Planning Policy
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23 September 2011

Dear Sir or Madam

Shepway Core Strategy Proposed Submission Document July 2011
Representations on behalf of London Ashford Airport

We are pleased to enclose, on behalf of our client London Ashford Airport (LAA), representations to the Shepway Core Strategy Proposed Submission Document (Submission Core Strategy). These follow the representations made on behalf of LAA at the Issues and Options and Preferred Options consultation stages.

Our comments relate to the soundness of the consultation document, when assessed against the relevant tests set out in Planning Policy Statement 12: Local Spatial Planning.

Current National Planning Guidance and the Vision for Shepway

Two key changes in relation to national planning have occurred prior to the start of the consultation period for the Submission Core Strategy. Firstly, the March 2011 Budget, together with its supporting Ministerial announcements and documents, and secondly, the publication of the draft National Planning Policy Framework (dNPPF).

We consider these, and the implications for the submission of the Core Strategy below.

The March 2011 Budget

The March 2011 Budget and subsequent Ministerial Statements set out ambitious proposals to ensure that the planning system does everything possible to support economic growth and sustainable development, helping to rebuild Britain’s economy.

The new presumption in favour of sustainable development is an important new principle underpinning the planning system. It is intended to ensure that the default answer to development and growth proposals is “yes” rather than “no”, except where this would clearly compromise the key sustainable development principles in national planning policy.
The Government considers this presumption will give developers, communities and investors greater certainty about the types of applications that are likely to be approved. It is also considered that this default position towards development proposals will help to speed up the process for planning applications and, importantly, encourage growth.

Decision makers are encouraged to have careful and full regard to the principles in Greg Clark’s Ministerial Statement that significant weight should be attached to the need to secure economic growth and employment.

Most of the Government’s proposed reforms to the planning system will take time to deliver. However, the Government’s current clear advice to local authorities is that they can start immediately prioritising growth in the decisions that they take locally. The Government considers that every Council should be firmly on the front foot in encouraging and supporting growth and not impose any unnecessary burdens in the way of development.

The Draft National Planning Policy Framework

The key themes of the Ministerial Foreword are: that development means growth; without it peoples’ lives and the places in which they live will be worse if things stagnate; sustainable development is about positive growth; and that development that is sustainable should go ahead, without delay. A presumption in favour of sustainable development is to be the basis for every planning decision.

The dNPPF confirms that the purpose of planning is to help achieve sustainable development and not hinder or prevent development. Sustainable development is central to the economic, environmental and social success of the country and is the core principle underpinning planning. The dNPPF states that planning should proactively drive and support the development that this country needs and that every effort should be made to identify and meet development needs, including business needs, in an area.

It is stated that a positive planning system is essential because, without growth, a sustainable future cannot be achieved. Planning must operate to encourage growth and not act as an impediment. Therefore, significant weight should be placed on the need to support economic growth through the planning system. This includes through the development plan process.

Overall Vision

LAA is concerned that these clear messages from national planning guidance are not embedded strongly enough in the Submission Core Strategy. At present, the Submission Core Strategy’s failure to reflect recent Government statements is, therefore, inconsistent with current and emerging national planning policy promoting sustainable economic development, growth and job creation.
The Status of the Airport

London Ashford Airport has been established in the District for over 50 years. It is acknowledged in Chapter 2: Strategic Issues that the District is a recognised gateway location between the UK and mainland Europe. The Airport is depicted on Figure 2.1: National and International Connections.

LAA is disappointed, therefore, that, in Chapter 4: The Spatial Strategy for Shepway, the recognition of the Airport's existence, current role and economic contribution potential is not acknowledged. The consultation document states that the Spatial Strategy for Shepway is “the heart of the Core Strategy, setting our proposals for the long-term development of Shepway”. This omission undermines the Spatial Strategy.

Importantly, The Key Diagram at Picture 4.2, on page 37 does not identify the Airport, despite depicting other elements of the strategic transport infrastructure across the District. Also, proposed Policy SS1 fails to mention the Airport. This is an important omission which undermines the credibility of the Strategy. The Airport is recognised infrastructure in the District. It is identified as such in Chapter 2 and there is no logic to not continuing to recognise its presence and role throughout other relevant sections of the Submission Core Strategy.

Economic Growth Strategy

The Submission Core Strategy seeks to establish, through policy, the quantity and type of future development in Shepway for key sectors. Proposed Policy SS2 focuses the economic growth strategy for the District on supplying new housing and providing employment in the industrial, office and retail sectors.

Figure 4.3: Extract from Employment Land Review states that there is "no requirement identified for Airport-related sites". There is no supporting text in the Submission Core Strategy to qualify this position. LAA considers that failing to acknowledge the employment contribution that is, and can be, made on Airport-related sites is a key omission, particularly in the context of lack of employment opportunities in the Romney Marsh area of the District.

LAA considers that District's Economic Growth Strategy is unnecessarily rigid in its focus and that all activities that are capable of generating an economic contribution should be included in the economic growth strategy for the District. LAA considers that the role that service related employment will play in contributing towards the District's economic growth strategy should be acknowledged and referenced in Policy SS2.

Infrastructure Upgrades

Various infrastructure upgrade projects are identified in the Submission Core Strategy. Paragraph 4.128 states that "following comprehensive review and discussion in the evidence base (Scott Wilson 2011, Shepway Transport Strategy) it is clear that providing an increased choice of means of travel is
integral to long-term development, the District’s travel needs, and moving towards a low-carbon and inclusive economy”.

Statement 4.2 on page 62 is an extract from the Shepway Transport Strategy and continues that one of its key aims is “to promote connections to existing ports and airports within and outside the District, such as by new rail and coach services, and to support improved access to London Ashford Airport subject to no adverse environmental consequences”.

LAA is disappointed that, whilst the local planning authority’s evidence base and the Shepway Transport Strategy support improved access to the Airport and acknowledge the economic advantages that increased choice of means of travel offer to residents of the District, the Submission Core Strategy fails to embed these points within proposed planning policy.

The dNPPF states that the objectives of transport policy are to facilitate economic growth by taking a positive approach to planning for development and support reductions in greenhouse gas emissions and congestion, and promote accessibility through planning for the location and mix of development.

The dNPPF continues with when planning for airports and airfields that are not the subject of a separate national policy statement, planning policies should consider their growth and role in serving business, leisure, training and emergency service needs. In doing this, planning policies should take account of the dNPPF, as well as the principles set out in the relevant national policy statements and the Government Framework for UK Aviation.

LAA considers that, as currently drafted, the Submission Core Strategy is inconsistent with emerging national planning policy. Further, the proposed policy is not justified because it fails to reflect the provisions of its own evidence base.

Areas of Strategic Change: The Romney Marsh Area

The Submission Core Strategy sets out a spatial strategy for the Romney Marsh area. It is stated at paragraph 5.115 that, as part of this spatial strategy, “the expansion of London Ashford Airport at Lydd has been regarded by Shepway District Council as an important development opportunity for Romney Marsh, with the potential to increase connectivity to southern Shepway and beyond, and to provide direct and indirect employment benefits. In line with saved policy TR15 of the Shepway District Local Plan Review, the District Council resolved in 2010 to positively support applications to lengthen its runway and build a new passenger terminal, as it was considered the benefits were significant and the specific proposals complied with the requirements of the Habitats Regulations”.

Paragraph 5.116 states that “following this resolution, the applications were ‘called-in’ by the Secretary of State and are subject to a public inquiry. It is considered that the spatial strategy for the Romney Marsh featured in this document will remain applicable whatever decisions the Secretary of State
makes.

LAA agrees that the Airport represents an important development opportunity for the District and that it is capable of delivering direct and indirect employment benefits.

The Submission Core Strategy as currently drafted provides only lukewarm support for the future role of the Airport. There is no mention of the Airport in proposed Policy CSD8. This is inconsistent with Members’ clear and considered resolution to grant planning permission for both planning applications and the Council’s subsequent evidence in support of the planning applications as presented to the recently concluded public inquiry.

LAA is not satisfied with the proposed footnote on page 102 that the inquiry decision for the planning applications will be fully reflected in the adopted Shepway Core Strategy. LAA considers that positive provision for an existing element of key infrastructure, as is identified as such elsewhere in the Submission Core Strategy, should be made in this draft Core Strategy and that the matter should not be left until a future review of the adopted Core Strategy, which we can only assume would take place post 2014.

LAA considers that procedurally, this approach would lead to a gap in local planning policy coverage for a key feature in the District.

If the applications are refused, clearly the expansion and investment in the Airport as currently proposed will not be appropriate. However, even in this scenario, the Core Strategy should provide support for the principle of the appropriate improvement of LAA because of the widely acknowledged benefits this will deliver.

Conclusions

Key announcements in relation to national planning have been made prior to the start of the consultation period for the Submission Core Strategy. LAA does not consider that these messages for national planning activity are embedded strongly enough in the Submission Version of the Shepway Core Strategy. At present, the Submission Core Strategy is inconsistent with current and emerging national planning policy.

The Submission Core Strategy is inconsistent in its treatment of the Airport. It identifies the Airport positively early on in the document, but fails to recognise the Airport’s presence and role in other relevant sections of the Submission Core Strategy. This is inconsistent with Members’ resolution to grant planning permission for both planning applications and the Council’s subsequent evidence in support of the planning applications as presented to the recently concluded public inquiry.

LAA considers that District’s Economic Growth Strategy is unnecessarily rigid in its focus and that all activities, capable of generating an economic contribution, should be included in the economic growth strategy for the District.
LAA considers that, as currently drafted, the Submission Core Strategy is inconsistent with emerging national transport planning policy. Further, the proposed policy is not justified because it fails to reflect the provisions of its own evidence base.

LAA is not satisfied with the proposal that the inquiry decision for the planning applications will be fully reflected in the adopted Shepway Core Strategy. The positive provision for an existing element of key infrastructure, as is identified as such elsewhere in the Submission Core Strategy, should be made in this draft core strategy and that the matter should not be left until a future review of the adopted Core Strategy. If the current planning applications for the Airport are refused, the Core Strategy should provide support for the principle of the appropriate improvement of LAA because of the widely acknowledged benefits this will deliver.

We trust these representations will be taken into account during the preparation of the final Shepway Core Strategy.

We would be grateful for written confirmation that these representations have been duly made.

Yours faithfully

Sean McGrath

cc T Maskens and H Mutlaq (LAA)