Examination of Shepway Core Strategy DPD

On behalf of AA Clifton Ltd

MATTER 1

By Courtley Consultants Ltd
April 2012
1. Matter 1 Spatial Strategy, Development Distribution and Environment (SS1, SS3, SS4 and CSD4)

1.1 Strategic Corridor

1.1.1 The Council's Strategic Corridor as proposed in SS1 is not robustly defined or adequately justified in respect of the AONB. It appears solely to justify the Council’s choice of areas for development and offers no evidence of why this corridor should form the Council’s development strategy.

1.1.2 The Strategic Corridor appears arbitrary, lacking any justified evidence base and contrary to other economic and social ambitions set out in the Core Strategy. The Council does not acknowledge in paragraph 2.19 West Hythe as an area of deprivation but recognises that the area in Policy SS1 “as an area for regeneration”.

1.1.3 The sustainability test of the Strategic Corridor has not been tested against alternatives such as west of Hythe. The Strategic Corridor shown on Figure 4.1 should extend west of Hythe to comply with the Council's “Area of Strategic Change” where 70% of new residential development will occur in the urban area. The expansion of this corridor would also comply with the Council’s Settlement Hierarchy and its ambition in statement 4.1 “to focus major new development in Hythe on regenerating the west/south”.

1.1.4 In Statement 4.1 the focus of major new development on regeneration west/south of Hythe should identify the important role of Nickolls Quarry site and its strategic importance in delivering a new community to the area and the potential for further expansion.

1.1.5 With significant development at West Hythe and the potential to expand on the major development at Nickolls Quarry the Council have failed to consider the strategic role of this area of the District and has therefore failed to consider the strategic importance of this area to accommodate further development. No consideration has been given to the long term future of this area and how it should continue to build upon its sustainable strategic importance to this part of the district. Development opportunities west of Botolphs Bridge Rd should be included in the Council’s “Strategic Corridor”.

1.1.6 The Council underplays the role and strategic importance of Nickolls Quarry site. It fails to explain or expand upon the site’s role in paragraph 4.17 or paragraph 4.25. It lacks clarity or any explanation to the phrase “other Main Areas of Change” in Diagram 4.2. The Council need to be more specific as to what this area of change is about i.e. social, economic and environmental. In undertaking the above the Council would appreciate the longer term strategic
opportunities available to expand development in the area better enabling the Council’s to meet its objectives in the Core Strategy.

1.1.7 The Council should consider within the boundaries of its strategic corridor the future expansion of the Nickolls Quarry settlement west of Botolphs Bridge Rd to give greater sustainability and connectivity to this part of West Hythe.

1.1.8 Policy SS1 should show the Strategic Corridor extended in Figure 4.1 west of Hythe to include land west of Botolphs Bridge Rd. This would aid the delivery and long-term sustainability of the strategic mixed use development at Nickolls Quarry.

1.1.9 The strategic allocation of mixed use development at Folkestone Racecourse, Westenhanger is unsustainable, unjustified and is unsound. The justification for a private leisure company being subsidised to justify the delivery of over 800 dwellings in an unsustainable, sensitive location is without any planning merit. Should this allocation be approved it would suggest every racecourse in the UK could apply the same arguments for justifying unsustainable development. Alternative housing strategies have not been fully considered.

1.1.10 The Strategic Corridor which includes Westenhanger and Sellindge appear to have limited or little sustainable justification. These settlements are isolated and have limited facilities locally. The expansion of the committed settlement west of Nickolls Quarry would appear to provide a better sustainable and justified option.

1.2 Settlement Hierarchy Policy SS3

1.2.1 The features and characteristics that define the settlement hierarchy of Shepway are missing. Their status and strategic importance cannot be understood without their function and facilities being properly assessed.

1.2.2 The Settlement Hierarchy for “Strategic Towns for Shepway” i.e. Hythe should refer to the major regeneration at Nickolls Quarry west of Hythe. The Settlement Hierarchy needs to identify this part of Hythe as part of the urban area so its connection and relationship with Hythe is clear.

1.2.3 The settlement of Westenhanger is identified as a primary village more akin to that of a hamlet. The provision of a very large mix used development is inappropriate, unjustified and contrary to the Council’s sustainable objectives. The proposal for development at Folkestone Racecourse is contrary to the Settlement Hierarchy as described in paragraphs 4.63, 4.64 and 4.65

1.2.4 Policy SS3 Place Shaping and Sustainable Settlements Strategy suggest that development is directed towards existing sustainable settlements to protect the open countryside and its coastline. The use of the Council’s “Strategic Corridors” does not comply with this objective preferring to see major development at Westenhanger (Primary Village) in preference to the sustainable enlargement and regeneration potential west of Nickolls Quarry at Hythe (Strategic Town).
1.2.5 As the Council have not carried out an up to date Strategic Flood Risk Assessment (SFRA), the site selection and options assessments for alternative locations for development in sustainable locations cannot therefore have been properly assessed.

1.3 **Priority Centre of Activity Network**

1.3.1 Policy SS4 and Table 4.4 Priority Centre of Activity Network should identify the Major Employment Sites and provide the evidence and explanation of the role of these sites within the Core Strategy. Given the strategic importance of the development of site such as Nickolls Quarry a locational reference should be given and illustrated on an appropriate plan. Where and how are “older” Major Employment Sites defined and what is their role in the Core Strategy?

1.3.2 The Major Employment site notation is inadequate and the notation on the Figure 4.5 map does not accurately identify the location of the major employment site at Nickolls Quarry. A more accurate location would be between Hythe and Dymchurch giving further sustainable justification for future development west of Botolphs Bridge Road.

1.4 **Planning for Flood Risk (See Appendix 1)**

1.4.1 Policy SS3 Place Shaping and Sustainable Settlements Strategy refers to development located within zones identified as being at risk from flooding. The Council rely upon the Strategic Flood Risk Assessment (SFRA) to categorise its sequential approach. It does however acknowledge in paragraph 4.73 that “Residential development within flood zones 2 and 3 will be necessary to support the sustainable growth of the district”

1.4.2 The Shepway DC SFRA was completed in June 2009 and whilst the supporting flood maps contained within the SFRA were based on the most contemporary data available at the time, there have been a number of changes that will affect the way in which flood risk is depicted:

(a) Sea levels used to derive flood maps were revised by the Environmental Agency in 2011.
(b) The sea defence improvements work along Dymchurch frontage were completed in 2011. This work was not taken into account in the 2009 SFRA.
(c) Since the finalisation of the SFRA in 2009 new climate change predictions have been published and in the Shepway area this has resulted in a reduction in the predicted rate of sea level rise.

1.4.3 The SFRA does contain a recommendation for review and updating on a regular basis and the three key changes listed above will have a measurable impact on the way in which flood risk is depicted, especially in the vicinity of Dymchurch and hence the “sequential test”.

1.4.4 Section 4.4 of the Core Strategy refers to “Priority for Flood Defences” in the Hythe area. This relates to proposed flood defence improvement works to the
Hythe Ranges sea defence. The Environment Agency Regional Flood and Coastal Risk Management Programme published in February 2012 shows flood and coastal risk management schemes. The works along the Hythe Ranges frontage are currently programmed for 2016/17, well within the period of the Core Strategy (2012-2031).
APPENDIX 1

Herrington Consulting Ltd
Commentary on Strategic Flood Risk Assessment in relation to Botolpshs Bridge Road, Hythe Site.
Mrs F.A. Clifton-Holt
Heguelands Farm
Burmarsh
Romney Marsh
Kent, TN29 OJR

Date: 28th March 2012
Your Ref: 
Our Ref: spv282/2109
email: simon@herringtonconsulting.co.uk

Dear Anne

**Core Strategy Hearing 2nd May to 11th May 2012**

Further to my telephone conversation last week with Howard Courtley I have put some thoughts down that I think will allow you to question the process that has resulted in the Botolph's Bridge Road site being rejected. These are outlined below:

Shepway District Council's Strategic Flood Risk Assessment (SFRA) includes a suite of flood maps that were developed to allow the risk of flooding across the District, and in particular the low-lying Romney Marsh, to be depicted in greater detail than the Environment Agency's Flood Zone maps. One of the primary reasons for this was to allow Shepway to apply the Sequential Test more robustly. The maps used for this purpose are the Hazard maps, which sub-divide the flood risk area into four categories of hazard, based on an established methodology of defining flood hazard. This takes into account flood depth, velocity and the potential for debris entrained within floodwaters to increase the hazard to people.

The worst of these four categories is 'extreme' and the Core Strategy Policy SS3 has clearly stated that no residential development other than replacement dwellings should take place in areas identified as 'extreme'. The Botolph's Road site is situated predominantly within the 'extreme' flood hazard zone.

The SFRA was finalised in June 2009 and whilst the supporting flood maps contained with the SFRA were based on the most contemporary data available at that time, there have been a number of changes that will affect the way in which flood risk is depicted.

Contri...
The key changes are as follows:

- The marginal extreme sea levels used in deriving the flood maps were revised as part of national study published by the Environment Agency in 2011. The revised extreme levels tabulated in the ‘Coastal flood boundary conditions for UK mainland and islands Project: SC080064/TR2: Design sea levels’ report are approximately 0.3m less than the predicted extreme levels used for the SFRA.

- The sea defence improvement works along the Dymchurch frontage were completed in 2011. This improvement in the standard of protection was not taken into account in the SFRA because at the time of publication the risk of seawall failure in Dymchurch was high. However, now that the improvement works have been completed, the risk of failure is significantly lower and consequently the SFRA will need to be updated to reflect this.

- Since the finalisation of the SFRA in 2009, new climate change predictions have been published and in the Shepway area this has resulted in a reduction in the predicted rate of sea level rise. Consequently the current flood mapping over-predicts the risk of flooding in the future. At this point in time neither PPS25, nor its successor the National Planning Policy Framework (NPPF), has been updated to reflect these new predictions and therefore it is not possible to take into account the contemporary predictions for sea level rise.

The SFRA does contain a recommendation for review and updating on a regular basis and the three key changes listed above will have a measurable impact on the way in which flood risk is depicted, especially in the vicinity of Dymchurch. This may well downgrade the hazard rating for the Botolph’s Road site from ‘extreme’ to a lesser hazard classification. However, until the NPPF has been updated to reflect the most recent climate change predictions, it is not possible for the SFRA to take this change into account.

Notwithstanding this, the flood mapping could be updated to reflect the increase in the standard of protection provided by the Dymchurch seawall and the reduction in the predicted extreme sea levels in this area. In combination, the overall impact of these changes will be to reduce the flood hazard classification across the whole District and the effect of improved flood defence at Dymchurch will further enhance this change in areas that benefit from these new defences.

Section 4.4 of the Core Strategy refers to “Priority for Flood Defences” in the Hythe area. This relates to the proposed flood defence improvement works to the Hythe Ranges sea defences, which currently have a low standard of protection. I have referred to the Environment Agency’s Regional Flood and Coastal Risk Management Programme that was published in February 2012. This shows flood and coastal risk management schemes to which the Environment Agency Board has allocated Department for the Environment, Food and Rural Affairs (Defra) grant aid and have been approved by the Regional Flood and Coastal Committees (RFCC). It includes:
• Schemes which have reserved funding in 2012/13, and are expected to complete to the indicative funding profile given for 2013/14 and beyond.

• Schemes not funded in 2012/13 but with indicative funding from 2013/14. Confirmation of funding and timing will depend upon the development of outcomes, costs and partnership arrangements, considered in the context of national prioritisation.

• Schemes where reduced costs, improved outcomes or additional contributions are necessary for them to proceed within the next 5 years.

The works along the Hythe Ranges frontage are currently programmed for 2016/17; however, confirmation of funding and timing will depend upon the development of outcomes, costs and partnership arrangements, considered in the context of national prioritisation.

This week, the NPPF was published and has therefore superseded the Planning Policy Statement PPS25. However, having reviewed the new document, it is clear that the position of the new NPPF remains consistent with PPS25 in that development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. It remains consistent in its approach to Local Plans, which are required to be supported by a Strategic Flood Risk Assessment. These are also required to develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies.

The Sequential Test remains the overarching high level mechanism through which a risk-based approach to the location of development is applied. There is no change from PPS25 in this respect and in summary, there are no fundamental changes within the new NPPF that will have any significant bearing on the Botolph’s Road site.

I trust that above contains sufficient information and explanation of the impacts that recent changes may have on the SFRA and in particular the site at Botolph’s Bridge Road.

Yours sincerely

[Signature]

Simon Herrington BEng CEng MICE CWEM MCIWEM

CC : Howard Courley – Courley Consultants Ltd
Examination of Shepway Core Strategy DPD

On behalf of AA Clifton Ltd

MATTER 3

By Courtley Consultants Ltd
April 2012
3. MATTER 3. Folkestone Racecourse (Copy Policy SS8)

3.1 Is the development necessary in order to achieve improvements to the racecourse?

3.1.1 Policy SS3 Place Shaping and Sustainable Settlements Strategy sets out the principles of development. The proposed development at Folkestone Racecourse does not comply with points:

(a) The proposed use, scale and impact are inappropriate, inconsistent with settlement hierarchy status and unjustified. The Council has not demonstrated that the type, scale or location of this development is necessary to deliver improvements to the racecourse.

(b) The Council has failed to show that alternative approaches were considered and if so why were these discounted. The Council has not considered other location options to meet its housing requirements in significantly more sustainable locations i.e. west of Botolphs Bridge Road (West of Nickolls Quarry)

3.1.2 The Racecourse Strategic Site is unsustainable and is allocation appears solely to meet the private tourist needs of the company that runs it and as a secondary consideration the historic setting of Westenhanger Castle. Neither of which would justify a significant redevelopment of 800 dwellings at an unsustainable location adjacent to AONB.

3.1.3 The significant redevelopment of Folkestone Racecourse appears the only justification for extending the “Strategic Corridor” up to the M20 junction. It is difficult to conceive a situation where this development could ever be proposed without the reconstruction of the Racecourse. This however, is insufficient to justify its location, any more than suggesting a similar housing strategy around Port Lympne Wild Animal Park.

3.1.4 Planning Strategy for housing distribution should not be based upon the support of a private leisure activity especially one which employs only 10 full time staff and where its location is unsustainable, inappropriate in scale and type and unjustified.

3.1.5 Large scale residential development should not be justified to aid the diversification and extend activities at a racecourse to ensure the facility is retained in the long-term. This argument cannot guarantee the facility is secured in the long term because other economic, social and political factors may change the way people view horseracing and how they gamble in the future.

3.1.6 Residential development of this scale will create an isolated, dormitory settlement disconnected to any other community and will rely heavily on the use of the car for residents for work, recreation, shopping and community facilities.
3.1.7 The Council has not carried out an appropriate sustainability, landscape or settlement appraisal that justifies this land for development when compared to alternatives.

3.2 Is the allocation at Folkestone Racecourse consistent with National Policies?

3.2.1 The Council has failed to provide evidence that this location offers the best location for development and has failed to protect the countryside for its own sake and in particular protect the area from inappropriate development next to the AONB.

3.2.2 The development of 800 dwellings at this Racecourse is unsustainable with no nearby school, services or facilities. Its location will be dominated by the use of the car. Any attempt to improve public transport will not fundamentally change the unsustainable location at the site.

3.2.3 No specific detail is given regarding the “new community” at Westenhanger. A primary school is suggested to meet the needs of the development in part as a “focal point for the neighbourhood”. However, the exact size and means of provision of the school is uncertain. The Kent CC has not confirmed the need or funding for the school and it appears the 800 dwellings are not only being suggested to fund the private leisure facility upgrade but also the need for a primary school where capacity exists elsewhere in the District e.g. new primary school at Nickolls Quarry.

3.2.4 Policy SS8 provides no strategic evidence economically, socially or environmentally as to why the Racecourse would need such a fundamental re-construction. There appears to be little evidence regarding the existing operator of the racecourse, its economic contribution to the local economy i.e. employment, revenue and impact in the District. There has been no alternative strategy tested, no reason why the racecourse should be realigned and no reason for the scale, type and location of this development or why the owners cannot use its profits to fund the redevelopment of the site.

3.2.5 Has the Council tested the merits of this proposed development regarding the setting of Westenhanger Castle compared to alternative opportunities available for the Racecourse and the preservation of the Castle? Has the impact upon the scale of development been considered on the nearby AONB compared to alternative options? Has the scale of the development been judged solely against the corporate ambitions of the racecourse? Will local employment needs be met and where will it be located on the site (no employment shown). What will be its impact upon the setting of this location adjacent to the AONB?

3.2.6 The Council does not refer us to any independent evidence based documentation as a footnote throughout Policy SS8 section of the Core Strategy.
3.2.7 The provision of “around 250 affordable dwellings subject to viability” suggests a significant level of uncertainty regarding its delivery. The figure of 250 affordable units is not justified in this location on the basis of need. Therefore any affordable units would in all likelihood meet the needs of families and communities in other parts of the District. This would break up local and family ties and could lead to “affordable ghetto” away from sustainable areas for employment and community facilities, doctors and schools etc..

3.2.8 An access strategy already exists for the racecourse maximising the potential to use public transport via Westenhanger Railway Station. However, with a scale of development of around 800 dwellings, it should be the Council's preferred ambition to locate employment opportunities near the towns of Hythe and Folkestone. There is a greater threat that with the proximity of Westenhanger Railway Station, development at this location will end up becoming a dormitory town with a significant workforce working outside the District contrary to the aims of the Core Strategy.

3.2.9 The Council has provided little evidence as to the landscape impact of development on the countryside setting of the Racecourse and its proximity to the AONB and listed building of Westenhanger Castle as set out in Figure 4.9 Policy SS8 or its wider setting in the countryside as a whole when compared to alternative options.

3.2.10 The Council suggest in paragraph 4.177. that a new Racecourse and potential conference/leisure facilities along with opening up Westenhanger Castle, would be in line with policy CSD3 (Rural and Tourism Development of Shepway). However this is misleading. This policy clearly sets out a criteria that would need to be met to allow it to develop at locations outside the Settlement Hierarchy not as a justification for the development of 820 dwellings.

3.2.11 Policy SS8 appears solely as a mechanism to allow the reconstruction of the Racecourse and 820 dwellings in a substantial part of the countryside contrary to the National Planning Policy Framework Guidelines.
Examination of Shepway Core Strategy DPD

On behalf of AA Clifton Ltd

MATTER 5

By Courtley Consultants Ltd
April 2012
5. **MATTER 5. Areas of Strategic Change**  
(Policies CSD5, CSD7, CSD8 CSD9)

5.1 The level of detail presented in Policies CSD6-CSD9 is inappropriate for a strategic plan. The “broad locations” are too limited and restrict the consideration of alternative locations i.e. land west of Botolphins Bridge Road (See map 6.6 Appendix 4 of the Core Strategy).

5.2 The Council acknowledge in paragraph 5.100 the strategic importance of development at Nickolls Quarry and the significant infrastructure investment in the area. Land to the west of Botolphins Bridge Road should be considered together with Nickolls Quarry in Policy CSD7, given the areas strategic importance.

5.3 The Council’s “Strategic Corridor” Fig 4.2 and Fig 4.1 should be extended to incorporate the opportunity for development west of Botolphins Bridge Road. Also a triangle logo should also be illustrated on Figure 4.2 at the point of Nickolls Quarry Site to represent the 4.8 hectares as a Major Employment Site.

5.4 The strategic importance and level of investment at Nickolls Quarry together with the need to regenerate West Hythe should allow for the natural extension of development west of Botolphins Bridge Road. Given the sustainable development at Nickolls Quarry, the consideration of development to the west should be identified as a “broad location” for future growth. Development west of Botolphins Bridge Road would contribute to the sustainability of Nickolls Quarry and provide stronger long-term interaction with the Hythe community and help the regeneration of the area.

5.5 Identify as a broad location west of Nickolls Quarry “potential extension to Nickolls Quarry on Figure 5.6 Hythe Strategy”

5.6 Policy CSD9 Sellindge Strategy does not comply with the Council Settlement Hierarchy and the level of housing provision of 250 dwellings is unsustainable. The village is not sufficiently sustainable to meet the level of housing and fails to provide any employment opportunities as part of the Sellindge Strategy. The Council has also failed to justify the level of affordable housing (30%, 75 dwellings) against the Council’s SHMA and the needs elsewhere in the District. The funding and need for an additional primary school extension has not been justified against school capacity elsewhere in the District.
Examination of Shepway Core Strategy DPD

On behalf of AA Clifton Ltd

Exception Sites Promoted
West of Botolphs Bridge Road
West Hythe

By Courtley Consultants Ltd
April 2012
1. **Site Location**

1.1 The site is located between Botolphs Bridge Road and the Canal Cut (Canal Cutting) approximately 200m inland at the Dymchurch shoreline. In total the site covers an area of approximately 14 hectares (of which around 6 to 8 hectares would be developable).

1.2 The land is currently used for agricultural purposes. The location of the site in relation to the surrounding area and the shoreline is shown in Figure 1.

Figure 1 Site location
2. Planning Policy Context

2.1 The Council’s Core Strategy Statement 4.1 Spatial Strategy focuses major new development in Hythe on regenerating the west/south of the town. The plan’s strategy is tailored to maximise the prospect of employment opportunities being realised complimented by major areas of potential such as those envisaged at Nickolls Quarry next door. In the context of this and the identified strategic needs, a geographically selective strategy is necessary, backed by a focus on deliverable sustainable development opportunities. The site west of Botolphs Bridge Road meets these objectives.

2.2 This site is directly adjacent to Nickolls Quarry, a consented site comprising 1050 dwellings, local and community centre, primary school, 4.6 hectares of employment and public open space. The site will incorporate a new bus route and new connections to the railway network.

2.3 The proximity of my client’s site to the above development and its connections with the community of Hythe would enable this site to meet the Council’s sustainable regeneration objectives for West Hythe set out in its Core Strategy.

2.4 The Council’s “Strategic Corridor” is arbitrarily defined and restricts the opportunity this site offers to deliver sustainable development in this deprived area of the District.

3. Place Shaping and Sustainable Settlements

3.1 Development of land west of Hythe conforms to the Council’s Settlement Hierarchy and confirms its status and strategic role in the District. Folkestone Racecourse at Westenhanger is classified as a “primary village” but as its settlement characteristics are not defined it is more than likely to fall within the “secondary village” definition.

3.2 Policy SS3 directs development towards existing sustainable settlements to protect the open countryside and the coastline. In accordance with Policy SS1, changes in settlements will be managed to occur in a form that contributes to their role within the Settlement Hierarchy.

3.3 Although this site currently falls within flood zone 3, the Council acknowledge in paragraph 4.73 that “residential development within flood zone 2 and 3 will be necessary to support the sustainable growth of the District”.

3.4 The flood risk has already been covered in part in Matter 1.5. An initial Flood Risk Assessment was given to the Council in July 2009 on land adjacent to Botolphs Bridge Road, Hythe. The Council has relied upon an out of date SFRA carried out in 2009. As explained in Herrington letter the Council has
failed to consider key changes likely to affect the way which flood risk is depicted:

(a) Sea levels used to derive flood map were revised by the Environmental Agency in 2011

(b) The sea defence improvements works along Dymchurch frontage were completed in 2011. This work was not taken into account in the 2009 SFRA.

(c) Since the finalisation of the SFRA in 2009 new climate change predictions have been published and in the Shepway area this has resulted in a reduction in the predicted rate of sea level rise.

3.5 The SFRA 2009 stated that there was a need for a regular update. This has not been done and so the Council’s SHLAA assessment of this site is flawed.

4. Development on land west of Botolphs Bridge Road, Hythe

4.1 The proposals for development on this site are in the early stages and to a large extent will be informed by this Core Strategy process and any updated SFRA. However the overall objective is to provide residential accommodation with appropriate areas of open space and amenity with links to the major development taking place next door at Nickolls Quarry.

4.2 The gross area of the site is 14 hectares of which it is anticipated around 8-6 hectares would be developable. At a density of between 30-40 dwellings per hectare this would yield between 240-320 and 180 to 240 respectively.

4.3 Figure 2 illustrates the extent of the possible housing area together with the provision of public open space, amenity and links to the Nickolls Quarry Site.
Figure 2 Development Plan west of Botolphs Bridge Road

FIG 2: DEVELOPMENT PLAN WEST OF BOTOLPHS BRIDGE RD, HYTHE
- Site Boundary
- Housing Area
- Public Open Space
- Lake
- Strategic Planting
- Nickolls Quarry (major development site)
- Access
- Pedestrian/Cycle Links

Scale 1:10,000
4.4 The Development Plan in Figure 2 has been informed from the report and schematic site layout in Appendix A1 of the Herrington Flood Risk Assessment carried out in July 2009 and copied to Shepway DC.

4.5 Figure 2 accords with Herrington Appendix 1 drawing showing potential land raising options. However the Herrington schematic drawing relates to the SFRA carried out in 2009 and not a SFRA review recommended by the consultant’s. Given the key changes likely to affect the way flood risk is depicted in this area a fundamentally change to how the sequential test would be applied on this site would become a material consideration.

4.6 This site is in one of the most sustainable locations that would aid the regeneration of West Hythe and the future sustainability of Nickolls Quarry with its employment, school and local community facilities and investments. The site is not in a sensitive landscape area. Although this site is currently shown as falling within Flood Risk Zone 3, I believe that with a new SFRA an appropriate exception test can be applied consistent with wider social, economic and environmental sustainable objectives which would identify this site as a future housing allocation.