Statement of Common Ground

Folkestone & Hythe District Council and Highways England

1. Overview

1.1 This Statement of Common Ground (SCG) has been prepared by Folkestone & Hythe District Council (FHDC) together with Highways England (HE).

1.2 The purpose of this SCG is to set out the basis on which FHDC and HE have actively and positively agreed to work together to meet the requirements of the Duty to Cooperate. FHDC has prepared their Core Strategy Review for submission in early 2020.

1.3 Under section 33A of the Planning and Compulsory Purchase Act 2004 (amended by section 110 of the Localism Act 2011) and in accordance with the National Planning Policy Framework (NPPF) 2019 it is a requirement under the Duty to Cooperate for local planning authorities, county councils and other named bodies to engage constructively, actively and on an ongoing basis in the preparation of development plan documents and other local development documents. This is a test that local authorities need to satisfy at the Local Plan examination stage and is an additional requirement to the test of soundness.

1.4 The Duty to Cooperate applies to strategic planning issues of cross boundary significance. Local authorities all have common strategic issues and as set out in the National Planning Practice Guidance (NPPG):

> *"local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their plans for examination."*

1.5 The statutory requirements of the Duty to Cooperate are not a choice but a legal obligation. Whilst the obligation is not a duty to agree, cooperation should produce effective and deliverable policies on strategic cross boundary matters in accordance with the government policy in the NPPF, and practice guidance in the NPPG.

2.0 Strategic matters

2.1 The NPPF defines the topics considered to be strategic matters (para 20). The only strategic matter relevant to FHDC and HE is the cross-boundary matters associated with the movement of vehicular traffic on the Strategic Road Network (SRN), as expanded upon below.

2.2 Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:

"strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

2.3 Following changes to the NPPF and PPG, the planning policy team has been assessing how the district can meet the new housing need for the Core Strategy Review plan period. This has involved a number of areas of work, assessing past trends as well as reviewing current and future sources of housing supply.

2.4 The Government's new national formula calculated from household formation and housing affordability figures is published regularly by Office for National Statistics, and the most recently published figure for Folkestone & Hythe district currently stands at 738 new homes a year. FHDC's Regulation 19 Plan outlines a housing requirement for 13,284 new homes over plan period (to 2036/37). Meeting this target over the plan period will be provided for by development in Core Strategy Review, Places and Policies Local Plan, existing planning permissions and small sites.

Table 2.1: Core Strategy Review 2019/20-2036/37– elements of housing supply

Source of housing supply	Number of homes
Current planning permissions and sites under construction (with adjustment for lapsed permissions)	4,274
Places and Policies Local Plan and 2013 Core Strategy sites without planning permission	1,703
Windfall allowance (95 homes a year over 15 years)	1,425
New garden settlement (Core Strategy Review policies SS6-SS9)	5,925
Expansion of Sellindge (Core Strategy Review policy CSD9) (part of allocation without permission)	188
Total Core Strategy Review plan period	**13,515**

Transportation (strategic) – evidence base

2.5 FHDC and HE exchanged correspondence during 2017 and 2018 about HE's assessment requirements of the People and Places Local Plan to 2031 and Core Strategy Review to 2037. This was in accordance with the assessment requirements of DfT Circular 02/2013 and NPPF. The assessment covered the following junctions:

- A260 Spitfire Way / White Horse Hill / A260 / A20 Slip Roads
- Alkham Valley Road / A20 Off Slip / A20 On Slip
- A260 / Alkham Valley Road
- A20 / M20 / B2064 Cheriton Interchange

- A2034 / A20 / A259 / M20 On Slip / M20 Off Slip (Castle Hill Interchange)
- M20 / A20 / B2068 Roundabout

2.6 The assessment looked at the junction capacity and merge and diverge assessments in accordance with Design Manual for Roads and Bridges standards. The findings indicated that mitigation would be required for the strategic road network under the following development scenarios:

Junctions:

- A20/A260 eastbound off slip:
- 2037 CS6500 AM and PM
- 2037 CS8000 AM and PM
- M20 Junction 11:
- 2037 CS6500 AM and PM
- 2037 CS8000 AM and PM
- M20 Junction 13:
- 2037 CS6500 and 8000

Merges and Diverges:

M20 Junction 12:

- e/b merge 2037 – needs a parallel merge all scenarios (DM, CSR 6500 and CSR 8000)
- M20 Junction 13:
- w/b merge 2037 needs a lane gain (2 lanes main carriageway +1 slip) with ghost island merge all scenarios
- e/b diverge 2037 needs ghost island all scenarios

M20 Junction 11:

- e/b diverge 2037 needs a lane drop and ghost island diverge for CSR scenarios
- e/b merge 2037 needs parallel merge for DM and lane gain for CSR scenarios
- w/b diverge 2037 – ghost island diverge needed for CSR 8000 scenario
- w/b merge 2037 – parallel merge required for DM and CSR 6500 scenarios and lane gain with ghost island for CSR 8000 scenario

Highways England response to Core Strategy Review Regulation 19 plan document

2.7 Within its response to the Core Strategy Review Regulation 19 plan document (Appendix 1 refers), HE has advised that generally, the direction of, and considerations within, the Core Strategy Review appear to be sound and to concur generally with the approach and policies of HE with regard to development and its impacts on the SRN.

2.8 HE are satisfied that policy SS5 – District Infrastructure Planning – concurs with DfT 02/13, in that it states that planning permissions will only be granted where the development aims to reduce demands on infrastructure; does not jeopardise current or planned physical infrastructure; and allows sustainable travel patterns. HE has commented that whilst the provision of sustainable modes is included, an additional objective should be added, as follows:

> *'to consider and manage the travel demand of new development proposals, and develop tailored solutions to limit car use generated by new developments.'*

2.9 HE concurs that the Core Strategy Review is necessarily 'high-level' and broad in scope. HE also acknowledges that the Core Strategy Review makes reference to identified infrastructure upgrades in Figure 4.4, to include three 'key highway improvements' on the M20, A20 and A259 respectively. However, as no more detail is provided within the body of the Core Strategy Review, HE would like to be consulted further on these schemes as they progress.

2.10 HE has flagged that 'critical' and 'necessary' infrastructure needed to support the spatial strategy is stated as being set out in the Infrastructure Delivery Plan (IDP). FHDC can confirm that whilst the IDP was published as one of the evidence base documents to the Core Strategy Review, HE may not have fully digested its contents and appreciated the breadth of infrastructure schemes expected to come forward in conjunction with planned growth. FHDC would welcome further conversations with HE in respect of the content of the IDP, although this activity can take place outside the SoCG.

2.11 Of course, HE would be consulted further on any schemes affecting the SRN as they progress.

3. Summary of actions going forward

3.1 A summary of key actions going forward is provided below.

Key issue	Agreed action
Infrastructure	FHDC and HE to continue to liaise and work together on all relevant matters relating to the Strategic Road Network, including planning applications. FHDC to propose mitigation for the junctions and slip road merges and diverges identified in 2.6 above

4 Governance arrangements

4.1 Officers of FHDC meet with representatives of HE to discuss cross boundary strategic matters under the Duty to Cooperate. The narrative and outcome of these discussions is demonstrated in this Statement of Common Ground.

4.2 It is intended that the Statement of Common Ground will be updated going forward, particularly as FHDC progresses its Core Strategy Review. The SOCG will then be kept under ongoing review and will be updated at key stages in F&HDC plan making process and/or when new key strategic issues arise which require amendments to this SOCG. If there are any changes of the content of the SOCG these matters can be discussed at future Duty to Co-operate meetings.

5 Signatories/declaration

Signed on behalf of Folkestone & Hythe District Council (Officer) [redacted]	**Signed on behalf Highways England** Kevin Bown [redacted]
Position: Strategy & Policy Senior Specialist	**Position:** Spatial Planning Manager
Date: 28/01/2020	**Date:** 28/1/2020

Appendices

Appendix 1. Highways England response to the Core Strategy Review Regulation 19 plan

Appendix 2. AECOM Shepway Transport Model Merge and Diverge Appraisal dated 3rd September 2018

Appendix 3. AECOM Briefing Note: Shepway Transport Model Update – Review & Findings dated March 2017

Appendix 4. AECOM Briefing Note: Shepway Transport Model Update – Review & Findings dated December 2017