

Folkestone and Hythe District Core Strategy Review Examination Matters, Issues and Questions identified by the Inspectors

Matter 1 – Procedural/legal requirements

Issue

Whether the Council has complied with relevant procedural and legal requirements.

Questions

Plan preparation

- 1) Has the preparation of the Core Strategy Review been in accordance with the Local Development Scheme in terms of its form, scope and timing?
- 2) Have requirements been met in terms of the preparation of the Core Strategy Review, notification, consultation and publication and submission of documents?
- 3) Has the preparation of the Core Strategy Review complied with the Statement of Community Involvement?

Sustainability Appraisal

- 4) How has the Sustainability Appraisal (SA) informed the preparation of the Core Strategy Review at each stage and how were options considered? How was the revised housing requirement assessed?
- 5) How has the SA been reported?
- 6) What were the conclusions of the SA and how has it informed the preparation of the Core Strategy Review?
- 7) Has the methodology for the SA been appropriate? What concerns have been raised and what is the Council's response to these? Have the requirements for Strategic Environmental Assessment been met?

Habitats Regulations Assessment

- 8) How was the Habitats Regulations Assessment (HRA) carried out and was the methodology appropriate?
- 9) What are the relevant designated sites considered?
- 10) What potential impacts of the Core Strategy Review were considered? What were the conclusions of the HRA and how has it informed the preparation of the Core Strategy Review? How was the revised housing requirement assessed?
- 11) Have any concerns been raised regarding the HRA and if so, what is the Council's response to these? How has Natural England been involved?

Other matters

- 12) Does the Core Strategy Review include policies in relation to the mitigation of and adaptation to climate change? If so which?
- 13) Has the Council had regard to the other relevant specific matters set out in S19 of the 2004 Act (as amended) and Regulation 10?
- 14) How have issues of equality been addressed in the Core Strategy Review?

Matter 2 – The duty to co-operate

Issue

Whether the Council has complied with the duty to co-operate in the preparation of the Core Strategy Review.

Questions

Housing needs, the housing requirement and housing provision

- 1) Who has the Council engaged with in terms of housing needs, the housing requirement and housing provision and what form has this taken?
- 2) What are the inter-relationships with other authorities in terms of migration, commuting, housing markets and service provision?
- 3) How have the issues of housing needs, the housing requirement and housing provision been addressed through co-operation, including the revised housing requirement? What are the specific outcomes for example in terms of statements of common ground?
- 4) What is the position of other authorities in terms of the approach to identifying and meeting housing needs? Have specific concerns been raised through duty to co-operate discussions or representations?
- 5) Are there any issues of unmet need to be addressed?

The New Garden Settlement

- 6) What are the cross-boundary issues raised by the proposed New Garden Settlement for example in relation to transport and service provision?
- 7) Taking each of these in turn, how have they been addressed through co-operation and what has been the outcome of that co-operation? How has that affected the policies within the Core Strategy Review?

Other strategic matters

- 8) Are there other genuinely strategic matters as defined by S33A(4) of the Planning and Compulsory Purchase Act 2004 (as amended)?
- 9) If so, how have they been addressed through co-operation and what is the outcome?

Overall

- 10) In overall terms has the Council engaged constructively, actively and on an ongoing basis in maximising the effectiveness of the preparation of the Core Strategy Review?

Matter 3 – The housing requirement

Issue

Whether the Core Strategy Review has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the housing requirement.

Relevant policy – SS2

Questions

- 1) Has the calculation of Local Housing Need been undertaken correctly?
- 2) Is the base date of 2019/20 appropriate having regard to the use of the 2018 affordability ratio? Should the base date be 2018/19 or, alternatively, should the 2019 affordability ratio be used? If so, what effect would this have on the housing requirement?
- 3) Are there circumstances which justify an alternative approach to the calculation of the housing requirement and the use of a different method? If so, what are they and what would be the resulting housing requirement?
- 4) Is the use of a consistent annual average housing figure justified and appropriate, particularly having regard to the delivery of the proposed New Garden Settlement? Would a staggered requirement be justified and if so, what should that be?
- 5) Is the inclusion of housing falling within Class C2 of the Use Classes Order as part of the housing requirement justified?
- 6) What is the level of need for accommodation falling within Class C2 and how is any such need proposed to be met?
- 7) Should there be a housing requirement for any designated neighbourhood areas within the District (Paragraphs 65 and 66 of NPPF)? If so, what should these be?

Matter 4 – District Spatial Strategy, place shaping and sustainable settlements

Issue

Whether the District Spatial Strategy and the approach to place shaping and sustainable settlements are justified, effective and consistent with national policy.

Relevant policies – SS1, Table 4.4 and SS3

Questions

- 1) Is the spatial distribution of development across the District justified and what factors influenced the District Spatial Strategy, for example physical and environmental constraints and the capacity to accommodate development?
- 2) What alternative options for the District Spatial Strategy were considered?
- 3) Why was the preferred approach chosen?
- 4) Is the settlement hierarchy set out in table 4.4 justified? What are the reasons for the distinction between the typologies of settlements and their respective roles?
- 5) What evidence is there to justify the identification of each settlement within the respective tiers of the settlement hierarchy?
- 6) Is the Core Strategy Review sufficiently clear in terms of the scale of development envisaged in different areas/settlements?
- 7) Is the approach to previously developed land in Policies SS1 and SS3 justified and consistent with national policy? How would it impact on deliverability and viability?
- 8) In other respects, is the approach in Policy SS1 justified, effective and consistent with national policy?
- 9) Are the criteria in Policy SS3 justified, effective and consistent with national policy, including in relation to heritage assets?
- 10) Are any main modifications to Policies SS1 and SS3 necessary for soundness?

Matter 5 – Strategy for the Urban Area

Issue

Whether the strategy for the Urban Area is justified, effective and consistent with national policy.

Relevant policies – SS1, SS10, SS11, CSD6 and CSD7

Questions

Urban Area overall

- 1) What is the basis for the strategy for the Urban Area (Policy SS1 and Table 5.1) and is it justified and effective?
- 2) What is the overall scale of development envisaged, is this sufficiently clear and is it justified?

Folkestone

Folkestone Seafront – Policy SS10

- 3) What is the justification for the inclusion of the strategic site allocation at Folkestone Seafront (Policy SS10) given that is allocated in the adopted Core Strategy and has planning permission?
- 4) What is the basis for the scale and range of development proposed and is this justified?
- 5) Taking each of the requirements in the policy, what is the evidence to support them, including in respect of the need for the requirement and the effect on viability? Are the requirements justified?
- 6) What are the specific requirements for new or improved infrastructure and social and community facilities?
- 7) How will these be provided and funded?
- 8) How will they be phased/timed in relation to the development proposed and what mechanisms will be in place to ensure they are provided at the right time?
- 9) What are the expectations in terms of timing and rates of housing delivery and are these realistic? What progress has been made to date?
- 10) Are there other potential adverse effects not raised above, if so, what are they and how would they be addressed and mitigated? **N.B. The Council's response should address key issues raised in representations**
- 11) Are any main modifications to Policy SS10 necessary for soundness?

Shorncliffe Garrison – Policy SS11

- 12) What is the justification for the inclusion of the strategic site allocation at Shorncliffe Garrison (Policy SS11) given that is allocated in the adopted Core Strategy and has planning permission?
- 13) What is the basis for the scale and range of development proposed and is this justified?
- 14) Taking each of the requirements in the policy, what is the evidence to support them, including in respect of the need for the requirement and the effect on viability? Are the requirements justified?
- 15) What are the specific requirements for new or improved infrastructure and social and community facilities?
- 16) How will these be provided and funded?
- 17) How will they be phased/timed in relation to the development proposed and what mechanisms will be in place to ensure they are provided at the right time?
- 18) What are the expectations in terms of timing and rates of housing delivery and are these realistic? What progress has been made to date?

- 19) Are there other potential adverse effects not raised above, if so, what are they and how would they be addressed and mitigated? **N.B. The Council's response should address key issues raised in representations**
- 20) Are any main modifications to Policy SS11 necessary for soundness?

Central Folkestone Strategy – Policy CSD6

- 21) What is the basis for the strategy for Central Folkestone (Policy CSD6) and is it justified?
- 22) Is it sufficiently clear in terms of the scale, type and location of development?
- 23) Are any main modifications to Policy CSD6 necessary for soundness?

Hythe Strategy – Policy CSD7

- 24) What is the basis for the strategy for Hythe (Policy CSD7) and is it justified?
- 25) Is it sufficiently clear in terms of the scale, type and location of development?
- 26) Are any main modifications to Policy CSD7 necessary for soundness?

Matter 6 - Strategy for the Romney Marsh Area

Issue

Whether the strategy for the Romney Marsh Area is justified, effective and consistent with national policy.

Relevant policies – SS1 and CSD8

Questions

Romney Marsh Area overall

- 1) What is the basis for the strategy for the Romney Marsh Area (Policy SS1) and is it justified and effective?
- 2) What is the overall scale of development envisaged, is this sufficiently clear and is it justified?
- 3) What is the situation regarding expansion of London Ashford Airport at Lydd and the preparation of an Action Area Plan?

New Romney Strategy – Policy CSD8

- 4) What is the basis for the strategy for New Romney (Policy CSD8) and is it justified?
- 5) Is it sufficiently clear in terms of the scale, type and location of development?
- 6) What is the basis for the broad location for residential development?
- 7) What alternative options were considered to meet the planned level of housing growth? Why was the preferred location chosen?
- 8) Taking each of the requirements in the policy, what is the evidence to support them, including in respect of the need for the requirement and the effect on viability? Are the requirements justified?
- 9) What are the specific requirements for new or improved infrastructure and social and community facilities for example in terms of transport, education, health, open space, sport and recreation, community buildings and waste water?
- 10) How will these be provided and funded?
- 11) How will they be phased/timed in relation to the development proposed and what mechanisms will be in place to ensure they are provided at the right time?
- 12) Is the Core Strategy Review effective in identifying any highway impacts from the planned development in New Romney and how these will be addressed?
- 13) Is the proposed link road within the broad location justified, viable and deliverable?
- 14) What are the expectations in terms of timing and rates of housing delivery and are these realistic? What progress has been made to date?
- 15) Are there other potential adverse effects not raised above, if so, what are they and how would they be addressed and mitigated? **N.B. The Council's response should address key issues raised in representations**
- 16) Are any main modifications to Policy CSD8 necessary for soundness?

Matter 7 – Strategy for the North Downs Area

Issue

Whether the strategy for the North Downs Area is justified, effective and consistent with national policy.

Relevant policies – SS1, SS6-SS9 and CSD9

Questions

North Downs Area overall

- 1) What is the basis for the strategy for the North Downs Area (Policy SS1) and is it justified and effective?
- 2) What is the overall scale of development envisaged, is this sufficiently clear and is it justified?
- 3) Is the approach to development within or affecting the Kent Downs AONB justified and consistent with national policy?

New Garden Settlement

The principle

- 4) What options were considered, both in terms of alternative strategies to accommodate growth in the District and alternative locations for a new settlement?
- 5) How were options considered, what factors were taken into account and what was the outcome of assessments? Why were other options discounted?
- 6) How has flood risk been taken into account?
- 7) Is the New Garden Settlement justified in principle?

Policy SS6

- 8) What is the basis for the scale and range of development proposed and is this justified?
- 9) Taking each of the requirements in part (1) of the policy, what is the evidence to support them, including in respect of the need for the requirement and the effect on viability? Are the requirements justified?
- 10) Is the approach to self-build and custom-build homes in part (2) of the policy justified and consistent with national policy? Is it sufficiently clear?
- 11) What is the evidence to support the approach to employment development in part (3) of the policy in terms of the scale and type of development? How does the scale of employment development envisaged relate to overall employment land requirements and job growth estimates for the District?
- 12) Is the scale of proposed employment growth and housing growth balanced? What implications would it have for commuting?
- 13) How will employment development relate to new housing in terms of location and phasing?

Policy SS7

- 14) Taking each of the criteria in part (1) of the policy, are they justified and do they provide a sufficiently clear and effective approach to achieving a suitable form of development?
- 15) Is the approach to a new town centre and retail and other main town centre uses in part (2) of the policy justified and consistent with national policy?
- 16) Is the approach to village neighbourhoods and a high quality townscape in parts (3) and (4) of the policy justified and effective?
- 17) Is the approach to heritage assets in part (5) of the policy justified and consistent with national policy?

- 18) Are the requirements in relation to sustainable access and movement set out in part (6) of the policy justified and sufficiently clear and effective?

Policy SS8

- 19) Are the sustainability and healthy new town principles justified and are they sufficiently clear and effective?
- 20) What is the evidence base to support the specific requirements in the policy, particularly in relation to water efficiency standards in terms of the need for the standard and the effect on viability? Are the requirements justified?

Policy SS9

- 21) What are the specific requirements for new or improved infrastructure and social and community facilities associated with the New Garden Settlement for example in terms of transport, education, health, open space, sport and recreation, community buildings and waste water? Do any of these have cross boundary implications e.g. secondary education?
- 22) How will these be provided and funded?
- 23) How will they be phased/timed in relation to the development proposed and what mechanisms will be in place to ensure they are provided at the right time?
- 24) Are the requirements set out in the policy justified?
- 25) How will the New Garden Settlement be delivered and how will different elements be co-ordinated? Who will be involved in delivery? What potential obstacles to delivery are there and how is it intended to overcome these?
- 26) Is the overall scale of housing envisaged in the plan period, the annual rate of completions and the timescale for housing delivery realistic and supported by robust evidence?
- 27) What evidence is there in terms of the viability of the New Garden Settlement and what does it show? Is it clear that it could be developed viably in the form envisaged and with the policy requirements as set out?
- 28) How will delivery and implementation be monitored and reviewed?

Overall

- 29) Are there other potential adverse effects of the proposed New Garden Settlement not raised above, if so, what are they and how would they be addressed and mitigated? **N.B. The Council's response should address key issues raised in representations**
- 30) Are any main modifications to Policies SS6-SS9 necessary for soundness?

Sellindge – Policy CSD9

- 31) What is the basis for the broad location in Sellindge and is it justified in principle?
- 32) What alternative options were considered to meet the planned level of housing growth? Why was the preferred location chosen?
- 33) What is the basis for the scale and range of development proposed and is this justified?
- 34) Taking each of the requirements in the policy, what is the evidence to support them, including in respect of the need for the requirement and the effect on viability? Are the requirements justified?
- 35) What are the specific requirements for new or improved infrastructure and social and community facilities for example in terms of transport, education, health, open space, sport and recreation, community buildings and waste water?
- 36) How will these be provided and funded?
- 37) How will they be phased/timed in relation to the development proposed and what mechanisms will be in place to ensure they are provided at the right time?
- 38) What are the expectations in terms of timing and rates of delivery and are these realistic? What progress has been made to date?

- 39) Are there other potential adverse effects not raised above, if so, what are they and how would they be addressed and mitigated? **N.B. The Council's response should address key issues raised in representations**
- 40) Are any main modifications to Policy CSD9 necessary for soundness?

Matter 8 – The supply and delivery of housing land

Issue

Whether the approach towards the supply and delivery of housing land is positively prepared, justified, effective and consistent with national policy.

Questions

- 1) What is the estimated total supply of new housing in the plan period 2019/20-2036/37?
- 2) What is the estimated supply from each source for the plan period? What is the evidence to support this and are the estimates justified?
- 3) What is the requirement for the first five years and what buffer should be applied?
- 4) What is the estimated total supply of specific deliverable sites for this period?
- 5) What is the estimated supply from each source for this?
- 6) What is the evidence to support this and are the estimates justified?
- 7) What is the estimated total supply of specific developable sites or broad locations for growth for years 6-10 and 11-15?
- 8) What is the estimated supply from each source for this?
- 9) What is the evidence to support this and are the estimates justified?
- 10) Overall, would at least 10% of the housing requirement/target be met on sites no larger than one hectare?

Matter 9 – Balanced neighbourhoods and District residential needs

Issue

Whether the approach to balanced neighbourhoods and District residential needs is justified, effective and consistent with national policy.

Relevant policies – CSD1 and CSD2

Questions

Policy CSD1

- 1) What is the evidence on affordable housing needs, what is the past record in terms of delivery and how will future delivery be achieved?
- 2) What is the basis for the site size thresholds and the proportions of affordable dwellings sought? Is this justified and consistent with national policy?
- 3) What effect would the policy have on the viability of development proposals and what evidence is there in this respect?
- 4) What is the basis for the tenure split sought and is this justified?
- 5) Is the policy sufficiently flexible including in relation to the viability of development?
- 6) In other respects, is the policy justified, effective and consistent with national policy?
- 7) Are any main modifications to Policy CSD1 necessary for soundness?

Policy CSD2

- 8) What is the basis for the threshold of 15 or more dwellings and is it justified?
- 9) Is the approach to a mix of tenures and the size of dwellings sufficiently clear and is it justified?
- 10) Is the policy sufficiently flexible in relation to viability and being able to respond to changing evidence on the mix of housing over the plan period?
- 11) Is the approach to housing for older people and those requiring an element of care justified and consistent with national policy? How will such housing be delivered?
- 12) What is the evidence in relation to accommodation needs for Gypsies, Travellers and Travelling Showpeople?
- 13) How will these needs be met and what role will the Places and Policies Local Plan have in meeting needs and setting out a policy approach?
- 14) Are any main modifications to Policy CSD2 necessary for soundness?

Matter 10 – Economic and retail growth and the strategy for Priority Centres of Activity

Issue

Whether the Core Strategy Review has been positively prepared and whether it is justified, effective and consistent with national policy in relation to economic and retail growth and the strategy for Priority Centres of Activity.

Relevant policies – SS2 and SS4

Questions

- 1) What is the evidence in relation to jobs growth and the need for employment land/floorspace in the District over the plan period? What does it show?
- 2) Is the scale of proposed employment growth and housing growth across the District balanced? What implications would it have for commuting?
- 3) How does existing supply compare to this need?
- 4) What is the basis for the provision of employment land at the New Garden Settlement and how does this relate to overall District needs?
- 5) Does Policy SS4 set out a justified and effective approach to employment development and sites?
- 6) What is the evidence in relation to retail floorspace needs over the plan period and what does it show?
- 7) How and where will these needs be met?
- 8) Does Policy SS4 set out a justified and effective approach to retail and other main town centre uses which is consistent with national policy?
- 9) What is the basis for the network of Priority Centres of Activity (Table 4.5), are they appropriately defined and is the hierarchy justified?
- 10) Overall, has the Core Strategy Review been positively prepared in terms of identifying and meeting needs for economic and retail growth?
- 11) Are any main modifications to Policies SS2 and SS4 necessary for soundness?

Matter 11 – Other policies

Issue

Whether Policies CSD3, CSD4, CSD5 and SS5 are justified, effective and consistent with national policy.

Questions

Policy CSD3

- 1) Is the approach to rural and tourism development justified and consistent with national policy, including in relation to new buildings and the re-use of existing buildings in the countryside?
- 2) Is the approach to the protection of local facilities and tourist, recreation and rural economic uses justified? Is it sufficiently clear?
- 3) Are any main modifications to Policy CSD3 necessary for soundness?

Policy CSD4

- 4) Is Policy CSD4 justified and consistent with national policy? Is it sufficiently clear?
- 5) Are any main modifications to Policy CSD4 necessary for soundness?

Policy CSD5

- 1) Is Policy CSD5 justified and consistent with national policy? Is it sufficiently clear?
- 2) Is the requirement for the use of the optional higher water efficiency standard (110 litres per person per day) for residential development justified? What is the evidence in terms of the need for such a standard and the effect on viability?
- 3) Is the requirement for non-residential development to achieve the BREEAM 'outstanding' standard for water efficiency justified?
- 4) Does the policy provide an adequate and sufficiently clear approach to sustainable drainage and flood risk which is consistent with national policy?
- 5) Are any main modifications to Policy CSD5 necessary for soundness?

Overall

- 6) What is the relationship with the Places and Policies Local Plan on the above issues (Policies CSD3, CSD4 and CSD5) and what role will it have in setting out a policy framework?

Policy SS5

- 7) What are the key elements of infrastructure required across the District (not specifically covered in earlier Matters)?
- 8) How will these be delivered and funded?
- 9) Does Policy SS5 set out a clear and effective approach to infrastructure planning which is justified and consistent with national policy, including where the transfer of land is necessary?
- 10) Are any main modifications to Policy SS5 necessary for soundness?