Matter 5 – Areas of Strategic Change – and Other Matters
(Core Strategy policies: CSD6, CSD7, CSD8, CSD9)

Shepway District Council Response

Reference is made to the document codes in the Programme Officer’s ‘Schedule of Documents’.
The following abbreviations are used throughout: CS (Core Strategy), SA (Sustainability Appraisal), SHLAA (Strategic Housing Land Availability Assessment), SHMA (Strategic Housing Market Assessment).
Issue 5: Are the Core Strategy’s proposals for other identified Areas of Strategic Change realistic, deliverable, adequately justified and consistent with national and regional policies

**SUMMARY RESPONSE:**

Strategy for areas of change is realistic in providing for an effective approach that is sufficiently flexible to ensure delivery, whilst being well justified against evidence and alternatives. The council has worked with partners and regional guidance to produce a positive approach to meeting local development and infrastructure requirements, in line with national policy.

**Key Evidence documents**

- [A10] Folkestone Town Centre Spatial Strategy
- [A1] SHLAA update
- [A90] Strategic Distributions Report
- [A39] Part 1 Officer Understanding Potential Strategic Sites Evaluation
- [A40] Part 2 Officer Analysis and Findings
- [A87] East Kent Local Investment Plan 2011-2026 Part A.
5.1
Is the level of detail presented in policies CSD6-CSD9 (and supporting text and diagrams) appropriate for inclusion within a Core Strategy? For example, does the identification of ‘broad locations’ for development prejudice the consideration of detailed sites in future DPD’s? Is it clear how these proposals will be taken forward in forthcoming DPD’s?

Policies CSD 6 & 7

5.1.1 Policies CSD6-9 address important places across Shepway. They reflect where change is expected to occur on a scale that is strategic in its wider contribution to the district’s sustainable development; but not within a single large landholding. The policies are similar in providing direction for major settlements in relation to land-use and infrastructure, but vary in the nature of specific opportunities identified. A balance is required between strategic direction to stimulate and support the delivery of plan objectives; but not providing unnecessary detail that is best dealt with in a neighbourhood plan or DPD. Nevertheless, these policies are central to the place-shaping approach of the CS and its objectives.

5.1.2 Provisions in CSD6 are necessary to co-ordinate the extensive potential within inner Folkestone. Development of Folkestone Town Centre is consistent with the South East Plan including policy TC1 and should be tailored towards delivering commercial investment [A8; e.g. paragraph 10.29] and addressing local pockets of severe deprivation (CS Figure 2.6 – Indices of Multiple Deprivation in Shepway / [A28 pages 31-32 inc.]). The town centre has demonstrated its capacity to attract and deliver both inward investment for transport purposes (Folkestone Central upgrade and High Speed rail services), successful major redevelopment (Bouverie Place shopping centre) and refurbishment for small business purposes (Creative Quarter).

5.1.3 Long-term strategy is required if this is to continue and for the town’s infrastructure and environment to be improved in parallel. CSD6 is justified by evidence including the Folkestone Town Centre Spatial Strategy report [A10] commissioned by KCC for Shepway that identifies priority public realm and connectivity improvements, while major development sites are confirmed in the ELR and SHLAA [A8/ A1]. The guiding ‘arcs’ identify a range of current/potential uses and
opportunities in different parts of the town, reflecting contrasts in the town’s inner character, including central Conservation Areas.

5.1.4 It is considered the Central Folkestone Strategy CSD6 brings together the identified mixed-use potential of the town. It provides an entirely appropriate level of detail to ensure conservation and regeneration objectives are reconciled, with further evaluation to be undertaken to inform future work (notably the scope of the Allocations DPD).

5.1.5 Policy CSD7 Hythe Strategy guides the delivery of environmental, economic and social objectives for Shepway’s second town. No major development is allocated within the CS for Hythe although the delivery of the recent major planning permission [Y06/1079/SH] at the former Nickolls Quarry to the southwest of the town is supported. Hythe is the town with the highest land values in Shepway and local housing market areas are ranked ‘high’ in the east Kent context [A6; Annex 4] and it has proved capable of attracting private sector investment.

5.1.6 CSD7 addresses the potential to address the currently generally deprived area between the Quarry and town centre and the associated movement corridor; it co-ordinates requirements for conserving and enhancing central Hythe, and prioritises investing in infrastructure and tourism (with delivery expected to be furthered through CIL revenues). The requirement for maintaining and improving employment provision is justified in the ELR [A8; para 9.28-9.29].

5.1.7 Hythe Town Council have recently expressed an interest in producing a neighbourhood plan. This should help deliver the strategic aims of CSD7.

**Broad locations and future DPDs**

5.1.8 Broad locations for growth provide strategic context but do not prejudice the detailed consideration of sites in the future and encouraged in the NPPF (paras. 47 and 157). Central government described them as “a proactive approach to planning, which reflects positive choices about the direction of future [S9 para 46] housing development, rather than a reactive approach to development opportunities as they arise.”

5.1.9 The CS aims to deliver sustainable development by providing sufficient certainty and operating within a framework that can respond flexibly to changing
circumstances. Specific spatial guidance is necessary in key places of change. It is necessary for policies CSD6-9 to feature selected details so as to provide meaningful guidance for the community and developers, particularly in relation to the infrastructure that should accompany development, and other strategic urban regeneration requirements.

5.1.10 Hythe Strategy CSD7 does not commit any specific areas of land to any particular use. Figure 5.6 only shows the current situation in terms of land with planning permission or an existing allocation/use. In CSD6, the two ‘Arcs’ cutting across central Folkestone provide ‘areas of search’ but explicitly avoid defining areas by use. Guidance is provided in terms of the wider mix of preferred uses to best meet the town’s (and CS) regeneration objectives, but this cannot be seen as ‘prejudicing’ the consideration of individual sites. New Romney and Sellindge are discussed further below.

5.1.11 These policy objectives will be taken forward via future Development Plans, most notably the Allocations DPD to which the council has committed and scheduled in its LDS [G14]. For the avoidance of doubt, the council would support further amendments to CS text required to this end.

5.2 Notwithstanding the above, are the details of developments proposed in policies CSD6-CSD9 (such as broad locations, scale of housing and likely infrastructure needs) adequately justified by the evidence base? Why have other sites (including sites that are now being promoted by representors) been discounted?

5.2.1 The Strategic Distribution report [A90] supports a focus on New Romney as the most sustainable location for growth in south Shepway (Romney Marsh). This is due to its concentration of service provision, rural transport service and relatively low flood risk. In particular, deliverable options exist to the north of the town centre, made up of several individual smaller land parcels, and accordingly the area was supported for development in Preferred Options consultation [G5; p.108].

5.2.2 The heart of this area (south of Cockreed Lane) is represented by landowners and consultants working together as a consortium. They produced an Outline Feasibility Study [S10] examining the sites and their local environmental and historic
context, in order to produce initial design and layout ideas to justify the residential quantum and support deliverability. Documents A80 and A81 demonstrate the associated local consultation in 2010 to inform the proposals.

5.2.3 The proposals as documented in the Feasibility Study were the basis of those examined alongside other locations in the detailed Shepway Strategic Sites Assessment process against external criteria [A39 and A40]. This led to the site recommendations agreed by Cabinet in April 2011 which concluded development at New Romney was:

“A. Generally critical to the delivery of the spatial strategy / possible that district vision not met if site not delivered.
B. Strongly consistent with national policy....”

The site remains in close accordance with national policy [NPPF para 156-157]. To take the site forward, and in recognition of the importance attached to sustainable development delivery in Romney Marsh, further work was commissioned to address physical and infrastructure capacity and to explore additional deliverable layout options. This is document A82.

5.2.4 As shown in Fig 1.1 of A82 this focused on ‘Consortium’ [S10] land, associated education land, plus a developed site immediately to the north - the former New Romney Potato Company - that largely consists of existing buildings and hard standing.\(^1\) This evidence document is the main basis of the policy content in CSD8 reflecting both the broad growth location, and the town itself (for example A82 section 1.4).

5.2.5 Land southwest of Ashford Road (Appendix 5.1; row R) is a site identified through the SHLAA that lies in very close proximity to the town centre. However, following the SHLAA the Environment Agency have commented negatively in relation to specific fluvial flooding issues on the site\(^2\).

\(^1\)Appendix 5.1; row Q This site’s owner submitted an outline planning application for residential redevelopment under reference (Y10/ 068/ SH). This has not been determined.
5.2.6 Also not highlighted on Figure 5.7 is land west of Cockreed Lane (Appendix 5.1; row A). This was considered\(^2\) as an alternative option [RM2b] but not part of the preferred strategy in 2009 [G5] – the land extending out along Hope Lane into the open landscape of Romney Marsh. The landowner has now reduced the proposed developable area substantially but it remains isolated from the other undeveloped parcels proposed; and no significant evidence has been put forward to justify its inclusion having regard to matters such as flood risk, landscape impact or transport.

5.2.7 The ‘main potential new residential/ open space development’ broad location shown on CS Figure 5.7 reflects the core development area in A82 Figure 1.1, which is closely related to exiting development and does not represent a significant encroachment into the countryside. The council has accepted that it does not generally object to amendments to illustrations such as this map as necessary; but does not consider that evidence or local character currently justifies supporting strategic development west of Cockreed Lane.

**CSD9 Housing and infrastructure justification**

5.2.8 Policy CSD9 proposes a broad location for Sellindge in order to deliver improvements in local community infrastructure. SHLAA criteria [A2] recognised the generic suitability of core parts of the settlement for residential development due to its local services (including school, GP surgery, shop/ post office and Public House) and seven day a week bus services. This was reflected in a site proposal in Preferred Options [G5; option ND2], which was the smaller of the two sites then known to be available [G5; option ND2b / map 12.5].

5.2.9 In response to this consultation, the council elected to review the delivery of Sellindge’s development. This was inspired by a positive proposal from the Residents Association formally submitted as a consultation response in 2009. This highlighted a desire within the community to provide a central open space which could be supported through some residential-led development [the plan is document A116] on a ‘new’ site in the centre of the village (agricultural land, historically common land).

5.2.10 The council strongly supported the principle of locally-led proposals for the village. In order to provide resources to further explore options in Sellindge, the council responded to the national Rural Masterplanning Prospectus which sought ‘to

\(^2\) The situation is similar for proposals seeking major expansion of Littlestone (CS Representor 883, Row D in Appendix 5.1).
develop the [Taylor] Review’s suggestion of a competition, particularly for rural authorities wanting to provide growth over an extended period …”[S16 Para 1]. This bid was successful, and following a competitive process, Urban Initiatives were appointed to work with the local community to determine development options for the village; overseen by the Homes & Communities Agency.3

5.2.11 The resulting research, engagement, and options generation is documented in ‘Sellindge’s Future’ [A84]. Local development options (sites/uses) were generated and initially tested by local people partaking in a ‘village game’ exercise using a live interactive map that provided objective information about key sustainability and delivery considerations (including viability, compactness and landscape sensitivity). This activity formed the basis of initial design options which were scored by local people against relevant factors for Sellindge such as a compact village, a central focus, community/open space benefit, residential contribution to vitality [A84, 4.2.2].

5.2.12 Allied with further viability evaluation, this community-led process resulted in a ‘shortlist’ of two options. Both featured land on the A20 opposite the Swan Lane junction [Appendix 5.1 row H] in the centre of Sellindge. However one option also included land to the east of this (north of the A20) [Appendix 5.1 row K], whereas the other included land to the west on the A20 [Including Appendix 5.1 row I]. These two options [summarised in A84 Figures 5.1 and 5.2] were the focus of a public exhibition at Sellindge Village Hall on 10th and 11th December 2010.

5.2.13 The conclusion of this local engagement was overall support for the notion that “a limited amount of planned housing development over future years can bring benefits to the village” (56% respondents who completed the post-exhibition questionnaire “agree” or “strongly agree”, with 18% “unsure”). It is recognised several comments preferred a lesser amount of housing [A84; Appendix N]. As well as a response to housing need issues, this can be seen to reflect popular support for the new village open space and improvements to the pedestrian/cycle environment in both options.

5.2.14 However, opinion between the alternative locations additional to the ‘core land’ was finely balanced. Policy CSD9 accounts for this and moreover reflects

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3 Document A83 is a full timeline of these stages (up to the commencement of project community engagement in summer 2010).
support for a mix of uses and seeks delivery of community/ green infrastructure through housing development.

5.2.15 Urban Initiatives considered deliverability throughout the process, in discussions with landowners and set out in A84 Section 6.4/ Appendix N. Therefore CSD9 allows for “approximately 250 dwellings” to ensure other uses and infrastructure improvements are achieved for the village. The council considers it essential there is certainty - given the nature of the project and community views – that the prospect of any larger development is not supported in the CS.

5.2.16 In terms of location, CSD9 requires in both options core land south of the A20 to be the focus of any broad location. Urban Initiatives provided evidence of advantages of land to the west of core land against project and planning objectives (including compactness, access, vitality, and more ‘defensible’ land in terms of planning certainty [A58; Section 5.2]). This is reflected in the most detailed diagram they produced [A58, Figure 6.1] which was included in the July 2011 CS as figure 5.8.

5.2.17 CSD9 will provide the basis of further investigation and discussion of the delivery of community-led development at Sellindge in the Allocations DPD. The council supports development to achieve the community benefits identified in the ‘Masterplanning’ process / A58, with a priority on the infrastructure identified in CSD9, although it is not considered necessary or appropriate in line with the CS spatial strategy for the associated residential development to exceed c. 250 dwellings.

5.2.18 A broad location is suitable as - reflecting community opinion and to maximise the prospects of achieving a development to meet community objectives - the council has not ruled out the necessity of land to the east (north of the A20) if proved to be ultimately required instead of the west of the core area. This is better reflected diagrammatically in new Figure 5.8 in the January 2012 CS [A118; Ref Change D31-D32].

5.2.19 Sites put forward for residential outside of the urban housing market areas that have been discounted are noted in Table 5.1
5.3

Does the Core Strategy adequately explain the Council’s position with respect to Lydd Airport? Is the approach set out in Core Strategy paragraph 5.115 adequately justified by the submitted evidence base? Is it clear how the Council’s support for airport expansion in principle will be carried forward in planning policy terms? At what point is it intended to replace saved Local Plan policy TR15?

5.3.1 SDC has set out its formal position in relation to the Airport in the 2010 consideration of planning applications. The principle of expansion of the airport at Lydd (London Ashford) is supported. The recent Budget 2012 announcement by the Chancellor confirmed that the government must ‘confront the lack of airport capacity in the south east of England’ with an announcement on its aviation strategy due this summer. This announcement could provide a national context for the intention to expand Lydd Airport.

5.3.2 The eventual determination of these applications by the Secretary of State for Transport and the Minister of State for Planning is central to planning the future of the Airport; and in the interim it is inevitable that there is a degree of uncertainty. In this context, Shepway District Council considers it appropriate that the existing policy provision for the airport remains in place (Local Plan Review [G6] policy TR15) but that it is reviewed in due course: in light of the Governments decisions and progress in delivering the district’s new spatial strategy.

5.3.3 SDC has committed to both producing a land Allocations DPD and Development Management DPD (see Local Development Scheme 2011 [G14]). Policy TR15 will be replaced either by a new policy in the Development Management plan or by a new allocation in the Allocations document, depending on the detail of the Secretary of State’s decision.

5.3.4 The airport is also a unique site and there is no comparable or alternative site in the district or adjoining ones. Nevertheless alternative approaches for the site itself were considered in the Shepway LDF Core Strategy - Preferred Options consultation
document (2009) [G5]. Moreover, options have been tested within the wider context of Romney Marsh’s future (for instance see paragraphs 10.7 -10.10 of the Preferred Options Core Strategy). It is not considered there are significant developable alternative opportunities to assist Romney Marsh’s regeneration that are not already supported.

5.3.5 The spatial strategy for the Romney Marsh character area is set out within Core Strategy policy SS1 (District Spatial Strategy). The delivery of this - developing the critical mass of uses, services and infrastructure at New Romney – is set out in policy CSD8. The overall ambition for places within the Marsh is documented in the Core Strategy’s vision and Romney Marsh area future in section 3.2 of the Core Strategy. The spatial strategy for the Romney Marsh area will remain applicable whatever decisions are reached on the airport.

5.3.6 It is evident that the Core Strategy vision and the district spatial strategy are not contingent on whether or not the Airport is expanded, although the Council considers that planning permission would make an important contribution toward addressing the underlying economic issues on the marsh. Increased employment at the Airport, allied with indirect and induced employment, is considered to offer a significant positive contribution in the context of the small rural economy.

5.3.7 Shepway District Council would conclude that the Core Strategy’s approach to the Airport is suitable and sufficiently supported in its own right and in the context of wider strategy for Romney Marsh.

5.4 In respect of the duty to co-operate introduced by the Localism Act 2011, can the Council explain how it has responded to the representations made by other local planning authorities – notably: Kent County Council, Dover District Council and East Sussex County Council?

5.4.1 The Localism Act 2011 places a duty on local authorities to co-operate. Given the geographical nature of Shepway and its infrastructure there is no strategic reason for a CS to extend beyond the district’s administrative boundary.

5.4.2 The council has a clear history of collaborating with its neighbours and other relevant bodies [G16] and this has been reflected throughout CS production. This
includes the process of producing evidence [for instance A87 on infrastructure, A6 and A4 on housing] addressing South East Plan policies such as EKA1 and EKA3.

5.4.3 Certain issues have been the focus of post CS publication discussions; especially as Kent is a two-tier council area. The council has responded to points made by adjoining councils and the County Council by discussing their points and proposing minor amendments in the January 2012 CS as appropriate (few, if any, potential issues of genuine plan soundness have been raised). These are specifically listed in Appendix 5.2 for Dover District, East Sussex and Kent County, Councils.

5.5 Is it clear which Local Plan policies are being superseded by which Core Strategy policies? Would this information be more clearly presented in a separate appendix?

5.5.1 It is clear which local plan policies have been superseded within the Core Strategy. The saved Shepway District Local Plan Review policies that are intended to be deleted on the adoption of the Core Strategy are clearly indentified in the last paragraph in the text following a policy. This pattern is repeated throughout the document.

5.5.2 Appendix 5 of the Core Strategy details those policies that are anticipated to be retained on the adoption of the Core Strategy. This allows the current (as proposed) development plan to be seen collectively – the CS itself with a list of ‘remaining’ Local Plan policies.

5.5.3 There may be alternatives to this presentation, and the council would be content if Appendix 5 was extended to list deleted policies (or any other suitable change). For example, Appendix 3 of the Local Development Scheme [S15] report to Cabinet 2.11.11 provides a resume of Shepway District Local Plan Policy. The table shows the status of policies, specifically:

- Local Plan Review Policy that is expected to be retained under the Core Strategy
- those policies that were deleted in 2009 when the polices within the Local Plan Review were checked
• those policies that are expected to be deleted upon the adoption of the Core Strategy and the intended Core Strategy policy that is intended to replace them.

This could be updated as required; although the plan is considered sound as submitted.

5.6
Is it necessary or appropriate to include changes to the proposals map arising from a different DPD (the Kent Minerals Plan) in Core Strategy Appendix 4? What is the status of that document?

5.6.1 Two of the Plans within the Kent Minerals and Waste Local Plan are applicable to the Shepway District Council area; they are the Kent Minerals Local Plan: Construction Aggregates (1993) and Kent Waste Local plan (1998). However these allocations were not shown on the Shepway District Local Plan Review (2006) Proposal Map, and therefore it is not compliant with the requirements set out in PPS12 (2008)\(^4\). Subsequently the allocation maps were included as an appendix to the Core Strategy to ensure compliance with PPS12.

5.6.2 The Maps shown in CS Appendix 4 reflect the existing position. This is perhaps rather dated, but KCC’s Minerals and Waste Development Framework Core Strategy is due to reach Publication stage Autumn 2012. Shepway District Council has played an active role to date and it is known that the current allocations could change subject to the timing of adoption of both plans. However it is not considered that this would be likely to have any significant Shepway CS implications.

5.6.3 Due to prospective amendments to mineral/waste plans, and as PPS12 has now been cancelled and replaced by the NPPF, the Shepway CS would be sound with removal of Maps 6.4-6.8.

\(^4\) PPS12, section 8, required District planning authorities to include on their adopted proposals map, any minerals and waste allocations which are adopted in a development plan document by the county council.
APPENDIX 5.1

ISSUE 5.1 & 5.2 – HOUSING SITES OUTSIDE OF FOLKESTONE / HYTHE LHMA
(See Appendix 4.1 for elsewhere)

SHEPWAY CORE STRATEGY– INSPECTOR’S MIQs: MATTER 5
REST OF SHEPWAY (NON FOLKESTONE & HYTHE) LHMA (RESIDENTIAL) Sites

Applicable area: The Marsh, New Romney & Lydd, East Kent Rural South, Local Housing Market Areas (CS figure 5.1) as defined in the East Kent SHMA i.e. all Shepway wards apart from ‘Folkestone….’ wards, North Downs East ward, and ‘Hythe….’ wards.

This consists of two tables to clarify whether the CS has dismissed ‘omission sites’ or whether a neutral or positive position has instead been adopted.

1. Sites ‘rejected’ through the Core Strategy process

The table below (4.1) lists relevant residential sites that were:
- Explicitly ‘rejected’ in CS consultation documents (Preferred Options [G5]) OR
- Other sites with a supporting 2011 CS landowner representation WHERE
  o Found to be undeliverable/ undevelopable sites in the SHLAA [A2]
  o Not within Options A&B featured at the Sellindge public exhibition [see A84; Appendix L].

TABLE 5.1 – ‘REJECTED AS STRATEGIC ALLOCATIONS’

<table>
<thead>
<tr>
<th>SITE DETAILS</th>
<th>WHY NOT SUPPORTED IN CORE STRATEGY</th>
</tr>
</thead>
<tbody>
<tr>
<td>CS Rep. number and landowner/ consultant name</td>
<td>Name of land or address</td>
</tr>
<tr>
<td>A 668 [Savills] Christ Church College</td>
<td>NW of New Romney</td>
</tr>
<tr>
<td>B 630 Sarah Gardner</td>
<td>Land at Grove House, A20, Sellindge</td>
</tr>
</tbody>
</table>
2. Other sites with a supporting 2011 Core Strategy landowner representation

Sites in the area with representations:

- Clearly Seeking residential use, OR
- Currently allocated for residential

Not ‘rejected’ through the Core Strategy process (supported/neutral) but not suitable as strategic allocations.

<table>
<thead>
<tr>
<th>SITE DETAILS</th>
<th>STATUS IN THE CORE STRATEGY</th>
</tr>
</thead>
<tbody>
<tr>
<td>CS Representator number and landowner/consultant name</td>
<td>Name of land or address</td>
</tr>
<tr>
<td>G 032 [RPS] Arena Leisure</td>
<td>Folkestone Racecourse</td>
</tr>
<tr>
<td>H 902 [Smiths Gore] Royal Foundation of St Katherine’s’s</td>
<td>Land on A20, opposite Swan Lane junction, Sellindge</td>
</tr>
<tr>
<td>I 921 [Peter Court] Norrington Estate</td>
<td>Land south of A20, Sellindge</td>
</tr>
<tr>
<td>Objector</td>
<td>Description</td>
</tr>
<tr>
<td>----------</td>
<td>-------------</td>
</tr>
<tr>
<td>J 900 Taylor Wimpey</td>
<td>[Area covered by representors 902 and 921]</td>
</tr>
<tr>
<td>K 666 [CgMs] Bucknall Trust</td>
<td>Sellindge East, northeast of motorway bridge.</td>
</tr>
<tr>
<td>I 935 Mike Simmonds, Kent Planning [Mr &amp; Mrs Cook]</td>
<td>Rhodes House, off A20, Sellindge</td>
</tr>
<tr>
<td>M 918 Marianne Surridge</td>
<td>Elms Farm, Ashford Road, Newingreen</td>
</tr>
<tr>
<td>N 021 [Joe McClenaghan, Blue Sky Planning], Phides Estates</td>
<td>Former Airfield, Aldington Road, Lympne</td>
</tr>
<tr>
<td>O 029 Stuart Williamson, AMEC [Crown Estate]</td>
<td>Land at Pod Corner, Brookland</td>
</tr>
<tr>
<td>P 882 [Jeanne Taylor, Lee Evans]</td>
<td>Land off Jenner’s Way,</td>
</tr>
</tbody>
</table>
3. Summary

It can be seen in Table 5.1 a limited number of small-medium proposed housing sites have not been supported in the CS / evidence. Potential conflicts with CS objectives are identified. These sites are mostly in more isolated locations e.g. away from the inner parts of settlements (especially those that feature as broad locations). The exception is representor 678 (Row E), which is put forward by the landowner as required for development in support of site SS8, Folkestone Racecourse.

Table 5.2 shows a range of ‘other’ sites. Objections for larger sites commonly relate to specific details in the CS, or alternatively, the strategic non-allocation of some. Some others are small ‘new’ sites. Many issues raised are not strategic and must be examined further in a DPD once a CS is in place.

The large site in row N does not sit in the ‘rejected’ Table 5.1 but following detailed assessment alongside other large sites [A39-A41] there was considered no strategic necessity to allocate it for the current development proposals. The site’s history should also be noted, for instance that a large development on this site was refused and dismissed at Public Inquiry (Application 99/1147/S)
### APPENDIX 5.2

**Issue 5.4 – Duty to Co-operate and CS Representations**

The following list is not exhaustive of all comments/changes.

<table>
<thead>
<tr>
<th>Subject Matter</th>
<th>July 2011 Core Strategy / On-line Comment Reference</th>
<th>Proposed Action Editing Schedule</th>
<th>Change Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Energy</td>
<td>4.86 KCC Comment 752</td>
<td>Sentence inserted at beginning <em>The principle of decentralised energy sources in new developments, including combined heat and power, and small scale/ community based renewable energy, is supported.</em></td>
<td>Document A118 Change Y58</td>
</tr>
<tr>
<td>Operation Stack</td>
<td>Statement 4.2 KCC Comment 757</td>
<td>Replace “participate in any review carried out…” with <em>co-operate with partners including KCC and the Highways Agency to help develop solutions to ‘Operation Stack’.</em></td>
<td>Document A118 Change Y73</td>
</tr>
<tr>
<td>Sellindge</td>
<td>5.148 KKC Comment 790</td>
<td>Deletions to refer to: <em>of “physical”, “in”, “which conveys through traffic, including heavy goods vehicles and”, “for example due to vehicles avoiding restrictions when ‘Operation Stack’ is enforced” and “of up to 40 miles per hour are currently permitted”</em></td>
<td>Document A118 Change Z76</td>
</tr>
<tr>
<td>Operation Stack</td>
<td>Table 6.2</td>
<td>Participate in seeking solutions to ‘Operation Stack’ issues in Kent replaced with <em>Co-operate with partners to help develop solutions to ‘Operation Stack’ issues in Kent</em></td>
<td>Document A118 Z102</td>
</tr>
<tr>
<td>Tidal Flooding (selected amendments)</td>
<td>4.74 New Paragraph after 4.74</td>
<td>First two sentences deleted. Replaced by <em>Redevelopment of residential sites has been a key part of housing supply in some parts of the district, but where proposed in Flood Zones 2 and 3 the specific design features will require particular consideration. For safety reasons it is unlikely that single storey dwellings will be appropriate in these locations.</em> Inserted <em>To promote sustainable, secure and vital places, development will be promoted by the guiding locational principles of protection of critical uses and places, avoidance of hazards, and design adaptation; operating in the context of sustainable development options within the character areas of Shepway. This will be delivered through an insistence on high quality and sustainable design; by</em></td>
<td>Document A118 Change Y50, Y51, Z35</td>
</tr>
<tr>
<td>4.142 (Folkestone Seafront)</td>
<td>protection of the countryside and natural and historic environments; the application of a sequential approach for developments at risk of flooding or at risk of impacting adversely on viability; and the efficient mixed use of land that is well related to settlements, previously developed land, or well served by a choice of transport modes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.4.189 (Folkestone Racecourse, Westenhanger)</td>
<td>Replaced to read “Coastal defence is also crucial to the district’s sustainable development. The council supports planning for shoreline management, set out in the Folkestone to Cliff End Flood and Erosion Management Strategy and the South Foreland to Beachy Head Shoreline Management Plan. These have been assessed to ensure their sustainability and seek to work with natural processes where possible while ensuring that risks to life and property are minimised.”</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Expanded with reference to application of sequential test/ evidence.

Expanded with reference to application of sequential test/ evidence.

| Runoff | CSD5 2nd bullet point: |
| | End first sentence after current semicolon. Insert extra sentence there: “Sustainable Urban Drainage Systems must be considered and only where shown to be unfeasible should alternatives be considered.” |

Last para expanded with addition of: “including the national agencies, local authorities and utility companies, to manage development...”

Comments made regarding New Romney Primary School were withdrawn by KCC after further consideration

| Dungeness C Power Station | New para |
| | Starts as 1st sentence of para. 5.113, then states: “with approximately 20% of all employees within the Romney Marsh area currently employed at Dungeness A or B. Dungeness A station is currently undergoing long term decommissioning, with a significant decline in positions from 2017-2019. Policies for the management of the waste generated by the decommissioning process should be...” |
Lydd Airport – KCC are considered to generally accept the current position regarding the Lydd airport and how it is dealt with under the CS.

**Delivery CSD10**

- Dover DC comment ID 153
- East Sussex CC comment ID 728

Last sentence changed to read: **“Shepway District Council will collaborate with partners on the sustainable development of the area in accordance with the statutory Duty to Co-operate.”**

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- Please also see correspondence from KCC featured in document Y1 ‘Supplementary Correspondence’.

**East Sussex CC**’s representations centred on the undetermined Lydd Airport expansion planning applications rather than specific CS proposals. This is reflected in the following email of confirmation:

11.4.12

Dear Mark,

Following our telephone conversation a short while ago, I am able to clarify the following:

- with regard to the final sentences of the officer comments made on the proposed submission Core Strategy consultation document, we are satisfied that all is being done to mitigate the cross border impacts in East Sussex that any traffic generation from the proposed extension to Lydd Airport will create. It is noted that an appeal decision is still pending, and the Section 106 includes a requirement for a contribution (£25,000) towards traffic management in Camber should traffic levels increase by 5% or more.
- we will not be submitting any further comments to the Inspector’s matters, issues and questions relating to the examination of Shepway’s Core Strategy.

I trust this satisfies your queries, however, please contact me should you have any outstanding matters to discuss.
Dover DC have updated their position in light of the above and the Record of Co-operation document [G16]. This has now been confirmed by means of an officer statement as follows:

30.3.12

Mark,

Many thanks for E-mail.

I would like to confirm that at an Officer level we are happy with the content of document that you have directed me to and the changed wording in CSD10.

We look forward to continuing to work with Shepway DC to achieve our joint Core Strategy aspirations.

Please take this E-mail as confirmation and forward it to the Inspector as appropriate as an update to our representation.

Adrian Fox
Principal Planner
Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ

Please consider the Environment before printing this email

Adrian

Thanks for the conversation earlier. As discussed in relation to the question from the Inspector:

5.4 In respect of the duty to co-operate introduced by the Localism Act 2011, can the Council explain how it has responded to the representations made by other local planning authorities – notably: Kent County Council, Dover District Council and East Sussex County Council?

-I would be grateful if you could confirm in writing (to us imminently or to the Inspector by 12th April) the fundamental points of what we have agreed in communications with you following your objection at Publication stage.

We understand this to be that sufficient cross-boundary consideration has taken place, and – in relation to the 2 Dover objections – the following commitments subsequently made by us are agreeable to you.

Generally / Water

Our document in response to the introduction of the Duty, which has been warmly welcomed by Tim Martin and others, can be found at:
You will note a footnote to Table 5 responds to Dover’s questioning of water evidence, reflecting conversations.

Implementation policy CSD10

Following the introduction of the Duty, and Dover’s main comment over the interpretation of this, changes have been mooted by the Shepway that we hope will feature in an adopted plan. The specific change is:

CSD10 Last sentence changed to read:
“Shepway District Council will collaborate with partners on the sustainable development of the area in accordance with the statutory Duty to Co-operate.”

This is the last change in Document A117 on the link is above.

The NPPF does not alter the Duty and we therefore trust Dover’s position is unchanged from our discussions earlier in the year. I would be grateful for written confirmation of this acting as an officer ‘update’ to Dover’s 2011 representations.

Many thanks,

Mark.

Mark Aplin
-Planning Policy
Team Leader.

Planning & Communities Directorate
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