

This Report will be made public on 6 November 2018

Report Number **C/18/49**

To: Cabinet
Date: 14 November 2018
Status: Key Decision
Head of service: Sarah Robson, Assistant Director – Strategy, Performance and Communications
Cabinet Member: Cllr John Collier, Cabinet Member for the District Economy

SUBJECT: CORE STRATEGY REVIEW – REPORT ON REGULATION 18 CONSULTATION AND DRAFT REGULATION 19 PLAN

SUMMARY:

This report provides more detail on the consultation on the Core Strategy Review (Regulation 18) document, the changing national planning policy context and further evidence work being undertaken. The report sets out the draft Core Strategy Review (Regulation 19) document and outlines the main changes from the previous version. Cabinet is asked to agree the Core Strategy Review (Regulation 19) plan prior to consultation and submission.

REASONS FOR RECOMMENDATIONS:

Cabinet is asked to agree the recommendations set out below in order to allow progress to be made on the submission and examination of the Core Strategy Review to ensure that the council has an up-to-date local plan framework to meet current development needs.

RECOMMENDATIONS:

1. To receive and note report C/18/49 ;
2. To give delegated authority to the Assistant Director, Strategy Performance and Communications in consultation with the Cabinet Member for the District Economy to make any amendments that may be necessary to the Core Strategy Review Submission Draft (Regulation 19) document prior to the submission consultation to reflect:
 - a) Updates to supporting evidence, including the findings of the Sustainability Appraisal, Habitats Regulations Assessment and the work outlined in Section 9 of this report; and
 - b) Any further changes to government planning policy, including the methodology for housing provision; and
 - c) The results of further checking and proof-reading for the purpose of improving clarity and consistency and updating factual information; and

- d) Minor updates to maps, figures and diagrams;
3. To agree the Submission Draft Core Strategy Review (Regulation 19) document for public consultation subject to recommendation 2 above; and
 4. To approve the submission of the Submission Draft Core Strategy Review (Regulation 19) document to the Secretary of State for Housing, Communities and Local Government following the end of the consultation period.

DRAFT

1. INTRODUCTION

- 1.1 The planning policy team has been preparing a review of the 2013 Core Strategy, following the completion of an updated Strategic Housing Market Assessment (SHMA) for the district in 2016/17, which showed an increased need for housing of 633 new homes a year. The updated plan will guide development throughout the district for the period from 2018/19 to 2036/37. A first draft of the Core Strategy Review (Regulation 18 version) was put out for public consultation earlier this year.
- 1.2 Following the consultation the planning policy team has been assessing the consultation comments and preparing revisions to the plan. If agreed by Cabinet, the revised Core Strategy Review (Regulation 19 version) will be consulted on for a minimum six week period before being submitted to the Secretary of State for independent examination.
- 1.3 This report provides more detail on the consultation, the changing context and further evidence work and outlines the main changes proposed in the Regulation 19 version of the plan.

2 REGULATION 18 CORE STRATEGY REVIEW CONSULTATION

- 2.1 The Regulation 18 version of the Core Strategy Review established a higher target for housing provision from the 2013 plan, following the evidence of the council's Strategic Housing Market Assessment, which indicated a need for 633 new homes a year. To meet this higher target, four new policies were drafted proposing a new garden settlement in the North Downs Area (policies SS6-SS9), promoted as Otterpool Park, alongside a revised policy proposing further expansion at Sellindge (policy CSD9). Relevant changes were made to the accompanying text and general policies. Other policies were left largely unchanged from the 2013 plan.
- 2.2 The plan was consulted on between 29 March and 18 May 2018. The consultation was publicised through social media and a series of exhibitions and meetings were held throughout the district. In total 746 comments were received from 109 individuals and organisations. All sections and policies attracted comments, including those left unchanged from the 2013 plan.¹
- 2.3 Most comments raised objections with the plan's proposals. Frequently raised concerns were that:
 - The district's infrastructure cannot cope with growth (water supply, highways, health and education were frequently raised);
 - The level of development would not address local needs and new homes would not be affordable for local people;

¹ **Appendix 1** to this report provides a summary of the consultation comments by chapter and policy. Comments are available to read in full on the council's consultation portal at: http://shepway-consult.objective.co.uk/portal/core_strategy/core_strategy_review/core_strategy_local_plan_review?tab=list

- The level of affordable housing sought from new developments should remain at 30 per cent, as developers too often reduce the affordable housing they provide on the grounds of viability;
 - The focus should be on regenerating Folkestone rather than providing a new town and the new town proposals would draw investment away from struggling areas; and
 - The district's heritage is under threat.
- 2.4 Frequently raised concerns relating to the new garden settlement (policies SS6-SS9) were that:
- Proposals would harm the Kent Downs Area of Outstanding Natural Beauty and would urbanise the area between Ashford and the coast;
 - Local infrastructure cannot cope with the level of development; and
 - Insufficient attention has been provided to retail and employment provision and the social dimension.
- 2.5 Frequently raised concerns relating to proposals for Sellindge (policy CSD9) were that:
- Local infrastructure cannot cope with the level of development;
 - Local people feel that the development is being imposed on them and proposals do not follow the previously agreed masterplan for Sellindge; and
 - Sellindge needs a bypass; this should be provided as part of the garden town proposals.
- 2.6 The planning policy team has been assessing the comments and preparing responses. When finalised, tables will be published summarising the comments, the council's response and any amendments to the plan that have been made as a result. These materials will be published alongside the revised version of the Core Strategy Review when the Regulation 19 consultation begins.
- 2.7 Before outlining the proposed amendments to the plan (section 10), the following sections (3 to 9) highlight some key considerations for the next stages of the Core Strategy Review.

3 ALTERNATIVE SITE SUBMISSIONS

- 3.1 As part of the consultation on the Regulation 18 Core Strategy Review, landowners, developers and agents were invited to submit sites for the district council to consider for inclusion in the Regulation 19 plan (a "call for sites"). The call for sites was directed at strategic sites (250 or more homes) to identify reasonable alternatives to those allocated in the plan, however, in practice a range of different sizes of site were put forward.
- 3.2 Nine sites were put forward. Some of these representations related to allocated sites and sought an alternative policy approach to that set out in the plan. The sites were:
- Etchinghill Nursery, Etchinghill;

- Booker Wholesale, Park Farm Industrial Estate, Folkestone;
- Three Acre Estate, Park Farm Industrial Estate, Folkestone;
- Five Acre Estate, Park Farm Industrial Estate, Folkestone;
- Land at the Piggery, Ashford Road, Sellindge;
- Land North of Cockreed Lane, New Romney;
- Land North of Aldington Road, Port Lympne;
- Land rear of Rhodes House, Main Road, Sellindge; and
- Land at Elm Tree Farm, rear of Sellindge Primary School, Sellindge.

3.3 Most of these sites were already known to officers, and some had been submitted at previous stages of plan preparation for the Places and Policies Local Plan.

3.4 Sites were assessed for inclusion in the plan. While some may merit further consideration as part of a future review of the council's Places and Policies Local Plan, depending on the development needs identified at that time, it is considered that none of the sites present suitable alternative or additional allocations to those currently proposed in the Core Strategy Review. (**Appendix 2** sets out further detail on these site submissions.)

4 INSPECTOR'S REPORT INTO NORTH ESSEX AUTHORITIES' STRATEGIC PLAN

4.1 Three authorities in North Essex (Braintree District, Colchester Borough and Tendring District Councils) are working jointly on a Strategic Plan which contains proposals for three garden communities which would deliver between 29,000 and 43,000 new homes in total. The planning Inspector examining the Strategic Plan issued an interim report on 8 June 2018.²

4.2 The North Essex Authorities are at a less advanced stage than Folkestone & Hythe District Council in developing their proposals. Their plan contains a general policy for all three towns, followed by a specific policy for each town. Broad locations are shown on the policies map, with an indistinct edge to the allocated sites and no indicative layouts. The authorities intend to produce separate documents for each town setting out more detail.

4.3 Despite the differences of approach between the North Essex authorities and Folkestone & Hythe, there are a number of points raised in the Inspector's letter that have implications for the Core Strategy Review. The Inspector questioned:

- The authorities' assumptions about the early delivery of homes, citing research showing that large sites take an average of seven years from submission of a planning application to the delivery of the first homes on site and that they deliver around 170 homes a year on average³;

² See:

https://www.tendringdc.gov.uk/sites/default/files/documents/planning/Planning_Policy/North%20Essex%20Section%201%20Plan%20Inspector%27s%20Post-Hearing%20Letter%20to%20NEAs%208%20June%202018.pdf

³ Paragraphs 48-55.

- The absence of a requirement for the amount of employment land or floorspace to be provided in each town, given the authorities' aspiration to provide one job per dwelling⁴;
- The assumptions in the authorities' viability assessment regarding infrastructure costs, land purchase and interest and contingency allowances;⁵ and
- The proposals for a public-private sector partnership acting as a master-developer for the garden towns.⁶

4.4 Considering these and other matters, the Inspector found that the proposals *“are not adequately justified and have not been shown to have a reasonable prospect of being viably developed. As submitted, they are therefore unsound.”*⁷ He concluded by setting out further work that the authorities needed to undertake to rectify these deficiencies.

5 OTTERPOOL PARK PLACE PANEL

5.1 The Otterpool Park Place Panel was established to provide 'critical friend' advice to the planning authority as the policy framework and masterplan for Otterpool Park are taken forward.

5.2 The Panel met on 16 July 2018 to consider the policies in the Core Strategy Review. Paul Hudson, one of the panel members, is a former government Chief Planner. Joanne Cave, who chaired the Panel, is an experienced planner and urban designer who is a partner at David Lock Associates. Joanne specialises in leading complex masterplan projects from concept to development on the ground.

5.3 The panel recommended that:

- More context to proposals for the garden town should be provided;
- The proposals for the new garden town must be shown to be viable and deliverable and the housing delivery assumptions should be explained, including the role of self-build housing;
- The vehicle that will be used to deliver the garden town needs to be confirmed;
- Further clarification should be given on infrastructure phasing;
- The impact of any revised definition of affordable housing set out in the National Planning Policy Framework should be assessed;
- It should be considered how the garden town will sit within the local employment context;
- Governance should be considered in more detail. The Panel suggested that the creation of a post of community development worker and provision for a police community support officer could help foster a sense of community in the early stages of the development; and

⁴ Paragraphs 56-61.

⁵ Paragraphs 62-86.

⁶ Paragraphs 87-92.

⁷ Paragraph 130.

- The planning authority should clarify which policy requirements are expected to be demonstrated at the outline planning application and which at the reserved matters application stages.

6 NATIONAL PLANNING POLICY FRAMEWORK 2018

- 6.1 The National Planning Policy Framework (NPPF) was introduced by the coalition government in March 2012. The NPPF sets out national planning policies that local planning authorities must follow in preparing their development plans and making decisions on planning applications. Further guidance is provided online, in Planning Practice Guidance (PPG).
- 6.2 The government published a number of consultation papers setting out proposed changes to the NPPF and PPG in 2017 and 2018. The new NPPF has now been published (24 July 2018) alongside updates to the PPG.⁸ New guidance continues to be added to the PPG.
- 6.3 Regarding implementation of the new NPPF, policies in the new NPPF will apply for the purpose of examining local plans where the plans are submitted after 24 January 2019⁹. This means that the Places and Policies Local Plan will be examined under the previous NPPF and the Core Strategy Review will be assessed against the new Framework.
- 6.4 The changes in the new NPPF with the greatest implications for the Core Strategy Review are:
- **Statements of common ground** - There is a requirement to produce statements of common ground between local planning authorities and other relevant bodies, setting out areas of agreement on cross-boundary issues¹⁰;
 - **Plan review** - Policies in development plans should be reviewed at least once every five years. Reviews should be completed no later than five years from when the plan is adopted¹¹;
 - **Tests of soundness** – Development plans must meet four ‘tests of soundness’ set out in the NPPF. The new NPPF has made one test more flexible – local planning authorities must now show that their local plan sets out “*an appropriate strategy*” rather than “*the most appropriate strategy*”¹²;
 - **Housing need** – Housing needs assessments should be undertaken using the standard national method set out in the PPG, unless exceptional circumstances justify an alternative approach¹³;
 - **Affordable housing** – A wider definition of affordable housing is given, including starter homes and discounted market sales housing; and

⁸ For National Planning Policy Framework see:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728643/Revised_NPPF_2018.pdf

For Planning Practice Guidance see: <https://www.gov.uk/government/collections/planning-practice-guidance>

⁹ National Planning Policy Framework, Ministry of Housing, Communities & Local Government, July 2018, Annex 1.

¹⁰ NPPF, paragraphs 27, 35,

¹¹ NPPF, paragraph 33.

¹² NPPF, paragraph 35.

¹³ NPPF, paragraph 60.

- **New settlements** – Previous policy on new settlements was very brief. The new NPPF expands the policy to state that settlements should be “*well located and designed, and supported by the necessary infrastructure and facilities. Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way.*”¹⁴ Five considerations are set out, covering:
 - Infrastructure, economic potential and environmental gain;
 - Ensuring that the size of settlement will support a sustainable community;
 - Setting expectations covering the quality of development, such as by following Garden City principles;
 - Making a realistic assessment of the delivery of new homes, given likely lead-in times, while considering rapid implementation through joint ventures or locally-led development corporations; and
 - Considering whether it is appropriate to establish Green Belt around the development.

7 HOUSING LAND SUPPLY

- 7.1 As outlined above, the new NPPF introduces a national methodology for calculating how many homes local authorities should plan for, replacing the local assessments that councils previously undertook themselves (Strategic Housing Market Assessments), unless exceptional circumstances apply.
- 7.2 The new PPG sets out a formula for calculating housing need with two inputs, derived from data provided by the Office for National Statistics at district level:
- The latest household projections (updated every two years); and
 - The ratio between the median wage and median houseprice (known as the median workplace-based affordability ratio) (updated every year).
- 7.3 New household projections have recently been published (20 September 2018).¹⁵ For Folkestone & Hythe these indicate that over the next ten years (2018 to 2028) the number of households in the district is projected to grow from 51,000 to 56,000 (a growth of 5,000 households over the period or 500 a year).
- 7.4 The median workplace-based affordability ratio for the district (from the most recent 2017 figures) is 9.7 (that is, average house prices are 9.7 times average wages).
- 7.5 Applying these figures to the formula set out in the national methodology leads to a requirement for an average of 676 homes a year for the district or 12,845 in total for the plan period.

¹⁴ NPPF, paragraph 72.

¹⁵ See:

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationprojections/bulletins/2016basedhouseholdprojectionsinengland/2016basedhouseholdprojectionsinengland>

Time period	2018/19 – 2036/37	Total
Numbers of homes	19 years at 676 per year	12,845

- 7.6 This is greater than the number of homes identified in the SHMA and planned for in the Regulation 18 draft (633 new homes a year or 12,030 over the plan period). However updated housing figures and the phasing work undertaken for Otterpool Park indicate that this increased total can be met. (See **Appendix 3** – Draft Housing Trajectory.)
- 7.7 The Regulation 19 Core Strategy Review therefore sets out a revised figure of **12,845 new homes over the plan period**. This reflects the *minimum* requirement of the new national methodology.
- 7.8 However, it should be noted that the government may amend the formula to increase the housing totals local authorities need to plan for. In its response to earlier consultation on the proposals, the government stated:

“... it is noted that the revised projections are likely to result in the minimum need numbers generated by the method being subject to a significant reduction, once the relevant household projection figures are released in September 2018.

In the housing white paper the government was clear that reforms set out (which included the introduction of a standard method for assessing housing need) should lead to more homes being built. In order to ensure that the outputs associated with the method are consistent with this, we will consider adjusting the method after the household projections are released in September 2018. We will consult on the specific details of any change at that time.”¹⁶

- 7.9 At some point during the consultation or examination of the Core Strategy Review, or after the plan is adopted, the numbers of homes that the district is required to plan for may therefore change, although a transition period for the new requirement may be introduced. If the change increases the housing requirement significantly, the council will need to address this, either through modifications to the plan during the examination or through a review of the plan soon after it is adopted.

8 LIAISON WITH THE PLANNING INSPECTORATE

- 8.1 The council has been liaising with representatives from the Planning Inspectorate to get informal advice and minimise areas of risk in preparing the plan.
- 8.2 A meeting was held between a senior Planning Inspector and observing Inspector and council officers on 11 October 2018. A number of areas relevant to the Core Strategy Review were discussed, including housing land supply, the scope of the review, statements of common ground, the role of

¹⁶ See: <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

neighbourhood plans and other matters. Some suggestions were made which have been incorporated into additional text in the Regulation 19 plan.

- 8.3 It was emphasised that plans should avoid unnecessary duplication of policies, including those within the NPPF¹⁷. Given that Core Strategy policy DSD: Delivering Sustainable Development largely repeats the “presumption in favour of sustainable development” found in the NPPF¹⁸, it was suggested that the council should consider whether it is necessary to retain this policy in the plan. Reflecting on this advice, it is proposed that policy DSD is deleted (see Section 10 below).

9 FURTHER WORK BEING UNDERTAKEN

- 9.1 As outlined, the Regulation 18 consultation comments, findings of the Inspector in relation to North Essex, the Place Panel report and new NPPF have raised a number of issues that need to be addressed. These have necessitated further work being undertaken to support the Core Strategy Review. In addition, the statutory process of plan-making requires the council to undertake a Sustainability Appraisal and Habitats Regulations Assessment of the Core Strategy Review that should inform the next stage of the plan’s preparation.

Employment and retail update

- 9.2 Given the findings of the Inspector regarding the aspirational jobs target in the North Essex plan, Lichfields has been commissioned to undertake an update to their earlier work on the district-wide Employment Land Review and Employment Opportunities Study for Otterpool Park.
- 9.3 This will provide more detailed evidence on the quantity of employment and retail space that should be provided in the garden settlement relative to housing delivery. This will help demonstrate that the need for future residents to travel for jobs is minimised and that residents’ retail needs can be met without harming the vitality of nearby town and village centres, within the district and in neighbouring authority areas.

Viability and deliverability

- 9.4 Given the comments of the Inspector in relation to the viability of the proposed North Essex garden towns, the time taken for the completion of the first homes and the annual rate of housing delivery, the council is working jointly with Kent County Council (KCC) to complete further supporting evidence.
- 9.5 BPS Chartered Surveyors has been commissioned by the local planning authority and KCC to undertake this work. This will provide independent evidence to show that the proposals - particularly the numbers of market and affordable homes, custom-build and self-build homes and supporting infrastructure - can be delivered at key stages of development and that the town is likely to come forward within the timescales set out in the plan.

¹⁷ Set out in the NPPF at paragraph 16, bullet point (f).

¹⁸ NPPF, paragraph 11.

Statements of Common Ground

- 9.6 Statements of Common Ground are a new requirement intended to show that local planning authorities have cooperated with their neighbours on strategic cross-boundary matters. The intention is that the statements will shorten the time needed to examine these issues at public examination, focusing scrutiny on any areas that may still be in dispute. This requirement was set out in the new NPPF (July 2018) and further guidance has recently been published on the PPG webpages¹⁹. The Core Strategy Review will be one of the first plans in the area to have to meet the requirement.
- 9.7 Work has begun on a draft Statement of Common Ground to support the Core Strategy Review, and discussions have taken place with the East Kent authorities and Kent County Council. Some preliminary work has been taken to the East Kent Chief Executives for comment. It is anticipated that a short statement, focused primarily on housing, will be agreed with the East Kent authorities. It is likely that a separate statement will be needed with Kent County Council covering its service areas.

Sustainability Appraisal and Habitats Regulations Assessment

- 9.8 Local planning authorities are required to undertake Sustainability Appraisal of their plans. Where there is a potential impact on habitats and species protected by international and European law, a Habitats Regulations Assessment must also be undertaken.
- 9.9 Land Use Consultants (LUC) undertook the assessments of the Core Strategy Review at the Regulation 18 stage and will assess the Regulation 19 stage. Their assessment will need to reflect any changes to the plan that may result from Cabinet on 14 November.

Infrastructure Delivery

- 9.10 The garden settlement should be self-sufficient regarding education, health, community, transport and other infrastructure, where necessary allowing for the expansion and improvement of nearby facilities such as secondary education and waste. Critical infrastructure, such as primary education, should be provided in the early phases of development to support investment and community development. The provision of infrastructure should be phased in a way that does not disadvantage early residents or neighbouring communities through placing additional pressure on existing infrastructure.
- 9.11 Officers have engaged with both the site promoters and representatives of statutory providers across a broad range of infrastructure items, including education, healthcare, open space and green infrastructure, flooding and transport, among other requirements. This work will identify the specific infrastructure requirements for the garden settlement, the timing for implementation against the expected rate of housing delivery and, wherever possible, the cost of delivering critical items of infrastructure and the

¹⁹ See: <https://www.gov.uk/guidance/plan-making#delivery-of-strategic-matters>

appropriate funding mechanism(s), which typically, but not exclusively include Section 106 legal agreements and Section 278 highway agreements.

- 9.12 Officers are preparing an Infrastructure Delivery Plan (IDP) that will be published as supporting evidence to the Core Strategy Review. The IDP will be a 'living' document, updated at key milestones across the implementation of the Core Strategy Review. This will ensure it remains up-to-date in the context of changing models of service provision. As development proceeds the IDP will be updated to report on critical infrastructure that has been implemented, alongside items that are to be delivered during the remaining phases of development

Summary

- 9.13 As far as possible, the preliminary results from the work outlined above have been incorporated into the Regulation 19 version to be discussed by Cabinet on 14 November. Delegated authority is sought for the Assistant Director of Strategy, Performance and Communications, in consultation with the Cabinet Member for the District Economy, to make any further amendments to the Core Strategy Review arising from the Sustainability Appraisal, Habitats Regulations Assessment or other supporting work following Cabinet.

10 SUMMARY OF PROPOSED CHANGES

- 10.1 The full text of the Core Strategy Review (Regulation 19 version) is set out in **Appendix 4**. New text is shown in red; for clarity deleted text is not shown, but deletions generally reflect areas of new text.
- 10.2 As well as changes to the policies, related changes have been made to the supporting text. In general opportunities have been taken to simplify the 2013 Core Strategy wording, shorten the supporting text and remove technical terms wherever possible.
- 10.3 A number of minor amendments are also being made to the plans and figures in the Core Strategy Review, updating information and reflecting consultation comments. A housing trajectory, showing the anticipated delivery of new homes over the plan period, will also be produced as an appendix to the plan. This will show the anticipated contributions of new homes on a year-by-year basis from: existing planning permissions; allocations in the Places and Policies Local Plan; the new garden settlement; the expansion of Sellindge; and smaller sites of one to four dwellings ('windfall' development). (A draft housing trajectory is included as **Appendix 3** to this report.)
- 10.4 Main changes from the Regulation 18 to the Regulation 19 Core Strategy Review are summarised in the table below.

Core Strategy Review – Regulation 19 Version	
Section/Policy/Page	Main changes from Regulation 18 version
Foreword	<ul style="list-style-type: none">• Updated with the Cabinet Member for the District

Core Strategy Review – Regulation 19 Version	
Section/Policy/Page	Main changes from Regulation 18 version
	Economy
Section 1.1: About the Core Strategy	<ul style="list-style-type: none"> • Amendments and additions to describe the next stage of consultation • Additions to reflect new NPPF requirements
Section 1.2: About Folkestone & Hythe	<ul style="list-style-type: none"> • Some additions to the portrait of the district
Section 2.1: District Development Challenges and Potential	<ul style="list-style-type: none"> • Minor changes to: reflect Environment Agency comments regarding water stress; provide examples to illustrate some points; and highlight the need to retain young people within the district
Section 2.2: Strategic Needs for Sustainable Development	<ul style="list-style-type: none"> • Changes to reference the presumption in favour of sustainable development in the NPPF • Changes to stress the need to retain younger people
<i>Policy DSD: Delivering Sustainable Development</i>	<ul style="list-style-type: none"> • Deletion of policy - policy largely repeats the presumption in favour of sustainable development found within the NPPF (paragraph 11). The NPPF states that local plans should avoid unnecessary duplication.
Section 3.1: District Planning Aims	<ul style="list-style-type: none"> • Minor changes to provide additional explanation and reflect the importance of the evening economy
Section 3.2: Vision for Folkestone & Hythe	<ul style="list-style-type: none"> • Minor changes to provide additional explanation of some points; to provide a description of the benefits that green infrastructure can bring; to reflect the importance of the evening economy; and to reflect Environment Agency comments in relation to water efficiency
Section 4.1: District Spatial Strategy	<ul style="list-style-type: none"> • Additional text to explain the new standard methodology for housing provision in the NPPF and the Core Strategy Review's approach to housing provision
<i>Policy SS1: District Spatial Strategy</i>	<ul style="list-style-type: none"> • Changes to stress that the new garden settlement will be supported by town centre and community uses • Addition to reflect potential future work with London Ashford Airport should proposals come forward for expansion • Change to clarify the approach to development within the Kent Downs AONB boundary
Section 4.2: Housing and the Economy Growth Strategy	<ul style="list-style-type: none"> • Updates to text to reflect the new NPPF and to remove duplication • Amendments to explain the approach to employment provision • Updates to Table 4.2 to show how the housing requirement will be met
<i>Policy SS2: Housing and the Economy Growth Strategy</i>	<ul style="list-style-type: none"> • Revised housing total of 12,845 homes over the plan period • Introduction of additional text on employment provision

Core Strategy Review – Regulation 19 Version	
Section/Policy/Page	Main changes from Regulation 18 version
	(pending additional employment work outlined above)
Section 4.3: Place Shaping and Sustainable Settlements Strategy	<ul style="list-style-type: none"> • Changes to supporting text to reflect the new NPPF; to amend wording to refer to all forms of flooding; and to add reference to the Kent Downs AONB Management Plan
<i>Policy SS3: Place-Shaping and Sustainable Settlements Strategy</i>	<ul style="list-style-type: none"> • Changes to reflect the new NPPF in relation to flood risk and to add reference to “cultural” uses, alongside community, voluntary and social facilities
Section 4.4: Priority Centres of Activity Strategy	<ul style="list-style-type: none"> • Minor changes to supporting text
<i>Policy SS4: Priority Centres of Activity Strategy</i>	<ul style="list-style-type: none"> • Changes to strengthen ‘town centre first’ approach to retail development • Cross-reference to Local Plan policies added
Section 4.5: District Infrastructure Planning Strategy	<ul style="list-style-type: none"> • Updated with regard to the Housing Infrastructure Fund
<i>Policy SS5: District Infrastructure Planning</i>	<ul style="list-style-type: none"> • No change proposed
Section 4.6: Strategic Allocations	<ul style="list-style-type: none"> • Changes to reflect new housing requirement for the plan period • Introductory text added to provide more context to proposals for new garden settlement • Changes to explain the approach to self-build and custom-build housing • Explanation of term “community facilities” • Addition of text on long-term management of green infrastructure • Additions to refer to Kent County Council’s Rights of Way Improvement Plan • Additions to refer to the Kent Minerals and Waste Local Plan and to correct references to mineral deposits • Factual updates regarding planning permissions for the Folkestone Seafront and Shorncliffe Garrison
<i>Policy SS6: New Garden Settlement – Development Requirements</i>	<ul style="list-style-type: none"> • Revised housing figure, following more detailed phasing plans for Otterpool Park • Changes to remove requirements for “water neutrality” (policy SS8 maintains requirement for standards of 90 litres per person per day of potable water) • Changes to provide additional flexibility in relation to self-build housing and the phasing of employment space and education provision

Core Strategy Review – Regulation 19 Version	
Section/Policy/Page	Main changes from Regulation 18 version
	<ul style="list-style-type: none"> • Changes to reflect comments from KCC on provision of land for education
<i>Policy SS7: New Garden Settlement – Place Shaping Principles</i>	<ul style="list-style-type: none"> • Additions to include mitigation to take account of increased visitor use of the Kent Downs AONB and Folkestone to Etchinghill Escarpment Special Area of Conservation • Additional comments relating to archaeology
<i>Policy SS8: New Garden Settlement – Sustainability and Healthy New Town Principles</i>	<ul style="list-style-type: none"> • Changes to reflect comments on water neutrality, grey water and the need for the energy strategy to take account of the setting of the Kent Downs AONB
<i>Policy SS9: New Garden Settlement – Infrastructure, Delivery and Management</i>	<ul style="list-style-type: none"> • Minor changes to include reference to expansion of waste facilities, pedestrian and cycle pathways, public art and street furniture • Changes to include reference to the provision of a community support worker for the early phases of development
<i>Policy SS10: Spatial Strategy for Folkestone Seafront</i>	<ul style="list-style-type: none"> • Minor change to remove reference to Code for Sustainable Homes (national requirement now deleted)
<i>Policy SS11: Spatial Strategy for Shorncliffe Garrison</i>	<ul style="list-style-type: none"> • Minor change to remove reference to Code for Sustainable Homes (national requirement now deleted)
Section 5.1: Core Policies for Planning	<ul style="list-style-type: none"> • Changes to reflect revised definition of affordable housing given in the new NPPF • Deletion of Figure 5.1: Local Housing Market Areas, being no longer relevant given the new national methodology for housing provision. Subsequent figures renumbered • Additions to clarify the target of the Water Framework Directive and to qualify the appropriateness of Sustainable Drainage Systems (SuDS) for development on brownfield sites
<i>Policy CSD1: Balanced Neighbourhoods</i>	<ul style="list-style-type: none"> • Changes for clarity and to reflect the revised definition of affordable housing given in the new NPPF
<i>Policy CSD2: District Residential Needs</i>	<ul style="list-style-type: none"> • Changes to make the policy more workable in relation to the range of different house sizes to be provided, given that it will need to be applied to small, medium and large sites
<i>Policy CSD3: Rural and Tourism Development</i>	<ul style="list-style-type: none"> • No change proposed

Core Strategy Review – Regulation 19 Version	
Section/Policy/Page	Main changes from Regulation 18 version
<i>Policy CSD4: Green Infrastructure of Natural Networks, Open Spaces and Recreation</i>	<ul style="list-style-type: none"> • Changes to reflect the new approach to biodiversity gain set out in the government's 25 Year Environment Plan and NPPF
<i>Policy CSD5: Water and Coastal Environmental Management</i>	<ul style="list-style-type: none"> • Minor correction
Section 5.2: Areas of Strategic Change	<ul style="list-style-type: none"> • Update to supporting text to reflect progress with the decommissioning of Dungeness Power Station • Additional text in reference to potential future work with London Ashford Airport should proposals come forward for further expansion • Additional text to support the Creative Quarter
<i>Policy CSD6: Central Folkestone Strategy</i>	<ul style="list-style-type: none"> • Minor changes to reflect the new NPPF and to strengthen policy related to the Creative Quarter • Changes to emphasise the importance of the evening economy and entertainment uses in the vitality of the town
<i>Policy CSD7: Hythe Strategy</i>	<ul style="list-style-type: none"> • Minor change only
<i>Policy CSD8: New Romney Strategy</i>	<ul style="list-style-type: none"> • Updates to reflect planning permissions and development on the sites
<i>Policy CSD9: Sellindge Strategy</i>	<ul style="list-style-type: none"> • Changes to distinguish more clearly between the sites that are currently under construction and have planning permission, and the proposed allocations in the Core Strategy Review and how the requirements link to each phase • Addition of text in relation to the setting of the Kent Downs AONB and the design and layout of the development
Section 5.3: Implementation	<ul style="list-style-type: none"> • Minor change to reflect increased housing target
Appendices	<ul style="list-style-type: none"> • Minor changes to reflect the monitoring of town centres • Glossary updated to delete old terms and add new definitions (including to reflect the new NPPF)

11 NEXT STEPS

- 11.1 If the Core Strategy Review (Regulation 19 version) is approved by Cabinet on 14 November 2018, the council will work with the Communications Team to prepare consultation materials and publicise the consultation.

- 11.2 It is anticipated that the plan will be consulted on over an eight week period in December 2018-January 2019; the extended period is to allow for the Christmas and New Year break.
- 11.3 Following consultation all comments will be collated and a summary will be prepared. The Core Strategy Review, consultation comments and supporting documents will then be submitted to the Secretary of State for examination (in practice this role is undertaken by the Planning Inspectorate or PINS).
- 11.4 PINS will appoint an Inspector and the Inspector will decide what matters need to be addressed during the examination. A number of public hearing sessions will be held and objectors will be invited to appear and put their views across.
- 11.5 The council will need to appoint a Programme Officer to coordinate the examination of the Core Strategy Review and liaise with the Planning Inspector. The council's Business Support Manager is currently performing this role for the examination of the Places and Policies Local Plan. It is hoped that a similar arrangement could be agreed for the Core Strategy Review, to save the cost of employing an outside consultant.
- 11.6 Main modifications may need to be consulted on. The Inspector will then issue a report stating whether he/she considers the plan is 'sound' and listing any changes that may be needed. The council can then proceed to adopt the plan, as amended, and the plan may then be used to decide planning applications. There is a six week period after adoption when the plan can be subject to a legal challenge.
- 11.7 The anticipated timetable is as follows:
- December 2018 /January 2019 - Regulation 19 consultation commences for eight week period;
 - January/February 2019 - Assimilating and summarising representations, completing notices and paperwork required for submission and examination;
 - March/April 2019 - Formal submission of Plan to PINS for examination;
 - May/June 2019 – Commencement of public hearing sessions at end of ten week lead in from submission (dependent on PINS timetable);
 - June/July 2019 - Completion of examination hearing sessions (based on an estimate that these will take four to six weeks);
 - July 2019 onward – Post-hearing timetable depends on whether there is a need for major modifications to make the plan sound. Major modifications would need to be assessed through Sustainability Appraisal and Habitats Regulations Assessment, and subject to an additional public consultation (for a six week period); and
 - Inspector completes his/her report stating whether the plan is 'sound' and plan is taken to full Council for adoption.

12 OPTIONS

- 12.1 Cabinet has the following options when considering the recommendations of this report:

- a) To agree the Submission Draft Core Strategy Review for consultation under Regulation 19 as currently drafted (Appendix 4); or
- b) To agree the Submission Draft Core Strategy Review for consultation under Regulation 19 with amendments; or
- c) Not to agree the Submission Draft Core Strategy Review for consultation.

12.2 Cabinet is asked to agree the report's recommendations so that progress can be made with consultation, submission and examination of the Core Strategy Review.

13. RISK MANAGEMENT ISSUES

Perceived risk	Seriousness	Likelihood	Preventative action
Delays to the Core Strategy Review process	Medium	Medium	Discuss progress with PINS and work closely with key stakeholders. Maintain and regularly review programme through updates to the Local Development Scheme.
Further delays receiving Framework Masterplan for garden settlement from site promoter(s)	High	Medium	Regular liaison meetings with promoters to ensure clarity of information and studies required.
Significant changes in legislation and Government planning policies and guidance	High	Low	Maintain dialogue with the Ministry of Housing, Communities and Local Government and PINS.
Plan found unsound by PINS at examination	High	Low	Seek advice from PINS at key stages of the plan-making process.
External challenge of the plan-making process from third parties	High	Medium	Follow best practice and take legal advice where necessary.

14 LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

14.1 Legal Officer's Comments (DK)

There are no legal implications arising directly out of this report. The Council must comply with the National Planning Policy Framework and the Planning Practice Guidance and recommendations made by the Planning Inspectorate when considering the revised Core Strategy Review.

14.2 Finance Officer's Comments (CS)

There are no resource implications arising directly from this report. Progress with the plan is being undertaken with existing staff resources within the Planning Service. Financial resources will be needed to procure specialist evidence and to pay the Inspector's fees, as well as other costs (such as venue hire, advertisements and printing). The Programme Officer's costs have been contained within base budgets.

14.3 Diversities and Equalities Implications (GE)

There are no equalities implications arising directly from this report. However, as part of best practice, the review should be supported by an Equalities Impact Assessment (EIA) to ensure there are no adverse impacts on protected characteristics. The Inspector should take into consideration the findings of the EIA in assessing the soundness of the plan.

15 CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officers prior to the meeting:

Sarah Robson, Assistant Director, Strategy, Performance and Communications

Telephone: 01303 853426

Email: sarah.robson@folkestone-hythe.gov.uk

Adrian Tofts, Planning Policy Manager

Telephone: 01303 853438

Email: adrian.tofts@folkestone-hythe.gov.uk

Chris Lewis, Principal Planner

Telephone: 01303 853456

Email: chris.lewis@folkestone-hythe.gov.uk

Appendices:

Appendix 1: Core Strategy Review Regulation 18 Draft – Summary of Consultation Comments

Appendix 2: Core Strategy Review – Alternative Site Submissions (submitted during consultation 29 March – 18 May 2018)

Appendix 3: Draft Core Strategy Review Housing Trajectory

Appendix 4: Core Strategy Review Submission Draft (Regulation 19)

DRAFT