April 12th, 2012

Inspector Michael J Hetherington  
Public Examination  
C/O Civic Centre, Castle Hill Avenue  
Folkestone, Kent CT20 2QY

Dear Inspector Hetherington

Core Strategy Comments

Matter 5 - Areas of Strategic Change - Lydd Airport

1) In relation to policy, it is not obvious how this can be defined ahead of the outcome of the current planning application. Most of the evidence and issues relating to LAAG’s opposition to the airport’s current planning application are common to our belief that there should not be policy support for the development of this airport at the local level. Rather than replicate the evidence given at the public inquiry - we will concentrate on new evidence that has emerged since the public inquiry and provide summaries and references to back up our overall case.

LAAG’s view - 5.115

2) Shepway District Council’s continued policy support for Lydd Airport’s development and its support for the current planning application cannot be justified evidentially. On nuclear safety grounds alone, considerable constraints on development within the context of the existing runway should be clearly articulated in the policy relating to Lydd Airport. The evidence clearly shows that in the public interest, activity at Lydd Airport should be confined to aircraft types which pertain at Lydd Airport today i.e. 99% of movements today are represented by aircraft with a Maximum Take off Weight of < 5.7tonnes (see Appendix 1).

3) Shepway District Council’s decision to support the planning application made on March 3rd, 2010, was unlawful. Further, a court judgement which became known to LAAG after the public inquiry, relating to a dispute between the owner of Lydd Airport Sheikh Fahad al Althel and the airport’s former Managing Director, Zaher Deir revealed that Mr Deir admitted giving gifts to councillors. The matter is now subject to a police investigation. Therefore, Shepway District Council’s decision to support Lydd Airport’s planning application should not be afforded any weight when policies regarding the future of Lydd Airport are being formulated.

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1 Light aircraft (< 5.7tonnes) represent 99% of Lydd Airport’s activity (movements) today - see Appendix 1, Common Ground Statement between Lydd Airport and LAAG - CD 4.4 (LAA) - paragraph 3.7.
The changed environment

4) Shepway District Council’s historic policy support for Lydd Airport’s development can no longer be justified given the major changes to Lydd Airport’s operating environment over the last 20 years. These changes have placed further operating constraints on the airport, strengthened the environmental constraints, added to the crash damage risk at the nuclear power complex, reduced the need and economic case for Lydd Airport, raised the public’s awareness to terrorism and changed societies attitude to risk. The changes are listed in a short piece of evidence given at the Lydd Airport Public Inquiry - Appendix 2. It should be noted that this document was compiled before the Fukushima disaster which has ramifications for the issue of nuclear safety.

Location background

5) Before examining the evidence base it is worth reflecting on the airport’s location as this alone provides a common sense basis for precluding airport development.

6) Lydd Airport is located less than 5kms (<60 seconds flight time - B737) from the centre of the Dungeness nuclear power complex, while the centre of Lydd Airport’s runway is 3km and 13km respectively from two important active military ranges - Lydd (D044) and Hythe (D141). These three features have height restrictions above them and the presence of this restricted airspace results in non standard flight procedures. For example, Lydd Airport is the only non military airport in the UK with a 5 degree offset Instrument Landing System (ILS) due to the height restrictions over the Hythe range, while the presence of the important Lydd military range at the southern end of runway with its 4000 ft height restriction prevents large commercial aircraft landing from the south when the range is active (300 days of the year), which will result in them landing with a tailwind for up to 30% of the time from the north. These features raise the risk of pilot error in the vicinity of a nuclear power station.

7) Further, Lydd Airport is surrounded by protected habitats. The Dungeness Peninsular is now the most heavily protected area in the UK - designated to protect its unique habitats, flora and fauna and specific bird species. Expansion will thus have an adverse impact on these designations through noise, air pollution and disturbance. The designations include the Special Protection Area (SPA) and its proposed extension (sSPA) which is located on Lydd Airport’s boundaries. The function of the SPA is to protect certain bird species.

8) In addition, Lydd Airport is separated from the Dungeness nuclear power complex by a major RSPB bird reserve, while the whole of the Dungeness Peninsular is located under one of the main migratory bird routes in the south of England. Hence, there is a high concentration of hazardous birds in the vicinity which means bird strike is a major potential threat. Bird strike has not been an issue to date because birds can avoid slower light aircraft - the category which dominate activity at the airport today.

9) It should be noted that if the current planning application is allowed to proceed, no other regional airport in Europe, and maybe the world, will be as close to a nuclear power plant complex.

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2 LAAG/6/A - note all appendices to this document can be found in LAAG/6/B on our website www.lyddairportaction.co.uk

3 Defined as aircraft with MTOW < 5.7tonnes - represent 99% of current activity - see Appendix 1 www.lyddairportaction.co.uk
The presentation of evidence

10) All aspects of the case against Lydd Airport’s proposed development have been covered by LAAG since the beginning of its campaign. The three most important aspects relevant to policy are (i) the issue of nuclear safety, (ii) the impact on protected habitats at Dungeness, particularly those designated under the Habitats regulations (this also covers the aspects that will adversely affect residents) and (iii) the social and economic aspects. However, when it came to the public inquiry the various groups opposing the airport divided the subjects between them to prevent duplication. The RSPB, Natural England and Kent Wildlife were responsible for the environmental aspects (i.e. (ii)).

The adverse environmental impact

11) The above three groups and Shepway District Council’s independent environmental consultant, Bureau Veritas, proved conclusively that development will adversely affect protected habitats at Dungeness or that Lydd Airport was unable to demonstrate that it would not damage the protected habitats. This held for the SPA, pSPA, PRamsar, and SSSI although at a throughput of 500,000 ppa pollution levels would not affect the SAC.

The mounting evidence base - nuclear safety

12) As more evidence has been revealed, it is apparent that on grounds of nuclear safety alone development at Lydd Airport should be severely restricted. LAAG’s original view was that development would be acceptable within the confines of the existing runway⁴. Now we believe that activity on the current runway should be restricted to light aircraft i.e. to aircraft with MTOW of <5.7 tonnes which essentially means the airport supporting its current mix of business.

13) LAAG’s position on the nuclear safety issue can be found in Appendix 3⁵ - paragraphs 203-357.

14) There are two nuclear power plants at Dungeness - the Magnox plant, Dungeness A, owned by Nuclear Decommissioning Authority which ceased power generation in December 2006 and the AGR plant Dungeness B, owned and operated by EDF/British Energy, which is operational and scheduled to operate until 2018, although a 5-10 year extension is likely.

15) EDF/British energy (then British Energy) opposed Lydd Airport’s current planning application, but the regulator, the Office for Nuclear Regulation (ONR) gave the development its tacit approval by not opposing the planning application. The ONR based its decision on a probabilistic methodology called the Byrne model which concluded that the probability of an accident at Dungeness B caused by the introduction of heavy commercial aircraft taking off and landing from Lydd Airport would be so low that it could be ignored. This absolved the ONR from undertaking, or mandating, that a physical analysis of the power plant’s ability to withstand an aircraft should be undertaken. No analysis whatsoever was made of Dungeness A.

⁴ Lydd Airport is broadly capable of supporting the same aircraft mix as City Airport, subject to the right yields - see Appendix 1- Common Ground Statement, CD 4.4 (LAA), paragraph 3.19, for aircraft types able to operate from Lydd Airport. Note also, with regard to the current planning application, we have argued that there is no need for a runway extension at Lydd - Lydd and Manston Airports are operating at a fraction of their existing capacities see LAAG/7/A and LAAG/9/A (Conformity to Aviation White Paper) - http://www.kentnet.org.uk/laag/public_enquiry.htm

⁵ LAAG’s Closing Statement at the Public Inquiry
16) Not surprisingly, Shepway District Council’s planning officers dismissed the aspect of nuclear when compiling their officers’ report and it was equally dismissed as an issue when the councillors determined in favour of the planning application on March 3rd 2010.

17) Through FOI requests to the ONR, LAAG was able to obtain a copy of the Byrne model and the crash damage statistics that supported it, although the ONR refused to provide the calculations for Dungeness B which were behind its decision NOT to oppose Lydd Airport’s planning application. With our internal expertise we were able to establish that the Byrne model is deeply flawed per se, and in particular, incapable of accounting for the many non standard features at Lydd Airport/Dungeness.

18) Such was our concern that LAAG funded four experts\(^6\) at the public inquiry to argue our nuclear safety case. These are the principal facts to emerge:

(a) Severe flaws in the Byrne model per se and even greater uncertainty when it is applied to the Lydd Airport situation because the model is incapable of accounting for the many non standard features at Lydd Airport. Hence, the serious underestimation of the risk of an accident at Dungeness B resulting from the introduction of heavy commercial aircraft taking off and landing from Lydd Airport

(b) Dungeness A and Dungeness B designs’ predate any regulatory necessity to take into account the possibility of crashes of large commercial-sized aircraft.

(c) No evaluation has been undertaken of Dungeness A and Dungeness B’s physical capability to withstand an aircraft accident based on the aircraft mix projected for Lydd Airport’s development.

(d) Only a probabilistic safety assessment of Dungeness B was undertaken. There was no assessment of the older, partially decommissioned Magnox station, Dungeness A whatsoever. This is despite the ONR now admitting that it presents a higher risk in its partially decommissioned state than the fully operational AGR nuclear power station, Dungeness B.

(e) When power generation ceases at the Dungeness site, risks remain. For as long as Dungeness A and Dungeness B remain on site, even when shut down and with all of the spent fuel removed off-site, they will continue to present a radiological risk throughout the extended 100 year or so decommissioning phase.

(f) No safety assessment of the spent fuel railhead located ~ 2.6 km from Lydd Airport’s terminal. The track on which the highly radioactive waste is transported is located ~ 200m from the southern end of Lydd Airport’s runway.

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\(^6\) John Large - Large & Associates Consulting Engineers (physical vulnerability of the NPPs and consequences of an accident), Malcolm Spaven - Spaven Consulting (aviation and possible accident scenarios), Dr David Pittfield, Transport Studies Unit, Loughborough University (accident modeling and crash statistics) and Mrs Trudy Auty, a consultant with over 25 years experience in the application of safety cases to industrial situations. Their evidence can be found on our website - [www.lyddairportaction.co.uk](http://www.lyddairportaction.co.uk) - [http://www.kentnet.org.uk/laag/public_enquiry.htm](http://www.kentnet.org.uk/laag/public_enquiry.htm). For consequences the recommended reading is LAAG/4/A - [http://www.kentnet.org.uk/laag/Final%20LAAG-4-A.pdf](http://www.kentnet.org.uk/laag/Final%20LAAG-4-A.pdf)
19) During the public inquiry the ONR also released documents following FOI requests (after much hassle) that showed that it accepted that aircraft over 5.7 tonnes had the potential to cause a **large** radiological release\(^7\). These reports also showed that the ONR, through its consultant ESR, had addressed some of the issues raised by LAAG but had offered no solutions to the models shortcomings and had failed to appreciate the significance of some of them because of its lack of detailed knowledge of the airport.

**Fukushima**

20) During the early part of the public inquiry the Fukushima disaster occurred. This resulted in the Department of Energy and Climate Change (DECC) requesting a report from the ONR on the lessons to be learned from Fukushima and secondly, in a separate “stress testing” exercise in Europe\(^8\). The latter is being conducted by the European Nuclear Safety Regulatory Group (ENSREG) on behalf of the European Commission - all 143 nuclear power plants are being mandated to be safety evaluated for natural hazards such as earthquakes and tsunamis, plus man made hazards such as aircraft crashes.

21) The UK’s report to ENSREG, prepared by the ONR, was published on January 4\(^{th}\), 2012\(^9\) but did not contain any reference to accidental crash damage despite this being a variable requested for examination by ENSREG. In the light of the implications this had for the Lydd Airport planning application, LAAG commissioned additional research on the Byrne model from Imperial College, London (Appendix 4 - published March 31\(^{st}\) 2012) - this time from an expert at the front line of probability and statistical methods - as a basis for a formal complaint to Europe over the ONR’s failure to oppose Lydd Airport’s planning application and its failure to address crash damage in its report to ENSREG.

22) Dr Trotta’s work supports the evidence of our existing experts and proves conclusively that the 20 year old probabilistic safety assessment methodology (Byrne model) used by the UK nuclear industry to determine the probability of an aircraft crash into nuclear power station is seriously flawed.

23) In relation to the Byrne model’s application to Lydd Airport’s development, Dr Trotta concludes in his report that the “resulting estimate for the crash probability into the Dungeness nuclear power plants cannot be considered robust nor accurate”. Furthermore, since the Byrne model lacks a statistically principled definition and application of risk, I conclude that its output is insufficient as a basis for sound and informed decision making regarding the increased level of risk of a major radiological release in connection with the planned expansion of Lydd airport.” In other words, the absolute values behind the ONR’s decision NOT to object to Lydd airport’s planning application are too unreliable for decision making.

24) He proves that the probability of an accident at Dungeness arising from the introduction of heavy commercial aircraft taking off and land from Lydd Airport has been underestimated by orders of magnitude. His work also shows that the increased risk in the developed case would be significant and that the airport related risk would be the dominant factor compared with the ambient/background risk.

\(^7\) CD 13.9 (LAAG) - Lydd Airport Planning Application: Review of Dungeness B Aircraft Impact Hazard Analysis, ESR Technology, July 2007 - page 2. Note too - it considers - a light aircraft impact being insufficient to cause significant direct damage [redacted] and any damage to other safety critical systems being sufficiently localized and subject to sufficient protection in order for a significant radiological release to be avoided.

\(^8\) See Appendix 3 - paragraphs 344-348


www.lyddairportaction.co.uk
Therefore, it was erroneous for the Office for Nuclear Regulation (ONR) to conclude that the probability of an accident at Dungeness resulting from the introduction of heavy aircraft taking off and landing from Lydd Airport would be so low that it could be ignored. Equally, that the background risk dominates even after development.

It should also be noted that the domestic report the ONR produced for DECC in the wake of Fukushima, published September 2011, made the following recommendation with regard to planning controls:\footnote{http://www.hse.gov.uk/nuclear/fukushima/final-report.pdf - page (x)}

\textbf{Recommendation FR-5:} The relevant Government departments in England, Wales and Scotland should examine the adequacy of the existing system of planning controls for commercial and residential developments off the nuclear licensed site.

A policy to support Lydd Airport’s development, which is located less than 5km from the Dungeness complex, would be contrary to the intention of this recommendation.

With this background, the only responsible course of action on nuclear safety grounds alone is to severely limit development of Lydd Airport, to activity on the current runway, involving aircraft $< 5.7$tonne. This should be the basis of local plan policy.

The economic case - wealth destroying rather than creating

Capital is replacing labour in the aviation industry so that an airport’s employment potential is now a lot lower than it was 20 years ago. For the current planning application - throughput of 500,000ppa compared to $< 1000$ passengers per annum today - Lydd Airport’s own consultant only forecast\footnote{Page 59, LAA/4/A} an additional 140 jobs on site by 2024 in the high growth scenario and 130 additional jobs by 2028 by the lower growth scenario. This is less than a modest supermarket at a single point in time. This is gross figure so takes no account of the adverse impact the airport would have on employment in the existing holiday market (particularly caravan parks under the dominant flight path).

Further, policy support for the expansion of this airport could jeopardize establishment of Dungeness C which was not included as a new build site in the current round because of damage to the SAC and the presence of alternative sites. The Dungeness nuclear site will overcome the strictures of the Habitats Regulations in time as there will be no alternative sites once existing nuclear sites have been fully developed. This is because of consumer resistance to new Greenfield development and the lack of deep water coastal locations in areas of low population. As there will be no alternative, the Habitats Regulations will allow development at Dungeness in the overwhelming public interest, assuming all other factors remain equal.

However, if Dungeness is allowed to proceed, under Article 41 of the European Treaty establishing EURATOM, the European Commission has the right to make an independent safety assessment of the new nuclear plant. This must be made no later than three months before construction begins (Article 42). The Commission’s conclusion about Lydd Airport’s status as a hazard could be at odds with that of the ONR. Although it could not stop the development of Dungeness C on safety grounds the Commission would make its opinions public, setting alight a political process that could frustrate or stop the new power plant’s development.
The Shepway decision and the influence of gifts

31) Rather than repeat evidence given at the public inquiry, we refer you to paragraphs 47-71 of Appendix 3. This summarises the reprehensible manner in which this planning application was determined on March 3rd, 2010. The detailed evidence can be obtained on our website (LAAG/12/A with the full supporting documentation in LAAG/12/B).

32) With regard to the matter of gifts to Councillors, although the judgement (Appendix 5) was dated February 25, 2011, it did not come to LAAG’s attention until after the public inquiry. The relevant paragraph is paragraph 190. The matter is being investigated by the Serious Business Crime unit at Folkestone Police Station.

33) The background to the case is that Mr Deir sought payment of unpaid directorship fees in relation to his position as a director of a number of UK companies owned/part owned by Sheikh Fahad Al Athel. The claim was denied and a number of counterclaims were made against Mr Deir.

34) The substance of the claims against Mr Deir include that he misused his company credit card and incurred excessive expenditure. Some of the items challenged were items that Mr Deir said constituted gifts to councillors.

35) Note, although Mr Deir left Lydd Airport in September 2008 and the Council’s decision to support the planning application was not made until March 2010, most of the formal material that was necessary for the Council’s Planning Officers to make their recommendation was in place by the end of the first quarter of 2009. Similarly, most of the lobbying by the airport for support - both formally and informally had also taken place by the end of 2008/early 2009.

36) The grant of gifts to council members raises the possibility of bias in the decision making process which led to Shepway District Council voting in favour of the planning application on March 3rd, 2010.

Conclusion

37) In the public interest, there should be no policy support for Lydd Airport’s expansion on nuclear safety grounds alone. An aircraft weight restriction of no more than 5.7 tonnes MTOW should be imposed since the ONR has acknowledged that aircraft types above this weight have the potential to cause a large radiological release, and that below this weight, aircraft have insufficient impact to cause a major accident. When the consequences of an accident are so severe, reliance on a flawed probabilistic model to determine whether a development should proceed is unacceptable. The current model seriously underestimates the risk of an accident resulting from the introduction of large commercial aircraft at Lydd Airport. In any event, it is beyond the wit of man to capture all the possible causes of an accident, alone or in combination. Thus, the policy framework should adopt a consequence approach for an airport as close to a nuclear power station and any development involving aircraft above 5.7 tonnes should not be allowed to proceed.

38) No weight should be given to the Shepway District Council Decision to support Lydd Airport’s current planning application.
Matter 2 - Housing Economy and Infrastructure

39) While agreeing with the general policy of prioritising development in urban areas, the scale of housing development proposed in the 25 year period under review cannot be justified given the natural and man made constraints of the area. This applies particularly to Romney Marsh.

40) First, Romney Marsh needs to be defined. It is the flood plain between the sea and the Royal Military Canal with the northern boundary being that of the ward of West Hythe. Although West Hythe stretches to the escarpment beyond the Royal Military Canal, the bulk if it resides on the flood plain. It therefore should be included as part of Romney Marsh.

41) The housing allocation proposed for Shepway of up to 8800 dwellings (minimum) in the 25 year period to March 2031 has been based on the old South East plan allocation of 5800, pro-rated to 7250 to account for the additional years with a bonus on top added for a variety of not clearly specified reasons.

42) It should be noted that Shepway District Council (SDC) accepted and promoted a figure of 5100 (for the 20 year period to 2026) dwellings during the preparation of the South East Plan and the Inspector at the time agreed with the lower allocation than the previous Structure Plan and stated the following: Although levels proposed in Shepway are again lower than the last Structure Plan and recent completion levels, there are no significant economic drivers identified for further growth of Folkestone, and there are extensive environmental constraints. The District Council did not provide any evidence to suggest that the proposed levels would not give adequate flexibility to meet its objectives of regenerating the Folkestone seafront and other initiatives. The housing allocation was later increased centrally to 5800 dwellings.

43) While it is appreciated the South East Plan is now defunct, if SDC is to promote a much higher allocation it must clearly set out why it needs this additional housing in the face of the considerable constraints the area faces. Demographic trends, and in particular the move to single households, should be accommodated within the constraints facing the area - particularly Romney Marsh - not used as a reason to ignore them. Further, in the spirit of localism - local people should buy into these plans for development, not have them foisted upon them.

44) There has not been sufficient analysis to justify these housing requirements. The starting point for future development proposals should be a thorough understanding of the past 20 - 25 years for the three major areas at the very least - Romney Marsh (including Hythe West), Folkestone/Hythe and the North Downs. Dwelling completions by area, how these correlate (for sense) with the dwelling census figures, population trends and past employment trends. In addition, there should be a thorough analysis of the employment capability of major employment centres, changes in land use patterns, and assessments of the limitations of areas to yield development because of natural constraints such as flooding and man made factors such as the presence of nuclear power stations or the need to preserve high grade

agricultural land. Some of these factors have been covered in isolation, but not brought together in a coherent analysis for each major area and preferably for smaller sub areas.

45) This is not a criticism of the department putting together the plan at SDC as there are resource issues, data has not been collected and ward changes make tracking changes over time difficult and in some cases impossible. However, the exercise should be attempted and until it has - no credence should be given to the current high rate of housing development proposed. In this commentary, the focus will be on the inappropriate level of housing proposed for Romney Marsh

46) The following table shows the dwelling completions for Shepway for the last 10 years (earlier data is not available by area on a consistent basis). An annual rate of completions at this average rate would give a housing figure of 9250 dwellings over the next 25 years and for Romney Marsh 1075 dwellings. This is unsustainable. SDC only a few years ago was advocating a more realistic rate of 255 dwellings per annum (5100 dwellings over 20 years and 6375 dwellings over 25 years) in recognition of the many constraints the district has, while the defunct South East Plan supported 290 per annum.

Dwelling Completions - Shepway
(Number of dwellings)

<table>
<thead>
<tr>
<th>Ward Name</th>
<th>2010/11</th>
<th>2009/10</th>
<th>2008/09</th>
<th>2007/08</th>
<th>2006/07</th>
<th>2005/06</th>
<th>2004/05</th>
<th>2003/04</th>
<th>2002/03</th>
<th>2001/02</th>
<th>Total</th>
<th>Average</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Romney Marsh</td>
<td>6</td>
<td>4</td>
<td>45</td>
<td>20</td>
<td>56</td>
<td>80</td>
<td>21</td>
<td>45</td>
<td>72</td>
<td>83</td>
<td>432</td>
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<td>12%</td>
</tr>
<tr>
<td>North Downs</td>
<td>11</td>
<td>41</td>
<td>173</td>
<td>87</td>
<td>31</td>
<td>402</td>
<td>66</td>
<td>123</td>
<td>247</td>
<td>156</td>
<td>1337</td>
<td>134</td>
<td>36%</td>
</tr>
<tr>
<td>Folkestone Hythe</td>
<td>115</td>
<td>135</td>
<td>344</td>
<td>295</td>
<td>59</td>
<td>271</td>
<td>289</td>
<td>203</td>
<td>125</td>
<td>98</td>
<td>1934</td>
<td>193</td>
<td>52%</td>
</tr>
<tr>
<td>Total</td>
<td>132</td>
<td>180</td>
<td>562</td>
<td>402</td>
<td>146</td>
<td>753</td>
<td>376</td>
<td>371</td>
<td>444</td>
<td>337</td>
<td>3703</td>
<td>370</td>
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Romney Marsh
Including Hythe West

<table>
<thead>
<tr>
<th>Ward Name</th>
<th>2010/11</th>
<th>2009/10</th>
<th>2008/09</th>
<th>2007/08</th>
<th>2006/07</th>
<th>2005/06</th>
<th>2004/05</th>
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<th>2001/02</th>
<th>Total</th>
<th>Average</th>
<th>% of Total</th>
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</thead>
<tbody>
<tr>
<td>Romney Marsh</td>
<td>8</td>
<td>6</td>
<td>48</td>
<td>33</td>
<td>56</td>
<td>86</td>
<td>26</td>
<td>45</td>
<td>72</td>
<td>88</td>
<td>468</td>
<td>47</td>
<td>13%</td>
</tr>
</tbody>
</table>

Source: Kent County Council
Note: Some of these totals do not concur with those in Shepway District Council’s Annual Monitoring Reports

47) For Romney Marsh (excluding Hythe) the allocation proposed is 10% (880 dwellings) of the total 8800 dwellings planned - or 35 houses per year. However, when West Hythe, which is on the Romney Marsh flood plain, is included the allocation to this area is considerably higher because of the 1050 houses that have already been granted planning permission on the Nickolls Quarry site. The table below shows the new build as a percentage of the
existing housing stock\textsuperscript{13} and that when West Hythe is added the rate of new build relative to the existing housing stock is almost the same as the rest of Shepway. Further, the 1930 dwellings proposed for Romney Marsh represent 22\% of the total number of new buildings proposed and compare with the 12\% and 13\% for completions over the last 10 years excluding and including Hythe West.

\begin{table}[h]
\centering
\begin{tabular}{|l|c|c|c|c|c|}
\hline
\textbf{Area} & \textbf{Dwellings 2008 (No)} & \textbf{Completions 08/09-10/11 (No)} & \textbf{Total Dwellings 2011 (No)} & \textbf{Proposed 2006-2031 (No)} & \textbf{Rate B/A (\%)}}
\hline
Romney Marsh Excluding Hythe West & 9,800 & 55 & A & 9,855 & B & 880 & 8.9\% \\
Rest Of Shepway & 37,190 & 819 & 38,009 & 7,920 & 20.8\% \\
Total & 46,990 & 874 & 47,864 & 8,800 & 18.4\% \\
\hline
\textbf{Area} & \textbf{Dwellings 2008 (No)} & \textbf{Completions 08/09-10/11 (No)} & \textbf{Total Dwellings 2011 (No)} & \textbf{Proposed 2006-2031 (No)} & \textbf{Rate B/A (\%)}}
\hline
Romney Marsh Including Hythe West & 11,750 & 62 & 11,812 & 1,930 & 16.3\% \\
Rest Of Shepway & 35,240 & 812 & 36,052 & 6,870 & 19.1\% \\
Total & 46,990 & 874 & 47,864 & 8,800 & 18.4\% \\
\hline
\textit{Source: Compiled from figures provided by Kent County Council}
\end{tabular}
\end{table}

\textbf{Romney Marsh - percentage of historic completions vs percentage of proposed dwellings}

\begin{table}[h]
\centering
\begin{tabular}{|l|c|c|}
\hline
\textbf{Area} & \textbf{\% Of Dwelling Completions 2001/02 - 2010/11} & \textbf{\% of Proposed Dwellings 2006-2031}
\hline
Romney Marsh Excluding West Hythe & 12\% & 10\% \\
Romney Marsh Including West Hythe & 13\% & 22\% \\
\hline
\end{tabular}
\end{table}

\textsuperscript{13} Note, the latest estimates of dwellings by area are only to 2008. KCC will be revising the numbers after the current census. The 2008 figures have need updated by adding dwelling completions by area (source KCC) for the three years 2008/09 - 2010/11.
48) This level of housing is unacceptable - even the 880 dwellings proposal, which as a proportion of the total dwellings proposed is below Romney Marsh’s (ex West Hythe) share of completions over the last 10 years - cannot be justified because of changes to the four main factors that distinguish the area from the rest of Shepway.

(a) Romney Marsh is a major flood plane
(b) Romney Marsh is a flat rural area containing Grade 1 agricultural land
(c) Romney Marsh has a high proportion of protected habitats
(d) Romney Marsh is the home to a major nuclear power complex

Flooding
49) Although sea defences have improved over the last 20 years, they are of varying quality and effectiveness and are non-existent in some areas. They can never guarantee full protection. Over the last decade insurance companies have become increasingly reluctant to ensure houses, particularly new ones.

Rural location and food security
50) Food security has become a recognised issue, particularly since the food price spike in 2008. Since Romney Marsh has some of the best quality agricultural land in the UK, it is in the national interest to maintain the current land resource bank intact. Urbanisation detracts from the stock of land and impedes agriculture in other ways such as reducing management efficiency through the fragmentation of farms and the difficulty in moving stock and machinery because of busy roads.

Protected Habitats
51) Over the last 20 years an increasing area of land on Romney Marsh has been designated to protect its fauna and fauna and bird life. The scale of this new protection, which is at the international, national and local level, is set out in 3.6, Appendix 2. As a result, the Dungeness area of Romney Marsh has become the most heavily protected areas in the UK. As well as increasing the area under protection, some areas have multiple designations because of their importance. Adverse impacts on these habitats can only be prevented by restricting development in the Romney Marsh area.

Presence of a nuclear power station
52) 9/11 and the Fukushima disaster have raised awareness of terrorism and the vulnerability of nuclear power stations to natural and man made hazards - and in addition, exposed man’s inability to account for all the possible causes of an accident. Even before the Fukushima disaster in March 2011 the ONR was beginning to “tighten up” on development around nuclear power stations. It appears from the evidence given at the Aldermaston public inquiry (the first time ever the ONR has attended a public inquiry) that although guidelines have been in place for decades, they have been ignored with the result that populations have been increasing at an unacceptable rate around some nuclear installations.

14 There is not one mention of a Suitable Accessible Natural Green Space (SANG) in the Core document. Developers should be made aware that any sizeable development on Romney Marsh will need to be accompanied by a SANG in order to mitigate impacts on the protected habitats at Dungeness.

15 Inquiry held between October 12, 2010 - January 13, 2011
53) At the Aldermaston inquiry\textsuperscript{16} the regulator vigorously opposed the building of homes beside the Aldermaston atomic energy facility (Appendix 5). Dr John Highton (HSE) outlined the requirement to preserve the general characteristics of the area around the nuclear site throughout the lifecycle of a nuclear installation\textsuperscript{17} and outlined the various safe guarding zones which vary according to the type of reactor (up to 5 miles (8km) for the Magnox stations (e.g. Dungeness A))\textsuperscript{18} although more recent guidance means that the consultation zones vary between sites and according to the nature of the sites\textsuperscript{19}.

54) The Fukushima accident has resulted in the ONR further raising its profile over development levels beside nuclear power stations. In its report to DECC, which was produced in the wake of Fukushima, the ONR recommended planning constraints, as mentioned above in paragraph 26 - and reproduced below.

\textbf{Recommendation FR\textsuperscript{5}: The relevant Government departments in England, Wales and Scotland should examine the adequacy of the existing system of planning controls for commercial and residential developments off the nuclear licensed site.}

55) Currently, development in the vicinity of a nuclear power station is guided by text in a 1988 Hansard Report\textsuperscript{20} shown below:

\begin{quote}
I am advised by the HSE\textsuperscript{5}'s Nuclear Installations Inspectorate that the current demographic criteria for assessing potential AGR sites were developed in the late 1960s. These and more restrictive criteria of a similar type are used as guidelines for controlling development in the vicinity of existing AGR and Magnox stations respectively. Once a site has been has been accepted for a nuclear station arrangements are made to ensure that residential and industrial developments are so controlled that the general characteristics of the site are preserved and therefore local authorities consult the inspectorate with regard to any proposed development which might lead to an increase in population close to the site and on larger developments further from the site. . ."
\end{quote}

56) SDC has confirmed that a demographic siting assessment has never been carried out for development on Romney Marsh.

57) It is not known whether the ONR’s recommendation to DECC has been included in the new planning policy framework (I have yet to read it). If it is not, it is possible that further pressure for rigorous population control around nuclear power stations will result from the current stress testing exercise in Europe as this has thrown up serious discrepancies in the approaches of member states to nuclear safety. In any event, the fact that the ONR is recommending more rigour with regard to the regulation of populations around nuclear power stations should signal that it is in the public interest to do so.

58) The following table illustrates the population growth for Shepway electoral wards, and ward groupings between 1991 and 2010. Unfortunately it is not possible to provide data for each ward.

\begin{footnotes}
\item[16] TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77, APPLICATION BY CALA HOMES (SOUTH) LTD BOUNDARY HALL SITE, ALDERMASTON ROAD, TADLEY, RG26 4QH, APPLICATION REFERENCE: BDB/67609
\item[17] See page 14, Appendix 5
\item[18] Ibid page 11
\item[19] Ibid page 13
\item[20] Hansard, HC 11 March 1988 Vol 129, cc357-358 (Written Answers) [Appendix A2 pA-3]. Note also reproduced in Appendix 5, page 15
\end{footnotes}
ward because of electoral boundary changes. Where these changes have occurred, the wards have been amalgamated to provide consistent ward groupings.

### Population Increase 1991-2010 - Shepway Electoral Wards

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td></td>
<td>(Census)</td>
<td>Mid Year</td>
<td></td>
</tr>
<tr>
<td>New Romney*</td>
<td>6,039</td>
<td>6,980</td>
<td>15.6%</td>
</tr>
<tr>
<td>Lydd</td>
<td>5,220</td>
<td>6,220</td>
<td>19.2%</td>
</tr>
<tr>
<td>Other Romney Marsh**</td>
<td>8,005</td>
<td>8,530</td>
<td>6.6%</td>
</tr>
<tr>
<td><strong>Total Romney Marsh</strong></td>
<td><strong>19,264</strong></td>
<td><strong>21,730</strong></td>
<td><strong>12.8%</strong></td>
</tr>
<tr>
<td>Excluding Hythe West</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hythe West</td>
<td>3,869</td>
<td>4,310</td>
<td>11.4%</td>
</tr>
<tr>
<td><strong>Total Romney Marsh</strong></td>
<td><strong>23,133</strong></td>
<td><strong>26,040</strong></td>
<td><strong>12.6%</strong></td>
</tr>
<tr>
<td>Including Hythe West</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hythe Central***</td>
<td>5,823</td>
<td>5,670</td>
<td>-2.6%</td>
</tr>
<tr>
<td>Hythe East</td>
<td>3,655</td>
<td>4,150</td>
<td>13.5%</td>
</tr>
<tr>
<td><strong>Total Hythe Excl. Hythe West</strong></td>
<td><strong>9,478</strong></td>
<td><strong>9,820</strong></td>
<td><strong>3.6%</strong></td>
</tr>
<tr>
<td><strong>Total Hythe incl. Hythe West</strong></td>
<td><strong>13,347</strong></td>
<td><strong>14,130</strong></td>
<td><strong>5.9%</strong></td>
</tr>
<tr>
<td>Lymnpe &amp; Stanford</td>
<td>1,638</td>
<td>2,000</td>
<td>22.1%</td>
</tr>
<tr>
<td>North Downs East****</td>
<td>3,575</td>
<td>8,450</td>
<td>136.4%</td>
</tr>
<tr>
<td>Rest of Downs *****</td>
<td>7,581</td>
<td>8,270</td>
<td>9.1%</td>
</tr>
<tr>
<td><strong>Total North Downs</strong></td>
<td><strong>12,794</strong></td>
<td><strong>18,720</strong></td>
<td><strong>46.3%</strong></td>
</tr>
<tr>
<td><strong>Total Folkestone</strong></td>
<td><strong>44,021</strong></td>
<td><strong>46,640</strong></td>
<td><strong>5.9%</strong></td>
</tr>
<tr>
<td><strong>Total Shepway</strong></td>
<td><strong>89,426</strong></td>
<td><strong>101,220</strong></td>
<td><strong>13.2%</strong></td>
</tr>
</tbody>
</table>

* Now new Romney Town plus New Romney Coast
** Now Romney Marsh plus Dymchurch and St Mary's Bay
*** In 1991 was Hythe North plus Hythe South
**** In 1991 was Swingfield & Acrise plus Hawkinge and Paddlesworth
***** Now Elham & Stelling Minnis plus North Downs West & Tolsford

Source: Compiled from KCC sourced population figure and with the assistance of the Research & Evaluation, Business Strategy and Support division of KCC
59) The table clearly shows that rural areas have shown the fastest population growth over the last 19 years with the North Downs experiencing the highest rate of growth partly as a result of the growth in Hawkinge. On Romney Marsh the two major town centres, New Romney and Lydd grew by 16% and 19% respectively, compared to growth of only 4% at Hythe and 6% at Folkestone. Lydd had the faster growth - and is within the 8km safeguarding zone (6km from mid point of the nuclear power complex) for Magnox reactors (Dungeness A) while New Romney is at the 8km zone’s border.

60) In the context of maintaining nuclear site characteristics this increase in population is not acceptable and in order to rectify the situation new development at both New Romney and Lydd should be restricted to small infill developments over the next 25 years to help redress the situation.

61) Any restrictions on these two towns because of the need to conform to safeguarding principles should not signal a requirement for the development of other villages on Romney Marsh as this would lead to urban sprawl, compromise agriculture, protected habitats and the rural character of Romney Marsh. Equally, the need to restrict development on Romney Marsh should not be a signal to foist the residual on other areas, and particularly the North Downs, where the rate of population growth is already compromising the Kent Downs AONB. The bottom line is that development within Shepway must be compatible with its many and varied constraints and a minimum housing allocation of 8800 over the next 25 years, is not.

62) Further, in relation to the main town of New Romney on Romney Marsh, it is not clear what the total allocation for New Romney is. Policy CSD8 cites 300 in relation to a particular broad location. Is the 300 the total for 25 years or the first of a number of developments? If it is the former, where are the 580 additional houses going to be located on Romney Marsh? If so many houses are to be developed elsewhere on Romney Marsh, this position would immediately contravene the policy to give priority to New Romney.

63) The other factor which needs addressing is that there are already houses in the pipeline (set to get planning permission, have planning permission and built recently) on brownfield sites in New Romney. Work by Mrs Alison Jeffreys of STORM (Stop Theft of Romney Marsh) to be submitted to you shows that there are at least 200 dwellings in the pipeline. Adding these to the 300 proposed on the Greenfield site means there will be 500 new dwellings in New Romney.

64) A more realistic new housing figure for New Romney, would be the 200 dwellings proposed on the brownfield sites - it would be up to the Council to ensure that development is staggered over 25 year period. The rest of Romney Marsh (excluding Hythe West) should be allocated 100 dwellings.

Other Factors - Employment

65) As pointed out in an earlier submission, there is no justification for the high housing numbers on Romney Marsh based on the need to provide for the future employment needs of the nuclear power complex, the largest employer on Romney Marsh, and Lydd Airport, one of the largest employers. Even if Lydd Airport’s current development proposal (to
500,000ppa) and the development of Dungeness C proceed, the total employment in 2030 will be lower than it has been in the past. This is because capital is replacing labour at airports\textsuperscript{21} and EDF/British Energy has confirmed that there will only be one reactor per station for Dungeness C as opposed to two, at Dungeness A and Dungeness B\textsuperscript{22}. Therefore, by 2030, the total employment from decommissioning the two existing power stations, plus that from Dungeness C and the developed Lydd Airport, will be lower than the combined employment of Dungeness A and Dungeness B and Lydd Airport in 2011.

66) I have reproduced the table provided in the response to SDC dated September 21st 2011 as Appendix 6\textsuperscript{23}. The Appendix shows that in 2011 there were 1170 people employed on the Dungeness Site (Dungeness A and Dungeness B) and at Lydd Airport. This falls to 745 people in 2030 when Lydd Airport is fully operational at 500,000ppa, Dungeness C is generating power and Dungeness A and Dungeness B are supported by a small number of care and maintenance staff, being in the process of being de-commissioned over a 100 or so year period.

67) Although the numbers in the intervening period (i.e. between 2011 and 2030) are likely to be higher, this is due to the presence of contractors which are more likely to be outsiders, for example, specialists for removing asbestos (see breakdown of labour in second table below the first). This will result in demand for temporary accommodation, not permanent housing.

68) Given that there is a strong possibility that one of these two developments will not proceed, the future housing requirements to cater for the labour requirements of major existing employers will be even lower.

69) Constraining housing supply on Romney Marsh will have price implications but it is up to the Council to deal with this by mandating that at least 50% of all new houses on Romney Marsh are only available to local people. Once build, the houses would be resold only to local people. This would create a two tiered price structure in private housing, making it affordable to local people and unattainable to Londoners who can always out bid residents. A “local person” could be defined as any one who lives on Romney Marsh and who has lived in the area for 15 years. Romney Marsh is a unique place and SDC must think “out of the box” to deal with its special issues.

Other Issues

70) House building per se does not create jobs other than a limited number of service jobs. The pockets of deprivation on Romney Marsh are a symptom of inappropriate housing development in towns and villages such as the town of Lydd and villages such as Brenzett and Brookland. People move into new developments, or are moved in, and then cannot find jobs - they invariably do not have the skills or resources to commute to other areas or start their own businesses.

\textsuperscript{21} Lydd Airport’s own consultant only forecast an additional 140 jobs on site by 2024 in the high growth scenario and 130 additional jobs by 2028 by the lower growth scenario.

\textsuperscript{22} i.e. Dungeness A station has two reactors as does Dungeness B

\textsuperscript{23} The table is compiled using employment forecasts for Lydd Airport provided by its socio economic advisor at the public inquiry and figures provided by Magnox and EDF/British Energy. Although there are timing issues, the table gives a reasonable assessment of the steady state situation once the two developments are fully operational. In the case of Lydd Airport this means operating at a throughput of 500,000ppa with an extended runway and new terminal and in relation to Dungeness C, generating power from a single unit reactor as defined by EDF/British Energy.
71) New housing development in Romney Marsh villages, other than to meet genuine needs for people in employment, should be actively discouraged as this will only lead to further deprivation. It is also fatuous to claim that adding housing in small villages will lead to local services. Modern services and businesses are built on economies of scale so that significant additional housing numbers will be required in villages to result in shops and other services.

72) With regard to employment and particularly that of young people on Romney Marsh, SDC must accept the reality that is axiomatic in other developed countries - rural areas can only support a small component of their young people - the rest must find employment elsewhere. The emphasis therefore must be on education to ensure young people are internationally competitive so that they can compete locally (well educated migrants are securing jobs locally) as well as nationally and internationally. The new Marsh Academy is a major step forward - it is a world class facility and in theory puts Romney Marsh well ahead of other areas. It also has progressive head teachers who are intent on raising children’s aspirations as well educational standards.

73) SDC must also refrain from demonizing older people. Older people bring skills to the area. An increasing number will retire later because of the need to augment their pensions, some creating new ventures in later life and employment. Even when retired they are often employers of local people. Further, they can play a major role in mentoring local children - a programme that the Marsh Academy has already started. Through exploiting the skills base of older people who retire to the area, Romney Marsh can help raise the aspirations and educational standards of its young people.

Conclusion
74) Projected housing needs for Shepway overall should be reduced to better reflect the constraints of the area.

75) Substantial reductions in the proposed number of dwellings are required for Romney Marsh which is already shouldering 1050 dwellings at Hythe West. The number for Romney Marsh, excluding Hythe West, should be reduced to 300 dwellings over the period 2006-2031 to reflect both the areas constraints and the changes in the last 20 years - the significant increase in designated habitats, greater need for food security and the protection of grade 1 agricultural land and the requirement, hitherto not observed, that the characteristics of a nuclear power station should be preserved throughout the lifecycle of an installation and therefore, populations must now be restrained in the vicinity of a nuclear power station.

Recommendation: Site visit to West Hythe

Appendices:

Appendix 1: CD 4.4 (LAA) - Common Ground Statement between Lydd Airport and LAAG
Appendix 2: LAAG/6/A - Changes since the Secretary of State’s 1992 decision to grant planning permission
Appendix 3: LAAG’s Closing Statement at the 2011 Public Inquiry
Appendix 4: Review of the Byrne model for aircraft crash probability in relation with the planned expansion of London Ashford Airport at Lydd, Dr Roberto Trotta, Imperial College, London, Mach 31, 2012
Appendix 5: Proof of evidence of Dr John Highton on behalf of the Health and Safety executive. Aldermaston public inquiry - Planning Inspectorate Ref: APP/H1705/V/10/2124548
Appendix 6: Changes to employment at the Dungeness nuclear site and Lydd Airport assuming Dungeness C and Lydd Airport’s development

Yours Sincerely

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