Representations to the Shepway Core Strategy Examination on behalf of National Grid

Background

On March 27th, the Government published the new National Planning Policy Framework (NPPF), which supersedes all previous national Planning Policy Guidance Notes and Planning Policy Statements, including PPS12, which related to Local Spatial Planning.

National Grid previously made representations to the Core Strategy Submission Consultation in 2011. These representations were made in the context of PPS12, which has now been superseded by the NPPF. Accordingly, whilst the substance of the representations made to the 2011 Core Strategy still stands, Firstplan have now been instructed to submit further, supplementary comments ahead of the Examination following the publication of the NPPF. These comments should be read in conjunction with the previous representations submitted in September 2011.

As previously set out, National Grid own part of the Old Gas Works site, Ship Street, Folkestone. This site comprises a total of 1.67 hectares and is located to the northwest of central Folkestone. The District Local Plan Review, adopted 2006, identifies the site under Policy HO2 as being suitable for housing and the SPD for the site (adopted March 2008), which deals specifically with the Old Gas Works site, establishes the principles for the type of residential development considered appropriate on this site.

NPPF Summary

The NPPF sets out that its purpose is to contribute to sustainable development, which incorporates three dimensions - economic, social and environmental. It states that “to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system”.

The document goes on to state that “at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking”.

At paragraph 17, it sets out 12 core planning principles, one of which highlights that planning should “encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.”

The NPPF emphasises the Government’s commitment to securing economic growth in order to create jobs and prosperity, and, at paragraph 19, explains that “the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth.”

Paragraph 22 of the document also highlights that “land allocations should be regularly reviewed”.
In respect of plan-making, the document states that “Local Plans must be prepared with the objective of contributing to the achievement of sustainable development. To this end, they should be consistent with the principles and policies set out in this framework, including the presumption in favour of sustainable development.”

At paragraph 157, the document sets out a number of key criteria which Local Plans should meet. This includes, of particular relevance, the provision that Plans should “allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate.”

At paragraph 182, the NPPF sets out four key tests of soundness for Local Plans, namely that a plan is positively prepared, justified, effective and consistent with national policy.

National Grid comments

The previous representations submitted by National Grid (NG) September 2011 highlighted that we are of the view that Policies SS2 and SS4 of the draft Core Strategy are unsound, because they are not effective and not consistent with national policy. These two key tests are retained within the new NPPF guidance, and NG’s comments set out within the previous representations still stand and should be considered by the Inspector as part of the Examination process. It is not, therefore, our intention to repeat these comments. However, a summary of the key points is provided below.

- Effective

In order to be effective, the NPPF explains that “the plan should be deliverable over its period…”

As previously set out, NG are committed to working with the Council and stakeholders to deliver the redevelopment of the Ship Street site, which offers a highly sustainable location for development. The draft Core Strategy does not specifically refer to the Ship Street site, but NG’s representations to the Submission Consultation highlighted the need for the Strategy to provide sufficient flexibility to ensure the deliverability of the Old Gas Works Site. This is necessary in order to reflect the current challenging economic climate which - combined with the significant costs associated with the decommissioning and removal of the existing gas holders and the subsequent remediation works required to bring the site forward for development, which have already been incurred - mean that it is now clear that a solely residential scheme, as currently proposed under the District Local Plan Review and the Old Gas Works Site SPD, will not provide a viable development opportunity.

The NPPF highlights the need to “allocate sites to promote development and flexible use of land” (our underlining), and notes that “land allocations should be regularly reviewed”. Accordingly, to enable the deliverability of residential development on the site in line with the objectives of Policy SS2, the policy should be amended to include reference to the potential for new retail floorspace to be located in sustainable out-of-centre locations where such development will bring wider regeneration benefits to enable brownfield land to be brought forward for development. In addition, Policy SS4 should be amended to include reference to the potential for new retail floorspace to be
located in sustainable out-of-centre locations where such development will bring wider regeneration benefits and will help brownfield sites to be brought forward for development. In this context, the Ship Street site is located in a prime, sustainable location, close to Folkestone town centre. It is served by local bus routes and is only a short walk from Folkestone railway station.

- **Consistent with National Policy**

In order to be consistent with national policy, the NPPF explains that “the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.”

It is clear from the above summary that the overriding principle of the NPPF is that sustainable development should go ahead without delay, and thus there is a strong presumption in favour of sustainable economic development in order to secure economic growth. The document also seeks to encourage the re-use of brownfield land.

The NG land at Ship Street lends itself not only to residential uses, but also retail development. However, the high costs involved with the decommissioning and removal of the gas holders, and the subsequent remediation of the land means that solely residential development will not be viable in current economic circumstances.

For the reasons presented within NG’s detailed representations in September 2011, it is fair and reasonable that the emerging planning policies should take into account the cost of remediation in designating land uses. This is specifically relevant with the Old Gas Works site at Ship Street, where significant costs have already been incurred.

Policies SS2 and SS4 should therefore be amended as indicated within NG’s previous representations in order to ensure that the redevelopment of this prominent, brownfield site can be brought forward in line with the aims and objectives of the NPPF.