a field evaluation.

17.18 Where archaeological finds occur unexpectedly during development, the Council will seek specialist advice and guidance and this could result in further work needing to be undertaken, such as recording or further excavations.

Policy HE2

Archaeology

Important archaeological sites, together with their settings, will be protected and, where possible, enhanced. Development which would adversely affect them will not be permitted.

Proposals for new development must include an appropriate description of the significance of any heritage assets that may be affected, including the contribution of their setting. The impact of the development proposals on the significance of the heritage assets should be sufficiently assessed using appropriate expertise where necessary. Desk-based assessment, archaeological field evaluation and/or historic building assessment may be required as appropriate to the case.

Where the case for development affecting a heritage asset of archaeological interest is accepted, the archaeological remains should be preserved *in situ* as the preferred approach. Where this is not possible or justified, appropriate provision for preservation by record may be an acceptable alternative. Any archaeological investigation and recording should be undertaken in accordance with a specification and programme of work (including details of a suitable archaeological body to carry out the work) to be submitted to and approved by the Council in advance of development commencing.

Local List of Heritage Assets

17.19 There are many buildings and sites (such as gardens or structures) in the district that make a positive contribution to the local character and sense of place because of their heritage value but which are not formally designated. Where these heritage assets are not afforded the same protection as those that are designated, the NPPF states that they should be still taken into account in determining planning applications and that they may be offered some level of protection by the local planning authority if they are identified on a formally adopted list of local heritage assets. It is also important to note that the NPPF also states that for non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Ancient Monuments, these should be considered subject to the policies for designated heritage assets (paragraph 139).

17.20 The Council will be creating a 'local list' of sites that come through the planning process or have been put forward by local groups or individuals. This list will be updated on a regular basis and will be available on the Council's website. When considering development proposals, the Council will establish if any potential non-designated heritage assets meets the definition in Planning Practice Guidance (outlined above) at an early stage in the process and add any properties or sites that meet the criteria to the list.

Policy HE3

Local List of Heritage Assets

Proposals for development affecting buildings or sites identified on the local list of heritage assets, or sites that would meet the criteria, will be permitted where the particular significance that accounts for the designation is protected and conserved.

17.21 The criteria for identifying heritage assets for a local list are as follows:

Criteria for Identifying a Local List of Heritage Assets

The Council's local list of heritage assets will include buildings, structures, landscape and archaeological features, which are of local interest, and have no statutory designation.

For inclusion on the local list, the heritage asset must comply with at least one of the criteria listed below:

Historic Interest. This can include:

- Association with a figure or event of significant local or national importance;
- Buildings relating to traditional or historic 'industrial' processes;
- Age and use of distinctive local characteristics; or
- Archaeological importance.

Architectural and Artistic Interest. This can include:

- Buildings of high quality design, displaying good use of materials, architectural features and styles and distinctive local characteristics, which retain much of their original character;
- Designed by an architect or engineer of local or national importance;
- Demonstrating good technological innovation; or
- Good quality modern architecture.

Social, Communal and Economic Value. This can include:

- Reflecting important aspects of the development of a settlement;
- Demonstrating an important cultural role within the community;
- Places which are perceived to be a source of local identity, distinctiveness, social interaction and coherence; or
- Demonstrating links to a significant local industry or trade.

Townscape Character. This can include:

- Providing a key local or national landmark;
- Of significant townscape or aesthetic value;
- Playing an integral role within a significant local vista or skyline;
- Groupings of assets with a clear visual, design or historic relationship;
- Part of a locally important designed landscape, park or garden; or
- Providing a good example of early local town planning.

Landscape Character. This can include:

- Historic hedgerows;

- Paths or lanes;
- Historic landscape features of particular memory such as named features; or
- Locally designated landscape features, such as veteran trees.

Folkestone's Historic Gardens

17.22 Shepway District contains a rich natural heritage and has a number of valuable parks and gardens. While the current estates are smaller parts of once much larger landholdings, the heritage of these surviving parklands and their associated buildings and gardens often have significant historical associations and demonstrate the distinctive manorial and agricultural experience of Kent. Two of the parks in Shepway are listed on the Register of Parks and Gardens of Special Historic Interest in England (Port Lympne is Grade II* and Sandling Park is Grade II), and there are many more that, while not listed, are in excellent condition and continue to be integral to the identity of the district. The Kent Gardens Compendium Volume One identifies these and includes:

- Acrise Place, Acrise;
- Beachborough Park, Folkestone;
- Radnor Park, Folkestone;
- Brockhill Country Park, Hythe;
- Horton Priory, Monks Horton;
- Lympne Castle, Lympne; and
- Saltwood Castle.

17.23 In addition, there are Memorial Gardens and Cemeteries that are important asset as part of the parks and gardens of Shepway District. The Shepway Heritage Strategy suggests that, overall, the district's parks and gardens should be considered to be of **considerable significance** not only to the local character but also to its residents and visitors. These heritage assets are protected through Policy H1 above.

17.24 Parks and gardens within the urban areas of the district are also important heritage assets that act as natural oases for people and wildlife. While they are not listed, they are integral to the identity and sense of place and also contribute to the better wellbeing of local residents, visitors and wildlife.

17.25 In particular, the Leas and the west end of Folkestone are characterised by grand nineteenth and early twentieth century buildings arranged around private gardens. These gardens contribute significantly to the character and quality of The Leas and Bayle Conservation Area, but are subject to development pressures. Their retention is important in maintaining the character of this part of Folkestone. Small-scale development (such as pavilions or shelters) may be permitted provided that these do not detract from the character of the gardens and their setting.

Policy HE4

Folkestone's Historic Gardens

The gardens set out below form part of the historic townscape of the west end of Folkestone. Planning permission will be refused for development that would affect the gardens or their setting.

1. Augusta Gardens;
2. Balfour Gardens;
3. Clifton Crescent;
4. Clifton Gardens;
5. Grimston Gardens;
6. Trinity Gardens;
7. Adjacent to Grand Hotel;
8. Westbourne Gardens; and
9. Kingsnorth Gardens.

Small-scale developments for community facilities (such as pavilions or shelters) will be granted permission where it can be demonstrated that the asset or its setting will be preserved or enhanced.

Glossary

Glossary

Active frontage	A use open to visiting members of the public throughout the day (such as shops and cafes) that is designed to face onto the street.
Adoption	The formal decision to approve the final version of a planning document, such as the Core Strategy or Places and Policies Local Plan, at the end of all the preparation stages, bringing it into effect.
Affordable Housing	Affordable housing includes social rented, affordable rented and intermediate housing, provided to specified eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.
Agricultural diversification	Activities involving a change of use of agricultural land or buildings; or new development not falling within the definition of agriculture.
Agricultural (forestry or other rural occupational) dwelling	A dwelling which is subject to a planning condition or legal agreement restricting occupation to someone employed, or was last employed, in agriculture, forestry or other appropriate rural employment.
Agricultural Land Classification (ALC)	The ALC was introduced in the 1960s and provides a framework for determining the physical quality of land at national, regional and local levels. Agricultural land is classified into one of five grades: Grade 1 land being of excellent quality and Grade 5 land being of very poor quality. Grade 3, which constitutes about half the agricultural land in England and Wales, is divided into two sub-grades (designated 3a and 3b).
Amenity	A general term used to describe the tangible and intangible benefits or features associated with a property or location, that contribute to its character, comfort, convenience or attractiveness.
Ancient woodland	An area that has been wooded continuously since at least 1600 AD. Development affecting such areas is restricted under the National Planning Policy Framework.
Appropriate Assessment	See Habitats Regulation Assessment.
Area of Outstanding Natural Beauty (AONB)	Areas of Outstanding Natural Beauty are designated under the National Parks and Access to the Countryside Act (1949) and, along with National Parks, represent the finest examples of countryside in England and Wales. The primary purpose of

	AONB designation is to ensure the conservation and enhancement of the natural landscape beauty, including the protection of flora, fauna and geological interest. The Kent Downs AONB includes land within Shepway District (see Part One - Places, the North Downs Area).
Authority Monitoring Report (AMR)	A document produced by the local planning authority providing analysis over the period of the performance review (typically annually) of planning policies and reporting on progress made in producing up-to-date planning policy documents. Previously known as Annual Monitoring Report.
Berm	A flat or raised strip of land, often created in order to separate or protect an area
Best and Most Versatile Agricultural Land	Land in grades 1, 2 and 3a of the Agricultural Land Classification.
Biodiversity	The variety of plants and animals and other living things in a particular area or region. It encompasses habitat diversity, species diversity and genetic diversity.
Biodiversity Action Plan (BAP)	A strategy prepared for a local area aimed at conserving and enhancing biological diversity.
Biodiversity Opportunity Area (BOA)	Areas where conservation action such as habitat creation, restoration or expansion is likely to have the greatest benefit for biodiversity. They can contribute to delivering biodiversity action plan targets.
Brownfield land	See 'Previously developed land'.
Building for Life	The national standard for well-designed homes and neighbourhoods. A Building for Life assessment scores the design quality of planned or completed housing developments against 20 criteria.
Broad Location	General locations for growth formally indicated on the Core Strategy Key Diagram; includes sites for major development where technical or infrastructure information does not currently allow the exact extent of land to be confirmed. Does not constitute a formal (Strategic) Allocation; planning permission is still required to deliver development.
Code for Sustainable Homes (CfSH / CSH)	National standard designed to measure the sustainability of new homes against nine design categories including energy and water. Homes are rated on six levels between one (1*) and six stars (6*) with the higher ratings representing increased levels of sustainability. Withdrawn 2015.
Community Infrastructure	Facilities available for use by all the community, such as church or village halls, doctor's surgeries and hospitals. Community

	facilities could also include children's playgrounds and sports facilities.
Community Infrastructure Levy (CIL)	A payment that is made to the Council by developers when development commences. The payment is used to fund infrastructure that is needed to serve development in the general area, rather than directly relating to the site. This can include new transport schemes, community facilities, schools and green spaces.
Comparison retail	Retail items not bought on a frequent basis, for example electrical goods and clothing (that is, not food). See also 'convenience retail'.
Conservation Area	An area designated by the local planning authority under the Planning (Listed Buildings and Conservation Areas) Act 1990 as being of special architectural or historic interest, the character and interest of which it is desirable to preserve and enhance. Conservation Areas are a type of heritage asset.
Convenience retail	Everyday essential shopping items, such as food.
Core Strategy	This is a plan which sets out the long-term spatial vision for the District, along with the spatial objectives and strategic policies to deliver that vision. The Shepway Core Strategy Local Plan was adopted in September 2013.
Curtilage	The area normally within the boundaries of a property surrounding the main building and used in connection with it.
Department for Communities and Local Government (DCLG)	The central government department that is responsible for policy on local government, housing, planning and urban regeneration. Sometimes also referred to as CLG.
Department for Transport (DfT)	The central government department that is responsible for transport.
Development plan	This includes adopted local plans that together with the Minerals and Waste Plans will form the development plan for Shepway District.
Environment Agency (EA)	Government agency concerned mainly with rivers, flooding and pollution.
Examination (or Examination in Public) (EiP)	A form of independent public inquiry into the 'soundness' of a submitted Local Plan document which is conducted by an Inspector appointed by the Secretary of State. After the examination has ended the Inspector produces a report with recommendations setting out how the Local Plan should be amended. Following this the Local Plan may be adopted by the local planning authority (see 'Adoption').

Facilities	Public or private premises that are used for, or help to provide, services and infrastructure for visiting members of the public.
Green infrastructure	A network of protected sites, nature reserves, green spaces, waterways and greenway linkages (including parks, sports grounds, cemeteries, school grounds, allotments, commons, historic parks and gardens and woodland). It offers opportunities for a number of functions, including recreation and wildlife as well as landscape enhancement.
Greenfield land	Land which has not been developed before, and is not defined as previously developed, or 'brownfield', land.
Gross retail floorspace	See 'net retail floorspace'.
Gross value added (GVA)	The measure of the value of goods and services produced in an area, industry or sector of an economy.
Gypsy and Travellers	Defined in government guidance ('Planning policy for traveller sites', DCLG, 2015) as "Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such."
Gypsy and Traveller Sites	Sites either for settled occupation, temporary stopping places or transit sites for people of nomadic habit of life, such as Gypsies and Travellers.
Habitats Regulation Assessment (including Appropriate Assessment)	An assessment of the potential effect of development plans and proposals on sites within the Natura 2000 network of sites that are protected under the European Birds and Habitats Directives.
Heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest. Includes nationally designated assets, as well as local assets identified by the local community and confirmed by the local planning authority. See also 'Conservation Area', 'Historic Park and Garden' and 'Listed Building'.
Heritage Coast	Areas of undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors. Within Shepway District, the cliffs between Folkestone Warren and Dover.
Historic Park and Garden	Designated by English Heritage, Historic Parks and Gardens reflect the landscaping fashions of their time and are a type of heritage asset.

Home Zone	Residential streets in which the road space is shared between drivers of motor vehicles and other road users, with the wider needs of residents (including people who walk and cycle, and children) in mind.
Infrastructure	A collective term which relates to all forms of essential services like electricity, water and road and rail provision, including social/community facilities. See also 'Green infrastructure'.
Infrastructure Delivery Plan (IDP)	Outlines the need for, delivery and implementation of, infrastructure necessary to support the growth strategy in the Core Strategy and Places and Policies Local Plan. The IDP is frequently reviewed as infrastructure schemes are completed and new needs are identified.
Internationally designated habitats	See 'Natura 2000 Series sites'.
Kent County Council (KCC)	County-wide local authority responsible for a range of strategic functions and services such as highways (non-trunk routes), minerals and waste planning, and education and social care. The County Council is also the Lead Local Flood Authority (LLFA).
Lead Local Flood Authority (LLFA)	A county council (or unitary authority) responsible for developing, maintaining and applying a strategy for local flood risk management in its area and for maintaining a register of flood risk assets. LLFAs also have lead responsibility for managing the risk of flooding from surface water, groundwater and ordinary watercourses.
Legibility	The degree to which a place can be easily understood and traversed.
Lifetime Homes	Homes which are built to an agreed set of national standards that make housing more functional for everyone including families, disabled people and older people. They also include future-proofing features that enable cheaper, simpler adaptations to be made when needed.
Local Area for Play (LAP)	A standard for a formal play space for use by young children. Recommended by the former National Playing Fields Association (now Fields in Trust) and still widely used as an indicative standard.
Local Development Scheme (LDS)	A project plan and timetable for the preparation of the Local Plan. It can be updated and amended as necessary by the Council.
Local Equipped Area for Play (LEAP)	A standard for a formal play space for use by children who can play independently. Recommended by the former National

	Playing Fields Association (now Fields in Trust) and still widely used as an indicative standard.
Local Green Space	A designation to provide special protection against development for green areas of particular importance to local communities. The NPPF makes it clear that the designation should only be used: where the green space is in reasonably close proximity to the community it serves; where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and where the green area concerned is local in character and is not an extensive tract of land.
Local Nature Reserve (LNR)	A habitat of local significance that makes a valuable contribution both to nature conservation and to the opportunities for the community to see, learn about and enjoy wildlife. It is designated by the local authority.
Local Plan	The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community.
Local Wildlife Site (LWS)	Sites identified by Kent Wildlife Trust as, while not of national status, providing a high quality habitat for a diverse range of flora and fauna meriting careful conservation.
Localism Act	The Localism Act has devolved greater powers to local government and neighbourhoods and given local communities more rights and powers over decisions about planning and housing. It also includes reforms to make the planning system more democratic and more effective.
Low carbon development	A development which achieves an annual reduction in net carbon emissions of 50% or more from energy use on site (e.g. by reducing energy demand through passive design and energy efficient technology and supplying energy from renewable sources).
Massing	The combined effect of the height, bulk and silhouette of a building or group of buildings.
Mixed use development	Development for a variety of uses on a single site.
National Planning Policy Framework (NPPF)	A document setting out the Government's national planning requirements, policies and objectives. It replaces much of the national advice previously contained within Planning Policy Statements, Planning Policy Guidance and Circulars. The NPPF is a material consideration in the preparation of Local Plans and when considering planning applications. See also 'Planning Practice Guidance (PPG)'.

Natura 2000 series sites	Internationally designated sites of nature conservation (including current - and in effect, proposed - Ramsar sites, Special Areas of Conservation and Special Areas of Protection) subject to Habitats Regulations Assessment.
Natural England (NE)	Government agency concerned with the natural environment, including biodiversity and the countryside.
Natural Surveillance	The discouragement to wrong-doing by the presence of passers-by or the ability of people to be seen out of surrounding windows.
Neighbourhood Equipped Area of Play (NEAP)	A standard for a formal play space for use by older children. Recommended by the former National Playing Fields Association (now Fields in Trust) and still widely used as an indicative standard.
Neighbourhood Plan	A provision under the Localism Act 2011 gives authorised groups the power to prepare a development plan for their area called a Neighbourhood Plan. This plan could include general planning policies and allocations of land for new development.
(Open) Countryside	Rural and coastal areas defined as land lying outside the settlement boundaries shown on the Policies Map.
Permeability	The degree to which an area has a variety of pleasant, convenient and safe routes through it.
Place-shaping	The ways in which local government and its partners can create safe, attractive, vibrant communities where people want to live and work.
Planning Inspectorate	An organisation which processes planning appeals and holds examinations into DPDs or Local Plans and the Community Infrastructure Levy (CIL).
Policies Map	A statutory map of a local planning authority accompanying its Local Plans, and defining the spatial extent of relevant policies in it. Formerly known as the Proposals Map.
Previously developed land	Land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

Priority Centres of Activity (PCAs)	A term used in the Core Strategy for locations central to people, place or prosperity incorporating town, district and local (village/ neighbourhood) centres and Major Employment Sites.
Public Realm	The space between and within buildings that is publicly accessible including streets, squares, forecourts, parks and open spaces.
Ramsar sites	Wetlands of international importance, designated under the 1971 Ramsar Convention.
Renewable Energy	Energy derived from a source that is continually replenished such as wind, wave, solar, hydroelectric and energy from plant material, but not fossil fuels or nuclear energy.
Sense of Place	A feeling of belonging and regarding a place as home. This includes identity and having an affinity with an area.
Sequential Approach	An approach to planning decisions which may require certain sites or locations to be fully considered for development before the consideration moves on to other sites or locations. The approach could apply to issues such as retail development, or the use of land at risk from flooding.
Settlement Hierarchy	Settlements are categorised into a hierarchy based on the range of facilities, services and employment opportunities available, plus the ability to access other higher-ranking settlements by public transport.
Shepway District Local Plan Review (2006)	Adopted by the council on 16 March 2006. As set out in the Planning and Compulsory Purchase Act 2004, the council made a request to central government to continue to use (most) specific policies. These policies 'saved' in 2009 and not deleted by the Core Strategy remain part of the Development Plan and will remain saved until they are replaced by specific policies in a new adopted Local Plan document.
Shoreline Management Plans	A plan providing a large-scale assessment of the risk to people and to the developed, historic and natural environment associated with coastal processes.
Site of Special Scientific Interest (SSSI)	A conservation designation for the protection of an area because of the value of its flora and fauna or its geological interest.
Spatial Planning	This concept brings together policies for the development and use of land with other policies and strategies which too have ramifications for the nature of places and how they operate.
Special Areas of Conservation (SAC)	Areas given special protection under the European Union's Habitats Directive, which is transposed into UK law by the Habitats and Conservation of Species Regulations 2010.

Special Protection Areas (SPA)	Areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries. They are European designated sites, classified under the Birds Directive.
Stakeholder	A person, group, company, association, etc. with an interest in, or potentially affected by, planning decisions in the District.
Statement of Community Involvement (SCI)	The Council's policy for involving the community in the development of the LDF or Local Plan, and when considering planning applications. It includes who should be involved and the methods to be used.
Strategic Flood Risk Assessment (SFRA)	Required under national policy and providing an analysis of the main sources of flood risk to the district, together with a detailed means of appraising development allocations and existing planning policies against the risks posed by coastal flooding over the coming century.
Strategic Housing Land Availability Assessment (SHLAA)	Required under national policy, providing an assessment of the scale of potential housing land opportunities over a 15 (or more) year period. It cannot allocate or grant planning permissions but does lead to a pool of possible key future housing sites to inform future Local Plans through further public consultation and additional evidence gathering.
Strategic Housing Market Assessment (SHMA)	Required under national policy, providing an understanding of how housing markets operate within a given area, showing housing need and demand. Produced for the East Kent Housing Market Partnership (including Canterbury, Dover, Swale and Thanet Councils and organisations from other sectors).
Strategic (Site) Allocation	A site central to achievement of the strategy, where the principle and main features of development are established through a formal designation (allocation) of a specific parcel(s) of land. Planning permission is still required to deliver development.
Submission stage	The stage at which a planning policy document is sent to the Secretary of State as a prelude to its examination, having previously been published for public inspection and formal representations.
Supplementary Planning Document (SPD)	A document which expands policies set out in a DPD or provides additional detail. They are not subject to independent examination.
Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA)	A systematic and iterative appraisal process incorporating the requirements of the European Directive on Strategic Environmental Assessment. The purpose of the Sustainability Appraisal is to appraise the economic, environmental and social

	effects of the strategies in a LDD from the outset of the preparation process.
Sustainable Development	Usually referred to as "development which meets the needs of the present without compromising the ability of future generations to meet their own needs" (Brundtland, 1987).
Sustainable Transport	Management of transport for Sustainable Development purposes. Can be travel management measures or any form of transport, including all alternatives to the private car, especially low-carbon travel modes. Often relates to travel by bus or train but also includes walking and cycling.
Sustainable Drainage System (SuDS)	Sequence of water management practices and facilities designed to drain surface water in a manner that will provide a more sustainable approach than what has been the conventional practice of routing run-off through a pipe to a watercourse.
Tandem Parking	One vehicle behind another
Tranquillity	A quality of calm that people experience in places full of the sights and sounds of nature.(CPRE)
Travel plan	A long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives through action and is articulated in a document that is regularly reviewed.
Urban Heat Island Effect	A man-made area that's significantly warmer than the surrounding countryside — especially at night. The land surface in towns and cities, which is made of materials like Tarmac and stone, absorbs and stores heat. That, coupled with concentrated energy use and less ventilation than in rural areas, creates a heating effect.
Viability	A viable development is one where there is no financial reason for it not to proceed, where there is the correct relationship between gross development value (GDV - the amount a developer receives on completion or sale of a scheme) and development costs (e.g. build costs). An unviable scheme is one where a poor relationship exists between GDV and development costs so that profitability and land value are not sufficient enough for a development to proceed.
Village Design Statement	An advisory document, usually produced by a village community, suggesting how development might be carried out in harmony with the village and its setting. A village design statement can be given weight by being approved as supplementary planning guidance.

Water Framework Directive	more formally the Directive 2000/60/EC of the European Parliament and the Council of 23 October 2000, which established a policy framework for action on water quality.
Windfall Site	a previously developed site which has not been specifically identified as available through the development plan process, but which unexpectedly becomes available for development. A windfall dwelling is a dwelling which is delivered from such a site.
Zero Carbon Development	a development that after taking account of emissions from space heating, ventilation, hot water and fixed lighting, expected energy use from appliances, and exports and imports of energy from the development to and from centralised energy networks, will have net zero carbon emissions over the course of a year.

Table .1

A glossary of common planning terms and phases can be found on the National Planning Portal at <http://www.planningportal.gov.uk/general/glossaryandlinks/glossary>

Appendices

Evidence Base Documents

Appendix 1 Evidence Base Documents

General

- Shepway Core Strategy, Local Plan (2013)
- Shepway District Local Plan Review (2006)
- Places and Policies Local Plan- Issues and Options Consultation Document (2015)
- Shepway Employment Land Review (2011)
- Kent County Council's Strategic Statement 2015-2020

Introduction

- The Building Regulations (2010)

Urban Character Area

- Shepway Town Centres Study (2015)

Romney Marsh.

- Romney Marsh Delivery Plan 2014-17

North Downs

- Kent Downs AONB Landscape Design Handbook and Rural Streets and Lanes Design Handbook.

Housing and Built Environment

- Building for Life 12 (2015)
- The Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice' (2011)
- Shepway District Council's Self Build and Custom Build register can be found by following this link <http://www.shepway.gov.uk/self-build-information>

- Kent County Council, Social Care, Health and Wellbeing – Community Support Market Position Statement (February 2016)
- East Kent Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2014)
- The Department for Communities and Local Government publication, “Planning policy for traveller sites” (2015)

Economy

- The Shepway Economic Development Strategy (2015-2020)
- Towards a one nation economy: A 10-point plan for boosting productivity in rural areas
- The Destination Management Plan(Draft)

Community

- Benchmark Standards produced by Fields in Trust (formerly the National Playing Fields Association), 'Planning and Design for Outdoor Sport and Play'.
- Fields in Trust publication, 'Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard.'
- Institute for Public Policy and Research. Report (2012).

Transport

- Department for Transport's Manual for Streets (2007)
- DfT's "Guidance on Transport Assessment" (GTA)
- The Shepway District Council Transport Strategy (2011)
- Kent County Council Parking Standards (IGN3)
- Shepway District Council Transport Strategy (2011)

Natural Environment

- Areas of Outstanding Natural Beauty (AONB) under section 85 of the Countryside and Rights of Way Act (2000)
- Green Infrastructure Plan
- Sykes v Secretary of State
- Lighting Professionals (ILP), Guidance Notes for the Reduction of Light Pollution (2011)
- Marine and Coastal Access Act 2009 (the Act)
- Marine Policy Statement

Climate Change

- 'CIL and Whole Plan Economic Viability Assessment'; Dixon Searle Partnership (July 2014)
- Fixing the Foundations – Creating a More Prosperous Nation (published in July 2015)

Health and Wellbeing

- Holt-Lunstad, 2010
- Fair Society, Healthy Lives' Marmot Review (2010)
- Public Health England document 'Obesity and the environment: regulating the growth of fast food outlets'
- Healthy People, Healthy Lives: our strategy for public health in England" (November 2010)
- Kent County Council Active Travel Strategy

Historic Environment

- Planning (Listed Building and Conservation Areas) Act 1990

Nationally Described Space Standards

Appendix 2 Nationally Described Space Standards

The following text is an extract from the

[Technical housing standard - nationally described space standard](#)

(DCLG, 2015). This Appendix is intended to provide more detail to Policy HB3: Internal and External Space Standards.

Introduction

1. This standard deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
2. The requirements of this standard for bedrooms, storage and internal areas are relevant only in determining compliance with this standard in new dwellings and have no other statutory meaning or use.

Using the Space Standard

3. The standard Gross Internal Areas set out in Table 1 are organised by storey height to take account of the extra circulation space needed for stairs to upper floors, and deal separately with one storey dwellings (typically flats) and two and three storey dwellings (typically houses).
4. Individual dwelling types are expressed with reference to the number of bedrooms (denoted as 'b') and the number of bedspaces (or people) that can be accommodated within these bedrooms (denoted as 'p'). A three bedroom (3b) home with one double bedroom (providing two bed spaces) and two single bedrooms (each providing one bed space) is therefore described as 3b4p.
5. This allows for different combinations of single and double/twin bedrooms to be reflected in the minimum Gross Internal Area. The breakdown of the minimum Gross Internal Area therefore allows not only for the different combinations of bedroom size, but also for varying amounts of additional living, dining, kitchen and storage space; all of which are related to the potential occupancy.
6. Relating internal space to the number of bedspaces is a means of classification for assessment purposes only when designing new homes and seeking planning approval (if a local authority has adopted the space standard in its Local Plan). It does not imply actual occupancy, or define the minimum for any room in a dwelling to be used for a specific purpose other than in complying with this standard.

7. Minimum floor areas and room widths for bedrooms and minimum floor areas for storage are also an integral part of the space standard. They cannot be used in isolation from other parts of the design standard or removed from it.
8. The Gross Internal Area of a dwelling is defined as the total floor space measured between the internal faces of perimeter walls¹ that enclose the dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs. The Gross Internal Area should be measured and denoted in square metres (m²).
9. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

Technical Requirements

10. The standard requires that:
 - a. the dwelling provides at least the gross internal floor area and built-in storage area set out in Table 1 below
 - b. a dwelling with two or more bedspaces has at least one double (or twin) bedroom
 - c. in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide
 - d. in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m²
 - e. one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide
 - f. any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1m² within the Gross Internal Area)
 - g. any other area that is used solely for storage and has a headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all

h. a built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72m² in a double bedroom and 0.36m² in a single bedroom counts towards the built-in storage requirement

i. the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area

Number of bedrooms (b)	Number of bed spaces (persons)	1 Storey Dwellings	2 Storey Dwellings	3 Storey Dwellings	Built-in Storage
1b	1p	39 (37) *	-	-	1.0
	2p	50	58	-	1.5
2b	3p	61	70	-	2.0
	4p	70	79	-	
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Number of bedrooms (b)	Number of bed spaces (persons)	1 Storey Dwellings	2 Storey Dwellings	3 Storey Dwellings	Built-in Storage
<p><i>* Built-in storage areas are included within the overall GIAs and include an allowance of 0.5m² for fixed services or equipment such as a hot water cylinder, boiler or heat exchanger.</i></p>					

Table 1: Minimum gross internal floor areas and storage (m²)

Schedule of Policies To Be Deleted

Appendix 3 Schedule of Policies To Be Deleted

Schedule of Policies To Be Replaced

3.1 The table below lists the saved Local Plan Policies (2006) that are to be deleted by the Places and Policies Local Plan and not replaced. [To be updated with new policy numbers]

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Housing land supply	HO1	Covered by NPPF, allocations in Places chapters, HB3, HB6
Land supply requirements 2001-2011	HO2	Core Strategy sets out overall target in Policy SS2 and Places and Policies identify allocations to meet this.
Criteria for local housing needs in rural areas	HO6	Replaced by HB6
Loss of residential accommodation	HO7	No longer required
Criteria for sub-division of properties to flats/maisonettes	HO8	Replaced by HB3
Subdivision and parking	HO9	Replaced by T2 & HB13
Houses in multiple occupation	HO10	Replaced by HB13
Criteria for special needs annexes	HO13	Replaced by HB9
Criteria for development of Plain Road, Folkestone	HO15	No longer required as has been developed

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Development on established employment sites	E1	Replaced by E2
Supply of land for industry, warehousing and offices. Allocated sites on the Proposals Map.	E2	Replaced by E1
Loss of land for industrial, warehousing and office development	E4	Replaced by E1 and legislation
Loss of rural employment uses	E6a	Replaced by E1 and legislation
Folkestone Town Centre - Primary shopping areas as defined on the Proposal Map	S3	Replaced by RL2
Folkestone Town Centre - Secondary shopping area as defined on the Proposal Map	S4	Replaced by RL2
Local Shopping Area - Hythe	S5	Replaced by RL3
Local Shopping Area - New Romney	S6	Replaced by RL4
Local Shopping Area - Cheriton	S7	Replaced by RL5

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Local centres - last remaining shop or public house	S8	Replaced by C2
Loss of visitor accommodation	TM2	Replaced by E4
Static caravans and chalet sites	TM4	Replaced by E5
Criteria for provision of new or upgraded caravan and camping sites	TM5	Replaced by E5
Development of the Sands Motel site	TM7	Allocated site: RM9
Requirements for recreation/community facilities at Princes Parade	TM8	Replaced by UA18
Battle of Britain Museum, Hawkinge	TM9	New mixed use Policy ND1
Loss of indoor recreational facilities	LR1	Covered in National Planning Policy Framework (NPPF) and C2
Formal sport and recreational facilities in the countryside	LR3	Covered in National Planning Policy Framework (NPPF) and C2
Recreational facilities - Cheriton Road Sports Ground/Folkestone Sports Centre	LR4	No longer required

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Recreational facilities - Folkestone Racecourse	LR5	No longer required
Improved sea access at Range Road and other	LR7	No longer required
Provision of new and protection of existing rights of way	LR8	Replaced by HB1 and HW4
Open space protection and provision	LR9	Covered by NPPF and Policy C3
Provision of children's play space in developments	LR10	Covered by C4
Protection of allotments and criteria for allowing their redevelopment	LR11	Covered by HW3, C3, NPPF and legislation
Protection of school playing fields and criteria for allowing their redevelopment	LR12	Covered by NPPF and legislation
Standards expected for new development in terms of layout, design, materials etc.	BE1	Covered by HB1 and HB2
Provision of new public art	BE2	Covered by C1
Criteria for considering new	BE3	Covered by the Planning (Listed Building and Conservation Areas) Act 1990, the

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
conservation areas or reviewing existing conservation areas		Planning Practice Guidelines 2012 (PPG) and the National Planning Policy Framework 2012 (NPPF)
Criteria for considering development within conservation areas	BE4	Covered by HB1, HB2, Planning Act, PPG and NPPF.
Control of works to listed buildings	BE5	Covered by Planning Act, PPG and NPPF.
Safeguarding character of groups of historic buildings	BE6	Covered by HB1, HB2, Planning Act, PPG and NPPF.
Criteria for alterations and extensions to existing buildings	BE8	Covered by HB8
Design considerations for shopfront alterations	BE9	Covered by HB2
Areas of Special Character	BE12	Covered by HB1, HB2 and HB10
Protection of urban open space and criteria for allowing redevelopment	BE13	Covered by HB1, HB2 and HE4
Protection of communal gardens as defined on the Proposals Map	BE14	Covered by HE4
Requirement for comprehensive landscaping schemes	BE16	Covered by C1 and NE3

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Tree Preservation Orders and criteria for allowing protected trees to be removed	BE17	Covered by legislation
Protection of historic parks and gardens as defined on the proposals map	BE18	Covered by HE1, NPPF and PPG.
Land instability as defined on the Proposals Map	BE19	Covered by NE6
Criteria to be considered for development proposals relating to sewage and wastewater disposal for four dwellings or less, or equivalent	U1	No longer required but criteria included (where required) within site specific allocation policies
Five dwellings or more or equivalent to be connected to mains drainage	U2	No longer required but criteria included (where required) within site specific allocation policies
Criteria for use of septic or settlement tanks	U3	No longer required
Protection of ground and surface water resources	U4	Covered in the Core Strategy Policy CSD5
Waste recycling and storage within development	U10	Covered by HB2 and CC2

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Requirements for development on contaminated land	U10a	Covered in NE7
Criteria for the assessment of satellite dishes and other domestic telecommunications development	U11	No longer required
Criteria for the assessment of overhead power lines or cables	U13	Covered by NE3 and legislation
Criteria for assessment of developments which encourage use of renewable sources of energy	U14	Covered by CC4 and CC5
Criteria to control outdoor lighting pollution	U15	Covered by NE5
Safeguarding land at Hawkinge, as identified on the Proposal Map, for a secondary school	SC4	No longer required
Criteria for the development of Seapoint Centre relating to a community facility	SC7	No longer required

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Provision for buses in major developments	TR2	Covered in HB1 and T1
Protection of Lydd Station	TR3	Replaced by RM8
Safeguarding of land at Folkestone West Station and East Station Goods Yard in connection with high speed railway services	TR4	No longer required for the Folkestone West Station, however East Station Goods Yard is Covered by UA1.
Provision of facilities for cycling in new developments and contributions towards cycle routes	TR5	Covered by HW4, T5 and T1
Provision for pedestrians in new developments	TR6	Covered by HW4, T1 and HB1
Provision of environmental improvements along the A259	TR8	No longer required
Criteria for the provision of roadside service facilities	TR9	No longer required
Restriction on further motorway service areas adjacent to the M20	TR10	No longer required
Accesses onto highway network	TR11	Covered by T1

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Vehicle parking standards	TR12	Covered by T2 and T3
Travel Plans	TR13	No longer required, covered by NPPF
Folkestone Town Centre Parking Strategy	TR14	Replaced by T2 and T3
Criteria for expansion of Lydd Airport	TR15	No longer required
Countryside to be protected for its own sake	CO1	Covered by NE3
Special Landscape Areas and their protection	CO4	Covered by NE3
Protection of Local Landscape Areas	CO5	Covered by NE3
Protection of the Heritage Coast and the undeveloped coastline	CO6	Covered by NE9
Protection of protected species and their habitat	CO11	Covered by legislation as well as NE1 and NE2
Protection of the freshwater environment	CO13	Covered by NE2 and CSD5
Long term protection of physiography, flora and fauna of Dungeness	CO14	Covered by NE2

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Criteria for farm diversification	CO16	Covered by E6
Criteria for new agricultural buildings	CO18	Covered by HB1 and HB2
Criteria for the re-use and adaptation of rural buildings	CO19	Covered by E8
Criteria for replacement dwellings in the countryside	CO20	Covered by HB5
Criteria for extensions and alterations to dwellings in the countryside	CO21	Covered by HB8
Criteria for horse related activities	CO22	Covered by NE4
Criteria for farm shops	CO23	Covered by E6
Strategic landscaping around key development sites	CO24	Covered by NE2
Protection of village greens and common lands	CO25	Covered by legislation Commons Act 2006
Criteria for the development of the Ingles Manor/Jointon Road site, as shown on the Proposals Map	FTC3	Covered by UA5

Policy Issue	Saved Shepway District Local Plan (2006) Policy to be deleted	Explanation for the deletion
Criteria for the development of land adjoining Hotel Burstin as shown on the Proposals Map	FTC9	No longer required
Criteria for the redevelopment of the Stade (East) site, as shown on the Proposals Map	FTC11	No longer required

Table 3.1