SHEPWAY LOCAL DEVELOPMENT FRAMEWORK

EXAMINATION OF THE SHEPWAY CORE STRATEGY DEVELOPMENT PLAN DOCUMENT

Statement on behalf of the New Romney Area of Strategic Change Landowners (excluding Romney Marsh Potato Company)

Written Statement for Matter 1: Spatial Strategy, Development Distribution & Environment

Is the Core Strategy's spatial strategy and intended distribution of development sufficiently justified and consistent with the local evidence base and national policy? Has sufficient consideration been given to relevant environmental factors?

Examination Question: 1.5
1. **Introduction**

1.1 This statement has been submitted jointly by the landowners comprising the New Romney Area of Strategic Change (excluding the Romney Marsh Potato Company (RMPC) landowner who has prepared separate representations to the Core Strategy).

1.2 The New Romney Area of Strategic Change Landowners (excl RMPC) continue to work with the Council and key Stakeholders on emerging proposals for the New Romney Area of Strategic Change and are at the early stages of an iterative Masterplan process for the identified strategic change area.

1.3 This statement for Matter 1 seeks to address the Inspector’s Question No. 1.5 only.
2. Question 1.5

“Does the Core Strategy apply national policy in relation to planning for Flood Risk? Specifically, has a sequential approach been applied at a strategic level to determine the amount of housing envisaged in Romney Marsh (and New Romney in particular) as opposed to other locations in the plan area that are a lower risk of flooding”

a) National Flood Risk Guidance

2.1 The national policy guidance on flood risk is set out in the National Planning Policy Framework (NPPF) and the supporting Technical Guidance to the NPPF. It remains entirely consistent with the previous flood risk guidance set out in PPS25 (and the accompanying practice guidance) upon which the Core Strategy has been produced.

2.2 Paragraph 100 of the NPPF states that Local Plans should be supported by Strategic Flood Risk Assessment, authorities should take into account advice from the Environment Agency and should apply a sequential, risk based approach to the location of development to avoid flood risk to people and property and to manage any residual risk. It goes on to state that the Plan should take account of the impacts of climate change by applying the Sequential Test and if necessary, applying the Exception Test.

b) Shepway SFRA

2.3 In accordance with national policy in the NPPF (and formerly PPS25), the District Council produced a Strategic Flood Risk Assessment (SFRA). Even before the SFRA was prepared, the Council was aware that over half of the land area of the District falls within Flood Zone 3a and virtually the whole of the Romney Marsh falls within this flood zone. Accordingly, it was understood from the outset that the Sequential Test was unlikely to be met and that growth would need to be directed to higher flood risk zones if sustainability and regeneration objectives were to be a central component upon which the Core Strategy would be based. Therefore, in accordance with national policy on flood risk, the Exception Test would need to be applied.

c) Exception Test Guidance

2.4 Paragraph 102 of the NPPF sets the policy context for application of the Exception Test. It states that for the Exception Test to be passed:

- “it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Flood Risk Assessment where one has been prepared; and

- A site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without
increasing the flood risk elsewhere, and, where possible, will reduce flood risk overall"

d) Shepway Approach

2.5 In accordance Paragraph 102 [and also Paragraph 7 of the NPPF Technical Guidance], the local planning authority used the SFRA to inform the Sustainability Appraisal (SA) and that through an iterative SA and policy formulation process that has utilised and been informed by the SFRA from the outset, the Council has applied the Exception Test to identify an approximate level of housing and a primary housing location for the Romney Marsh.

i) Romney Marsh

2.6 Because of the extent of flood risk in the District, the District Council agreed an area based approach to Flood Risk assessment with the Environment Agency based around the identification of distinct flood character areas. This approach was deliberately adopted to ensure that the approach to identifying development in the Romney Marsh was robust and focused development to areas of least risk, consistent with meeting sustainability and regeneration objectives.

2.7 The identification of Romney Marsh as a distinct area and a location where some growth needed to be directed was supported by both regional policy in the South East Plan and the background evidence base. In this regard, Policy BE4 of the South East Plan sets out an important role for small rural towns such as New Romney. Background evidence work also justified channelling growth to the area. In this regard, the Rural Area Study identifies pockets of deprivation at New Romney that should be addressed through any spatial strategy, the Distribution Report reveals the urbanised location of ‘Romney’ to be the second largest settlement with 11% of the population living in the area, whilst an iterative Sustainability Appraisal process was used to inform policy making throughout the Core Strategy process and this highlights the need for regeneration of pockets of New Romney and growth and investment to tackle the wider issue of rural deprivation.

2.8 Against this backdrop of evidence, the approach of focusing a modest proportion of the District’s development to the Romney Marsh flood character area is justified in exception test terms.

ii) New Romney

2.9 The Shepway Core Strategy Flood Evaluation Report (Core Document Library Reference A91) explains the process that was undertaken in areas of flood risk identified for development. The approach to Romney Marsh (and New Romney in particular) is summarised in the appendix to the Flood Evaluation document. It is evident that the
Council firstly used settlement analysis (from the Structure Plan and the Rural Services Study) to identify the settlements that were most appropriate to accommodate growth. This work revealed that New Romney was the best performing location to channel new development due to the level of service provision, existing population mass, transport connectivity and jobs.

2.10 Clarification is provided in Shepway DC’s response to the Inspector’s Note 2 on 2.3.2012 in the reference at 4.1 to the “Environments Agency’s representation and unambiguous support for the July Core strategy policy SS3”. The minutes of the meeting of 25.1.2010 between the Environment Agency and Shepway officers confirm that following discussion on the identification of land north west of New Romney: “It was agreed by all that this land was sequentially preferable and a reasonable site in terms of tidal flood risk, sustainability and PPS25, The EA raised no objection the principle of the land as a housing site to meet the Marsh’s needs”.

2.11 Secondly, the Council used its Strategic Housing Land Availability Assessment (SHLAA) to identify potentially suitable, available and developable areas of land around the primary settlements and then applied the SFRA to these sites to ensure that the sites least liable to flood were selected.

2.12 Finally, the landowners of the identified Area of Strategic Change instructed consultants to undertake a Flood Risk Assessment of the land to demonstrate that the land can be brought forward for a comprehensive, safe development without threatening flood risk elsewhere. This report was produced in September 2010 and is available to view through the following website www.newromneyconsortium.wordpress.com.

2.13 By following this approach the Council and the promoters have applied the Exception Test and thereby met the following tests:

- Test as to whether wider sustainability benefits outweigh flood risk
- Test as to whether PDL exists or if there is no reasonable alternative
- Test for site specific FRA to demonstrate that development will be safe

2.14 It is evident that the Council’s approach to development and flood risk in the Romney Marsh (and New Romney in particular) wholly accords with national policy and correctly applies a suitable sequential test and exception test methodology that was specifically and deliberately adapted to respond to the characteristics of the location.