Shepway Core Strategy Examination

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?

These additional comments have been prepared by Brian Lloyd BSc (Hons) MSc MRTP on behalf of CPRE Protect Kent (the Kent Branch of the Campaign to Protect Rural England) in conjunction with the Shepway CPRE District Committee. CPRE is a national charity that seeks to retain and promote a beautiful and thriving countryside that is valued by everyone.

These additional comments should be read in the context of representation numbers 71, 76, 78, 80, 82, 86, 87, 92, 93 and 102 made by CPRE Protect Kent on the Proposed Submission Document, July 2011. Consequently, as we made full representations at Regulation 27 stage on this matter we do not propose to repeat in detail the concerns we have. Instead we will seek to answer the specific questions posed by the Inspector. However, it is our overall position that we do not consider that the spatial strategy is sufficiently justified.

1.1 Is the Strategic Corridor proposed in policy SS1 robustly defined and adequately justified – specifically in respect of the Kent Downs Area of Outstanding Natural Beauty (AONB)?

1.1.1 As we explain in our representations, in particular representation numbers 71, 86 and 87, we consider that the concept of the Strategic Corridor is an invention to legitimise significant development in the rural area along the A20 in order to fulfil an ill-defined and unjustified growth strategy that will see housing provision significantly above the level proposed in the South East Plan. Consequently we do not consider that it is robustly defined and adequately justified.
1.1.2 Our concerns with the Strategic Corridor need to be considered alongside our concerns with the overall number of new homes to be accommodated, which we deal with under Matter 2.

1.1.3 The concept of the Strategic Corridor was put forward for the first time in the July 2011 proposed submission plan. It was not presented for comment at any stage during the Regulation 25 plan preparation stage, either at the options stage or the preferred options stage. Thus people did not have the opportunity to comment on it until the formal Regulation 27 stage, by which time the only challenge to it is through the examination process. Therefore, it is not a concept that has been subject to the necessary public scrutiny and testing. It is our view that it is a creation that is entirely intended to give legitimacy to a ‘strategy’ that promotes unsustainable development in the rural area that has attracted considerable local opposition.

1.1.4 Most importantly, for such an important concept, no options to its extent have been presented for comment and there is no technical study in the evidence base to justify its boundaries. No alternatives on its boundaries have been presented. **It has unilaterally, and right at the end of the plan making process, been designated by the District Council contrary to the established principles of sound plan making.** Consequently it is unjustified, as it has not been sufficiently tested to enable it to be concluded that it is the most reasonable alternative.

1.1.5 We note that the County Council (rep number 746) supports the spatial strategy as presented in Policy SS1, as they consider it provides a “*strong element of continuity with the Shepway District Local Plan Review (2006)*”. This though, they go on to qualify, is particularly in regard to the key development provisions and regeneration initiatives. We take this to mean the proposals for urban regeneration and the previously identified development sites rolled forward into the Core Strategy from the Local Plan.

1.1.6 The Shepway Local Plan Review [G6] did not include the concept of the Strategic Corridor, and it did not include a strategic development site at the Folkestone Racecourse and potentially significant development at other rural communities in the corridor area. This makes the Strategic Corridor a significant change from the development strategy of the Local Plan, and if agreed will have long-term consequences for this large rural area. It
will mean that this rural area will be seen as acceptable in principle for development and will inevitably attract developer interest and raise development pressures for the future.

1.1.7 Indeed this is encouraged, as Policy SS1 explains that major new development will be delivered in the Strategic Corridor. However, other than saying that priority will be given to previously developed land the policy gives no other policy guidance on development in the rural part of the Corridor. This general support for major development in the Corridor presents a real threat to the future of this large area of countryside, contrary to the Core Planning Principle in the National Planning Policy Framework that seeks to ensure that the intrinsic character and beauty of the countryside should be recognised in both plan-making and decision-taking. There is no recognition of this in Policy SS1.

1.1.8 Consequently, the strategy is not simply a continuation of the Local Plan strategy as suggested by the County Council, as it adds a new and very different dimension to the previous strategy which almost entirely sought to focus new development on previously developed land. The South East Plan [G7] envisaged a continuation of this, not significant development in the rural area.

1.1.9 Not only is the Strategic Corridor a concept that was introduced by the District Council very late in the plan making process without any consultation on it, it is not a ‘strategic’ concept that is recognised or supported in any other strategy. For example it is not included in the South East Plan [G7] as part of the strategy for either Shepway or for Ashford and the East Kent sub-region. It is not included in the adjoining adopted Ashford Core Strategy, meaning that it comes to an abrupt halt at the Shepway/Ashford administrative boundary. This is despite the Key Diagram suggesting that it carries on westwards towards London and paragraph 4.23 of the proposed submitted plan explaining that it “cuts across local administrative boundaries”. The fact is that the Corridor is only defined within Shepway District.

1.1.10 This suggests that there has not been the necessary ‘joined-up’ thinking between Shepway District Council and Ashford Borough Council (and other authorities and agencies) in formulating this ‘strategic’ concept. It seems to us that the necessary Duty to Co-operate required under the Localism Act has not been undertaken in establishing the Corridor and how it will (or should) extend beyond the Shepway boundary and fulfil a strategic role in this part of Kent.
1.1.11 It is also the case that the concept of the Strategic Corridor has not been recognised in the County Council’s recently published strategic transport documents, for example ‘Growth without Gridlock’ [A23] and the Local Transport Plan [A115]. This belies its strategic credentials, because if it were a truly strategic tool it would be reasonable to expect strategic transport documents to have regard to it.

1.1.12 In our view, the fact that the Strategic Corridor is not recognised in any other strategic documents points to the fact that it is a purely manufactured concept that has been included in the plan solely to justify significant development in this rural part of Shepway District. As such it is not a justified basis for strategic growth – it is self-fulfilling.

1.1.13 As it leaves the urban area, the Strategic Corridor essentially follows the transport corridor defined by the A20, M20 and railway line. This seems to be the primary basis of its definition. However, it embraces a wide rural area with its boundaries defined mainly by those of the Kent Downs Area of Outstanding Natural Beauty (AONB) and the coast. Part of the AONB is actually included in the Corridor. We consider that the Strategic Corridor, and the promotion given to major development within it by Policy SS1, is entirely incompatible with its proximity to the AONB and the inclusion of part of the AONB within it. We support the views of the Kent Downs AONB Unit in this regard, and would not wish to add further to their comments.

1.1.14 In conclusion, we consider that the designation of the Strategic Corridor in unsound and it should be removed from the Core Strategy. In summary we consider that this is so because:

- it was introduced late in the plan making process, at Regulation 27 stage, and that there was no opportunity for people to comment on it as a concept that forms a key part of the spatial strategy of the plan;

- as a result of the above, there has been no consultation on alternatives to it and options for the boundaries;
• it introduces a policy approach that will encourage and support pressure for further development within a wide area of countryside, contrary to the Core Planning Principle of the National Planning Policy Framework that seeks to ensure that the intrinsic character and beauty of the Countryside should be recognised;

• it has no recognition in other strategic documents, and its wider strategic implications have not been assessed under the Duty to Co-operate; and

• it is incompatible with the objectives of the Kent Downs AONB designation, which abuts it to the north and south, and runs through it.

1.1.15 We believe that the Strategic Corridor is not needed to promote a spatial strategy that promotes urban regeneration at Folkestone and selective development in the rural area.

1.2 Is the Settlement Hierarchy (table 4.3) adequately justified by the local evidence base? Does policy SS3 provide sufficient guidance about where development should be located? Are the Council’s suggested changes to this policy needed for soundness reasons?

1.2.1 Our representation numbers 92 and 93 set out our concerns with the settlement hierarchy and Policy SS3, though our representation numbers 76 and 80 also touch on this matter. Our primary concern is with the definition of the ‘primary villages’ and ‘secondary villages’, and linked to this the opening sentence to Policy SS3 which states that “development within Shepway is directed towards existing sustainable settlements to protect the open countryside and the coastline, in accordance with Policy SS1”. In particular we do not consider that the identification of Stanford/Westenhanger as a primary village is justified by the evidence base, and we do not consider that this ‘settlement’ – in fact two separate and distinct settlements physically divided by the M20 Motorway and the railway line – is an “existing sustainable settlement” to where development should be directed.

1.2.2 With regard to the evidence base, the relevant study is the Shepway Rural Services Study 2011 [B5]. This reports (on page 40) that when considered together the two settlements have a pub (which is located in the northern part of Stanford) and a railway station (which is located between the two settlements, but to the south of the motorway
and railway). These two attributes alone do not make a sustainable settlement – even one that has been contrived by artificially joining two settlements together.

1.2.3 The Shepway Local Plan Review [G6] defined Stanford as a village where only minor development such as infilling is acceptable (under Policy CO2), whilst Westenhanger was not defined at all in the settlement hierarchy and was seen as a small settlement falling in the countryside where development was generally restricted by Policy CO1. Nothing has changed in the period between the Local Plan Review and the preparation of the Core Strategy to make these settlements ‘sustainable’ locations to where development will now be steered to “contribute to strategic aims and local needs” (Table 4.3 of the proposed submission plan).

1.2.4 None of the proposed changes to Policy SS3 meet our concerns. This would only be achieved by removing Stanford/Westenhanger from the ‘primary village’ category, and reinstating the hierarchy as in the Local Plan.

1.3 Is the Priority Centres of Activity Network (table 4.4 and figure 4.5) sufficiently clear and adequately justified by the local evidence base? Specifically, what is the status of the Major Employment Sites – and are they clearly defined for planning policy purposes? How can the soundness of the Major Employment Sites be assessed against alternative locations?

1.3.1 We have no comment to make on this issue.

1.4 Does Core Strategy as submitted take sufficient account of relevant legislation and national policy in respect of biodiversity and landscape conservation – notably in respect of international nature conservation sites and the Kent Downs AONB? If not, are the changes now proposed by the Council (for example to policies SS1 and CSD4) sufficient to address any soundness/legal compliance failings? Are additional safeguards needed arising from the Appropriate Assessment in respect of international nature conservation sites at Dungeness?

1.4.1 We have no further comments to make in addition to our representation numbers 78 and 102, and we support the representations and further submissions made by the Kent Downs AONB Unit.
1.5 Does the Core Strategy correctly 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 generally (and New Romney in particular) as opposed to other locations in the Plan area that are a lower risk of flooding.

1.5.1 Our representation numbers 82 and 105 provide our views on the proposed development in New Romney. It is our concern that the amount of development proposed for the Romney Marsh area, and New Romney in particular, is too high. This we consider is a direct result of a strategy that promotes a level of growth significantly higher than envisaged in the South East Plan, meaning that areas sensitive to development have been identified which would otherwise have not been needed. Proposed development at New Romney, and the identification of land for development that is at risk of flooding, is a clear example of this.

1.5.2 Whilst the plan clearly acknowledges that flooding is an issue in the Romney Marsh area, the promotion of development at New Romney seems to be based on the view that the town fulfils a service role for the surrounding rural area and that this function needs to be expanded. This is clear from the proposed Submission Core Strategy, from for example:

- the section on New Romney on page 31:
- the fourth bullet point in Statement 4.1 on page 34;
- Policy SS1 and its supporting text (especially paragraph 4.27); and
- the fact that New Romney is classed as a ‘Strategic Town for Shepway’ in the settlement hierarchy.

1.5.3 This is also reflected in the Scott Wilson report [A82] which explains that the proposed location for development at New Romney has been identified to:

- Ensure a geographical distribution of new housing development that responds to demographic changes in the district;
- Promote the long-term development of Romney Marsh, in the context of limited suitable and available sites for major residential development; and,
- Focus development on New Romney town, to support and in turn help expand its role as the primary retail, commercial and visitor service centre for south Shepway.
Paragraph 4.1.17 of the Scott Wilson report also states:

“The Environment Agency, in a letter to Shepway District Council published in the Strategic Housing Land Availability Assessment, stated in 2010: “We are aware that surface water flooding has occurred on a significant part of this site in recent years. Surface drainage improvements at a number of locations on third party land would be required to reduce flood risk on this site to an acceptable level and owing to existing development, these improvements may not be achievable. We therefore consider these sites should not be considered favourably against the Sequential Test.”

1.5.4 This letter is included as Appendix X in the 2010 Strategic Housing Land Availability Assessment (SHLAA) [A2]. It should also be noted that the SHLAA only excluded those sites identified as having ‘extreme’ flood hazard risk and that the Council will apply PPS25 requirements in discussion with the Environment Agency (paragraph 9.2.2).

1.5.5 All this suggests to us that flood risk was not a factor that influenced either the amount of development proposed for the Romney Marsh area or the focus of development at New Romney, but that other factors were more important.